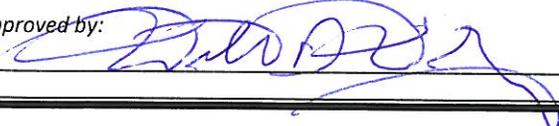


 Maricopa County Air Quality Department	Number: TG-2010-001 Title: Cottonseed Stockpiles and Rule 310						
	Author: <i>Doug Erwin</i>	<table border="1"> <tr> <td>Issue Date:</td> <td><i>10/21/2010</i></td> </tr> <tr> <td>Revision Date:</td> <td><i>N/A</i></td> </tr> <tr> <td>Review Date:</td> <td><i>10/21/2011</i></td> </tr> </table>	Issue Date:	<i>10/21/2010</i>	Revision Date:	<i>N/A</i>	Review Date:
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Approved by: 							
William D. Wiley, Director							

Purpose

This document considers processed cottonseed, in the context of Bulk Materials as defined in Rule 310, section 203, and concludes that the establishment of storage piles of cottonseed is not a Dust-Generating Operation.

Discussion

Rule 310 – Fugitive Dust from Dust Generating Operations provides a comprehensive approach to regulate dust generating operations within Maricopa County. Within that framework, bulk material handling and storage of bulk materials are regulated activities. Bulk materials comprise a wide array of materials, some of which are expressly identified in Rule 310, section 203.

Processed cottonseed is stored in large open stockpiles until removed for further distribution. These cottonseed stockpiles were evaluated to determine if they should be considered a bulk material as defined in Rule 310, section 203 and whether the activity of storing cottonseed in stockpiles was a regulated activity under Rule 310.

Upon review, it was determined that cottonseed has a limited potential for producing fugitive dust. Cottonseed is not expressly identified as a bulk material in Rule 310. While it is not required that a material be specifically listed in the rule for the definition to apply, the determination of whether a material not so listed should be considered a bulk material rests on whether the material is capable of producing fugitive dust. Cottonseed, due to its structure as a seed, is not believed to pose a source of fugitive emissions during normal processing operations, including stockpiling.

Separately, for an activity to be regulated under Rule 310 it must meet the definition of a *Dust-Generating Operation* expressed at Rule 310, section 208. If the activity is not believed to be capable of producing fugitive dust, it is not regulated.

Determination

The activity of stockpiling or loading and unloading cottonseed in the stockpile was evaluated and determined not to pose the potential of generating fugitive dust. Therefore, the establishment of cottonseed stockpiles is not considered to be a *Dust-Generating Operation*.

Reference

Dust Control at Ginning Operations
Memorandum to Staff, October 8, 2009 by Doug Erwin

DISCLAIMER: The policies and procedures outlined in this guidance are intended to supplement existing requirements. Nothing in the policies or procedures shall affect regulatory requirements. The policies and procedures herein are not an adjudication or a regulation. There is no intent on the part of the department to give the rules in these policies that weight or deference. This document establishes the framework within which the department will exercise its administrative discretion in the future. The department reserves the discretion to deviate from this policy statement if circumstances warrant.