

Dust Plan Approval Application

Return Application to: office@myairdistrict.com

Person Responsible (for ensuring the Dust Plan Conditions are followed): _____

Responsible Party Title: _____ Phone No.: _____

Company: _____ Phone No.: _____

Applicant Mailing Address: _____

Applicant Email: _____

Address of Soil Disturbance: _____

APN's Involved: _____

Project Number issued by the County: _____

Brief Project Description (include additional plans and maps as necessary):

District Section Only

Dust Plan Number: _____ Approval Date: _____ Application Fee: _____

Conditions of the Approved Plan: _____

District Representative, Printed Name and Title:

District Representative, Signature and Title:

Any person who violates Northern Sierra Air Quality Management District Rules and Regulations is guilty of a misdemeanor punishable by imprisonment in the County Jail not exceeding 12 months and/or a fifty thousand dollar (\$50,000) fine. I also understand noncompliance with the conditions of this permit may result in the assessment of penalties pursuant to Air District rules and the California Health & Safety Code §42400 et seq.

By signing this application, you are verifying all information is correct and understand you may begin construction and soil disturbance upon receipt of your approved application.

Applicant Printed Name and Title: _____

Applicant Signature: _____ Date: _____

Guidelines for Preparation of a Dust Control Plan Pursuant to District Rule 226

District Rule 226 states, "A dust control plan must be submitted to and approved by the Air Pollution Control Officer before topsoil is disturbed on any project where more than one (1) acre of natural surface area is to be altered or where the natural ground cover is removed." This applies to any clearing or grading. For smaller projects, "reasonable precautions" (such as watering as necessary) must be taken to prevent dust emissions.

Typically, the Dust Control Plan requirement is fulfilled by clearly phrased and enforceable conditions included on the project grading plans, preferably under its own heading. Following is a set of standard minimum Dust Control measures recommended for inclusion in the Plan. If a project is in an area mapped as having ultramafic rock or serpentine, or if these rock types are discovered on site, the statewide Asbestos Airborne Toxic Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations (Section 93105 of Title 17 of the California Code of Regulations) applies, and specifies more stringent conditions than those listed below. Also, for large projects or in special circumstances (such as near schools or other sensitive receptors), additional measures (e.g. limits on active disturbance area or grading hours) may be required.

THE PERMITTEE IS RESPONSIBLE FOR COMPLYING WITH ALL CONDITIONS.

Minimum Conditions that will be included in the plan.

1. Person responsible for ensuring that all adequate dust control measures are implemented in a timely and effective manner shall be identified to the Air District and in the Dust Control Plan.
2. All material excavated, stockpiled, or graded shall be sufficiently watered, treated, or covered to prevent fugitive dust from leaving the property boundaries and/or causing a public nuisance. Watering during summer months should occur at least twice daily, with complete coverage of disturbed areas.
3. All areas with vehicle traffic shall be watered or have dust palliative applied as necessary to minimize dust emissions.
4. All on-site vehicle traffic shall be limited to a speed of 15 mph on unpaved roads.
5. All land clearing, grading, earth moving, or excavation activities on a project shall be suspended as necessary to prevent excessive windblown dust when winds are expected to exceed 20 mph.
6. All inactive portions of the development site shall be covered, seeded, or watered or otherwise stabilized until a suitable cover is established.
7. All material transported off-site shall be either sufficiently watered or securely covered to prevent it being entrained in the air, and there must be a minimum of six (6) inches of freeboard in the bed of the transport vehicle.
8. Paved streets adjacent to the project shall be swept or washed at the end of each day, or more frequently if necessary, to remove excessive accumulations or visibly raised areas of soil which may have resulted from activities at the project site.
9. Prior to final occupancy, the applicant shall re-establish ground cover on the site through seeding and watering.

AIR POLLUTION PENALTIES

Pursuant to the California Health and Safety Code, Section 42400 et. seq., any person who emits an air contaminant in violation of any applicable part of the Health and Safety Code, or any rule, regulation, permit or order of the state board or of a district may be subject to the following maximum monetary penalty and/or duration of imprisonment in the county jail. Each day during any portion of which a violation occurs is a separate offense.

Description of Violation	Maximum Fine	Maximum Imprisonment
General violation (misdemeanor)	\$1,000	6 Months
General violation causing actual injury to the health or safety of a considerable number of persons or the public (misdemeanor)	\$15,000	9 Months
Violation involving negligence (misdemeanor)	\$25,000	9 Months
Violation involving negligence and causing great bodily injury to, or death of, any person (misdemeanor)	\$100,000	1 Year
Violation in which the violator knows of the violation and fails to take corrective action within a reasonable period of time (misdemeanor)	\$40,000	1 Year
Violation in which the violator knows of the violation and fails to take corrective action within a reasonable period of time, and which causes great bodily injury to, or death of, any person (misdemeanor)	\$250,000	1 Year
Violation that is willful and intentional (misdemeanor)	\$75,000	1 Year
Violation that is willful and intentional, or is committed with reckless disregard for risk, and which results in any unreasonable risk of great bodily injury to, or death of, any person (public offense)	\$125,000	1 Year
Violation that is willful and intentional, or is committed with reckless disregard for risk, and which results in great bodily injury to, or death of, any person (public offense)	\$250,000	1 Year