

GRIC Code – Title 17, Chapter 9	Gila River Indian Community Air Quality Management Program Part V. Section 1.0 Open Burning	
Revised 2008 Air Quality Ordinance	8/20/08	1 of 4

**Part V. Area Source Emission Limits**

**Section 1.0 Open Burning**

- 1.0 Applicability**
- 2.0 Definitions**
- 3.0 Standards**
  - 3.1 General Prohibition**
  - 3.2 Exemptions**
  - 3.3 Prohibitions**
  - 3.4 Permit – Authorized Fires**
- 4.0 Open Burn Permits**
  - 4.1 Permit Requirements**
  - 4.2 Permit Conditions**
  - 4.3 Permit Denial**

**1.0 APPLICABILITY**

This Section limits the types of materials that can be openly burned within the Community and applies to any person who conducts any open burning within the Community.

**2.0 DEFINITIONS**

“**Cultural/Religious/Ceremonial fire**” means a fire associated with a Native American ceremony or ritual.

“**Cooking fire**” means a fire set for the domestic cooking of food.

“**Commercial fires**” means fires set for the disposal of vegetative waste resulting from the process of commercial clearing of land five (5) acres or greater.

“**Construction debris**” means waste generated from construction of homes, dwellings or structures or demolishing a home, dwelling or structure and is comprised of wood, metal, fiberglass, tar, tar paper, plastic, and other debris associated with construction of a structure, demolishing a structure or rebuilding a structure.

“**High Winds**” means, for the purposes of a commercial burn permit, winds above ten (10) miles per hour.

“**Nuisance**” means an emission of smoke or other emissions from any open fire that creates a condition that is injurious to human health or is indecent or offensive to the senses and interferes with the comfortable enjoyment of life or property.

“**Open burning**” means the burning of a material that results in the products of combustion being emitted directly into the atmosphere without passing through a stack. Open burning includes burning in burn barrels.

GRIC Code – Title 17, Chapter 9	Gila River Indian Community Air Quality Management Program Part V. Section 1.0 Open Burning	
<b>Revised 2008 Air Quality Ordinance</b>	8/20/08	2 of 4

“**Recreational fire**” means barbeques and campfires, using charcoal, natural gas, propane, or natural wood which occur in designated areas or on private property. Fires used for debris disposal purposes are not considered recreational fires.

“**Residential fire**” means a fire set for the purpose of destroying weeds, brush, small limbs and other yard waste around a home, along a fence line or other small area which does not last for an extended period of time and is usually small in size.

“**Yard waste**” means leaves, grass clippings, garden debris, and smaller chip branches.

### 3.0 STANDARDS

3.1 **General Prohibition.** Except as otherwise provided in this Section, no person shall permit, cause, suffer or allow open burning within the exterior boundaries of the Community.

3.2 **Exemptions.** The following open fires are exempted from the provisions of this Section (these fires are allowed under this Section without a permit):

- A. Fires used only for the domestic cooking of food (indoors and outdoors);
- B. Fires used for cultural, religious or ceremonial purposes;
- C. Fires used only for providing warmth (indoors and outdoors);
- D. Fires set for recreational purposes;
- E. Fires set for branding of animals; and
- F. Fires set by the GRIC Fire Department for purposes of training personnel as long as notice is given to the GRIC DEQ prior to ignition of the fire.

3.3 **Prohibitions.** Open burning of the following materials is forbidden.

Garbage resulting from the processing, storage, service or consumption of food; asphalt shingles, tar paper; plastic and rubber products; petroleum products (such as waste crankcase oil, transmission oil and oil filters); transformer oils; hazardous material containers including those that contained inorganic pesticides, lead, cadmium, mercury, or arsenic compounds, tires, shredded or chopped tires, construction debris, debris from demolished homes and trailers homes and asbestos containing materials.

3.4 **Permit- Authorized Fires.** The following fires are allowed but only after acquiring a permit from the DEQ.

- A. Permitted residential fires:

GRIC Code – Title 17, Chapter 9	Gila River Indian Community Air Quality Management Program Part V. Section 1.0 Open Burning	
<b>Revised 2008 Air Quality Ordinance</b>	8/20/08	3 of 4

1. Fires set for the disposal of leaves, lawn clippings, tree trimmings/tree limbs and other yard waste, provided that no materials that generate toxic fumes, such as oleander leaves or branches, may be burned.
- B. Permitted commercial fires: Fires set for the disposal of vegetative waste resulting from the process of land clearing, commercial development or other large scale permitted fires.
- C. Permitted agricultural fires: Fires set for weed control or abatement, clearing fields or ditches of vegetation, or the disposal of other naturally grown products of horticulture, provided that no materials that generate toxic fumes, such as oleander leaves or branches, may be burned.

