

The existing Rule 403 Implementation Handbook contains a resource list of chemical dust suppressant vendors. Appendix E contains an updated resource list based the most recent information available to staff.

PR 1186 - PM₁₀ Emissions from Paved and Unpaved Roads, and Livestock Operations

Subdivision (a) - Purpose

Subdivision (a) specifies that the purpose of this rule is to reduce PM₁₀ as a result of vehicular travel on paved and unpaved roads and from livestock operations.

Subdivision (b) - Applicability

This subdivision specifies that this rule is only applicable to subject sources within the Basin. (See Figure 1, page 8)

Subdivision (c) - Definitions

Subdivision (c) provides definitions for the key terms used in the proposed Rule. Many of these definitions are identical to those contained in existing District Rule 403.

Paragraph (d)(1)

This subparagraph requires the removal of visible roadway accumulations within 72 hours of the event that caused the material to be deposited onto the paved public roadway. Additional clean-up time is permitted provided that the jurisdiction notifies the Executive Officer and estimates a date for completion of the clean-up activities. Anticipated "events" include wind or water erosion, haul vehicle spillage, or any other occurrence, excluding vehicular track-out, that results in the accumulation of visible roadway dust that covers an area in excess of 200 square feet. An exemption from this requirement is provided for low-use roadways (h)(3)(2)(A), and those closed to through traffic (h)(3)(2)(B), and accumulations caused by events of such magnitude that a State of Emergency has been declared by the Governor provided that clean-up activities are initiated as soon as feasible (h)(3)(C).

Paragraph (d)(2)

Under the requirements of this subparagraph, agencies purchasing, leasing, or contracting for street cleaning services would be required to purchase or use "PM₁₀ efficient" street sweeping equipment by January 1, 1999. Subparagraph (d)(14) defines PM₁₀ efficient street sweepers as, "street cleaning equipment that has been outfitted with a filter, bag house, cyclone or other system designed to prevent the

venting of particulate matter 10 microns or less." This requirement, however, is delayed until 1999 recognizing that jurisdictions may have existing street sweeping contracts that cannot be immediately amended or that existing budgets may not account for the possible additional costs of purchasing this type of equipment.

The District has received many comments on the PR 1186 routine street cleaning requirements. In response to these comments, staff has amended the rule language to allow jurisdictions an exemption (defined in paragraph (h)(4)) from the PR 1186 procurement requirements provided that PM₁₀-efficient street sweepers are used on roads with high silt loading potential (i.e., intersect with unpaved road or have unimproved road shoulders). These amendments will ensure the necessary emissions reductions while lowering the fiscal impact to local government. Comments have also been expressed regarding the availability of adequate technology, even though staff believes existing technologies have been demonstrated.

Staff is committed to resolve the concerns over the PR 1186 street sweeper requirements raised at the public consultation meeting, the public workshop, and from meetings with local jurisdictions and street sweeper manufacturers. Specifically, the Governing Board resolution commits the District to establish a working group to resolve outstanding issues prior to the PR 1186 January 1, 1999, effective date to begin procurement. The working group would be comprised of local jurisdiction, street sweeper manufacturers, District staff, and other interested parties and would be required to report to the Board by June 30, 1998. Specific items to be reported on by the working group include: 1) status of a PM₁₀-efficient street sweeper standards and testing protocol, 2) alternative fuel usage in new sweepers, and 3) advancing street sweeper technologies.

Paragraph (d)(3)

This subparagraph requires owner/operators of public unpaved roads to implement one of the following control actions each year for each of the nine years following rule adoption ten years following the rule effective date:

- (A) Paving at least 1 mile of such roads using typical roadway materials;
or
- (B) Applying chemical stabilization to 2 miles of such roads in sufficient quantities to maintain a stabilized surface; or
- (C) Taking one or more of the following actions on 3 miles of such roads:
 - (i) Installing signage at 1/4 mile intervals that prohibits vehicular speeds in excess of 15 miles per hour (mph) as authorized by California Vehicle Code section 22365 and/or

- (ii) Installing speed control devices (e.g., speed bumps) every 500 feet and/or
- (iii) Maintaining the roadway in such a manner that inhibits vehicular speeds in excess of 15 mph to 3 miles of unpaved roads in its jurisdiction.

