

MARICOPA COUNTY AIR QUALITY DEPARTMENT
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GENERAL PERMIT TO OPERATE AND/OR CONSTRUCT

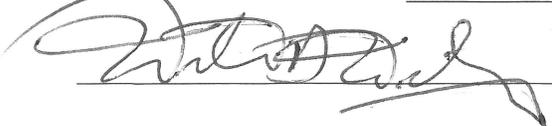
for
ARIZONA
GASOLINE DISPENSING OPERATIONS

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

Expiration Date: 11/03/2018

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Director, Maricopa County Air Quality Department

**General Permit to Operate and/or Construct
Gasoline Dispensing Operations**

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**GENERAL PERMIT TO OPERATE AND/OR CONSTRUCT
GASOLINE DISPENSING OPERATIONS**

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.J of the Arizona Revised Statutes. In that the Arizona Department of Environmental Quality has not issued a general permit for *Gasoline Dispensing Operations* in Maricopa County as defined herein, the Maricopa County Air Quality Department is authorized to issue this General Permit.

[ARS §49-480.J][County Rules 200 and 230]

SECTION 2

DEFINITIONS

For the purposes of this General Permit, the following definitions shall apply:

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 parking lot or public 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; Aggregate less than 2 inches in length or diameter (i.e., aggregate base course [ABC]); Dirt; Mud; Demolition debris; Cotton; Trash; Cinders; Pumice; Saw dust; Feeds; Grains; Fertilizers; Fluff from shredders; and Dry concrete.

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; and Moving bulk materials.

CARB-Certified - A vapor control system, subsystem, or component that has been specifically approved by system configuration and manufacturer's name and model number in an executive order of the California Air Resources Board (CARB), pursuant to Section 41954 of the California Health and Safety Code. Such orders are included in CARB's publication, "Gasoline Facilities – Phase I & II", which is available as set forth in subsection 503.4 of County Rule 353.

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 paved 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 a paved 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.

Dispensing Tank - Any stationary tank which dispenses *Gasoline* into a motorized vehicle's fuel tank that directly fuels its engine(s). This includes aircraft.

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.

Dual-Point Vapor Balance System - a type of vapor balance system in which the storage tank is equipped with an entry port for a gasoline fill pipe and a separate exit port for a vapor connection.

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 cleanup 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, bulk material hauling and/or transporting, bulk material stacking, loading, and unloading operations); 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 which may generate fugitive dust, such as but not limited to, the following activities: Land clearing, maintenance, and land cleanup using mechanized equipment; Earthmoving; Weed abatement by discing or blading; Excavating; Construction; Cutting and filling; Grading; Leveling; Excavating; Trenching; Loading or unloading of bulk materials; Demolishing; Blasting; Drilling; Adding bulk materials to or removing bulk materials from open storage piles; Back filling; Soil mulching; Landfill operations; Weed abatement by discing or blading.

Excess Gasoline Drainage - More than 10 milliliters (2 teaspoonfuls) of liquid gasoline lost from the end of a fill hose or vapor hose in the process of connecting or disconnecting the hose; or any quantity of gasoline escaping out the end of such a hose that wets any area(s) on the ground having an aggregate area greater than 113 square inches, or the perimeter of which would encompass a circle of 12 inches (30.5 cm) diameter. This does not include drainage into a fill-tube's spill containment receptacle.

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 Work Day - 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.

Existing source - For the purposes of 40 CFR 63 Subpart CCCCCC, a source that is not a New Source.

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.

Gasoline - Any petroleum distillate or blend of petroleum distillate with other combustible liquid(s), such as alcohol, that is used as a fuel for internal combustion engines and has a vapor pressure between 4.0 and 14.7 psi (200 – 760 mm Hg), as determined by the applicable method pursuant to subsections 503.2 and 504.2 of County Rule 353. For the purposes of these Permit Conditions, liquefied petroleum gas (LPG) is excluded.

Gasoline Cargo Tank - A delivery tank truck or railcar which is loading gasoline or which has loaded gasoline on the immediately previous load.

Gasoline Delivery Vessel - Any vehicular-mounted container such as a tanker truck, tank trailer, cargo tank or any other wheel mounted container used to transport gasoline. This includes any hosing the vessel carries through which deliveries must be made.

Gasoline Dispensing Operation/Facility (GDF) - All gasoline dispensing tanks and associated equipment located on one or more contiguous or adjacent properties under the control of the same person (or persons under common control).

Gasoline Vapors - Vapors, originating from liquid gasoline that are usually found in mixture with air. Included are any droplets of liquid gasoline or of gasoline vapor condensate that are entrained by the vapor.

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 a paved area accessible to the public and a work site entrance to dislodge mud, dirt, and/or debris from the tires of motor vehicles and/or haul trucks, prior to leaving the work site. A gravel pad shall consist of one inch or larger in diameter of gravel, rock, or crushed rock. Minimum dimensions must be 30 feet wide by 3 inches deep, and, at minimum, 50 feet long or the length of the longest haul truck, whichever is greater.

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.

Leak Free - A condition in which there is no liquid gasoline escape or seepage of more than 3 drops per minute from gasoline storage, handling, and ancillary equipment, including, but not limited to, seepage and escapes from above ground fittings.

Monthly Throughput - Monthly throughput means the total volume of gasoline that is loaded into, or dispensed from, all gasoline storage tanks at each GDF during a month. Monthly throughput is calculated by summing the volume of gasoline loaded into, or dispensed from, all gasoline storage tanks at each GDF during the current day, plus the total volume of gasoline loaded into, or dispensed from, all gasoline storage tanks at each GDF during the previous 364 days, and then dividing that sum by 12.

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.

New Source - For the purposes of 40 CFR 63 Subpart CCCCCC, a gasoline dispensing facility (GDF) for which construction or reconstruction of the source was commenced after November 9, 2006.

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%.

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).

Poppeted Dry Break - A Stage 1 vapor recovery device that opens only by connection to a mating device to ensure that no Gasoline vapors escape from the dispensing tank before the vapor return line is connected.

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.

Public Roadways - Any roadways that are open to public travel.

Responsible Official - One of the following:

- A. For a corporation: A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more operating facilities applying for or subject to a permit and the delegation of authority to such representatives is approved in advance by the Department;
- B. For a partnership or sole proprietorship: A general partner or the proprietor respectively;
- C. For a municipality or other public agency: Either a principal executive officer or ranking elected official.

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.

Stage I Vapor Recovery System - At a gasoline dispensing facility, the use of installed vapor recovery equipment designed to reduce by at least 90%, the VOC vapor that would otherwise be displaced into the atmosphere from a dispensing tank when gasoline is delivered into the tank by a gasoline delivery vessel. This reduction may be done either by capturing the displaced vapors within the gasoline delivery vessel, and/or by processing the vapors on site with an emission processing device (such as a VOC oxidizer).

