
AIR POLLUTION CONTROL REGULATION NO. 5

FUGITIVE DUST

Effective 2 August 1967

Amended 22 February 1977

Last Amended 16 September 1996

RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
DIVISION OF AIR RESOURCES
AIR POLLUTION CONTROL REGULATION NO. 5

FUGITIVE DUST

5. Fugitive Dust

5.1 Applicability

This regulation shall apply, but not be limited to, the generation of airborne particulate matter from the following activities:

- (a) The demolition, construction or renovation of buildings, bridges or other structures;
- (b) Material stockpiles, including solid waste management facilities, and earth moving activities, including the clearing of land and other operations which cause airborne particulate matter;
- (c) Stationary sources, as defined in the Air Pollution Control Regulations, whose activities involve the handling of materials which cause airborne particulate matter;
- (d) Exterior surface preparation/resurfacing operations conducted on buildings, bridges, or other structures that are not regulated by the requirements of Air Pollution Control Regulation No. 24 entitled, "Removal of Lead Based Paint from Exterior Surfaces", as well as surface preparation/resurfacing operations conducted on vehicles, vessels, or any other surfaces which cause airborne particulate matter;
- (e) Vehicles transporting materials which cause airborne particulate matter;
- (f) Paved roads onto which earth or other material has been deposited by trucking or earth-moving equipment, by erosion by water, by the sanding and/or salting of roadways, or by other means;
- (g) Commercial mining and/or quarrying operations including the construction, maintenance, and operation of a commercial mining and/or quarrying facility, as well as activities which involve the use of explosive materials which cause airborne particulate matter; and

- (h) Any other activities or operations which the Director may determine causes airborne particulate matter.

5.2 Requirements

No person shall cause or permit any materials, including but not limited to sand, gravel, soil, aggregate and any other organic or inorganic solid matter capable of releasing dust, to be handled, transported, mined, quarried, stored or otherwise utilized in any way so as to cause airborne particulate matter to travel beyond the property line of the emission source without taking adequate precautions to prevent particulate matter from becoming airborne. Such precautions shall be in accordance with good industrial practice as determined by the Director and/or shall be other reasonable fugitive dust prevention measures as determined by the Director.