Jurisdictions that exceed the annual unpaved road treatments established above can take credit in subsequent years.

Staff has analyzed the potential impact of this rule revision and based on information provided by cities and counties, there is a greater intent to utilize paving than previous estimates. Accordingly, the estimated emissions reductions and cost-effectiveness would change. Staff has recalculated the emissions reductions and cost-effectiveness estimates presented in Appendices F and G.

~~on at least ten percent of qualifying road mileage per year until all have been subject to treatment:~~

- ~~install signage that establishes a 15 mile per hour (mph) speed limit, or~~
- ~~install speed bumps or maintain the roadway in such a manner that inhibits vehicular speeds in excess of 15 mph, or~~
- ~~paving with typical roadway materials (defined in subparagraph (e)(1)(B)), or~~
- ~~apply chemical stabilization (defined in subparagraph (e)(3)) that maintains a stabilized surface (defined in subparagraph (e)(1)(6)).~~

Subparagraph (h)(3)(A) ~~exempts unpaved roads with fewer than 50 average daily trips (defined in subparagraph (e)(1))~~. Based on comments received at the public consultation meeting and at the public workshop, an exemption has been added for unpaved roads with less than 500 average daily trips that are 3,000 feet above mean sea level (h)(5)(3)(A)(B). This exemption was deemed appropriate because the mountain monitoring stations (e.g., Crestline and Big Bear) have not documented any violations of the PM₁₀ standards and because there is no documented process for transport of PM₁₀ from these areas to the Basin. Exemptions have also been added for unpaved roads used for emergency maintenance of essential public services (h)(5)(3)(B)(C) or facilities and unpaved roads where public access is prohibited (h)(5)(3)(C)(D) and for unpaved alleys (h)(5)(D). Clauses (h)(5)(E)(i) and (ii) provide limited exemptions for jurisdictions that have less than 10 miles of unpaved roads.

Paragraph (d)(4)

Under this requirement, owner/operators of livestock operations must cease hay grinding activities at any time visible emissions extend more than 50 feet from a hay grinding source. Paragraph (h)(6) exempts livestock operations of less than 10 acres.

Paragraph (d)(5)

This paragraph requires owner/operators of livestock operations to treat access roads and feed access lane areas no later than January 1, 1998. Treatment options include paving, establishment of gravel to a depth of four inches, or application of asphaltic road base. Subparagraph (h)(4) exempts livestock operations on farms of less than 10 acres.

Subdivision (e) - Contingency Requirements

Similar to subdivision (e) of PAR 403, this subdivision establishes contingency requirements that would only become effective if a contingency notification occurs. Subparagraph (c)(4) describes the conditions that would necessitate a contingency notification.

Subparagraph (e)(1)

This subparagraph establishes minimum design standards for paved road construction or modification based on American Association of State Highway and Transportation Officials (AASHTO) or the local equivalent guidelines that would become effective 60 days after a contingency notification. Subparagraph (e)(1)(A) establishes construction standards for outside road shoulders and subparagraph (e)(1)(B) establishes construction standards for medians. Under subparagraph (e)(1)(A), curb and gutter would be required for new road construction or, as an alternative the outside road shoulders would be required to be paved. The required width of the paved shoulders would be based on forecasted average daily traffic levels. Subparagraph (e)(1)(B) would require paving of medians unless the road speed limit is less than 45 miles per hour or the median has been landscaped or treated with chemical stabilizers and is surrounded by curbing.