Submerged filling - For the purposes of this permit, the filling of a gasoline storage tank through a submerged fill pipe whose discharge is no more than 6 inches from the bottom of the tank. Bottom filling of gasoline storage tanks is included in this definition.

Tank Capacity - The maximum volume of liquid gasoline a particular tank is allowed to store while still complying with all applicable rules, including local, state, and Federal rules.

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 a paved 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 a paved 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 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 definition, 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.

Vapor balance system - A combination of pipes and hoses that create a closed system between the vapor spaces of an unloading gasoline cargo tank and a receiving storage tank such that vapors displaced from the storage tank are transferred to the gasoline cargo tank being unloaded.

Vapor Loss Control Device - Any piping, hoses, equipment, or devices which are used to collect, store and/or process VOC vapors at a service station or other gasoline dispensing operation.

Vapor Tight - A condition in which an organic vapor analyzer (OVA) or a combustible gas detector (CGD) at a potential VOC leak source shows either less than 10,000 ppm when calibrated with methane, or less than 1/5 of the lower explosive limit when prepared according to the manufacturer and used according to subsection 504.3 of County Rule 353.

Wind-Blown Dust - Visible emissions, from any disturbed surface area that are generated by wind action alone.

Wind Event - When the 60-minute average wind speed is greater than 25 miles per hour.

Work Site - Any property upon which any dust-generating operations occur.

[County Rule 100] [County Rule 353] [County Rule 310] [40 CFR 63.11132]

SECTION 3

AUTHORIZATION UNDER THIS GENERAL PERMIT

Any gasoline dispensing operation, as defined in Section 2 of this General Permit shall be eligible for coverage under this General Permit if they meet the requirements as specified in Sections 4 and 5. However, if a gasoline dispensing operation does not meet the provisions of Sections 4 and 5, they will be considered ineligible for coverage and may be required by the Control Officer to obtain an individual source 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]

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. The Permittee may operate under the terms of this General Permit until the earlier of the date it submits a complete application for a new General Permit, or the filing deadline specified in the renewal notice sent by the Control Officer.

[County Rule 210 §302.1a] [County Rule 230 §§302.4, 303.3, 306 and 311.3]

C. REQUIREMENTS TO FILE AN APPLICATION FOR AN INDIVIDUAL SOURCE 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.

2) Revocation of Authority to Operate:

If an ATO has been issued and the Permittee is later 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.

[County Rule 230 § 311]

D. 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 become null and void on the date that the Individual Source Permit is issued.

[County Rule 230 §307]

SECTION 4

GENERAL REQUIREMENTS

A. COMPLIANCE REQUIRED:

The Permittee shall comply with the conditions and provisions of this Permit, and all air quality requirements of the Federal regulations, State Rules, and Maricopa County Rules. Compliance with the permit terms and conditions does not relieve, modify, or otherwise affect the Permittee's duty to comply with all air quality requirements of the Federal regulations, State Rules, and Maricopa County Rules. Any permit non-compliance is grounds for enforcement action; for a permit termination, revocation and re-issuance, or revision; or for denial of a permit renewal application. Non-compliance with any federally enforceable requirement in a permit constitutes a violation of the Clean Air Act. The Permittee shall halt or reduce activities if necessary to maintain compliance.

[County Rule 210 §302.1.h.(1), (2)][County Rule 230 §302.4.a.]

B. DUTY TO PROVIDE INFORMATION:

1) The Permittee shall furnish to the Control Officer, within a reasonable time, any information that the Control Officer may request in writing to determine whether cause exists for revoking the ATO, or to determine compliance with the permit. Upon request, the Permittee shall also furnish to the Control Officer copies of records required to be kept by the permit. For information claimed to be confidential, the Permittee shall furnish a copy of such records directly to the Administrator of EPA along with a claim of confidentiality if required to do so by the Control Officer.

[County Rule 210 §302.1h.(5)][County Rule 230 §302.4.a.]

2) If, while processing an application for an ATO, the Control Officer determines that additional information is necessary to evaluate or to take final action on that application, the Control Officer may request such information in writing and may set a reasonable deadline for a response. The Control Officer may, after one submittal by the applicant under this rule, reject an application that is still determined to be incomplete and shall notify the applicant of the decision by certified mail.

[County Rule 220 §301.4.e.]

3) If the Permittee has failed to submit any relevant facts or has submitted incorrect information in the application for an ATO, the Permittee shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information.

[County Rule 220 §301.5]

C. FILING OF AN APPLICATION FOR AN ATO:

Any facility that is eligible for this General Permit according to the requirements of this Section 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 §302.4b]

A source applying for an ATO under this Permit shall not propose nor accept pursuant to Rule 220 emission limitations, controls, or other requirements that are not included in this General Permit.

[County Rule 230 §302.5]

D. FACILITY CHANGES NOT REQUIRING A PERMIT REVISION:

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

[County Rule 220 §404.1]

2) The following changes may be made if the Permittee keeps on-site records of the changes according to

Section 7 of this General Permit.

- a) Changing process equipment, operating procedures, or making any other physical change if the permit requires the changes to be logged;
 - b) Engaging in any new exempted activity listed in County Rule 200, subsection 303.3(c), but not listed in the General Permit; and
 - c) Making a change that results in a decrease in actual emissions, if the Permittee wants to claim credit for the decrease in determining whether the Permittee has a net emissions increase for any purpose. The logged information shall include a description of the change that will produce the decrease in actual emissions. A decrease that has not been logged is creditable only if the decrease is quantifiable, enforceable, and otherwise qualifies as a creditable decrease.

[County Rule 220 §404.2.b, c, and e]
- 3) The following changes may be made if the Permittee provides written notice to the Control Officer in advance of the change as provided below:
- a) Making a physical change or a change in the method of operation that increases actual emissions more than 10% of the major source threshold for any conventional air pollutant but does not require a permit revision: no less than 7 days before the change;
 - b) 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;
 - c) Making a change that amounts to reconstruction of the source or an affected facility: no less than 7 days before the change. For purposes of this subsection, reconstruction of a source or an affected facility shall be presumed if the fixed capital cost of the new components exceed 50% of the fixed capital cost of a comparable entirely new source or affected facility and the changes to the components have occurred over the 12 consecutive months beginning with commencement of construction; and
 - d) Making a change that will result in the emissions of a new regulated air pollutant above an applicable regulatory threshold, but that does not trigger a new applicable requirement for that source category: no less than 30 days before the change. For purposes of this requirement, an applicable regulatory threshold for a conventional air pollutant shall be 10% of the applicable major source threshold for that pollutant.

