

MARICOPA COUNTY AIR QUALITY DEPARTMENT

Permitting Division

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GENERAL PERMIT TO OPERATE AND/OR CONSTRUCT

*(As required by Title 49, Chapter 3, Article 2, Section 49 – 480, Arizona Revised Statutes
and Maricopa County Air Pollution Control Regulations)*

for

STATIONARY DUST-GENERATING SOURCES

This general permit to operate and/or construct does not relieve the applicant of the responsibility of meeting all air pollution regulations.

EXPIRATION DATE: 07/31/2017

REVISION DATE: 04/14/2014

ISSUANCE DATE: 07/14/2012


William D. Wiley, Director, Maricopa County Air Quality Department



COMMON ABBREVIATIONS

Act	Federal Clean Air Act
AAAC	Acute Ambient Air Concentration
AAC	Arizona Administrative Code
ADEQ	Arizona Department of Environmental Quality
AIRS	Aerometric Information Retrieval System
ARS	Arizona Revised Statutes
AZMACT	Arizona Maximum Achievable Control Technology
ASTM	American Society of Testing and Materials
BACT	Best Available Control Technology
Btu	British thermal unit
CAA	Clean Air Act
CAAC	Chronic Ambient Air Concentration
CAS	Chemical Abstract Service
CEMS	Continuous emissions monitoring system
CFR	Code of Federal Regulations
CO	Carbon Monoxide
dscf	Dry standard cubic feet
ECS	Emission Control System
EPA	US Environmental Protection Agency
HAP	Hazardous Air Pollutant
ID	Identification number
MACT	Maximum Achievable Control Technology
MCAQD	Maricopa County Air Quality Department
NA	Not applicable
NAAQS	National Ambient Air Quality Standards
NESHAP	National Emission Standards for Hazardous Air Pollutants
NMHC	Non-methane hydrocarbon
NO _x	Nitrogen oxides
NSPS	New Source Performance Standards
O ₂	Oxygen
O&M	Operation and maintenance
Pb	Lead
PM	Particulate matter
PM _{2.5}	Particulate matter less than 2.5 microns in size
PM ₁₀	Particulate matter less than 10 microns in size
ppm	Parts per million
psia	pounds per square inch, actual
RACT	Reasonably Available Control Technology
RICE	Reciprocating internal combustion engine
RVP	Reid Vapor Pressure
SIP	State Implementation Plan
SO ₂	Sulfur dioxide
VE	Visible Emissions
VOC	Volatile Organic Compounds

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SECTION 1: AUTHORITY

This General Permit is authorized by Rule 200 and Rule 230 of the Maricopa County Air Pollution Control Regulations (Rules) pursuant to Section 49-480.1 of the Arizona Revised Statutes. In that the Arizona Department of Environmental Quality has not issued a general permit for stationary dust-generating operations in Maricopa County as defined herein, the Maricopa County Air Quality Department (MCAQD) is authorized to issue this General Permit.

[A.R.S. § 49480.1] [County Rule 200 and 230]

A. APPLICABILITY:

- 1) The provisions of this Section apply to stationary dust-generating sources except for those dust-generating operations listed in the Condition below. Any person engaged in a dust-generating operation subject to this Section shall be subject to the standards and/or requirements of this Section before, after, and while conducting such dust-generating operation, including during weekends, after work hours, and on holidays.
- 2) For the purpose of Rule 310, any control measure that is implemented must achieve the applicable standard(s) described in Rule 310, as determined by the corresponding test method(s), as applicable, and must achieve other applicable standard(s) set forth in Rule 310.
- 3) Regardless of whether a dust-generating operation is in compliance with an approved Dust Control Plan or there is no approved Dust Control Plan, the owner and/or operator of a dust-generating operation shall be subject to all requirements of Rule 310 at all times.
- 4) Failure to comply with the provisions of these requirements, as applicable, and/or of an approved Dust Control Plan, shall constitute a violation.

[County Rule 310 §§102, 301]

B. EXEMPTIONS:

The provisions of this permit shall not apply to the following activities:

- 1) Normal farm cultural practices according to Arizona Revised Statutes (A.R.S.) §49-457 and A.R.S. §49-504.4
- 2) The provisions of this permit shall not apply to the following non-traditional sources of fugitive dust that are located at sources that do not require any permit under these rules. These non-traditional sources of fugitive dust are subject to the standards and/or requirements described in Rule 310.01: Fugitive Dust from Non-Traditional Sources of Fugitive Dust of these rules:
 - a) Vehicle use in open areas and vacant lots
 - b) Open areas and vacant lots
 - c) Unpaved parking lots
 - d) Unpaved roadways (including alleys)
 - e) Livestock activities
 - f) Erosion-caused deposition of bulk materials onto paved surfaces
 - g) Easements, rights-of-way, and access roads for utilities (transmission of electricity, natural gas, oil, water, and gas)
- 3) Emergency activities that may disturb the soil conducted by any utility or government agency in order to prevent public injury or to restore critical utilities to functional status.
- 4) Establishing of initial landscapes without the use of mechanized equipment, conducting landscape maintenance without the use of mechanized equipment, and playing on or maintaining a field used for non-motorized sports. However, establishing initial landscapes without the use of mechanized equipment and conducting landscape maintenance without the use of mechanized equipment shall not include grading, or trenching performed to establish initial landscapes or to redesign existing

landscapes.

- 5) Rooftop operations for cutting, drilling, grinding, or coring roofing tile when such activity is occurring on a pitched roof.

