

DUST CONTROL PLAN APPLICATION INSTRUCTIONS

PLACER COUNTY AIR POLLUTION CONTROL DISTRICT

110 Maple Street, Auburn, CA 95603 • (530) 745-2330 • pcapcd-dcp@placer.ca.gov

Introduction

Placer County Air Pollution Control District (District) Rule 228, Fugitive Dust, addresses fugitive dust generated by construction and grading activities, and by other land use practices including recreational activities.

Fugitive dust is particulate matter discharged into the atmosphere due to a man-made activity or condition. Examples of dust sources that are subject to the rule are excavating and trenching, drilling, boring, earthmoving and grading operations, pavement or masonry cutting operations, brush clearing, travel on unpaved roads within construction sites, and wind-blown dust from uncovered graded areas and storage piles. Private recreational uses that could be affected include horse arenas and dirt motorcycle and ATV tracks.

Good practices to minimize dust generation are required to prevent dust plumes and dust from leaving the property and creating a public nuisance. The minimum dust control requirements of Rule 228 must be met regardless of whether a dust control plan is required.

When a Dust Control Plan (DCP) is required, the failure to submit a plan to the District or to obtain District approval of a plan, or to implement required dust control measures, is punishable by penalties of up to \$25,000 per violation, with each day during any portion of which a violation occurs being a separate offense, when a failure is due to negligence. Higher penalties apply for willful or intentional violations.

Applicability

Unless exempted from Rule 228 applicability, summarized below, a Dust Control Plan is required for any construction project or construction-related activity where greater than one acre of the site's surface will be disturbed, and where this requirement has been established as a Condition of Approval of a discretionary permit or as a mitigation measure within an environmental document (such as an Environmental Impact Report for example).

The DCP must be submitted to the District for approval prior to the start of earth-disturbing activities. Note that the Dust Control Standards of Rule 228 apply to disturbed surface areas that are less than one acre, even when no Dust Control Plan is required.

General Exemptions

Rule 228 exemptions include the following;

- Agricultural activities for commercial purposes,
- Operations conducted during an emergency or disaster, including by essential service utilities,
- Solid waste landfill operations,
- Operations within State or Federal lands,
- Active operations complying with California Forest Practice Rules,
- Contractors subsequent to the time the contract ends,
- Fire hazard abatement operations associated with county, state, or municipal entities or ordinances,
- Fire access roads,
- Unpaved roads unless associated with a development or construction activity,
- Mitigating actions that are in conflict with the Endangered Species Act,
- Emergency maintenance of flood control systems,
- Blasting operations permitted by California Division of Industrial Safety, and,
- Quarrying, surface mining, aggregate and sand processing operations permitted by the District.

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Exemptions may be contingent on specific factors, please consult Rule 228, Section 103. However, regardless of exemption status, when excessive dust results in a nuisance, the District may take enforcement action as necessary to halt actions related to nuisance emissions per Rule 205, Nuisance.

An Authority to Construct/Permit to Operate may also be required if any of the following equipment (including, but not limited to) will be used; engines/portable engines with greater than 50 horsepower, rock crushers, screens, trommels, concrete batch plants and any other equipment related to, or that may cause regulated air pollutants. If any such equipment will be used during the project, list the equipment in the Project Information, and contact the District for a Permit Application at (530) 745-2330.

DUST CONTROL PLAN APPLICATION

Complete and submit the following Dust Control Plan Application pages 1 through 5. This application, once completed, submitted to, and approved by the District, will stand as the applicant's Dust Control Plan. No fees will apply for properly completed applications.

Alternatively, an original Plan may be submitted in lieu of the attached application, but the applicant will be billed for additional review time at the General Time and Materials Rate found in the current **PLACER COUNTY AIR POLLUTION CONTROL DISTRICT FEE SCHEDULE**, TABLE 601 – M.1.

QUESTIONS

Please contact the Planning & Monitoring Section at (530) 745-2330, or via e-mail at pcapcd-dcp@placer.ca.gov.