

roads, or section of road that are being constructed, altered, repaired, demolished, or closed for any purpose.

- D. It shall be unlawful for any person, including the owner or person in control of real property to cause or allow particulate matter to be deposited upon a paved roadway open to the public without taking every reasonable precaution to minimize deposition. Reasonable precautions shall include, but are not limited to, the removal of particulate matter from equipment prior to movement on paved streets and the prompt removal of any particulate matter deposited on paved streets.
- E. It shall be unlawful for any person to cause or allow visible emissions of fugitive dust unless reasonable precautions are employed to minimize the emissions. Reasonable precautions may include, but are not limited to, one or more of the following:
 - 1. The use of control equipment, enclosures, and wet (or chemical) suppression techniques, and curtailment during high winds;
 - 2. Surfacing roadways and parking areas with asphalt, concrete, or gravel;
 - 3. Treating temporary, low traffic areas (e.g., construction sites) with water or chemical stabilizers, reducing vehicle speeds, constructing pavement or rip rap exit aprons, and cleaning vehicle undercarriages and tires before they exit to prevent the track-out of mud or dirt onto paved public roadways; or
 - 4. Covering or wetting truck loads or allowing adequate freeboard to prevent the escape of dust-bearing materials.

SECTION 6.06 EMISSION OF AIR CONTAMINANTS OR WATER VAPOR, DETRIMENT TO PERSONS OR PROPERTY (SEE WAC 173-400-040(5))

The Authority implements and enforces WAC 173-400-040(5).

SECTION 6.07 EMISSION OF AIR CONTAMINANT CONCEALMENT AND MASKING RESTRICTED (SEE WAC 173-400-040(7))

The Authority implements and enforces WAC 173-400-040(7).

SECTION 6.08 REPORT OF BREAKDOWN

- A. The owner or operator of a source which emits pollutant(s) exceeding any limit established by Ecology or the Authority in any order(s), rule(s) or regulation(s) that apply to the facility as a direct result of unavoidable upset conditions or

unavoidable and unforeseeable breakdown of equipment or control apparatus may be exempt from penalties if:

1. The upset or breakdown is reported to the Authority on the next regular working day.
 2. The owner or operator shall, upon request of the Control Officer, submit a report giving:
 - a. The causes.
 - b. The steps to be taken to repair the breakdown, and
 - c. A time schedule for the completion of the repairs.
 3. The owner or operator can prove to the Control Officer that the excess emissions due to breakdown were unavoidable by adequately demonstrating that:
 - a. The event was not caused by poor or inadequate design, operation, maintenance, or any other reasonably preventable condition;
 - b. The event was not of a recurring pattern indicative of inadequate design, operation, or maintenance; and
 - c. The operator took immediate and appropriate corrective action in a manner consistent with good air pollution control practice for minimizing emissions during the event, taking into account the total emissions impact of the corrective action, including slowing or shutting down the emissions unit as necessary to minimize emissions, when the operator knew or should have known that an emission standard or permit condition was being exceeded.
- B. The Control Officer on receipt of a report (Subsection A.2.) from the owner or operator describing a breakdown may:
1. Allow continued exempt operation, but only for a limited time period, after which the owner or operator will be required to comply with this Regulation, or the applicable permit condition, or be subject to the penalties in Section 2.11. An exemption granted under this Section 6.08, may be withdrawn if the exempt operation becomes a cause of complaints.
 2. Require that the facility curtail or cease operations of the equipment, which emits pollutants exceeding any of the limits established by this Regulation or in any permit condition, until repairs are completed, if the

Control Officer determines that the quantity of pollutants, or the nature of the pollutants, could endanger human health and safety, cause injury to plant and/or animal life, or cause damage to property.

SECTION 6.09 (RESERVED)

SECTION 6.10 GRASS FIELD BURNING (Repealed 2/2/01, Res. 01-04)

SECTION 6.11 AGRICULTURAL BURNING

In addition to this Section of the Regulation, the Authority, implements and enforces Chapter 173-430 WAC. The more stringent requirement in Chapter 173-430 or Section 6.11 supersedes the lesser.

- A. Purpose. The primary purpose of this Section is to establish specific requirements for agricultural burning in Spokane County, consistent with Chapter 173-430 WAC.
- B. Applicability. This Section applies to agricultural burning in all areas of Spokane County unless specifically exempted. This Section does not apply to Silvicultural Burning (see Chapter 332-24 WAC) or to Outdoor Burning (see Chapter 173-425 WAC).
- C. Statement of Authority. The Spokane Regional Clean Air Agency is empowered, pursuant to Chapter 70.94 RCW, to administer the agricultural burning program in Spokane County. Included is the authority to:
 - 1. Issue and deny burning permits;
 - 2. Establish conditions on burning permits to insure that the public interest in air, water, and land pollution, and safety to life and property is fully considered;
 - 3. Determine if a request to burn is consistent with best management practices, pursuant to WAC 173-430-050; or qualifies for a waiver, pursuant to WAC 173-430-045;
 - 4. Delegate local administration of permit and enforcement programs to certain political subdivisions;
 - 5. Declare burn days and no-burn days, based on meteorological, geographical, population, air quality, and other pertinent criteria; and
 - 6. Restrict the hours of burning, as necessary to protect air quality.