

MARICOPA COUNTY AIR QUALITY DEPARTMENT

Engineering and 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 OPERATIONS

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

THE PERMITTEE IS SUBJECT TO THE SPECIFIC AND GENERAL CONDITIONS IDENTIFIED IN THIS PERMIT.

EXPIRATION DATE: 07/31/2022

REVISION DATE: 07/14/2017

Philip McNeely, Director, Maricopa County Air Quality Department

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Any cited regulatory paragraphs or section numbers refer to the version of the rules and regulations that were in effect on the first date of public notice of the applicable Permit Condition unless specified otherwise. However, in the event the rules and regulations are amended during the term of this Permit, the amended rules and regulations shall apply to this Permit. Whenever the term, Control Officer, is used in this Permit it shall be interpreted to mean, Control Officer or designated representative. Where the term "Rule" appears, it shall be construed to mean "Maricopa County Air Pollution Control Regulations" unless otherwise noted.

SPECIFIC CONDITIONS

1. Prohibition - Open Outdoor Fires:

The Permittee shall not ignite, cause or permit to be ignited, allow, maintain any open outdoor fire within the limits of Maricopa County without first obtaining a Burn Permit.

[SIP Rule 314 §301]

2. Applicability:

The Stationary Dust-Generating Source General Permit covers sources subject to Rule 310 of these rules that are not engaged in construction projects with finite timeframes including, but not limited to, the following:

- a. Businesses with routine dust-generating operations disturbing 0.10 acre or more that are not engaged in any other regulated activities.
- b. Residential property with dust-generating operations disturbing 0.10 acre up to 10 acres, excluding construction projects.

[Rule 280 §303.4] [Locally Enforceable Only]

- c. Bulk material handling (e.g., hauling, transporting, stacking, loading operations, unloading operations and storage piles);
- d. Composting, mulching or green waste;
- e. Inert landfill;
- f. Land clearing using mechanized equipment;
- g. Landfill (closed) general maintenance;
- h. Landscape and decorative rock, gravel and sand distribution;
- i. Landscaping with mechanized equipment;
- j. Weed abatement by discing or blading;

[Rule 280 §303.2, Table 280-4] [Locally Enforceable Only]

3. Exemptions:

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

- a. Normal farm cultural practices according to Arizona Revised Statutes (A.R.S.) §49-457 and A.R.S. §49-504.4.
- b. 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.
- c. Establishing of initial landscapes without the use of mechanized equipment or conducting landscape maintenance without the use of mechanized equipment. 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.
- d. Playing on or maintaining a field used for non-motorized sports.
- e. Rooftop operations for cutting, drilling, grinding, or coring roofing tile when such activity is occurring on a pitched roof.

[SIP Rule 310 §103]

- f. Construction projects with finite timeframes.
[Rule 280, Section 303.4] [Locally Enforceable Only]
- g. Residential property with dust-generating activities disturbing more than 10 acres.
[Rule 280, Section 303.4] [Locally Enforceable Only]

4. Co-location

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 as documented in the equipment list. Co-located sources are those located on contiguous or adjacent properties, which are under common control of the Permittee.

[Rule 100 §200.27] [Locally Enforceable Only]

5. Dust Control Plan Requirements:

- a. The owner and/or operator of a dust-generating operation shall submit to the Control Officer a Dust Control Plan with 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.
- b. The Permittee shall comply with the requirements of the Dust Control Plan and the provisions of MCAQD Rule 310 Sections 301 – 310 at all times.

[SIP Rule 310 §§ 301-310, 409]

6. 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.

[SIP Rule 310 §303.1]

7. Exemptions from Dust-Generating Operation Opacity Limitation Requirement:

- a. If wind conditions cause fugitive dust emissions to exceed the opacity requirements in this permit, despite implementation of the Dust Control Plan, an owner and/or operator shall:
 - i. 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.
 - ii. Cease dust-generating operations and stabilize any disturbed surface area consistent with the Stabilization Requirements of these conditions.
 - iii. Compile records consistent with the recordkeeping requirements of these Permit Conditions and document the control measure and other Dust Control Plan requirements implemented.
- b. 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.
- c. 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.