Subparagraph (e)(2)

Subparagraph (e)(2) ~~would require the use of flail mowing (defined in subparagraph (e)(3)) or other similar process(es) that maintains weed stubble when conducting weed abatement activities. Subparagraph (e)(2) does permit disking for weed abatement provided that the agency issuing the weed abatement order has determined that flail mowing is not feasible due to conflicts with the endangered species act or because of steep slopes or other safety factors.~~

Subdivision (f) - Recordkeeping

This subdivision requires agencies subject to the unpaved road provisions [subparagraph (d)(3)] to maintain records that document compliance with the ten percent annual treatment requirements.

Subdivision (g) - Effective Date

This subdivision establishes that all provisions of this proposed rule would become effective on February 1, 1997. The contingency requirements contained in subdivision (e) would only become effective after a contingency notification by the U.S. EPA for conditions specified in the 1990 Clean Air Act Amendments.

Subdivision (h) - Exemptions

This subdivision establishes exemptions for small sources of PM₁₀. Discussion of the exemptions was provided within each of the requirements discussions provided above. A new exemption has been provided to facilities with an approved Rule 1158 (Storage, Handling, and Transport of Petroleum Coke) plan provided that all sources of fugitive dust are included in the plan and the control actions are sufficient to comply with the performance standards contained in Rule 403. An additional exemption is proposed for essential public services that are in compliance with District Rule 403.

Subdivision (i) - Alternative Control Options

This subdivision allows submittal of a plan that demonstrates an equivalent emission reduction in lieu of complying with the provisions of paragraphs (d)(3) and (d)(5) and subdivision (e). Any plan submitted pursuant to subdivision is subject to approval by the Executive Officer and the U.S. EPA.

APPLICABILITY**PAR 403**

PAR 403 would apply to any land use or activity that has the potential to generate fugitive dust or other forms of particulate matter within the jurisdictional boundaries of the District. As previously mentioned, sources within the Basin would be required to implement BACM and sources outside the Basin may elect to implement RACM instead of BACM. Based on experiences with the existing rule, it is anticipated that the proposed rule amendments would be the most applicable to the following activities: construction (earth-movement) operations, landfills, and bulk material storage/handling/transport. Bulk material is used at a variety of land uses (e.g.,

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cement plants, aggregate mines, etc.). All agricultural activities outside the Basin and those within the Basin that are less than 10 acres would continue to be exempt from the proposed amendments to Rule 403. Agricultural operations within the Basin that are greater than 10 acres would also continue to be exempt from the proposed amendments provided that a soil erosion control plan is prepared pursuant to the procedures specified in subparagraph (h)(1)(B).

PR 1186

PR 1186 would only be applicable to paved and unpaved roads, and livestock facilities within the Basin. It is anticipated that municipal, county, state, and federal jurisdictions would primarily be subject to the requirements for paved and unpaved roads. The following is inventory the Basin's unpaved road mileage as identified by the Southern California Association of Governments (SCAG) geographic information system database.

County	Unpaved Road Inventory (Miles)
Los Angeles*	2,724
Orange	588
San Bernardino	676
Riverside	608

Based on consultations with industry, subject livestock operations are located throughout the Basin, with most in San Bernardino and Riverside counties.

ANTICIPATED EMISSION REDUCTIONS

For more traditional air pollution sources, such as point sources, emissions reductions are calculated by multiplying the baseline emissions by the effectiveness of a given control technology (e.g., selective catalytic reduction). For non-traditional air pollution sources, such as fugitive dust, emissions reductions calculations are more difficult because the level of control necessary to comply will vary greatly due to site-specific conditions. For example, a construction site adjacent to the coast may need to apply less water to a grading project when compared to a site in a more arid,

* Does not include non-Basin portions of the District (e.g., Antelope Valley, and desert portions of Riverside and San Bernardino County)

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inland area. Additionally, many of the proposed rule requirements allow various control options. Accordingly, it is not possible to quantify precise emissions reductions from implementation of the proposed rule requirements. Instead, it is feasible to develop multiple likely scenarios and then calculate a range of possible emissions reductions. The mid-range emissions reductions are used to complete the cost-effectiveness analysis.

