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George Wu / Henry Pourzand  
South Coast Air Quality Management District  
21865 Copley Drive  
Diamond Bar, CA 91765  
[gwu@aqmd.gov](mailto:gwu@aqmd.gov) / [hpourzand@aqmd.gov](mailto:hpourzand@aqmd.gov)

**Re: Comments regarding Proposed Rule 403.2 – ‘Fugitive Dust from Large Roadway Projects’**

Dear Mr. Wu / Mr. Pourzand,

California Construction and Industrial Materials Association (CalcIMA) appreciates the opportunity to provide comment regarding the South Coast Air Quality Management District (South Coast AQMD) Proposed Rule 403.2 – ‘Fugitive Dust from Large Roadway Projects (PR 403.2)’.

CalcIMA is the statewide voice of the construction and industrial materials industry. With over 500 local plants and facilities throughout the state, producing aggregate, concrete, cement, asphalt, industrial minerals, and precast construction products, our members produce the materials that build our state’s infrastructure, including public roads, rail, and water projects; homes, schools and hospitals; assist in growing crops and feeding livestock; and play a key role in manufacturing consumer products as well, including roofing, paint, low-energy light bulbs, and battery technology for electric cars and windmills. The continued availability of our members’ materials is vital to California’s economy, as well as ensuring California meets its renewable energy, affordable housing, and infrastructure goals.

CalcIMA has expressed concerns, provided feedback, and submitted queries for South Coast AQMD staff response on multiple occasions over the last eight months of the rulemaking process to better understand the proposed rule dynamics. Although CalcIMA appreciated the opportunities to participate in the South Coast AQMD public workgroup meetings in addition to the South Coast AQMD / CalcIMA meetings regarding PR 403.2, there continues to be several unresolved questions and concerns, many of which are detailed within this letter. This is to say that although some of the questions within this letter have been responded to, several responses have lacked specificity, were not conclusive responses to the questions asked, or are still fully pending a response from South Coast AQMD’s rulemaking team. The lack of meaningful responses to our queries prior to the comment deadline creates significant concern related to transparency, and stakeholder equity/fairness related to this rulemaking process. This experience aligns with South Coast AQMD’s rulemaking team description of this process as a “moving target” which has made stakeholder engagement of this rule promulgation received as negligible and makes CalcIMA’s overarching goal to submit purposeful comments for meaningful consideration and discussion with South Coast AQMD’s rulemaking team unattainable.

[WWW.CALCIMA.ORG](http://WWW.CALCIMA.ORG)

455 Capitol Mall, Suite 210 | Sacramento, CA 95814 | (916) 554-1000  
3890 Orange Street, Suite 167 | Riverside, CA 92501 | (951) 941-7981

Comments regarding the preliminary draft staff report ‘Proposed Rule 403.2 – Fugitive Dust from Large Roadway Projects (PR 403.2 Staff Report)’ are compiled below. To avoid redundancy, we kindly request that all comments made pursuant to the PR 403.2 Staff Report be carried over to PR 403.2 as applicable.

**Introduction**

The introduction states “these existing Rules [403, 403.1, 1157, 1466, and 402] do not specifically address dust control from large roadway projects that are conducted in close proximity to a sensitive receptor or area of public concern, which are already disproportionately impacted by diesel particulate matter and other air toxics, in addition to the associated increases in inhalation cancer risk (p. 1-1).” This statement incorrectly implies that although terms such as ‘areas of public exposure’ or ‘sensitive receptor’ were not coined phrases used during the timeframe Rules 403, 1157, and 1466 were drafted and adopted, these rules do not prevent community exposure to fugitive dust. Context should be added to this section discussing specifically how and why this is or is not the case, and should clarify how Rule 403’s prohibition of emissions of fugitive dust from any active operation, open storage pile, or disturbed surface area that remains visible in the atmosphere beyond the property line of the emissions source does not protect ‘areas of public exposure’ or ‘sensitive receptors’ increased fugitive dust inhalation cancer risk if Rule 403 is complied with.

