

Changes to Rule 310 — Fugitive Dust from Dust-Generating Operations

The changes to Rule 310 generally fall into the following two categories of (1) clarification of existing requirements in the rule and (2) additional requirements in the rule.

Clarification of Existing Requirements in Rule 310

- Control measures, work practices and tables that describe control measures which were previously scattered in a variety of places have largely been consolidated into Section 305 — Control Measures For Dust Generating Operations.
- Daily recordkeeping requirements are more clearly described as to what actions a person who conducts dust-generating operations must take in order to record application of dust control measures each day dust-generating operations are conducted. The written record must include daily self-inspections for crusted or damp soil, trackout conditions and clean-up measures, daily water usage, and dust suppressant application. Also, records retention requirements now include at least six months following termination of dust generating operation and at least two years from the date the records were initiated. (Rule 310 §§ 502 and 503)
- Permanent stabilization of disturbed surface areas must be performed when the dust-generating operation is finished for a period of 30 days or longer, rather than the eight months previously required. Permanent stabilization must be implemented within ten days following the completion of such dust-generating operation. (Rule 310 § 305.11)

Additional Requirements in Rule 310

- Permit requirements from Rule 200 have been moved to Rule 310 § 302 where they are more directly applicable.
- A new General Requirements section (Rule 310 § 301) has been added to identify all of the applicable provisions of Rule 310 with which a source must comply.
- Visible emissions are now prohibited beyond the property line within which they are generated. (Rule 310 § 303.1(b)) However, visible emissions are allowed to cross the property line if dust generating operations are being conducted within 25 feet of the property line. (Rule 310 § 303.2(d))
- Trackout is now limited to 25 cumulative linear feet from the previous 50 cumulative linear feet. (Rule 310 § 306.2)
- A Dust Control Coordinator is required for any site of five or more acres of disturbed surface area that is subject to a Dust Control permit issued by the Control Officer. (Rule 310 § 310) A Comprehensive Dust Control Training Class is required at least once every three years for the Dust Control Coordinator. (Rule 310 § 309.2)
- A Basic Dust Control Training Class is required at least once every three years for site superintendents, water truck drivers, and water pull drivers if the site is more than one acre. (Rule 310 § 309.1)

Effective Date of Certain Requirements in Rule 310 Until May 1, 2008, a Notice to Correct (NTC) will be issued for

first-time violations of the requirements described below. If the NTC is not complied with, then a Notice of Violation (NOV) will be issued. As of May 1, 2008, if the following new requirements are exceeded then an NOV will be issued.

- Loading Haul Trucks (Rule 310 §§ 305.1(a)(2) and 305.3(b)): Highest point of bulk material cannot be higher than the sides, front and back of a cargo container area.
- Permanent Stabilization (Rule 310 § 305.11(c)): Permanent stabilization must be implemented within 10 days of finishing a dust-generating operation, if such dust-generating operation will be finished for 30 days or longer.
- Trackout (Rule 310 § 306.2(a)(1)): Trackout cannot extend between 25 cumulative linear feet and 50 cumulative linear feet. Curbs, gutters and sidewalks must be cleaned-up but are not included in the cumulative linear distance. An NOV will be issued if trackout extends a cumulative distance of 50 linear feet or more; an NTC will not be issued.

Policies and Standard Procedures

- Visible Emissions Across the Property Line (Rule 310 § 303): the MCAQD intends to issue an NTC for first-time violations at sites that are applying dust controls and have obtained the appropriate permits, if permits are required.
- Subcontractor Registration (Rule 200 § 306): the MCAQD intends to work with stakeholders to notify subcontractors of the registration requirement. The MCAQD intends to issue an NTC to subcontractors for first-time violations of non-registration and to require subcontractors to register within 30 days of the NTC issuance.
- Sieving Testing (Rule 310 § 501.2): Rule 310 already requires owners/operators to conduct compliance tests, as do the rules for other industries and processes in Maricopa County Air Pollution Control Regulations-Regulation III. Any day an owner/operator conducts the Appendix C test methods, the owner/operator should record the type of test method conducted and the results. The MCAQD anticipates that owners/operators will choose simpler substitutes to the Appendix C test methods for daily self-inspection. For example, the MCAQD expects the first step of the daily self-inspection will be a simple visual check of the site for crusted or damp soil - anything other than a light plume coming from activity or vehicles on haul roads, signs of disturbance on areas where no activity has been taking place, and for the presence of trackout onto paved surfaces. If the owner/operator takes corrective action for any problems identified during the visual inspection, then the owner/operator may not have to perform the formal Appendix C test methods.