- d. **Ceasing Operations at a Solid Waste Management Facility:** The requirement to cease dust-generating operations if wind conditions cause fugitive dust emissions to exceed the visible emissions requirements shall not apply to daily compaction and covering of refuse if ceasing operations violates Arizona Department of Environmental Quality solid waste management rules or causes or threatens to cause a public health hazard or nuisance. However, the owner and/or operator must comply with all other provisions of this Permit.

[SIP Rule 310 §303.2]

8. Stabilization Requirements for Dust-Generating Operations:

- a. **Unpaved Parking Lot:** The owner and/or operator 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 owner and/or operator 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

[SIP Rule 310 §§ 232, 304.1]

- b. **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.

- i. The owner and/or operator 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 owner and/or operator shall not allow the silt content to exceed 6%.
- ii. The owner and/or operator 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 Subsection [8.b.i] 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 subsection of this Permit, the owner and/or operator must 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.

[SIP Rule 310 §304.2]

- c. **Disturbed Surface Area:** The owner and/or operator 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 owner and/or operator 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 subsection.

- i. Maintain a soil crust;
- ii. Maintain a threshold friction velocity (TFV) for disturbed surface areas corrected for non-erodible elements of 100 cm/second or higher;
- iii. 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%;

- iv. 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%;
- v. 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;
- vi. Maintain a percent cover that is equal to or greater than 10% for non-erodible elements; or
- vii. Comply with a standard of an alternative test method, upon obtaining the written approval from the Control Officer and the Administrator.

[SIP Rule 310 §304.3]

- d. 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.

[SIP Rule 310 §304.4]

9. Control Measures for Dust-Generating Operations:

When engaged in a dust-generating operation, the owner and/or operator shall install, maintain, and use control measures, as applicable. Control measures for specific dust-generating operations are described in this Permit Condition. The owner and/or operator of a dust-generating operation shall implement control measures before, after, and while conducting dust-generating operations, including during weekends, after work hours, and on holidays.

For the purpose of this Permit an “AREA ACCESSIBLE TO THE PUBLIC” is defined as 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.

- a. Off-Site Hauling onto Areas Accessible to the Public:
The owner and/or operator of a dust-generating operation that involves off-site hauling shall implement the following control measures:
 - i. When cargo compartment is loaded:
 - 1) Load all haul trucks such that the freeboard is not less than three inches;
 - 2) 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;
 - 3) Prevent spillage or loss of bulk material from holes or other openings in the cargo compartment’s floor, sides, and/or tailgate(s); and
 - 4) Cover cargo compartment with a tarp or other suitable closure.
 - ii. When cargo compartment is empty:
 - 1) Clean the interior of the cargo compartment; or
 - 2) Cover the cargo compartment with a tarp or other suitable closure.

[SIP Rule 310 §305.1]

- b. 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 owner and/or operator 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:

- i. Limit vehicle speed to 15 miles per hour or less while traveling on the work site;
- ii. Apply water to the top of the load; or
- iii. Cover haul trucks with a tarp or other suitable closure.

[SIP Rule 310 §305.2]

- c. 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 owner and/or operator 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:

- 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. When crossing and/or accessing an area accessible to the public, install, maintain, and use a suitable trackout control device that controls and prevents trackout and/or removes particulate matter from tires and the exterior surfaces of haul trucks and/or motor vehicles that traverse the site.

[SIP Rule 310 §305.3]

- d. Bulk Material Stacking, Loading, and Unloading Operations: The owner and/or operator of a dust-generating operation that involves bulk material stacking, loading, and unloading operations shall implement at least one of the following control measures:

- i. Prior to stacking, loading, and unloading:
 - 1) Mix material with water; or
 - 2) Mix material with a dust suppressant other than water.
- ii. While stacking, loading, and unloading:
 - 1) Apply water; or
 - 2) Apply a dust suppressant other than water.