[County Rule 310 §103]

SECTION 2: DEFINITIONS

AREA A – As defined in A.R.S. § 49-541(1), the area in Maricopa County delineated as follows:

- Township 8 North, Range 2 East and Range 3 East
- Township 7 North, Range 2 West through Range 5 East
- Township 6 North, Range 5 West through Range 6 East
- Township 5 North, Range 5 West through Range 7 East
- Township 4 North, Range 5 West through Range 8 East
- Township 3 North, Range 5 West through Range 8 East
- Township 2 North, Range 5 West through Range 8 East
- Township 1 North, Range 5 West through Range 7 East
- Township 1 South, Range 5 West through Range 7 East
- Township 2 South, Range 5 West through Range 7 East
- Township 3 South, Range 5 West through Range 1 East
- Township 4 South, Range 5 West through Range 1 East

AREA ACCESSIBLE TO THE PUBLIC – Any paved parking lot or paved roadway that can be entered or used for public travel primarily for purposes unrelated to the dust-generating operation.

BULK MATERIAL – Any material, including, but not limited to, the following materials that are capable of producing fugitive dust:

Earth	Rock	Silt	Sediment	Sand	Gravel
Soil	Fill	Demolition debris	Mud	Dirt	Cotton
Trash	Cinders	Pumice	Sawdust	Feeds	Grains
Fertilizers	Dry concrete	Fluff from shredders			
Aggregate less than 2 inches in length or diameter (i.e., aggregate base course [ABC])					

BULK MATERIAL HANDLING, STORAGE, AND/OR TRANSPORTING OPERATION – The use of equipment, haul trucks, and/or motor vehicles, including, but not limited to, for the following activities that are capable of producing fugitive dust:

Loading	Unloading	Conveying	Transporting	Piling	Stacking
Screening	Grading	Moving bulk materials			

CONTROL MEASURE – A technique, practice, or procedure used to prevent or minimize the generation, emission, entrainment, suspension, and/or airborne transport of fugitive dust. Control measures include, but are not limited to:

- Curbing;
- Paving;
- Pre-watering;
- Applying dust suppressants;

Physically stabilizing with vegetation, gravel, recrushed/recycled asphalt or other forms of physical stabilization;

Limiting, restricting, phasing and/or rerouting motor vehicle access;

Reducing vehicle speeds and/or number of vehicle trips;

Limiting use of off-road vehicles on open areas and vacant lots;

Utilizing work practices and/or structural provisions to prevent wind and water erosion onto areas accessible to the public;

Appropriately using dust control implements;

Installing one or more grizzlies, gravel pads, and/or wash down pads adjacent to the entrance of an area accessible to the public to control carry-out and trackout;

Keeping open-bodied haul trucks in good repair, so that spillage may not occur from beds, sidewalls, and tailgates; and

Covering the cargo beds of haul trucks to minimize wind-blown dust emissions and spillage.

DISTURBED SURFACE AREA – A portion of the earth's surface or material placed on the earth's surface that has been physically moved, uncovered, destabilized, or otherwise modified from its undisturbed native condition if the potential for the emission of fugitive dust is increased by the movement, destabilization, or modification.

DUST CONTROL IMPLEMENT – A tool, machine, equipment, accessory, structure, enclosure, cover, material or supply, including an adequate readily available supply of water and its associated distribution/delivery system, used to control fugitive dust emissions.

DUST CONTROL PLAN – A written plan describing all control measures to be implemented and maintained in order to prevent or minimize the generation, emission, entrainment, suspension, and/or airborne transport of fugitive dust.

DUST-GENERATING OPERATION – Any activity capable of generating fugitive dust, including, but not limited to, the following activities:

Land clearing, maintenance, and land clean-up using mechanized equipment;

Earthmoving;

Weed abatement by discing or blading;

Excavating;

Construction;

Demolition;

Bulk material handling (e.g., bulk material hauling and/or transporting, bulk material stacking, loading, and unloading operations);

Storage and/or transporting operations (e.g., open storage piles);

Operation of any outdoor equipment;

Operation of motorized machinery;

Establishing and/or using staging areas, parking areas, material storage areas, or access routes to and from a site;

Establishing and/or using unpaved haul/access roads to, from, and within a site;

Disturbed surface areas associated with a site;

Installing initial landscapes using mechanized equipment.

DUST SUPPRESSANT – Water, hygroscopic material, solution of water and chemical surfactant, foam, non-toxic chemical stabilizer or any other dust palliative, which is not prohibited for ground surface application by the U.S. Environmental Protection Agency (EPA) or the Arizona Department of Environmental Quality (ADEQ) or any applicable law, rule, or regulation, as a treatment material for reducing fugitive dust emissions.

EARTHMOVING OPERATION – The use of any equipment for an activity that may generate fugitive dust, such as but not limited to, the following activities:

Trenching	Grading	Leveling	Excavating	Cutting and filling	Blasting
Demolishing	Drilling	Back filling	Soil mulching	Landfill operations	
Loading or unloading of bulk materials			Weed abatement by discing or blading		
Adding bulk materials to or removing bulk materials from open storage piles					

EMERGENCY – A situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a limitation in this rule, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include any noncompliance due to improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

EMERGENCY ACTIVITY – Repairs that are a result of an emergency which prevents or hinders the provision of electricity, the distribution/collection of water, and the availability of other utilities due to unforeseen circumstances that are beyond the routine maintenance and repair due to normal wear conducted by a utility or municipality.

