



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

APR 05 2012

REPLY TO THE ATTENTION OF:

Jeff J. Smith
Director
Industrial Division
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, Minnesota 55155-4194

Dear Mr. Smith:

I am writing with respect to your March 21, 2011, request to revisit the need to continue the practice outlined in the Minnesota Pollution Control Agency's (MPCA) November 15, 2001, commitment letter, of quarterly batch notices with opportunity for public comment of any parameter changes resulting from a stack test. MPCA has proposed to instead use Approved Replicable Methodologies (ARMs) as outlined in U. S. Environmental Protection Agency's October 6, 2009, Flexible Air Permitting Rule, for two types of changes. The types of changes for which MPCA is proposing to use ARMs include changes to parameters that are used to monitor performance of air pollution control equipment which have been re-set based upon the results of stack testing, and changes to operating parameters for process equipment to reflect operating conditions during a stack test.

Generally, EPA agrees that the use of ARMs as proposed by MPCA may be acceptable; however, the appropriateness of an ARM is considered on a case-by-case basis. When an ARM has been appropriately established in a permit, MPCA would not need to follow the process contained in the commitment letter to update the permit terms. MPCA should keep in mind that ARMs may not modify, supersede, or replace an applicable requirement, including, but not limited to, any monitoring, recordkeeping, or reporting required under an applicable requirement. The terms of a New Source Review (NSR) permit cannot be subsequently changed using an ARM created under the State's Title V authority. While we understand that MPCA has a single permit system, when public noticing any changes incorporating an ARM, MPCA needs to ensure that the document is identified appropriately if a change to an underlying NSR condition is necessary.

If you have any questions regarding this letter, please contact Rachel Rineheart at (312) 886-7017.

Sincerely,


George T. Czerniak
Acting Director
Air and Radiation Division