

2006-Or-\_\_\_

**AN ORDINANCE  
of the  
CITY OF  
MINNEAPOLIS**

By Benson

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**Amending Title 3, Chapter 47 of the Minneapolis Code of Ordinances  
relating to Air Pollution and Environmental Protection.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 47.50 of the above-entitled ordinance be amended to read as follows:

**47.50. Registration required.** (a) No owner or operator of land, buildings, or structures shall install, construct, alter, or place in operation any:

- (1) Interior oil, stoker, or hand fired fuel burning equipment or combination of fuel burning equipment with an input capacity exceeding four hundred thousand (400,000) Btu per hour;
- (2) Commercial exhaust system with a discharge greater than five hundred (500) CFM;
- (3) Annealer, atmosphere burner, cupola, bag filter, cyclone, dust collector, fly ash collector, scrubber, lint collector, waste oil burner, boiler, burner, kitchen exhaust system, waste generator, emergency generator, tumbler, make-up air heater, air handling equipment over five (5) horsepower, internal combustion engine, oil fired forge, oven, room heater or combination of room heaters totaling four hundred thousand (400,000) Btu, food or other process equipment, incinerator, dryer, heat treat oven, ladle, salt or cyanide pot, batch plant, shot blast, rotary press, compactor, coating system, degreaser, paint booth, plating equipment, sonic cleaner, reactor, catalytic combuster, or laminator;
- (4) Roof or ground mounted commercial HVAC equipment;
- (5) Commercial coffee roaster; ~~or~~
- (6) Pollution control device in or on any building or premises; or

(7) Crematorium;

without first having registered the equipment and having paid the fees therefore as set forth in section 47.70.

- (b) Each day of work of such construction, installation, or alteration in violation of this chapter shall constitute a separate offense.
- (c) Exemption. Residential buildings and properties which have three (3) dwelling units or less are exempt from the provisions of this section.

Section 2. That Section 47.100 of the above-entitled ordinance be amended to read as follows:

**47.100. Emission reporting.** When requested by the Minneapolis Air Quality Management Authority, an air pollution emitter must furnish information to locate and classify air contaminant sources according to the type, level, duration, frequency, and other information as may be necessary to evaluate the source's effect on air quality and compliance with emission regulations, including the methods, practices and controls utilized by the emitter to reduce or eliminate emissions of hazardous air pollutants as defined in section 47.270.

Section 3. That Chapter 47 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 47.115 to read as follows:

**47.115. Limit on increases in mercury air emissions from stationary sources.** No stationary source required to register under section 47.50 shall increase annual emissions of mercury or mercury compounds to the air or water. Air emission increases that are both less than two pounds per year and less than twenty (20) percent of annual emissions from the stationary source shall be considered de minimis emissions for purposes of this section and shall not constitute a violation of this section. Stationary sources emitting mercury shall report their 2006 base year mercury emissions to the Minneapolis Air Quality Management Authority upon request pursuant to section 47.100 and shall report mercury emissions annually thereafter upon request. This section shall not apply to any stationary source for which the operators have entered into an approved agreement with the Minnesota Pollution Control Agency, the Public Utilities Commission or the Environmental Protection Agency providing for an elimination of emissions of mercury by 2010, provided that such agreement is abided by and fulfilled. Furthermore, any stationary source in existence as of January 1, 2006, will be seen to be in full compliance with this section if it fully utilizes Maximum Achievable Control Technology to treat emissions and installs and utilizes a Continuous Emissions Monitoring system within one year of the approval of such a system by the Minnesota Pollution Control Agency.