END OF WORKDAY – The end of a working period that may include one or more work shifts. If working 24 hours a day, the end of a working period shall be considered no later than 8 pm.

FREEBOARD – The vertical distance between the top edge of a cargo container area and the highest point at which the bulk material contacts the sides, front, and back of a cargo container area.

FUGITIVE DUST – The particulate matter not collected by a capture system that is entrained in the ambient air, and is caused from human and/or natural activities, such as, but not limited to, the movement of soil, vehicles, equipment, blasting, and wind. For the purpose of this rule, fugitive dust does not include particulate matter emitted directly from the exhaust of motor vehicles and other internal combustion engines, from portable brazing, soldering, or welding equipment, and from piledrivers, and does not include emissions from process and combustion sources that are subject to other rules in Regulation III (Control of Air Contaminants) of these rules.

GRAVEL PAD – A layer of washed gravel, rock, or crushed rock that is at least one inch or larger in diameter, that is maintained at the point of intersection of an area accessible to the public and a work site exit to dislodge mud, dirt, and/or debris from the tires of motor vehicles and/or haul trucks, prior to leaving the work site. Minimum dimensions must be 30 feet wide by 3 inches deep and 50 feet long, or the length of the longest haul truck, whichever is greater. If an unpaved surface exit does not have adequate width to install a 30-foot wide gravel pad, then the width of the gravel pad must cover the full width of the unpaved surface exit and such shorter width must be adequate to prevent trackout.

GRIZZLY – A device (i.e., rails, pipes, or grates) used to dislodge mud, dirt, and/or debris from the tires and undercarriage of motor vehicles and/or haul trucks prior to leaving the work site.

HAUL TRUCK – Any fully or partially open-bodied self-propelled vehicle including any non-motorized attachments, such as, but not limited to, trailers or other conveyances that are connected to or propelled by the actual motorized portion of the vehicle used for transporting bulk materials.

MOTOR VEHICLE – A self-propelled vehicle for use on the public roads and highways of the State of Arizona and required to be registered under the Arizona State Uniform Motor Vehicle Act, including any non-motorized attachments, such as but not limited to, trailers or other conveyances which are connected to or propelled by the actual motorized portion of the vehicle.

NORMAL FARM CULTURAL PRACTICE – All activities by the owner, lessee, agent, independent contractor, and/or supplier conducted on any facility for the production of crops and/or nursery plants. Disturbances of the

field surface caused by turning under stalks, tilling, leveling, planting, fertilizing, or harvesting are included in this definition.

OFF-ROAD VEHICLE – Any self-propelled conveyance specifically designed for off-road use, including, but not limited to, off-road or all-terrain equipment, trucks, cars, motorcycles, motorbikes, or motorbuggies.

OPEN STORAGE PILE – Any accumulation of bulk material with a 5% or greater silt content that has a total surface area of 150 square feet or more and that at any one point attains a height of three feet. Silt content shall be assumed to be 5% or greater unless a person can show, by testing in accordance with ASTM Method C136-06 or other equivalent method approved in writing by the Control Officer and the Administrator, that the silt content is less than 5%.

OWNER AND/OR OPERATOR – The person including, but not limited to, the property owner, lessee, developer, responsible official, Dust Control permit applicant (who may also be the responsible party contracting to do the work), general contractor, prime contractor, supervisor, management company, or any person who owns, leases, operates, controls, or supervises a dust-generating operation subject to the requirements of this rule.

PAVE – To apply and maintain asphalt, concrete, or other similar material to a roadway surface (i.e., asphaltic concrete, concrete pavement, chip seal, or rubberized asphalt).

PROPERTY LINE – The boundaries of an area in which either a person causing the emission or a person allowing the emission has the legal use or possession of the property. Where such property is divided into one or more sub-tenancies, the property line(s) shall refer to the boundaries dividing the areas of all sub-tenancies.

ROUTINE – Any dust-generating operation which occurs more than 4 times per year or lasts 30 cumulative days or more per year.

SILT – Any aggregate material with a particle size less than 75 micrometers in diameter, which passes through a No. 200 sieve.

TRACKOUT/CARRYOUT – Any and all bulk materials that adhere to and agglomerate on the surfaces of motor vehicles, haul trucks, and/or equipment (including tires) and that have fallen or been deposited onto an area accessible to the public.

TRACKOUT CONTROL DEVICE – A gravel pad, grizzly, wheel wash system, or a paved area, located at the point of intersection of an unpaved area and an area accessible to the public that controls or prevents vehicular trackout.

UNPAVED HAUL/ACCESS ROAD – Any on-site unpaved road used by commercial, industrial, institutional, and/or governmental traffic.

UNPAVED PARKING LOT – Any area that is not paved and that is designated for parking in the Dust Control Plan or that is used for parking, maneuvering, material handling, or storing motor vehicles and equipment. An unpaved parking lot includes, but is not limited to, automobile impound yards, wrecking yards, automobile dismantling yards, salvage yards, material handling yards, and storage yards. For the purpose of this rule, maneuvering shall not include military maneuvers or exercises conducted on federal facilities.

UNPAVED ROAD – Any road or equipment path that is not paved. For the purpose of this rule, an unpaved road is not a horse trail, hiking path, bicycle path, or other similar path used exclusively for purposes other than travel by motor vehicles.

WIND-BLOWN DUST – Visible emissions, from any disturbed surface area, that are generated by wind action alone.

WORK SITE – Any property upon which any dust-generating operations occur.

