

CONSTRUCTION STANDARD SPECIFICATION

SECTION 01563

DUST CONTROL

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CONSTRUCTION STANDARD SPECIFICATION

SECTION 01563

DUST CONTROL

PART 1 - GENERAL

1.01 SUMMARY

A. Section includes: Requirements, methods, and materials for controlling dust and other particulate matter resulting from surface disturbance activities, pressure blasting, and demolition.

1. Disturbance of ground surface where activity exceeding 3/4 acre.
2. Disturbance of paved surface by grinding, milling, or other alteration: Surfaces exceeding 3/4 acre.
3. Demolition of building: Over 75,000 cubic feet .
4. Pressure blasting using sand or other abrasive.

B. Related sections:

1. Section 02222, "Selective Demolition": Demolition and removal activities to be coordinated with work of this Section.
2. Section 02200, "Earthwork": Clearing, grubbing, excavation, rough grading, and other surface disturbing activities to be coordinated with work of this Section.

1.02 REFERENCES

A. New Mexico Administrative Code (NMAC) - 20 NMAC 11.20:

1. Title 20 - Environmental Protection.

2. Chapter 11 - Albuquerque/Bernalillo County Air Quality Control Board (AQCB).
3. Part 20 - Fugitive Dust Control.

1.03 DEFINITIONS

- A. Palliative: Agent applied to disturbed soil to mitigate and control dust.
- B. Surface disturbance: Disturbance of ground, soil, or paved surface from its pre-existing conditions.
- C. Transported material: Particulate matter moved off-site by wind, water erosion, truck spillage, and tracking by vehicles.

1.04 SUBMITTALS

- A. Provide in accordance with Section 01330, "Submittal Procedures":
 1. A Fugitive Dust Control Application with Parts A and H completed for the associated project types (sign as operator in Section H):
 - New Building Construction
 - Utility Improvements
 - Structure Demolition/Renovation
 - Roadway Development.
 2. Submit the Fugitive Dust Control Application to the SNL Air Quality Compliance (AQC) Program. This application must be submitted for processing by the SNL AQC Program.
 3. If the project does not fall into one of the above categories or if the permit is a programmatic type, then the contractor/facilities completes the appropriate construction or programmatic application form and submit for processing by the AQC Program.
 4. NOTE: The AQC Program will obtain the Fugitive Dust Control Permit from the City of Albuquerque and return the approved permit to the Contractor through the Project Manager.
 5. Description and data for palliatives and other dust control materials.
 6. Two copies of approved Surface Disturbance/Demolition Permit required by Paragraph 1.05.A.1. for SDR and for SNL Environmental and Emergency Management Department, Surface Disturbance Permit Oversight Program.

7. Particulate Matter Control Plan required by Paragraph 1.05.A.2 for review, approval, and signature by SDR.

1.05 QUALITY ASSURANCE

A. Regulatory Requirements

1. A complete copy of the Fugitive Dust Control Plan/Permit with all maps must be on site prior to beginning construction activity and all documents must be retained on-site at all times during project construction.
 2. All reasonably available control measures listed in permit must be followed during the project..
 - a. Comply with requirements of 20 NMAC 11.20.
 - b. Comply with special requirements of Albuquerque Air Pollution Control Division.
 - c. Coordinate time for obtaining required permits and approvals with Project schedule. Assume responsibility for delays caused by resubmittal and revocation of permits for non-compliance.
- B. Dust palliative: Prior to submittal of Surface Disturbance/Demolition Permit application to SDR for approval, apply proposed dust palliative to test strip at job site. Demonstrate to SDR suitability of palliative to control dust.

PART 2 - PRODUCTS

2.01 DUST CONTROL PALLIATIVES

A. Acceptable types:

1. Resinous petroleum based emulsion not harmful to plants; Coherex as manufactured by Witco.
 2. Penetration emulsion prime coat based on 38 percent minimum AC-5 asphalt cement: PEP as manufactured by Southwest Emulsions.
 3. Prime dust oil emulsion based on 50 percent minimum AC-10 asphalt cement; PDOK as manufactured by Chevron USA.
 4. Other type agent to mitigate dust as approved by SDR.
- B. Formulation, dilution, and application rate: As recommended by manufacturer for specific soils at Project site.

PART 3 - EXECUTION

3.01 DUST CONTROL

- A. Implement approved Particulate Matter Control Plan specified in Paragraph 1.05.A.2. Coordinate with work of Section 02200, "Earthwork" and Section 02222, "Selective Demolition".
- B. Use method or combination of methods listed below and approved by SDR to prevent particulate matter from becoming airborne and being transported off-site:
 - 1. Phasing: Only disturb areas less than one acre at one time. Begin construction activities at west side of site and proceed to east to provide buffer area where shifting soil can be arrested.
 - 2. Schedule: Delay earthwork and other activities generating particulate matter until wind velocity is 30 MPH maximum.
 - 3. Restricting vehicles: Use signs and other traffic controls to limit speed and access of job site vehicles. Limit speed to 10 MPH maximum. Restrict vehicle traffic in dust stabilized areas.
 - 4. Excavated material: Keep out of active traffic lanes. Immediately remove excavated material deposited in roadways by erosion or spillage. Cover loads transported in earth-moving equipment.
 - 5. Watering: Use sprinkler system or water truck with spray boom to water disturbed area daily and at intervals required to adequately control dust.
 - 6. Windbreaks: Erect snow fences or similar windbreaks upwind and within disturbed areas. Place fences perpendicular to prevailing winds.
 - 7. Palliatives: Apply dust palliative to stabilize soils after earthwork is completed and to sandy soils where watering is ineffective. Do not use palliative detrimental to vegetation in areas of future plant landscaping.
 - 8. Other methods that substantially and effectively reduce transported material or emission of particulate matter into atmosphere.

END OF SECTION

February 15, 2007

ATTACHMENT A

CHECKLIST FOR ROADWAY DEVELOPMENT



ALBUQUERQUE ENVIRONMENTAL HEALTH DEPARTMENT - AIR QUALITY DIVISION (DEPARTMENT)
11850 SUNSET GARDENS SW - ALBUQUERQUE, NEW MEXICO 87121
(505) 768 - 1972 (VOICE) (505) 768 - 2482 (TTY) (505) 768 - 1977 (FAX)



APPLICATION FOR A FUGITIVE DUST CONTROL PERMIT IN BERNALILLO COUNTY
ALBUQUERQUE - BERNALILLO COUNTY AIR QUALITY CONTROL BOARD REGULATION 20.11.20 NMAC
CONSTRUCTION PERMIT FOR SURFACE DISTURBANCE/DEMOLITION

DIVISION RECEIPT STAMP BELOW THIS LINE

EFFECTIVE DATE OF THIS FORM: 3/1/05

SUBMITTAL DATE/TIME

RECEIVED BY

PERMIT #

PERMIT APPLICATION - PART A. - PROJECT INFORMATION AND GENERAL ACTIVITIES (20.11.20.15 NMAC) (PRINT OR TYPE)

1. PROJECT NAME

2. PROJECT LOCATION

SUBMIT AS AN ATTACHMENT TO THIS APPLICATION, AN 8 1/2" X 11" OR LARGER SITE MAP OR PLAT OF PROJECT LOCATION

3. PROJECT STREET ADDRESS (if available)

4. MAJOR CROSS STREETS OR INTERSECTION NEARBY

5. UNIFORM PROPERTY CODE(S) (if available):

6. LATITUDE/LONGITUDE (if available): NORTH WEST WEST

7. UNIVERSAL TRANSVERSE MERCATOR (UTM Coordinates), if available: NORTHING EASTING

8. SCOPE OF PROJECT (check all that apply): NEW BUILDING(S) CONSTRUCTION SUBDIVISION DEVELOPMENT UTILITY IMPROVEMENTS
STRUCTURE DEMOLITION/RENOVATION ROADWAY DEVELOPMENT OTHER (please describe)

9. ACTIVE OPERATIONS (check all that apply): SURFACE DISTURBANCE BULK MATERIAL HAULING OR HANDLING UNPAVED ROADS
PAVED ROADS UTILITY REMOVAL/INSTALLATIONS STRUCTURE DEMOLITION/RENOVATION MILLING/GRINDING/CUTTING OF SURFACES
OTHER (please describe)

10. TOTAL AREA TO BE DISTURBED (acres or square feet) acres; ft^2, or, FOR DEMOLITION: TOTAL CUBIC FEET ft^3

NOTE: A Fugitive Dust Control Permit application is required for a Building Demolition Project of over 75,000 ft^3 and must be received by the Department 10 business days (Monday through Friday except holidays) before the anticipated project start date. Asbestos Notification for demolition/renovation of any commercial building, residential building of 5 or more dwellings, or residential structure to be demolished to build a non-residential structure must be received by the Department, using a separate form, 10 working days (calendar days) before the anticipated project start date. Building Demolitions in Bernalillo County require Department signatures for dust control and asbestos notification before a demolition permit will be issued by the City or County.

11. A FUGITIVE DUST CONTROL PERMIT APPLICATION, FOR TOTAL AREA TO BE DISTURBED OF 3/4 ACRE UP TO 25 ACRES, MUST BE RECEIVED BY THE AIR QUALITY DIVISION 10 BUSINESS DAYS BEFORE THE ANTICIPATED PROJECT START DATE. A FUGITIVE DUST CONTROL PERMIT APPLICATION, FOR TOTAL AREA TO BE DISTURBED OF MORE THAN 25 ACRES, MUST BE RECEIVED BY THE AIR QUALITY DIVISION 20 BUSINESS

DAYS BEFORE THE ANTICIPATED PROJECT START DATE. ANTICIPATED PROJECT START DATE IS: / /200

12. AN APPROVED FUGITIVE DUST CONTROL PERMIT SHALL BE VALID FOR 1 YEAR FROM THE DATE OF APPROVAL BY THE DEPARTMENT OR THE ANTICIPATED PROJECT COMPLETION DATE, WHICHEVER IS LONGER, BUT NO MORE THAN 5 YEARS. IF THE SCOPE OF PROJECT, ACTIVE OPERATIONS, EXPIRATION DATE, TOTAL AREA TO BE DISTURBED, OR CONTROL MEASURE(S) CHANGE IN ANY MANNER THAT ARE DETERMINED BY THE DEPARTMENT TO REQUIRE ADDITIONAL CONDITIONS, THEN A NEW FUGITIVE DUST CONTROL PERMIT SHALL BE REQUIRED. A FUGITIVE DUST CONTROL PERMIT MAY BE RENEWED IF THE DEPARTMENT RECEIVES A WRITTEN REQUEST FROM THE PERMITTEE 10 BUSINESS DAYS PRIOR

TO EXPIRATION DATE. ANTICIPATED PROJECT COMPLETION DATE IS: / /200

01/27/06 Department Review by Permittee's Initials Required Here

PERMIT APPLICATION - PART A. - PROJECT INFORMATION & GENERAL ACTIVITIES (20.11.20.15 NMAC) (CONTINUED)

13. (CHECK ONE BOX) ACTIVE OPERATIONS WILL BE THE TOTAL AREA TO BE DISTURBED , **OR**, ACTIVE OPERATIONS WILL BE PHASED

14. IF PHASING OF ACTIVE OPERATIONS (Explain Phasing Plan and include Total Disturbed Area, in acres, at any given time) _____

15. IS A SITE DRAINAGE PLAN REQUIRED FOR THIS PROJECT? YES _____ NO _____

16. IF YES TO #15 ABOVE, IS DRAINAGE PLAN APPROVED AND AVAILABLE UPON REQUEST BY THE DEPARTMENT? YES _____ NO _____

17. EXPECTED VOLUME OF BULK MATERIAL (ON SITE FILL, IMPORTED FILL, BASE COARSE GRAVEL, ETC.) TO BE HANDLED DURING THE DURATION OF THIS PROJECT (in cubic yards) _____ yds³

18. VOLUME OF BULK MATERIAL TO BE IMPORTED TO THIS PROJECT SITE _____ yds³

19. ADDRESS OF LOCATION(S) FROM WHICH BULK MATERIAL WILL BE IMPORTED TO THIS PROJECT SITE _____

20. DO THE BERNALILLO CNTY. LOCATIONS, PROVIDING BULK MATERIAL TO THIS PROJECT, HAVE FUGITIVE DUST CONTROL PERMITS?

YES _____ NO _____ UNKNOWN _____

21. VOLUME OF BULK MATERIAL TO BE EXPORTED FROM PROJECT SITE _____ yds³

22. ADDRESS OF LOCATION(S) IN BERNALILLO CNTY. THAT WILL RECEIVE BULK MATERIAL EXPORTED FROM THIS PROJECT SITE _____

23. DO THE BERNALILLO CNTY. LOCATIONS, RECEIVING BULK MATERIAL FROM THIS PROJECT, HAVE FUGITIVE DUST CONTROL PERMITS?

YES _____ NO _____ UNKNOWN _____

PERMIT APPLICATION - PART B. - REASONABLY AVAILABLE CONTROL MEASURES (20.11.20.23 NMAC) The "PERMITTEE" shall include in the permit application one or more of the applicable reasonably available control measures given in Part B.1 – B.12 below, **OR** one or more other (alternative) fugitive dust control measures, including measures taken to comply with any other statute or regulation that would also effectively control fugitive dust during active and inactive operations or construction activity (20.11.20.23 NMAC).

NOTE: If the "PERMITTEE" chooses to submit, as an attachment to this application, an alternative fugitive dust control plan in lieu of the control measures given in Part B.1 – B.12 below, the alternative fugitive dust control plan (such as a storm water pollution prevention plan) must include detailed information that addresses: 1) the steady ongoing Reasonably Available Control Measures to mitigate the release of Fugitive Dust from Active and Inactive Disturbed Surface Areas; and 2) fugitive dust control Contingency Measures that will be used; and 3) action(s) to be taken to mitigate property damage (see Part C of this application). If submitting an alternative fugitive dust control plan you still must complete and initial Parts A, D, E, F, G, H, and I (if utilized) of this application.

1. UNPAVED ROADWAYS [check applicable box(es)]:

- a. paving using recycled asphalt, asphaltic concrete, concrete, or petroleum products legal for such use;
- b. using dust suppressants applied in amounts, rates, and maintained as recommended by the manufacturer; SUBMIT MANUFACTURER'S INFORMATION AS AN ATTACHMENT TO THIS APPLICATION
- c. using wet suppression;
- d. using traffic controls, including decreased speed limits with appropriate enforcement; other traffic calming methods, vehicle access restrictions and controls; road closures or barricades; and off-road vehicle access controls and closures;
- e. other (alternative) _____

2. PAVED ROADWAYS [check applicable box(es)]:

- a. cleaning up spillage and track out as necessary to prevent particulates from being pulverized and entrained into the atmosphere;
- b. using paved or gravel entry/exit aprons with devices, such as steel grates, capable of knocking mud and bulk material off vehicle tires;
- c. using on-site wheel washes;
- d. performing regularly scheduled vacuum street cleaning or wet sweeping with a sweeper certified by the manufacturer to be efficient at removing particulate matter having an aerodynamic diameter of less than 10 microns (i.e. PM₁₀);
- e. other (alternative) _____

PERMIT APPLICATION - PART B. - REASONABLY AVAILABLE CONTROL MEASURES (20.11.20.23 NMAC) (CONTINUED)**3. TRUCKS HAULING BULK MATERIALS ON PUBLIC AND PRIVATE ROADWAYS [check applicable box(es)]:**

- a. using properly secured tarps or cargo covering that covers the entire surface area of the load;
- b. preventing leakage from the truck bed, sideboards, tailgate, or bottom dump gate;
- c. using wet suppression to increase moisture content of the bulk materials being hauled;
- d. using dust suppressants applied in amounts and rates recommended by the manufacturer; SUBMIT MANUFACTURER'S INFORMATION AS AN ATTACHMENT TO THIS APPLICATION
- e. maintaining a minimum of 6 inches of freeboard below the rim of the truck bed. Freeboard means the vertical distance from the highest portion of the load abutting the bed and the lowest part of the top rim of the truck bed abutting the load;
- f. other (alternative) _____

4. ACTIVE OPERATIONS IN CONSTRUCTION AREAS AND OTHER SURFACE DISTURBANCES [check applicable box(es)]:

X SHORT TERM control measures shall include (check this box first if utilizing short term measures listed below):

- a. wet suppression;
- b. dust suppressants applied in amounts, rates, and maintained as recommended by the manufacturer; SUBMIT MANUFACTURER'S INFORMATION AS AN ATTACHMENT TO THIS APPLICATION
- c. temporary upwind windbreaks, including fabric fences with the top at least 4 feet above grade, and with the bottom of the fence sufficiently anchored to the ground to prevent material from blowing underneath the fence; all windbreaks and fabric fences shall be maintained in an upright and functional condition at all times until no longer needed to prevent or abate fugitive dust; all accumulated material on the windward side of the windbreak shall be periodically removed to prevent failure of the windbreak;
- d. watering the site at the end of each workday sufficient to stabilize the work area;
- e. applying dust suppressants in amounts and rates recommended by the manufacturer on the worksite at the end of each work week if no active operations are going to take place over the weekend or if active operations stop for more than two consecutive days;
- f. starting construction at the location that is upwind from the prevailing wind direction and stabilizing disturbed areas before disturbing additional areas;
- g. clean up and removal of track-out material;
- h. other (alternative) _____

5. ACTIVE OPERATIONS IN CONSTRUCTION AREAS AND OTHER SURFACE DISTURBANCES [check applicable box(es)]:

X LONG TERM control measures shall include (check this box first if utilizing long term measures listed below):

- a. site stabilization using dust suppressants applied in amounts and rates recommended by the manufacturer and maintained as recommended by the manufacturer; SUBMIT MANUFACTURER'S INFORMATION AS AN ATTACHMENT TO THIS APPLICATION
- b. reseeding using native grasses as specified in 20.11.20.24 NMAC – NATIVE GRASS SEEDING AND MULCH SPECIFICATIONS;
- c. xeriscaping;
- d. installing parallel rows of fabric fencing or other windbreaks set perpendicular to the prevailing wind direction either onsite or on a nearby property with the permission of the nearby property owner;
- e. surfacing with gravel or other mulch material of a size and density sufficient to prevent surface material from becoming airborne;
- f. mulching and crimping of straw or hay as specified in Section 20.11.20.24 NMAC;
- g. installing permanent perimeter and interior walls;
- h. conventional landscaping techniques;
- i. clean up and removal of track-out material;
- j. other (alternative) Restrict access to inactive areas to maintain stable surface _____

PERMIT APPLICATION - PART B. - REASONABLY AVAILABLE CONTROL MEASURES (20.11.20.23 NMAC) (CONTINUED)**6. BULK MATERIAL HANDLING [check applicable box(es)]:**

- a. using spray bars;
- b. applying wetting agents (surfactants) to bulk material;
- c. using wet suppression through manual or mechanical application;
- d. adding dust suppressants to bulk materials in amounts and rates recommended by the manufacturer and maintained as recommended by the manufacturer; SUBMIT MANUFACTURER'S INFORMATION AS AN ATTACHMENT TO THIS APPLICATION
- e. reducing process speeds;
- f. reducing drop heights;
- g. other (alternative) _____

7. INDUSTRIAL SITES [check applicable box(es)]: NA

- a. paving roadways and parking area with recycled asphalt, asphaltic concrete, concrete, or petroleum products legal for such use;
- b. performing regularly scheduled vacuum street cleaning or wet sweeping;
- c. regularly using wet suppression on unpaved areas;
- d. using dust suppressants applied in amounts, rates, and maintained as recommended by the manufacturer; SUBMIT MANUFACTURER'S INFORMATION AS AN ATTACHMENT TO THIS APPLICATION
- e. installing wind breaks;
- f. installing enclosures;
- g. installing on-site anemometers to measure wind speed; the anemometer should trigger a suitable warning mechanism such as a strobe light or audible alarm (that will not violate any applicable noise ordinance) to notify on-site personnel of high winds;
- h. increasing wet suppression applications before and during high wind conditions;
- i. other (alternative) _____

8. DEMOLITION/RENOVATION ACTIVITIES (NON-ASBESTOS CONTAINING MATERIALS PRESENT) [check applicable box(es)]: NA

- a. using constant wet suppression on the debris piles during demolition;
- b. using water or dust suppressants on the debris pile, applied in amounts and rates recommended by the manufacturer; SUBMIT MANUFACTURER'S INFORMATION AS AN ATTACHMENT TO THIS APPLICATION
- c. using enclosures;
- d. using curtains or shrouds;
- e. using negative pressure dust collectors;
- f. other (alternative) _____

9. MILLING, GRINDING OR CUTTING OF PAVED OR CONCRETE SURFACES [check applicable box(es)]:

- a. constantly using wet suppression;
- b. ongoing clean up of milled, ground or cut material by using wet sweeping;
- c. using dust suppressants applied in amounts, rates, and maintained as recommended by the manufacturer; SUBMIT MANUFACTURER'S INFORMATION AS AN ATTACHMENT TO THIS APPLICATION
- d. using enclosures;
- e. using curtains or shrouds;
- f. other (alternative) _____

10. PRESSURE BLASTING OPERATIONS [check applicable box(es)]: NA

- a. using non-friable abrasive material;
- b. using curtains, enclosures or shrouds;
- c. using negative pressure dust collectors;
- d. using constant wet suppression;
- e. maintaining ongoing clean up of abrasive material;
- f. other (alternative) _____

PERMIT APPLICATION - PART B. - REASONABLY AVAILABLE CONTROL MEASURES (20.11.20.23 NMAC) (CONTINUED)

11. SPRAY PAINTING AND OTHER COATINGS [check applicable box(es)]: NA

- a. using enclosures that comply with applicable fire codes;
- b. using curtains, enclosures or shrouds;
- c. other (alternative) _____

12. HIGH WIND CONTINGENCY MEASURES [check applicable box(es)]:

NOTE: It is required during a high wind event (5 consecutive minutes with an average wind speed of 30 miles per hour or higher) that ALL fugitive dust sources cease all active operations that are capable of producing fugitive dust; and continue to use reasonably available control measures; and implement high wind contingency measures.

