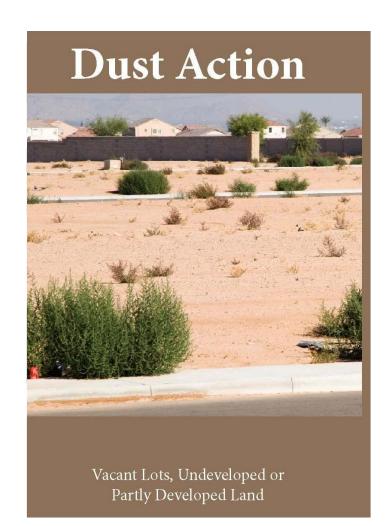


City of Tempe 31\* 5\* Street Tempe, AZ 85281 Phone: 480-350-8300 www.tempe.gov/airquality/





## **Dust Action**

Air pollution caused by high levels of particulate matter is a serious air quality challenge for the region. To help meet this challenge, HB 2208 was passed by the 50th Arizona Legislature and signed into law on April 25, 2011. The bill amended Section 49-457.05 of the Arizona Revised Status, requiring the Arizona Department of Environmental Quality (ADEQ) to issue five-day forecasts identifying low, moderate and high risk days for dust generation. These forecasts are aimed to make all dust generating entities in Maricopa County aware of when to implement Best Management Practices (BMPs) to reduce or prevent particulate emissions before and during high risk days. Failure to implement reasonable BMPs, gives the Director of Maricopa County Air Quality Department (MCAQD) the authority to issue dust action general permits to persons that conduct or own dust generating operations.

Land Owner Responsibility

Because this legislative action expanded the definition of a "dust generating operation" to include disturbed surface areas, including open areas and vacant lots not defined as agricultural land and not used for agricultural purposes, owners of open area lots and undeveloped parcels in the City of Tempe are required to implement BMPs to ensure that these properties do not represent a dust source on days forecast to be a high risk for particulate matter. These are typically days with forecasted high winds.

Best Management Practices under ARS Title 49 Section 49-457.05 include, but not limited to:

Before or on High Risk Day,

- Inspect integrity of gates or other access restrictions and land for any disturbed surface areas.
- Apply dust suppressant as needed.
- Repair paving or other surface stabilization in vehicle use areas.

To stay informed about Arizona Department of Environmental Quality five-day dust control forecasts, visit the ADEQ web site at www.azdeq.gov/environ/air/ozone/mcdust.pdf

Tempe is located within the 4-mile high wind radius of three valley PM-10 monitors. The Maricopa County Air Quality Department has a Dust Action Rapid Response Program where the public is invited to sign up to get notices when particulate matter levels begin to rise in monitoring areas.

To learn about the Maricopa County Air Quality Department Dust Action Rapid Response Program, and how to participate, please visit the MCAQD web site at www.maricopa.gov/aq/news/RapidResponseNotification. aspx

## **Dust Code Requirements**

Owners of vacant land in Tempe are responsible for controlling dust emissions by stabilizing any unpaved area or by installing and maintaining physical barriers approved by the city to prevent vehicle access. (Tempe City Code, Section 13A-54c).

Stabilization standards for driveway surfaces are regulated in Section 4-502(L) of the City of Tempe Zoning and Development Code, and stabilization standards for parking surfaces are regulated in Section 4-602 (B) of the Code. Please visit www.tempe.gov/zoning/.

Access restrictions in form of cement blocks, gates and fencing are approved. Chain link is not approved as access restriction for privately owned open area lots, undeveloped or partly developed parcels.

## Property Maintenance & Renovation

The responsibility of the owner to eliminate or reducing dust being emitted from the property includes property maintenance and renovation activities; e.g. mechanical weeding and demolition. Demolition requires a permit from the City of Tempe. Please visit www.tempe.gov/bsafety/permitcenter/permittypes.htm

Acquaint yourself with Maricopa County Air Quality
Department property renovation guidelines.
Please visit www.maricopa.gov/aq/divisions/compliance/air/asbestos\_neshap/renovation.aspx