#### 4.0 OPEN BURN PERMITS

##### 4.1 Permit Requirements.

- A. Permit applications: Any person seeking a residential or agricultural burn permit shall do so by submitting a burn permit application to the Department of Environmental Quality (DEQ). The Department shall require the applicant to provide the following information in writing:
  1. the applicant's name, address and telephone number;
  2. the location where the burning is to be conducted;
  3. the type and quantity of material to be burned;
  4. the date(s) when the burning is to be conducted; and
  5. the permittee's signature.
- B. The Department may required the applicant to comply with the following requirements:
  1. to burn only between the hours of 9:00 am and 3:00 pm from November through February, and during daylight hours from March through October;
  2. to burn only dry materials;
  3. to notify any neighbors within one-quarter of a mile of the area where the burn will occur twenty-four (24) hours prior to burning; and

GRIC Code – Title 17, Chapter 9	Gila River Indian Community Air Quality Management Program Part V. Section 1.0 Open Burning	
<b>Revised 2008 Air Quality Ordinance</b>	8/20/08	4 of 4

4. to have a signed copy of the burn permit available at the site of the burn while burning is ongoing.
- C. Additional requirements for commercial burn permits may include:
1. A requirement to cease burning operations during High Winds;
  2. A requirement to notify any persons that may be affected by burning operations twenty-four (24) hours prior to burning;
  3. A requirement to pay a permit fee;
  4. A requirement to notify the GRIC Fire Department before burning;
  5. A requirement to provide fire control equipment to prevent the fire from spreading (e.g., water truck etc.); and
  6. The methods that will be followed to ignite, maintain and control the burning.
- D. Fees: A fee of \$100.00 shall be submitted to the GRIC DEQ with each commercial Open Burning Permit application.
- 4.2 **Permit Conditions.** Each residential, agricultural, and commercial permit shall contain a provision that requires all burns to be extinguished when the Department of Environmental Quality, the GRIC Fire Department or the GRIC Department of Public Health makes a determination that inadequate smoke dispersion may cause a potential health problem, an adverse environmental impact, a nuisance or may be detrimental to public safety.
- 4.3 **Permit Denial.** A permit to burn shall not be issued if the Department determines that:
- A. A practical alternative to burning exists;
  - B. The Governor of the Gila River Indian Community determines that there is an extreme fire hazard;
  - C. An air quality emergency exists as described in Part I (General Provisions), Section 2.2 of Title 17, Chapter 9.
  - D. The application contains a material or operation that does not meet the criteria described in this ordinance or the GRIC Fire Department uniform fire code.

GRIC Code – Title 17, Chapter 9	Gila River Indian Community Air Quality Management Program Part V. Section 2.0 General Requirements for Fugitive Dust Emissions Limit	
Revised 2008 Air Quality Ordinance	8/20/08	1 of 15

**Part V. Area Source Fugitive Dust Emission Limits**

**Section 2.0 General Requirements for Fugitive Dust-Producing Activities**

- 1.0 Applicability**
  - 1.1 General Applicability**
  - 1.2 Exemptions**
- 2.0 Definitions**
- 3.0 Limitations and Standards**
  - 3.1 Fugitive Dust/Fugitive Emissions**
- 4.0 Unpaved Parking Lots**
- 5.0 Unpaved Haul/Access Road**
- 6.0 Dust Control Plan Required**
- 7.0 Elements of a Dust Control Plan**
- 8.0 Dust Control Plan Revisions**
- 9.0 Control Measures**
- 10.0 Work Practices**
  - 10.1 Bulk Material Hauling Off-site onto Paved Public Roadways**
  - 10.2 Bulk Material Hauling On-site within the Boundaries of the Work Site**
  - 10.3 Spillage, Carry-out, Erosion, and/or Trackout**
  - 10.4 Unpaved Haul/Access Roads**
  - 10.5 Open Storage Piles**
- 11.0 Project Information Sign**
- 12.0 Compliance Determination**
  - 12.1 Stabilization Observations**
  - 12.2 Test Methods Adopted by Reference**
- 13.0 Recordkeeping**

**Table 1 Source Type and Control Measures**

**1.0 APPLICABILITY**

- 1.1 General Applicability.** This Section limits particulate matter emissions into the ambient air from any property, operation or activity that may serve as a fugitive dust source. The effect of this Section shall be to minimize the amount of PM10 emitted into the ambient air as a result of the impact of human activities by requiring measures to prevent, reduce, or mitigate particulate matter emissions.
- 1.2 Exemptions.** This Section does not apply to the owner or occupant of a single family residence, the owner or manager of a residential building with four or less units, normal farming practices or public roads owned or maintained by any federal, tribal, or local government. However, one or more of these activities may be regulated under a separate Section.

GRIC Code – Title 17, Chapter 9	Gila River Indian Community Air Quality Management Program Part V. Section 2.0 General Requirements for Fugitive Dust Emissions Limit	
<b>Revised 2008 Air Quality Ordinance</b>	8/20/08	2 of 15

## 2.0 DEFINITIONS

The following definitions apply to this Section:

**“Carry-out/Trackout”** means any and all bulk materials that adhere to and agglomerate on the exterior surfaces of motor vehicles, haul trucks, and/or equipment (including tires) and that have fallen onto a paved public roadway.

**“Dust Control Plan”** means a written plan describing all dust control measures to be implemented by a source.

**“Dust Generating Operation”** means any activity capable of generating fugitive dust including, but not limited to, land clearing, earthmoving, excavating, construction, demolition, material handling, storage and/or transporting operations, vehicle use and movement, the operation of any outdoor equipment, or unpaved parking lots. For the purpose of this Section, landscape maintenance and/or playing on a ballfield shall not be considered a dust generating operation. However, landscape maintenance shall not include grading, trenching, nor any other mechanized surface disturbing activities performed to establish initial landscapes or to redesign existing landscapes.

