

Chapter 7: Changes That Don't Require a Major Permit Amendment

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Chapter 7

Changes That Don't Require a Major Permit Amendment

7.1 Overview

Once you have determined, using Form CH-03 (and working through the associated Forms CH-04, 04a, 04b, 05, 05, 06, and 07), that a change does not require a major permit amendment, the remainder of Form CH-02 guides you through the determination of other possible permit action requirements. One of the following may apply, depending on the magnitude of the change:

- Insignificant activities & modifications
- Administrative amendment
- Contravening permit terms
- Moderate amendment
- Minor amendment
- No permit required

Note that none of these can be used unless you have already determined that a major amendment is not required (see Chapter 5). If the change meets none of the permit applicability criteria, then complete Form WS-01 (see Appendix D) documenting this determination.

7.2 Insignificant Activities

7.2.1. Form CH-02

CH-02

4. Does the entire proposed change or modification consist only of insignificant activities described in Minn. R. 7007.1300, subparts 2 and/or 3?

Yes. The proposed change qualifies as an insignificant modification. Use Form CH-12 to determine if notification to the MPCA is required. If notification is required, go to Form CH-14 to determine what must be submitted.

No. Part of the project is not one of the listed insignificant activities. Go to question 5.

Check the list of disqualifications for insignificant modifications in Minn. R. 7007.1250 Subpart 2. Proceed to the next step if the proposed change is not disqualified. If the project is one of the listed disqualifications, turn to Chapter 5 on major permit amendments.

Minn. R. 7007.1250, Subp. 2. Insignificant modification exclusions.

A modification may not be made under this part if the modification :

- A. is a Title I modification (i.e. triggers or avoids applicability of NSR/PSD, NSPS, NESHAPs);
- B. would result in the violation of a permit emissions limit or any other term (e.g. want to change an existing term or condition in a permit);
- C. is required to be authorized by a permit amendment under title IV of the act or Code of Federal Regulations, title 40, part 72 as amended (i.e. is a large power plant subject to federal acid rain regulations);
- D. is part of a single project, as described in subpart 5, which taken as a whole, would not be authorized under this part (i.e. a source cannot split a single change into small enough pieces that each piece is an insignificant modification, when the whole change would require some other type of permit. See rule below); or
- E. is described under Part 7007.1500, subpart 1 (Major permit amendment required) (i.e. the source answered yes to any question on Form CH-03).

If the project is not disqualified as an insignificant modification under A-E, and the equipment is described in Minn. R. 7007.1250 or the emissions increase is less than the thresholds of Table 1 on Form CH-10, it is an insignificant modification. (Form CH-10 is discussed in detail in Section 7.5.)

For example, a change that emits only NOx with an emissions increase of 2 lb/hr is below the 2.28 lb/hr trigger for a minor permit amendment. The change is an insignificant modification. You may make an insignificant modification without notifying the MPCA. Be sure to keep records that describe the modification, the quantity of the increase, and the date of the change. Those insignificant activities listed in Minn. R. 7007.1250, subps. 3 and 4 will need to be listed in your next permit application, using form IA-01, as discussed below.

7.2.2. Form IA-01

Check Form IA-01 to see if the project is one of the listed sources or activities which are insignificant activities. These are listed in Tables IA-01.1 and IA-01.2 of the form (pages 4–8).

	<p>MINNESOTA POLLUTION CONTROL AGENCY AIR QUALITY 520 LAFAYETTE ROAD ST. PAUL, MN 55155-4194</p>	<p>PERMIT APPLICATION FORM IA-01 INSIGNIFICANT ACTIVITIES (REQUIRED TO BE LISTED) 10/15/03</p>
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This form sorts out those activities which must be listed and included in a permit application from those which are trivial and do not even require listing. If the proposed change matches one of the listed

activities in Table IA-01.1 items 2(A) – 2(K) of the instructions, it does not need to be included in the permit application. If the proposed change matches one of the listed activities in Table IA-01.2 items 3(A) – 3(H) or 3(J), it needs to be listed on this form and submitted as part of the permit application.