- a. installing and using on-site anemometers to measure wind speed; the anemometer should trigger a suitable warning mechanism such as a strobe light or audible alarm (that will not violate any applicable noise ordinance) to notify site personnel of high winds;
- b. using constant wet suppression;
- c. using dust suppressants applied in amounts and rates recommended by the manufacturer; SUBMIT MANUFACTURER'S INFORMATION AS AN ATTACHMENT TO THIS APPLICATION
- d. using wetting agents or surfactants on disturbed areas, bulk materials or stockpiles;
- e. other (alternative) _____

PERMIT APPLICATION - PART C. - FUGITIVE DUST CONTROL PLAN (PLAN) (20.11.20.14 NMAC)

(PRINT OR TYPE)

NOTE: The "PERMITTEE" is required to comply with a Fugitive Dust Control Plan that details the Fugitive Dust Control Measures that will be used to mitigate the release of Fugitive Dust from Active and Inactive Disturbed Surface Areas. This includes: 1) steady ongoing Reasonably Available Control Measures; and 2) fugitive dust control Contingency Measures; and 3) action(s) that will be taken to mitigate claims of property damage. IF YOU ARE NOT SUBMITTING AS AN ATTACHMENT TO THIS APPLICATION AN ALTERNATIVE FUGITIVE DUST CONTROL PLAN, THEN YOU MUST COMPLETE PART C.1 - C.3 BELOW TO COMPLETE YOUR FUGITIVE DUST CONTROL PLAN.

1. DESCRIBE IN DETAIL THE STEADY ONGOING REASONABLY AVAILABLE CONTROL MEASURES THAT YOU MAY HAVE SELECTED IN PART B.1 – B.12 OF THIS APPLICATION THAT WILL BE USED DURING THIS PROJECT TO MITIGATE THE RELEASE OF FUGITIVE DUST FROM ACTIVE DISTURBED SURFACE AREAS (any current operation capable of creating dust) AND INACTIVE DISTURBED SURFACE AREAS (previously disturbed areas where active operations are temporarily suspended). (Some examples are: Provide detailed information that may include the type, size and quantity of equipment that will be used for wet suppression, and frequency of use; Type of traffic control that will be used; Type and locations of fencing or walls that will be installed; Type and frequency of use of vacuum or wet sweeping that will be used; Location and type of temporary pavements that will be used; Seeding plan; etc.).

ACTIVE - Water trucks will be used to provide wet suppression or connection to fire hydrant if available _____

INACTIVE - Limit traffic flow at inactive sites to maintain stable surface _____

2. DESCRIBE IN DETAIL THE ADDITIONAL FUGITIVE DUST CONTROL CONTINGENCY MEASURES THAT WILL BE USED DURING THIS PROJECT IF THE REASONABLY AVAILABLE CONTROL MEASURES CHOSEN IN PART B.1 – B.12 AND DETAILED IN PART C.1 ABOVE ARE DETERMINED BY THE DEPARTMENT TO BE INSUFFICIENT TO PROVIDE ADEQUATE FUGITIVE DUST CONTROL DURING ACTIVE AND INACTIVE OPERATIONS.

ACTIVE - Reduce speed of heavy equipment hauling operations; wet areas to be disturbed prior to operations _____

INACTIVE - Restrict traffic on inactive areas _____

3. DESCRIBE THE ACTION(S) THAT WILL BE TAKEN TO MITIGATE CLAIMS OF PROPERTY DAMAGE BY FUGITIVE DUST GENERATED AT/FROM THIS PROJECT. IT IS REQUIRED TO REMEDY DAMAGE TO REAL PROPERTIES CAUSED BY A VIOLATION OF THE PERMIT (20.11.20.12.C NMAC).

Will respond to reasonable claims of property damage. Will provide for cleanup and/or repairs of affected property _____

PERMIT APPLICATION PART - D. - HIGH WIND EVENT (20.11.20.16 NMAC)

(PRINT OR TYPE)

NOTE: A high wind event is a time period of 5 consecutive minutes with an average wind speed of 30 miles per hour or higher. ALL fugitive dust sources shall cease all Active Operations that are capable of producing fugitive dust; and continue to use Reasonably Available Control Measures; and implement high wind contingency measures during a High Wind Event.

1. DESCRIBE IN DETAIL HOW THE HIGH WIND CONTINGENCY MEASURE(S) CHOSEN WILL BE USED DURING THIS PROJECT Cease operations and maintain watering of site

PERMIT APPLICATION PART – E. - HIGH WIND AFFIRMATIVE DEFENSE (20.11.20.16 NMAC)

ATTENTION !!!

TO ASSERT A HIGH WIND AFFIRMATIVE DEFENSE, THE PERMITTEE AGREES TO USE ONE OF THE THREE MANDATORY CONTROL MEASURES SHOWN BELOW THROUGHOUT THE ENTIRE DURATION OF THE PERMIT, REGARDLESS OF WHETHER OR NOT A HIGH WIND EVENT EXISTS.

DO YOU WISH TO QUALIFY FOR A HIGH WIND AFFIRMATIVE DEFENSE DURING THE DURATION OF THIS PERMIT? YES ___ NO X

IF THE ANSWER TO THE ABOVE QUESTION IS YES, THEN CHOOSE ONE OF THE REQUIRED CONTROL MEASURES SHOWN BELOW

- 1. Using wet suppression sufficient to provide and maintain a soil moisture content of not less than 12 percent, and using properly maintained fabric fencing material around the perimeter of the disturbed surface area with openings no wider than necessary to allow vehicles to enter or exit the area (fencing shall be anchored 6 inches below the surface on the bottom edge and shall be 24 or more inches high); and during a High Wind Event ceasing all Active Operations but continuing to use all control measures.
- 2. Using chemical dust suppressants, in amounts and rates recommended by the manufacturer, sufficient to substantially reduce fugitive dust leaving the project area while Active Operations are idle, and using properly maintained fabric fencing material around the perimeter of the disturbed surface area with openings no wider than necessary to allow vehicles to enter or exit the area (fencing shall be anchored 6 inches below the surface on the bottom edge and shall be 24 or more inches high), and during a High Wind Event ceasing all Active Operations but continuing to use all control measures.
- 3. Using an alternative dust control measure or measures that provide fugitive dust control that is equal to or better than using the measures described in options E.1 or E.2 above; and during a High Wind Event ceasing all Active Operations but continuing to use all control measures. If you choose to qualify for a High Wind Affirmative Defense and are selecting E.3, submit as an attachment the alternative dust control measure or measures for Department approval.

PERMIT APPLICATION PART – F. – FEES (20.11.2.15 NMAC)

(PRINT OR TYPE)

AT THE TIME OF SUBMITTAL, ANY PERSON FILING AN APPLICATION FOR A FUGITIVE DUST CONTROL PERMIT SHALL PAY THE APPLICABLE FEES REQUIRED. NO APPLICATION WILL BE REVIEWED OR PERMIT ISSUED UNLESS ALL APPLICABLE FEES HAVE BEEN PAID. CONSTRUCTION PERMITS FOR SURFACE DISTURBANCE REQUIRE A FILING & REVIEW FEE, AND AN INSPECTION FEE.

1. FILING & REVIEW FEE TABLE

TOTAL PROJECT ACREAGE TO BE DISTURBED	FILING & REVIEW FEE	CHECK APPROPRIATE BOX
¾ acre to less than 2 acres	\$250.00	
2 acres to less than 5 acres	\$350.00	
5 acres to less than 15 acres	\$450.00	
15 acres or greater	\$550.00	

NOTE: THE PERMITTEE SHALL INSTALL AND MAINTAIN A PROJECT SIGN, ISSUED OR APPROVED BY THE DEPARTMENT, FOR ALL FUGITIVE DUST CONTROL PROJECTS OF 10 OR MORE ACRES.

INSPECTION FEE: - To calculate the fugitive dust control Inspection Fee below, which is in addition to the above Filing & Review Fee, multiply the total project acreage to be disturbed by the per - acre rate shown in the table below. The total project acreage to be disturbed, used to calculate the Inspection Fee below, must be expressed as a whole number. When rounding, if the number after the decimal point is less than 5, the whole number remains unchanged. If the number after the decimal point is 5 or greater, the whole number shall be rounded up to the next whole number. Rounding of acres shall occur before the Inspection Fee is calculated.

2. INSPECTION FEE TABLE

TOTAL PROJECT ACREAGE TO BE DISTURBED (ROUNDED TO NEAREST WHOLE NUMBER)	TIMES	PER ACRE RATE (BASED ON 20.11.2.15 NMAC)	INSPECTION FEE
	X	\$100.00	= \$

PERMIT APPLICATION PART – F. – FEES (20.11.2.15 NMAC) (CONTINUED)

(PRINT OR TYPE)

TOTAL PROJECT FEE – ADD THE FILING & REVIEW FEE AND THE INSPECTION FEE FROM PAGE 6 TO DETERMINE THE TOTAL PROJECT FEE TO BE SUBMITTED WITH THIS APPLICATION FOR A FUGITIVE DUST CONTROL PERMIT.

3. TOTAL PROJECT FEE TABLE

FILING & REVIEW FEE	PLUS	INSPECTION FEE	TOTAL PROJECT FEE DUE
\$	+	\$	= \$

NOTE: If an application to obtain a fugitive dust control permit is submitted after active operations have commenced at the project location, a late fee of 50 percent of the total project fee shall be assessed in addition to the total project fee (20.11.2.17 NMAC). In addition to this late fee for application processing and permit issuance, civil penalty's may be assessed pursuant to the New Mexico Air Quality Control Act, Chapter 74, Article 2 New Mexico Statutes Annotated 1978.

USE THE CALCULATION BELOW ONLY IF YOU ARE REQUIRED TO SUBMIT A LATE FEE.

TOTAL PROJECT FEE DUE: \$ _____ X (1.5) LATE FEE FACTOR = \$ _____ TOTAL PROJECT/LATE FEE DUE

NOTE: Total Project Fee Due OR Total Project/Late Fee Due, required to be paid at the time of application submittal, shall be paid by check or money order payable to: **City of Albuquerque, Permits Program (Fund 242 – Account # 0421425)**. Application and accompanying fee may be delivered by mail to the address that appears at the top of page 1 of this form or hand delivered to the same address (between the hours of 8:00 am - 4:30 pm Mon. through Fri.). Call 768-1972 if hand delivering application and fee to insure that appropriate staff is available to process a receipt.

PERMIT APPLICATION PART – G. – SIGNATURE AUTHORITY OF PERMITTEE (20.11.20.15 NMAC)

NOTE: This application shall include a fugitive dust control plan that may utilize reasonably available control measures to mitigate fugitive dust to meet the Objectives of Part 20.11.20 NMAC – Fugitive Dust Control. By signing below, the applicant certifies that the information provided in this application for a Fugitive Dust Control permit is true, accurate and complete, and the applicant agrees to be the “PERMITTEE”. A “PERMITTEE” is a person, owner or operator and all legal heirs, successors, and assigns who has applied for and obtained a fugitive dust control permit approved by the Department. The “PERMITTEE” agrees to take all actions required by the Fugitive Dust Control permit issued by the Department to prevent a violation of 20.11.20 NMAC – Fugitive Dust Control, including stopping active operations, if necessary. The “PERMITTEE” is responsible for complying with the fugitive dust control permit, the fugitive dust control plan, and all requirements of Part 20.11.20 NMAC.- Fugitive Dust Control. Failure to comply shall be a violation of Part 20.11.20 NMAC – Fugitive Dust Control.

THE PERMITTEE SIGNATURE BOX MUST BE COMPLETED (COMPLETE ALL APPLICABLE INFORMATION)

_____ PRINT PERMITTEE’S BUSINESS NAME	_____ EMAIL ADDRESS OF PERMITTEE	_____ FAX NUMBER OF PERMITTEE
_____ PHONE NUMBER OF PERMITTEE	_____ CELL PHONE OF PERMITTEE	_____ PAGER NUMBER OF PERMITTEE
_____ MAILING ADDRESS OF PERMITTEE	_____ CITY	_____ STATE
		_____ ZIP CODE
_____ PRINT NAME OF INDIVIDUAL SIGNING FOR PERMITTEE	_____ PRINT TITLE OF INDIVIDUAL SIGNING FOR PERMITTEE	
_____ SIGNATURE OF PERMITTEE	_____ INITIALS OF PERMITTEE	_____ DATE SUBMITTED

IT IS THE RESPONSIBILITY OF THE PERMITTEE OR DESIGNATED RESPONSIBLE PERSON OR OFFICIAL TO ENSURE THAT THE FUGITIVE DUST CONTROL PERMIT OR AMENDED PERMIT CONTAINS CURRENT CONTACT INFORMATION AND THAT A COPY IS MAINTAINED AT THE WORK SITE AND IS PROVIDED TO THE DEPARTMENT. FAILURE TO MAINTAIN AND PROVIDE UP-TO-DATE CONTACT INFORMATION SHALL BE A VIOLATION OF THIS PART. (20.11.20.18G NMAC).

NOTE: The applicant signing above and applying to be the “Permittee”, may designate an additional person(s) [includes an entity(ies)] to be a “responsible person” as defined in 20.11.20.7CC NMAC (definitions), if the person(s) agrees in writing to be a responsible person. A Responsible Person can be the Permittee, the Owner, the Operator, or another Person(s). Before Department review and issuance of a fugitive dust control permit, if the Permittee wishes to designate a person(s) as a responsible person(s) for complying with all or specific elements of the fugitive dust control permit, the fugitive dust control plan, and Part 20.11.20 NMAC.- Fugitive Dust Control, then Section I - signature authority of “Responsible Person” may be used at the time of application submittal and must include all applicable information concerning the designated Responsible Person(s). After the issuance of the permit, the Department may approve in writing a permit amendment to add or change a designated responsible person(s). (20.11.20.14B NMAC)

PERMIT APPLICATION PART – H. – OWNER OR OPERATOR INFORMATION (20.11.20.15 NMAC)

Complete the owner and/or operator information below ONLY IF DIFFERENT THAN THE PERSON WHO HAS SIGNED AS THE PERMITTEE IN SECTION G, OR as a responsible person(s) in Section I of this application for a fugitive dust control permit.

NOTE: If the Permittee fails to comply with the provisions of 20.11.20 NMAC – Fugitive Dust Control, the Owner or Operator, if different from a Responsible Person or the Permittee, shall be responsible for complying with the permit. If the Permittee fails to take all required actions to prevent a violation of 20.11.20 NMAC – Fugitive Dust Control, the Owner or Operator or designated Responsible Person, if different than the Permittee, shall be responsible to take all actions required to prevent or satisfactorily resolve a violation of 20.11.20 NMAC – Fugitive Dust Control, including stopping all active operations, if necessary. To mitigate fugitive dust, all Inactive Disturbed Surface Areas must be stabilized and maintained in stable condition by the Owner, Operator, OR Person responsible for maintenance of the disturbed surface. Failure to comply shall be a violation of 20.11.20 NMAC – Fugitive Dust Control (20.11.20.12 NMAC).

PROJECT OWNER INFORMATION (COMPLETE ALL APPLICABLE INFORMATION)

PRINT PROJECT OWNER’S BUSINESS NAME

PRINT NAME OF INDIVIDUAL SIGNING FOR PROJECT OWNER

PRINT TITLE OF INDIVIDUAL SIGNING FOR PROJECT OWNER

SIGNATURE OF PROJECT OWNER

INITIALS OF PROJECT OWNER

DATE SIGNED

MAILING ADDRESS OF PROJECT OWNER

CITY

STATE

ZIP CODE

PHONE OF PROJECT OWNER CELL OF PROJECT OWNER

PAGER OF PROJECT OWNER FAX OF OWNER

EMAIL ADDRESS OF PROJECT OWNER

The **GENERAL PROVISIONS** of 20.11.20 NMAC – Fugitive Dust Control states that no person shall allow fugitive dust, track-out, or transported material from any active operation, open storage pile, paved or unpaved roadway or disturbed surface area, or inactive disturbed surface area to be carried beyond the property line, right-of-way, easement or any other area under the control of the person generating or allowing the fugitive dust if the fugitive dust will: 1) adversely affect the health, public welfare or safety of the residents of Bernalillo county; or 2) impair visibility or the reasonable use of property; or 3) be visible longer than a total of 15 minutes in any 1 hour observation period using the visible fugitive dust detection method in 20.11.20.26 NMAC (visual determination of fugitive dust emissions violations) or an equivalent method approved in writing by the department.

PROJECT OPERATOR INFORMATION (COMPLETE ALL APPLICABLE INFORMATION)

PRINT PROJECT OPERATOR’S BUSINESS NAME

PRINT NAME OF INDIVIDUAL SIGNING FOR PROJECT OPERATOR

PRINT TITLE OF INDIVIDUAL SIGNING FOR PROJECT OPERATOR

SIGNATURE OF PROJECT OPERATOR

INITIALS OF PROJECT OPERATOR

DATE SIGNED

MAILING ADDRESS OF PROJECT OPERATOR

CITY

STATE

ZIP CODE

PHONE OF PROJECT OPERATOR CELL OF PROJECT OPERATOR

PAGER OF PROJECT OPERATOR FAX OF PROJECT OPERATOR

EMAIL ADDRESS OF PROJECT OPERATOR

PERMIT APPLICATION PART – I. – SIGNATURE AUTHORITY OF “RESPONSIBLE PERSON” (20.11.20.14 NMAC) - “Responsible Person” means the person designated in a permit who is responsible for complying with the permit, plan and 20.11.20 NMAC – Fugitive Dust Control, to the extent specified in the permit.

NOTE: If more than 1 individual will be designated a responsible person at the time of this application submittal, make photocopies of this page before completing any information. After the issuance of the permit, the department may approve in writing an amendment to the permit to add or change a designated responsible person(s).

The Permittee, may designate an additional person(s) [includes an entity(ies)] to be a “responsible person” as defined above. If different then the Permittee, a person that agrees in writing to be a responsible person will be liable for violations of the permit, plan and Part 20.11.20 NMAC – Fugitive Dust Control and shall be the first person contacted by the Department to resolve a violation of the permit or Part 20.11.20 NMAC to the extent outlined below in the ‘Active Operation responsibilities of individual signing as a Responsible Person’ [activity(ies)].

<u>NA</u> PRINT RESPONSIBLE PERSON’S BUSINESS NAME	_____ PRINT NAME OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON		
_____ PRINT TITLE OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON	_____ DATE SIGNED		
_____ SIGNATURE OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON	_____ INITIALS OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON		
_____ ADDRESS OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON	_____ CITY	_____ STATE	_____ ZIP CODE
_____ PHONE OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON	_____ CELL OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON		
_____ PAGER OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON	_____ FAX OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON		
_____ EMAIL OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON	_____ ACTIVE OPERATION RESPONSIBILITIES OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON [ACTIVITY(IES)]		
_____ SIGNATURE OF PERMITTEE APPROVING THE DESIGNATION OF ABOVE INDIVIDUAL AS A RESPONSIBLE PERSON	_____ DATE SIGNED		

NOTE: By signing above as a Responsible Person you will be designated in the permit issued by the Department as responsible for complying with the permit, plan and Part 20.11.20 NMAC – Fugitive Dust Control to the extent specified in the above [activity(ies)]. You will be responsible for the above [activity(ies)] for the duration of the permit OR until such time as the Department receives a request from the permittee to remove you from being the responsible person for the above [activity(ies)]. The Permittee will become the responsible person for the [activity(ies)] that a responsible person is removed from, unless a new responsible person is designated for the same [activity(ies)] and approved by the Department in writing.

NOTE: The Permittee or responsible person shall MAINTAIN A CURRENT COPY OF THE PERMIT AT THE WORK SITE and make the permit available and explain the requirements of the permit to appropriate employees, agents, contractors, and any other person performing work in the area of active disturbance to assist in maintaining compliance with Part 20.11.20 NMAC – Fugitive Dust Control.

PURSUANT TO THE AIR QUALITY CONTROL ACT, CHAPTER 74, ARTICLE 2 NEW MEXICO STATUTES ANNOTATED 1978, AS AMENDED; THE ALBUQUERQUE JOINT AIR QUALITY CONTROL BOARD ORDINANCE, 9-5-1-1 ROA 1994; THE BERNALILLO COUNTY JOINT AIR QUALITY CONTROL BOARD ORDINANCE, BERNALILLO COUNTY ORDINANCE 94-5, AND THE ALBUQUERQUE/BERNALILLO COUNTY AIR QUALITY CONTROL BOARD (A/BCAQCB) REGULATION TITLE 20, CHAPTER 11, PART 20, NEW MEXICO ADMINISTRATIVE CODE (NMAC), (20.11.20 NMAC) - FUGITIVE DUST CONTROL, AND UPON AUTHORIZED SIGNATURES BELOW, THIS APPLICATION TOGETHER WITH ASSOCIATED DRAWINGS, PLANS, APPENDED DOCUMENTS, OTHER DATA, AND ANY CONDITIONS ATTACHED TO THE PERMIT BY THE DEPARTMENT, WILL BECOME THE FUGITIVE DUST CONTROL PERMIT. TABLE BELOW FOR DEPARTMENT USE.

