

Dearborn's New Bulk Storage Ordinance: What to Know

What it Covers

Any facilities that store, handle, load, unload, stockpile, or process bulk solid materials.

Goal: Minimize fugitive dust & debris from these facilities.

Main Focus Points:

- Limits on material piles' height & placement.
- Minimum standards for screening & dust control.
- Monitoring and reporting requirements.

How it Works

Any facilities that store, handle, load, unload, stockpile, or process bulk solid materials must:

- Apply annually for a Certificate of Operation
- Adhere to site standards and operating plans for **dust control and material storage and handling**.
- Install air quality monitors and provide quarterly reports to the City.

Enforcement

The State of Michigan is responsible for enforcing environmental regulations. If they do not enforce, the City can. The City's ED Dept. will:

- Perform annual facilities' plan review & inspection.
- Enforce compliance on dust control, pile height, placement, & screening.
- Coordinate with EGLE on item outside the City's expertise or authority.

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What is Required of Facilities?

Facilities must recertify annually through plan review & site inspection to ensure compliance with ordinance requirements, including:

- Max. height for all piles and min. distance requirements from waterways & property lines.
- Screening and enclosure requirements for piles.
- Site design and operating requirements for materials handling, and runoff and dust control.
- Installation of air quality monitors on site.
- Public Comment: variance requests & fugitive dust plans, where applicable.

The review includes **Planning, Zoning, Building, Fire, Engineering, and Public Health** staff. **Facilities that meet all requirements may operate.**

How Will Enforcement Work?

Economic Development's Code Enforcement Officers will lead enforcement through the following process:

1. City will notify EGLE and investigate within 5 business days; NOV will be issued for verified violations if there is no EGLE action.
2. Facility has 30 days to correct a violation, or a \$1K ticket will be issued, with additional enforcement action until compliance achieved.
3. A \$2,500 ticket will be issued for any new violation within 90 days of a prior violation.

City will utilize on-site PM10 monitors, range finders, Method 9 opacity measurement, and site inspection for investigations. City will refer to EGLE as needed and defer to EGLE guidance where required.

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Timing

The ordinance goes into effect on **July 31, 2024**. On that date, multiple milestones are triggered, such as:

- Deadline to secure Certificate of Operation: **Oct. 29, 2024** (90 days from effective date)

Note: enforcement on issues being addressed in certification will begin after this deadline.

- Deadline for enclosing carbonaceous materials: **Jan. 28, 2025** (180 days from effective date).

Note: enforcement of enclosure requirements will begin after this deadline.

- Track out/dust control nuisances will continue to be monitored and enforced as normal.

Where to go with issues/questions

To report any potential violations, or if you have questions about the ordinance:

Please call the Response Center at 313-943-2150, and include the address to enable a faster response.