For the Basin, the emissions reductions associated with PAR 403 have been calculated at 42.9 tons of PM₁₀ per average annual day by the year 2006. The PAR 403 contingency requirements, if implemented, are estimated to result in a reduction of 0.6 tons of PM₁₀ per average annual 2006 day. For PR 1186, the emissions reductions are estimated at 43.5 44.5 tons and the contingency requirements are estimated at 3.8 tons per average annual 2006 day. The emissions reductions methodology are included in Appendix F. It should be noted that the cost-effectiveness and socioeconomic analyses are based on 2010 emissions reductions.

BACM SELECTION

The 1994 BACM SIP contained a commitment to adopt all candidate BACM by February 8, 1997 provided that each measure meets the cost and technological feasibility presented below.

(1-1) Cost-feasibility:

A control measure will be considered cost feasible if the cost-effectiveness is less than \$5,300 per ton of PM₁₀ reduced on an annual basis.

(1-2) Technological feasibility:

A control measure will be considered technically feasible if all the following conditions are satisfied:

- (a) The control technology is currently available; and
- (b) The control efficiency has been demonstrated to achieve a minimum of at least 10 percent.

Staff has conducted an analysis to determine which candidate BACM meet these specified criteria. Tables 4 and 5 present the results of the technical feasibility analysis and Tables 6 and 7 present the results of the cost-effectiveness analysis. The assumptions for these analyses are presented in Appendices F and G.

As presented in Tables 4 and 5, all the measures are currently available and achieve at least a ten percent control efficiency, with the exception of the PAR 403

requirements for wider use of dust control plans (BCM - 2). The PR 1186 requirements for weed abatement activities have not been calculated; however, a study prepared for the BACM working group determined that emissions from this category are anticipated to be very minor⁶ and, as such, this measure has been removed from consideration, ~~is proposed as a contingency measure.~~

TABLE 4
PAR 403 Technological Assessment

Control Measure (Rule Reference)	Availability	10% Reduction
BCM 1a - Minimal Track-Out (d)(5)/Table 3	Yes	Yes
BCM 2 - Wider Use of Plans (e)(1)	Yes	No
BCM 6 - Agricultural Activities (h)(1)(B)	Yes	Yes
BCM 4 - RACM to BACM Upgrades (Tables 1 and 2 and Rule 403 Implementation Handbook)	Yes	Yes

Based on the information presented in Tables 6 and 7, all the candidate BACM meet the established cost-feasibility criteria, with the exception of the PR 1186 requirements for curb and gutter installation and road shoulder improvements (BCM 1d/e).

Based on the information presented in Tables 4 through 7, all the candidate BACM meet the established cost and technical feasibility criteria with the exception of BCM 2, BCM 1d/e, and BCM 5. All the BACM meeting the criteria have been incorporated into PAR 403 and PR 1186 as previously described. The BACM that did not meet the established criteria have been included in PAR 403 and PR 1186 as contingency measures.

⁶ AeroVironment, Fugitive Dust Study Characterization of Uninventoried Sources, Report Number AV-94-06-214A, March 1996.

TABLE 5
PR 1186 Technological Assessment

Control Measure (Rule Reference)	Availability	10% Reduction
BCM 1b - Routine Street Sweeping (d)(2)	Yes	Yes
BCM 1c - Post-Event Cleaning (d)(1)	Yes	Yes
BCM 1d/e - Curb & Gutter/Road Shoulder (e)(1)	Yes	Yes
BCM 3 - Unpaved Roads (d)(3)	Yes	Yes
BCM 5 - Weed Abatement (e)(2)	Yes	Uncertain