[County Rule 220 §404.3.b, d, e and f]
- 4) For each change under Condition D.3) above, the written notice shall be by certified mail, hand delivery or email to AQPermits@mail.maricopa.gov, and shall be received by the Control Officer the minimum amount of time in advance of the change. Notifications of changes associated with emergency conditions, such as malfunctions necessitating the replacement of equipment, may be provided with less than required notice, but must be provided as far in advance of the change, or if advance notification is not practicable, as soon after the change, as possible.

[County Rule 220 §404.4]
- 5) The written notice shall include:
- a) When the proposed change will occur;
 - b) A description of the change;
 - c) Any change in emissions of regulated air pollutants; and
 - d) Any permit term or condition that is no longer applicable as a result of the change.

[County Rule 220 §404.5]
- 6) 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]

7) If a source change is described under both Condition D.2) and D.3) of this section, the source shall comply with Condition D.3 of this section.

[County Rule 220 §404.7]

8) If a source change is described under both Conditions D.3) and County Rule 220 section 403.1, the Permittee shall apply for a new ATO.

[County Rule 220 §404.8]

9) A Permittee may implement any change under Condition D.3) above without the required notice by applying for a new ATO.

[County Rule 220 §404.9]

E. PAY APPLICABLE FEES:

Sources applying for 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]

F. POSTING OF A PERMIT:

The Permittee shall post a copy of the ATO at the covered 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]

G. 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) and 230 §302.4.a]

H. 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:

1) To 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, and

2) To have access to and copy, at reasonable times, any records required to be kept under the terms and conditions of this General Permit, and

3) To inspect any source, at reasonable times, equipment (including monitoring and air pollution control devices), practices or operations regulated or required in this General Permit, and

4) To 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) To record any inspection by use of written, electronic, magnetic, and photographic media.

[County Rule 220 §302.17, 18, 19, 20, and 21]

I. 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 and 230 §302.4a]

SECTION 5

OPERATIONAL REQUIREMENTS AND LIMITATIONS

The Permittee shall ensure that authorized activities are conducted in accordance with the following conditions:

A. THROUGHPUT:

The Permittee shall not allow the facility’s *gasoline* throughputs to exceed any of the limits in the following table:

Controls	Maximum Daily Limit	Rolling Twelve Month Limits
Uncontrolled (Non-resale)	5,000 gallons	120,000 gallons
Stage I Vapor Recovery	10,000 gallons	3,500,000 gallons
Stage I and II Vapor Recovery	42,000 gallons	14,500,000 gallons

The Rolling Twelve Month Limit shall include every period of twelve consecutive calendar months.

[County Rule 220 §304.1]

B. GENERAL DUTIES TO MINIMIZE EMISSIONS:

At all times, the Permittee shall operate and maintain each gasoline storage tank, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Control Officer which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

[40 CFR §63.11115(A)]

C. EMISSION LIMITATIONS AND MANAGEMENT PRACTICES:

The Permittee must not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time. Measures to be taken include, but are not limited to, the following:

- 1) Minimize gasoline spills;
- 2) Clean up spills as expeditiously as practicable;
- 3) Cover all open gasoline containers and all gasoline storage tank fill-pipes with a gasketed seal when not in use;
- 4) Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators.

[40 CFR §63.11116] [40 CFR §63.11117]

D. VAPOR LOSS CONTROL MEASURE REQUIREMENTS:

No person shall transfer or permit the transfer of gasoline from any gasoline delivery vessel into any stationary dispensing tank located above or below ground with a Tank Capacity of more than 250 gallons (946 liters) unless the following conditions are met:

- 1) Basic Tank Integrity:
No vapor or liquid escapes are allowed through a dispensing tank’s outer surfaces, or from any of the joints where the tank is connected to pipe, wires, or other systems.

[Rule 353 §301]

- a) VOC Emission Standard:

- (1) Gasoline delivery operations shall be vapor tight. For the purpose of this Permit, vapor tight is defined as a condition in which an organic vapor analyzer (OVA) or a combustible gas detector (CGD) at a potential VOC leak source shows either less than 10,000 ppm when calibrated with methane or less than 20% of the lower explosive limit (LEL), when prepared according to the manufacturer and used according to Rule 353, Section 504.3.

- (2) Tanks and their fittings shall be vapor tight except for the outlet of a pressure/vacuum relief valve on a dispensing tank's vent pipe. Specifically, this means that at a probe tip distance of 1 inch (2.5 cm) from a surface, no vapor escape shall exceed 20% of the LEL. This applies to tanks containing gasoline regardless of whether they are currently being filled, and to caps and other tank fittings.

[Rule 353 §§ 217, 301.1]

- b) Leakage Limits: Gasoline storage and receiving operations shall be leak free. Specifically no liquid gasoline escape of more than 3 drops per minute is allowed. This includes leaks through the walls of piping, fittings, fill hose(s), and vapor hose(s). There shall be no excess gasoline drainage from the end of a fill hose or a vapor hose. Specifically, not more than 2 teaspoonfuls of gasoline shall be lost in the course of a connect or disconnect process.

[Rule 353 §301.2; SIP Rule 353 §301.3]

- c) Spill Containment Equipment:

- (1) The entire spill containment system including gaskets shall be kept vapor tight.

i. The outer surface of the spill containment receptacle shall have no holes or cracks and shall allow no vapors to pass from the dispensing tank through it to the atmosphere.

ii. Spill containment receptacles shall be kept clean and free of foreign material at all times.

[Rule 353 §301.3(a)]

- (2) If the spill containment is equipped with a passageway to allow material trapped by the containment system to flow into the interior of the dispensing tank:

i. The passageway shall be kept vapor tight at all times, except during the short period when a person opens the passageway to immediately drain material trapped by the containment system into the tank.

ii. The bottom of the receptacle shall be designed and kept such that no puddles of gasoline are left after draining through the passageway has ceased.

[Rule 353 §301.3(b)]

- (3) The dispensing tank owner/operator is responsible for assuring that before a delivery vessel leaves the premises after a delivery:

i. Any gasoline in a dispensing tank's spill containment receptacle has been removed.

ii. Any gasoline that a person has taken out of a spill receptacle, as a free liquid or as absorbed into/onto other material removed from the receptacle, shall be contained in such a way that VOC emission is prevented; disposal in conformance with applicable hazardous waste rules is sufficient to meet this requirement.

iii. Any plunger/stopper assembly is unimpeded and sealing correctly.

[Rule 353 §301.3(c)]

- (4) Criteria of Violation/Exceedance for Spill-Containment Receptacles: A reading on a CGD or OVA exceeding 1/5 LEL (10,000 ppm as methane) is an exceedance.