APPLICATION REVIEWED BY:	DEEMED COMPLETE DATE	PERMIT ISSUED BY:	ISSUE DATE	EXPIRATION DATE
_____ AIR QUALITY DIVISION SUPERVISOR OR HEALTH SPECIALIST	_____ / _____ /200__	_____ AIR QUALITY DIVISION SUPERVISOR OR HEALTH SPECIALIST	_____ / _____ /200__	_____ / _____ /200__

PERMIT APPLICATION PART – J. – TRANSFER OF FUGITIVE DUST CONTROL PERMIT AND PLAN (20.11.20.14 NMAC)

ATTENTION: USE THIS SIGNATURE PAGE ONLY IF TRANSFERRING COMPLETE RESPONSIBILITY OF A CURRENT FUGITIVE DUST CONTROL PERMIT AND PLAN TO A NEW PERMITTEE.

A FUGITIVE DUST CONTROL PERMIT AND PLAN MAY BE TRANSFERRED TO LEGAL HEIRS, SUCCESSORS, AND ASSIGNS, WHO SHALL BECOME THE NEW PERMITTEE. TRANSFERS MAY BE MADE AS AN ADMINISTRATIVE AMENDMENT PROVIDED THAT:

- 1) A WRITTEN TRANSFER OF AGREEMENT IS DRAFTED BETWEEN THE CURRENT AND NEW PERMITTEE, AND THE PROJECT OWNER; AND
- 2) A SPECIFIC DATE IS ESTABLISHED FOR THE TRANSFER OF THE PERMIT AND PLAN RESPONSIBILITY, COVERAGE, AND LIABILITY; AND
- 3) DEPARTMENT APPROVAL OF WRITTEN TRANSFER OF AGREEMENT HAS BEEN AUTHORIZED.

THERE IS NO COST FOR TRANSFER OF THE FUGITIVE DUST CONTROL PERMIT AND PLAN IF DETERMINED BY THE DEPARTMENT THAT ONLY ADMINISTRATIVE CHANGE IS NEEDED. HOWEVER, NEW APPLICATION INFORMATION MUST BE SUBMITTED BY THE NEW PERMITTEE OR OWNER ALONG WITH ANY APPLICABLE FEES, IF DETERMINED BY THE DEPARTMENT THAT NECESSARY CHANGES ARE REQUIRED TO COMPLETE THE TRANSFER OF AGREEMENT (PARTICULARLY, ANY INCREASE TO THE PERMITTED 'TOTAL AREA TO BE DISTURBED').

TRANSFER OF AGREEMENT SIGNATURE BOX FOR CURRENT PERMITTEE

PRINTED NAME OF INDIVIDUAL SIGNING FOR CURRENT PERMITTEE

REQUESTED DATE FOR TRANSFER OF PERMIT AND PLAN

SIGNATURE OF CURRENT PERMITTEE

INITIALS OF CURRENT PERMITTEE

SUBMITTAL DATE OF THIS PAGE

TRANSFER OF AGREEMENT SIGNATURE BOX FOR NEW PERMITTEE

PRINT NEW PERMITTEE BUSINESS NAME

REQUESTED DATE FOR ACCEPTANCE OF PERMIT AND PLAN

PRINTED NAME OF INDIVIDUAL SIGNING FOR NEW PERMITTEE

PRINT TITLE OF INDIVIDUAL SIGNING FOR NEW PERMITTEE

SIGNATURE OF NEW PERMITTEE

INITIALS OF NEW PERMITTEE

BY SIGNING ABOVE AS THE NEW PERMITTEE, I AGREE TO ACCEPT RESPONSIBILITY, COVERAGE, AND LIABILITY FOR THE EXISTING FUGITIVE DUST CONTROL PERMIT # _____ AND INCORPORATED FUGITIVE DUST CONTROL PLAN.

TRANSFER OF AGREEMENT SIGNATURE BOX FOR PROJECT OWNER

PRINTED NAME OF INDIVIDUAL SIGNING FOR PROJECT OWNER

DATE SIGNED

SIGNATURE OF PROJECT OWNER

INITIALS OF PROJECT OWNER

BY SIGNING ABOVE AS THE PROJECT OWNER, I AGREE TO THE TRANSFER OF RESPONSIBILITY OF THE EXISTING FUGITIVE DUST CONTROL PERMIT # _____ AND INCORPORATED FUGITIVE DUST CONTROL PLAN TO THE ABOVE SIGNED NEW PERMITTEE.

AREA BELOW FOR DEPARTMENT USE

INITIAL ONE OF THE CONDITIONS (A OR B) GIVEN BELOW

- A.) The department has determined that no change to the permit/plan other than administrative change is necessary _____
- B.) The department has determined that necessary change(s) to the permit and/or plan are required prior to transfer _____

PERMIT TRANSFER OF AGREEMENT REVIEWED BY:	DEEMED COMPLETE DATE	TRANSFERRED PERMIT # _____ ISSUED BY:	ISSUE DATE	EXPIRATION DATE
_____	_____/_____/200__	_____	_____/_____/200__	_____/_____/200__
AIR QUALITY DIVISION SUPERVISOR OR HEALTH SPECIALIST		AIR QUALITY DIVISION SUPERVISOR OR HEALTH SPECIALIST		

ATTACHMENT B

CHECKLIST FOR STRUCTURE DEMOLITION



ALBUQUERQUE ENVIRONMENTAL HEALTH DEPARTMENT - AIR QUALITY DIVISION (DEPARTMENT)
11850 SUNSET GARDENS SW - ALBUQUERQUE, NEW MEXICO 87121
(505) 768 - 1972 (VOICE) (505) 768 - 2482 (TTY) (505) 768 - 1977 (FAX)



APPLICATION FOR A FUGITIVE DUST CONTROL PERMIT IN BERNALILLO COUNTY
ALBUQUERQUE - BERNALILLO COUNTY AIR QUALITY CONTROL BOARD REGULATION 20.11.20 NMAC
CONSTRUCTION PERMIT FOR SURFACE DISTURBANCE/DEMOLITION

DIVISION RECEIPT STAMP BELOW THIS LINE

EFFECTIVE DATE OF THIS FORM: 3/1/05

SUBMITTAL DATE/TIME _____

RECEIVED BY _____

PERMIT # _____

PERMIT APPLICATION - PART A. - PROJECT INFORMATION AND GENERAL ACTIVITIES (20.11.20.15 NMAC) (PRINT OR TYPE)

1. PROJECT NAME _____

2. PROJECT LOCATION _____

SUBMIT AS AN ATTACHMENT TO THIS APPLICATION, AN 8 1/2" X 11" OR LARGER SITE MAP OR PLAT OF PROJECT LOCATION

3. PROJECT STREET ADDRESS (if available) _____

4. MAJOR CROSS STREETS OR INTERSECTION NEARBY _____

5. UNIFORM PROPERTY CODE(S) (if available): _____

6. LATITUDE/LONGITUDE (if available): NORTH _____ ' _____ " WEST _____ ' _____ "

7. UNIVERSAL TRANSVERSE MERCATOR (UTM Coordinates), if available: _____ NORTHING _____ EASTING

8. SCOPE OF PROJECT (check all that apply):
[] NEW BUILDING(S) CONSTRUCTION [] SUBDIVISION DEVELOPMENT [] UTILITY IMPROVEMENTS
[X] STRUCTURE DEMOLITION/RENOVATION [] ROADWAY DEVELOPMENT [] OTHER (please describe) _____

9. ACTIVE OPERATIONS (check all that apply):
[] SURFACE DISTURBANCE [] BULK MATERIAL HAULING OR HANDLING [] UNPAVED ROADS
[] PAVED ROADS [] UTILITY REMOVAL/INSTALLATIONS [] STRUCTURE DEMOLITION/RENOVATION [] MILLING/GRINDING/CUTTING OF SURFACES
[] OTHER (please describe) _____

10. TOTAL AREA TO BE DISTURBED (acres or square feet) _____ acres; _____ ft^2, or, FOR DEMOLITION: TOTAL CUBIC FEET _____ ft^3

NOTE: A Fugitive Dust Control Permit application is required for a Building Demolition Project of over 75,000 ft^3 and must be received by the Department 10 business days (Monday through Friday except holidays) before the anticipated project start date. Asbestos Notification for demolition/renovation of any commercial building, residential building of 5 or more dwellings, or residential structure to be demolished to build a non-residential structure must be received by the Department, using a separate form, 10 working days (calendar days) before the anticipated project start date. Building Demolitions in Bernalillo County require Department signatures for dust control and asbestos notification before a demolition permit will be issued by the City or County.

11. A FUGITIVE DUST CONTROL PERMIT APPLICATION, FOR TOTAL AREA TO BE DISTURBED OF 3/4 ACRE UP TO 25 ACRES, MUST BE RECEIVED BY THE AIR QUALITY DIVISION 10 BUSINESS DAYS BEFORE THE ANTICIPATED PROJECT START DATE. A FUGITIVE DUST CONTROL PERMIT APPLICATION, FOR TOTAL AREA TO BE DISTURBED OF MORE THAN 25 ACRES, MUST BE RECEIVED BY THE AIR QUALITY DIVISION 20 BUSINESS

DAYS BEFORE THE ANTICIPATED PROJECT START DATE. ANTICIPATED PROJECT START DATE IS : ____ / ____ /200 ____

12. AN APPROVED FUGITIVE DUST CONTROL PERMIT SHALL BE VALID FOR 1 YEAR FROM THE DATE OF APPROVAL BY THE DEPARTMENT OR THE ANTICIPATED PROJECT COMPLETION DATE, WHICHEVER IS LONGER, BUT NO MORE THAN 5 YEARS. IF THE SCOPE OF PROJECT, ACTIVE OPERATIONS, EXPIRATION DATE, TOTAL AREA TO BE DISTURBED, OR CONTROL MEASURE(S) CHANGE IN ANY MANNER THAT ARE DETERMINED BY THE DEPARTMENT TO REQUIRE ADDITIONAL CONDITIONS, THEN A NEW FUGITIVE DUST CONTROL PERMIT SHALL BE REQUIRED. A FUGITIVE DUST CONTROL PERMIT MAY BE RENEWED IF THE DEPARTMENT RECEIVES A WRITTEN REQUEST FROM THE PERMITTEE 10 BUSINESS DAYS PRIOR

TO EXPIRATION DATE. ANTICIPATED PROJECT COMPLETION DATE IS : ____ / ____ /200 ____

01/27/06 Department Review by _____ Permittee's Initials Required Here _____

PERMIT APPLICATION - PART A. - PROJECT INFORMATION & GENERAL ACTIVITIES (20.11.20.15 NMAC) (CONTINUED)

13. (CHECK ONE BOX) ACTIVE OPERATIONS WILL BE THE TOTAL AREA TO BE DISTURBED , **OR**, ACTIVE OPERATIONS WILL BE PHASED

14. IF PHASING OF ACTIVE OPERATIONS (Explain Phasing Plan and include Total Disturbed Area, in acres, at any given time) _____

15. IS A SITE DRAINAGE PLAN REQUIRED FOR THIS PROJECT? YES _____ NO _____

16. IF YES TO #15 ABOVE, IS DRAINAGE PLAN APPROVED AND AVAILABLE UPON REQUEST BY THE DEPARTMENT? YES _____ NO _____

17. EXPECTED VOLUME OF BULK MATERIAL (ON SITE FILL, IMPORTED FILL, BASE COARSE GRAVEL, ETC.) TO BE HANDLED DURING THE DURATION OF THIS PROJECT (in cubic yards) _____ yds³

18. VOLUME OF BULK MATERIAL TO BE IMPORTED TO THIS PROJECT SITE _____ yds³

19. ADDRESS OF LOCATION(S) FROM WHICH BULK MATERIAL WILL BE IMPORTED TO THIS PROJECT SITE _____

20. DO THE BERNALILLO CNTY. LOCATIONS, PROVIDING BULK MATERIAL TO THIS PROJECT, HAVE FUGITIVE DUST CONTROL PERMITS?

YES _____ NO _____ UNKNOWN _____

21. VOLUME OF BULK MATERIAL TO BE EXPORTED FROM PROJECT SITE _____ yds³

22. ADDRESS OF LOCATION(S) IN BERNALILLO CNTY. THAT WILL RECEIVE BULK MATERIAL EXPORTED FROM THIS PROJECT SITE _____

23. DO THE BERNALILLO CNTY. LOCATIONS, RECEIVING BULK MATERIAL FROM THIS PROJECT, HAVE FUGITIVE DUST CONTROL PERMITS?

YES _____ NO _____ UNKNOWN _____

PERMIT APPLICATION - PART B. - REASONABLY AVAILABLE CONTROL MEASURES (20.11.20.23 NMAC) The "PERMITTEE" shall include in the permit application one or more of the applicable reasonably available control measures given in Part B.1 – B.12 below, **OR** one or more other (alternative) fugitive dust control measures, including measures taken to comply with any other statute or regulation that would also effectively control fugitive dust during active and inactive operations or construction activity (20.11.20.23 NMAC).

NOTE: If the "PERMITTEE" chooses to submit, as an attachment to this application, an alternative fugitive dust control plan in lieu of the control measures given in Part B.1 – B.12 below, the alternative fugitive dust control plan (such as a storm water pollution prevention plan) must include detailed information that addresses: 1) the steady ongoing Reasonably Available Control Measures to mitigate the release of Fugitive Dust from Active and Inactive Disturbed Surface Areas; and 2) fugitive dust control Contingency Measures that will be used; and 3) action(s) to be taken to mitigate property damage (see Part C of this application). If submitting an alternative fugitive dust control plan you still must complete and initial Parts A, D, E, F, G, H, and I (if utilized) of this application.

1. UNPAVED ROADWAYS [check applicable box(es)]:

- a. paving using recycled asphalt, asphaltic concrete, concrete, or petroleum products legal for such use;
- b. using dust suppressants applied in amounts, rates, and maintained as recommended by the manufacturer; SUBMIT MANUFACTURER'S INFORMATION AS AN ATTACHMENT TO THIS APPLICATION
- c. using wet suppression;
- d. using traffic controls, including decreased speed limits with appropriate enforcement; other traffic calming methods, vehicle access restrictions and controls; road closures or barricades; and off-road vehicle access controls and closures;
- e. other (alternative) _____

2. PAVED ROADWAYS [check applicable box(es)]:

- a. cleaning up spillage and track out as necessary to prevent particulates from being pulverized and entrained into the atmosphere;
- b. using paved or gravel entry/exit aprons with devices, such as steel grates, capable of knocking mud and bulk material off vehicle tires;
- c. using on-site wheel washes;
- d. performing regularly scheduled vacuum street cleaning or wet sweeping with a sweeper certified by the manufacturer to be efficient at removing particulate matter having an aerodynamic diameter of less than 10 microns (i.e. PM₁₀);
- e. other (alternative) _____

PERMIT APPLICATION - PART B. - REASONABLY AVAILABLE CONTROL MEASURES (20.11.20.23 NMAC) (CONTINUED)**3. TRUCKS HAULING BULK MATERIALS ON PUBLIC AND PRIVATE ROADWAYS [check applicable box(es)]:**

- a. using properly secured tarps or cargo covering that covers the entire surface area of the load;
- b. preventing leakage from the truck bed, sideboards, tailgate, or bottom dump gate;
- c. using wet suppression to increase moisture content of the bulk materials being hauled;
- d. using dust suppressants applied in amounts and rates recommended by the manufacturer; SUBMIT MANUFACTURER'S INFORMATION AS AN ATTACHMENT TO THIS APPLICATION
- e. maintaining a minimum of 6 inches of freeboard below the rim of the truck bed. Freeboard means the vertical distance from the highest portion of the load abutting the bed and the lowest part of the top rim of the truck bed abutting the load;
- f. other (alternative) _____

4. ACTIVE OPERATIONS IN CONSTRUCTION AREAS AND OTHER SURFACE DISTURBANCES [check applicable box(es)]:

SHORT TERM control measures shall include (check this box first if utilizing short term measures listed below):

- a. wet suppression;
- b. dust suppressants applied in amounts, rates, and maintained as recommended by the manufacturer; SUBMIT MANUFACTURER'S INFORMATION AS AN ATTACHMENT TO THIS APPLICATION
- c. temporary upwind windbreaks, including fabric fences with the top at least 4 feet above grade, and with the bottom of the fence sufficiently anchored to the ground to prevent material from blowing underneath the fence; all windbreaks and fabric fences shall be maintained in an upright and functional condition at all times until no longer needed to prevent or abate fugitive dust; all accumulated material on the windward side of the windbreak shall be periodically removed to prevent failure of the windbreak;
- d. watering the site at the end of each workday sufficient to stabilize the work area;
- e. applying dust suppressants in amounts and rates recommended by the manufacturer on the worksite at the end of each work week if no active operations are going to take place over the weekend or if active operations stop for more than two consecutive days;
- f. starting construction at the location that is upwind from the prevailing wind direction and stabilizing disturbed areas before disturbing additional areas;
- g. clean up and removal of track-out material;
- h. other (alternative) _____

5. ACTIVE OPERATIONS IN CONSTRUCTION AREAS AND OTHER SURFACE DISTURBANCES [check applicable box(es)]:

LONG TERM control measures shall include (check this box first if utilizing long term measures listed below):

- a. site stabilization using dust suppressants applied in amounts and rates recommended by the manufacturer and maintained as recommended by the manufacturer; SUBMIT MANUFACTURER'S INFORMATION AS AN ATTACHMENT TO THIS APPLICATION
- b. reseeding using native grasses as specified in 20.11.20.24 NMAC – NATIVE GRASS SEEDING AND MULCH SPECIFICATIONS;
- c. xeriscaping;
- d. installing parallel rows of fabric fencing or other windbreaks set perpendicular to the prevailing wind direction either onsite or on a nearby property with the permission of the nearby property owner;
- e. surfacing with gravel or other mulch material of a size and density sufficient to prevent surface material from becoming airborne;
- f. mulching and crimping of straw or hay as specified in Section 20.11.20.24 NMAC;
- g. installing permanent perimeter and interior walls;
- h. conventional landscaping techniques;
- i. clean up and removal of track-out material;
- j. other (alternative) Restrict access to inactive areas to maintain stable surface _____

PERMIT APPLICATION - PART B. - REASONABLY AVAILABLE CONTROL MEASURES (20.11.20.23 NMAC) (CONTINUED)**6. BULK MATERIAL HANDLING [check applicable box(es)]:**

- a. using spray bars;
- b. applying wetting agents (surfactants) to bulk material;
- c. using wet suppression through manual or mechanical application;
- d. adding dust suppressants to bulk materials in amounts and rates recommended by the manufacturer and maintained as recommended by the manufacturer; SUBMIT MANUFACTURER'S INFORMATION AS AN ATTACHMENT TO THIS APPLICATION
- e. reducing process speeds;
- f. reducing drop heights;
- g. other (alternative) _____

7. INDUSTRIAL SITES [check applicable box(es)]: NA

- a. paving roadways and parking area with recycled asphalt, asphaltic concrete, concrete, or petroleum products legal for such use;
- b. performing regularly scheduled vacuum street cleaning or wet sweeping;
- c. regularly using wet suppression on unpaved areas;
- d. using dust suppressants applied in amounts, rates, and maintained as recommended by the manufacturer; SUBMIT MANUFACTURER'S INFORMATION AS AN ATTACHMENT TO THIS APPLICATION
- e. installing wind breaks;
- f. installing enclosures;
- g. installing on-site anemometers to measure wind speed; the anemometer should trigger a suitable warning mechanism such as a strobe light or audible alarm (that will not violate any applicable noise ordinance) to notify on-site personnel of high winds;
- h. increasing wet suppression applications before and during high wind conditions;
- i. other (alternative) _____

8. DEMOLITION/RENOVATION ACTIVITIES (NON-ASBESTOS CONTAINING MATERIALS PRESENT) [check applicable box(es)]:

- a. using constant wet suppression on the debris piles during demolition;
- b. using water or dust suppressants on the debris pile, applied in amounts and rates recommended by the manufacturer; SUBMIT MANUFACTURER'S INFORMATION AS AN ATTACHMENT TO THIS APPLICATION
- c. using enclosures;
- d. using curtains or shrouds;
- e. using negative pressure dust collectors;
- f. other (alternative) _____

9. MILLING, GRINDING OR CUTTING OF PAVED OR CONCRETE SURFACES [check applicable box(es)]: NA

- a. constantly using wet suppression;
- b. ongoing clean up of milled, ground or cut material by using wet sweeping;
- c. using dust suppressants applied in amounts, rates, and maintained as recommended by the manufacturer; SUBMIT MANUFACTURER'S INFORMATION AS AN ATTACHMENT TO THIS APPLICATION
- d. using enclosures;
- e. using curtains or shrouds;
- f. other (alternative) _____

10. PRESSURE BLASTING OPERATIONS [check applicable box(es)]: NA

- a. using non-friable abrasive material;
- b. using curtains, enclosures or shrouds;
- c. using negative pressure dust collectors;
- d. using constant wet suppression;
- e. maintaining ongoing clean up of abrasive material;
- f. other (alternative) _____

PERMIT APPLICATION - PART B. - REASONABLY AVAILABLE CONTROL MEASURES (20.11.20.23 NMAC) (CONTINUED)

11. SPRAY PAINTING AND OTHER COATINGS [check applicable box(es)]: NA

- a. using enclosures that comply with applicable fire codes;
- b. using curtains, enclosures or shrouds;
- c. other (alternative) _____

12. HIGH WIND CONTINGENCY MEASURES [check applicable box(es)]:

NOTE: It is required during a high wind event (5 consecutive minutes with an average wind speed of 30 miles per hour or higher) that ALL fugitive dust sources cease all active operations that are capable of producing fugitive dust; and continue to use reasonably available control measures; and implement high wind contingency measures.