It is recommended that you fill out Form IA-01 to document your insignificant activity applicability determination.

If the proposed change is not one of the activities required to be listed, there may be no need for a permit. Note also that for PAL permits, insignificant activities that are required to be listed must be included in the calculation of the PAL.

Each insignificant modification must be an independent activity, not part of a larger project. If you make two or more insignificant modifications within a five-year period, you must add the emission increases (for each pollutant) from all the modifications. Compare the totals to the moderate amendment emission increase thresholds listed in Table 1 of Form CH-10. If one or more pollutant total exceeds four times the threshold, you must notify the MPCA within seven days of beginning construction on the most recent modification. Use Form CH-12 for that. In your notification, certify that the individual modifications were not part of a single project. For specific information, see Minn. R. 7007.1250, Subp. 4.

Minn. R. 7007.1250 Subp. 4. Agency notification required.


If a modification authorized under subpart 1, item B, together with other modifications made under subpart 1, item B, during the course of the permit term (or within a five-year period for a nonexpiring permit), have resulted in total increases of a pollutant in excess of four times the amount listed in subpart 1, item B, subitem (2), for that pollutant, the permittee shall notify the agency by seven working days after beginning actual construction of the last modification. The notice shall provide the information required to be kept in subpart 3 for each modification made under subpart 1, items A and B, except for those activities described in part 7007.1300, subpart 2, during the period in question. The notice shall also include a certification by a responsible official, consistent with part 7007.0500, subpart 3, that the modifications listed were not part of a single project, as described in subpart 5, which taken as a whole, would not be authorized under subpart 1, item B. After any such notice has been sent, the permittee shall continue to keep track of modifications made under subpart 1, item B, and the permittee shall notify the agency again if emissions increases from these additional modifications total more than four times the amount listed in subpart 1, item B, subitem (2). (Note subpart 1, Item B, subitem (2) is Table 1 of Form CH-10)

Minn. R. 7007.1250 Subp. 5. Determination of a single project.

If two or more modifications made at a stationary source are part of a single project, the emissions increases from these modifications shall be considered in the aggregate for purposes of this part. Generally, modifications will be considered part of a single project when the usefulness of one modification depends substantially on the completion of the other modification or modifications. In determining whether modifications are part of a single project, the agency will consider the amount of time that elapses between modifications, whether they were planned at the same time, and whether the modifications share a common purpose.

7.2.3. Form CH-12

If the proposed change or modification consists **only** of the activities listed in the referenced rule, then no permit amendment is necessary. However, you may still need to notify the MPCA. Use Form CH-12 to determine if a notification is required. Note that the seven-day notice is a seven-working-day notice: it does not include weekends or state holidays.

	MINNESOTA POLLUTION CONTROL AGENCY AIR QUALITY 520 LAFAYETTE ROAD ST. PAUL, MN 55155-4194	PERMIT CHANGE FORM CH-12 WRITTEN NOTIFICATION FORM (FORMERLY MOD-13 WRITTEN NOTIFICATION FORM; & MOD-15 NOTIFICATION OF ACCUMULATED INSIGNIFICANT MODIFICATIONS) 04/15/04
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ACCUMULATED INSIGNIFICANT MODIFICATIONS
 If you have made Insignificant Modifications *during the past five years* so that the total increase exceeds the thresholds in the instructions for this form, you must report all unreported Insignificant Modifications *made during the past five years* to the Agency using this form.
 Complete the following table.

Insignificant Modification Description and Date	Emission Increase, in lbs/hr					
	NO _x	SO ₂	VOC	PM ₁₀	CO	Lead
Total Emission Increase (compare to Table 2 at end of instructions)						

If the total emissions increase from the current proposed change or modification plus all insignificant modifications during the past five years exceed the thresholds in the instructions, then you need to use form CH-12 to report all unreported insignificant modifications made during that period. If the total emissions increase is below the threshold, then notification is not required until such time as the total emissions increase exceeds the threshold. List the accumulated insignificant modifications in the form below, and include Form CR-03 for the certification.

I answered "no" to all questions on Form CH-03.

