

ORDINANCE NO. 5145

**AN ORDINANCE AMENDING CHAPTER 8.40 OF THE RAPID CITY MUNICIPAL CODE
PERTAINING TO EMISSION STANDARDS BY AMENDING SECTION 8.40.010.**

BE IT ORDAINED, that Section 8.40.010 of Chapter 8.40 of the Rapid City Municipal Code is hereby amended as follows:

Chapter 8.40

EMISSION STANDARDS

Section 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 or continuous operation facility site for more than ten percent (10%) of the time for any one hour period will be considered as an indication that the provisions of the construction 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 the sources. Visible fugitive emissions limitations specified in this paragraph shall be determined by a certified observer using Tennessee Visible Emission Evaluation Method 4 (40 C.F.R. 52.2220), Visual Determination of Fugitive Dust Emission Crossing a Property Line, approved by EPA Federal Register 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. Exceedance 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 the Environmental Protection Agency's Method 9 in 40 CFR Part 60 Appendix A (July 1, 2001) or the Tennessee Visible Emission Evaluation Method 1, (40 C.F.R.52.2220) Visual Determination of Emission From Nontraditional Source, approved by the U.S. 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.

Dated this _____ day of 2006.

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer

(SEAL)

First Reading: _____

Second Reading: _____

Published: _____

Effective: _____