

**RULES
OF
TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF AIR POLLUTION CONTROL**

**CHAPTER 1200-03-08
FUGITIVE DUST**

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1200-03-08-.01 FUGITIVE DUST.

- (1) No person shall cause, suffer, allow, or permit any materials to be handled, transported, or stored; or a building, its appurtenances, or a road to be used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions shall include, but not be limited to, the following:
 - (a) Use, where possible, of water or chemicals for control of dust in demolition of existing buildings or structures, construction operations, grading of roads, or the clearing of land;
 - (b) Application of asphalt, water, or suitable chemicals on dirt roads, material stock piles, and other surfaces which can create airborne dusts;
 - (c) Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty materials. Adequate containment methods shall be employed during sandblasting or other similar operations.
- (2) No person shall cause, suffer, allow, or permit fugitive dust to be emitted in such manner to exceed five (5) minutes per hour or twenty (20) minutes per day as to produce a visible emission beyond the property line of the property on which the emission originates, excluding malfunction of equipment as provided in Chapter 1200-03-20.
- (3) Compliance Schedule.
 - (a) For those operations in existence before April 3, 1972, fugitive dust control must be achieved by August 9, 1973.
 - (b) For those operations, the construction of which commences after April 3, 1972, fugitive dust control must be achieved at the time operation commences.
- (4) Regardless of the specific emission standards contained in this Chapter, all sources identified in rule 1200-03-09-.01(4) of these regulations shall comply with the standards set pursuant to Chapter 1200-03-09.

Authority: T.C.A. §§ 4-5-201, et seq.; 4-5-202; 53-3412; 68-25-105; and 68-201-101, et seq.
Administrative History: Original rule certified June 7, 1974. Amendment filed May 7, 1979; effective June 21, 1979. Amendment filed June 21, 1979. Amendment filed July 11, 1980. Amendments filed June 6, 2018; effective September 4, 2018.

1200-03-08-.02 SPECIAL ADDITIONAL CONTROL AREA FUGITIVE DUST REQUIREMENTS.

Certain areas of the state have been identified as needing additional control beyond that required by this Chapter. These areas and the additional control requirements are stated in Chapter 1200-03-19.

Authority: *T.C.A. §§ 4-5-202 and 68-25-105. Administrative History: Original rule filed February 5, 1979; effective March 21, 1979. Amendment filed September 22, 1988; effective November 6, 1988.*

1200-03-08-.03 NEW AND/OR MODIFIED SOURCE.

All air contaminant sources constructed and/or modified after November 6, 1988, shall meet the fugitive dust emission standards specified on their construction permit and subsequently transferred to their operating permits. These standards shall be prescribed in the form of a Board approved visible emission standard and reading technique on the permits.

Authority: *T.C.A. §§ 4-5-202 and 68-25-105. Administrative History: Original rule file September 22, 1988; effective November 6, 1988.*