**Regulatory Background**

Context should be included in this section to discuss why the purpose of PR 403.2 has shifted from addressing stockpiles to include additional activities such as crushing and grinding, earth moving, construction/demolition or disturbed surface areas, dust from construction vehicles. This shift in focus creates considerably more overlap with existing rules, with no data provided by South Coast AQMD staff to support this shift in purpose.

**Roadway Project Activities**

This section states that “PR 403.2 classifies roadway project activities and equipment into categories based on their potential to generate ambient particulate matter. These are the same activity categories found in the current version of Rule 403 (p. 1-3).” This is an inaccurate statement because PR 403.2 classification of “roadway project activities and equipment” is not a direct overlap of the activity categories found in the current version of Rule 403 making compliance with this prospective rule highly confusing. Activity categories for both rules are posted below. It should be noted that PR 403.2 addresses construction vehicles in two sections, ‘Aggregate crushing and grinding operations’ and ‘Dust from construction vehicles’. Because each section of both rules has its own list of controls, having inconsistent grouping terms between PR 403.2 and Rule 403 make compliance perplexing.

Rule 403 activity categories from Table 1 that apply to all facilities:	
Backfilling	Earth-moving activities
Clearing and grubbing	Traffic areas for construction activities
Clearing forms	Trenching
Crushing	Truck loading
Cut and fill	Turf overseeding
Demolition – mechanical/manual	Unpaved roads / parking lots
Disturbed soil	Vacant land

Rule 403.2 activity categories from Table 1	
Aggregate crushing and grinding operations	Dust from construction vehicles
Earth moving activities; construction / demolition; or disturbed surface areas	Material piles

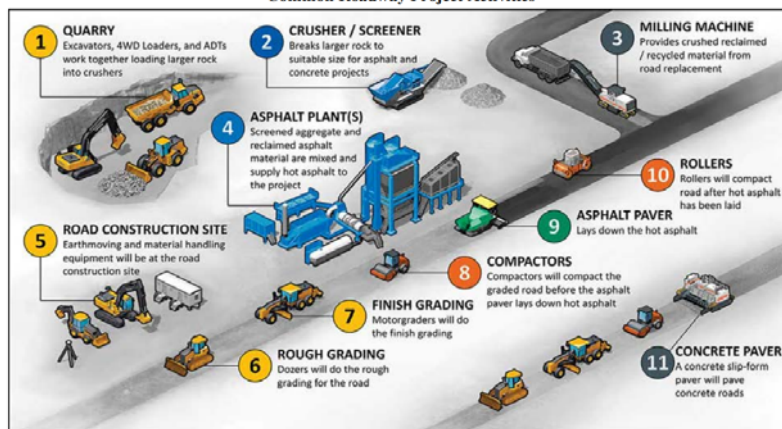
Additionally, South Coast AQMD staff have explained that the controls listed in PR 403.2 are carried over from Rule 403 Large Entity Operation controls. However, after detailed review of both rules, this explanation is fully unclear. It is recommended that the PR 403.2 staff report include a table or other language to substantiate this South Coast AQMD staff explanation. Attached please find a table 'Rule 403 Any Active Operation / Rule 403 Large Entity Operation / PR 4303.2 Language Comparison – For Discussion Purposes Only' that show CalCIMA's findings. We are open to receiving additional perspective related to our findings from South Coast AQMD staff.

This section states "In addition, PR 403.2 would apply to potential dust entrainment caused by the movement of heavy- and light-duty construction vehicles at the large roadway project site and maintenance of material piles (p. 1-3)." This statement compares PR 403.2 to Rule 403, but should also include discussion comparing PR 403.2 to other rules that address material piles.

This section states in relation to Figure 1-1 'Common Roadway Project Activities' that "Note that "Step 1 Quarry" and "Step 4 Asphalt Plants" would most likely not be part of the large roadway project for the purposes of PR 403.2 (unless it is immediately adjacent to the roadway project and associated solely with providing materials to the specific roadway project) (p. 1-3)."