**“Earthmoving Operation”** means the use of any equipment for an activity which may generate fugitive dust including, but not limited to, cutting and filling, grading, leveling, excavating, trenching, loading or unloading of bulk materials, demolishing, blasting, drilling, adding to or removing bulk materials from open storage piles, backfilling, soil mulching, or landfill operations.

**“Freeboard”** means the vertical distance between the top edge of a cargo container area and the highest point at which the bulk material contacts the sides, front, and back of a cargo container area.

**“Fugitive Dust”** means particulate matter emissions made airborne by forces of wind, mechanical disturbances of surfaces, or both. Unpaved roads, construction sites, and tilled land are examples of sources of fugitive dust.

**“Fugitive Particulate Matter”** means particulate matter emissions which do not pass through a stack, chimney, vent, or other functionally equivalent opening.

**“Gravel Pad”** means a layer of washed gravel, rock, or crushed rock which is at least one inch or larger in diameter, maintained at the point of intersection of a paved public roadway and a work site entrance to dislodge mud, dirt, and/or debris from the tires of motor vehicles and/or haul trucks, prior to leaving the work site.

GRIC Code – Title 17, Chapter 9	Gila River Indian Community Air Quality Management Program Part V. Section 2.0 General Requirements for Fugitive Dust Emissions Limit	
<b>Revised 2008 Air Quality Ordinance</b>	8/20/08	3 of 15

“**Grizzly**” means a device (i.e., rails, pipes, or grates) used to dislodge mud, dirt, and/or debris from the tires and undercarriage of motor vehicles and/or haul trucks prior to leaving the work site.

“**Normal Farming Practice(s)**” means all activities by the owner, lessee, agent, independent contractor, and/or supplier conducted on any facility for the production of crops and/or nursery plants. Disturbances of the field surface caused by turning under stalks, tilling, leveling, planting, fertilizing, or harvesting are included in this definition.

“**Owner and/or Operator**” means the person responsible for obtaining an earthmoving permit under Section 6.0 of this ordinance, or any person who owns, leases, operates, controls, or supervises a fugitive dust source subject to the requirements of this ordinance.

“**Silt**” means any aggregate material with a particle size less than seventy-five (75) micrometers in diameter, which passes through a No. 200 Sieve.

“**Unpaved Haul/Access Road**” means any on-site unpaved road used by commercial, industrial, institutional, and/or governmental traffic.

“**Unpaved Parking Lot**” means any area larger than 5,000 square feet that is not paved and that is used for parking, maneuvering, or storing motor vehicles.

### 3.0 LIMITATIONS AND STANDARDS

#### 3.1 Fugitive Dust/Fugitive Emissions.

- A. The owner or operator of any source of fugitive dust or fugitive particulate matter emissions including, but not limited to, any source or activity engaged in materials handling or storage, construction, demolition, or any other operation which is or may be a source of fugitive particulate matter emissions shall take all reasonable precautions to prevent fugitive dust and fugitive particulate matter emissions and shall maintain and operate the source to minimize fugitive dust and fugitive particulate matter emissions. Under no circumstances shall the owner/operator of any source of fugitive dust or fugitive particulate matter emissions allow visible emissions to exceed twenty (20) percent opacity. Compliance with this section is based on documented compliance with the applicable performance standards, the work practice requirements, the applicable requirements listed in Table 1, and the reasonable precautions listed below.
- B. Reasonable precautions include, but are not limited to, the following:

GRIC Code – Title 17, Chapter 9	Gila River Indian Community Air Quality Management Program Part V. Section 2.0 General Requirements for Fugitive Dust Emissions Limit	
<b>Revised 2008 Air Quality Ordinance</b>	8/20/08	4 of 15

1. Use of water or chemicals for control of dust in the demolition of buildings or structures, construction operations, grading of roads, or clearing of land.
2. Application of asphalt, water, or other suitable chemicals on unpaved roads, materials stockpiles, and other surfaces which can create airborne dust.
3. Full or partial enclosure of materials stockpiles in cases where application of water, or chemicals is not sufficient or appropriate to prevent particulate matter from becoming airborne. Implementation of good housekeeping practices to avoid or minimize the accumulation of dusty materials which have the potential to become airborne. This includes, but is not limited to, manual sweeping and the use of industrial vacuum cleaners.
4. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty materials.
5. Adequate containment during sandblasting or other similar operations.
6. Covering, at all times when in motion, open bodied trucks transporting materials likely to become airborne.
7. The prompt removal from paved streets of earth or other material which does or may become airborne.

**4.0 UNPAVED PARKING LOTS.** The owner and/or operator of any unpaved parking lot in an industrial/commercial area with traffic exceeding twenty (20) vehicle trips per day shall not allow visible fugitive dust emissions to exceed twenty (20) percent opacity, and shall employ one of the following control measures:

- A. Apply a palliative approved by the Department;
- B. Apply gravel at quantities sufficient to ensure that particulate emissions do not exceed twenty (20) percent opacity;
- C. Paving; or
- D. Employ an alternate dust control measure approved by the Department. At a minimum, an alternative dust control measure shall not allow silt loading equal to or greater than 0.33 ounces per square foot, or allow silt



GRIC Code – Title 17, Chapter 9	Gila River Indian Community Air Quality Management Program Part V. Section 2.0 General Requirements for Fugitive Dust Emissions Limit	
<b>Revised 2008 Air Quality Ordinance</b>	8/20/08	5 of 15

content to exceed eight (8) percent as determined by applicable test methods in Section 12.0.