- a. installing and using on-site anemometers to measure wind speed; the anemometer should trigger a suitable warning mechanism such as a strobe light or audible alarm (that will not violate any applicable noise ordinance) to notify site personnel of high winds;
- b. using constant wet suppression;
- c. using dust suppressants applied in amounts and rates recommended by the manufacturer; SUBMIT MANUFACTURER'S INFORMATION AS AN ATTACHMENT TO THIS APPLICATION
- d. using wetting agents or surfactants on disturbed areas, bulk materials or stockpiles;
- e. other (alternative) _____

PERMIT APPLICATION - PART C. - FUGITIVE DUST CONTROL PLAN (PLAN) (20.11.20.14 NMAC)

(PRINT OR TYPE)

NOTE: The "PERMITTEE" is required to comply with a Fugitive Dust Control Plan that details the Fugitive Dust Control Measures that will be used to mitigate the release of Fugitive Dust from Active and Inactive Disturbed Surface Areas. This includes: 1) steady ongoing Reasonably Available Control Measures; and 2) fugitive dust control Contingency Measures; and 3) action(s) that will be taken to mitigate claims of property damage. IF YOU ARE NOT SUBMITTING AS AN ATTACHMENT TO THIS APPLICATION AN ALTERNATIVE FUGITIVE DUST CONTROL PLAN, THEN YOU MUST COMPLETE PART C.1 - C.3 BELOW TO COMPLETE YOUR FUGITIVE DUST CONTROL PLAN.

1. DESCRIBE IN DETAIL THE STEADY ONGOING REASONABLY AVAILABLE CONTROL MEASURES THAT YOU MAY HAVE SELECTED IN PART B.1 – B.12 OF THIS APPLICATION THAT WILL BE USED DURING THIS PROJECT TO MITIGATE THE RELEASE OF FUGITIVE DUST FROM ACTIVE DISTURBED SURFACE AREAS (any current operation capable of creating dust) AND INACTIVE DISTURBED SURFACE AREAS (previously disturbed areas where active operations are temporarily suspended). (Some examples are: Provide detailed information that may include the type, size and quantity of equipment that will be used for wet suppression, and frequency of use; Type of traffic control that will be used; Type and locations of fencing or walls that will be installed; Type and frequency of use of vacuum or wet sweeping that will be used; Location and type of temporary pavements that will be used; Seeding plan; etc.).

ACTIVE - Water trucks will be used to provide wet suppression or hose connected to fire hydrant when available _____

INACTIVE - Limit traffic flow at inactive sites to maintain stable surface _____

2. DESCRIBE IN DETAIL THE ADDITIONAL FUGITIVE DUST CONTROL CONTINGENCY MEASURES THAT WILL BE USED DURING THIS PROJECT IF THE REASONABLY AVAILABLE CONTROL MEASURES CHOSEN IN PART B.1 – B.12 AND DETAILED IN PART C.1 ABOVE ARE DETERMINED BY THE DEPARTMENT TO BE INSUFFICIENT TO PROVIDE ADEQUATE FUGITIVE DUST CONTROL DURING ACTIVE AND INACTIVE OPERATIONS.

ACTIVE - Reduce speed of heavy equipment hauling operations; wet areas to be disturbed prior to operations _____

INACTIVE - Restrict traffic on inactive areas _____

3. DESCRIBE THE ACTION(S) THAT WILL BE TAKEN TO MITIGATE CLAIMS OF PROPERTY DAMAGE BY FUGITIVE DUST GENERATED AT/FROM THIS PROJECT. IT IS REQUIRED TO REMEDY DAMAGE TO REAL PROPERTIES CAUSED BY A VIOLATION OF THE PERMIT (20.11.20.12.C NMAC).

Will respond to reasonable claims of property damage. Will provide for cleanup and/or repairs of affected property _____

PERMIT APPLICATION PART - D. - HIGH WIND EVENT (20.11.20.16 NMAC)

(PRINT OR TYPE)

NOTE: A high wind event is a time period of 5 consecutive minutes with an average wind speed of 30 miles per hour or higher. ALL fugitive dust sources shall cease all Active Operations that are capable of producing fugitive dust; and continue to use Reasonably Available Control Measures; and implement high wind contingency measures during a High Wind Event.

1. DESCRIBE IN DETAIL HOW THE HIGH WIND CONTINGENCY MEASURE(S) CHOSEN WILL BE USED DURING THIS PROJECT Cease operations and maintain watering of site

PERMIT APPLICATION PART – E. - HIGH WIND AFFIRMATIVE DEFENSE (20.11.20.16 NMAC)

ATTENTION !!!

TO ASSERT A HIGH WIND AFFIRMATIVE DEFENSE, THE PERMITTEE AGREES TO USE ONE OF THE THREE MANDATORY CONTROL MEASURES SHOWN BELOW THROUGHOUT THE ENTIRE DURATION OF THE PERMIT, REGARDLESS OF WHETHER OR NOT A HIGH WIND EVENT EXISTS.

DO YOU WISH TO QUALIFY FOR A HIGH WIND AFFIRMATIVE DEFENSE DURING THE DURATION OF THIS PERMIT? YES ___ NO X

IF THE ANSWER TO THE ABOVE QUESTION IS YES, THEN CHOOSE ONE OF THE REQUIRED CONTROL MEASURES SHOWN BELOW

- 1. Using wet suppression sufficient to provide and maintain a soil moisture content of not less than 12 percent, and using properly maintained fabric fencing material around the perimeter of the disturbed surface area with openings no wider than necessary to allow vehicles to enter or exit the area (fencing shall be anchored 6 inches below the surface on the bottom edge and shall be 24 or more inches high); and during a High Wind Event ceasing all Active Operations but continuing to use all control measures.
- 2. Using chemical dust suppressants, in amounts and rates recommended by the manufacturer, sufficient to substantially reduce fugitive dust leaving the project area while Active Operations are idle, and using properly maintained fabric fencing material around the perimeter of the disturbed surface area with openings no wider than necessary to allow vehicles to enter or exit the area (fencing shall be anchored 6 inches below the surface on the bottom edge and shall be 24 or more inches high), and during a High Wind Event ceasing all Active Operations but continuing to use all control measures.
- 3. Using an alternative dust control measure or measures that provide fugitive dust control that is equal to or better than using the measures described in options E.1 or E.2 above; and during a High Wind Event ceasing all Active Operations but continuing to use all control measures. If you choose to qualify for a High Wind Affirmative Defense and are selecting E.3, submit as an attachment the alternative dust control measure or measures for Department approval.

PERMIT APPLICATION PART – F. – FEES (20.11.2.15 NMAC)

(PRINT OR TYPE)

AT THE TIME OF SUBMITTAL, ANY PERSON FILING AN APPLICATION FOR A FUGITIVE DUST CONTROL PERMIT SHALL PAY THE APPLICABLE FEES REQUIRED. NO APPLICATION WILL BE REVIEWED OR PERMIT ISSUED UNLESS ALL APPLICABLE FEES HAVE BEEN PAID. CONSTRUCTION PERMITS FOR SURFACE DISTURBANCE REQUIRE A FILING & REVIEW FEE, AND AN INSPECTION FEE.

1. FILING & REVIEW FEE TABLE

TOTAL PROJECT ACREAGE TO BE DISTURBED	FILING & REVIEW FEE	CHECK APPROPRIATE BOX
¾ acre to less than 2 acres	\$250.00	
2 acres to less than 5 acres	\$350.00	
5 acres to less than 15 acres	\$450.00	
15 acres or greater	\$550.00	

NOTE: THE PERMITTEE SHALL INSTALL AND MAINTAIN A PROJECT SIGN, ISSUED OR APPROVED BY THE DEPARTMENT, FOR ALL FUGITIVE DUST CONTROL PROJECTS OF 10 OR MORE ACRES.

INSPECTION FEE: - To calculate the fugitive dust control Inspection Fee below, which is in addition to the above Filing & Review Fee, multiply the total project acreage to be disturbed by the per - acre rate shown in the table below. The total project acreage to be disturbed, used to calculate the Inspection Fee below, must be expressed as a whole number. When rounding, if the number after the decimal point is less than 5, the whole number remains unchanged. If the number after the decimal point is 5 or greater, the whole number shall be rounded up to the next whole number. Rounding of acres shall occur before the Inspection Fee is calculated.

2. INSPECTION FEE TABLE

TOTAL PROJECT ACREAGE TO BE DISTURBED (ROUNDED TO NEAREST WHOLE NUMBER)	TIMES	PER ACRE RATE (BASED ON 20.11.2.15 NMAC)	INSPECTION FEE
	X	\$100.00	= \$

PERMIT APPLICATION PART – F. – FEES (20.11.2.15 NMAC) (CONTINUED)

(PRINT OR TYPE)

TOTAL PROJECT FEE – ADD THE FILING & REVIEW FEE AND THE INSPECTION FEE FROM PAGE 6 TO DETERMINE THE TOTAL PROJECT FEE TO BE SUBMITTED WITH THIS APPLICATION FOR A FUGITIVE DUST CONTROL PERMIT.

3. TOTAL PROJECT FEE TABLE

FILING & REVIEW FEE	PLUS	INSPECTION FEE	TOTAL PROJECT FEE DUE
\$	+	\$	= \$

NOTE: If an application to obtain a fugitive dust control permit is submitted after active operations have commenced at the project location, a late fee of 50 percent of the total project fee shall be assessed in addition to the total project fee (20.11.2.17 NMAC). In addition to this late fee for application processing and permit issuance, civil penalty’s may be assessed pursuant to the New Mexico Air Quality Control Act, Chapter 74, Article 2 New Mexico Statutes Annotated 1978.

USE THE CALCULATION BELOW ONLY IF YOU ARE REQUIRED TO SUBMIT A LATE FEE.

TOTAL PROJECT FEE DUE: \$ X (1.5) LATE FEE FACTOR = \$ TOTAL PROJECT/LATE FEE DUE

NOTE: Total Project Fee Due OR Total Project/Late Fee Due, required to be paid at the time of application submittal, shall be paid by check or money order payable to: City of Albuquerque, Permits Program (Fund 242 – Account # 0421425). Application and accompanying fee may be delivered by mail to the address that appears at the top of page 1 of this form or hand delivered to the same address (between the hours of 8:00 am - 4:30 pm Mon. through Fri.). Call 768-1972 if hand delivering application and fee to insure that appropriate staff is available to process a receipt.

PERMIT APPLICATION PART – G. – SIGNATURE AUTHORITY OF PERMITTEE (20.11.20.15 NMAC)

NOTE: This application shall include a fugitive dust control plan that may utilize reasonably available control measures to mitigate fugitive dust to meet the Objectives of Part 20.11.20 NMAC – Fugitive Dust Control. By signing below, the applicant certifies that the information provided in this application for a Fugitive Dust Control permit is true, accurate and complete, and the applicant agrees to be the “PERMITTEE”. A “PERMITTEE” is a person, owner or operator and all legal heirs, successors, and assigns who has applied for and obtained a fugitive dust control permit approved by the Department. The “PERMITTEE” agrees to take all actions required by the Fugitive Dust Control permit issued by the Department to prevent a violation of 20.11.20 NMAC – Fugitive Dust Control, including stopping active operations, if necessary. The “PERMITTEE” is responsible for complying with the fugitive dust control permit, the fugitive dust control plan, and all requirements of Part 20.11.20 NMAC.- Fugitive Dust Control. Failure to comply shall be a violation of Part 20.11.20 NMAC – Fugitive Dust Control.

THE PERMITTEE SIGNATURE BOX MUST BE COMPLETED (COMPLETE ALL APPLICABLE INFORMATION)

PRINT PERMITTEE’S BUSINESS NAME	EMAIL ADDRESS OF PERMITTEE	FAX NUMBER OF PERMITTEE
PHONE NUMBER OF PERMITTEE	CELL PHONE OF PERMITTEE	PAGER NUMBER OF PERMITTEE
MAILING ADDRESS OF PERMITTEE	CITY	STATE ZIP CODE
PRINT NAME OF INDIVIDUAL SIGNING FOR PERMITTEE	PRINT TITLE OF INDIVIDUAL SIGNING FOR PERMITTEE	
SIGNATURE OF PERMITTEE	INITIALS OF PERMITTEE	DATE SUBMITTED

IT IS THE RESPONSIBILITY OF THE PERMITTEE OR DESIGNATED RESPONSIBLE PERSON OR OFFICIAL TO ENSURE THAT THE FUGITIVE DUST CONTROL PERMIT OR AMENDED PERMIT CONTAINS CURRENT CONTACT INFORMATION AND THAT A COPY IS MAINTAINED AT THE WORK SITE AND IS PROVIDED TO THE DEPARTMENT. FAILURE TO MAINTAIN AND PROVIDE UP-TO-DATE CONTACT INFORMATION SHALL BE A VIOLATION OF THIS PART. (20.11.20.18G NMAC).

NOTE: The applicant signing above and applying to be the “Permittee”, may designate an additional person(s) [includes an entity(ies)] to be a “responsible person” as defined in 20.11.20.7CC NMAC (definitions), if the person(s) agrees in writing to be a responsible person. A Responsible Person can be the Permittee, the Owner, the Operator, or another Person(s). Before Department review and issuance of a fugitive dust control permit, if the Permittee wishes to designate a person(s) as a responsible person(s) for complying with all or specific elements of the fugitive dust control permit, the fugitive dust control plan, and Part 20.11.20 NMAC.- Fugitive Dust Control, then Section I - signature authority of “Responsible Person” may be used at the time of application submittal and must include all applicable information concerning the designated Responsible Person(s). After the issuance of the permit, the Department may approve in writing a permit amendment to add or change a designated responsible person(s). (20.11.20.14B NMAC)

PERMIT APPLICATION PART – H. – OWNER OR OPERATOR INFORMATION (20.11.20.15 NMAC)

Complete the owner and/or operator information below ONLY IF DIFFERENT THAN THE PERSON WHO HAS SIGNED AS THE PERMITTEE IN SECTION G, OR as a responsible person(s) in Section I of this application for a fugitive dust control permit.

NOTE: If the Permittee fails to comply with the provisions of 20.11.20 NMAC – Fugitive Dust Control, the Owner or Operator, if different from a Responsible Person or the Permittee, shall be responsible for complying with the permit. If the Permittee fails to take all required actions to prevent a violation of 20.11.20 NMAC – Fugitive Dust Control, the Owner or Operator or designated Responsible Person, if different than the Permittee, shall be responsible to take all actions required to prevent or satisfactorily resolve a violation of 20.11.20 NMAC – Fugitive Dust Control, including stopping all active operations, if necessary. To mitigate fugitive dust, all Inactive Disturbed Surface Areas must be stabilized and maintained in stable condition by the Owner, Operator, OR Person responsible for maintenance of the disturbed surface. Failure to comply shall be a violation of 20.11.20 NMAC – Fugitive Dust Control (20.11.20.12 NMAC).

PROJECT OWNER INFORMATION (COMPLETE ALL APPLICABLE INFORMATION)

PRINT PROJECT OWNER'S BUSINESS NAME

PRINT NAME OF INDIVIDUAL SIGNING FOR PROJECT OWNER

PRINT TITLE OF INDIVIDUAL SIGNING FOR PROJECT OWNER

SIGNATURE OF PROJECT OWNER

INITIALS OF PROJECT OWNER

DATE SIGNED

MAILING ADDRESS OF PROJECT OWNER

CITY

STATE

ZIP CODE

PHONE OF PROJECT OWNER

CELL OF PROJECT OWNER

PAGER OF PROJECT OWNER

FAX OF OWNER

EMAIL ADDRESS OF PROJECT OWNER

The **GENERAL PROVISIONS** of 20.11.20 NMAC – Fugitive Dust Control states that no person shall allow fugitive dust, track-out, or transported material from any active operation, open storage pile, paved or unpaved roadway or disturbed surface area, or inactive disturbed surface area to be carried beyond the property line, right-of-way, easement or any other area under the control of the person generating or allowing the fugitive dust if the fugitive dust will: 1) adversely affect the health, public welfare or safety of the residents of Bernalillo county; or 2) impair visibility or the reasonable use of property; or 3) be visible longer than a total of 15 minutes in any 1 hour observation period using the visible fugitive dust detection method in 20.11.20.26 NMAC (visual determination of fugitive dust emissions violations) or an equivalent method approved in writing by the department.

PROJECT OPERATOR INFORMATION (COMPLETE ALL APPLICABLE INFORMATION)

PRINT PROJECT OPERATOR'S BUSINESS NAME

PRINT NAME OF INDIVIDUAL SIGNING FOR PROJECT OPERATOR

PRINT TITLE OF INDIVIDUAL SIGNING FOR PROJECT OPERATOR

SIGNATURE OF PROJECT OPERATOR

INITIALS OF PROJECT OPERATOR

DATE SIGNED

MAILING ADDRESS OF PROJECT OPERATOR

CITY

STATE

ZIP CODE

PHONE OF PROJECT OPERATOR

CELL OF PROJECT OPERATOR

PAGER OF PROJECT OPERATOR

FAX OF PROJECT OPERATOR

EMAIL ADDRESS OF PROJECT OPERATOR

PERMIT APPLICATION PART – I. – SIGNATURE AUTHORITY OF “RESPONSIBLE PERSON” (20.11.20.14 NMAC) - “Responsible Person” means the person designated in a permit who is responsible for complying with the permit, plan and 20.11.20 NMAC – Fugitive Dust Control, to the extent specified in the permit.

NOTE: If more than 1 individual will be designated a responsible person at the time of this application submittal, make photocopies of this page before completing any information. After the issuance of the permit, the department may approve in writing an amendment to the permit to add or change a designated responsible person(s).

The Permittee, may designate an additional person(s) [includes an entity(ies)] to be a “responsible person” as defined above. If different then the Permittee, a person that agrees in writing to be a responsible person will be liable for violations of the permit, plan and Part 20.11.20 NMAC – Fugitive Dust Control and shall be the first person contacted by the Department to resolve a violation of the permit or Part 20.11.20 NMAC to the extent outlined below in the ‘Active Operation responsibilities of individual signing as a Responsible Person’ [activity(ies)].

<u>NA</u>			
PRINT RESPONSIBLE PERSON’S BUSINESS NAME	PRINT NAME OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON		
PRINT TITLE OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON	DATE SIGNED		
SIGNATURE OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON	INITIALS OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON		
ADDRESS OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON	CITY	STATE	ZIP CODE
PHONE OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON	CELL OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON		
PAGER OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON	FAX OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON		
EMAIL OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON	ACTIVE OPERATION RESPONSIBILITIES OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON [ACTIVITY(IES)]		
SIGNATURE OF PERMITTEE APPROVING THE DESIGNATION OF ABOVE INDIVIDUAL AS A RESPONSIBLE PERSON	DATE SIGNED		

NOTE: By signing above as a Responsible Person you will be designated in the permit issued by the Department as responsible for complying with the permit, plan and Part 20.11.20 NMAC – Fugitive Dust Control to the extent specified in the above [activity(ies)]. You will be responsible for the above [activity(ies)] for the duration of the permit OR until such time as the Department receives a request from the permittee to remove you from being the responsible person for the above [activity(ies)]. The Permittee will become the responsible person for the [activity(ies)] that a responsible person is removed from, unless a new responsible person is designated for the same [activity(ies)] and approved by the Department in writing.

NOTE: The Permittee or responsible person shall MAINTAIN A CURRENT COPY OF THE PERMIT AT THE WORK SITE and make the permit available and explain the requirements of the permit to appropriate employees, agents, contractors, and any other person performing work in the area of active disturbance to assist in maintaining compliance with Part 20.11.20 NMAC – Fugitive Dust Control.

PURSUANT TO THE AIR QUALITY CONTROL ACT, CHAPTER 74, ARTICLE 2 NEW MEXICO STATUTES ANNOTATED 1978, AS AMENDED; THE ALBUQUERQUE JOINT AIR QUALITY CONTROL BOARD ORDINANCE, 9-5-1-1 ROA 1994; THE BERNALILLO COUNTY JOINT AIR QUALITY CONTROL BOARD ORDINANCE, BERNALILLO COUNTY ORDINANCE 94-5, AND THE ALBUQUERQUE/BERNALILLO COUNTY AIR QUALITY CONTROL BOARD (A/BCAQCB) REGULATION TITLE 20, CHAPTER 11, PART 20, NEW MEXICO ADMINISTRATIVE CODE (NMAC), (20.11.20 NMAC) - FUGITIVE DUST CONTROL, AND UPON AUTHORIZED SIGNATURES BELOW, THIS APPLICATION TOGETHER WITH ASSOCIATED DRAWINGS, PLANS, APPENDED DOCUMENTS, OTHER DATA, AND ANY CONDITIONS ATTACHED TO THE PERMIT BY THE DEPARTMENT, WILL BECOME THE FUGITIVE DUST CONTROL PERMIT. TABLE BELOW FOR DEPARTMENT USE.

