

**CHAPTER 1200-3-8
FUGITIVE DUST**

1200-3-8-.01 FUGITIVE DUST

- (1) No person shall cause, suffer, allow, or permit any materials to be handled, transported, or stored; or a building, its appurtenances, or a road to be used, constructed, altered, repaired or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions shall include, but not be limited to, the following:
 - (a) Use, where possible, of water or chemicals for control of dust in demolition of existing buildings or structures, construction operations, grading of roads or the clearing of land:
 - (b) Application of asphalt, oil, water, or suitable chemicals on dirt roads, materials stock piles, and other surfaces which can create airborne dusts:
 - (c) Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty materials. Adequate containment methods shall be employed during sandblasting or other similar operations.
- (2) No person shall cause, suffer, allow or permit fugitive dust to be emitted in such manner to exceed five (5) minutes per hour or twenty (20) minutes per day as to produce a visible emission beyond the property line of the property on which the emission originates, excluding malfunction of equipment as provided in Chapter 1200-3-20.
- (3) Compliance Schedule.
 - (a) For those operations in existence before April 3, 1972, fugitive dust control must be achieved by August 9, 1973.
 - (b) For those operations, the construction of which commences after April 3, 1972, fugitive dust control must be achieved at the time operation commences.
- (4) Regardless of the specific emission standards contained in this Chapter, all sources identified in rule 1200-3-9-.01-(4) of these regulations shall comply with the standards set pursuant to Chapter 1200-3-9.

Authority: *T.C.A. Section 68-25-105. Administrative History. Original rule certified June 7, 1974. Amended June 16, 1978. Amended March 21, 1979. Amended June 21, 1979. Amended July 11, 1980.*

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1200-3-8-.02 SPECIAL NONATTAINMENT AREA FUGITIVE DUST REQUIREMENTS

- (1) The Tennessee Air Pollution Control Board has found that the particulate ambient air quality standards are being violated in those areas identified in Rule 1200-3-19-.02 of these regulations. The Board has set specific fugitive dust standards for those process related fugitive dust sources and non- traditional fugitive dust sources for these non-attainment areas. These standards are in addition to any other standards contained in these or any less stringent local regulations.
- (2) Regardless of the fugitive dust standards contained in this Chapter new and/or modified fugitive dust sources locating in or significantly impacting upon a non-attainment area shall comply with the provisions of Rule 1200-3-9-.01(5) prior to receiving a construction permit.

Authority: *T.C.A. Section 68-25-105. Administrative History. Original rule certified March 21, 1979.*

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