**5.0 UNPAVED HAUL/ACCESS ROAD.** The owner and/or operator of any unpaved haul/access road (whether at a work site that is under construction or at a work site that is temporarily or permanently inactive):

- 5.1** Shall not allow visible fugitive dust emissions to exceed twenty (20) percent opacity, and shall:
- A.** Apply a dust palliative, including water, approved by the Department;
  - B.** Apply water in sufficient quantities to ensure that particulate matter emissions do not exceed twenty (20) percent opacity (at a minimum, application of water must be confirmed utilizing log books on water trucks); or
  - C.** Apply gravel at quantities sufficient to ensure that particulate matter emissions do not exceed twenty (20) percent opacity; or
  - D.** Employ an alternate dust control measure approved by the Department. At a minimum, an alternative dust control measure shall not allow silt loading equal to or greater than 0.33 ounces per square foot, or allow silt content to exceed six (6) percent as determined by applicable test methods in Section 12.0.
- 5.2** Shall, as an alternative to meeting the stabilization requirements in subsection 5.1 for an unpaved haul/access road, limit vehicle trips to no more than twenty (20) per day and limit vehicle speeds to no more than fifteen (15) miles per hour. If complying with this subsection, the owner/operator of an unpaved haul/access road must include, in a Dust Control Plan, a list of the number of vehicles traveled on the unpaved haul/access roads (i.e., number of employee vehicles, earthmoving equipment, haul trucks, and water trucks). At no time shall the owner or operator of an unpaved haul/access road allow particulate emissions to exceed twenty (20) percent opacity.

**6.0 DUST CONTROL PLAN REQUIRED.** The owner and/or operator of a source shall submit to the Department, a Dust Control Plan with any permit applications that involve earthmoving operations which exceed one (1.0) acre. The owner and/or operator proposing to conduct earthmoving operations which exceed one (1.0) acre in size shall apply for and receive a permit from the Department prior to conducting any earthmoving operations. Failure to submit and obtain an approved Dust Control Plan and earthmoving permit prior to commencing earthmoving operations shall be a violation of this Section. Compliance with this subsection does not affect a source's responsibility to comply with any other applicable requirements. The

GRIC Code – Title 17, Chapter 9	Gila River Indian Community Air Quality Management Program Part V. Section 2.0 General Requirements for Fugitive Dust Emissions Limit	
<b>Revised 2008 Air Quality Ordinance</b>	8/20/08	6 of 15

Dust Control Plan shall describe all control measures to be implemented before, after, and while conducting any dust generating operation, including during weekends, after work hours, and on holidays.

- 6.1 A Dust Control Plan shall, at a minimum, contain all the information described in subsection 7.0 of this Section. The Department shall approve, disapprove, or conditionally approve the Dust Control Plan, in accordance with the criteria used to approve, disapprove or conditionally approve a permit. Failure to comply with the provisions of an approved Dust Control Plan is deemed to be a violation of this Section. Regardless of whether an approved Dust Control Plan is in place or not, the owner and/or operator of a source is still subject to all requirements of this Section at all times. In addition, the owner and/or operator of a source with an approved Dust Control Plan is still subject to all of the requirements of this Section, even if such owner and/or operator is complying with the approved Dust Control Plan.
- 6.2 At least one primary control measure and one contingency control measure must be identified in the Dust Control Plan for all fugitive dust sources. Should any primary control measure(s) prove ineffective, the owner and/or operator shall immediately implement the contingency control measure(s), which may obviate the requirement of submitting a revised Dust Control Plan.
- 6.3 The following subsections, subsection 6.3(A) and subsection 6.3(B) of this Section, describe the permit applications with which a Dust Control Plan must be submitted.
  - A. Each person required to obtain an Earthmoving Permit in accordance with this Section, must first submit a Dust Control Plan and obtain Departmental approval of the Dust Control Plan before commencing any dust generating operation.
  - B. If a person is required to obtain or has obtained a Title V Permit, a Non-Title V Permit, or a General Permit under Part II (Permit Requirements), then such person must submit a Dust Control Plan and obtain Departmental approval of the Dust Control Plan before commencing any routine dust generating operation.
- 6.4 A Dust Control Plan shall not be required:
  - A. To play on a ballfield and/or for landscape maintenance. For the purpose of this Section, landscape maintenance does not include grading, trenching, nor any other mechanized surface disturbing activities.

GRIC Code – Title 17, Chapter 9	Gila River Indian Community Air Quality Management Program Part V. Section 2.0 General Requirements for Fugitive Dust Emissions Limit	
<b>Revised 2008 Air Quality Ordinance</b>	8/20/08	7 of 15

- B. To establish initial landscapes or to redesign existing landscapes of legally-designated Community parks and recreational areas, including national parks, national monuments, national forests, and tribal parks, hiking paths, horse trails, bicycle paths, ballfields, playgrounds at camp sites, and camp sites, which are used exclusively for purposes other than travel by motor vehicles. For the purpose of this Section, establishing initial landscapes or redesigning existing landscapes does not include grading, trenching, nor any other mechanized surface disturbing activities.
- C. For normal farming practices.