APPLICATION REVIEWED BY:	DEEMED COMPLETE DATE	PERMIT ISSUED BY:	ISSUE DATE	EXPIRATION DATE
_____ AIR QUALITY DIVISION SUPERVISOR OR HEALTH SPECIALIST	____/____/200__	_____ AIR QUALITY DIVISION SUPERVISOR OR HEALTH SPECIALIST	____/____/200__	____/____/200__

PERMIT APPLICATION PART – J. – TRANSFER OF FUGITIVE DUST CONTROL PERMIT AND PLAN (20.11.20.14 NMAC)

ATTENTION: USE THIS SIGNATURE PAGE ONLY IF TRANSFERRING COMPLETE RESPONSIBILITY OF A CURRENT FUGITIVE DUST CONTROL PERMIT AND PLAN TO A NEW PERMITTEE.

A FUGITIVE DUST CONTROL PERMIT AND PLAN MAY BE TRANSFERRED TO LEGAL HEIRS, SUCCESSORS, AND ASSIGNS, WHO SHALL BECOME THE NEW PERMITTEE. TRANSFERS MAY BE MADE AS AN ADMINISTRATIVE AMENDMENT PROVIDED THAT:

- 1) A WRITTEN TRANSFER OF AGREEMENT IS DRAFTED BETWEEN THE CURRENT AND NEW PERMITTEE, AND THE PROJECT OWNER; AND
- 2) A SPECIFIC DATE IS ESTABLISHED FOR THE TRANSFER OF THE PERMIT AND PLAN RESPONSIBILITY, COVERAGE, AND LIABILITY; AND
- 3) DEPARTMENT APPROVAL OF WRITTEN TRANSFER OF AGREEMENT HAS BEEN AUTHORIZED.

THERE IS NO COST FOR TRANSFER OF THE FUGITIVE DUST CONTROL PERMIT AND PLAN IF DETERMINED BY THE DEPARTMENT THAT ONLY ADMINISTRATIVE CHANGE IS NEEDED. HOWEVER, NEW APPLICATION INFORMATION MUST BE SUBMITTED BY THE NEW PERMITTEE OR OWNER ALONG WITH ANY APPLICABLE FEES, IF DETERMINED BY THE DEPARTMENT THAT NECESSARY CHANGES ARE REQUIRED TO COMPLETE THE TRANSFER OF AGREEMENT (PARTICULARLY, ANY INCREASE TO THE PERMITTED 'TOTAL AREA TO BE DISTURBED').

TRANSFER OF AGREEMENT SIGNATURE BOX FOR CURRENT PERMITTEE

NA
 PRINTED NAME OF INDIVIDUAL SIGNING FOR CURRENT PERMITTEE REQUESTED DATE FOR TRANSFER OF PERMIT AND PLAN

 SIGNATURE OF CURRENT PERMITTEE INITIALS OF CURRENT PERMITTEE SUBMITTAL DATE OF THIS PAGE

TRANSFER OF AGREEMENT SIGNATURE BOX FOR NEW PERMITTEE

 PRINT NEW PERMITTEE BUSINESS NAME REQUESTED DATE FOR ACCEPTANCE OF PERMIT AND PLAN

 PRINTED NAME OF INDIVIDUAL SIGNING FOR NEW PERMITTEE PRINT TITLE OF INDIVIDUAL SIGNING FOR NEW PERMITTEE

 SIGNATURE OF NEW PERMITTEE INITIALS OF NEW PERMITTEE

BY SIGNING ABOVE AS THE NEW PERMITTEE, I AGREE TO ACCEPT RESPONSIBILITY, COVERAGE, AND LIABILITY FOR THE EXISTING FUGITIVE DUST CONTROL PERMIT # _____ AND INCORPORATED FUGITIVE DUST CONTROL PLAN.

TRANSFER OF AGREEMENT SIGNATURE BOX FOR PROJECT OWNER

 PRINTED NAME OF INDIVIDUAL SIGNING FOR PROJECT OWNER DATE SIGNED

 SIGNATURE OF PROJECT OWNER INITIALS OF PROJECT OWNER

BY SIGNING ABOVE AS THE PROJECT OWNER, I AGREE TO THE TRANSFER OF RESPONSIBILITY OF THE EXISTING FUGITIVE DUST CONTROL PERMIT # _____ AND INCORPORATED FUGITIVE DUST CONTROL PLAN TO THE ABOVE SIGNED NEW PERMITTEE.

AREA BELOW FOR DEPARTMENT USE

INITIAL ONE OF THE CONDITIONS (A OR B) GIVEN BELOW

- A.) The department has determined that no change to the permit/plan other than administrative change is necessary _____
- B.) The department has determined that necessary change(s) to the permit and/or plan are required prior to transfer _____

PERMIT TRANSFER OF AGREEMENT REVIEWED BY:	DEEMED COMPLETE DATE	TRANSFERRED PERMIT # _____ ISSUED BY:	ISSUE DATE	EXPIRATION DATE
AIR QUALITY DIVISION SUPERVISOR OR HEALTH SPECIALIST	_____/_____/200	AIR QUALITY DIVISION SUPERVISOR OR HEALTH SPECIALIST	_____/_____/200	_____/_____/200

ATTACHMENT C

CHECKLIST FOR NEW CONSTRUCTION



ALBUQUERQUE ENVIRONMENTAL HEALTH DEPARTMENT - AIR QUALITY DIVISION (DEPARTMENT)
11850 SUNSET GARDENS SW - ALBUQUERQUE, NEW MEXICO 87121
(505) 768 - 1972 (VOICE) (505) 768 - 2482 (TTY) (505) 768 - 1977 (FAX)



APPLICATION FOR A FUGITIVE DUST CONTROL PERMIT IN BERNALILLO COUNTY
ALBUQUERQUE - BERNALILLO COUNTY AIR QUALITY CONTROL BOARD REGULATION 20.11.20 NMAC
CONSTRUCTION PERMIT FOR SURFACE DISTURBANCE/DEMOLITION

DIVISION RECEIPT STAMP BELOW THIS LINE

EFFECTIVE DATE OF THIS FORM: 3/1/05

SUBMITTAL DATE/TIME

RECEIVED BY

PERMIT #

PERMIT APPLICATION - PART A. - PROJECT INFORMATION AND GENERAL ACTIVITIES (20.11.20.15 NMAC) (PRINT OR TYPE)

1. PROJECT NAME

2. PROJECT LOCATION

SUBMIT AS AN ATTACHMENT TO THIS APPLICATION, AN 8 1/2" X 11" OR LARGER SITE MAP OR PLAT OF PROJECT LOCATION

3. PROJECT STREET ADDRESS (if available)

4. MAJOR CROSS STREETS OR INTERSECTION NEARBY

5. UNIFORM PROPERTY CODE(S) (if available):

6. LATITUDE/LONGITUDE (if available): NORTH WEST WEST

7. UNIVERSAL TRANSVERSE MERCATOR (UTM Coordinates), if available: NORTHING EASTING

8. SCOPE OF PROJECT (check all that apply): X NEW BUILDING(S) CONSTRUCTION SUBDIVISION DEVELOPMENT UTILITY IMPROVEMENTS
STRUCTURE DEMOLITION/RENOVATION ROADWAY DEVELOPMENT OTHER (please describe)

9. ACTIVE OPERATIONS (check all that apply): SURFACE DISTURBANCE BULK MATERIAL HAULING OR HANDLING UNPAVED ROADS
PAVED ROADS UTILITY REMOVAL/INSTALLATIONS STRUCTURE DEMOLITION/RENOVATION MILLING/GRINDING/CUTTING OF SURFACES
OTHER (please describe)

10. TOTAL AREA TO BE DISTURBED (acres or square feet) acres; ft^2, or, FOR DEMOLITION: TOTAL CUBIC FEET ft^3

NOTE: A Fugitive Dust Control Permit application is required for a Building Demolition Project of over 75,000 ft^3 and must be received by the Department 10 business days (Monday through Friday except holidays) before the anticipated project start date. Asbestos Notification for demolition/renovation of any commercial building, residential building of 5 or more dwellings, or residential structure to be demolished to build a non-residential structure must be received by the Department, using a separate form, 10 working days (calendar days) before the anticipated project start date. Building Demolitions in Bernalillo County require Department signatures for dust control and asbestos notification before a demolition permit will be issued by the City or County.

11. A FUGITIVE DUST CONTROL PERMIT APPLICATION, FOR TOTAL AREA TO BE DISTURBED OF 3/4 ACRE UP TO 25 ACRES, MUST BE RECEIVED BY THE AIR QUALITY DIVISION 10 BUSINESS DAYS BEFORE THE ANTICIPATED PROJECT START DATE. A FUGITIVE DUST CONTROL PERMIT APPLICATION, FOR TOTAL AREA TO BE DISTURBED OF MORE THAN 25 ACRES, MUST BE RECEIVED BY THE AIR QUALITY DIVISION 20 BUSINESS

DAYS BEFORE THE ANTICIPATED PROJECT START DATE. ANTICIPATED PROJECT START DATE IS : / /200

12. AN APPROVED FUGITIVE DUST CONTROL PERMIT SHALL BE VALID FOR 1 YEAR FROM THE DATE OF APPROVAL BY THE DEPARTMENT OR THE ANTICIPATED PROJECT COMPLETION DATE, WHICHEVER IS LONGER, BUT NO MORE THAN 5 YEARS. IF THE SCOPE OF PROJECT, ACTIVE OPERATIONS, EXPIRATION DATE, TOTAL AREA TO BE DISTURBED, OR CONTROL MEASURE(S) CHANGE IN ANY MANNER THAT ARE DETERMINED BY THE DEPARTMENT TO REQUIRE ADDITIONAL CONDITIONS, THEN A NEW FUGITIVE DUST CONTROL PERMIT SHALL BE REQUIRED. A FUGITIVE DUST CONTROL PERMIT MAY BE RENEWED IF THE DEPARTMENT RECEIVES A WRITTEN REQUEST FROM THE PERMITTEE 10 BUSINESS DAYS PRIOR

TO EXPIRATION DATE. ANTICIPATED PROJECT COMPLETION DATE IS : / /200

01/27/06 Department Review by Permittee's Initials Required Here

PERMIT APPLICATION - PART A. - PROJECT INFORMATION & GENERAL ACTIVITIES (20.11.20.15 NMAC) (CONTINUED)

13. (CHECK ONE BOX) ACTIVE OPERATIONS WILL BE THE TOTAL AREA TO BE DISTURBED , **OR**, ACTIVE OPERATIONS WILL BE PHASED

14. IF PHASING OF ACTIVE OPERATIONS (Explain Phasing Plan and include Total Disturbed Area, in acres, at any given time) _____

15. IS A SITE DRAINAGE PLAN REQUIRED FOR THIS PROJECT? YES _____ NO _____

16. IF YES TO #15 ABOVE, IS DRAINAGE PLAN APPROVED AND AVAILABLE UPON REQUEST BY THE DEPARTMENT? YES _____ NO _____

17. EXPECTED VOLUME OF BULK MATERIAL (ON SITE FILL, IMPORTED FILL, BASE COARSE GRAVEL, ETC.) TO BE HANDLED DURING THE DURATION OF THIS PROJECT (in cubic yards) _____ yds³

18. VOLUME OF BULK MATERIAL TO BE IMPORTED TO THIS PROJECT SITE _____ yds³

19. ADDRESS OF LOCATION(S) FROM WHICH BULK MATERIAL WILL BE IMPORTED TO THIS PROJECT SITE _____

20. DO THE BERNALILLO CNTY. LOCATIONS, PROVIDING BULK MATERIAL TO THIS PROJECT, HAVE FUGITIVE DUST CONTROL PERMITS?

YES _____ NO _____ UNKNOWN _____

21. VOLUME OF BULK MATERIAL TO BE EXPORTED FROM PROJECT SITE _____ yds³

22. ADDRESS OF LOCATION(S) IN BERNALILLO CNTY. THAT WILL RECEIVE BULK MATERIAL EXPORTED FROM THIS PROJECT SITE _____

23. DO THE BERNALILLO CNTY. LOCATIONS, RECEIVING BULK MATERIAL FROM THIS PROJECT, HAVE FUGITIVE DUST CONTROL PERMITS?

YES _____ NO _____ UNKNOWN _____

PERMIT APPLICATION - PART B. - REASONABLY AVAILABLE CONTROL MEASURES (20.11.20.23 NMAC) The "PERMITTEE" shall include in the permit application one or more of the applicable reasonably available control measures given in Part B.1 – B.12 below, **OR** one or more other (alternative) fugitive dust control measures, including measures taken to comply with any other statute or regulation that would also effectively control fugitive dust during active and inactive operations or construction activity (20.11.20.23 NMAC).

NOTE: If the "PERMITTEE" chooses to submit, as an attachment to this application, an alternative fugitive dust control plan in lieu of the control measures given in Part B.1 – B.12 below, the alternative fugitive dust control plan (such as a storm water pollution prevention plan) must include detailed information that addresses: 1) the steady ongoing Reasonably Available Control Measures to mitigate the release of Fugitive Dust from Active and Inactive Disturbed Surface Areas; and 2) fugitive dust control Contingency Measures that will be used; and 3) action(s) to be taken to mitigate property damage (see Part C of this application). If submitting an alternative fugitive dust control plan you still must complete and initial Parts A, D, E, F, G, H, and I (if utilized) of this application.

1. UNPAVED ROADWAYS [check applicable box(es)]:

- a. paving using recycled asphalt, asphaltic concrete, concrete, or petroleum products legal for such use;
- b. using dust suppressants applied in amounts, rates, and maintained as recommended by the manufacturer; SUBMIT MANUFACTURER'S INFORMATION AS AN ATTACHMENT TO THIS APPLICATION
- c. using wet suppression;
- d. using traffic controls, including decreased speed limits with appropriate enforcement; other traffic calming methods, vehicle access restrictions and controls; road closures or barricades; and off-road vehicle access controls and closures;
- e. other (alternative) _____

2. PAVED ROADWAYS [check applicable box(es)]:

- a. cleaning up spillage and track out as necessary to prevent particulates from being pulverized and entrained into the atmosphere;
- b. using paved or gravel entry/exit aprons with devices, such as steel grates, capable of knocking mud and bulk material off vehicle tires;
- c. using on-site wheel washes;
- d. performing regularly scheduled vacuum street cleaning or wet sweeping with a sweeper certified by the manufacturer to be efficient at removing particulate matter having an aerodynamic diameter of less than 10 microns (i.e. PM₁₀);
- e. other (alternative) _____

PERMIT APPLICATION - PART B. - REASONABLY AVAILABLE CONTROL MEASURES (20.11.20.23 NMAC) (CONTINUED)**3. TRUCKS HAULING BULK MATERIALS ON PUBLIC AND PRIVATE ROADWAYS [check applicable box(es)]:**

- a. using properly secured tarps or cargo covering that covers the entire surface area of the load;
- b. preventing leakage from the truck bed, sideboards, tailgate, or bottom dump gate;
- c. using wet suppression to increase moisture content of the bulk materials being hauled;
- d. using dust suppressants applied in amounts and rates recommended by the manufacturer; SUBMIT MANUFACTURER'S INFORMATION AS AN ATTACHMENT TO THIS APPLICATION
- e. maintaining a minimum of 6 inches of freeboard below the rim of the truck bed. Freeboard means the vertical distance from the highest portion of the load abutting the bed and the lowest part of the top rim of the truck bed abutting the load;
- f. other (alternative) _____

4. ACTIVE OPERATIONS IN CONSTRUCTION AREAS AND OTHER SURFACE DISTURBANCES [check applicable box(es)]:

X SHORT TERM control measures shall include (check this box first if utilizing short term measures listed below):

- a. wet suppression;
- b. dust suppressants applied in amounts, rates, and maintained as recommended by the manufacturer; SUBMIT MANUFACTURER'S INFORMATION AS AN ATTACHMENT TO THIS APPLICATION
- c. temporary upwind windbreaks, including fabric fences with the top at least 4 feet above grade, and with the bottom of the fence sufficiently anchored to the ground to prevent material from blowing underneath the fence; all windbreaks and fabric fences shall be maintained in an upright and functional condition at all times until no longer needed to prevent or abate fugitive dust; all accumulated material on the windward side of the windbreak shall be periodically removed to prevent failure of the windbreak;
- d. watering the site at the end of each workday sufficient to stabilize the work area;
- e. applying dust suppressants in amounts and rates recommended by the manufacturer on the worksite at the end of each work week if no active operations are going to take place over the weekend or if active operations stop for more than two consecutive days;
- f. starting construction at the location that is upwind from the prevailing wind direction and stabilizing disturbed areas before disturbing additional areas;
- g. clean up and removal of track-out material;
- h. other (alternative) _____

5. ACTIVE OPERATIONS IN CONSTRUCTION AREAS AND OTHER SURFACE DISTURBANCES [check applicable box(es)]:

X LONG TERM control measures shall include (check this box first if utilizing long term measures listed below):

- a. site stabilization using dust suppressants applied in amounts and rates recommended by the manufacturer and maintained as recommended by the manufacturer; SUBMIT MANUFACTURER'S INFORMATION AS AN ATTACHMENT TO THIS APPLICATION
- b. reseeding using native grasses as specified in 20.11.20.24 NMAC – NATIVE GRASS SEEDING AND MULCH SPECIFICATIONS;
- c. xeriscaping;
- d. installing parallel rows of fabric fencing or other windbreaks set perpendicular to the prevailing wind direction either onsite or on a nearby property with the permission of the nearby property owner;
- e. surfacing with gravel or other mulch material of a size and density sufficient to prevent surface material from becoming airborne;
- f. mulching and crimping of straw or hay as specified in Section 20.11.20.24 NMAC;
- g. installing permanent perimeter and interior walls;
- h. conventional landscaping techniques;
- i. clean up and removal of track-out material;
- j. other (alternative) Restrict access to inactive areas to maintain stable surface _____

PERMIT APPLICATION - PART B. - REASONABLY AVAILABLE CONTROL MEASURES (20.11.20.23 NMAC) (CONTINUED)**6. BULK MATERIAL HANDLING [check applicable box(es)]:**

- a. using spray bars;
- b. applying wetting agents (surfactants) to bulk material;
- c. using wet suppression through manual or mechanical application;
- d. adding dust suppressants to bulk materials in amounts and rates recommended by the manufacturer and maintained as recommended by the manufacturer; SUBMIT MANUFACTURER'S INFORMATION AS AN ATTACHMENT TO THIS APPLICATION
- e. reducing process speeds;
- f. reducing drop heights;
- g. other (alternative) _____

7. INDUSTRIAL SITES [check applicable box(es)]: NA

- a. paving roadways and parking area with recycled asphalt, asphaltic concrete, concrete, or petroleum products legal for such use;
- b. performing regularly scheduled vacuum street cleaning or wet sweeping;
- c. regularly using wet suppression on unpaved areas;
- d. using dust suppressants applied in amounts, rates, and maintained as recommended by the manufacturer; SUBMIT MANUFACTURER'S INFORMATION AS AN ATTACHMENT TO THIS APPLICATION
- e. installing wind breaks;
- f. installing enclosures;
- g. installing on-site anemometers to measure wind speed; the anemometer should trigger a suitable warning mechanism such as a strobe light or audible alarm (that will not violate any applicable noise ordinance) to notify on-site personnel of high winds;
- h. increasing wet suppression applications before and during high wind conditions;
- i. other (alternative) _____

8. DEMOLITION/RENOVATION ACTIVITIES (NON-ASBESTOS CONTAINING MATERIALS PRESENT) [check applicable box(es)]: NA

- a. using constant wet suppression on the debris piles during demolition;
- b. using water or dust suppressants on the debris pile, applied in amounts and rates recommended by the manufacturer; SUBMIT MANUFACTURER'S INFORMATION AS AN ATTACHMENT TO THIS APPLICATION
- c. using enclosures;
- d. using curtains or shrouds;
- e. using negative pressure dust collectors;
- f. other (alternative) _____

9. MILLING, GRINDING OR CUTTING OF PAVED OR CONCRETE SURFACES [check applicable box(es)]:

- a. constantly using wet suppression;
- b. ongoing clean up of milled, ground or cut material by using wet sweeping;
- c. using dust suppressants applied in amounts, rates, and maintained as recommended by the manufacturer; SUBMIT MANUFACTURER'S INFORMATION AS AN ATTACHMENT TO THIS APPLICATION
- d. using enclosures;
- e. using curtains or shrouds;
- f. other (alternative) _____

10. PRESSURE BLASTING OPERATIONS [check applicable box(es)]:

- a. using non-friable abrasive material;
- b. using curtains, enclosures or shrouds;
- c. using negative pressure dust collectors;
- d. using constant wet suppression;
- e. maintaining ongoing clean up of abrasive material;
- f. other (alternative) _____

PERMIT APPLICATION - PART B. - REASONABLY AVAILABLE CONTROL MEASURES (20.11.20.23 NMAC) (CONTINUED)

11. SPRAY PAINTING AND OTHER COATINGS [check applicable box(es)]:

- a. using enclosures that comply with applicable fire codes;
- b. using curtains, enclosures or shrouds;
- c. other (alternative) _____

12. HIGH WIND CONTINGENCY MEASURES [check applicable box(es)]:

NOTE: It is required during a high wind event (5 consecutive minutes with an average wind speed of 30 miles per hour or higher) that ALL fugitive dust sources cease all active operations that are capable of producing fugitive dust; and continue to use reasonably available control measures; and implement high wind contingency measures.

