

## ORDINANCE #5089

### AN ORDINANCE AMENDING CHAPTER 8.40 OF THE RAPID CITY MUNICIPAL CODE PERTAINING TO EMISSION STANDARDS BY AMENDING SECTION 8.40.010 AND ADDING SECTION 8.40.020.

**BE IT ORDAINED** by the City of Rapid City that Chapter 8.40 of the Rapid City Municipal Code be and hereby is amended to read as follows:

#### Chapter 8.40

#### EMISSION STANDARDS

##### Sections:

- 8.40.010 Emissions standards for construction, parking lots or continuous operation facility sites.**
- 8.40.020 Exception to visible emission limit.**

##### **8.40.010 Emissions Standards for Construction, Parking Lots or Continuous Operation Facility Sites.**

- A. Facility boundary standard: The transportation of visible fugitive emissions off the property of a construction, parking lot or continuous operation facility site for more than 10% of the time for any one hour period will be considered as an indication that the provisions of the construction permit, parking lot permit or compliance plan are not being complied with and shall cause a determination to be made of the source of the visible fugitive emissions and an opacity reading to be made at such sources. Visible fugitive emissions limitations specified in this paragraph shall be determined by a certified observer using Tennessee Visible Emission Evaluation Method (40 CFR 52.2220 Part A 73 Method 4), Visual Determination of Fugitive Dust Emission Crossing a Property Line, approved by EPA Fed. Reg. V52, No. 10, January 15, 1987, Page 1628.
- B. Fugitive emissions source standard: A fugitive emissions source shall not have a density greater than that designated as twenty percent (20%) opacity. Exceeding of this standard shall be considered a violation of the provisions of the construction permit or compliance and cause a review of the construction permit, parking lot permit or compliance plan. Fugitive emissions limitations specified in this paragraph shall be determined by a certified observer using Tennessee Visible Emission Evaluation Method 1, (40 CFR 52.2220 Part A 50, 51 Method) Visual Determination of Opacity of Emission From Nontraditional Source, approved by the US EPA in Federal Register, Vol. 47, No. 235, December 7, 1982, page 54936, as amended, Federal Register Vol. 28, No. 51, March 15, 1983, page 10834, Federal Register Vol. 50, No. 78, April 23, 1985, page 15892; or by operation of equipment approved by the Air Quality Division that is known to produce equivalent or more accurate results.

~~No readings shall be made when wind velocity exceeds twenty (20) miles per hour during, or within thirty (30) minutes of the reading as determined by a qualified person, or by use of one or more anemometers at the site. Anemometers shall be used where practical. The property line of public or~~

~~private rights of way through the construction or continuous operation facility site shall not be used for a measurement location.~~

**8.40.20      Exception to Visible Emission Limit.**

The provisions of Chapter 8.40.010 do not apply if all three of the following meteorological conditions exist:

- A. Five consecutive days of 0.02 inches or less of precipitation each day excluding dry snow;
- B. Peak wind gusts greater than forty miles per hour as documented at the East Rapid City National Weather Service site or other certified wind measurements; and
- C. Average hourly wind speed greater than twenty miles per hour as documented at the East Rapid City National Weather Service site or other certified wind measurements.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

CITY OF RAPID CITY

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Finance Officer

(SEAL)

First Reading:  
Second Reading:  
Published:  
Effective: