

# INSTRUCTIONS FOR AIR QUALITY CONSTRUCTION PERMIT APPLICATION

## ALL REQUIREMENTS PURSUANT TO RAPID CITY MUNICIPAL CODE 8.34 & PENNINGTON COUNTY ORDINANCE NO. 12

Rapid City Community Planning & Development Services  
Air Quality Division  
300 Sixth Street  
Rapid City, SD 57701  
(605) 394-4120

**Why do I need a permit?** Construction activity generates dust or what is referred to as PM10 (particulate matter 10 microns in size or smaller). Rapid City has a history of poor air quality conditions associated with dust (PM10) and has been in jeopardy of being designated a non-attainment area for PM10. The ramifications of a non-attainment designation include the possible loss of highway construction funds and the imposition of more restrictive requirements on development and construction activities than are being imposed by the Air Quality Ordinance. It is in the community's best interest to control and reduce dust (PM10) levels to the best extent possible to avoid a non-attainment designation.

**Construction activities that need a permit:** An Air Quality Construction Permit is needed for any temporary activity, which involves the removal or alteration of the natural or pre-existing cover of 1 acre or more of land. Construction activities shall include but not be limited to stripping of topsoil, drilling, blasting, excavation, dredging, ditching, grading, street maintenance and repair, or earth moving. Anyone obtaining a construction permit must follow Pennington County Ordinance and/or Rapid City Municipal Code. The purpose of these ordinances is to provide for a program of fugitive emissions control by applying reasonable available control technology. Dust control measures must be maintained before, during and after dust generating activities, including nights, weekends and holidays. **A site drawing or copy of the erosion and sediment control plan is required showing the project location and size of disturbance.**

**Review period:** The Air Quality Division shall have ten (10) working days from the time a determination is made that the application is complete to either approve or reject the application and issue the construction permit. **The application must be completed and approved prior to the initiation of the construction activities.**

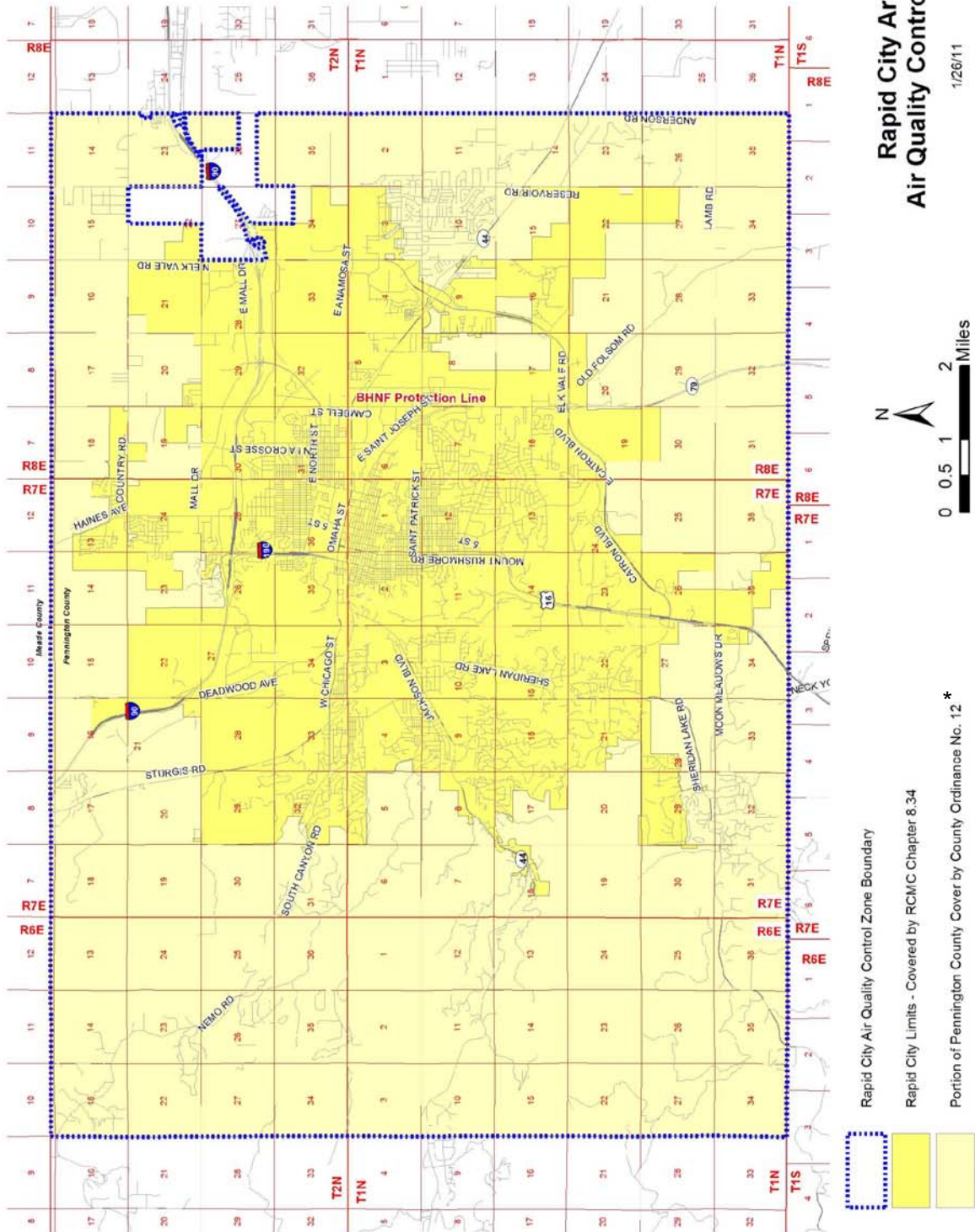
**Fee Requirements:** The fee for projects involving disturbance of 1-5 acres is **\$150**. The fee for projects greater than 5 acres is **\$200**. The fee is payable to the City of Rapid City and shall be collected by the Finance Department.

**Penalty and fine for non-compliance:** Failure to submit the application to obtain or renew a permit and/or pay the permitting fee prior to engaging in activities regulated by the Rapid City Municipal Code or Pennington County Ordinance will result in **\$250 being added to the permit fee for each full week** that the operation continues without a permit, and may further subject the person in violation to a daily fine not to exceed **\$500 and/or 30 days in jail**. The \$250 fee will be assessed after a seven day grace period and additional \$250 fees will be assessed every week thereafter that a violation continues.

**Life of permit:** This permit is valid for **1 year** from the date of issuance. Renewal of this permit is required unless all disturbed areas on the site are reclaimed or otherwise rendered invulnerable to fugitive emissions through building activity, paving, and/or vegetative/landscaping covers. The **completion date** is when the site has been fully reclaimed and the Air Quality Division has conducted a final inspection to verify site conditions. **Where a construction site or any part of a construction site becomes inactive for a period of 21 days or longer, long-term stabilization shall be implemented within 14 days following termination of active operations.**

**Responsible Party:** The property owner and/or authorized agent are responsible for dust control measures through the completion date. The property owner and/or authorized agent are responsible for ensuring that contractors, subcontractors and all other persons abide by the conditions of the permit. If a violation of the Air Quality Ordinance occurs, the violator and property owner will receive the Notice of Violation. Violations of the Air Quality Ordinances will result in a daily fine not to exceed **\$500 and/or 30 days in jail**.

**Blank spaces must be completed for the application to be processed. If not applicable, enter N/A.**



\*Note: Any excavation, clearing, or land disturbances greater than or equal to 10,000 square feet in Pennington County (including the area outside of the Rapid City limits within the Air Quality Control zone) require a Construction Permit from Pennington County Planning and Zoning (605) 394-2186

# AIR QUALITY CONSTRUCTION PERMIT APPLICATION

Date of Application: \_\_\_\_\_

Office Use Only	
Permit No.	_____
Issue Date*	_____
Expiration Date	_____
Fee Paid	_____

## PROPERTY OWNER INFORMATION

Name: \_\_\_\_\_ Business Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Fax Number: \_\_\_\_\_  
Contact Person: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

## CONTRACTOR INFORMATION

Name: \_\_\_\_\_ Business Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Fax Number: \_\_\_\_\_  
Project Contact: (Who should be contacted for complaints): \_\_\_\_\_ Cell Phone: \_\_\_\_\_  
Email: \_\_\_\_\_  
(for notification of air quality alerts & high wind advisory days)