- a. installing and using on-site anemometers to measure wind speed; the anemometer should trigger a suitable warning mechanism such as a strobe light or audible alarm (that will not violate any applicable noise ordinance) to notify site personnel of high winds;
- b. using constant wet suppression;
- c. using dust suppressants applied in amounts and rates recommended by the manufacturer; SUBMIT MANUFACTURER'S INFORMATION AS AN ATTACHMENT TO THIS APPLICATION
- d. using wetting agents or surfactants on disturbed areas, bulk materials or stockpiles;
- e. other (alternative) _____

PERMIT APPLICATION - PART C. - FUGITIVE DUST CONTROL PLAN (PLAN) (20.11.20.14 NMAC)

(PRINT OR TYPE)

NOTE: The "PERMITTEE" is required to comply with a Fugitive Dust Control Plan that details the Fugitive Dust Control Measures that will be used to mitigate the release of Fugitive Dust from Active and Inactive Disturbed Surface Areas. This includes: 1) steady ongoing Reasonably Available Control Measures; and 2) fugitive dust control Contingency Measures; and 3) action(s) that will be taken to mitigate claims of property damage. IF YOU ARE NOT SUBMITTING AS AN ATTACHMENT TO THIS APPLICATION AN ALTERNATIVE FUGITIVE DUST CONTROL PLAN, THEN YOU MUST COMPLETE PART C.1 - C.3 BELOW TO COMPLETE YOUR FUGITIVE DUST CONTROL PLAN.

1. DESCRIBE IN DETAIL THE STEADY ONGOING REASONABLY AVAILABLE CONTROL MEASURES THAT YOU MAY HAVE SELECTED IN PART B.1 – B.12 OF THIS APPLICATION THAT WILL BE USED DURING THIS PROJECT TO MITIGATE THE RELEASE OF FUGITIVE DUST FROM ACTIVE DISTURBED SURFACE AREAS (any current operation capable of creating dust) AND INACTIVE DISTURBED SURFACE AREAS (previously disturbed areas where active operations are temporarily suspended). (Some examples are: Provide detailed information that may include the type, size and quantity of equipment that will be used for wet suppression, and frequency of use; Type of traffic control that will be used; Type and locations of fencing or walls that will be installed; Type and frequency of use of vacuum or wet sweeping that will be used; Location and type of temporary pavements that will be used; Seeding plan; etc.).

ACTIVE - Water trucks will be used to provide set suppression or hose connected to fire hydrant when available _____

INACTIVE - Limit traffic flow at inactive sites to maintain stable surface _____

2. DESCRIBE IN DETAIL THE ADDITIONAL FUGITIVE DUST CONTROL CONTINGENCY MEASURES THAT WILL BE USED DURING THIS PROJECT IF THE REASONABLY AVAILABLE CONTROL MEASURES CHOSEN IN PART B.1 – B.12 AND DETAILED IN PART C.1 ABOVE ARE DETERMINED BY THE DEPARTMENT TO BE INSUFFICIENT TO PROVIDE ADEQUATE FUGITIVE DUST CONTROL DURING ACTIVE AND INACTIVE OPERATIONS.

ACTIVE - Reduce speed of heavy equipment hauling operations; wet areas to be disturbed prior to operations _____

INACTIVE - Restrict traffic on inactive areas _____

3. DESCRIBE THE ACTION(S) THAT WILL BE TAKEN TO MITIGATE CLAIMS OF PROPERTY DAMAGE BY FUGITIVE DUST GENERATED AT/FROM THIS PROJECT. IT IS REQUIRED TO REMEDY DAMAGE TO REAL PROPERTIES CAUSED BY A VIOLATION OF THE PERMIT (20.11.20.12.C NMAC).

Will respond to reasonable claims of property damage. Will provide for cleanup and/or repairs of affected property _____

PERMIT APPLICATION PART - D. - HIGH WIND EVENT (20.11.20.16 NMAC)

(PRINT OR TYPE)

NOTE: A high wind event is a time period of 5 consecutive minutes with an average wind speed of 30 miles per hour or higher. ALL fugitive dust sources shall cease all Active Operations that are capable of producing fugitive dust; and continue to use Reasonably Available Control Measures; and implement high wind contingency measures during a High Wind Event.

1. DESCRIBE IN DETAIL HOW THE HIGH WIND CONTINGENCY MEASURE(S) CHOSEN WILL BE USED DURING THIS PROJECT Cease operations and maintain watering of site

PERMIT APPLICATION PART – E. - HIGH WIND AFFIRMATIVE DEFENSE (20.11.20.16 NMAC)

ATTENTION !!!

TO ASSERT A HIGH WIND AFFIRMATIVE DEFENSE, THE PERMITTEE AGREES TO USE ONE OF THE THREE MANDATORY CONTROL MEASURES SHOWN BELOW THROUGHOUT THE ENTIRE DURATION OF THE PERMIT, REGARDLESS OF WHETHER OR NOT A HIGH WIND EVENT EXISTS.

DO YOU WISH TO QUALIFY FOR A HIGH WIND AFFIRMATIVE DEFENSE DURING THE DURATION OF THIS PERMIT? YES ___ NO X

IF THE ANSWER TO THE ABOVE QUESTION IS YES, THEN CHOOSE ONE OF THE REQUIRED CONTROL MEASURES SHOWN BELOW

- 1. Using wet suppression sufficient to provide and maintain a soil moisture content of not less than 12 percent, and using properly maintained fabric fencing material around the perimeter of the disturbed surface area with openings no wider than necessary to allow vehicles to enter or exit the area (fencing shall be anchored 6 inches below the surface on the bottom edge and shall be 24 or more inches high); and during a High Wind Event ceasing all Active Operations but continuing to use all control measures.
- 2. Using chemical dust suppressants, in amounts and rates recommended by the manufacturer, sufficient to substantially reduce fugitive dust leaving the project area while Active Operations are idle, and using properly maintained fabric fencing material around the perimeter of the disturbed surface area with openings no wider than necessary to allow vehicles to enter or exit the area (fencing shall be anchored 6 inches below the surface on the bottom edge and shall be 24 or more inches high), and during a High Wind Event ceasing all Active Operations but continuing to use all control measures.
- 3. Using an alternative dust control measure or measures that provide fugitive dust control that is equal to or better than using the measures described in options E.1 or E.2 above; and during a High Wind Event ceasing all Active Operations but continuing to use all control measures. If you choose to qualify for a High Wind Affirmative Defense and are selecting E.3, submit as an attachment the alternative dust control measure or measures for Department approval.

PERMIT APPLICATION PART – F. – FEES (20.11.2.15 NMAC)

(PRINT OR TYPE)

AT THE TIME OF SUBMITTAL, ANY PERSON FILING AN APPLICATION FOR A FUGITIVE DUST CONTROL PERMIT SHALL PAY THE APPLICABLE FEES REQUIRED. NO APPLICATION WILL BE REVIEWED OR PERMIT ISSUED UNLESS ALL APPLICABLE FEES HAVE BEEN PAID. CONSTRUCTION PERMITS FOR SURFACE DISTURBANCE REQUIRE A FILING & REVIEW FEE, AND AN INSPECTION FEE.

1. FILING & REVIEW FEE TABLE

TOTAL PROJECT ACREAGE TO BE DISTURBED	FILING & REVIEW FEE	CHECK APPROPRIATE BOX
¾ acre to less than 2 acres	\$250.00	
2 acres to less than 5 acres	\$350.00	
5 acres to less than 15 acres	\$450.00	
15 acres or greater	\$550.00	

NOTE: THE PERMITTEE SHALL INSTALL AND MAINTAIN A PROJECT SIGN, ISSUED OR APPROVED BY THE DEPARTMENT, FOR ALL FUGITIVE DUST CONTROL PROJECTS OF 10 OR MORE ACRES.

INSPECTION FEE: - To calculate the fugitive dust control Inspection Fee below, which is in addition to the above Filing & Review Fee, multiply the total project acreage to be disturbed by the per - acre rate shown in the table below. The total project acreage to be disturbed, used to calculate the Inspection Fee below, must be expressed as a whole number. When rounding, if the number after the decimal point is less than 5, the whole number remains unchanged. If the number after the decimal point is 5 or greater, the whole number shall be rounded up to the next whole number. Rounding of acres shall occur before the Inspection Fee is calculated.

2. INSPECTION FEE TABLE

TOTAL PROJECT ACREAGE TO BE DISTURBED (ROUNDED TO NEAREST WHOLE NUMBER)	TIMES	PER ACRE RATE (BASED ON 20.11.2.15 NMAC)	INSPECTION FEE
	X	\$100.00	= \$

PERMIT APPLICATION PART – H. – OWNER OR OPERATOR INFORMATION (20.11.20.15 NMAC)

Complete the owner and/or operator information below ONLY IF DIFFERENT THAN THE PERSON WHO HAS SIGNED AS THE PERMITTEE IN SECTION G, OR as a responsible person(s) in Section I of this application for a fugitive dust control permit.

NOTE: If the Permittee fails to comply with the provisions of 20.11.20 NMAC – Fugitive Dust Control, the Owner or Operator, if different from a Responsible Person or the Permittee, shall be responsible for complying with the permit. If the Permittee fails to take all required actions to prevent a violation of 20.11.20 NMAC – Fugitive Dust Control, the Owner or Operator or designated Responsible Person, if different than the Permittee, shall be responsible to take all actions required to prevent or satisfactorily resolve a violation of 20.11.20 NMAC – Fugitive Dust Control, including stopping all active operations, if necessary. To mitigate fugitive dust, all Inactive Disturbed Surface Areas must be stabilized and maintained in stable condition by the Owner, Operator, OR Person responsible for maintenance of the disturbed surface. Failure to comply shall be a violation of 20.11.20 NMAC – Fugitive Dust Control (20.11.20.12 NMAC).

PROJECT OWNER INFORMATION (COMPLETE ALL APPLICABLE INFORMATION)

PRINT PROJECT OWNER’S BUSINESS NAME

PRINT NAME OF INDIVIDUAL SIGNING FOR PROJECT OWNER

PRINT TITLE OF INDIVIDUAL SIGNING FOR PROJECT OWNER

SIGNATURE OF PROJECT OWNER

INITIALS OF PROJECT OWNER

DATE SIGNED

MAILING ADDRESS OF PROJECT OWNER

CITY

STATE

ZIP CODE

PHONE OF PROJECT OWNER CELL OF PROJECT OWNER

PAGER OF PROJECT OWNER FAX OF OWNER

EMAIL ADDRESS OF PROJECT OWNER

The **GENERAL PROVISIONS** of 20.11.20 NMAC – Fugitive Dust Control states that no person shall allow fugitive dust, track-out, or transported material from any active operation, open storage pile, paved or unpaved roadway or disturbed surface area, or inactive disturbed surface area to be carried beyond the property line, right-of-way, easement or any other area under the control of the person generating or allowing the fugitive dust if the fugitive dust will: 1) adversely affect the health, public welfare or safety of the residents of Bernalillo county; or 2) impair visibility or the reasonable use of property; or 3) be visible longer than a total of 15 minutes in any 1 hour observation period using the visible fugitive dust detection method in 20.11.20.26 NMAC (visual determination of fugitive dust emissions violations) or an equivalent method approved in writing by the department.

PROJECT OPERATOR INFORMATION (COMPLETE ALL APPLICABLE INFORMATION)

PRINT PROJECT OPERATOR’S BUSINESS NAME

PRINT NAME OF INDIVIDUAL SIGNING FOR PROJECT OPERATOR

PRINT TITLE OF INDIVIDUAL SIGNING FOR PROJECT OPERATOR

SIGNATURE OF PROJECT OPERATOR

INITIALS OF PROJECT OPERATOR

DATE SIGNED

MAILING ADDRESS OF PROJECT OPERATOR

CITY

STATE

ZIP CODE

PHONE OF PROJECT OPERATOR CELL OF PROJECT OPERATOR

PAGER OF PROJECT OPERATOR

FAX OF PROJECT OPERATOR

EMAIL ADDRESS OF PROJECT OPERATOR

PERMIT APPLICATION PART – I. – SIGNATURE AUTHORITY OF “RESPONSIBLE PERSON” (20.11.20.14 NMAC) - “Responsible Person” means the person designated in a permit who is responsible for complying with the permit, plan and 20.11.20 NMAC – Fugitive Dust Control, to the extent specified in the permit.

NOTE: If more than 1 individual will be designated a responsible person at the time of this application submittal, make photocopies of this page before completing any information. After the issuance of the permit, the department may approve in writing an amendment to the permit to add or change a designated responsible person(s).

The Permittee, may designate an additional person(s) [includes an entity(ies)] to be a “responsible person” as defined above. If different then the Permittee, a person that agrees in writing to be a responsible person will be liable for violations of the permit, plan and Part 20.11.20 NMAC – Fugitive Dust Control and shall be the first person contacted by the Department to resolve a violation of the permit or Part 20.11.20 NMAC to the extent outlined below in the ‘Active Operation responsibilities of individual signing as a Responsible Person’ [activity(ies)].

<u>NA</u>			
PRINT RESPONSIBLE PERSON’S BUSINESS NAME	PRINT NAME OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON		
PRINT TITLE OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON	DATE SIGNED		
SIGNATURE OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON	INITIALS OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON		
ADDRESS OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON	CITY	STATE	ZIP CODE
PHONE OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON	CELL OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON		
PAGER OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON	FAX OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON		
EMAIL OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON	ACTIVE OPERATION RESPONSIBILITIES OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON [ACTIVITY(IES)]		
SIGNATURE OF PERMITTEE APPROVING THE DESIGNATION OF ABOVE INDIVIDUAL AS A RESPONSIBLE PERSON	DATE SIGNED		

NOTE: By signing above as a Responsible Person you will be designated in the permit issued by the Department as responsible for complying with the permit, plan and Part 20.11.20 NMAC – Fugitive Dust Control to the extent specified in the above [activity(ies)]. You will be responsible for the above [activity(ies)] for the duration of the permit OR until such time as the Department receives a request from the permittee to remove you from being the responsible person for the above [activity(ies)]. The Permittee will become the responsible person for the [activity(ies)] that a responsible person is removed from, unless a new responsible person is designated for the same [activity(ies)] and approved by the Department in writing.

NOTE: The Permittee or responsible person shall MAINTAIN A CURRENT COPY OF THE PERMIT AT THE WORK SITE and make the permit available and explain the requirements of the permit to appropriate employees, agents, contractors, and any other person performing work in the area of active disturbance to assist in maintaining compliance with Part 20.11.20 NMAC – Fugitive Dust Control.

PURSUANT TO THE AIR QUALITY CONTROL ACT, CHAPTER 74, ARTICLE 2 NEW MEXICO STATUTES ANNOTATED 1978, AS AMENDED; THE ALBUQUERQUE JOINT AIR QUALITY CONTROL BOARD ORDINANCE, 9-5-1-1 ROA 1994; THE BERNALILLO COUNTY JOINT AIR QUALITY CONTROL BOARD ORDINANCE, BERNALILLO COUNTY ORDINANCE 94-5, AND THE ALBUQUERQUE/BERNALILLO COUNTY AIR QUALITY CONTROL BOARD (A/BCAQCB) REGULATION TITLE 20, CHAPTER 11, PART 20, NEW MEXICO ADMINISTRATIVE CODE (NMAC), (20.11.20 NMAC) - FUGITIVE DUST CONTROL, AND UPON AUTHORIZED SIGNATURES BELOW, THIS APPLICATION TOGETHER WITH ASSOCIATED DRAWINGS, PLANS, APPENDED DOCUMENTS, OTHER DATA, AND ANY CONDITIONS ATTACHED TO THE PERMIT BY THE DEPARTMENT, WILL BECOME THE FUGITIVE DUST CONTROL PERMIT. TABLE BELOW FOR DEPARTMENT USE.

APPLICATION REVIEWED BY:	DEEMED COMPLETE DATE	PERMIT ISSUED BY:	ISSUE DATE	EXPIRATION DATE
_____ AIR QUALITY DIVISION SUPERVISOR OR HEALTH SPECIALIST	____/____/200__	_____ AIR QUALITY DIVISION SUPERVISOR OR HEALTH SPECIALIST	____/____/200__	____/____/200__

PERMIT APPLICATION PART – J. – TRANSFER OF FUGITIVE DUST CONTROL PERMIT AND PLAN (20.11.20.14 NMAC)

ATTENTION: USE THIS SIGNATURE PAGE ONLY IF TRANSFERRING COMPLETE RESPONSIBILITY OF A CURRENT FUGITIVE DUST CONTROL PERMIT AND PLAN TO A NEW PERMITTEE.

A FUGITIVE DUST CONTROL PERMIT AND PLAN MAY BE TRANSFERRED TO LEGAL HEIRS, SUCCESSORS, AND ASSIGNS, WHO SHALL BECOME THE NEW PERMITTEE. TRANSFERS MAY BE MADE AS AN ADMINISTRATIVE AMENDMENT PROVIDED THAT:

- 1) A WRITTEN TRANSFER OF AGREEMENT IS DRAFTED BETWEEN THE CURRENT AND NEW PERMITTEE, AND THE PROJECT OWNER; AND
- 2) A SPECIFIC DATE IS ESTABLISHED FOR THE TRANSFER OF THE PERMIT AND PLAN RESPONSIBILITY, COVERAGE, AND LIABILITY; AND
- 3) DEPARTMENT APPROVAL OF WRITTEN TRANSFER OF AGREEMENT HAS BEEN AUTHORIZED.

THERE IS NO COST FOR TRANSFER OF THE FUGITIVE DUST CONTROL PERMIT AND PLAN IF DETERMINED BY THE DEPARTMENT THAT ONLY ADMINISTRATIVE CHANGE IS NEEDED. HOWEVER, NEW APPLICATION INFORMATION MUST BE SUBMITTED BY THE NEW PERMITTEE OR OWNER ALONG WITH ANY APPLICABLE FEES, IF DETERMINED BY THE DEPARTMENT THAT NECESSARY CHANGES ARE REQUIRED TO COMPLETE THE TRANSFER OF AGREEMENT (PARTICULARLY, ANY INCREASE TO THE PERMITTED 'TOTAL AREA TO BE DISTURBED').

TRANSFER OF AGREEMENT SIGNATURE BOX FOR CURRENT PERMITTEE

NA

PRINTED NAME OF INDIVIDUAL SIGNING FOR CURRENT PERMITTEE

REQUESTED DATE FOR TRANSFER OF PERMIT AND PLAN

SIGNATURE OF CURRENT PERMITTEE

INITIALS OF CURRENT PERMITTEE

SUBMITTAL DATE OF THIS PAGE

TRANSFER OF AGREEMENT SIGNATURE BOX FOR NEW PERMITTEE

PRINT NEW PERMITTEE BUSINESS NAME

REQUESTED DATE FOR ACCEPTANCE OF PERMIT AND PLAN

PRINTED NAME OF INDIVIDUAL SIGNING FOR NEW PERMITTEE

PRINT TITLE OF INDIVIDUAL SIGNING FOR NEW PERMITTEE

SIGNATURE OF NEW PERMITTEE

INITIALS OF NEW PERMITTEE

BY SIGNING ABOVE AS THE NEW PERMITTEE, I AGREE TO ACCEPT RESPONSIBILITY, COVERAGE, AND LIABILITY FOR THE EXISTING FUGITIVE DUST CONTROL PERMIT # _____ AND INCORPORATED FUGITIVE DUST CONTROL PLAN.

TRANSFER OF AGREEMENT SIGNATURE BOX FOR PROJECT OWNER

PRINTED NAME OF INDIVIDUAL SIGNING FOR PROJECT OWNER

DATE SIGNED

SIGNATURE OF PROJECT OWNER

INITIALS OF PROJECT OWNER

BY SIGNING ABOVE AS THE PROJECT OWNER, I AGREE TO THE TRANSFER OF RESPONSIBILITY OF THE EXISTING FUGITIVE DUST CONTROL PERMIT # _____ AND INCORPORATED FUGITIVE DUST CONTROL PLAN TO THE ABOVE SIGNED NEW PERMITTEE.

