ARTICLE 8. NONATTAINMENT AREA RULES, REQUIREMENT FOR STABILIZATION OF
DISTURBED AREAS AT VACANT LOTS

4-8-260. Stabilization of Disturbed Areas at Vacant Lots; Applicability

A. Geographic Applicability.
   The "affected area" under this rule includes the Pinal-County-portion of the Phoenix Planning Area Serious PM10
   nonattainment Area, identified as Township 1 North, Range 8 East, Gila & Salt River Base and Meridian.

B. Affected Parcels; Vacant Lots.
   1. For purposes of this rule, "vacant lot" means a parcel of land on which there are no approved or
      permitted permanent or temporary buildings or structures.
   2. For purposes of this rule, where an owner holds a non-vacant lot, "vacant lot" does not
      include a contiguous parcel or parcels adjoining that non-vacant lot, but the exemption
      applies only if the parcels are subject to common legal or equitable ownership and the
      parcels are used in fact as a single lot.
   3. For purposes of this rule, a "vacant lot" does not include the site of a disturbed surface area that is
      subject to control of dust generating operations pursuant to a dust registration issued by the
      Control Officer pursuant to Chapter 4, Article 3 of these rules.
   4. For purposes of this rule, a "vacant lot" does not include the site of a disturbed surface area that is
      subject to an industrial permit issued by the Control Officer pursuant to Chapter 3 of these rules.

C. Affected Areas Within Vacant Lots; Disturbed Surfaces
   1. For purposes of this rule, "disturbed surface" means 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
      meaningfully increased by the movement, destabilization or modification.
   2. For purposes of this rule, "disturbed surface" does not include:
      a. Any area that is subject to a control of dust generating operations pursuant to dust registration
         issued by the Control Officer pursuant to Chapter 4, Article 3 of these rules.
      b. Any area that is disturbed as a result of normal farm cultural practice.
      c. Any area while the activity causing the disturbance is still proceeding.