

**Standard Comments for Land Use Reviews
Clean Air Branch
Hawaii State Department of Health**

If your proposed project:

1. Requires an Air Pollution Control Permit

You must obtain an air pollution control permit from the Clean Air Branch and comply with all applicable conditions and requirements. If you do not know if you need an air pollution control permit, please contact the Permitting Section of the Clean Air Branch.

2. Includes construction or demolition activities that involve asbestos

You must contact the Asbestos Abatement Office in the Indoor and Radiological Health Branch.

3. Has the potential to generate fugitive dust

You must control the generation of all airborne, visible fugitive dust. Note that construction activities that occur near to existing residences, business, public areas and major thoroughfares exacerbate potential dust concerns. It is recommended that a dust control management plan be developed which identifies and mitigates all activities that may generate airborne, visible fugitive dust. The plan, which does *not* require Department of Health approval, should help you recognize and minimize potential airborne, visible fugitive dust problems.

Construction activities must comply with the provisions of Hawaii Administrative Rules, §1160.1-33 on Fugitive Dust. In addition, for cases involving mixed land use, we strongly recommend that buffer zones be established, wherever possible, in order to alleviate potential nuisance complaints. You should provide reasonable measures to control airborne, visible fugitive dust from the road areas and during the various phases of construction. These measures include, but are not limited to, the following:

- a) Planning the different phases of construction, focusing on minimizing the amount of airborne, visible fugitive dust-generating materials and activities, centralizing on-site vehicular traffic routes, and locating potential dust-generating equipment in areas of the least impact;
- b) Providing an adequate water source at the site prior to start-up of construction activities;
- c) Landscaping and providing rapid covering of bare areas, including slopes, starting from the initial grading phase;
- d) Minimizing airborne, visible fugitive dust from shoulders and access roads;
- e) Providing reasonable dust control measures during weekends, after hours, and prior to daily start-up of construction activities; and
- f) Controlling airborne, visible fugitive dust from debris being hauled away from the project site.

If you have questions about fugitive dust, please contact the Enforcement Section of the Clean Air Branch

Clean Air Branch (808) 586-4200 cab@doh.hawaii.gov	Indoor Radiological Health Branch (808) 586-4700
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Fugitive Dust Fact Sheet

Prepared by the Department of Health, Clean Air Branch (CAB), Revised April 2019

Hawaii Administrative-Rules, Section 11-60.1-33, Fugitive Dust-states, in part:

11-60.1-33(a): No person shall cause or permit visible fugitive dust to become airborne without taking reasonable precautions.

11-60.1-33(b): ...no person shall cause or permit the discharge of visible fugitive dust beyond the property lot line on which the fugitive dust originates.

Examples of Reasonable Precautions

The following six (6) categories list related examples of reasonable precautions. The examples are **NOT REQUIREMENTS** and are solely intended to aid in complying with the fugitive dust rules. The examples below are common precautions used for various activities that may generate visible fugitive dust and are not meant to be exclusive nor comprehensive.

1. General Measures

- Design, develop and implement a dust control plan.
- Use water or suitable chemical compounds in the demolition of existing structures, construction operations, and grading or clearing of land.
- Apply water, dust suppressants, or suitable compounds on roads and material stockpiles.
- Pave ingress and egress points to the site.
- Establish and monitor speed limits for onsite vehicles.
- Cover all moving, open-bodied trucks transporting dusty materials.
- Install and use enclosures, screens, hoods, vacuums, and filters to control the handling, sanding or finishing of dusty materials.
- Use trash chutes to direct waste downwards to the ground from upper levels
- Clean up material spills as soon as possible.
- Promptly remove soil or other “carry out” materials from roads adjacent to the site.
- Install dust screens or wind barriers around construction site.
- Where practical, provide a buffer zone between fugitive dust activities and residential areas.

2. Agricultural Activities

- Keep fallow land to a minimum.
- Use cover crops to minimize exposed soil.
- Limit vehicular speed during plowing activities and while traveling onsite.

3. Earth-moving Activities

- Pre-apply and re-apply water as necessary to maintain soils in a damp condition.
- Limit the amount of exposed areas through planning and timing of project phases.
- Cover temporarily exposed areas with mulch.

4. Crushing and Screening Activities

- Pre-wet material.
- Monitor crusher's visible dust emissions.
- Apply water to crushed material.
- Apply water at material transfer points.
- Stabilize material immediately after screening.
- Drop material through the screen slowly and minimize drop height.
- Install wind barrier upwind of screen.

5. Stockpiles

- Stabilize stockpile materials.
- Keep stockpiles wet or damp as needed
- Cover stockpile when not in use. Use mulch or synthetic cover based on usage of stockpile.
- Keep drop or pile height as low as possible.
- Install wind barriers
- Add or remove material from downwind portion of stockpile
- Maintain storage piles to avoid steep sides or faces.

6. Trucking

- Provide water while loading and unloading to prevent fugitive dust.
- Maintain at least six inches of freeboard on haul vehicles. Level the height of load.
- Limit vehicular speed while traveling onsite.
- Cover your load while travelling.
- Install a gravel pad and grizzly at exit.
- Reduce carry out with a tire wash or spray system.

The CAB does not require specific precautions. Which precaution(s) to implement is/are the responsibility of the owner, project manager or operator of the site. Reasonable precautions to control fugitive dust are determined on a case-by-case basis. The site topography and surroundings, soil conditions, meteorological conditions, site activities, site equipment, and types of material processed must be considered. The use of any or all of the example measures does not automatically mean compliance with the fugitive dust requirements.

The owner, project manager or operator should assess the project activities and conditions daily and make adjustments so that reasonable precautions are taken to prevent fugitive dust from becoming airborne and crossing the property line. Generally, dry and windy conditions will require more control measures than rainy and calm periods.

Failure to comply with the fugitive dust requirements may result in civil and administrative fines of not more than \$25,000 per day per violation. An air permit for a facility may contain additional or more stringent fugitive dust requirements.

For questions regarding the fugitive dust rules, please contact the Clean Air Branch at 586-4200 or cab@doh.hawaii.gov.