TABLE 6
PAR 403 Cost-Effectiveness Assessment

Control Measure (Rule Reference)	\$/Ton	Meets Criteria
BCM 1a - Minimal Track-Out (d)(5)/Table 3	\$<100	Yes
BCM 2 - Wider Use of Plans (e)	\$326 374	Yes
BCM 4 - Agricultural Activities (b)(1)(B)	\$134 426	Yes
BCM 6 - RACM to BACM Upgrades (Tables 1 and 2 and Rule 403 Implementation Handbook)	\$197 498	Yes

TABLE 7
PR 1186 Cost-Effectiveness Assessment

Control Measure (Rule Reference)	\$/Ton	Meets Criteria
BCM 1b - Routine Street Sweeping (d)(2)	\$1,199 370	Yes
BCM 1c - Post-Event Cleaning (d)(1)	\$<100	Yes
BCM 1d/e - Curb & Gutter/Road Shoulder (e)(1)	\$5,527 5,577	No
BCM 3 - Unpaved Roads (d)(3)	\$645 447	Yes
BCM 5 - Weed Abatement (e)(2)	Not Determined	

PUBLIC COMMENTS

A Public Workshop was held on October 29, 1996 at the District's headquarters in Diamond Bar, California. The following is a summary of the oral comments made at the workshop followed by staff's response.

- Comment: The University of California at Riverside College of Engineering - Center for Environmental Research and Technology (CE-CERT) is currently conducting an evaluation of paved road silt loadings and the effectiveness of street sweeping in reducing silt loadings for the California Air Resources Board (ARB). Based on the preliminary study results, there are a variety of items that may affect the technological feasibility of the proposed Rule 1186 requirements for future procurement of PMA street sweeping equipment and the accompanying emission reductions. Specifically, the silt loadings measured in the CE-CERT/ARB study indicate that the District's paved road emissions inventory may overstate actual conditions experienced on some roads within the Basin. The preliminary CE-CERT/ARB study results also appear to indicate that street sweeping may be ineffective in reducing paved road silt levels.

Response: The District is committed to resolving the PR 1186 street sweeper procurement issues identified by local jurisdictions, street sweeper manufacturers,

and CE-CERT. An additional public workshop has been scheduled for December 4, 1996 to address these issues with the public. The District will work with CE-CERT, ARB and local jurisdictions to resolve comments on the emissions reductions and technical feasibility of the PR 1186 routine street sweeping requirements. Staff is working to determine areas where PM₁₀-efficient street sweepers would be most effective within their operational constraints.

2. Comment: The unpaved road exemption for emergency maintenance of essential service utilities in PR 1186 should be expanded to include unpaved roads used for emergency fire and flood protection. In paragraph (h)(1) of PR 1186, the title of Rule 1158 should be added for clarification.

Response: The requested revisions are included in the current draft rule text.

3. Comment: City and county governments - presently have severe funding constraints that may affect their ability to comply with the proposed rule requirements. The staff report should include text describing that PR 1186 would be applicable primarily to governmental agencies.

Response: The requested text has been added to the draft staff report.

4. Comment: Governmental and quasi-governmental agencies (e.g. water districts, utilities) presently have unpaved roads that are technically defined as "public" because they are controlled by public agencies. An exemption should be provided for these unpaved roads.

Response: An exemption has been added to PR 1186 to public unpaved roads where public access is restricted.

5. Comment: The existing definition for chemical dust suppressants states that products must not be used if prohibited by the Regional Water Quality Control Boards (RWQCB). The District should work with RWQCB to develop a list of products that acceptable for use in the Basin.

Response: In conjunction with the 1993 amendments to Rule 403, District staff began consultations with the RWQCBs and water providers regarding the use of chemical stabilizers for dust control. The result of this work effort was a resource Handbook. Consultations with the RWQCBs indicates that chemical stabilizer use will continue to be evaluated by the RWQCBs on a case-by-case basis, however, the District will continue to work to establish a list of "approved" products.

6. Comment: In the event of a contingency notification by the U.S. EPA, how would affected businesses and agencies become aware of additional requirements.

