

**METROPOLITAN HEALTH DEPARTMENT
BUREAU OF POLLUTION CONTROL**

Regulation No. 2

**PREVENTION, ABATEMENT, AND CONTROL OF AIR CONTAMINANTS FROM
MATERIALS SUBJECT TO BECOMING WINDBORNE**

1. Purpose

This regulation is adopted for the purpose of prevention, abating, and controlling air pollution caused by material becoming windborne.

2. Definitions

Approved - Means approved in writing by the Director of Health or his representative.

Automobile and/or Truck Sales Lot: Any land area used or intended to be used for the display and/or sale of passenger automobiles and/or commercial vehicles.

Director - The chief administrative officer of the Metropolitan Board of Health or his designated representative.

Parking Lot: Any land area used or intended to be used for the storage of passenger automobiles and/or commercial vehicles.

Particulate Matter: Matter, other than uncombined water, which is suspended in air or other gases, in a finely divided form, as a liquid or solid at standard conditions.

Vehicles: A self-propelled mechanism or other apparatus which is not ordinarily permanently installed in one location, but is used in various places over a wide area.

**3. Automobile and/or Truck Parking and Sales Lot or Private Roadway-Surfacing:
(This section shall not apply to residential driveways.)**

No person shall maintain or cause to be maintained any parking lot or automobile and/or truck sales lot or machinery sales lot, or use any real property for a private roadway, or a driveway, or any building, structure, or premises, open area, storage pile of material, vessels, or vehicle, or construction, alteration, demolition, or wrecking operation, or any other enterprise which has or involves any matter, material or substance likely to be scattered by the wind or susceptible to being windborne, without applying all such reasonable measures as may be required to prevent particulate matter from becoming airborne. The Director may require such reasonable measures as may be necessary to prevent particulate matter from becoming airborne including but not limited to paving or frequent cleaning of roads, driveways, and parking lots, application of dust free surfaces,

application of water; and the planting and maintenance of vegetative ground cover.

4. **Handling**

It shall be unlawful for any person to cause or permit the handling, loading, reloading, unloading, storing, transferring, transporting, or scattering of any material or other substance which is likely to be scattered by the wind, or is susceptible to being windborne without taking reasonable measures or precautions so as to minimize atmospheric pollution.

5. **Trucking**

Trucks carrying material subject to becoming airborne shall be operated in such a manner as to keep such airborne material to a minimum by such measures as wetting the load, covering the load with canvas, lessening the load, or other acceptable means.

6. **Drilling**

It shall be unlawful for any person to conduct drilling in or through rock unless wet drilling or some other approved type dust-control devices have been installed to minimize atmospheric pollution.

7. **Sandblasting**

It shall be unlawful for any person to conduct a sandblasting operation without applying all such reasonable measures as may be required to prevent particulate matter from becoming airborne. The Director may require such reasonable measures as shrouding the operator and area being cleaned, wet sandblasting, or the use of any other approved type dust-control device to prevent particulate matter from becoming airborne.

8. This regulation shall not apply to agricultural operations including tillage, planting, cultivating, or harvesting within a field, the moving or livestock on foot, or hauling of produce within the confines of a farm.

9. Nothing in this regulation is intended to permit any practice which is a violation of any statute, ordinance, or regulation.

THIS IS THE FEDERALLY APPROVED REGULATION AS OF OCTOBER 12, 1989

	Date Submitted to EPA	Date Approved by EPA	Final Federal Register
Original Reg		AUG 13, 1980	45 FR 53810