**7.0 ELEMENTS OF A DUST CONTROL PLAN.** A Dust Control Plan shall contain, at a minimum, all of the following information:

- 7.1 Names, address(es), and phone numbers of person(s) responsible for the submittal and implementation of the Dust Control Plan and responsible for the dust generating operations.
- 7.2 A drawing, on at least 8½” x 11” paper, which shows:
  - A. Entire project site boundaries;
  - B. Acres to be disturbed with linear dimensions;
  - C. Nearest public roads;
  - D. North arrow;
  - E. Planned exit locations onto paved public roadways; and
  - F. The expected duration of the project.
- 7.3 Control measures or combination thereof to be applied to all actual and potential fugitive dust sources, before, after, and while conducting any dust generating operations, including during weekends, after work hours, and on holidays.
  - A. At least one primary control measure and one contingency control measure must be identified, from Table 1 to this Section, for all fugitive dust sources. Should any primary control measure(s) prove ineffective, the owner and/or operator shall immediately implement the contingency control measure(s), which may obviate the requirement of submitting a revised Dust Control Plan.
  - B. Alternatively, a control measure(s) that is not in Table 1 to this Section may be chosen, provided that the control measure is approved in writing

GRIC Code – Title 17, Chapter 9	Gila River Indian Community Air Quality Management Program Part V. Section 2.0 General Requirements for Fugitive Dust Emissions Limit	
<b>Revised 2008 Air Quality Ordinance</b>	8/20/08	8 of 15

by the Department and implemented by the permittee, in accordance with the appropriate test method in Section 12.0 of this ordinance.

- C. If complying with subsection 5.0 (Unpaved Haul/Access Roads) of this Section, the plan must include the number of vehicles traveled on the unpaved haul/access roads (i.e., number of employee vehicles, earthmoving equipment, haul trucks, and water trucks).

**7.4 Identification of the dust suppressants to be applied, including:**

- A. Product specifications or label instructions for approved usage;
- B. Method, frequency, and intensity of application;
- C. Type, number, and capacity of application equipment; and
- D. Information on environmental impacts and approvals or certifications related to appropriate and safe use for ground application.

**7.5 Specific surface treatment(s) and/or control measures utilized to control material trackout and sedimentation where unpaved and/or access points join paved public roadways.**

**8.0 DUST CONTROL PLAN REVISIONS.** If the Department determines that an approved Dust Control Plan has been followed, yet fugitive dust emissions from any given fugitive dust source still exceed the twenty (20) percent opacity standard contained in this Section, then the Department shall issue a notice to the owner and/or operator of such source explaining such determination. The owner and/or operator of such source shall make written revisions to the Dust Control Plan as necessary to meet the twenty (20) percent opacity standard and shall submit such revised Dust Control Plan to the Department within three working days of receipt of the Department's notice, unless such time period is extended by the Department, for good cause. During the time that such owner and/or operator is preparing revisions to the approved Dust Control Plan, such owner and/or operator must still comply with all requirements of this Section.

**9.0 CONTROL MEASURES.** The owner and/or operator of a source shall implement control measures before, after, and while conducting any dust generating operation, including during weekends, after work hours, and on holidays in accordance with subsection 7.3 and Table 1 of this Section. Failure to comply with the provisions of subsection 10.0 (Work Practices) of this Section, as applicable, and/or of an approved Dust Control Plan, is deemed a violation of this Section. Regardless of whether an approved Dust Control Plan is in place or not, the owner and/or operator of a dust generating operation is still subject to all requirements of this Section at all times. In addition, the owner and/or operator of a dust generating operation with an approved Dust Control Plan is still subject to all of the requirements of this Section, even

GRIC Code – Title 17, Chapter 9	Gila River Indian Community Air Quality Management Program Part V. Section 2.0 General Requirements for Fugitive Dust Emissions Limit	
<b>Revised 2008 Air Quality Ordinance</b>	8/20/08	9 of 15

if such owner and/or operator of a dust generating operation is complying with the approved Dust Control Plan.

**10.0 WORK PRACTICES.** When engaged in the following specific activities, the owner and/or operator of a source shall comply with the following work practices in addition to implementing, as applicable, the control measures described in Table 1 of this Section. Such work practices shall be implemented to meet the twenty (20) percent opacity standard of this Section and the stabilization requirements in Table 1, as determined by the applicable test method in Section 12.0.

**10.1 Bulk Material Hauling Off-Site Onto Paved Public Roadways.**

- A. Load all haul trucks such that the freeboard is not less than three inches;
- B. Prevent spillage or loss of bulk material from holes or other openings in the cargo compartment's floor, sides, and/or tailgate(s);
- C. Cover all haul trucks with a tarp or other suitable closure; and
- D. Before the empty haul truck leaves the site, clean the interior of the cargo compartment or cover the cargo compartment.