SECTION 3: AUTHORITY UNDER THIS GENERAL PERMIT**A. AUTHORITY TO OPERATE (ATO) OR CONSTRUCT:**

A facility is not covered by this General Permit unless a complete application for an ATO is filed with the Control Officer.

[County Rule 230 §§303.1 & 303.3]

B. EFFECTIVE DATE AND EXPIRATION DATE OF AUTHORIZATION:

This General Permit shall be valid for five years after the date it is signed by the Control Officer. All ATOs issued under this General Permit expire on the same date that this General Permit expires, regardless of when the ATO was issued. Any activity covered by this General Permit is authorized at the specified facility on the date the application is filed. The Control Officer will provide written notice of the expiration of this General Permit stating that the source must reapply for coverage.

[County Rule 210 §§302.1a] [County Rule 230 §306]

C. FILING OF AN APPLICATION FOR AN ATO:

Any facility that is eligible for this General Permit according to the requirements of Section 4 may apply for an ATO by completing the necessary application forms that are approved by the Control Officer. The application shall be completed, all necessary information provided, and the ATO application shall be signed by the responsible official before the application may be processed.

[County Rule 230 §302.4]

D. REQUIREMENT TO FILE FOR AN INDIVIDUAL SOURCE (NON-TITLE V) PERMIT:

1) Denial of an ATO:

If the Control Officer notifies the Permittee that the application for coverage under the General Permit is denied, the applicant must file an individual source permit application within 180 days of receipt of the denial notice.

[County Rule 230 §303.3]

2) Revocation of an ATO:

If an ATO has been issued and the Permittee is later notified by the Control Officer of the revocation of the ATO under this General Permit because of expiration, termination, or cancellation, the Permittee must file an application for an individual source permit. The application for an individual source permit must be filed within 180 days of receiving the notice from the Control Officer. The Permittee may continue to operate under this General Permit until the earlier of either:

- a) The date that the Permittee submits a complete application for an individual source permit; or
- b) The date 180 days after receipt of the notice of expiration, termination, or cancellation of this general permit.
- c) The expiration date of this General Permit.

[County Rule 230 §311]

E. ISSUANCE OF AN INDIVIDUAL SOURCE PERMIT:

If the Control Officer issues an individual source permit authorizing the same activity that is authorized by an ATO issued under this General Permit, the ATO shall terminate on the date that the individual source permit is issued.

[County Rule 230 §307]

SECTION 4: GENERAL REQUIREMENTS**A. COMPLIANCE REQUIRED:**

- 1) The Permittee shall comply with all conditions of this Permit including all applicable requirements of Arizona air quality statutes and the Rules. Compliance with permit terms and conditions does not relieve, modify, or otherwise affect the Permittee's duty to comply with all applicable requirements of Arizona air quality statutes and the Rules. Any Permit non-compliance is grounds for enforcement action; for a permit termination, revocation and reissuance, or revision; or for denial of a permit renewal application. Non-compliance with any federally enforceable requirement in the Permit constitutes a violation of the federal Clean Air Act.

[County Rule 210 §302.1.h.1] [County Rule 230 §302.4.a]

- 2) The Permittee shall halt or reduce the permitted activity in order to maintain compliance with the applicable requirements of Federal laws, Arizona laws, the Rules, or other conditions of this Permit.

[County Rule 210 §302.1.h.2] [County Rule 230 §302.4.a]

B. FACILITY CHANGES REQUIRING AN INDIVIDUAL SOURCE PERMIT:

The following changes may not be made under this General Permit:

- 1) A change that triggers a new applicable requirement or violates an existing applicable requirement; or
- 2) A change that will require a case by case determination of an emissions limitation.

If such change or changes are made, an individual source permit is required.

[County Rule 220 §§403.1 & 403.2]

C. FACILITY CHANGES ALLOWED:

- 1) Except for a physical change or change in the method of operation requiring the Permittee to obtain an individual permit, or a change subject to logging or notice requirements in Conditions C.2 or C.3 of this Section, a change shall not be subject to revision, notice, or logging requirements of these General Permit Conditions.

[County Rule 220 §404.1]

- 2) Facility Changes Requiring Advance Notification: The following change may be made if the Permittee files the appropriate advance written notification to the Control Officer:

- a) Making any change that would trigger an applicable requirement that already exists in the permit: no less than 30 days before the change, unless otherwise required by an applicable requirement;

[County Rule 220 §404.3.b, d, e and f]

- 3) Notwithstanding any other Condition of this General Permit, the Control Officer may require the Permittee to obtain a new ATO or an individual permit for any change that, when considered together with any other changes submitted by the same facility under this Condition over a 5 year term, constitutes a change under County Rule 220 Section 403.2.

[County Rule 220 §404.6]

D. PAY APPLICABLE FEES:

Sources applying for and operating under an ATO for this General Permit shall pay all fees to the Control Officer pursuant to Rule 280 of the Maricopa County Air Pollution Control Regulations.

[County Rule 280]

E. POSTING OF AN ATO:

The Permittee shall post a copy of the ATO at the subject facility in such a manner as to be clearly visible. A complete copy of the General Permit and the original ATO shall be kept on the site during the life of the permit.

[County Rule 200 §312]

F. PROPERTY RIGHTS:

This General Permit does not convey any property rights of any sort, or any exclusive privilege.