[Rule 353 §301.3(d)]

- 2) Fill Pipe Requirements:

- a) Submerged Fill Pipe:

- (1) Each fill-line into a stationary dispensing tank shall be equipped with a permanent submerged fill pipe that has a discharge opening which is completely submerged when the liquid level is six inches above the tank bottom.

[Rule 353 §302.1][SIP Rule 353 §301.1]

- (2) Threads, gaskets, and mating surfaces of the fill pipe assembly shall be designed and maintained tight. There shall be no liquid or vapor leakage at the joints of the assembly.

[Rule 353 §302.1(a)]

- (3) The Permittee shall act to prevent driver/deliverers from connecting the delivery hose coupling to a fill pipe coupling with so much twisting force that the fill pipe assembly is loosened. One method of complying is to have a CARB-certified swivel coupling as part of the fill pipe assembly.

[Rule 353 §302.1(b)(2)]

b) Fill Pipe Caps:

- (1) The cap shall have a securely attached, intact gasket.
- (2) The cap and its gasket shall always function properly, latch completely so that it cannot then be easily twisted by hand, and have no structural defects.
- (3) The cap of a gasoline fill pipe shall always be fastened securely on the fill pipe except immediately before, during, and immediately after:
 - i. “Sticking” the tank to measure gasoline depth
 - ii. Delivering Gasoline into the tank
 - iii. Doing testing, maintenance or inspection on the gasoline/vapor system
- (4) Do not unfasten or remove a fill pipe cap unless every other fill pipe is either securely capped or connected to a delivery hose, except as otherwise needed for testing, maintenance, or inspection.

[Rule 353 §302.2]

c) Multiple Fill Pipes:

- (1) A tank installed after December 31, 1998 shall not be equipped with more than one fill pipe unless there is a 2-point system having a properly installed vapor return pipe close to each fill pipe.
- (2) Concurrent Delivery: The Permittee of a dispensing tank fitted with more than 1 fill pipe shall prevent concurrent delivery of gasoline by a gasoline delivery vessel to more than 1 fill pipe of the tank by locking additional pipes shut or by using other permanent means unless:
 - i. All fill pipes in use are part of a 2-point vapor recovery system and
 - ii. Before making a concurrent delivery through a tank’s second fill pipe, an additional vapor return hose from the delivery vessel must first be attached to the vapor return line associated with the second fill pipe.

[Rule 353 §302.3]

d) Fill Pipe Obstructions:

No screen and/or other obstructions in fill pipe assemblies shall be allowed unless it is *CARB-certified* or does not prevent the measurement of how far the end of the fill pipe is from the bottom of the tank (overflow protection flappers are acceptable). Allowed screens and/or other obstructions shall be temporarily removed by the Permittee of a dispensing tank prior to inspection by the Control Officer to allow measurements pursuant to this Permit.

[Rule 353 §302.4]

- e) **Overfill Protection Equipment:**
Overfill prevention equipment shall be vapor tight to the atmosphere. Any device mounted within the fill pipe shall be so designed and maintained that no vapor from the vapor space above the Gasoline within the tank can penetrate into the fill pipe or through any of the fill pipe assembly into the atmosphere.

[Rule 353 §302.5]

3) Vapor Recovery System Requirements:

- a) **Stage I Vapor Recovery System:** The source shall maintain and operate a Stage I Vapor Recovery System. Non-resale gasoline dispensing operations with a 12 month rolling throughput of less than 120,000 gallons do not have to comply with this requirement.

[Rule 353 §303.1; SIP Rule 33.A]

b) Stage I Vapor-Recovery System Configuration

- (1) **Replacement:** After June 16, 1999, no part of a vapor recovery system for which there is a CARB specification shall be replaced with anything but *CARB-Certified* components.

(2) Vapor Valves:

- i. All vapor return lines from *Dispensing Tanks* shall be equipped with *CARB-Certified*, spring loaded, vapor tight, popped dry break valves.

- (3) **Above-Ground Systems:** After June 16, 1999, an above ground dispensing tank shall have *CARB-Certified* fittings wherever CARB so specifies.

- (4) Each gasoline tank installed after 06/16/1999 shall use *CARB-certified* fittings exclusively wherever CARB so specifies, and:

- i. Shall have its own separate, functioning 2-point vapor return line;

- ii. Is allowed to have a combination vapor recovery system that in addition to having a separate 2-point Stage 1 vapor return line, also has stage 1 vapor piping/fittings linking it to one or more (other) gasoline dispensing tanks.

(5) **New Coaxial Prohibited:**

- i. No coaxial fill pipes shall be installed after June 16, 1999 in new installations; and

- ii. No coaxial fill pipes shall be reinstalled after June 16, 1999, in major modifications in which the top of the tank is exposed and the vapor port bung is pre-configured to accept vapor recovery piping.

[Rule 353 §303.2]

4) Equipment Maintenance and Use Requirements

- a) All vapor loss control equipment shall be installed as required, operated as recommended by the manufacturer, and maintained leak free, vapor tight and in good working order.

- b) No more than three (3) drops per minute of gasoline may leak from piping, fittings, fill hoses, or vapor recovery hoses.

- c) Both the owner/operator of a dispensing tank and the driver/operator of a delivery vessel delivering gasoline to the fuel dispensing tank equipped with vapor recovery shall have the responsibility to assure that vapor recovery equipment is properly connected and in use at all times while gasoline is

actively being dropped/delivered.

- d) The owner/operator of a fuel dispensing tank shall refuse delivery of gasoline from a gasoline delivery vessel which does not bear a current pressure test certification decal issued by the Control Officer. The permit condition does not apply during times when the facility is unattended or there is only one person under control of the dispensing facility present.
- e) Coaxial Fill tubes, if allowed, shall be maintained according to the standards of their manufacturer(s) and be operated so that there is no obstruction of vapor passage from the tank to the gasoline delivery vessel.

[Rule 353§ §301, 304] [SIP Rule 353 §302]

E. INSPECTION REQUIREMENTS:

- 1) The Permittee shall inspect spill containment receptacles weekly for cracks, defects, foreign material, and spilled gasoline. Records shall be maintained as specified below.

[Rule 353 §301.3(a)(3)]

- 2) External fittings of the fill pipe assembly shall be inspected weekly to assure that the cap, gasket, and piping are intact and are not loose.

[Rule 353 §302.1(b)]

- 3) Vapor valves shall be inspected weekly to determine if closure is complete and gaskets are intact.