[SIP Rule 310 §305.4]

- e. Open Storage Piles: The owner and/or operator 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:

- i. 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
- ii. 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
- iii. Maintain a visible crust; or
- iv. Implement the control measure described in Subsection [e.ii] or [e.iii] 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%.

[SIP Rule 310 §305.5]

- f. Unpaved Staging Areas, Unpaved Parking Areas, and Unpaved Material Storage Areas: The owner and/or operator 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:

- i. Apply water so that the surface is visibly moist;
- ii. Pave;
- iii. Apply and maintain gravel, recycled asphalt, or other suitable material;
- iv. Apply and maintain a suitable dust suppressant other than water; or
- v. 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 subsection, 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.

[SIP Rule 310 §305.6]

- g. Unpaved Haul/Access Roads: The owner and/or operator of a dust-generating operation that involves unpaved haul/access roads shall implement one or more of the following control measures:

- i. Apply water so that the surface is visibly moist;
- ii. Pave;
- iii. Apply and maintain gravel, recycled asphalt, or other suitable material;
- iv. Apply and maintain a suitable dust suppressant other than water; or
- v. 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 subsection, the owner and/or operator 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.

[SIP Rule 310 §305.7]

- h. Weed Abatement by Discing or Blading:

The owner and/or operator of a dust-generating operation that involves weed abatement by discing or blading shall comply with all of the following control measures:

- i. Before weed abatement by discing or blading occurs, apply water;
- ii. While weed abatement by discing or blading is occurring, apply water; and
- iii. 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.

[SIP Rule 310 §305.8]

- i. Blasting Operations:

The owner and/or operator 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.

[SIP Rule 310 §305.9]

- j. Demolition Activities:

The owner and/or operator of a dust-generating operation that involves demolition activities shall implement all of the following control measures:

- i. Apply water to demolition debris immediately following demolition activity; and

- ii. Apply water to all disturbed soils surfaces to establish a visible crust and to prevent wind erosion.
[SIP Rule 310 §305.10]
- k. Disturbed Surface Areas:
The owner and/or operator of a dust-generating operation that involves disturbed surface areas shall implement the following control measures, as applicable:
 - i. 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.
 - ii. 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 Subsection [k.ii.1)] or [k.ii.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.
 - iii. 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 owner and/or operator 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 Subsection [k.iii.1)] or [k.iii.2)] of this Condition and restrict vehicle access to the area;
 - 4) Pave, apply gravel, or apply a suitable dust suppressant other than water;
 - 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.
[SIP Rule 310 §305.11]
- l. Easements, Rights-of-Way, and Access Roads for Utilities (Transmission of Electricity, Natural Gas, Oil, Water, and Gas): The owner and/or 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:
 - i. 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;
 - ii. Outside Area A, limit vehicle trips to no more than 20 per day per road; or
 - iii. Implement control measures described in Subsection [g] of this Condition.
[SIP Rule 310 §305.12]

10. Trackout, Carry-Out, Spillage, and/or Erosion:

The owner and/or operator of a dust-generating operation shall control trackout, carry-out, spillage, and/or erosion.

- a. Trackout Control Device: The Permittee shall prevent trackout, carry-out, spillage, and/or erosion by implementing one of the following control measures:
 - i. Install a wheel wash system at all exits onto areas accessible to the public.
 - ii. Install a gravel pad at all exits onto areas accessible to the public. The gravel pad shall consist of 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.
 - iii. Install a grizzly or rumble grate that consists of raised dividers (rails, pipes, or grates) a minimum of three inches tall, six inches apart, and 20 feet long, to allow a vibration to be produced such that dust is shaken off the wheels of a vehicle as the entire circumference of each wheel of the vehicle passes over the grizzly or rumble grate at all exits onto areas accessible to the public.
 - iv. Pave starting from the point of intersection with an area accessible to the public and extending for a centerline distance of at least 100 feet and a width of at least 20 feet.
- [SIP Rule 310 §306.1]
- b. Criterion for Clean Up of Trackout: Remove trackout, carry-out, spillage, and/or erosion from areas accessible to the public including curbs, gutters, and sidewalks, on the following time-schedule:
 - i. Immediately, when trackout, carry-out, or spillage extends a cumulative distance of 25 linear feet or more; and
 - ii. At the end of the workday, for all other trackout, carry-out, spillage, and/or erosion.
 - c. Control Measures:
 - i. Operate a street sweeper or wet broom with sufficient water, or including but not limited to kick broom, steel bristle broom, Teflon broom, vacuum, at the speed recommended by the manufacturer and at the frequency(ies) described in this permit; or
 - ii. Manually sweep up deposits to comply with this Permit Condition.

