

## **REGULATION 1.14     Control of Fugitive Particulate Emissions**

### **Air Pollution Control District of Jefferson County Jefferson County, Kentucky**

**Relates to:** KRS Chapter 77 Air Pollution Control

**Pursuant to:** KRS Chapter 77 Air Pollution Control

**Necessity And Function:** KRS 77.180 provides that the Air Pollution Control Board may make and enforce all needful orders, rules, and regulations necessary or proper to accomplish the purposes of KRS Chapter 77. This regulation provides for the control of fugitive particulate emissions for any source.

#### **SECTION 1   Definitions**

Terms used in this regulation not defined herein shall have the meaning given them in Regulation 1.02.

- 1.1     "Fugitive particulate matter" means any particulate matter which is emitted into the open air from points other than a stack outlet.
- 1.2     "Open air" means the air outside buildings, structures, and equipment.

#### **SECTION 2   Standard for Fugitive Particulate Matter:**

- 2.1     No person shall cause, allow, or permit any materials to be handled, transported, or stored; or a building and/or its appurtenances to be constructed, altered, used, repaired, or demolished; or a road to be used without taking reasonable precautions to prevent particulate matter from becoming airborne beyond the work site. Such precautions shall include, where applicable, but shall not be limited to the following:
  - 2.1.1     Using, where possible, water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads or the clearing of land,
  - 2.1.2     Applying and maintaining asphalt, oil, water, or suitable chemicals on roads, materials stockpiles, and other surfaces which can create airborne dusts,
  - 2.1.3     Installing and using hoods, fans, and fabric filters to enclose and vent the handling of dusty materials; using water sprays or other measures to suppress the dust emissions during handling. Adequate containment methods shall be employed during sandblasting or other similar operations,
  - 2.1.4     Covering at all times, except when loading and unloading, open bodied trucks transporting materials likely to become airborne,
  - 2.1.5     Conducting agricultural practices such as tilling of land, application of fertilizers etc., in such manner as to not create a nuisance to others residing in the area,
  - 2.1.6     Maintaining paved roadways in a clean condition,
  - 2.1.7     Removing earth or other material from paved streets which earth or other material has been transported thereto by trucking or earth moving equipment or erosion by water.
- 2.2     When particulate matter escapes from a building or equipment in such a manner and amount as to cause a nuisance or to violate any regulation, the District may order that the building or equipment in which processing, handling and storage are done be tightly closed and ventilated in such a way that all air and gases and air or gas-borne material leaving the

building or equipment are treated by removal or destruction of air contaminants before discharge to the open air.

- 2.3 No person shall cause or permit the discharge of fugitive emissions in excess of 20% opacity.
- 2.4 No person shall cause or permit the discharge of visible fugitive emissions beyond the lot line of the property on which the emissions originate.

### **SECTION 3 Unpaved Roads and Unpaved Parking Areas**

- 3.1 Any person owning or constructing any unpaved road or unpaved parking area shall discontinue and prevent use of the road or parking area, unless the District has approved a fugitive dust control plan which includes preventive measures.
- 3.2 Exceptions:
  - 3.2.1 Any road or parking area which, after demonstration to the District, will not exceed an average daily traffic count of 10 vehicles averaged over any consecutive three-day period,
  - 3.2.2 Any road or parking area associated solely with a housing project of four family dwelling units or less, and
  - 3.2.3 Temporary roads or parking area used in the construction process. Abatement and preventive measures shall be implemented as set forth in Section 9.
- 3.3 The District may require the person owning or maintaining any unpaved road to supply traffic count information on a regular basis to the District as necessary to determine if additional abatement and preventive measures or changes in the implementation time schedule are required of the person by the District as set forth in Section 9.

### **SECTION 4 Hard Surfaces of Roads and Parking Areas**

A person constructing or contracting to construct any road or parking area which is to be hard surfaced (concrete or bituminous binder and rock, for example) shall submit to the District a compliance plan and schedule within six months of start of construction. The person shall use abatement and preventive measures during construction.

