



Colorado Department
of Public Health
and Environment

LAND DEVELOPMENT

Land development construction projects are frequently associated with the release fugitive dust or particulate matter when native soil is disturbed, soil is stockpiled, as project vehicles travel on unpaved roads or when mud/dirt is carried out onto paved roadways. Particulate matter is regulated as an "Air Pollutant" by the Colorado Department of Public Health and Environment, Air Pollution Control Division (Division).

Particulate matter emitted by land development activity is classified by size of particles into two categories. Total Suspended Particulate (TSP) simply means ALL of the dust regardless of particle size. PM10 means all of the particles which are ten micrometers or smaller in size. Since PM10 particles are so small, they tend to stay in the lungs. Because of this, PM10 is a significant health concern.

Geographical Areas of Concern

The state is divided into attainment and nonattainment areas. **Attainment** means that the area is in compliance with the Federal Clean Air Act. **Nonattainment** is an area that has exceeded the National Ambient Air Quality Standard for a regulated pollutant. Nonattainment areas have more strict air pollution requirements than attainment areas. Information on what areas are nonattainment can be obtained by contacting the Division at 303 692 3150.

[Air Pollutant Emission Notice-Dust Control Plan-and-Application for Emission Permit](#)

An Emission Permit for land development is required when the project is over 25 acres or takes more than six months to reach completion.

The application must be filed with the Division. A \$100 filing fee must accompany the permit application. Checks are payable to Colorado Department of Public Health and Environment.

The permit application for Land Development activities must include a **Fugitive Dust Control Plan** (or dust control plan). The dust control plan addresses how dust will be kept to a minimum at the site. The developer must choose from control options for unpaved roadways including:

*Watering
Paving
Gravelling

Use of chemical stabilizer
*Controlling vehicle speeds

The options for controlling dust from disturbed surface areas are:

*Watering	Application of a chemical stabilizer
Revegetation	Limiting vehicle speed
*Compaction	Furrowing the soil
*Wind Breaks	Minimizing the areas of disturbance
Synthetic or natural cover for steep slopes	

*Prevention of mud and dirt carry-out onto paved surfaces may be controlled by:

Gravel entry ways	Washing vehicle wheels
Covering the load	Not overfilling trucks

Cleaning up paved areas will be required if mud and dirt is carried out onto paved areas

A **permit** is issued by the Division for land development will specify the type of dust control measures to be taken. The developer must prevent visible emissions, off-property transport and off vehicle transport of particulate matter from site activities, haul roads and haul trucks. The control measures listed in the permit are in part derived from the fugitive dust control plan submitted with the permit application.

Those land development projects that are less than 25 acres, and less than 6 months in duration but more than one (1) acre in nonattainment areas or more than five (5) acres in attainment areas need to use appropriate control measures and may also be required to file a fugitive dust control plan.

*indicates measures likely to be required in the permit and must be addressed in the control plan.