Article 7 Construction Sites in Nonattainment Areas—Fugitive Dust

4-7-242 Nonattainment Area Block Permits

A. Applicability

1. Nonattainment Area Block Permits shall only be available for earthmoving activity associated with:

a. Maintenance of existing underground or above-ground lines;

b. Effecting end-user connections, including but not limited to water connections, sewer connections, natural gas connections, electrical power connections, and communications connections;

c. Underground utility line extensions not exceeding 500' in length; and

d. Overhead utility line extensions.

2. Nonattainment Area Block Permits shall only be available to:

a. Political subdivisions; and

b. Public Utility Corporations regulated by the Arizona Corporation Commission.

B. Application Requirements

A Nonattainment Area Block Permit application shall include each of:

1. Application coversheet

The applicant shall present an application on a form approved by the Control Officer, and shall include all identification information as specified on that form, including a proper legal identification of the applicant.

2. Plot Plan or Site Plan - Not required.

3. Identification of surface-disturbing activities

The Block Permit Application shall acknowledge that applicability is limited to installation of underground utilities and any associated landscaping.

4. Permit applicability form

Not required.

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5. Block Permit dust control plan.

The applicant shall include in the application a Block Permit Dust Control Plan, explaining the mitigation measures that will be used to control dust from every covered activity to be conducted under the Block Permit. To be approvable under §4-7-234.C, the Block Permit Dust Control Plan must explain how the Permittee will achieve compliance with each relevant objective standard in §4-7-226 and each relevant work practice standard in §4-7-230. At a minimum, the Block Permit Dust Control Plan must address each of the following issues, and for each of the controls required under subparagraphs a. through h., must both designate all required measures as primary control measures and must additionally designate at least one contingency control measure:

a. Indicate how access to the Site will be controlled.

b. Indicate whether the project will require a trackout control system. Whether or not a trackout control system is required, explain how trackout will be controlled at each of the access points.

c. For every identified earthmoving activity, explain how dust will be controlled by actions taken prior to or during that activity.

d. Apart from earthmoving, explain how the Permittee will establish and maintain stabilization of roadways, and areas used for traffic, parking, and the handling and storage of materials.

e. If the applicant proposes to achieve stabilization by limiting speeds and traffic volume, explain how those limits will be enforced.

f. Explain how, once earthmoving operations are completed, affected areas will be stabilized.

g. Explain how areas disturbed by non-earthmoving activities will be stabilized.

h. If stabilization will depend upon restricting access or preventing trespass, explain how that will be achieved.

i. If dust mitigation efforts will involve use of dust suppressants, identify the product, include copies of MSDS sheets, and define in the plan details of the utilization in accord with the manufacturer's recommendations, including the method, frequency and intensity of application; the type, number and capacity of application equipment; and information on environmental impacts and approvals or certifications related to appropriate safe use for ground application.

j. Define how often records of the volume of water- or suppressant-usage will be recorded.

k. Define how frequently property-line opacity observations will be conducted and corresponding records recorded.

l. Define how frequently activity-linked opacity observations will be conducted and corresponding records recorded.

m. Define how frequently stabilization observations will be conducted and corresponding records recorded.

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n. Define how frequently trackout inspections will be conducted and corresponding records recorded.

C. Block Permittee's Obligations

1. Application Acknowledgments. By signing an application, the Block Permittee acknowledges an obligation to:

a. Assure that any earthmoving activity on the Site conducted by the Permittee is covered by an Block Permit;

b. With respect to every Site:

i. Comply with objective standards of §4-7-226, including the post-operation stabilization requirement.

ii. Comply with obligatory work practice standards of §4-7-230.

iii. Comply with commitments in the dust management plan submitted in support of the Block Permit application.

2. The Block Permittee shall, for any project that will disturb more than 0.1 acres, provide the Control Officer with notice of the start and completion of each project conducted under the Block Permit. The notice shall be provided in a format approved by the Control Officer.

3. Permit must be available on-site. For any project for which notification is required, a complete copy of the Block Permit, including the Block Permit Dust Control Plan, shall be available on every project Site at all times that earthmoving activities occur and made available upon request of the Control Officer.

4. Permittee responsible for compliance. The permittee is responsible for ensuring that all Persons abide by the conditions of the Block Permit and these regulations such that the Site remains in compliance with the Block Permit.

5. Recordkeeping

Unless an alternative frequency is presented in a dust control plan and approved in a permit, on any day when earthmoving activity occurs the Permittee shall maintain daily logs showing:

a. Water/suppressant truck hours of operation and water or suppressant application rates. Permittee may use whatever metrics reasonably reflect application rates.

b. Records of opacity observations, including notation of methods utilized.

c. Records of location and results of post-operation surface stabilization assessments, including notation of methods utilized.

d. Compliance with Block Permit dust control plan.

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6. Basic Dust Control Training Requirement. A site superintendent or other designated on-site representative of the Block Permit holder and water truck and water pull drivers for each Site that will involve disturbance of more than 0.1 acres shall have successfully completed a Control-Officer-approved Basic Dust Control Training Class.

D. Permit Closeout

Not applicable.