## DEVELOPER INFORMATION

Name: \_\_\_\_\_ Business Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Fax Number: \_\_\_\_\_  
Contact Person: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

## OTHER PARTIES INVOLVED IN SITE PREPARATION OR MATERIAL HAULING

Name: \_\_\_\_\_ Business Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Fax Number: \_\_\_\_\_  
Contact Person: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

## PROJECT INFORMATION

Project Name: \_\_\_\_\_  
Project Address: \_\_\_\_\_  
Legal Description, 10 digit PIN or TaxID if no address: \_\_\_\_\_  
Type of Project:

- Land clearing, excavating, grading, filling, earth moving dredging, demolition  
 Construction, alteration, repair of roads or parking facilities  
 Other (specify)

Detailed description of project: \_\_\_\_\_

Size of area to be disturbed in acres: \_\_\_\_\_ (indicate area on site map)

**Project site plan submitted with AQ application separate from Erosion/Sediment Control Permit Application.**

YES  NO (Application is **incomplete** if no site plan is submitted to Air Quality with application)

Date of commencement of construction: \_\_\_\_\_  
Anticipated completion date\*: \_\_\_\_\_  
Manner and timeframe in which disturbed area(s) will be reclaimed: \_\_\_\_\_

Haul route and contractor for imported or exported material: \_\_\_\_\_

Material import or export location: \_\_\_\_\_  
Distance from Site: \_\_\_\_\_

\*The permit is valid for one year from date of issuance. If the permit was obtained after the work was initiated, the permit expires one year from the date the work was started. Permits can be renewed for one year to extend the completion date. Permits shall be renewed prior to the expiration date.

### FUGITIVE DUST CONTROL METHODS

Reasonably available control technology shall be provided to prevent fugitive emissions from becoming airborne. These controls need to be implemented 24 hours a day, 7 days a week. Please indicate what methods are to be used for fugitive dust control before, during and after construction until the site is reclaimed. The Air Quality Division reserves the right to require additional control measures if the measures as stated herein are not employed, or prove to be insufficient to control fugitive emissions. The Air Quality Division will conduct at least one inspection of the project site to ensure requirements of the permit are being met. Additional inspections will be conducted as necessary or on a complaint basis. Deposition of material on the public right of way either through erosion or tracking that is not cleaned within 24 hours will be considered a violation and the property owner will be subject to appropriate fines and/or costs of corrective action. Where a construction site or any part of a construction site becomes inactive for a period of 21 days or longer, long-term stabilization shall be implemented within 14 days following termination of active operations.

<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	a)	Trackout control devices at all site access points <b>(describe below)</b>
<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	b)	Erosion and sediment controls <b>(describe below)</b>
<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	c)	Routine cleaning of paved areas for any mud tracking or soil erosion
<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	d)	Use of water truck on site <b>(indicate frequency below)</b>
<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	e)	Chemical stabilization
<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	f)	Minimization of area disturbed
<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	g)	Vehicular speed limitation
<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	h)	Minimize dust from open truck and/or onsite storage piles <b>(describe below)</b>

Provide detailed narrative of the above selected dust control methods and reasons for “No” responses.

### SIGNATURES

Depending upon location of construction project, all work is to be performed in compliance with the Erosion and Sedimentation Ordinance of Pennington County Conservation District #3, and/or the City of Rapid City Drainage Criteria Manual and City of Rapid City Standard Specification for Public Works Construction.

I hereby agree to do the proposed work and maintain dust control of the disturbed area(s) until fully reclaimed as described in this application and in accordance with Pennington County Ordinance No. 12 and Rapid City Municipal Code Chapter 8.34.

Property Owner Signature	Date	Contractor Signature	Date
Print Name		Print Name	

For Corporations, Partnerships, etc.		For Corporations, Partnerships, etc.	
Signature	Date	Signature	Date
Print Name		Print Name	
Title		Title	
Corporation, Partnership Name		Corporation, Partnership Name	

\_\_\_\_\_  
 Permit Approval Signature/Date  
 Air Quality Division