No. This indicates that a major amendment is required; this form is not applicable.

Yes. The proposed change does not require a major amendment.

I determined using Form CH-08 that the change does not require an administrative amendment.

No. The change does require an administrative amendment; this form is not applicable.

Yes. The following changes may be made without applying for or obtaining an amendment. You are required to provide written notice to the Agency seven (7) days before making the change. Check the instructions for this form to be sure the change you want to make qualifies. Check the appropriate box and use this form to provide the written notice to the Agency. Also include with this

a description of emission units deleted from the facility and other changes which result in applicable requirements no longer applying.

INSTALLATION OF NEW AIR POLLUTION CONTROL EQUIPMENT

Include a completed Form GI-05A to describe the equipment, a Form GI-05B to indicate which emissions unit(s) is controlled by the new equipment, and Form CD-01 if monitoring, recordkeeping, or reporting requirements change.

REPLACEMENT OF AN EMISSION UNIT WITH ONE WHICH DOES NOT INCREASE EMISSIONS AND DOES NOT CAUSE EMISSION OF A POLLUTANT NOT PREVIOUSLY EMITTED

Include a completed Form GI-05B describing the new unit, and Form CD-01 describing compliance with applicable requirements.

REPLACEMENT OF AIR POLLUTION CONTROL EQUIPMENT WITH LISTED CONTROL EQUIPMENT WHICH HAS EQUAL OR BETTER REMOVAL EFFICIENCY

Include a completed Form GI-05A to describe the equipment, a Form GI-05B to indicate which emissions unit(s) is controlled by the new equipment, and Form CD-01 if monitoring, recordkeeping, or reporting requirements change.

Form CH-12 cannot be used if the change must be made with a major permit amendment or can be made by an administrative amendment.

7.3 Administrative Amendment

Your second step in determining which permit amendment type to use (after ruling out a major permit amendment, described in chapter 3) is to determine whether an administrative amendment can be used. This is covered in the next question on Form CH-02.

CH-02


5. Can the change be done through an administrative amendment? Use Form CH-08 to determine Yes or No.

Yes. Go to Form CH-14 to determine what must be submitted.

No. Go to question 5.

Changes in ownership, changes in the name of the facility or removal of obsolete permit conditions are examples of permit changes covered by administrative permit amendments. The list of activities which qualify for administrative amendments is in Form CH-08.

7.3.1. Form CH-08

	MINNESOTA POLLUTION CONTROL AGENCY AIR QUALITY 520 LAFAYETTE ROAD ST. PAUL, MN 55155-4194	PERMIT CHANGE FORM CH-08 ADMINISTRATIVE AMENDMENT DETERMINATION (FORMERLY MOD-03 ADMINISTRATIVE AMENDMENT DETERMINATION) 04/15/04
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<p>I answered “no” to all questions on Form CH-03</p> <p><input type="checkbox"/> No. I answered “yes” to one or more questions on Form CH-03. This means that the proposed change requires a major amendment, and the administrative amendment process is not applicable.</p> <p><input type="checkbox"/> Yes. To apply for an administrative amendment, indicate which of the following <i>completely</i> describes the change needed to your permit.</p>
<p><input type="checkbox"/> A. an amendment to correct a typographical error;</p>
<p><input type="checkbox"/> B. an amendment to change the name, mailing address, or telephone number of any person identified in the permit, or that reflects a similar minor administrative change at the permitted facility. A change in the stationary source’s location of operation is not covered by this item;</p>
<p><input type="checkbox"/> C. an amendment requiring the permittee to comply with additional, more frequent, or expanded testing, monitoring, recordkeeping, or reporting requirements;</p>
<p><input type="checkbox"/> D. an amendment to eliminate monitoring, recordkeeping, or reporting requirements if:</p>
<p>1. the requirements are rendered meaningless because the only emissions to which the requirements apply will no longer occur;</p>
<p>2. the change is to eliminate one validated reference test method for a pollutant and source category in order to add another;</p>
<p>3. the requirements are redundant to or less strict than other existing requirements;</p>
<p>4. the requirements are technically incorrect and their elimination does not affect the accuracy of the data generated or of the monitoring information recorded or reported; or</p>
<p>5. the piece of equipment to which the monitoring, recordkeeping, or reporting requirement applies no longer exists or has been permanently disabled from use at the stationary source.</p>
<p><input type="checkbox"/> E. an amendment reflecting a change in ownership or operational control of a stationary source where the agency determines that no other change in the permit is necessary, provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittee has been submitted to the agency;</p>
<p><input type="checkbox"/> F. an amendment to incorporate into a permit the requirements from preconstruction review permits issued by the MPCA, incorporate into a permit the requirements from standards adopted under Code of Federal Regulations, title 40, Part 63, as amended (National Emission Standards for Hazardous Air Pollutants for Source Categories), or to lower the plantwide emission limits in permits with Plantwide Applicability Limits to reflect the impact of standards adopted under Code of Federal Regulations, title 40, Part 63, as amended;</p>
<p><input type="checkbox"/> G. an amendment to clarify the meaning of a permit term;</p>
<p>NOTE: Administrative amendments cannot make substantive changes to permit</p>
<p><input type="checkbox"/> H. an amendment to extend a deadline in a permit by no more than 120 days, provided</p>