[SIP Rule 310 §306.2]

11. Soil Moisture:

If water is the chosen control measure in an approved Dust Control Plan, the owner and/or operator of a dust-generating operation 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.

[SIP Rule 310 §307]

12. Dust Control Training Classes for Dust-Generating Operations:

- a. 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.
 - i. Water truck drivers.
 - ii. Water-pull drivers.
 - iii. 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.

- b. 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.
[SIP Rule 310 §309.1]

13. Dust Control Plan Revisions

- a. 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, the Control Officer shall issue a written notice to the owner and/or operator of the dust-generating operation explaining such determination. The owner and/or operator of a dust-generating operation 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 owner and/or operator is preparing revisions to the approved Dust Control Plan, such owner and/or operator must still comply with all requirements of this Permit.
[SIP Rule 310 §403.1]
- b. The Permittee shall request a Dust Control Plan revision with a submittal in the manner and form prescribed by the Control Officer if:
- i. The acreage of a project changes;
 - ii. The permit holder changes;
 - iii. 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
 - iv. If the activities related to the purposes for which the Dust Control permit was obtained change.
[SIP Rule 310 §403.2]

14. Recordkeeping:

The Permittee shall maintain the following records for the time period specified in Condition 15 and make them available to the Control Officer upon request:

- a. 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:
- i. Method, frequency, and intensity of application or implementation of the control measures;
 - ii. Method, frequency, and amount of water application to the site;
 - iii. Street sweeping frequency;
 - iv. Types of surface treatments applied to and maintenance of trackout control devices, gravel pads, fences, wind barriers, and tarps;
 - v. Types and results of test methods conducted;
 - vi. If contingency control measures are implemented, actual application or implementation of contingency control measures and why contingency control measures were implemented;
 - vii. List of subcontractors' names and registration numbers updated when changes are made; and
 - viii. 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).
[SIP Rule 310 §502.1]
- b. The Permittee shall compile and retain records (including records on any street sweeping, water

applications, and maintenance of trackout control devices, gravel pads, fences, wind barriers, and tarps) that provide evidence of control measure application, by indicating the type of treatment or control measure, extent of coverage, and date applied.

[SIP Rule 310 §502.1]

- c. 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 after the request, excluding weekends. If the Control Officer is at the site where requested records are kept, records shall be provided without delay.

[SIP Rule 310 §§502.3]

15. Records Retention:

The Permittee shall retain copies of approved Dust Control Plans, control measures implementation records, and all supporting documentation for at least six months following the termination of the dust-generating operation and for at least two years from the date such records were initiated.

[SIP Rule 310 §503]

16. Definitions:

- a. *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

- b. *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.

- c. *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])					

- d. *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
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Screening	Grading	Moving bulk materials			
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e. **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.

f. **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.

g. **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.

h. **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.

i. **DUST-GENERATING OPERATION** – Any activity capable of generating fugitive dust.

j. **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.

k. **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

- l. *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.
- m. *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.
- n. *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.
- o. *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.
- p. *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.
- q. *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.
- r. *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.
- s. *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.
- t. *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.
- u. *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.
- v. *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.
- w. *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%.