[County Rule 210 §302.1.h(4)] [County Rule 230 §302.4.a]

G. RIGHT TO ENTRY AND INSPECTION:

For the purpose of assuring compliance with this General Permit, the Permittee shall allow the Control Officer or authorized representative, upon presentation of proper credentials to:

- 1) Enter upon the Permittee's premises where the source is located or emissions-related activity is conducted, or where records are required to be kept pursuant to the conditions of this Permit;
- 2) Have access to and copy, at reasonable times, any records required to be kept under the terms and conditions of this Permit;
- 3) Inspect any source, at reasonable times, equipment (including monitoring and air pollution control devices), practices or operations regulated or required in this General Permit;
- 4) Sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with this General Permit or other applicable requirements; and
- 5) Record any inspection by use of written, electronic, magnetic, and photographic media.

[County Rule 220 §§302.17-21]

H. SEVERABILITY:

The provisions of this General Permit are severable and, if any provision of this General Permit is held invalid, the remainder of this General Permit shall remain valid.

[County Rule 210 §302.1.g] [County Rule 230 §302.4.a]

SECTION 5: OPERATIONAL REQUIREMENTS**A. FACILITY WIDE LIMITATIONS:**

Total process emissions from all stationary dust generating operations shall not exceed:

- 1) Particulate Matter (PM): 150 lbs/day and 25 tons/yr
- 2) Particulate Matter less than 10 microns in diameter (PM10): 85 lbs/day and 15 tons/yr

[County Rule 241 §301.1 and 230 §305]

B. COLLOCATION:

The Permittee shall not co-locate any crushing & screening, hot mix asphalt plant and/or concrete batch facilities with the equipment covered by this permit.

[Rule 200 §303.3.c]

C. VISIBLE EMISSION:**1) VISIBLE EMISSION REQUIREMENTS FOR DUST-GENERATING OPERATIONS:**

- a) The Permittee shall not cause or allow visible fugitive dust emissions to exceed 20% opacity.
- b) The Permittee shall not cause or allow visible emissions of particulate matter, including fugitive dust, beyond the property line within which the emissions are generated. Visible emissions shall be determined by a standard of no visible emissions exceeding 30 seconds in duration in any six-minute period as determined by using EPA Reference Method 22. This requirement does not apply to dust-generating operations conducted within 25 feet of the property line.

[County Rule 310 §303.1]

D. EXEMPTIONS FROM DUST-GENERATING OPERATION OPACITY LIMITATION REQUIREMENT:

- 1) If wind conditions cause fugitive dust emissions to exceed the opacity requirements in this permit, despite implementation of the Dust Control Plan, the Permittee shall:
 - a) Ensure that all control measures and requirements of the Dust Control Plan are implemented and the subject violations cannot be prevented by better application, operation, or maintenance of these measures and requirements.
 - b) Cease dust-generating operations and stabilize any disturbed surface area consistent with the

Stabilization Requirements of these conditions.

- c) Compile records consistent with recordkeeping requirements in Condition 5.I. and document the control measure and other Dust Control Plan requirements implemented.
- 2) Emergency Maintenance of Flood Control Channels and Water Retention Basins: The opacity limit shall not apply to emergency maintenance of flood control channels and water retention basins, provided that control measures are implemented.
- 3) Vehicle Test and Development Facilities and Operations: The visible emissions limit shall not apply to vehicle test and development facilities and operations when dust is required to test and validate design integrity, product quality, and/or commercial acceptance, if such testing is not feasible within enclosed facilities. However, all areas used to test and validate design integrity, product quality, and/or commercial acceptance shall be stabilized after such testing, in compliance with Appendix C (Fugitive Dust Test Methods) of MCAQD rules. All areas not used to test and validate design integrity, product quality, and/or commercial acceptance shall be stabilized, in compliance with Appendix C (Fugitive Dust Test Methods) of MCAQD rules.

[County Rule 310 §303.2]

E. STABILIZATION REQUIREMENTS FOR DUST-GENERATING OPERATIONS:

- 1) Unpaved Parking Lot: The Permittee of any unpaved parking lot shall not allow visible fugitive dust emissions to exceed 20% opacity and shall not allow silt loading equal to or greater than 0.33 oz/ft². However, if silt loading is equal to or greater than 0.33 oz/ft², then the Permittee shall not allow the silt content to exceed 8%. An unpaved parking lot includes any area that is not paved and that is used for parking, maneuvering, material handling, or storing motor vehicles and equipment.
[County Rule 310 §304.1]
- 2) Unpaved Haul/Access Road:
An unpaved haul/access road includes any on-site road or equipment path that is not paved and is used by commercial, industrial, institutional, and/or governmental traffic.
 - a) The Permittee of any unpaved haul/access road (whether at a work site that is under construction or at a work site that is temporarily or permanently inactive) shall not allow visible fugitive dust emissions to exceed 20% opacity and shall not allow silt loading equal to or greater than 0.33 oz/ft². However, if silt loading is equal to or greater than 0.33 oz/ft², then the Permittee shall not allow the silt content to exceed 6%.
 - b) The Permittee of any unpaved haul/access road (including at a work site that is under construction or a work site that is temporarily or permanently inactive) shall, as an alternative to meeting the stabilization requirements for an unpaved haul/access road in Subpart [a)] of this Condition, limit vehicle trips to no more than 20 per day per road and limit vehicle speeds to no more than 15 miles per hour. If complying with this section of this Permit, the Permittee shall include, in a Dust Control Plan, the maximum number of vehicle trips on the unpaved haul/access roads each day (including number of employee vehicles, earthmoving equipment, haul trucks, and water trucks) and a description of how vehicle speeds will be restricted to no more than 15 miles per hour.
[County Rule 310 §304.2]
- 3) Disturbed Surface Area: The Permittee of any disturbed surface area on which no activity is occurring (including at a work site that is under construction or a work site that is temporarily or permanently inactive) shall meet at least one of the standards described below, as applicable. Should such a disturbed surface area contain more than one type of stabilization characteristic, such as soil, vegetation, or other characteristic, which is visibly distinguishable, then the Permittee shall test each representative surface separately for stability, in an area that represents a random portion of the overall disturbed conditions of the site, in accordance with the appropriate test methods described in Section 501.2(c) of Rule 310 and in Appendix C (Fugitive Dust Test Methods) of MCAQD rules. The owner and/or operator of such disturbed surface area on which no activity is occurring shall be considered in violation of Rule 310 if the area is not maintained in a manner that meets at least one of the standards listed below, as applicable. An area is considered to be a disturbed surface area until the activity that