that the MPCA may only extend a deadline established by an applicable requirement described in Minn. R. 7007,0100, subp. 7(A)-(K), if the Agency has been delegated authority to make such extensions by the administrator of EPA. Notwithstanding the previous sentence, the MPCA may do an administrative amendment to extend a testing deadline in a permit up to 365 days if the MPCA finds that the extension is needed to allow the permittee to test at worst case conditions as required by Minn. R. 7017.2025, subp. 2;

I. an amendment to remove any condition from a permit which was based on an applicable requirement that has been repealed, but only if the permit condition:

1. is neither required nor replaced by another applicable requirement; and

2. was not established for a specific facility to protect human health and the environment, to prevent pollution, as a mitigation measure in an environmental impact statement, or to obtain a negative declaration in an environmental assessment worksheet, and

J. an amendment to correct or update a citation to an applicable requirement where the corresponding permit condition is not changed.

K. an amendment to include operating conditions that ensure that waste combustors emit mercury at less than 50 percent of the applicable standard.

The box for this form asks again that you verify all of the answers to the questions on Form CH-03 are NO, meaning that the change does not require a major permit amendment.

An administrative amendment can be only for those changes which are **exactly** described by items A–K. If the change includes one or more of these items **as well as other changes that do not fit these items**, an administrative amendment cannot be used.

If the change is restricted to one or more of the changes described in items A–K, mark the appropriate boxes, and submit Form CH-08 and all of the other forms as directed on Form CH-14, including Forms CH-03 through CH-07, which document that a major permit amendment is not required.

If the change qualifies completely as an administrative amendment, Form CH-02 directs you to Form CH-14 for the required submittal. Completion of Form CH-14 is covered in Chapter 3. If the change does not qualify for an administrative amendment, go to question 6 of Form CH-02.

7.4 Contravening Permit Terms

If the change does not qualify for an administrative amendment, you need to determine which of the other five permit options should be used by continuing on Form CH-02.

CH-02


6. Can the change be made through the “contravening permit terms” provision? Use Form CH-09 to determine Yes or No.

Yes. Go to Form CH-14 to determine what must be submitted.

No. Go to question 7.

Turn to Form CH-09.

7.4.1. Form CH-09

	MINNESOTA POLLUTION CONTROL	PERMIT CHANGE FORM CH-09
	AGENCY AIR QUALITY 520 LAFAYETTE ROAD ST. PAUL, MN 55155-4194	CONTRAVENING PERMIT TERMS (FORMERLY MOD-09 CONTRAVENING PERMIT TERMS) 03/31/04

Contravening permit terms is a permitting action that allows sources to ignore certain permit conditions, provided the MPCA is notified of this action. To contravene permit terms, a source must identify the conditions with which it will not comply and report those to the MPCA using Form CH-09. Note that a source cannot contradict existing permit terms through either a minor or moderate amendment.

