



**NORTH DAKOTA**  
DEPARTMENT of HEALTH

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MEMO TO : Owners/Operators of Concrete Batch  
Plants and Cement Handling Facilities  
and Other Interested Parties

FROM : Terry L. O'Clair, P.E.  
Director  
Division of Air Quality *TCO*

RE : Permitting of Concrete Batch Plants  
and Cement Handling Facilities

DATE : January 28, 2005

The Division of Air Quality has previously required owners/operators of concrete batch plants and cement handling facilities to obtain permits for construction and operation of these facilities. Based on our experience and the amount of emissions from these facilities, permits will no longer be required. Facilities are being exempted from the requirement to obtain a permit under provisions of the North Dakota Air Pollution Control Rules which allow the Department to exempt minor sources of air pollution from permitting requirements.

Although permits are no longer required, the owners/operators of these facilities are still required to comply with all applicable requirements of the North Dakota Air Pollution Control Rules. The requirements of the rules are summarized below:

1. Chapter 33-15-02 - Ambient Air Quality Standards establishes acceptable levels of particulate matter (dust, etc.) in the ambient air which cannot be exceeded.
2. Chapter 33-15-03 - Restriction of Emission of Visible Air Contaminants limits the darkness, or opacity, of the visible plume from the stacks at a facility.
3. Chapter 33-15-05 - Emissions of Particulate Matter Restricted limits the amount of particulate matter which is allowed to be emitted from stacks at a facility.

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4. Chapter 33-15-17 - Restriction of Fugitive Emissions limits emissions which do not come from a stack; an example is dust from haul roads.

To comply with the above rules, owners/operators are required to operate and maintain all air pollution control equipment (fabric filters, etc.) in a manner consistent with good air pollution control practice for minimizing emissions. This includes periodic inspection of the control equipment and repair of the control equipment in a timely manner if problems are found.

In addition, all reasonable precautions must be taken to prevent and/or minimize fugitive emissions from the facility. This may include the watering of haul roads and other methods to reduce fugitive emissions from the facility.

#### Summary

In summary, the only change is that operations do not require an air quality permit. Operations must still meet applicable rules. The Department will continue to investigate any instances where it appears that the above air pollution control requirements are not being followed and failure to follow the above requirements may result in enforcement action.

Any questions regarding the above policy may be directed to Craig Thorstenson of my staff at (701)328-5188.

TLO/CDT:saj