caused the disturbance has been completed and the disturbed surface area meets the standards described in this section.

- a) Maintain a soil crust;
- b) Maintain a threshold friction velocity (TFV) for disturbed surface areas corrected for non-erodible elements of 100 cm/second or higher;
- c) Maintain a flat vegetative cover (i.e., attached (rooted) vegetation or unattached vegetative debris lying on the surface with a predominant horizontal orientation that is not subject to movement by wind) that is equal to at least 50%;
- d) Maintain a standing vegetative cover (i.e., vegetation that is attached (rooted) with a predominant vertical orientation) that is equal to or greater than 30%;
- e) Maintain a standing vegetative cover (i.e., vegetation that is attached (rooted) with a predominant vertical orientation) that is equal to or greater than 10% and where the threshold friction velocity is equal to or greater than 43 cm/second when corrected for non-erodible elements;
- f) Maintain a percent cover that is equal to or greater than 10% for non-erodible elements; or
- g) Comply with a standard of an alternative test method, upon obtaining the written approval from the Control Officer and the Administrator.

[County Rule 310 §304.3]

- 4) Vehicle Test and Development Facilities and Operations: No stabilization requirement shall apply to vehicle test and development facilities and operations when dust is required to test and validate design integrity, product quality, and/or commercial acceptance, if such testing is not feasible within enclosed facilities. However, all areas used to test and validate design integrity, product quality, and/or commercial acceptance shall be stabilized after such testing, in compliance with Appendix C (Fugitive Dust Test Methods) of MCAQD rules. All areas not used to test and validate design integrity, product quality, and/or commercial acceptance shall be stabilized, in compliance with Appendix C (Fugitive Dust Test Methods) of MCAQD rules.

[County Rule 310 §304.4]

F. CONTROL MEASURES FOR DUST-GENERATING OPERATIONS:

When engaged in a dust-generating operation, the Permittee shall install, maintain, and use control measures, as applicable. Control measures for specific dust-generating operations are described in this Permit Condition. The Permittee shall implement control measures before, after, and while conducting dust-generating operations, including during weekends, after work hours, and on holidays. At least one primary control measure and one contingency control measure shall be identified in the Dust Control Plan for all dust-generating sources.

- 1) Off-Site Hauling onto Areas Accessible to the Public:
 - a) The Permittee of a dust-generating operation that involves off-site hauling shall implement the following control measures:
 - (1) When cargo compartment is loaded:
 - i. Load all haul trucks such that the freeboard is not less than three inches;
 - ii. Load all haul trucks such that at no time shall the highest point of the bulk material be higher than the sides, front, and back of a cargo container area;
 - iii. Prevent spillage or loss of bulk material from holes or other openings in the cargo compartment's floor, sides, and/or tailgate(s); and
 - iv. Cover cargo compartment with a tarp or other suitable closure.
 - (2) When cargo compartment is empty:
 - i. Clean the interior of the cargo compartment; or

- ii. Cover the cargo compartment with a tarp or other suitable closure.
[County Rule 310 §305.1]
- 2) Bulk Material Hauling/Transporting When On-Site Hauling/Transporting within the Boundaries of the Work Site but not Crossing an Area Accessible to the Public: The Permittee of a dust-generating operation that involves bulk material hauling/transporting when on-site hauling/transporting within the boundaries of the work site but not crossing an area accessible to the public shall implement one of the following control measures:
- a) Limit vehicle speed to 15 miles per hour or less while traveling on the work site;
 - b) Apply water to the top of the load; or
 - c) Cover haul trucks with a tarp or other suitable closure.
[County Rule 310 §305.2]
- 3) Bulk Material Hauling/Transporting When On-Site Hauling/Transporting within the Boundaries of the Work Site and Crossing and/or Accessing an Area Accessible to the Public: The Permittee of a dust-generating operation that involves bulk material hauling/transporting when on-site hauling/transporting within the boundaries of the work site and crossing and/or accessing an area accessible to the public shall implement all of the following control measures:
- a) Load all haul trucks such that the freeboard is not less than three inches;
 - b) Load all haul trucks such that at no time shall the highest point of the bulk material be higher than the sides, front, and back of a cargo container area;
 - c) Prevent spillage or loss of bulk material from holes or other openings in the cargo compartment's floor, sides, and/or tailgate(s).
[County Rule 310 §305.3]
- 4) Bulk Material Stacking, Loading, and Unloading Operations: The Permittee of a dust-generating operation that involves bulk material stacking, loading, and unloading operations shall implement at least one of the following control measures:
- a) Prior to stacking, loading, and unloading:
 - (1) Mix material with water; or
 - (2) Mix material with a dust suppressant other than water.
 - b) While stacking, loading, and unloading:
 - (1) Apply water; or
 - (2) Apply a dust suppressant other than water.
[County Rule 310 §305.4]
- 5) Open Storage Piles: The Permittee of a dust-generating operation that involves an open storage pile shall implement the following control measures, as applicable, when not conducting stacking, loading, and unloading operations:
- a) Cover all open storage piles with a tarp, plastic, or other material to prevent wind from removing the covering(s) such that the covering(s) will not be dislodged by wind; or
 - b) Apply water to maintain a soil moisture content at a minimum of 12%, as determined by ASTM Method D2216-05 or other equivalent methods approved by the Control Officer and the Administrator. For areas that have an optimum moisture content for compaction of less than 12%, as determined by ASTM Method D1557-02e1 or other equivalent methods approved by the Control Officer and the Administrator, maintain at least 70% of the optimum soil moisture content; or
 - c) Maintain a visible crust; or