[Rule 353 §303.2(b)(2)][SIP Rule 353 §501]

F. NOTIFICATION AND REPORTING REQUIREMENTS:

Facilities that began operation after January 10, 2008 must submit the following notifications. Non-resale Gasoline Dispensing Operations with a 12 month rolling throughput of less than 120,000 gallons do not have to comply with this requirement.

- 1) Initial Notification: The Permittee must submit an Initial Notification to the department by May 9, 2008, or the date of initial startup, whichever is later indicating that they are subject to the requirements of 40 CFR 63 Subpart CCCCCC. The initial notification must contain the information specified below:

- a) The name and address of the owner and the operator.

- b) The address (i.e., physical location) of the gas dispensing facility.

- c) A statement that the notification is being submitted in response to 40 CFR 63 Subpart CCCCCC and identifying the requirements in Conditions D & E of this Section that apply to your facility.

[40 CFR §63.11124(b)(1)]

- 2) Notification of Compliance Status:

- a) The Permittee must submit a Notification of Compliance Status by May 9, 2008, or within 60 days of initial startup, whichever is later to the department. The Notification of Compliance Status must be signed by a responsible official who must certify its accuracy and must indicate whether the source has complied with the all requirements of 40 CFR 63 Subpart CCCCCC, and must indicate whether the facilities' monthly throughput is calculated based on the volume of gasoline loaded into all storage tanks or on the volume of gasoline dispensed from all storage tanks.

- b) If the facility is in compliance with all requirements of 40 CFR 63 Subpart CCCCCC at the time the Initial Notification required under Condition F.1) of this Section is due, the Notification of Compliance Status may be submitted in lieu of the Initial Notification provided it contains the information required under Condition F.1) and F.2)a) of this Section.

[40 CFR §63.11124(b)(2)]

- 3) Malfunction Reporting: By March 15 of each year, the Permittee shall report the number, duration, and a

brief description of each type of malfunction which occurred during the previous calendar year and which caused or may have caused any applicable emission limitation to be exceeded. The report must also include a description of actions taken by the Permittee to minimize emissions in accordance with Permit Condition 3, including actions taken to correct a malfunction. No report is necessary for a calendar year in which no malfunctions occurred

[40 CFR §§ 63.11115(b), 63.11126(b)]

4) Notifications shall be submitted to the following agency:

a) Maricopa County Air Quality Department, Attn: Permitting Manager, 1001 N. Central Ave., Suite 125, Phoenix, Arizona 85004-1944

[40 CFR §63.11124]

SECTION 6

ADDITIONAL REQUIREMENTS FOR GASOLINE DISPENSING FACILITIES WITH A MONTHLY THROUGHPUT OF 100,000 GALLONS OF GASOLINE OR MORE

A. AFFECTED SOURCE:

1) The affected source to which this Section applies is each new, reconstructed, or existing Gasoline Dispensing Facility (GDF) that has a monthly throughput of 100,000 gallons of gasoline or more.

a) Monthly throughput means the total volume of gasoline that is loaded into, or dispensed from, all gasoline storage tanks at each GDF during a month. Monthly throughput is calculated by summing the volume of gasoline loaded into, or dispensed from, all gasoline storage tanks at each GDF during the current day, plus the total volume of gasoline loaded into, or dispensed from, all gasoline storage tanks at each GDF during the previous 364 days, and then dividing that sum by 12.

[40 CFR §§63.11111(a), § 63.11132]

2) A GDF with a monthly throughput less than 100,000 gallons of gasoline is not subject to the requirements of this Section, but shall, upon request by the Control Officer, demonstrate that their average monthly throughput is less than the 100,000-gallon threshold level.

[40 CFR §63.11111(e)]

3) Exemption: The loading of aviation gasoline storage tanks at airports is not subject to this Section and the aviation gasoline is not included in the gasoline throughput specified in Conditions A.1) and A.2) of this Permit Condition.

[40 CFR §63.11111(g)]

B. EMISSION LIMITATIONS AND MANAGEMENT PRACTICES - VAPOR BALANCE SYSTEM:

The Permittee shall maintain and operate a Stage I vapor recovery system on the gasoline storage tanks, which meets the following requirements:

1) All vapor connections and lines on the storage tank shall be equipped with closures that seal upon disconnect.

2) The vapor balance system shall be designed such that the pressure in the tank truck does not exceed 18 inches of water pressure or 5.9 inches water vacuum during product transfer.

3) The vapor recovery and product adaptors, and the method of connection with the delivery elbow, shall be designed so as to prevent the over-tightening or loosening of fittings during normal delivery operations.

4) If a gauge well separate from the fill tube is used, it shall be provided with a submerged drop tube that

extends to within 6 inches from the bottom of the storage tank.

- 5) Pressure/vacuum (PV) vent valves shall be installed on the storage tank vent pipes. The pressure specifications for PV vent valves shall be: a positive pressure setting of 2.5 to 6.0 inches of water and a negative pressure setting of 6.0 to 10.0 inches of water. The total leak rate of all PV vent valves at an affected facility, including connections, shall not exceed 0.17 cubic foot per hour at a pressure of 2.0 inches water and 0.63 cubic feet per hour at a vacuum of 4 inches of water.
- 6) The vapor balance system shall be capable of meeting the static pressure performance requirement of the following equation:

$$Pf = 2e^{-500.887/v}$$

Where:

Pf = Minimum allowable final pressure, inches of water.

v = Total ullage affected by the test, gallons.

e = Dimensionless constant equal to approximately 2.718.

2 = The initial pressure, inches of water.

[Rule 353 §303.1; SIP Rule 33.A] [40 CFR §63.11118(b)]

C. TESTING AND MONITORING REQUIREMENTS:

Each owner or operator of a New Source shall comply with the requirements below at the time of installation of a vapor balance system, and every 3 years thereafter. Each owner or operator of an Existing Source shall comply with the requirements below beginning January 10, 2011, and every 3 years thereafter.

- 1) The Permittee must demonstrate compliance with the leak rate and cracking pressure requirements for pressure-vacuum vent valves installed on gasoline storage tanks using the test methods identified in either (1) or (2), specified below:
 - a) California Air Resources Board Vapor Recovery Test Procedure TP-201.1E - Leak Rate and Cracking Pressure of Pressure/Vacuum Vent Valves, adopted October 8, 2003; or
 - b) Use alternative test methods and procedures in accordance with the alternative test method requirements in CFR §63.7(f).

[40 CFR §63.11120(a)(1)]
- 2) The Permittee must demonstrate compliance with the static pressure performance requirement for vapor balance systems by conducting a static pressure test on gasoline storage tanks using the test methods identified in either (1) or (2), specified below:
 - a) California Air Resources Board Vapor Recovery Test Procedure TP-201.3 - Determination of 2-Inch WC Static Pressure Performance of Vapor Recovery Systems of Dispensing Facilities, adopted April 12, 1996, and amended March 17, 1999; or
 - b) Use alternative test methods and procedures in accordance with the alternative test method requirements in CFR §63.7(f).