**10.2 Bulk Material Hauling On-Site Within the Boundaries of the Work Site.**

When crossing a public roadway upon which the public is allowed to travel while construction is underway:

- A. Load all haul trucks such that the freeboard is not less than three inches;
- B. Prevent spillage or loss of bulk material from holes or other openings in the cargo compartment's floor, sides, and/or tailgate(s); and
- C. Install a suitable trackout control device that controls and prevents trackout and/or removes particulate matter from tires and the exterior surfaces of haul trucks and/or motor vehicles that traverse such work site. Examples of trackout control devices are described in Table 1 (Trackout-1J, 2J, 3J) of this Section.

**10.3 Spillage, Carry-Out, Erosion, and/or Trackout.**

- A. Install a suitable trackout control device (Examples of trackout control devices are described in Table 1 (Trackout-1J, 2J, 3J) of this Section) that controls and prevents trackout and/or removes particulate matter from tires and the exterior surfaces of haul trucks and/or motor vehicles that traverse such work site at all exits onto a paved public roadway:

GRIC Code – Title 17, Chapter 9	Gila River Indian Community Air Quality Management Program Part V. Section 2.0 General Requirements for Fugitive Dust Emissions Limit	
<b>Revised 2008 Air Quality Ordinance</b>	8/20/08	10 of 15

1. From all work sites with a disturbed surface area of five acres or larger.
  2. From all work sites where one hundred (100) cubic yards of bulk materials are hauled on-site and/or off-site per day.
- B.** Cleanup spillage, carry-out, erosion, and/or trackout on the following time-schedule:
1. Immediately, when spillage, carry-out, and/or trackout extends a cumulative distance of fifty (50) linear feet or more; or
  2. At the end of the work day, when spillage, carry-out, erosion, and/or trackout are other than the spillage, carryout, erosion, and/or trackout described above, in subsection 10.3(b)(1) of this Section.

**10.4 Unpaved Haul/Access Roads.** Implement 1 or more control measure(s) described in Table 1 (Unpaved Haul/Access Roads-1C through 5C) of this Section, before engaging in the use of or in the maintenance of unpaved haul/access roads.

**10.5 Open Storage Piles.** For the purpose of this Section, an open storage pile is any accumulation of bulk material with a five (5) percent or greater silt content which in any one point attains a height of three feet and covers a total surface area of one hundred fifty (150) square feet or more. Silt content shall be assumed to be five (5) percent or greater unless a person can show, by testing in accordance with ASTM Method C136-96A or other equivalent method approved in writing by the Department and the Administrator of EPA, that the silt content is less than five (5) percent.

- A.** During stacking, loading, and unloading operations, apply water, other dust palliatives or other Department-approved dust control technologies, as necessary, to maintain compliance with subsection 3.0 of this Section; and
- B.** When not conducting stacking, loading, and unloading operations, comply with one of the following work practices:
  1. Cover open storage piles with tarps, plastic, or other material to prevent wind from removing the coverings; or
  2. Apply water to maintain a soil moisture content at a minimum of twelve (12) percent, as determined by ASTM Method D2216-98,

GRIC Code – Title 17, Chapter 9	Gila River Indian Community Air Quality Management Program Part V. Section 2.0 General Requirements for Fugitive Dust Emissions Limit	
<b>Revised 2008 Air Quality Ordinance</b>	8/20/08	11 of 15

or other equivalent method as approved by the Department and the Administrator of EPA. For areas which have an optimum moisture content for compaction of less than twelve (12) percent, as determined by ASTM Method D1557-91 (1998) or other equivalent method approved by the Department or the Administrator of EPA, maintain at least seventy (70) percent of the optimum soil moisture content or maintain a visible crust that complies with the test method in subsection 12.2(B) of this Part V; or

3. Meet one of the stabilization requirements described in subsection 3.1 (B) of this Section; or
4. Construct and maintain wind barriers, storage silos, or a three-sided enclosure with walls, whose length is no less than equal to the length of the pile, whose distance from the pile is no more than twice the height of the pile, whose height is equal to the pile height, and whose porosity is no more than fifty (50) percent. If implementing this subsection 10.5(b)(4), either subsection 10.5(b)(2) or subsection 10.5(b)(3) also must be implemented; or
5. Maintain a visible crust that complies with the test method in subsection 12.2 (B) of this Part V.

**11.0 PROJECT INFORMATION SIGN.** The owner and/or operator of a source shall erect a project information sign at the main entrance, that is visible to the public, of all sites with Earthmoving Permits that are five (5) acres or larger. Such sign shall be a minimum of four (4) feet long by four feet wide, have a white background, have black block lettering which is at least four (4) inches high, and shall contain the following information:

- A. Project name; and
- B. Name and phone number of person(s) responsible for conducting the project; and
- C. Text stating: “Complaints? Call GRIC Department of Environmental Quality (520) 562-2234.”