- d) Implement the control measure described in Section [5)b)] or [5)c)] of this Condition and construct and maintain wind barriers, storage silos, or a three-sided enclosure with walls, whose length is no less than equal to the length of the pile, whose distance from the pile is no more than twice the height of the pile, whose height is equal to the pile height, and whose porosity is no more than 50%.

[County Rule 310 §305.5]

- 6) Unpaved Staging Areas, Unpaved Parking Areas, and Unpaved Material Storage Areas: The Permittee of a dust-generating operation that involves unpaved staging areas, unpaved parking areas, and unpaved material storage areas shall implement one or more of the following control measures:
 - a) Apply water so that the surface is visibly moist;
 - b) Pave;
 - c) Apply and maintain gravel, recycled asphalt, or other suitable material;
 - d) Apply and maintain a suitable dust suppressant other than water; or
 - e) Limit vehicle trips to no more than 20 per day per road and limit vehicle speeds to no more than 15 miles per hour. If complying with this sub-section, the owner and/or operator shall provide to the Control Officer the maximum number of vehicle trips on the staging areas, parking areas, and/or material storage areas each day (including number of employee vehicles, earthmoving equipment, haul trucks, and water trucks) and a description of how vehicle speeds will be restricted to no more than 15 miles per hour.

[County Rule 310 §305.6]

- 7) Unpaved Haul/Access Roads: The Permittee of a dust-generating operation that involves unpaved haul/access roads shall implement one or more of the following control measures:
 - a) Apply water so that the surface is visibly moist;
 - b) Pave;
 - c) Apply and maintain gravel, recycled asphalt, or other suitable material;
 - d) Apply and maintain a suitable dust suppressant other than water; or
 - e) Limit vehicle trips to no more than 20 per day per road and limit vehicle speeds to no more than 15 miles per hour. If complying with this sub-section, the Permittee shall provide to the Control Officer the maximum number of vehicle trips on the unpaved haul/access roads each day (including number of employee vehicles, earthmoving equipment, haul trucks, and water trucks) and a description of how vehicle speeds will be restricted to no more than 15 miles per hour.

[County Rule 310 §305.7]

- 8) Weed Abatement by Discing or Blading: The Permittee of a dust-generating operation that involves weed abatement by discing or blading shall comply with all of the following control measures:
 - a) Before weed abatement by discing or blading occurs, apply water;
 - b) While weed abatement by discing or blading is occurring, apply water; and
 - c) After weed abatement by discing or blading occurs, pave, apply gravel, apply water, apply a suitable dust suppressant other than water, or establish vegetative ground cover.

[County Rule 310 §305.8]

- 9) Blasting Operations: The Permittee of a dust-generating operation that involves blasting operations shall pre-water and maintain surface soils in a stabilized condition where support equipment and vehicles will operate.

[County Rule 310 §305.9]

- 10) Demolition Activities: The Permittee of a dust-generating operation that involves demolition activities shall implement all of the following control measures:

- a) Apply water to demolition debris immediately following demolition activity; and
 - b) Apply water to all disturbed soils surfaces to establish a visible crust and to prevent wind erosion.
[County Rule 310 §305.10]
- 11) Disturbed Surface Areas: The Permittee of a dust-generating operation that involves disturbed surface areas shall implement the following control measures, as applicable:
- a) Before disturbed surface areas are created, implement one of the following control measures:
 - (1) Pre-water site to depth of cuts, allowing time for penetration; or
 - (2) Phase work to reduce the amount of disturbed surface areas at any one time.
 - b) While disturbed surface areas are being created, implement one of the following control measures:
 - (1) Apply water or other suitable dust suppressant other than water, to keep the soil visibly moist throughout the process;
 - (2) Apply water to maintain a soil moisture content at a minimum of 12%, as determined by ASTM Method D2216-05 or other equivalent method as approved by the Control Officer and the Administrator. For areas that have an optimum moisture content for compaction of less than 12%, as determined by ASTM Method D1557-02e1 or other equivalent method approved by the Control Officer and the Administrator, maintain at least 70% of the optimum soil moisture content; or
 - (3) Implement one of the control measures in Subpart [11).b)(1)] or [11).b)(2)] of this Condition and construct fences or three-foot to five-foot high wind barriers with 50% or less porosity adjacent to roadways or urban areas to reduce the amount of windblown material leaving a site.
 - c) When the dust-generating operation is finished for a period of 30 days or longer – for longer than temporary pauses that occur during a dust-generating operation, the Permittee shall implement one or more of the following control measures within ten days following the completion of such dust-generating operation:
 - (1) Pave, apply gravel, or apply a suitable dust suppressant other than water;
 - (2) Establish vegetative ground cover;
 - (3) Implement one of the control measures in Subpart [11).c)(1)] or [11).c)(2)] and restrict vehicle access to the area;
 - (4) Pave, apply gravel, or apply a suitable dust suppressant other than water; or
 - (5) Apply water and prevent access by fences, ditches, vegetation, berms, or other suitable barrier or means sufficient to prevent trespass as approved by the Control Officer; or
 - (6) Restore area such that the vegetative ground cover and soil characteristics are similar to adjacent or nearby undisturbed native conditions.
[County Rule 310 §305.11]
- 12) Easements, Rights-of-Way, and Access Roads for Utilities (Transmission of Electricity, Natural Gas, Oil, Water, and Gas): The owner/operator of a dust-generating operation that involves an easement, right-of-way, and access road for utilities (transmission of electricity, natural gas, oil, water, and gas) shall implement at least one of the following control measures:
- a) Inside Area A, limit vehicle speed to 15 miles per hour or less and vehicle trips to no more than 20 per day per road;
 - b) Outside Area A, limit vehicle trips to no more than 20 per day per road; or
 - c) Implement control measures described in Section [7)] of this Condition.
[County Rule 310 §305.12]