[40 CFR §63.11120(a)(2)]

D. NOTIFICATION AND REPORTING REQUIREMENTS:

- 1) Notification of Performance Testing: The Permittee must submit a Notification of Performance Testing prior to initiating testing required by Condition [C] of this Section.
- 2) Notifications shall be submitted to the following agency:

- a) Maricopa County Air Quality Department, Attn: Permitting Manager, 1001 N. Central Ave., Suite 125, Phoenix, Arizona 85004-1944

[40 CFR §63.11124(b)(4)]

SECTION 7

RECORDKEEPING AND LOGGING REQUIREMENTS

A. GASOLINE RECEIVED:

The Permittee shall maintain records of the total amount of gasoline received each month, as well as each rolling 12-month total (i.e., last complete month plus the previous 11 months). The total amount of gasoline received each month as well as the 12-month rolling total shall be recorded by the end of the following month.

[County Rule 353 §502.1][County Rule 220 §304.1]

B. REPAIRS:

The Permittee shall maintain records of repairs, replacements, and modifications of any component of the Stage I Vapor Recovery System.

[County Rule 200 §309][County Rule 220 §302.7]

C. INSPECTIONS:

The Permittee shall keep records of fill tube, vapor valve, and spill containment inspections. The findings of such inspections shall be permanently entered in a record or log book by the end of Saturday of the following week.

[County Rule 353 §502.2]

D. TESTING AND MONITORING:

Each owner or operator subject to the Testing and Monitoring Requirements of Section 6 must keep records of all tests performed under Permit Condition [C] of Section 6.

[40 CFR §63.11125]

E. MALFUNCTIONS:

The permittee shall keep records of the occurrence and duration of each malfunction of operation or the air pollution control and monitoring equipment along with the actions taken to minimize emissions during the malfunction.

[40 CFR §§ 63.11115(b), 63.11125(d)]

F. RETENTION OF RECORDS:

All records and reports required by this Permit shall be retained for at least five years and shall be made available to the Control Officer upon request.

[County Rule 353 §502.3]

G. ACCESSIBILITY:

Records of the past 12 months shall be in a readily accessible location and must be made available to the Control Officer without delay upon verbal or written request.

[County Rule 353 §502.4]

H. LOGGING REQUIREMENTS:

- 1) If the Permittee makes a change that requires logging, then the Permittee shall keep such log for 5 years from the date the source creates such log.

[County Rule 220 §501]

- 2) If the Permittee makes a change that requires logging, then the Permittee shall perform such logging in indelible ink in a bound logbook with sequentially numbered pages, or in any other form, including electronic format, if approved by the Control Officer. Each log entry shall include at least the following information:

- a) A description of each change including:

- (1) A description of any process change.

- (2) A description of any equipment change, including both old and new equipment descriptions, model numbers, and serial numbers, or any other unique equipment number.
- (3) A description of any process material change.
- b) The date and time that the change occurred.
- c) The provision of Section 4 Condition D.2) of this General Permit that authorizes the change to be made with logging.
- d) The date the log entry was made and the first and last name of the person making the log entry.
[County Rule 220 §502]

SECTION 8

REPORTING REQUIREMENTS

A. LOGS REPORTING:

A copy of all facility change logs required by these Permit Conditions shall be filed with the Control Officer within 30 days after each anniversary of the permit issue date. If no changes were made at the source requiring logging, a statement to that effect shall be filed instead.

[County Rule 220 §503]

B. CERTIFICATION OF TRUTH, ACCURACY, AND COMPLETENESS:

Any document 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 County Rule 100§200.95, of truth, accuracy, and completeness. This certification and any other certification required under this part shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

[County Rule 100 §401 and 220 §302.14]

C. EMISSION INVENTORY:

If notified by the Control Officer, the Permittee shall submit an annual emissions inventory report to the Department, Air Quality Division, Attention: Air Quality Emissions Inventory Unit, in accordance with Rule 100 of the Maricopa County Air Pollution Control Regulations. The report shall include the throughput and any excess emissions reported during the previous calendar year.

[County Rule 100 §505]

D. EXCESS EMISSIONS AND MALFUNCTION REPORTING:

- 1) Emissions in excess of an applicable emission limitation contained in this General Permit shall constitute a violation. For all situations that constitute an emergency, the requirements of Condition E of this Section shall apply. In all other circumstances, it shall be an affirmative defense if the owner and/or operator of the source has complied with the reporting requirements of Condition D.2) and D.3) below as set forth.

[County Rule 140 §401]

- 2) The Permittee shall report to the Control Officer any emissions in excess of the limits established by this General Permit. Such report shall be in two parts as specified below:

Notification by telephone or facsimile within 24 hours of the time when the Permittee first learned of the occurrence of excess emissions, including all available information from Condition D.3) of this Section.

- a) Excess emissions report containing the information described in Condition D.3) of this Section within 72 hours of the notification required in Condition D.2)a) above.

[County Rule 140 §501]

- 3) The excess emissions report shall contain the following information:

- a) The identity of each stack or other emission point where the excess emissions occurred.
- b) The magnitude of the excess emissions expressed in the units of the applicable emissions limitation and the operating data and calculations used in determining the magnitude of the excess emissions.
- c) The time and duration or expected duration of the excess emissions.
- d) The identity of the equipment from which the excess emissions emanated.
- e) The nature and cause of such emissions.
- f) The steps taken, if the excess emissions were the result of a malfunction, to remedy the malfunction and the steps taken or planned to prevent the recurrence of such malfunction.
- g) The steps that were or are being taken to limit the excess emissions. If the source's permit contains procedures governing source operation during periods of startup or malfunction and the excess emissions resulted from startup or malfunction, the report shall contain a list of steps taken to comply with the permit procedures.

[County Rule 140 §502]

- 4) In the case of the continuous or recurring excess emissions, the notification requirements of this General Permit shall be satisfied if the source provides the required notification after excess emissions are first detected and includes in such notification an estimate of the time the excess emissions will continue. Excess emissions occurring after the estimated time period or changes in the nature of the emissions as originally reported shall require additional notification that meets the criteria of Conditions D.2) and D.3) above.

[County Rule 140 §503]

E. EMERGENCY REPORTING PROVISION:

- 1) An "emergency" means any 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 technology-based emission limitation under this Permit, due to unavoidable increases attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

[County Rule 130 §201]

- 2) An emergency constitutes an affirmative defense to an action brought for noncompliance with the technology-based emission limitations, so long as the definition as set forth in Condition E.1) above in this Section has been met.