Changing existing federally-enforceable permit terms requires a major amendment.

The contravening permit terms option was intended to help sources address minor changes in permit conditions without having to go through the permit amendment process. It is very limited in scope and is thus very rarely used. Title I permit conditions such as emission limits and monitoring requirements cannot be contravened. In addition, a Title I modification cannot be made by contravening permit conditions. See Minn. R. 7007.1350 for a complete list of permit conditions which cannot be contravened.

I answered “no” to questions 3a – 3d on Form CH-03.

- No. I answered “yes” to one or more of questions 3a – 3d on Form CH-03. This means that the proposed change is a Title I modification and cannot be made under the “contravening permit terms” provision.
- Yes. Review the instructions on the next page, including Minn. R. 7007.1350. If the change qualifies as “contravening permit terms,” describe the change below. Include a description of the permit term being contravened or a marked up copy of the permit and why the change qualifies for this procedure.

Again, the form is used to check that all questions on Form CH-03 were answered NO and that the proposed change does not require a major permit amendment. If no major permit amendment is required and if the change cannot be accommodated as an administrative amendment, you can list the terms that the source intends to contravene and attach the portion of the permit with the relevant terms highlighted.

Go back to Form CH-02.

If you can make the proposed change under the contravening permit terms provision, answer YES to question 5, and go on to Form CH-14. Completion of CH-14 is covered in Chapter 5.

If you can make the change through contravening permit terms, also check the appropriate box on Form CH-12, discussed in Section 7.2. If it is not possible to contravene permit terms (and most terms cannot be changed without a major permit amendment), you need to determine which of the remaining four permit options are applicable. Return to Form CH-02 for the next step.

Turn to Form CH-12.

7.4.2. Form CH-12

CH-12

CONTRAVENING PERMIT TERMS

Include a completed Form CH-09

Form CH-12 should be used, with Form CH-09, to notify the MPCA of changes which contravene permit terms. Check the appropriate box on Form CH-12, shown above.

7.5 Determining Moderate or Minor Amendments and Insignificant Modifications

Go back to Form CH-02.

CH 02

7. Calculate the emissions increase as described on Form CH-10. Is there an increase?
- Yes. Complete Form CH-10 to determine if a minor or moderate amendment is needed. If a minor or moderate amendment is needed, go to question 5. If the change qualifies as an insignificant modification, keep records and use Form CH-12 to determine if notification is required.
- No. Complete Form CH-12 to determine what notification or recordkeeping requirements apply.

If the change does not require a major or administrative amendment and cannot be made under the provisions of contravening permit terms, you must next determine if a minor or moderate amendment is required, or if the change is an insignificant modification.



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

PERMIT CHANGE FORM **CH-10**
**APPLICABILITY OF MINOR OR MODERATE
AMENDMENT PROCESS**
(FORMERLY MOD-16 APPLICABILITY OF MINOR OR MODERATE
AMENDMENT PROCESS)
03/31/04

Form CH-10 works through calculations of the emission increases from the proposed change that determine which of the remaining three permitting options are available.

I answered "No" to all questions on Form CH-03.

- No. This indicates that a major amendment is required and this form is not applicable.
- Yes. The proposed change does not require a major amendment.

Form CH-10 checks to be sure that all questions on Form CH-03 were answered NO and that the proposed change does not require a major permit amendment.

Part A. Determination of Increases for Non Title I Changes.

See instructions for calculating emissions. Make copies if more than four emission units are affected by the proposed change. Attach your calculations.

Emission Source:				
Pollutant	After Change (lb/hr)	Before Change (lb/hr)	Net Change (lb/hr)	Annual (ton/year)
PM₁₀				
NO_x				
SO₂				
CO				
VOC				
Lead				

Note that emissions in the "After Change" and "Before Change" columns are expressed in terms of the hourly emission rate at maximum physical capacity, taking into account limits integral to the process, applicable emission limitations, and control equipment (or work practices) only to the extent that they are already in place or sought as part of this change. Although the last column requests conversion to ton/year, the test is based upon the net change in the pound/hour emission rate at maximum physical capacity.

