

SECTION 32. DUST – DUTY TO PREVENT ESCAPE OF.

- (A) Handling, Transportation, Storing. No person may cause or permit the handling, transporting, or storage of any material in a manner which may allow particulate matter to become airborne in such quantities and concentrations that it remains visible in the ambient air beyond the premises where it originates.
- (B) Construction, Use, Repair, Demolition. No person may cause or permit a building or its appurtenances or a road, or a driveway, or an open area to be constructed, used, repaired, or demolished without applying all such reasonable measures to prevent particulate matter from becoming airborne so that it remains visible beyond the premises where it originates. The Director may require such reasonable measures as may be necessary to prevent particulate matter from becoming airborne, including but not limited to: paving or frequent cleaning of roads, driveways, and parking lots; application of dust-free surfaces; application of water; and the planting and maintenance of vegetative ground cover.
- (C) Notwithstanding any other provisions of this section, the Department shall not regulate emissions from normal farming practices, farm crop drying and handling, or animal feeding activities, provided that reasonable and practical measures to limit particulate matter from such sources are utilized.

Ref: Title 129, Chapter 32, Nebraska Department of Environmental Quality