



# Minnesota Pollution Control Agency

March , 1995

Mr. David Kee, Director  
Air and Radiation Division  
U. S. Environmental Protection Agency  
77 West Jackson Boulevard, A-18J  
Chicago, Illinois 60604

Re: State Delegation of Section of 112 Standards

Dear Mr. Kee:

The purpose of this letter is to commit to request straight delegation and to begin implementation of Section 112 air toxics standards, as promulgated through April 1, 1995, by the U. S. Environmental Protection Agency (EPA) pursuant to the Clean Air Act (CAA) of 1990. Minnesota is undertaking rulemaking to adopt Section 112 standards without change.

The Minnesota Pollution Control Agency (MPCA) specifically commits to request straight delegation for Part 63 General Provisions and the following National Emission Standards for Hazardous Air Pollutants (NESHAPs): Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks; Industrial Process Cooling Towers; Perchloroethylene Dry Cleaning Facilities; Ethylene Oxide Commercial Sterilization and Fumigation Operations; Epoxy Resins Production and Non-Nylon Polyamides Production; Gasoline Distribution (Stage I); Halogenated Solvent Cleaners; Magnetic Tape Surface Coating; and Synthetic Organic Chemical Manufacturing Industry. EPA will grant the MPCA the authority to assume immediate responsibility for notifications, recordkeeping, reporting, general program implementation and enforcement through referral to EPA for these Section 112 standards through a letter of response to this letter.

MPCA's official request for delegation will be made in accordance with 112(l) of the CAA and 40 CFR 63.91. At that time, we may also request approval of a mechanism for delegation of future Section 112 standards. The request for delegation is expected to be completed within six months of this letter and will include the elements as listed in

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Section 63.91(b). MPCA staff will work with Region V staff to set milestones for submitting a complete delegation package within this timeframe. Upon EPA approval, the delegation will grant the MPCA the authority to implement, ensure compliance of and enforce standards (state enforcement or referral to EPA) that are unchanged from the final rule. Specific details of this delegation mechanism will be set forth in a Memorandum of Agreement between the MPCA and EPA, to be completed after EPA approval of the delegation request.

The MPCA intends to implement the majority of the rules promulgated by EPA unchanged. However, we also reserve the right to make changes to the Section 112 standards to work together with our own state's air toxic strategy. If we would promulgate a more stringent requirement than the EPA, we will make a separate delegation request to EPA. We would also include EPA Region V staff in the delegation process before we submit our request.

The MPCA will assume that the above commitments are satisfactory to EPA Region V if not responded to within ten working days.

If you have any questions or would like to discuss this further, please contact me at (612) 296-7331 or Cynthia Hollerbach, of my staff, at (612) 296-7992.

Sincerely,



Lisa J. Thorvig  
Division Manager  
Air Quality Division

LJT:cas

cc: Rachel Rineheart, U.S. EPA