AREA BELOW FOR DEPARTMENT USE

INITIAL ONE OF THE CONDITIONS (A OR B) GIVEN BELOW

A.) The department has determined that no change to the permit/plan other than administrative change is necessary _____

B.) The department has determined that necessary change(s) to the permit and/or plan are required prior to transfer _____

PERMIT TRANSFER OF AGREEMENT REVIEWED BY:	DEEMED COMPLETE DATE	TRANSFERRED PERMIT # _____ ISSUED BY:	ISSUE DATE	EXPIRATION DATE
AIR QUALITY DIVISION SUPERVISOR OR HEALTH SPECIALIST	_____/_____/200__	AIR QUALITY DIVISION SUPERVISOR OR HEALTH SPECIALIST	_____/_____/200__	_____/_____/200__

ATTACHMENT D

CHECKLIST FOR UTILITY IMPROVEMENT



ALBUQUERQUE ENVIRONMENTAL HEALTH DEPARTMENT - AIR QUALITY DIVISION (DEPARTMENT)
11850 SUNSET GARDENS SW - ALBUQUERQUE, NEW MEXICO 87121
(505) 768 - 1972 (VOICE) (505) 768 - 2482 (TTY) (505) 768 - 1977 (FAX)



APPLICATION FOR A FUGITIVE DUST CONTROL PERMIT IN BERNALILLO COUNTY
ALBUQUERQUE - BERNALILLO COUNTY AIR QUALITY CONTROL BOARD REGULATION 20.11.20 NMAC
CONSTRUCTION PERMIT FOR SURFACE DISTURBANCE/DEMOLITION

DIVISION RECEIPT STAMP BELOW THIS LINE

EFFECTIVE DATE OF THIS FORM: 3/1/05

SUBMITTAL DATE/TIME _____

RECEIVED BY _____

PERMIT # _____

PERMIT APPLICATION - PART A. - PROJECT INFORMATION AND GENERAL ACTIVITIES (20.11.20.15 NMAC) (PRINT OR TYPE)

1. PROJECT NAME _____

2. PROJECT LOCATION _____

SUBMIT AS AN ATTACHMENT TO THIS APPLICATION, AN 8 1/2" X 11" OR LARGER SITE MAP OR PLAT OF PROJECT LOCATION

3. PROJECT STREET ADDRESS (if available) _____

4. MAJOR CROSS STREETS OR INTERSECTION NEARBY _____

5. UNIFORM PROPERTY CODE(S) (if available): _____

6. LATITUDE/LONGITUDE (if available): NORTH _____ ' _____ " WEST _____ ' _____ "

7. UNIVERSAL TRANSVERSE MERCATOR (UTM Coordinates), if available: _____ NORTHING _____ EASTING

8. SCOPE OF PROJECT (check all that apply): [] NEW BUILDING(S) CONSTRUCTION [] SUBDIVISION DEVELOPMENT [X] UTILITY IMPROVEMENTS
[] STRUCTURE DEMOLITION/RENOVATION [] ROADWAY DEVELOPMENT [] OTHER (please describe) _____

9. ACTIVE OPERATIONS (check all that apply): [] SURFACE DISTURBANCE [] BULK MATERIAL HAULING OR HANDLING [] UNPAVED ROADS
[] PAVED ROADS [] UTILITY REMOVAL/INSTALLATIONS [] STRUCTURE DEMOLITION/RENOVATION [] MILLING/GRINDING/CUTTING OF SURFACES
[] OTHER (please describe) _____

10. TOTAL AREA TO BE DISTURBED (acres or square feet) _____ acres; _____ ft^2, or, FOR DEMOLITION: TOTAL CUBIC FEET _____ ft^3

NOTE: A Fugitive Dust Control Permit application is required for a Building Demolition Project of over 75,000 ft^3 and must be received by the Department 10 business days (Monday through Friday except holidays) before the anticipated project start date. Asbestos Notification for demolition/renovation of any commercial building, residential building of 5 or more dwellings, or residential structure to be demolished to build a non-residential structure must be received by the Department, using a separate form, 10 working days (calendar days) before the anticipated project start date. Building Demolitions in Bernalillo County require Department signatures for dust control and asbestos notification before a demolition permit will be issued by the City or County.

11. A FUGITIVE DUST CONTROL PERMIT APPLICATION, FOR TOTAL AREA TO BE DISTURBED OF 3/4 ACRE UP TO 25 ACRES, MUST BE RECEIVED BY THE AIR QUALITY DIVISION 10 BUSINESS DAYS BEFORE THE ANTICIPATED PROJECT START DATE. A FUGITIVE DUST CONTROL PERMIT APPLICATION, FOR TOTAL AREA TO BE DISTURBED OF MORE THAN 25 ACRES, MUST BE RECEIVED BY THE AIR QUALITY DIVISION 20 BUSINESS

DAYS BEFORE THE ANTICIPATED PROJECT START DATE. ANTICIPATED PROJECT START DATE IS : ____ / ____ /200 ____

12. AN APPROVED FUGITIVE DUST CONTROL PERMIT SHALL BE VALID FOR 1 YEAR FROM THE DATE OF APPROVAL BY THE DEPARTMENT OR THE ANTICIPATED PROJECT COMPLETION DATE, WHICHEVER IS LONGER, BUT NO MORE THAN 5 YEARS. IF THE SCOPE OF PROJECT, ACTIVE OPERATIONS, EXPIRATION DATE, TOTAL AREA TO BE DISTURBED, OR CONTROL MEASURE(S) CHANGE IN ANY MANNER THAT ARE DETERMINED BY THE DEPARTMENT TO REQUIRE ADDITIONAL CONDITIONS, THEN A NEW FUGITIVE DUST CONTROL PERMIT SHALL BE REQUIRED. A FUGITIVE DUST CONTROL PERMIT MAY BE RENEWED IF THE DEPARTMENT RECEIVES A WRITTEN REQUEST FROM THE PERMITTEE 10 BUSINESS DAYS PRIOR

TO EXPIRATION DATE. ANTICIPATED PROJECT COMPLETION DATE IS : ____ / ____ /200 ____

01/27/06 Department Review by _____ Permittee's Initials Required Here _____

PERMIT APPLICATION - PART A. - PROJECT INFORMATION & GENERAL ACTIVITIES (20.11.20.15 NMAC) (CONTINUED)

13. (CHECK ONE BOX) ACTIVE OPERATIONS WILL BE THE TOTAL AREA TO BE DISTURBED , **OR**, ACTIVE OPERATIONS WILL BE PHASED

14. IF PHASING OF ACTIVE OPERATIONS (Explain Phasing Plan and include Total Disturbed Area, in acres, at any given time) _____

15. IS A SITE DRAINAGE PLAN REQUIRED FOR THIS PROJECT? YES _____ NO _____

16. IF YES TO #15 ABOVE, IS DRAINAGE PLAN APPROVED AND AVAILABLE UPON REQUEST BY THE DEPARTMENT? YES _____ NO _____

17. EXPECTED VOLUME OF BULK MATERIAL (ON SITE FILL, IMPORTED FILL, BASE COARSE GRAVEL, ETC.) TO BE HANDLED DURING THE DURATION OF THIS PROJECT (in cubic yards) _____ yds³

18. VOLUME OF BULK MATERIAL TO BE IMPORTED TO THIS PROJECT SITE _____ yds³

19. ADDRESS OF LOCATION(S) FROM WHICH BULK MATERIAL WILL BE IMPORTED TO THIS PROJECT SITE _____

20. DO THE BERNALILLO CNTY. LOCATIONS, PROVIDING BULK MATERIAL TO THIS PROJECT, HAVE FUGITIVE DUST CONTROL PERMITS?

YES _____ NO _____ UNKNOWN _____

21. VOLUME OF BULK MATERIAL TO BE EXPORTED FROM PROJECT SITE _____ yds³

22. ADDRESS OF LOCATION(S) IN BERNALILLO CNTY. THAT WILL RECEIVE BULK MATERIAL EXPORTED FROM THIS PROJECT SITE _____

23. DO THE BERNALILLO CNTY. LOCATIONS, RECEIVING BULK MATERIAL FROM THIS PROJECT, HAVE FUGITIVE DUST CONTROL PERMITS?

YES _____ NO _____ UNKNOWN _____

PERMIT APPLICATION - PART B. - REASONABLY AVAILABLE CONTROL MEASURES (20.11.20.23 NMAC) The "PERMITTEE" shall include in the permit application one or more of the applicable reasonably available control measures given in Part B.1 – B.12 below, **OR** one or more other (alternative) fugitive dust control measures, including measures taken to comply with any other statute or regulation that would also effectively control fugitive dust during active and inactive operations or construction activity (20.11.20.23 NMAC).

NOTE: If the "PERMITTEE" chooses to submit, as an attachment to this application, an alternative fugitive dust control plan in lieu of the control measures given in Part B.1 – B.12 below, the alternative fugitive dust control plan (such as a storm water pollution prevention plan) must include detailed information that addresses: 1) the steady ongoing Reasonably Available Control Measures to mitigate the release of Fugitive Dust from Active and Inactive Disturbed Surface Areas; and 2) fugitive dust control Contingency Measures that will be used; and 3) action(s) to be taken to mitigate property damage (see Part C of this application). If submitting an alternative fugitive dust control plan you still must complete and initial Parts A, D, E, F, G, H, and I (if utilized) of this application.

1. UNPAVED ROADWAYS [check applicable box(es)]:

- a. paving using recycled asphalt, asphaltic concrete, concrete, or petroleum products legal for such use;
- b. using dust suppressants applied in amounts, rates, and maintained as recommended by the manufacturer; SUBMIT MANUFACTURER'S INFORMATION AS AN ATTACHMENT TO THIS APPLICATION
- c. using wet suppression;
- d. using traffic controls, including decreased speed limits with appropriate enforcement; other traffic calming methods, vehicle access restrictions and controls; road closures or barricades; and off-road vehicle access controls and closures;
- e. other (alternative) _____

2. PAVED ROADWAYS [check applicable box(es)]:

- a. cleaning up spillage and track out as necessary to prevent particulates from being pulverized and entrained into the atmosphere;
- b. using paved or gravel entry/exit aprons with devices, such as steel grates, capable of knocking mud and bulk material off vehicle tires;
- c. using on-site wheel washes;
- d. performing regularly scheduled vacuum street cleaning or wet sweeping with a sweeper certified by the manufacturer to be efficient at removing particulate matter having an aerodynamic diameter of less than 10 microns (i.e. PM₁₀);
- e. other (alternative) _____

PERMIT APPLICATION - PART B. - REASONABLY AVAILABLE CONTROL MEASURES (20.11.20.23 NMAC) (CONTINUED)**3. TRUCKS HAULING BULK MATERIALS ON PUBLIC AND PRIVATE ROADWAYS [check applicable box(es)]:**

- a. using properly secured tarps or cargo covering that covers the entire surface area of the load;
- b. preventing leakage from the truck bed, sideboards, tailgate, or bottom dump gate;
- c. using wet suppression to increase moisture content of the bulk materials being hauled;
- d. using dust suppressants applied in amounts and rates recommended by the manufacturer; SUBMIT MANUFACTURER'S INFORMATION AS AN ATTACHMENT TO THIS APPLICATION
- e. maintaining a minimum of 6 inches of freeboard below the rim of the truck bed. Freeboard means the vertical distance from the highest portion of the load abutting the bed and the lowest part of the top rim of the truck bed abutting the load;
- f. other (alternative) _____

4. ACTIVE OPERATIONS IN CONSTRUCTION AREAS AND OTHER SURFACE DISTURBANCES [check applicable box(es)]:

X SHORT TERM control measures shall include (check this box first if utilizing short term measures listed below):

- a. wet suppression;
- b. dust suppressants applied in amounts, rates, and maintained as recommended by the manufacturer; SUBMIT MANUFACTURER'S INFORMATION AS AN ATTACHMENT TO THIS APPLICATION
- c. temporary upwind windbreaks, including fabric fences with the top at least 4 feet above grade, and with the bottom of the fence sufficiently anchored to the ground to prevent material from blowing underneath the fence; all windbreaks and fabric fences shall be maintained in an upright and functional condition at all times until no longer needed to prevent or abate fugitive dust; all accumulated material on the windward side of the windbreak shall be periodically removed to prevent failure of the windbreak;
- d. watering the site at the end of each workday sufficient to stabilize the work area;
- e. applying dust suppressants in amounts and rates recommended by the manufacturer on the worksite at the end of each work week if no active operations are going to take place over the weekend or if active operations stop for more than two consecutive days;
- f. starting construction at the location that is upwind from the prevailing wind direction and stabilizing disturbed areas before disturbing additional areas;
- g. clean up and removal of track-out material;
- h. other (alternative) _____

5. ACTIVE OPERATIONS IN CONSTRUCTION AREAS AND OTHER SURFACE DISTURBANCES [check applicable box(es)]:

X LONG TERM control measures shall include (check this box first if utilizing long term measures listed below):

- a. site stabilization using dust suppressants applied in amounts and rates recommended by the manufacturer and maintained as recommended by the manufacturer; SUBMIT MANUFACTURER'S INFORMATION AS AN ATTACHMENT TO THIS APPLICATION
- b. reseeding using native grasses as specified in 20.11.20.24 NMAC – NATIVE GRASS SEEDING AND MULCH SPECIFICATIONS;
- c. xeriscaping;
- d. installing parallel rows of fabric fencing or other windbreaks set perpendicular to the prevailing wind direction either onsite or on a nearby property with the permission of the nearby property owner;
- e. surfacing with gravel or other mulch material of a size and density sufficient to prevent surface material from becoming airborne;
- f. mulching and crimping of straw or hay as specified in Section 20.11.20.24 NMAC;
- g. installing permanent perimeter and interior walls;
- h. conventional landscaping techniques;
- i. clean up and removal of track-out material;
- j. other (alternative) Restrict access to inactive areas to maintain stable surface _____

PERMIT APPLICATION - PART B. - REASONABLY AVAILABLE CONTROL MEASURES (20.11.20.23 NMAC) (CONTINUED)**6. BULK MATERIAL HANDLING [check applicable box(es)]:**

- a. using spray bars;
- b. applying wetting agents (surfactants) to bulk material;
- c. using wet suppression through manual or mechanical application;
- d. adding dust suppressants to bulk materials in amounts and rates recommended by the manufacturer and maintained as recommended by the manufacturer; SUBMIT MANUFACTURER'S INFORMATION AS AN ATTACHMENT TO THIS APPLICATION
- e. reducing process speeds;
- f. reducing drop heights;
- g. other (alternative) _____

7. INDUSTRIAL SITES [check applicable box(es)]: NA

- a. paving roadways and parking area with recycled asphalt, asphaltic concrete, concrete, or petroleum products legal for such use;
- b. performing regularly scheduled vacuum street cleaning or wet sweeping;
- c. regularly using wet suppression on unpaved areas;
- d. using dust suppressants applied in amounts, rates, and maintained as recommended by the manufacturer; SUBMIT MANUFACTURER'S INFORMATION AS AN ATTACHMENT TO THIS APPLICATION
- e. installing wind breaks;
- f. installing enclosures;
- g. installing on-site anemometers to measure wind speed; the anemometer should trigger a suitable warning mechanism such as a strobe light or audible alarm (that will not violate any applicable noise ordinance) to notify on-site personnel of high winds;
- h. increasing wet suppression applications before and during high wind conditions;
- i. other (alternative) _____

8. DEMOLITION/RENOVATION ACTIVITIES (NON-ASBESTOS CONTAINING MATERIALS PRESENT) [check applicable box(es)]: NA

- a. using constant wet suppression on the debris piles during demolition;
- b. using water or dust suppressants on the debris pile, applied in amounts and rates recommended by the manufacturer; SUBMIT MANUFACTURER'S INFORMATION AS AN ATTACHMENT TO THIS APPLICATION
- c. using enclosures;
- d. using curtains or shrouds;
- e. using negative pressure dust collectors;
- f. other (alternative) _____

9. MILLING, GRINDING OR CUTTING OF PAVED OR CONCRETE SURFACES [check applicable box(es)]:

- a. constantly using wet suppression;
- b. ongoing clean up of milled, ground or cut material by using wet sweeping;
- c. using dust suppressants applied in amounts, rates, and maintained as recommended by the manufacturer; SUBMIT MANUFACTURER'S INFORMATION AS AN ATTACHMENT TO THIS APPLICATION
- d. using enclosures;
- e. using curtains or shrouds;
- f. other (alternative) _____

10. PRESSURE BLASTING OPERATIONS [check applicable box(es)]: NA

- a. using non-friable abrasive material;
- b. using curtains, enclosures or shrouds;
- c. using negative pressure dust collectors;
- d. using constant wet suppression;
- e. maintaining ongoing clean up of abrasive material;
- f. other (alternative) _____

PERMIT APPLICATION - PART B. - REASONABLY AVAILABLE CONTROL MEASURES (20.11.20.23 NMAC) (CONTINUED)

11. SPRAY PAINTING AND OTHER COATINGS [check applicable box(es)]: NA

- a. using enclosures that comply with applicable fire codes;
- b. using curtains, enclosures or shrouds;
- c. other (alternative) _____

12. HIGH WIND CONTINGENCY MEASURES [check applicable box(es)]:

NOTE: It is required during a high wind event (5 consecutive minutes with an average wind speed of 30 miles per hour or higher) that ALL fugitive dust sources cease all active operations that are capable of producing fugitive dust; and continue to use reasonably available control measures; and implement high wind contingency measures.

- a. installing and using on-site anemometers to measure wind speed; the anemometer should trigger a suitable warning mechanism such as a strobe light or audible alarm (that will not violate any applicable noise ordinance) to notify site personnel of high winds;
- b. using constant wet suppression;
- c. using dust suppressants applied in amounts and rates recommended by the manufacturer; SUBMIT MANUFACTURER'S INFORMATION AS AN ATTACHMENT TO THIS APPLICATION
- d. using wetting agents or surfactants on disturbed areas, bulk materials or stockpiles;
- e. other (alternative) _____

PERMIT APPLICATION - PART C. - FUGITIVE DUST CONTROL PLAN (PLAN) (20.11.20.14 NMAC)

(PRINT OR TYPE)

NOTE: The "PERMITTEE" is required to comply with a Fugitive Dust Control Plan that details the Fugitive Dust Control Measures that will be used to mitigate the release of Fugitive Dust from Active and Inactive Disturbed Surface Areas. This includes: 1) steady ongoing Reasonably Available Control Measures; and 2) fugitive dust control Contingency Measures; and 3) action(s) that will be taken to mitigate claims of property damage. IF YOU ARE NOT SUBMITTING AS AN ATTACHMENT TO THIS APPLICATION AN ALTERNATIVE FUGITIVE DUST CONTROL PLAN, THEN YOU MUST COMPLETE PART C.1 - C.3 BELOW TO COMPLETE YOUR FUGITIVE DUST CONTROL PLAN.

1. DESCRIBE IN DETAIL THE STEADY ONGOING REASONABLY AVAILABLE CONTROL MEASURES THAT YOU MAY HAVE SELECTED IN PART B.1 – B.12 OF THIS APPLICATION THAT WILL BE USED DURING THIS PROJECT TO MITIGATE THE RELEASE OF FUGITIVE DUST FROM ACTIVE DISTURBED SURFACE AREAS (any current operation capable of creating dust) AND INACTIVE DISTURBED SURFACE AREAS (previously disturbed areas where active operations are temporarily suspended). (Some examples are: Provide detailed information that may include the type, size and quantity of equipment that will be used for wet suppression, and frequency of use; Type of traffic control that will be used; Type and locations of fencing or walls that will be installed; Type and frequency of use of vacuum or wet sweeping that will be used; Location and type of temporary pavements that will be used; Seeding plan; etc.).

ACTIVE - Water trucks will be used to provide wet suppression or hose connected to fire hydrant when available _____

INACTIVE - Limit traffic flow at inactive sites to maintain stable surface _____

2. DESCRIBE IN DETAIL THE ADDITIONAL FUGITIVE DUST CONTROL CONTINGENCY MEASURES THAT WILL BE USED DURING THIS PROJECT IF THE REASONABLY AVAILABLE CONTROL MEASURES CHOSEN IN PART B.1 – B.12 AND DETAILED IN PART C.1 ABOVE ARE DETERMINED BY THE DEPARTMENT TO BE INSUFFICIENT TO PROVIDE ADEQUATE FUGITIVE DUST CONTROL DURING ACTIVE AND INACTIVE OPERATIONS.

ACTIVE - Reduce speed of heavy equipment hauling operations; wet areas to be disturbed prior to operations _____

INACTIVE - Restrict traffic on inactive areas _____

3. DESCRIBE THE ACTION(S) THAT WILL BE TAKEN TO MITIGATE CLAIMS OF PROPERTY DAMAGE BY FUGITIVE DUST GENERATED AT/FROM THIS PROJECT. IT IS REQUIRED TO REMEDY DAMAGE TO REAL PROPERTIES CAUSED BY A VIOLATION OF THE PERMIT (20.11.20.12.C NMAC).

Will respond to reasonable claims of property damage. Will provide for cleanup and/or repairs of affected property _____

PERMIT APPLICATION PART - D. - HIGH WIND EVENT (20.11.20.16 NMAC)

(PRINT OR TYPE)

NOTE: A high wind event is a time period of 5 consecutive minutes with an average wind speed of 30 miles per hour or higher. ALL fugitive dust sources shall cease all Active Operations that are capable of producing fugitive dust; and continue to use Reasonably Available Control Measures; and implement high wind contingency measures during a High Wind Event.

1. DESCRIBE IN DETAIL HOW THE HIGH WIND CONTINGENCY MEASURE(S) CHOSEN WILL BE USED DURING THIS PROJECT Cease operations and maintain watering of site

PERMIT APPLICATION PART – E. - HIGH WIND AFFIRMATIVE DEFENSE (20.11.20.16 NMAC)

ATTENTION !!!