Response: As indicated in PAR 403 and PR 1186, the contingency requirements would become effective 60 days after being noticed in newspapers of general circulation. In the event of a contingency notification by the U.S. EPA, the District would conduct a formal outreach program to notify affected parties during the period between the newspaper notice and the contingency notification effective date.

7. Comment: The definitions for paved roads are inconsistent between PAR 403 and PR 1186.

Response: Staff has made the PAR 403 and PR 1186 paved road definitions consistent.

8. Comment: The PAR 403 Table 1 control actions are proposed to be upgraded to require the watering of unpaved roads and storage piles at least twice per hour during active operations. At a cement processing facility there are unpaved roads that frequent watering may cause safety concerns and there are clay storage piles where additional watering is unnecessary to mitigate windblown dust. A request is made to add the phrase, "when there is evidence of wind-driven fugitive dust" after Rule 403 Table 1 control actions (2C) and (1D).

Response: Table 1 of existing Rule 403 provides control action options to be implemented under high-wind conditions. As indicated in Table 1, other compliance options for unpaved roads and open storage piles include: application of dust suppressants, cessation of vehicular traffic, and installation of temporary coverings. Under clause (H)(2)(A)(iii) of existing Rule 403, an activity may be relieved of the Table 1 control actions provided a "High Wind Fugitive Dust Control Plan" (HW-Plan) is approved by the District. Under the provisions of clause (H)(2)(A)(iii), the HW-Plan must identify the technical (e.g., non-economic) reasons, including safety why any of the Table 1 control actions cannot be implemented and must provide an alternative measure, if feasible. The HW-Plans are subject to the same processing requirements as specified in Rule 403 subparagraphs (f)(5) and (f)(6).

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The proposed action to amend Rule 403 and adopt Rule 1186 is a "project" as defined by the California Environmental Quality Act (CEQA). CEQA requires that the potential environmental impacts of proposed projects be evaluated and that

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feasible methods to reduce or avoid identified significant adverse environmental impacts of these projects be identified.

The purpose of the analysis is to inform the District's Governing Board, public agencies, and interested parties of potential environmental impacts that could result from implementing the proposed project. All comments received during the public comment period on the analysis will be responded to and documented. Prior to making a decision on the proposal, the District Governing Board must review and certify the analysis as providing adequate information on the potential adverse environmental impacts of the proposed project.

Pursuant to CEQA Guidelines Section 15153, a CEQA Lead Agency may use an Environmental Impact Report (EIR) prepared in connection with an earlier project to apply to a later project if the circumstances of the project are essentially the same. District staff has determined that the Draft Environmental Impact Report (EIR) prepared for the 1997 Air Quality Management Plan (AQMP) (SCH#96011062) adequately analyzes the potential adverse environmental impacts from the proposed project. The EIR for the 1997 AQMP includes a detailed analysis of the PM₁₀ BACM from which PAR 403 and PR 1186 are directly derived.

Copies of the EIR for the 1997 AQMP are available by calling the District Public Information Center at (909) 396-3600. Please specify that your request of the 1997 AQMP EIR is associated with PAR 403 and PR 1186. A Notice to Use a Previously Prepared EIR will be attached to the EIR and will summarize the project description and include the period designated for public comment.

**DRAFT FINDINGS REQUIRED BY HEALTH AND SAFETY CODE
SECTION 40727**

Necessity - The District Governing Board finds and determines that Proposed Amended Rule 403 (Fugitive Dust) and Proposed Rule 1186 (PM₁₀ Emissions From Paved and Unpaved Roads and Livestock Operations) as proposed, are necessary in order to comply with CAA requirements for serious PM₁₀ nonattainment areas.

Authority - The District Governing Board obtains its authority to adopt, amend, or repeal rules and regulations from California Health and Safety Code Sections 39002, 39650 et seq., 40000, 40001, 40412, 40440, 40441, 40702, 40725 through 40728..