CalCIMA members operate asphalt plants at large roadway projects to minimize California's infrastructure's carbon footprint. The construction materials that build roadway projects all depend on large quantities of construction aggregates transported to job sites by heavy-duty trucks. Reducing the distances these trucks travel is a key strategy in reducing greenhouse gases in addition to other tailpipe emissions. In order to more clearly and quantifiably understand how prohibiting asphalt plants used at roadway projects within 100 feet of an area of public exposure or sensitive receptor, it is recommended that modeling be included within this staff report to provide perspective. It is recommended that this modeling consider impacts to 'areas of public exposure' and 'sensitive receptors' that address both vehicular emissions and fugitive dust, how compliance with existing rules weigh in, and include discussion related to vehicular emissions and fugitive dust dissipation in correlation with specified distances to impacted areas and receptors.

**Figure 1-1<sup>1</sup>**  
Common Roadway Project Activities



Four of the six images used to describe general types of roadway project activities seems to show activities that are clearly in violation of Rule 403 which is not representative of the population of activities that occur within South Coast AQMD’s jurisdiction. These images seem to misleadingly show these activities in a discrepant light particularly because the staff report does not include quantifiable data related to Rule 403 enforcement issues, although this information has also been requested on multiple occasions. Posted below are the four photos and correlating control measures from Rule 403 that is applied to any active operation.

The staff report includes a photo of a portable recycling crusher and states “Figures 1-2 shows a typical portable crusher which is used to crush concrete/asphalt/stone demolition materials into smaller sized recycled aggregate for re-use (p. 1-4)”.

**Figure 1-2**  
**Portable Recycling Crusher**



Rule 403 control measures (p. 403-13):

<b><u>Source Category</u></b>	<b><u>Control Measure</u></b>	<b><u>Guidance</u></b>
Crushing	04-1 Stabilize surface soils prior to operation of support equipment; and 04-2 Stabilize material after crushing.	<ul style="list-style-type: none"> <li>- Follow permit conditions for crushing equipment</li> <li>- Pre-water material prior to loading into crusher</li> <li>- Monitor crusher emissions opacity</li> <li>- Apply water to crushed material to prevent dust plumes</li> </ul>

Rule 403 requirement (p. 403-5 to 403-6):

(d)(1) No person shall cause or allow the emissions of fugitive dust from any active operation, open storage pile, or disturbed surface areas such that:

(A) the dust remains visible in the atmosphere beyond the property line of the emission source

The staff report shows a portable crusher at a roadway project near a receptor in Figure 1-3 (p. 1-5). It is questionable whether this photo is being used to make the implication that a violation occurred with this pictured equipment that impacted an ‘area of public exposure’ or ‘sensitive receptor’. Accordingly, context should be added to clarify whether a violation did or did not occur. If appropriate controls were used it would be helpful to understand if fugitive dust did or did not cross the property line.

**Figure 1-3**  
**Portable Crusher at Roadway Project Near a Receptor**



The staff report states that “Many large roadway projects seek to recycle all of the products of demolition, on-site at the project and reuse them as construction material (p. 1-5).” Context should include an environmental discussion regarding the benefits and risks related to this construction strategy.

Figure 1-4 ‘Bridge Demolition Activity Over a Large Roadway (P. 1-6)’ seems to show the operation is out of compliance with current requirements. Language should be added to clarify whether this image is representative of how South Coast AQMD understands the majority of this type of activity to be carried out, or if this is a photo of a violation. The staff report states “Specifically, fugitive dust may be generated by the demolition of existing structures such as bridges, overpasses, sound and retaining walls (see Figure 1-4) (p. 1-5).” Because this staff report is focused on PR 403.2, it would be helpful to understand how this type of activity is currently proposed to be mitigated complementary of existing rule requirements.

