

RULE 8051 OPEN AREAS (Adopted November 15, 2001; Amended August 19, 2004)

1.0 Purpose

The purpose of this rule is to limit fugitive dust emissions from open areas.

2.0 Applicability

This rule applies to any open area having 0.5 acres or more within urban areas, or 3.0 acres or more within rural areas; and contains at least 1000 square feet of disturbed surface area. The provisions of this rule adopted on November 15, 2001 shall remain in effect until October 1, 2004 at which time the amendments adopted on August 19, 2004 shall take effect.

3.0 Definitions

The definitions of terms in Rule 8011 (General Requirements) shall apply to this rule.

4.0 Exemptions

The exemptions established in Rule 8011 are also established for this rule.

4.1. Any weed abatement activity utilizing mowing and/or cutting, and which leaves at least three inches of stubble immediately after such mowing/cutting has occurred.

5.0 Requirements

Whenever open areas are disturbed or vehicles are used in open areas, an owner/operator shall implement one or a combination of control measures indicated in Table 8051-1 to comply with the conditions of a stabilized surface at all times and to limit VDE to 20% opacity. In addition to the requirements of this rule, a person shall comply with all other applicable requirements of Regulation VIII

**TABLE 8051-1 SOURCE TYPE AND CONTROL MEASURES FOR
OPEN AREAS**

<p>A. OPEN AREAS: Implement, apply, maintain, and reapply if necessary, at least one or a combination of the following control measures to comply at all times with the conditions for a stabilized surface and limit VDE to 20% opacity as defined in Rule 8011: A1 Apply and maintain water or dust suppressant(s) to all unvegetated areas; or A2 Establish vegetation on all previously disturbed areas; or A3 Pave, apply and maintain gravel, or apply and maintain chemical/organic stabilizers/suppressants.</p>
<p>B. VEHICLE USE IN OPEN AREAS: Upon evidence of trespass, prevent unauthorized vehicle access by: Posting “No Trespassing” signs or installing physical barriers such as fences, gates, posts, and/or other appropriate barriers to effectively prevent access to the area.</p>

6.0 Administrative Requirements

6.1 Test Methods

The applicable test methods specified in Rule 8011 shall be used to determine compliance with this rule.

6.2 Recordkeeping

An owner/operator shall comply with the recordkeeping requirements specified in Rule 8011.