Clarity - The District Governing Board finds and determines that Proposed Amended Rule 403 (Fugitive Dust) and Proposed Rule 1186 (PM₁₀ Emissions From Paved and Unpaved Roads and Livestock Operations), have been amended or adopted taking into consideration public comments from persons affected by the rules, and as a

result, their meaning can be easily understood by the persons directly affected by them.

Consistency - The District Governing Board determines that Proposed Amended Rule 403 (Fugitive Dust) and Proposed Rule 1186 (PM₁₀ Emissions From Paved and Unpaved Roads and Livestock Operations), are in harmony with, and not in conflict with or contradictory to, existing federal or state statutes, court decisions or regulations.

Non-Duplication - Proposed Amended Rule 403 (Fugitive Dust) and Proposed Rule 1186 (PM₁₀ Emissions From Paved and Unpaved Roads and Livestock Operations), do not impose the same requirement as any existing state or federal regulations, and are necessary and proper to execute the powers and duties granted to, and imposed upon, the District.

Reference - In adopting these rules, the District Governing Board references the following statutes which the District hereby implements, interprets or makes specific: federal Clean Air Act §§ 110, 171, and 188, 189 and 190 (42 U.S.C. §§ 7410, 7501, and 7513, 7513a, and 7513b); and Health and Safety Code Sections 40001, 40440, 41700 and 40702.

RESPONSES TO PUBLIC COMMENTS

Draft Rule text and the preliminary draft staff report were distributed for public review and comment from September 24, 1996 to December 6, 1996. The District received a total of 16 comment letters during this period and has responded to each of the comments in the attached pages.

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RESPONSES TO PUBLIC COMMENTS

Letter #1 - City of Brea

Letter #2 - City of Hemet

Letter #3 - City of Los Angeles

Letter #4 - City of Moreno Valley

Letter #5 - City of Murrieta

Letter #6 - County Sanitation Districts of Los Angeles County

Letter #7 - County of Riverside

Letter #8 - County of Riverside Waste Management

Letter #9 - Orange County Council of Governments

Letter #10 - State of California Air Resources Board

Letter #11 - UC Riverside CE-CERT

Letter #12 - USDA Forest Service

Letter #13 - USDA Natural Resources Conservation Service

Letter #14 - John Billmeiner

Letter #15 - GCS Western Power Equipment

Letter #16 - City of Redlands

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January 1997



November 14, 1996

Planning & Policy
NOV 20 1996

Mr. Mel Zaidin
Planning and Policy
South Coast Air Quality Management District
21855 E. Copley Dr.
Diamond Bar, CA 91765-4182

SUBJECT: AMENDMENTS TO RULE 403 (FUGITIVE DUST) AND
PROPOSED RULE 1186 (PM10 EMISSIONS FROM PAVED
AND UNPAVED ROADS, AND LIVESTOCK
OPERATIONS)

Dear Mr. Zaidin:

The City of Brea Staff has an opportunity to review the proposed amendments to Rule 403 (PAR 403) and the proposed new Rule 1186 (PR 1186). These rules will impact the City's budget and operations as follows:

• *Cost of New Street Sweeper*

Rule 1186 would require the City to replace existing street sweepers with new street sweepers that are PM₁₀-efficient by January 1, 1999. Our understanding is that a PM₁₀-efficient street sweeper costs \$37,000 more than an existing street sweeper.

This requirement has serious budget implications for the City of Brea. The City had purchased a new street sweeper earlier this year. This sweeper is a vacuum based which we think comes close to the PM₁₀-efficient street sweeper which is described in PR 1186. We expect to use this sweeper beyond 1999 since its expected life is about seven years. The City does not have any budget to purchase a new PM₁₀-efficient street sweeper within the next six to seven years.

Because of the above implications, we recommend the following:

- Change the PR 1186 language to accommodate existing street sweepers that were purchased in 1996, including those purchased prior to 1996.
- Provide incentives, such as through air quality credit or funding mechanism, where cities can trade in or retrofit their old street sweepers for PM₁₀-efficient street sweepers.