**Figure 1-4**  
**Bridge Demolition Activity Over a Large Roadway**



Rule 403 Table 1 controls (p. 403-14):

<b>Source Category</b>	<b>Control Measure</b>	<b>Guidance</b>
Demolition – mechanical/manual	06-1 Stabilize wind erodible surfaces to reduce dust; and 06-2 Stabilize surface soil where support equipment and vehicles will operate; 06-3 Stabilize loose soil and demolition debris; and 06-4 Comply with AQMD Rule 1403 ‘Asbestos Demolition’.	- Apply water in sufficient quantities to prevent the generation of visible dust plumes.

The staff report shows “Figure 1-5 shows a variety of earth-moving equipment (for example, dozers and dump trucks) used in grading roadways (p.1-6).” Context should be added as to whether this activity is or isn’t in violation of existing rules.

**Figure 1-5**  
**Earth-Moving Activities and Associated Fugitive Dust**



<b>Source Category</b>	<b>Control Measure</b>	<b>Guidance</b>
Earth-moving activities	08-1 Pre-apply water to depth of proposed cuts; and 08-2 Re-apply water as necessary to maintain soils in a damp condition and to ensure that visible emissions do not exceed 100 feet in any direction; and 08-3 Stabilize soils once earth-moving activities are complete.	- Grade each project phase separately, timed to coincide with construction phase - Upwind fencing can prevent material movement on site - Apply water or a stabilizing agent in sufficient quantities to prevent the generation of visible dust plumes

The staff report states “Movement of all construction vehicle types within the boundaries of a roadway project can cause road dust to be re-entrained, which then could potentially lead to off-site fugitive dust impacts to areas of public exposure and sensitive receptors. This includes both off-road (see Figure 1-6) and on-road vehicles operating on paved and unpaved roads at the job site. In addition to the off-road construction equipment, this would also include on-road trucks while they are shuttling around within the boundaries of the roadway project (p. 1-7).” Discussion should be included regarding existing rules that mitigate this specific type of fugitive dust and clarify that the equipment below is operating in violation of current rule requirements.

**Figure 1-6 Fugitive Dust from Off-Road Hauler**



Rule 403 p. 403-17

<b>Source Category</b>	<b>Control Measure</b>	<b>Guidance</b>
Traffic areas for construction activities	15-1 Stabilize all off-road traffic and parking areas; and 15-2 Stabilize all haul routes; and 15-3 Direct construction traffic over established haul routes.	<ul style="list-style-type: none"> <li>- Apply gravel/ paving to all haul routes as soon as possible to all future roadway areas</li> <li>- Barriers can be used to ensure vehicles are only used on established parking areas/haul routes</li> </ul>

Rule 403 p. 403-18

<b>Source Category</b>	<b>Control Measure</b>	<b>Guidance</b>
Unpaved roads/parking lots	19-1 Stabilize soils to meet the applicable performance standards; and 19-2 Limit vehicular travel to established unpaved roads (haul routes and unpaved parking lots.	<ul style="list-style-type: none"> <li>- Restricting vehicular access to established unpaved travel paths and parking lots can reduce stabilization requirements</li> </ul>

CalCIMA has offered to provide South Coast AQMD staff support related to participation in site visits that show how the abovementioned activities are more commonly carried out, and would look forward to still providing this support.

**Air Quality & Health Impacts**

South Coast AQMD examples of previous efforts on near-road exposures do not discuss large roadway projects and focus on mobile source tailpipe emissions from vehicles driving on roadways which is not covered in PR 403.2's purpose or applicability. Examples of previous South Coast AQMD efforts on near-road exposures are provided include 1) 2012 Air Quality Management Plan (Chapter 9 – Near Roadway Exposure and Ultrafine Particles), and 2) 2021 MATES V study continues to show that near-road environments have higher health risks than areas farther away. After review of these documents, it is unclear how they specifically support the purpose and development of PR 403.2 (p. 1-8 to 1-10).