### **SECTION 5 Earth and Construction Material Moving and Excavating Activities**

No land developer or owner of a construction or land development project shall throughout the duration of the project, disturb or contract to disturb by grading, excavating or depositing on land, unless abatement and preventive measures are being met continuously. New sources regulated in this paragraph must notify by writing the District prior to breaking ground.

### **SECTION 6 Demolition, Wrecking and Moving of Structures**

No person shall conduct demolition, wrecking, or moving of structures prior to notifying the District.

### **SECTION 7 Open Mining Activities**

- 7.1 No developer or owner of an open mining activity shall throughout the duration of the operation, disturb or contract to disturb by grading, excavating, blasting, or depositing on more total surface area than one acre of land in the aggregate unless the provisions of Section 8 are being met continuously. Open mining activities must notify by writing the District prior to operation. Open mining shall mean the mining of natural mineral deposits, limestone, coal, and gravel, and quarry aggregate, by removing the overburden lying above such deposits thereby exposed. The term includes, but is not limited to, such practices as open cut mining, open pit mining, strip mining, quarrying, and dredging.

## **SECTION 8 Other Activities**

A plan must be submitted at the District's request on forms provided by the District which includes the following information:

- 8.1 A description shall be submitted to the District at the District's request of the nature and scope of the activity and of the existing sources of fugitive dust including but not limited to the following:
  - athletic fields
  - borrow pits
  - campgrounds
  - cleaning
  - construction
  - crushing
  - demolition
  - detonation of explosives
  - drying
  - earth moving
  - excavating
  - fairgrounds
  - feed & grain handling, loading & unloading
  - feed lots
  - handling
  - landfills
  - land leveling
  - mining activities
  - mixing
  - processing of sand, gravel and rock
  - quarrying
  - repair or alteration
  - sandblasting
  - screening
  - site preparation
  - storage
  - transportation
  - unpaved parking areas
  - unpaved roads
  - vehicle movement
  - waste disposal
- 8.2 Fugitive dust abatement and preventive measures to be implemented, and
- 8.3 A description of any monitoring or sampling methods used for recording and reporting data to the District.

## **SECTION 9 Abatement and Preventive Measures**

- 9.1 Unpaved roads and unpaved parking areas.

Abatement and preventive measures shall be approved by the District and may include but shall not be limited to frequent watering, addition of dust palliatives, detouring, paving, closure, speed control, or other means such as surface treatment with penetration chemicals

(ligninsulfonates, water, cutbacks, etc.) or methods of equal or greater effectiveness in reducing the air contamination produced as demonstrated to the District.

- 9.2 Demolition, wrecking, explosive detonations, earth and construction material moving, mining, and excavation activities.
- 9.2.1<sup>1</sup> Abatement and preventive fugitive dust control measures shall be approved by the District and may include, but shall not be limited to: Wetting down, including pre-watering; landscaping and replanting vegetation; covering, shielding or enclosing the area; paving, temporary or permanent; treating, the use of dust palliatives and chemical stabilization; detouring; restriction of the speed of vehicles on sites; prevention of the deposit of dirt and mud on improved streets and roads and other such effective means of dust control as the District may deem necessary; disturbing less topsoil and reclaiming as soon as possible.
- 9.2.2<sup>1</sup> Sequential blasting shall be employed whenever or wherever feasible to reduce the amounts of unconfined particulate matter.
- 9.2.3<sup>1</sup> Such dust control strategies as re-vegetation, delay of surface opening until demanded, or surface compaction and sealing, shall be applied.
- 9.2.4<sup>1</sup> Hauling equipment shall be washed or wetted down, treated, or covered when necessary to minimize the amount of dust emitted in transit and in loading. This section shall apply to the source facility or permanent installation for the production and distribution of construction materials or supplies.

**SECTION 10 Supersession**

This regulation supersedes Regulations 6.05 and 7.04.

Adopted v1/4-19-72; effective 4-19-72; amended v2/1-20-88.

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	Date Submitted	Date Approved	Federal Register
Original Reg:	02/11/99	[insert date]	[insert FR]

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<sup>1</sup> When the 1-20-88 version was converted from the paragraph form to the decimal paragraph form, these citations were incorrectly converted. These citations have now been returned to their original intent.