LANE REGIONAL AIR PROTECTION AGENCY

TITLE 48

RULES FOR FUGITIVE EMISSIONS

Section 48-001 General Policy

In order to restore and maintain Lane County air quality in a condition as free from air pollution as is practicable, consistent with the overall public welfare of the county, it is the policy of LRAPA to require the application of reasonable measures to minimize fugitive emissions to the greatest extent practicable.

Section 48-005 Definitions

The definitions in title 12, 29-0010 and this section apply to this title. If the same term is defined in this title and title 12 or 29-0010, the definition in this section applies to this title.

(1)   "Abate" means to eliminate the fugitive emissions by reducing or managing the emissions using reasonably available practices. The degree of abatement will depend on an evaluation of all of the circumstances of each case and does not necessarily mean completely eliminating the emissions.

Section 48-010 General Applicability

(1)   Except for agricultural activities which are exempted by state statute, this title apply to all sources of fugitive emissions within Lane County.

(2)   Examples of sources affected by these rules are:

   (a) Construction activities including land clearing and topsoil disturbance;

   (b) Demolition activities;

   (c) Unpaved traffic areas and parking lots where there are nuisance conditions;

   (d) Material handling and storage operations;

   (e) Mining and yarding activities including access and haul roads;

   (f) Storage piles of dusty materials;

   (g) Manufacturing operations.

Section 48-015 General Requirements for Fugitive Emissions

(1) No person shall cause, suffer, allow or permit any materials to be handled, transported, or stored; or a building, its appurtenances, or a road to be used, constructed, altered, repaired or demolished; or any equipment to be operated, without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions shall include, but are not limited to the following:

    (a) Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads or the clearing of land;

    (b) Application of water or other suitable chemicals on unpaved roads, material stockpiles, and other surfaces which can create airborne dusts;

    (c) Full or partial enclosure of materials stockpiles in cases where application of water or other suitable chemicals is not sufficient to prevent particulate matter from becoming airborne;

    (d) Installation and use of hoods, fans and fabric filters to enclose and vent the handling of dusty materials;

    (e) Adequate containment during sandblasting or other similar operations;

    (f) The covering of moving, open-bodied trucks transporting materials likely to become airborne;

    (g) The prompt removal from paved streets of earth or other material which does or may become airborne.

(2) When fugitive particulate emissions escape from an air contaminant source, LRAPA may order the owner or operator to abate the emissions. In addition to other means, LRAPA may order that the building or equipment in which processing, handling and storage are done be tightly closed and ventilated in such a way that air contaminants are controlled or removed before discharge to the open air.

    (a) For purposes of this section, fugitive emissions are visible emissions that leave the property of a source for a period or periods totaling more than 18 seconds in a six minute period. The minimum observation time must be at least six minutes unless otherwise specified in a permit.

    (b) Fugitive emissions are determined by EPA Method 22 at the downwind property boundary.

(3) If requested by LRAPA, the owner or operator must develop a fugitive emission control plan, including but not limited to the work practices in subsection (1), that will prevent any visible emissions from leaving the property of a source for more than 18 seconds in a six-minute period following the procedures of EPA Method 22.