- x. *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.
- y. *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).
- z. *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.
- aa. *ROUTINE* – Any dust-generating operation which occurs more than 4 times per year or lasts 30 cumulative days or more per year.
- bb. *SILT* – Any aggregate material with a particle size less than 75 micrometers in diameter, which passes through a No. 200 sieve.
- cc. *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.
- dd. *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.
- ee. *UNPAVED HAUL/ACCESS ROAD* – Any on-site unpaved road used by commercial, industrial, institutional, and/or governmental traffic.
- ff. *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.
- gg. *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.
- hh. *WIND-BLOWN DUST* – Visible emissions, from any disturbed surface area that are generated by wind action alone.
- ii. *WORK SITE* – Any property upon which any dust-generating operations occur.

[SIP Rule 310 §200]

GENERAL CONDITIONS

17. Coverage under the General Permit:

Any facility operating a stationary dust-generating operation shall be eligible for coverage under this General Permit if the facility meets the requirements specified in the Specific Conditions Section of this Permit and completes the Application for the Authority to Operate and/or Construct a Stationary Dust-Generating Operation under the General Permit. However, if the facility does not meet the provisions of the Specific

Conditions Section, the operation will be considered ineligible for coverage and the applicant may be required by the Control Officer to obtain an individual source permit.

[Rule 230 §303] [Locally Enforceable Only]

18. Revocation of the Authority to Operate under this General Permit:

If the Permittee is notified by the Control Officer of the revocation of the Authority to Operate 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 it 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.

[Rule 230 §311][Locally Enforceable Only]

19. Posting of Permit:

This Permit shall be posted in a clearly visible and accessible location on the site where the equipment is installed.

[Rule 200 §312][Locally Enforceable Only]

20. Compliance:

- a. The issuance of any Permit or Permit revision shall not relieve the Permittee from compliance with any Federal laws, Arizona laws, or the County or SIP Rules, nor does any other law, regulation or permit relieve the Permittee from obtaining a Permit or Permit revision required under the County Rules.

[Rule 200 §§309, 310.3][Rule 220 §406.3][Locally Enforceable Only]

- b. The Permittee shall comply with all conditions of this Permit including all applicable requirements of Federal laws, Arizona laws, and Maricopa County Air Pollution Control Rules and Regulations now in effect and as amended in the future. Any Permit noncompliance is grounds for enforcement action, Permit termination or revocation, or for denial of a renewal application. In addition, non-compliance with any federally enforceable requirements constitutes a violation of the Clean Air Act.

[Rule 200 §310.4][Rule 220 §302.24][A.A.C. R18-2-306.A.8.a][Locally Enforceable Only]

- c. It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with these Permit Conditions.

[Rule 220 §302.10][A.A.C. R18-2-306.A.8.b][Locally Enforceable Only]

- d. Rights and Privileges: This Permit does not convey any property rights or exclusive privilege of any sort.

[Rule 220 §302.12][Locally Enforceable Only]

- e. Fees: The Permittee shall pay all fees to the Control Officer in accordance with Rule 280. No permit or permit revision is valid until the applicable permit fee has been received and until the permit is issued by the Control Officer.

[Rule 200 §409][Rule 280 §302][A.R.S. 49-480(D)][SIP Rule 28]

21. Malfunctions, Emergency Upsets, and Excess Emissions:

An affirmative defense of an emergency, excess emission, and/or during startup and shutdown shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence as outlined in Rule 130 for emergencies and Rule 140 for excess emissions.

[Rule 130 §§201, 400][Rule 140 §§400, 500][SIP Rule 140]

22. Revision / Reopening / Revocation:

The Permit may be revised, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a permit revision, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any Permit Condition.

[Rule 220 §302.11][Locally Enforceable Only]

23. Records:

- a. The Permittee shall furnish information that the Control Officer may request in writing to determine whether cause exists for revising, revoking and reissuing this permit, or terminating this permit, or to determine compliance with this permit. The information shall be provided in a timeframe specified by the Control Officer. Upon request, the Permittee shall also furnish to the Control Officer copies of records required to be kept by this Permit. For information claimed to be confidential, the Permittee shall furnish a copy of such records directly to the Administrator along with a claim of confidentiality.

