

Article 7 Construction Sites in Nonattainment Areas—Fugitive Dust

4-7-226 Objective Standards: Sites

A. Opacity Limitations. Opacity directly attributable to Development Activity or resulting from any disturbed areas caused by Development Activity shall not exceed any of the following limitations:

1. 0% Property Line Opacity Limitation. Subject to the exemptions below, the net opacity contribution from any Development Activity or disturbed areas caused by Development Activity shall not violate a 0% opacity standard at the boundary of the parcel for more than 30 seconds in any continuous six-minute period.

a. This limitation shall not apply to earthmoving operations conducted within 25 feet of a parcel boundary.

b. For purposes of this property line opacity standard, opacity shall be determined based on a time-aggregation method. See Article 9, §4-9-340.F.

2. [Continuous Plume Limitation] Opacity shall not exceed 20% opacity for any continuous plume, as assessed by a time-averaging method, based on observations every 15 seconds over a 3-minute span, as defined in Article 9, §4-9-340.E.

3. [Intermittent Plume Limitation] Opacity shall not exceed 20% opacity for any intermittent plume, as assessed by the average of a set of six paired observations, spaced by five seconds and conducted within a one-hour period, as defined by the appropriate test method in Article 9, see §§4-9-340.C and 4-9-340.D.

4. [Wind Events] The opacity limitations of this rule shall apply to wind-driven emissions, provided that an Owner and/or Operator may have an affirmative defense to any violation upon making a showing as required under §4-7-222.

B. Trackout Limitations.

1. [Basic Limitation] Continuous visible trackout from any Site onto a paved public roadway shall not exceed 25' in length or exhibit a trackout pack-depth greater than 0.25".

2. On-site Trackout Control System. For any period of time when a project has more than two acres of area disturbed, or on any day that more than 100 cubic yards of bulk material is shipping in or out of the Site, install and maintain a trackout control system that prevents trackout.

3. Trackout Control System Options.

Where a trackout control system is required, install and maintain at least one of the following system options.

a. Presumptively acceptable systems.

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The following systems shall be acceptable options in a dust mitigation plan:

- i. Rumble strips - 25 foot length. For use of grizzlies or other similar devices designed to remove dirt/mud from tires, the devices shall extend from the intersection with the public paved road surface for a distance of at least 25 feet, and cover the full width of the unpaved exit surface for at least 25 feet.
- ii. Gravel pads - 50 foot length. For use of gravel pads, coverage with gravel shall be at least one inch or larger in diameter and at least 3 inches deep, shall extend from the intersection with the public paved road surface for a distance of at least 50 feet, and cover the full width of the unpaved exit surface for at least 50 feet. Any gravel deposited onto a public paved road travel lane or shoulder must be removed at the end of the workday or immediately following the last vehicle using the gravel pad, or at least once every 24 hours, whichever occurs first.
- iii. Internal paving - 100 feet. For use of paving, paved surfaces shall extend from the intersection with the paved public road surface for a distance of at least 100 feet, and cover the full width of the unpaved access road for that distance to allow mud and dirt to drop off of vehicles before exiting the Site. Mud and dirt deposits accumulating on paved interior roads shall be removed with sufficient frequency, but not less frequently than once per workday, to prevent carryout and trackout onto a paved public road.
- iv. [Wheel wash system] At all exits onto paved areas accessible to the public, install a wheel wash system.

B. Alternative systems.

As an alternative, the Site Permit dust control plan may propose some other system for controlling trackout, provided that visible trackout from such system shall not exceed 5' in length onto a paved public road.

C. Active Area Stabilization Requirements

1. Applicability; Affected Areas

Active area stabilization requirements apply to disturbed areas affected by on-site parking, vehicular traffic, equipment traffic, material transport, or equipment transport.

2. [Objective Standards] Comply with each of the following requirements:

- a. Every disturbed parking area and/or working area shall show compliance at all times with one of the following objective standards as assessed in accord with Article 9, §4-9-320.A:
 - i. Silt loading shall not exceed 0.33 oz/ft²; or
 - ii. Silt content shall not exceed 8% for parking and working areas.

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b. Every disturbed roadway area shall show compliance at all times with one of the following objective standards as assessed in accord with Article 9, §4-9-320.A:

i. Silt loading shall not exceed 0.33 oz/ft^2 ; or

ii. Silt content shall not exceed 6% for roads.

c. All disturbed areas other than parking areas, working areas or roadway areas affected under this Active Area Stabilization requirement shall be stabilized such that every disturbed area shows compliance at all times with the drop ball test of Article 9, §4-9-320.B.1.

3. [Maintenance Obligation] Maintain active area stabilization to meet the foregoing standards until the activity ceases and the affected area of the Site has been stabilized to meet the post-operation stabilization standards of §4-7-226.D.

D. Stabilization Requirement for Inactive and Post-operation Areas

Any disturbed surface area on which no activity is occurring shall meet at least one of the standards described below. If areas of the Site exhibit visibly distinguishable surface characteristics, each area shall be separately assessed for stability. Stability shall be assessed in accord with the appropriate test methods described in Article 9, §4-9-320.B. Failure to maintain a disturbed surface area on which no activity is occurring shall be considered in violation of this rule unless the area is maintained in a manner that meets at least one of the standards listed below, as applicable.

1. [Drop Ball Test] Maintain stabilization or a soil crust adequate to pass the drop ball test;

2. [Maintain 100 cm/sec. threshold friction velocity] Maintain a threshold friction velocity (TFV) for disturbed surface areas corrected for non-erodible elements of 100 cm/second or higher;

3. [Maintain 50% flat vegetative cover] 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%;

4. [Maintain 30% standing vegetative cover] 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%;

5. [Maintain 10% standing vegetative cover and 43 cm/sec. TFV] 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;

6. [Minimum non-erodible element cover] Maintain a percent cover that is equal to or greater than 10% for non-erodible elements as measured by the "rock test"; or

7. [Implement an approved alternative] Comply with a standard of an alternative test method, upon obtaining the written approval from the Control Officer and the Administrator.

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E. Duration of Stabilization Obligation.

1. Unpermitted Sites. For any unpermitted Site, maintain the stabilization standards of §4-7-226.D until Development Activity is complete.
2. Sites Subject to a Block Permit. For any unpermitted Site, maintain the stabilization standards of §4-7-226.D until Development Activity is complete.
3. Other Permitted Sites. For any other Site subject to permit requirement, maintain the stabilization standards of §4-7-226.D until the Control Officer approves closure of the Site Permit under Rule §4-7-238.