[County Rule 130 §401]

- 3) The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

- a) An emergency occurred and the Permittee can identify the cause or causes of the emergency;
- b) At the time of the emergency, the permitted source was being properly operated;
- c) During the period of the emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and
- d) The Permittee, as soon as possible, telephoned the Control Officer, giving notice of the emergency, and submitted notice of the emergency to the Control Officer by certified mail, facsimile, or hand delivery within 2 working days of the time when emission limitations were exceeded due to the emergency. This notice shall contain a description of the emergency, any steps taken to mitigate emissions and corrective action taken.

[County Rule 130 §402]

- 4) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.

[County Rule 130 §403]

- 5) The provisions of this permit condition are in addition to any emergency or upset provision contained in any applicable requirement.

[County Rule 130 §404]

SECTION 9

FUGITIVE DUST FROM DUST-GENERATING OPERATIONS

A. APPLICABILITY:

The provisions of this Section apply to all dust-generating operations except for those dust-generating operations listed in Condition B of this Section. 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. Failure to comply with any one of the following requirements shall constitute a violation.

[County Rule 310 §§102, 301]

B. EXEMPTIONS:

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

- 1) The provisions of this Section shall not apply to 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 Section shall not apply to 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.
- 3) 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 Section E of this Permit.
- 4) Establishing 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 shall not be considered a dust-generating operation. 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) 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 MCAQD rules in Regulation III-Control of Air Contaminants.

[County Rule 310 §103]

C. OPACITY:

- 1) The Permittee shall not cause or allow visible fugitive dust emissions to exceed 20% opacity.
- 2) The Permittee shall not cause, suffer, 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.

[County Rule 310 §303.1]

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

- 1) Wind Event: Exceedances of the opacity limit described in Condition C.1) and C.2) of this Section that occur due to a wind event shall constitute a violation of the opacity limit. However, it shall be an affirmative defense in an enforcement action if the owner and/or operator demonstrates all of the following conditions:
 - a) All control measures required were followed and one or more of the following control measures were applied and maintained:
 - (1) For dust-generating operations:
 - i. Cease dust-generating operations for the duration of the condition/situation/event when the 60-minute average wind speed is greater than 25 miles per hour and if dust-generating operations are ceased for the remainder of the work day, stabilize the area;
 - ii. Apply water or other suitable dust suppressant at least twice per hour to dust-generating operations in the PM10 nonattainment area and at least once per hour to dust-generating operations outside the PM10 nonattainment area;
 - iii. Apply water as necessary 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
 - iv. Implement Condition D.1)a)(1)(ii) or Condition D.1)a)(1)(iii) of this Section 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 wind-blown material leaving a site.
 - (2) For temporary disturbed surface areas, including but not limited to, after work hours, weekends, and holidays:
 - i. Uniformly apply and maintain surface gravel or dust suppressants;
 - ii. Apply water to all disturbed surface areas three times per day. If there is any evidence of wind-blown dust, increase watering frequency to a minimum of four times per day;
 - iii. Apply water on open storage piles at least twice per hour to temporary disturbed surface areas in the PM10 nonattainment area and at least once per hour to temporary disturbed surface areas outside the PM10 nonattainment area; or
 - iv. Cover open storage piles with tarps, plastic, or other material such that wind will not remove the covering(s).

- b) Exceedances of the opacity limit described in Condition C of this Section could not have been prevented by better application, implementation, operation, or maintenance of control measures;
 - c) The owner and/or operator compiled and retained records, in accordance with Condition M of this Permit; and
 - d) The occurrence of a wind event on the day(s) in question is documented by records. The occurrence of a wind event must be determined by the nearest Maricopa County Air Quality Department monitoring station, from any other certified meteorological station, or by a wind instrument that is calibrated according to manufacturer's standards and that is located at the site being checked.
- 2) Emergency Maintenance of Flood Control Channels and Water Retention Basins: The opacity limit described in Condition C of this Section 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 opacity limit described in Condition C.1) of this Section 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.
 - 4) Activities Near the Property Line: The opacity limit described in Condition C.2) of this Section shall not apply to dust-generating operations conducted within 25 feet of the property line.
[County Rule 310 §303.2]

E. STABILIZATION REQUIREMENTS FOR DUST-GENERATING OPERATIONS:

- 1) 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 will meet one of the following requirements:
 - a) Shall not allow silt loading equal to or greater than 0.33 oz/ft², or
 - b) Shall not allow the silt content to exceed 8%.
[County Rule 310 §304.1]
- 2) Unpaved Haul/Access Road:
 - a) The owner and/or operator of any unpaved haul/access road (whether including 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 will meet one of the following requirements:
 - (1) Shall not allow silt loading equal to or greater than 0.33 oz/ft²; or
 - (2) Shall not allow the silt content to exceed 6%.
 - b) 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 Section E.2)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 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.

[County Rule 310 §304.2]

3) 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 any disturbed surface area on which no activity is occurring contain more than one type of visibly distinguishable stabilization characteristics, soil, vegetation, or other characteristics, which are visibly distinguishable, 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 Rule 310 Section 501 and in Appendix C (Fugitive Dust Test Methods) of Maricopa County Air Quality Department Rules. The owner and/or operator of such disturbed surface area on which no activity is occurring shall be considered in violation of this rule if the area is not maintained in a manner that meets at least one of the standards listed below, as applicable.

- 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 these 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 these rules.

[County Rule 310 §304.4]

F. 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. 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. At least one primary control measure and one contingency control measure must be

identified in the Dust Control Plan for all dust-generating sources. Control measures for specific dust-generating operations are described in this Section.

1) Off-Site Hauling Onto Paved 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:

a) 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.

b) 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.

c) When off-site hauling, 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.

[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 a Paved 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 a paved 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 a Paved 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 a paved 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); and
- d) When crossing and/or accessing a paved 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.

[County Rule 310 §305.3]

- 4) 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:

- a) Spray material with water, as necessary, prior to stacking, loading, and unloading and/or while stacking, loading, and unloading; or
- b) Spray material with a dust suppressant other than water, as necessary, prior to stacking, loading, and unloading and/or while stacking, loading, and unloading.

[County Rule 310 §305.4]

- 5) 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:

- a) Prior to and/or while conducting stacking, loading, and unloading operations, implement one of the following control measures:
 - (1) Spray material with water, as necessary; or
 - (2) Spray material with a dust suppressant other than water, as necessary.
- b) When not conducting stacking, loading, and unloading operations, implement one of the following control measures:
 - (1) 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
 - (2) 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.
 - (3) Maintain a soil crust; or
 - (4) Implement the control measure described in Condition F.5)b)(2) or in Condition F.5)b)(3) of this Section 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 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:
- 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 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 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:
- 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 section of this rule, 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.