**12.0 COMPLIANCE DETERMINATION.** To determine compliance with this section, the following test methods shall be followed:

**12.1 Stabilization Observations.**

GRIC Code – Title 17, Chapter 9	Gila River Indian Community Air Quality Management Program Part V. Section 2.0 General Requirements for Fugitive Dust Emissions Limit	
Revised 2008 Air Quality Ordinance	8/20/08	12 of 15

- A. Unpaved Parking Lots in an Industrial/Commercial Area. Stabilization observations for unpaved parking lots in industrial/commercial areas shall be conducted in accordance with Maricopa County Appendix C (Fugitive Dust Test Methods), Section 2.1 Adopted by Referenced as of [date of promulgation] (Test Methods For Stabilization-For Unpaved Roads And Unpaved Parking Lots) of these sections. When more than 1 test method is permitted for a determination, an exceedance of the limits established in this section determined by any of the applicable test methods constitutes a violation of this section.
- B. Unpaved Haul/Access Road. Stabilization observations for unpaved haul/access roads (whether at a work site that is under construction or at a work site that is temporarily or permanently inactive) shall be conducted in accordance with Maricopa County Appendix C (Fugitive Dust Test Methods), Section 2.1 Adopted by Referenced as of [date of promulgation] (Test Methods For Stabilization-For Unpaved Roads And Unpaved Parking Lots) of this section. When more than 1 test method is permitted for a determination, an exceedance of the limits established in this section determined by any of the applicable test methods constitutes a violation of this section.

**12.2 Test Methods Adopted By Reference.** The test methods listed in this section are adopted by reference as of July 1, 2006. These adoptions by reference include no future editions or amendments. Copies of the test methods listed in this section are available for review at the Gila River Indian Community Department of Environmental Quality, 35 Pima Street, Sacaton, Arizona 85247.

- A. Maricopa County Appendix C (Fugitive Dust Test Methods), Section 2.1 Adopted by Referenced as of [date of promulgation] (Test Methods For Stabilization-For Unpaved Roads And Unpaved Parking Lots).
- B. Maricopa County Appendix C (Fugitive Dust Test Methods), Section 2.3 Adopted by Reference (Test Methods For Stabilization-Visible Crust Determination) (The Drop Ball/Steel Ball Test) for a visible crust.
- C. ASTM Method C136-96A (“Standard Test Method For Sieve Analysis Of Fine And Coarse Aggregates”), 1996 edition.
- D. ASTM Method D2216-98 (“Standard Test Method For Laboratory Determination Of Water (Moisture) Content Of Soil And Rock By Mass”), 1998 edition.



GRIC Code – Title 17, Chapter 9	Gila River Indian Community Air Quality Management Program Part V. Section 2.0 General Requirements for Fugitive Dust Emissions Limit	
<b>Revised 2008 Air Quality Ordinance</b>	8/20/08	13 of 15

- E. ASTM Method D1557-91(1998) (“Test Method For Laboratory Compaction Characteristics Of Soil Using Modified Effort (56,000 ft-lbf/ft<sup>3</sup> (2,700 kN-m/m<sup>3</sup>))”, 1998 edition.
- F. An alternative test method approved in writing by the Director and the Administrator of the EPA.

**13.0 RECORDKEEPING.** Any person who conducts dust-generating operations that require a Dust Control Plan shall keep a daily written log recording the actual application or implementation of the control measures delineated in the approved Dust Control Plan. Any person who conducts dust-generating operations which do not require a Dust Control Plan shall compile and retain records that provide evidence of control measure application, by indicating the type of treatment or control measure, extent of coverage, and date applied. Upon verbal or written request by the Department, the log or the records and supporting documentation shall be provided within 48 hours, excluding weekends. If the Director or his/her designee is at the site where requested records are kept, records shall be provided without delay. Records required by this section must be kept for a period of two (2) years.

<b>TABLE 1. SOURCE TYPE AND CONTROL MEASURES</b>	
<b>Vehicle Use In Open Areas And Vacant Lots:</b>	
1A	Restrict trespass by installing signs.
2A	Install physical barriers such as curbs, fences, gates, posts, signs, shrubs, and/or trees to prevent access to the area.
<b>Unpaved Parking Lots:</b>	
1B	Pave.
2B	Apply and maintain gravel, recycled asphalt, or other suitable material, in compliance with subsection 4.0 of this Section.
3B	Apply a suitable dust suppressant, in compliance with subsection 4.0 of this Section.
<b>Unpaved Haul/Access Roads:</b>	
1C	Limit vehicle speed to 15 miles per hour or less and limit vehicular trips to no more than 20 per day.
2C	Apply water, so that the surface is visibly moist and subsection 5.0 of this Section is met.
3C	Pave.
4C	Apply and maintain gravel, recycled asphalt, or other suitable material, in compliance with subsection 5.0 of this Section.
5C	Apply a suitable dust suppressant, in compliance with subsection 5.0 of this Section.
<b>Disturbed Surface Areas:</b>	
<b>Pre-Activity:</b>	
1D	Pre-water site to the depth of cuts.
2D	Phase work to reduce the amount of disturbed surface areas at any one time.
<b>During Dust Generating Operations:</b>	
3D	Apply water or other suitable dust suppressant, in compliance with subsection 3.0 of this Section.

GRIC Code – Title 17, Chapter 9	Gila River Indian Community Air Quality Management Program Part V. Section 2.0 General Requirements for Fugitive Dust Emissions Limit	
<b>Revised 2008 Air Quality Ordinance</b>	8/20/08	14 of 15

**TABLE 1. SOURCE TYPE AND CONTROL MEASURES**

4D Construct fences or 3 foot - 5 foot high wind barriers with 50% or less porosity adjacent to roadways or urban areas that reduce the amount of wind blown material leaving a site. If constructing fences or wind barriers, 3D must also be implemented.