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Comment Letter #1
City of Brea
November 14, 1996

1-1

Subparagraph (d)(2) of Proposed Rule (PR) 1186 does not require the city to replace street sweepers by January 1, 1999. Rather, PR 1186 would require jurisdictions to procure PM₁₀-efficient street sweepers only if a new sweeper would otherwise be purchased after that date, or a new contract/lease begins after January 1, 1999. Any street sweepers purchased prior to January 1, 1999 could continue to be used for the life of the equipment.

Because flexible, incentive programs are in its infancy, at this point, there are no plans to incorporate the BACM rules. However, we will periodically reevaluate this as the program matures.

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Don Clark, Clerk
Brea, California 92603
714/766-1100
Fax 714/766-1100

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Mr. Mel Zeldin
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Comment Letter #1
City of Brea
November 14, 1996

1-2

Efficiency and Performance

It is questionable whether the new sweeper has an equivalent or better speed than an existing street sweeper. Also, it is questionable whether it is able to pick up large items and debris. Please clarify.

1-2

Several jurisdictions and street sweeper manufacturers have stated that the PM₁₀-efficient street sweepers are required to operate at slower speeds than the non PM₁₀-efficient street sweepers and that they may not be effective at collecting heavy or flat items. In response to these concerns, the District has amended PR 1186 to allow jurisdictions an exemption from the procurement requirements provided that PM₁₀-efficient street sweepers are utilized on roads with high silt loading potential (i.e., roads that intersect with unpaved roads and have unimproved shoulders). By targeting roads with the greatest silt loading potential the necessary emissions reductions can be achieved within the technical limitations of current PM₁₀-efficient street sweepers and with less impact to individual jurisdictions. The District is committed to working with jurisdictions to resolve issues regarding the use of PM₁₀-efficient street sweepers prior to the PR 1186 January 1, 1999 effective date to begin procurement of PM₁₀-efficient street sweepers.

1-3

Post-event Clean Up

The PR 1186 requires that cities remove any materials deposited on roadways within 72 hours after an event. We feel that this requirement is a duplication of what cities are already doing. The City of Brea currently responds to post-event clean up expeditiously not only because of concern about accumulation of particulate matter on the road but because of safety concerns for its residents.

1-4

Use of Chemical Stabilizer on Unpaved Road

This requirement may have the potential to affect storm water quality. Please consider this impact prior to adopting PAR 403 and PR 1186.

1-5

Additional Reporting Requirements

The additional reporting requirements, such as for the weed abatement program, would require additional staff time and record keeping. This has cost implications on local government. Further, it is unclear how long the record must be kept on file.

Enforcement

It is unclear how the AQMD will enforce the provisions of PAR 403 and PR 1186. Please clarify.

1-6

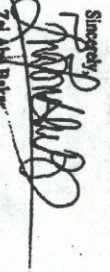
We appreciate the opportunity to review the PAR 403 and PR 1186. If you have any questions, please call me at (714) 671-4439.

1-4

1-3

Based on the information presented in the comment, it would appear that the City's existing clean-up programs would meet the PR 1186 requirements.

The use of chemical stabilizers and potential impacts to surface and ground water resources were addressed in the 1997 Air Quality Management Plan (AQMP) Environmental Impact Report (EIR). Specifically, the AQMP EIR concluded that, "Control Measures BCM-01, BCM-03, CTY-12, and CTY-13 may result in increased use of chemical dust suppressants for PM₁₀ control, however, any increase is expected to be relatively limited for three reasons: 1) chemical dust suppressants are often used only near or at the end of projects, 2) in most cases,

Sincerely,

Zai Abd Baker
Associate Planner

cc: Jay Trevino, Senior Planner
Bill Higgins, Maintenance Services Supervisor
Rich Beckman, Maintenance Equipment Supervisor
Bill Lynxwiler, Fire Prevention Specialist II

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