Part B. Determination of Applicability of Minor or Moderate Amendment

Process. See instructions for calculating increases. Attach any additional calculations.

Total Project Emission Changes by Pollutant				
PM₁₀			SO₂	
Source	Net Increase (lb/hr)		Source	Net Increase (lb/hr)
NO_x			CO	
Source	Net Increase (lb/hr)		Source	Net Increase (lb/hr)
VOC			Lead	
Source	Net Increase (lb/hr)		Source	Net Increase (lb/hr)

Part B of the form sums the changes at all of the emission units for each criteria pollutant. You calculate the hourly emissions increase (or decrease) based on maximum potential in pounds per hour. If you determine that there is an hourly emission increase, then the next step is to determine what the proper permitting action is, depending on the size of the increase. If there is not an increase, use Form CH-12 (Section 6.4.2) to determine what action to take.

7.6 Moderate Permit Amendment

If the net emission rates from Part B are equal to or greater than the moderate amendment emission rates listed in the last column in Table 1 (and otherwise meet the requirements in Minn. R. 7007.1450, subp. 1), then the change requires a **moderate** permit amendment. (Table 1 is in the instructions to Form CH-10.)

CH-10 Table 1: Insignificant, Minor, and Moderate Thresholds			
Pollutant	Insignificant	Minor	Moderate
NO _x	< 2.28 lb/hr	≥ 2.28 lb/hr, < 9.13 lb/hr	≥ 9.13 lb/hr
SO ₂	< 2.28 lb/hr	≥ 2.28 lb/hr, < 9.13 lb/hr	≥ 9.13 lb/hr
VOC	< 2.28 lb/hr	≥ 2.28 lb/hr, < 9.13 lb/hr	≥ 9.13 lb/hr
PM ₁₀	< 0.855 lb/hr	≥ 0.855 lb/hr, < 3.42 lb/hr	≥ 3.42 lb/hr
CO	< 5.70 lb/hr	≥ 5.70 lb/hr, < 22.80 lb/hr	≥ 22.80 lb/hr
Lead	< 0.025 lb/hr	≥ 0.025 lb/hr, < 0.11 lb/hr	≥ 0.11 lb/hr

The emissions thresholds in Table 1 are the hourly equivalent of the annual PSD significant emissions thresholds. If an emission unit were to operate 24 hours/day, 365 days/year, and emit more than the thresholds in Table 1, the emissions would be above the PSD significance thresholds, which would require a major permit amendment (in fact, a PSD permit). A moderate permit amendment at an existing PSD major source can only be obtained when the source is constrained such that the annual emissions are less than the PSD thresholds. Although the change results in emissions on an hourly basis that would be large enough to be a major permit amendment, there are limitations that prevent it from operating at that rate for 8,760 hours per year or maximum capacity. An existing PSD major source cannot accept enforceable limits on a new unit to restrict the annual emissions to avoid PSD without going through a major amendment. However, for a change that involves an existing unit, a source can employ NSR Reform elements of baseline actual emissions and projected actual emissions to reduce the annual emissions increase without need for a major amendment.

As an example, consider a proposed modification to an existing unit at an existing PSD major source. Assume the unit will have an hourly potential to emit of 12 lb/hr NO_x after the modification. Under the actual-to-potential test, this is equivalent to an annual emissions increase of 52.6 tpy NO_x. Since the actual-to-potential test is above 40 tpy NO_x, it would be a PSD major modification under the original PSD rules. However, using the NSR reform baseline actual emissions to projected actual emissions test, the source has a projected annual emission rate for the modification of 30 tpy NO_x, which is less than the 40 tpy PSD significant increase threshold. The modification is not a major modification under PSD and can be permitted using the moderate amendment process.

Modifications under a moderate permit amendment are made "at permittee's risk." The permit shield does not apply to changes made under the minor or moderate amendment procedures. If the MPCA determines a different permit or different permit conditions are required at a later date, the source could be subject to enforcement actions by the MPCA or USEPA.