TO ASSERT A HIGH WIND AFFIRMATIVE DEFENSE, THE PERMITTEE AGREES TO USE ONE OF THE THREE MANDATORY CONTROL MEASURES SHOWN BELOW THROUGHOUT THE ENTIRE DURATION OF THE PERMIT, REGARDLESS OF WHETHER OR NOT A HIGH WIND EVENT EXISTS.

DO YOU WISH TO QUALIFY FOR A HIGH WIND AFFIRMATIVE DEFENSE DURING THE DURATION OF THIS PERMIT? YES ___ NO X

IF THE ANSWER TO THE ABOVE QUESTION IS YES, THEN CHOOSE ONE OF THE REQUIRED CONTROL MEASURES SHOWN BELOW

- 1. Using wet suppression sufficient to provide and maintain a soil moisture content of not less than 12 percent, and using properly maintained fabric fencing material around the perimeter of the disturbed surface area with openings no wider than necessary to allow vehicles to enter or exit the area (fencing shall be anchored 6 inches below the surface on the bottom edge and shall be 24 or more inches high); and during a High Wind Event ceasing all Active Operations but continuing to use all control measures.
- 2. Using chemical dust suppressants, in amounts and rates recommended by the manufacturer, sufficient to substantially reduce fugitive dust leaving the project area while Active Operations are idle, and using properly maintained fabric fencing material around the perimeter of the disturbed surface area with openings no wider than necessary to allow vehicles to enter or exit the area (fencing shall be anchored 6 inches below the surface on the bottom edge and shall be 24 or more inches high), and during a High Wind Event ceasing all Active Operations but continuing to use all control measures.
- 3. Using an alternative dust control measure or measures that provide fugitive dust control that is equal to or better than using the measures described in options E.1 or E.2 above; and during a High Wind Event ceasing all Active Operations but continuing to use all control measures. If you choose to qualify for a High Wind Affirmative Defense and are selecting E.3, submit as an attachment the alternative dust control measure or measures for Department approval.

PERMIT APPLICATION PART – F. – FEES (20.11.2.15 NMAC)

(PRINT OR TYPE)

AT THE TIME OF SUBMITTAL, ANY PERSON FILING AN APPLICATION FOR A FUGITIVE DUST CONTROL PERMIT SHALL PAY THE APPLICABLE FEES REQUIRED. NO APPLICATION WILL BE REVIEWED OR PERMIT ISSUED UNLESS ALL APPLICABLE FEES HAVE BEEN PAID. CONSTRUCTION PERMITS FOR SURFACE DISTURBANCE REQUIRE A FILING & REVIEW FEE, AND AN INSPECTION FEE.

1. FILING & REVIEW FEE TABLE

TOTAL PROJECT ACREAGE TO BE DISTURBED	FILING & REVIEW FEE	CHECK APPROPRIATE BOX
¾ acre to less than 2 acres	\$250.00	
2 acres to less than 5 acres	\$350.00	
5 acres to less than 15 acres	\$450.00	
15 acres or greater	\$550.00	

NOTE: THE PERMITTEE SHALL INSTALL AND MAINTAIN A PROJECT SIGN, ISSUED OR APPROVED BY THE DEPARTMENT, FOR ALL FUGITIVE DUST CONTROL PROJECTS OF 10 OR MORE ACRES.

INSPECTION FEE: - To calculate the fugitive dust control Inspection Fee below, which is in addition to the above Filing & Review Fee, multiply the total project acreage to be disturbed by the per - acre rate shown in the table below. The total project acreage to be disturbed, used to calculate the Inspection Fee below, must be expressed as a whole number. When rounding, if the number after the decimal point is less than 5, the whole number remains unchanged. If the number after the decimal point is 5 or greater, the whole number shall be rounded up to the next whole number. Rounding of acres shall occur before the Inspection Fee is calculated.

2. INSPECTION FEE TABLE

TOTAL PROJECT ACREAGE TO BE DISTURBED (ROUNDED TO NEAREST WHOLE NUMBER)	TIMES	PER ACRE RATE (BASED ON 20.11.2.15 NMAC)	INSPECTION FEE
	X	\$100.00	= \$

PERMIT APPLICATION PART – F. – FEES (20.11.2.15 NMAC) (CONTINUED)

(PRINT OR TYPE)

TOTAL PROJECT FEE – ADD THE FILING & REVIEW FEE AND THE INSPECTION FEE FROM PAGE 6 TO DETERMINE THE TOTAL PROJECT FEE TO BE SUBMITTED WITH THIS APPLICATION FOR A FUGITIVE DUST CONTROL PERMIT.

3. TOTAL PROJECT FEE TABLE

FILING & REVIEW FEE	PLUS	INSPECTION FEE	TOTAL PROJECT FEE DUE
\$	+	\$	= \$

NOTE: If an application to obtain a fugitive dust control permit is submitted after active operations have commenced at the project location, a late fee of 50 percent of the total project fee shall be assessed in addition to the total project fee (20.11.2.17 NMAC). In addition to this late fee for application processing and permit issuance, civil penalty’s may be assessed pursuant to the New Mexico Air Quality Control Act, Chapter 74, Article 2 New Mexico Statutes Annotated 1978.

USE THE CALCULATION BELOW ONLY IF YOU ARE REQUIRED TO SUBMIT A LATE FEE.

TOTAL PROJECT FEE DUE: \$ X (1.5) LATE FEE FACTOR = \$ TOTAL PROJECT/LATE FEE DUE

NOTE: Total Project Fee Due OR Total Project/Late Fee Due, required to be paid at the time of application submittal, shall be paid by check or money order payable to: City of Albuquerque, Permits Program (Fund 242 – Account # 0421425). Application and accompanying fee may be delivered by mail to the address that appears at the top of page 1 of this form or hand delivered to the same address (between the hours of 8:00 am - 4:30 pm Mon. through Fri.). Call 768-1972 if hand delivering application and fee to insure that appropriate staff is available to process a receipt.

PERMIT APPLICATION PART – G. – SIGNATURE AUTHORITY OF PERMITTEE (20.11.20.15 NMAC)

NOTE: This application shall include a fugitive dust control plan that may utilize reasonably available control measures to mitigate fugitive dust to meet the Objectives of Part 20.11.20 NMAC – Fugitive Dust Control. By signing below, the applicant certifies that the information provided in this application for a Fugitive Dust Control permit is true, accurate and complete, and the applicant agrees to be the “PERMITTEE”. A “PERMITTEE” is a person, owner or operator and all legal heirs, successors, and assigns who has applied for and obtained a fugitive dust control permit approved by the Department. The “PERMITTEE” agrees to take all actions required by the Fugitive Dust Control permit issued by the Department to prevent a violation of 20.11.20 NMAC – Fugitive Dust Control, including stopping active operations, if necessary. The “PERMITTEE” is responsible for complying with the fugitive dust control permit, the fugitive dust control plan, and all requirements of Part 20.11.20 NMAC.- Fugitive Dust Control. Failure to comply shall be a violation of Part 20.11.20 NMAC – Fugitive Dust Control.

THE PERMITTEE SIGNATURE BOX MUST BE COMPLETED (COMPLETE ALL APPLICABLE INFORMATION)

PRINT PERMITTEE’S BUSINESS NAME	EMAIL ADDRESS OF PERMITTEE	FAX NUMBER OF PERMITTEE
PHONE NUMBER OF PERMITTEE	CELL PHONE OF PERMITTEE	PAGER NUMBER OF PERMITTEE
MAILING ADDRESS OF PERMITTEE	CITY	STATE ZIP CODE
PRINT NAME OF INDIVIDUAL SIGNING FOR PERMITTEE	PRINT TITLE OF INDIVIDUAL SIGNING FOR PERMITTEE	
SIGNATURE OF PERMITTEE	INITIALS OF PERMITTEE	DATE SUBMITTED

IT IS THE RESPONSIBILITY OF THE PERMITTEE OR DESIGNATED RESPONSIBLE PERSON OR OFFICIAL TO ENSURE THAT THE FUGITIVE DUST CONTROL PERMIT OR AMENDED PERMIT CONTAINS CURRENT CONTACT INFORMATION AND THAT A COPY IS MAINTAINED AT THE WORK SITE AND IS PROVIDED TO THE DEPARTMENT. FAILURE TO MAINTAIN AND PROVIDE UP-TO-DATE CONTACT INFORMATION SHALL BE A VIOLATION OF THIS PART. (20.11.20.18G NMAC).

NOTE: The applicant signing above and applying to be the “Permittee”, may designate an additional person(s) [includes an entity(ies)] to be a “responsible person” as defined in 20.11.20.7CC NMAC (definitions), if the person(s) agrees in writing to be a responsible person. A Responsible Person can be the Permittee, the Owner, the Operator, or another Person(s). Before Department review and issuance of a fugitive dust control permit, if the Permittee wishes to designate a person(s) as a responsible person(s) for complying with all or specific elements of the fugitive dust control permit, the fugitive dust control plan, and Part 20.11.20 NMAC.- Fugitive Dust Control, then Section I - signature authority of “Responsible Person” may be used at the time of application submittal and must include all applicable information concerning the designated Responsible Person(s). After the issuance of the permit, the Department may approve in writing a permit amendment to add or change a designated responsible person(s). (20.11.20.14B NMAC)

PERMIT APPLICATION PART – H. – OWNER OR OPERATOR INFORMATION (20.11.20.15 NMAC)

Complete the owner and/or operator information below ONLY IF DIFFERENT THAN THE PERSON WHO HAS SIGNED AS THE PERMITTEE IN SECTION G, OR as a responsible person(s) in Section I of this application for a fugitive dust control permit.

NOTE: If the Permittee fails to comply with the provisions of 20.11.20 NMAC – Fugitive Dust Control, the Owner or Operator, if different from a Responsible Person or the Permittee, shall be responsible for complying with the permit. If the Permittee fails to take all required actions to prevent a violation of 20.11.20 NMAC – Fugitive Dust Control, the Owner or Operator or designated Responsible Person, if different than the Permittee, shall be responsible to take all actions required to prevent or satisfactorily resolve a violation of 20.11.20 NMAC – Fugitive Dust Control, including stopping all active operations, if necessary. To mitigate fugitive dust, all Inactive Disturbed Surface Areas must be stabilized and maintained in stable condition by the Owner, Operator, OR Person responsible for maintenance of the disturbed surface. Failure to comply shall be a violation of 20.11.20 NMAC – Fugitive Dust Control (20.11.20.12 NMAC).

PROJECT OWNER INFORMATION (COMPLETE ALL APPLICABLE INFORMATION)

PRINT PROJECT OWNER’S BUSINESS NAME

PRINT NAME OF INDIVIDUAL SIGNING FOR PROJECT OWNER

PRINT TITLE OF INDIVIDUAL SIGNING FOR PROJECT OWNER

SIGNATURE OF PROJECT OWNER

INITIALS OF PROJECT OWNER

DATE SIGNED

MAILING ADDRESS OF PROJECT OWNER

CITY

STATE

ZIP CODE

PHONE OF PROJECT OWNER CELL OF PROJECT OWNER

PAGER OF PROJECT OWNER FAX OF OWNER

EMAIL ADDRESS OF PROJECT OWNER

The **GENERAL PROVISIONS** of 20.11.20 NMAC – Fugitive Dust Control states that no person shall allow fugitive dust, track-out, or transported material from any active operation, open storage pile, paved or unpaved roadway or disturbed surface area, or inactive disturbed surface area to be carried beyond the property line, right-of-way, easement or any other area under the control of the person generating or allowing the fugitive dust if the fugitive dust will: 1) adversely affect the health, public welfare or safety of the residents of Bernalillo county; or 2) impair visibility or the reasonable use of property; or 3) be visible longer than a total of 15 minutes in any 1 hour observation period using the visible fugitive dust detection method in 20.11.20.26 NMAC (visual determination of fugitive dust emissions violations) or an equivalent method approved in writing by the department.

PROJECT OPERATOR INFORMATION (COMPLETE ALL APPLICABLE INFORMATION)

PRINT PROJECT OPERATOR’S BUSINESS NAME

PRINT NAME OF INDIVIDUAL SIGNING FOR PROJECT OPERATOR

PRINT TITLE OF INDIVIDUAL SIGNING FOR PROJECT OPERATOR

SIGNATURE OF PROJECT OPERATOR

INITIALS OF PROJECT OPERATOR

DATE SIGNED

MAILING ADDRESS OF PROJECT OPERATOR

CITY

STATE

ZIP CODE

PHONE OF PROJECT OPERATOR CELL OF PROJECT OPERATOR

PAGER OF PROJECT OPERATOR

FAX OF PROJECT OPERATOR

EMAIL ADDRESS OF PROJECT OPERATOR

PERMIT APPLICATION PART – I. – SIGNATURE AUTHORITY OF “RESPONSIBLE PERSON” (20.11.20.14 NMAC) - “Responsible Person” means the person designated in a permit who is responsible for complying with the permit, plan and 20.11.20 NMAC – Fugitive Dust Control, to the extent specified in the permit.

NOTE: If more than 1 individual will be designated a responsible person at the time of this application submittal, make photocopies of this page before completing any information. After the issuance of the permit, the department may approve in writing an amendment to the permit to add or change a designated responsible person(s).

The Permittee, may designate an additional person(s) [includes an entity(ies)] to be a “responsible person” as defined above. If different then the Permittee, a person that agrees in writing to be a responsible person will be liable for violations of the permit, plan and Part 20.11.20 NMAC – Fugitive Dust Control and shall be the first person contacted by the Department to resolve a violation of the permit or Part 20.11.20 NMAC to the extent outlined below in the ‘Active Operation responsibilities of individual signing as a Responsible Person’ [activity(ies)].

<u>NA</u> PRINT RESPONSIBLE PERSON’S BUSINESS NAME	PRINT NAME OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON
PRINT TITLE OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON	DATE SIGNED
SIGNATURE OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON	INITIALS OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON
ADDRESS OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON	CITY STATE ZIP CODE
PHONE OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON	CELL OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON
PAGER OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON	FAX OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON
EMAIL OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON	ACTIVE OPERATION RESPONSIBILITIES OF INDIVIDUAL SIGNING AS A RESPONSIBLE PERSON [ACTIVITY(IES)]
SIGNATURE OF PERMITTEE APPROVING THE DESIGNATION OF ABOVE INDIVIDUAL AS A RESPONSIBLE PERSON	DATE SIGNED

NOTE: By signing above as a Responsible Person you will be designated in the permit issued by the Department as responsible for complying with the permit, plan and Part 20.11.20 NMAC – Fugitive Dust Control to the extent specified in the above [activity(ies)]. You will be responsible for the above [activity(ies)] for the duration of the permit OR until such time as the Department receives a request from the permittee to remove you from being the responsible person for the above [activity(ies)]. The Permittee will become the responsible person for the [activity(ies)] that a responsible person is removed from, unless a new responsible person is designated for the same [activity(ies)] and approved by the Department in writing.

NOTE: The Permittee or responsible person shall MAINTAIN A CURRENT COPY OF THE PERMIT AT THE WORK SITE and make the permit available and explain the requirements of the permit to appropriate employees, agents, contractors, and any other person performing work in the area of active disturbance to assist in maintaining compliance with Part 20.11.20 NMAC – Fugitive Dust Control.

PURSUANT TO THE AIR QUALITY CONTROL ACT, CHAPTER 74, ARTICLE 2 NEW MEXICO STATUTES ANNOTATED 1978, AS AMENDED; THE ALBUQUERQUE JOINT AIR QUALITY CONTROL BOARD ORDINANCE, 9-5-1-1 ROA 1994; THE BERNALILLO COUNTY JOINT AIR QUALITY CONTROL BOARD ORDINANCE, BERNALILLO COUNTY ORDINANCE 94-5, AND THE ALBUQUERQUE/BERNALILLO COUNTY AIR QUALITY CONTROL BOARD (A/BCAQCB) REGULATION TITLE 20, CHAPTER 11, PART 20, NEW MEXICO ADMINISTRATIVE CODE (NMAC), (20.11.20 NMAC) - FUGITIVE DUST CONTROL, AND UPON AUTHORIZED SIGNATURES BELOW, THIS APPLICATION TOGETHER WITH ASSOCIATED DRAWINGS, PLANS, APPENDED DOCUMENTS, OTHER DATA, AND ANY CONDITIONS ATTACHED TO THE PERMIT BY THE DEPARTMENT, WILL BECOME THE FUGITIVE DUST CONTROL PERMIT. TABLE BELOW FOR DEPARTMENT USE.

APPLICATION REVIEWED BY:	DEEMED COMPLETE DATE	PERMIT ISSUED BY:	ISSUE DATE	EXPIRATION DATE
_____ AIR QUALITY DIVISION SUPERVISOR OR HEALTH SPECIALIST	____/____/200__	_____ AIR QUALITY DIVISION SUPERVISOR OR HEALTH SPECIALIST	____/____/200__	____/____/200__

PERMIT APPLICATION PART – J. – TRANSFER OF FUGITIVE DUST CONTROL PERMIT AND PLAN (20.11.20.14 NMAC)

ATTENTION: USE THIS SIGNATURE PAGE ONLY IF TRANSFERRING COMPLETE RESPONSIBILITY OF A CURRENT FUGITIVE DUST CONTROL PERMIT AND PLAN TO A NEW PERMITTEE.

A FUGITIVE DUST CONTROL PERMIT AND PLAN MAY BE TRANSFERRED TO LEGAL HEIRS, SUCCESSORS, AND ASSIGNS, WHO SHALL BECOME THE NEW PERMITTEE. TRANSFERS MAY BE MADE AS AN ADMINISTRATIVE AMENDMENT PROVIDED THAT:

- 1) A WRITTEN TRANSFER OF AGREEMENT IS DRAFTED BETWEEN THE CURRENT AND NEW PERMITTEE, AND THE PROJECT OWNER; AND
- 2) A SPECIFIC DATE IS ESTABLISHED FOR THE TRANSFER OF THE PERMIT AND PLAN RESPONSIBILITY, COVERAGE, AND LIABILITY; AND
- 3) DEPARTMENT APPROVAL OF WRITTEN TRANSFER OF AGREEMENT HAS BEEN AUTHORIZED.

THERE IS NO COST FOR TRANSFER OF THE FUGITIVE DUST CONTROL PERMIT AND PLAN IF DETERMINED BY THE DEPARTMENT THAT ONLY ADMINISTRATIVE CHANGE IS NEEDED. HOWEVER, NEW APPLICATION INFORMATION MUST BE SUBMITTED BY THE NEW PERMITTEE OR OWNER ALONG WITH ANY APPLICABLE FEES, IF DETERMINED BY THE DEPARTMENT THAT NECESSARY CHANGES ARE REQUIRED TO COMPLETE THE TRANSFER OF AGREEMENT (PARTICULARLY, ANY INCREASE TO THE PERMITTED 'TOTAL AREA TO BE DISTURBED').

TRANSFER OF AGREEMENT SIGNATURE BOX FOR CURRENT PERMITTEE

NA
 PRINTED NAME OF INDIVIDUAL SIGNING FOR CURRENT PERMITTEE REQUESTED DATE FOR TRANSFER OF PERMIT AND PLAN

 SIGNATURE OF CURRENT PERMITTEE INITIALS OF CURRENT PERMITTEE SUBMITTAL DATE OF THIS PAGE

TRANSFER OF AGREEMENT SIGNATURE BOX FOR NEW PERMITTEE

 PRINT NEW PERMITTEE BUSINESS NAME REQUESTED DATE FOR ACCEPTANCE OF PERMIT AND PLAN

 PRINTED NAME OF INDIVIDUAL SIGNING FOR NEW PERMITTEE PRINT TITLE OF INDIVIDUAL SIGNING FOR NEW PERMITTEE

 SIGNATURE OF NEW PERMITTEE INITIALS OF NEW PERMITTEE

BY SIGNING ABOVE AS THE NEW PERMITTEE, I AGREE TO ACCEPT RESPONSIBILITY, COVERAGE, AND LIABILITY FOR THE EXISTING FUGITIVE DUST CONTROL PERMIT # _____ AND INCORPORATED FUGITIVE DUST CONTROL PLAN.

TRANSFER OF AGREEMENT SIGNATURE BOX FOR PROJECT OWNER

 PRINTED NAME OF INDIVIDUAL SIGNING FOR PROJECT OWNER DATE SIGNED

 SIGNATURE OF PROJECT OWNER INITIALS OF PROJECT OWNER

BY SIGNING ABOVE AS THE PROJECT OWNER, I AGREE TO THE TRANSFER OF RESPONSIBILITY OF THE EXISTING FUGITIVE DUST CONTROL PERMIT # _____ AND INCORPORATED FUGITIVE DUST CONTROL PLAN TO THE ABOVE SIGNED NEW PERMITTEE.

AREA BELOW FOR DEPARTMENT USE

INITIAL ONE OF THE CONDITIONS (A OR B) GIVEN BELOW

- A.) The department has determined that no change to the permit/plan other than administrative change is necessary _____
- B.) The department has determined that necessary change(s) to the permit and/or plan are required prior to transfer _____

PERMIT TRANSFER OF AGREEMENT REVIEWED BY:	DEEMED COMPLETE DATE	TRANSFERRED PERMIT # _____ ISSUED BY:	ISSUE DATE	EXPIRATION DATE
_____ AIR QUALITY DIVISION SUPERVISOR OR HEALTH SPECIALIST	_____/_____/200	_____ AIR QUALITY DIVISION SUPERVISOR OR HEALTH SPECIALIST	_____/_____/200	_____/_____/200