



## **Summary of Requirements for Alternative Compliance - Qualified Bulk Solid Material**

Facilities shall meet the requirements for alternative compliance if all the following apply:

1. *Qualified bulk solid materials* mean bulk solid materials that satisfy all of the following:
  - a) Are construction bulk solid materials;
  - b) Are not part of an active construction site described in section 22-5-10(b);
  - c) Are not carbonaceous bulk solid material; and
  - d) Are a fugitive dust source or a potential fugitive dust source.
2. Facility must have a state operating program
3. The state operating program must be in effect.
4. The owners or operators must submit an application for a certificate of alternative compliance along with all the required items found in Alternative Compliance Operating Plan Requirements. The required information may be contained within the state operating program, an active NPDES permit, an active groundwater discharge permit issued by the MDEQ, or supplemental information supplied by the facility. The owners or operators must also submit payment of the fee established by the BSEED Director pursuant to a schedule of fees, to cover the cost of application review and compliance inspections.
5. The facility must implement the actions described in Alternative Compliance Operating Plan Requirements.
6. The owners or operators must have devices or technology to measure the pile heights which they will demonstrate during site visits or allow the inspector to use upon request.
7. The owners or operators must install a device to measure wind speed and direction, or submit an alternate plan for measuring wind speed and direction that is acceptable to BSEED. The device, if installed, must be installed at a height of 15 feet above ground level.
8. Within 45 days of receipt of the application package, BSEED will review the package and inspect the facility to verify compliance with the requirements for alternative compliance. If the facility is in compliance, a Certificate of Alternative Compliance will be issued to the facility.

9. BSEED will conduct inspections semi-annually and in response to a complaint.
10. The owners or operators must remain in compliance with Section 22-5-6 of the Code, their state operating program, and any applicable state permit, and they must not cause or permit the emission of an air contaminant or water vapor in quantities that cause, alone or in reaction with other air contaminants, either of the following:
  - a) Injurious effects to human health or safety, animal life, plant life of significant economic value, or property;
  - b) Unreasonable interference with the comfortable enjoyment of life and property.