**Temporary Stabilization During Weekends, After Work Hours, And On Holidays:**

5D Apply a suitable dust suppressant, in compliance with subsection 9.0 of this Section.

6D Restrict vehicular access to the area, in addition to the control measure described in 5D above.

**Permanent Stabilization**

7D Restore area such that the vegetative ground cover and soil characteristics are similar to adjacent or nearby undisturbed native conditions.

8D Pave, apply gravel, or apply a suitable dust suppressant.

9D Establish vegetative ground cover in sufficient quantity.

**Bulk Material Handling Operations And Open Storage Piles:**

**During Stacking, Loading, And Unloading Operations:**

1F Apply water as necessary, to maintain compliance with subsection 3.0 of this Section; and

**When Not Conducting Stacking, Loading, And Unloading Operations:**

2F Cover open storage piles with tarps, plastic, or other material to prevent wind from removing the coverings; or

3F Apply water to maintain a soil moisture content sufficient to maintain opacity below 20%; or

4F Meet the stabilization requirements described in subsection 10.5 of this Section; or

5F Construct and maintain wind barriers, storage silos, or a three-sided enclosure with walls, whose length is no less than equal to the length of the pile, whose distance from the pile is no more than twice the height of the pile, whose height is equal to the pile height, and whose porosity is no more than 50%. If implementing 5F, the owner/operator must also implement 3F or 4F above.

**Bulk Material Hauling/Transporting:**

**When On-Site Hauling/Transporting Within The Boundaries Of The Work Site That Involves Crossing A Public Roadway Upon Which The Public Is Allowed To Travel While Construction Is Underway:**

1G Load all haul trucks such that the freeboard is not less than 3 inches when crossing a public roadway upon which the public is allowed to travel while construction is underway; and

2G Prevent spillage or loss of bulk material from holes or other openings in the cargo compartment's floor, sides, and/or tailgate(s); and

3G Install a suitable trackout control device that controls and prevents trackout and/or removes particulate matter from tires and the exterior surfaces of haul trucks and/or motor vehicles that traverse such work site. Examples of trackout control devices are described in Table 1 (Trackout 1J, 2J, 3J) of this Section; and

**When On-Site Hauling/Transporting Within The Boundaries Of The Work Site But Not Crossing A Public Roadway Upon Which The Public Is Allowed To Travel While Construction Is Underway:**

4G Limit vehicular speeds to 15 miles per hour or less while traveling on the work site; or

GRIC Code – Title 17, Chapter 9	Gila River Indian Community Air Quality Management Program Part V. Section 2.0 General Requirements for Fugitive Dust Emissions Limit	
<b>Revised 2008 Air Quality Ordinance</b>	8/20/08	15 of 15

**TABLE 1. SOURCE TYPE AND CONTROL MEASURES**

5G	Apply water to the top of the load such that the 20% opacity standard, as described in subsection 3.0 of this Section, is not exceeded, or cover haul trucks with a tarp or other suitable closure.
<b>Off-Site Hauling/Transporting Onto Paved Public Roadways:</b>	
6G	Cover haul trucks with a tarp or other suitable closure; and
7G	Load all haul trucks such that the freeboard is not less than 3 inches; and
8G	Prevent spillage or loss of bulk material from holes or other openings in the cargo compartment's floor, sides, and/or tailgate(s); and
9G	Before the empty haul truck leaves the site, clean the interior of the cargo compartment or cover the cargo compartment.
<b>Cleanup Of Spillage, Carry Out, Erosion, And/Or Trackout:</b>	
1H	Operate a street sweeper or wet broom with sufficient water, if applicable, at the speed recommended by the manufacturer and at the frequency(ies) described in the owner/operator's dust control plan; or
2H	Manually sweep-up deposits.
<b>Trackout:</b>	
1J	Install a grizzly or wheel wash system at all access points.
2J	At all access points, install a gravel pad at least 30 feet wide, 50 feet long, and 6 inches deep.
3J	Pave starting from the point of intersection with a paved public roadway and extending for a centerline distance of at least 100 feet and a width of at least 20 feet.
<b>Easements, Rights-Of-Way, And Access Roads For Utilities (Electricity, Natural Gas, Oil, Water, And Gas Transmission) Associated With Sources That Have A Non-Title V Permit, A Title V Permit, And/Or A General Permit Under Part II :</b>	
<b>Earthmoving Operations On Disturbed Surface Areas Larger Than 1 Acre:</b>	
1M	If water is the chosen control measure, operate water application system (e.g., water truck), while conducting earthmoving operations on disturbed surface areas larger than 1 acre.
<b>Blasting Operations from Mining Activities</b>	
An owner and/or operator must implement all of the following control measures:	
1N	In wind gusts above 25 m.p.h., discontinue blasting; and
2N	Pre-water and maintain surface soils in a stabilized condition where support equipment and vehicles will operate.
<b>Demolition Activities</b>	
An owner and/or operator must implement all of the following control measures:	
1O	Stabilize demolition debris. Apply water to debris immediately following demolition activity; and
2O	Stabilize surrounding area immediately following demolition activity. Water all disturbed soil surfaces to establish a crust and prevent wind erosion of soil.