[County Rule 310 §305.7]

- 8) 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:
- 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 owner and/or operator of a dust-generating operation that involves blasting operations shall implement all of the following control measures:
- a) In wind gusts above 25 miles per hour, discontinue/cease blasting; and

- b) 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 owner and/or operator 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 crust and to prevent wind erosion.

[County Rule 310 §305.10]

- 11) 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:

 - 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, as necessary;
 - (2) Apply water as necessary 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 below 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.
 - i. Apply water or other suitable dust suppressant other than water, as necessary; or
 - ii. Apply water as necessary 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.
 - 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 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 in sufficient quantity;

- (3) Implement one of the control measures below and restrict vehicle access to the area;
 - i. Pave, apply gravel, or apply a suitable dust suppressant other than water; or
 - ii. Establish vegetative ground cover in sufficient quantity.
- (4) 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
- (5) 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) Associated With Sources That Have a Non-Title V Permit, a Title V Permit, and/or a General Permit Under These Rules:

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) associated with sources that have a General permit 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 Condition F.7) of this Section.

[County Rule 310 §305.12]

G. TRACKOUT, CARRY-OUT, SPILLAGE, AND/OR EROSION:

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

- 1) Trackout Control Device:

- a) Criterion for Trackout Control Device: Install, maintain and use a suitable trackout control device that prevents and controls trackout and/or removes particulate matter from tires and the exterior surfaces of haul trucks and/or motor vehicles that traverse the site at all exits onto paved areas accessible to the public from both of the following:
 - (1) All work sites with a disturbed surface area of two acres or larger, and
 - (2) All work sites where 100 cubic yards of bulk materials are hauled on-site and/or off-site per day.
- b) Control Measures: For those work sites identified in Condition G.1)a) of this Section, prevent trackout, carry-out, spillage, and/or erosion by implementing one of the following control measures:
 - (1) At all exits onto paved areas accessible to the public, install a wheel wash system;
 - (2) At all exits onto paved areas accessible to the public, install a gravel pad which meets the definition in this Permit;
 - (3) At all exits onto paved areas accessible to the public, 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; or

- (4) Pave starting from the point of intersection with a paved area accessible to the public and extending for a centerline distance of at least 100 feet and a width of at least 20 feet.

[County Rule 310 §306.1]

2) Clean Up of Trackout:

- a) Criterion for Clean Up of Trackout: Clean up, trackout, carry-out, spillage, and/or erosion from paved areas accessible to the public including curbs, gutters, and sidewalks, on the following time-schedule:

- (1) Immediately, when trackout, carry-out, or spillage extends a cumulative distance of 25 linear feet or more; and
- (2) At the end of the workday, for all other trackout, carry-out, spillage, and/or erosion.

- b) Control Measures:

- (1) Operate a street sweeper or wet broom with sufficient water, 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 section of this rule; or
- (2) Manually sweep up deposits to comply with this section of this rule.

[County Rule 310 §306.2]

H. 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.

[County Rule 310 §307]

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

1) Basic Dust Control Training Class:

- a) At least once every three years, 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 shall successfully complete a Basic Dust Control Training Class conducted or approved by the Control Officer.
- b) At least once every three years, water truck and water-pull drivers shall successfully complete a Basic Dust Control Training Class conducted or approved by the Control Officer.

[County Rule 310 §309.1]

2) Comprehensive Dust Control Training Class:

- a) At least once every three years, the Dust Control Coordinator, who meets the requirements of Condition J of this Section, shall successfully complete the Comprehensive Dust Control Training Class conducted or approved by the Control Officer.

[County Rule 310 §309.2]

J. DUST CONTROL PLAN:

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) including both of the following situations:

- 1) When submitting an application for a Dust Control permit involving dust-generating operations that would equal or exceed 0.10 acre (4,356 square feet), and
- 2) Before commencing any routine dust-generating operation at a site that has obtained or must obtain a General permit.

[County Rule 310 §402.1]

K. DUST CONTROL PLAN CONTENTS:

The Plan shall contain, at a minimum, the following information:

- 1) Name(s), address(es), and phone numbers of person(s) responsible for the submittal and implementation of the Dust Control Plan and responsible for the dust-generating operation.
- 2) A drawing, on 8½” x 11” paper, that shows:
 - a) Entire project site/facility boundaries,
 - b) Acres to be disturbed with linear dimensions,
 - c) Nearest public roads,
 - d) North arrow, and
 - e) Planned exit locations onto paved areas accessible to the public.
- 3) Appropriate control measures, or a combination thereof, as described in Condition F and Condition G of this Section, for every actual and potential dust-generating operation.
 - a) Control measures must be implemented before, after, and while conducting any dust-generating operation, including during weekends, after work hours, and on holidays.
 - b) All required control measures and at least one contingency control measure must be identified for all dust-generating operations.
 - c) A control measure that is not listed in Condition F and Condition G of this Section may be chosen provided that such control measure is implemented to comply with the requirements described this Permit.
- 4) Dust suppressants to be applied, including all of the following product specifications or label instructions for approved usage:
 - a) Method, frequency, and intensity of application;
 - b) Type, number, and capacity of application equipment; and
 - c) Information on environmental impacts and approvals or certifications related to appropriate and safe use for ground application.
- 5) Specific surface treatment(s) and/or control measures utilized to control material trackout and sedimentation where unpaved roads and/or access points join paved areas accessible to the public.

- 6) The Dust Control Plan shall be kept onsite and readily available upon inspections.
- 7) 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 rule, then 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. If the Control Officer determines that an approved Dust Control Plan has been followed yet fugitive dust visible emissions from any given fugitive dust source under the control of the Permittee still exceeds opacity limitations, then the Permittee shall make written revisions to the Dust Control Plan effectively correcting the deficiencies identified by the Control Officer. The Permittee shall submit these revisions to the Control Officer within three working days of being notified in writing of the Control Plan's deficiencies per Rule 310, §305. During the time the Permittee is revising the Plan, the Permittee shall still comply with all requirements in Rule 310.

[County Rule 310 §§402, 403 and 503]

L. RECORD KEEPING:

Any person who conducts dust-generating operations that require a Dust Control Plan 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.

- 1) Any person who conducts dust-generating operations that require a Dust Control Plan 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) required by Condition I of this Section, date of the class(es) that such employee(s) successfully completed, and name of the agency/representative who conducted such class(es).
- 2) Any person who conducts dust-generating operations that do not require a Dust Control Plan 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.

- 3) 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]