G. SOIL MOISTURE:

If water is the chosen control measure in an approved Dust Control Plan, the Permittee shall operate a water application system on-site (e.g., water truck, water hose) while conducting any earthmoving operations on disturbed surface areas 1 acre or larger, unless a soil crust is maintained or the soil is sufficiently damp to prevent loose grains of soil from becoming dislodged.

[County Rule 310 §307]

H. DUST CONTROL TRAINING CLASSES FOR DUST-GENERATING OPERATIONS:

- 1) At least once every three years, the following people shall successfully complete a Basic Dust Control Training Class conducted or approved by the Control Officer.
 - a) Water truck drivers.
 - b) Water-pull drivers.
 - c) The site superintendent or other designated on-site representative of the permit holder, if present at a site that has more than one acre of disturbed surface area.
- 2) Any certification issued to a person having successfully completed a Basic Dust Control Training Class conducted or approved by the Control Officer may be suspended or revoked for cause, including, but not limited to, inappropriate ethical activities or conduct associated with the dust control program.

[County Rule 310 §309.1]

I. DUST CONTROL PLAN REQUIREMENTS:

- 1) The Permittee shall submit to the Control Officer a Dust Control Plan with this General Permit application for any permit applications that involve dust-generating operations with a disturbed surface area that equals or exceeds 0.10 acre (4,356 square feet) before commencing any routine dust-generating operation. The Dust Control Plan shall be kept available onsite at all times.
- 2) The Permittee shall comply with the requirements of the Dust Control Plan and the provisions of MCAQD Rule 310 Sections 301 – 307 at all times.

[Rule 310 §§301-307, 302.3, 409]

J. DUST CONTROL PLAN REVISIONS:

- 1) If the Control Officer determines that an approved Dust Control Plan has been followed, yet fugitive dust emissions from any dust-generating operation still exceed the *standards* of this Permit, then the Control Officer shall issue a written notice to the owner and/or operator of the dust-generating operation explaining such determination. The Permittee shall make written revisions to the Dust Control Plan and shall submit such revised Dust Control Plan to the Control Officer within three working days of receipt of the Control Officer's written notice, unless such time period is extended by the Control Officer, upon request, for good cause. During the time that such Permittee is preparing revisions to the approved Dust Control Plan, such Permittee shall still comply with all requirements of this Permit.

[County Rule 310 §403.1]

- 2) The Permittee shall request a Dust Control Plan revision with a submittal in the manner and form prescribed by the Control Officer if:
 - a) The acreage of a project changes;
 - b) The permit holder changes;
 - c) The name(s), address(es), or phone numbers of person(s) responsible for the submittal and implementation of the Dust Control Plan and responsible for the dust-generating operation change; and
 - d) If the activities related to the purposes for which the Dust Control permit was obtained change.

[SIP Rule 310 §403.2]

K. RECORDKEEPING:

The Permittee shall maintain the following records for a period of at least five years from the date such records are established and make them available to the Control Officer upon request:

- 1) The Permittee shall keep a written record of self-inspection on each day dust-generating operations are conducted. Self-inspection records shall include daily inspections for crusted or damp soil, trackout conditions and clean-up measures, daily water usage, and dust suppressant application. Such written record shall also include the following information:
 - a) Method, frequency, and intensity of application or implementation of the control measures;
 - b) Method, frequency, and amount of water application to the site;
 - c) Street sweeping frequency;
 - d) Types of surface treatments applied to and maintenance of trackout control devices, gravel pads, fences, wind barriers, and tarps;
 - e) Types and results of test methods conducted;
 - f) If contingency control measures are implemented, actual application or implementation of contingency control measures and why contingency control measures were implemented;
 - g) List of subcontractors' names and registration numbers updated when changes are made; and
 - h) Names of employee(s) who successfully completed dust control training class(es), date of the class(es) that such employee(s) successfully completed, and name of the agency/representative who conducted such class(es).
- 2) Upon verbal or written request by the Control Officer, the log or the records and supporting documentation shall be provided as soon as possible but no later than 48 hours, excluding weekends. If the Control Officer is at the site where requested records are kept, records shall be provided without delay.

[County Rule 220 §500] [County Rule 310 §§502, 503]