7.7 Minor Permit Amendment

If the net emission rates from Part B are below the emission rates listed in the moderate amendment column in Table 1, but equal to or above the emission rates in the “Insignificant” column in Table 1 (and otherwise meets the requirements in Minn. R. 7007.1450 subp. 1), then the change requires a **minor** permit amendment. (Table 1 is in the instructions to Form CH-10.)

CH-10			
Table 1: Insignificant, Minor, and Moderate Thresholds			
Pollutant	Insignificant	Minor	Moderate
NO _x	< 2.28 lb/hr	≥ 2.28 lb/hr, < 9.13 lb/hr	≥ 9.13 lb/hr
SO ₂	< 2.28 lb/hr	≥ 2.28 lb/hr, < 9.13 lb/hr	≥ 9.13 lb/hr
VOC	< 2.28 lb/hr	≥ 2.28 lb/hr, < 9.13 lb/hr	≥ 9.13 lb/hr
PM ₁₀	< 0.855 lb/hr	≥ 0.855 lb/hr, < 3.42 lb/hr	≥ 3.42 lb/hr
CO	< 5.70 lb/hr	≥ 5.70 lb/hr, < 22.80 lb/hr	≥ 22.80 lb/hr
Lead	< 0.025 lb/hr	≥ 0.025 lb/hr, < 0.11 lb/hr	≥ 0.11 lb/hr

Again, note that emission rates calculated and compared to those in Table 1 are the maximum hourly emission rates in pounds per hour from Part B of Form CH-10.

If you’ve determined that either a minor or moderate amendment is required, Form CH-02 directs you to complete Form CH-11 to determine if the proposed change causes you to cross over a permit threshold:

CH-02
<p>7. Complete Form CH-11 to determine your status with regard to crossing permit thresholds, and indicate that status below.</p> <p><input type="checkbox"/> This change can be made through the permit amendment provisions of Minn. R. 7007.1450 or 7007.1500, using the forms indicated on Form CH-14.</p> <p><input type="checkbox"/> This change requires issuance of a Title V or state operating permit. Include a completed Total Facility Application.</p>

Complete Form CH-11 as directed in Chapter 4. Use Form CH-14 to determine what other forms must be submitted. Form CH-14 is covered in Chapter 4.

Modifications under a minor permit amendment are made “at permittee’s risk.” The permit shield does not apply to changes made under the minor or moderate amendment procedures. If the MPCA determines a different permit or different permit conditions are required at a later date, the source could be subject to enforcement actions by the MPCA or USEPA.

7.8 No permit amendment required

No permit amendment is required if there is no “physical change or change in the method of operation,” no emissions increase, **and** no other changes which trigger permit amendments, including:

- a. no amendments of existing permit conditions for monitoring, reporting or record keeping
- b. no amendments of permit conditions based on case-by-case or source-specific determinations
- c. no establishment or changing of a condition to avoid applicable requirements, such as NSR or 112(g)
- d. no violation of existing permit term
- e. no other modifications that will trigger amendments **and** no changes in the permit conditions outlined above. Use all of above permit forms to rule out the need for a permit and maintain the completed forms as documentation of your decision making.

Even if no permit amendment is required, some requirements still apply, even in the absence of a permit.

- a. Track changes: you can use WS-01: Determination of Increases at Major Sources
- b. Track Startup/Shutdown/Malfunions or Breakdowns
 1. Notification if public health and welfare are threatened
 2. Use forms at <http://www.pca.state.mn.us/air/emissionsnotice.html>
- c. Notification if projected future actuals are exceeded

If a source uses the NSR Reform projected-future-emissions-minus-baseline test to determine that major PSD thresholds have not been exceeded and if, in the future, actual emissions exceed that projected estimate, the source must notify the agency and possibly prepare a major permit amendment (for example, if the actual increase was greater than the PSD significant emission thresholds). The source can agree to take emissions limitations (synthetic minor) to prevent the project emissions from crossing the PSD/NSR thresholds or complete a major PSD permit application. In addition, the source may be subject to enforcement action by the MPCA or USEPA.