[Rule 100 §106][Rule 220 §302.13][SIP Rule 40]

- b. If the Permittee fails to submit any relevant facts or has submitted incorrect information in a permit application, the Permittee shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information. In addition, the Permittee shall provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application is filed but prior to release of a proposed permit. Willful misrepresentation of facts in a permit application is cause for revocation or denial of a permit.

[Rule 220 §§301.5, 301.6][Locally Enforceable Only]

24. Certification of Truth, Accuracy, and Completeness:

Any document that is required to be submitted by this General Permit, including reports, shall contain a certification by the facility owner, or other responsible official as defined in Rule 100 §200.110, of truth, accuracy, and completeness. This certification and any other certification required under this permit shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

[Rule 100 §401][Rule 220 §302.14][Locally Enforceable Only]

25. Facility Changes Requiring an Individual Source Permit:

- a. The following changes shall only be made after the Permittee obtains an individual source permit:
 - i. A change that triggers a new applicable requirement, violates an existing applicable requirement, or violates any of the Specific Conditions of this Permit.
 - ii. A change that will require a case-by-case determination of an emissions limitation.
 - iii. A change that will result in the burning of any fuel that is not currently authorized by this permit.

[Rule 230 §305][Rule 200 §301][Locally Enforceable Only]

- b. Coverage under this General Permit shall terminate on the date the individual source permit is issued.

[Rule 230 §307][Locally Enforceable Only]

26. Facility Changes Allowed:

- a. The Permittee may make the following changes at the facility only after providing written notification to the Control Officer at least 30 days before the change and only if such changes do not require the Permittee to obtain an individual source permit:

- i. Adding new emissions units.
- ii. Installing a replacement emissions unit.
- iii. Adding or replacing air pollution control equipment.

- b. The written notification shall include the following:

- i. When the proposed change will occur;
- ii. A description of the change; and
- iii. Any change in emissions of regulated air pollutants.

- c. The Permittee shall keep a record of any physical change or change in the method of operation that could affect emissions. The record shall include a description of the change and date the change occurred.

[Rule 230 §312][Rule 220 §404.3.d] [Locally Enforceable Only]

27. Right to Entry:

- a. The Control Officer during reasonable hours, for the purpose of enforcing and administering County or SIP Rules or the Clean Air Act, or any provision of the Arizona Revised Statutes relating to the emission or control prescribed pursuant thereto, may enter every building, premises, or other place, except the interior of structures used as private residences. Every person is guilty of a petty offense under A.R.S. 49-488 who in any way denies, obstructs or hampers such entrance or inspection that is lawfully authorized by warrant.
- b. The Permittee shall allow the Control Officer or his designated representatives, upon presentation of proper credentials (e.g., Maricopa County Air Quality Department identification) and other documents as may be required by law, to:
 - i. Enter upon the Permittee's premises where a source is located or emissions-related activity is conducted, or where records are required to be kept pursuant to the conditions of the permit;
 - ii. Have access to and copy, at reasonable times, any records that are required to be kept pursuant to the conditions of the permit;
 - iii. Inspect, at reasonable times, any sources, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required pursuant to this permit;
 - iv. Sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the Permit or other applicable requirements; and
 - v. Record any inspection by use of written, electronic, magnetic, and photographic media.

[Rule 100 §105][Rule 220 §302.17-21][SIP Rule 43]

28. Severability:

The rules, paragraphs, clauses, provisions, and/or sections of this Permit are severable, and, if any rule, paragraph, clause, provision, and/or section of this Permit is held invalid, the remainder of this Permit shall not be affected thereby.

[Rule 220 §302.9][SIP Rule 80]

29. General Requirements for Dust-Generating Operations

- a. The provisions of this Permit apply to all dust-generating operations except for those dust-generating operations listed in the Condition below. Any person engaged in a dust-generating operation subject to this Permit Section shall be subject to the standards and/or requirements of this Permit Section before, after, and while conducting such dust-generating operation, including during weekends, after work hours, and on holidays.
- b. 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.
- c. 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.

[SIP Rule 310 §§102, 301]