- 1) The '2012 Air Quality Management Plan (Chapter 9 – Near Roadway Exposure and Ultrafine Particles) addresses potential health effects as caused by exposure for people living near major roadways to criteria pollutants and air toxics emitted from both gasoline and diesel vehicles and only addresses mobile source tailpipe emissions from vehicles driving on roadways. The conferred mitigation measures and emission control technologies do not discuss large roadway projects.
- 2) Regarding the MATES V study, mobile source tailpipe emissions from vehicles driving on roadways are not differentiated from emissions caused by large roadway projects.

#### **Analysis of Hypothetical Large Roadway Project**

This section states "Table 1-1 shows the input data for a hypothetical large roadway project using standard inputs from the California Emissions Estimator Model (CAIEEMod) for a hypothetical 10-acre road construction large roadway project. Since controlled activities/equipment should not result in significant if any fugitive dust emissions, uncontrolled standard model inputs were used to simulate and assess impacts when fugitive dust is generated (p. 1-10)." And, goes on to state that "As such, distance-based requirements from an area of public exposure or sensitive receptor are a way to reduce the impacts of PM from large roadway projects on near roadway communities (p. 1-12)." In order to circumvent depicting a false impression of large roadway project impacts to communities, Figure 1-10 should clearly state within the title that the impacts showcased are from 'uncontrolled' emissions. Additionally, to provide a more 'real' and 'accurate' impression of the nature of large roadway project impacts, a model should be included that showcases 'controlled' emissions in correlation with existing rule requirements, and a separate model showcasing how PR 403.2 emission impacts would look.

#### **Fugitive Dust Complaints from Roadway Projects**

This section states: "In addition to the cumulative air quality impacts to receptors in close proximity to large roadway projects, South Coast AQMD regularly receives complaints from the public regarding fugitive dust from roadway projects. There have been over 78 roadway fugitive dust related complaints since 2018, and fugitive dust from roadway construction projects continues to be problematic for some larger projects. Specific details of these complaints and their disposition or on-going review are confidential, however, staff seeks to reduce such incidents with a more targeted rule (PR 403.2) that focuses on large roadway fugitive dust issues. Also, while the actual number fluctuates there are numerous roadway projects, on-going or planned, at any given time that could potentially result in fugitive dust complaints (p. 1-12)."

Although it has been requested, no information has been provided regarding how these complaints have been evaluated to validate merit, prospective emissions impacts, quantify how many projects or regions were impacted (this is to understand whether a majority of these complaints relate to a minority or majority of projects or regions), or provide clarity regarding whether any of these complaints resulted in a violation, and if a violation was issued, what existing rule(s) were violated. Initially, it has been explained by South Coast AQMD staff that provision of any further information related to the cited complaints would breach legal prohibitions, and later CalCIMA was advised to submit a public records request for this information although enough time to evaluate feedback was infeasible in relation to the rulemaking comment deadline. Nonetheless, it would be helpful to understand the specific legal prohibitions that would be breached given no personal or business specific information such as names regarding the complainers or possible violators has been requested or is required to relay this information.



Specifically, it is recommended that the staff report provide responses to the questions posted below

- 1) Can information be provided regarding how the roadway construction/demolition dust related complaints have been evaluated to validate merit, prospective emissions impacts, quantify how many projects or regions were impacted, and provide clarity regarding whether any of these complaints resulted in a violation? 1b) During the timeframe the complaints were received, how many other unrelated complaints were also received? 1c) What large roadway projects and regions do these complaints encompass? 1d) How many of the complaints were repeat complaints?
- 2) If violations were issued, what existing rule(s) were violated? 2b) Has South Coast AQMD staff evaluated the effectiveness and shortfalls of existing rules based on these violations? 2c) If yes, what was the outcome? 2d) Do the violators meet the definition of a 'large operation' from Rule 403 'Fugitive Dust'? 2e) How many of the complaints would PR 403.2 capture and/or circumvent?
- 3) What is South Coast AQMD's process for receiving, managing, and responding to complaints?
- 4) What specific legal prohibitions are breached by responding to questions #1 and #2 if no personal or business specific information such as names regarding the complainers or possible violators is disclosed?
- 5) How many violations occurred within the 100 foot threshold of an 'area of public exposure' or 'sensitive receptor'?

This information will bring clarity whether PR 403.2 aims to increase requirements for a more significant majority of 'good actors' who operate in compliance with South Coast AQMD rules in order to address a minority of 'bad actors' who may or may not reform in response to receipt of South Coast AQMD violations.

This section states that "In a recent search staff identified about 66 active/scheduled state and county road projects in the jurisdiction of South Coast AQMD (p. 1-12)." It would be helpful to understand how many of these 66 active/scheduled state and county road projects have received complaints, the nature of the prospective complaints, and what portion of these road projects would be applicable to PR 403.2 in addition to responses to the questions below:

- 6) How and what resources were used to identify the 66 projects?
- 7) How many of the 66 active/scheduled state and county road projects have received complaints?
- 8) If complaints exist, what is the nature of these complaints and what portion of these road projects would be applicable to PR 403.2?

**Need for Proposed Rule 403.2 (p. 1-13)**

The construction materials industry supports environmental rules that protect air making California a healthy and beautiful place to live; however, rules should ensure measurable benefits and should not exert excessive, conflicting, and overlapping requirements. As PR 403.2 is currently written and has been

justified by South Coast AQMD staff, meaningful quantitative metrics have not been presented to demonstrate the proposed rule is necessary or will further reduce emissions. As it has been explained by South Coast AQMD staff, PR 403.2 aims to reduce the number of complaints received by the general public. It is the public's right to submit complaints to South Coast AQMD pursuant to any *perceived* rule violation. However, a rule should not be proposed to reduce the number of complaints received by the South Coast AQMD but should address a gap in existing rules related to emissions. Complaints may support South Coast AQMD to identify prospective rule gaps that can be further investigated. Thus far related to PR 403.2, South Coast AQMD staff have not demonstrated a 'gap' exists within current rules.

Additionally, PR 403.2's purpose/applicability/requirements are redundant and overlapping of multiple existing South Coast AQMD rules making it unclear how/why PR 403.2 is necessary if existing South Coast AQMD rules are complied with, specifically Rule 403 'Fugitive Dust', Rule 1157 'PM10 Emission Reductions from Aggregate and Related Operations', and Rule 1466 'Control of Particulate Emissions from Soils with Toxic Air Contaminants'. It is recommended that discussion regarding the purpose of Rules 403, 1157, and 1466 be included specific to how do these rules not undertake PR 403.2's purpose to mitigate impacts to near road communities from large roadway project fugitive dust operations, activities, equipment and material piles.

#### **Public Process (p. 1-13 to 1-14)**

CalCIMA has strong concerns related to the current rulemaking timeline. Several pertinent questions have not been responded to prior to formal comment deadline making it questionable what information will be provided within the formal rulemaking package that will be release to South Coast AQMD's Governing Board and to the public.

#### **Proposed Rule 403.2**

Regarding pile discussion, additional context should be added regarding the What analytical or algorithmic context is used to determine PR 403.2's material pile establishment that exceeds a height of 3 feet and a total surface area of 150 square feet. And should address size classification of debris that can significantly vary, and address whether a finished material brought onsite such as a large amount of decorative stone, cinderblock, or woody landscaping material is covered.

#### **Controls (p. 2-9 to 2-10)**

Regarding controls, please reference the attachment 'Rule 403 Any Active Operation / Rule 403 Large Operation / PR 403.2 Language Comparison – *For Discussion Purposes Only*' that includes inquiries and discussion.

#### **Notification (p. 2-11 to 2-12)**

This section should include discussion regarding determination of "owner(s)/occupant(s)" if near an 'area of public exposure' or 'sensitive receptor'. A residential apartment complex for example, would the responsible party be required to notify each individual tenant of that complex, or would contractors have to double check to ensure the management has notified each individual residential tenant?

#### **Compliance Costs**

The report states "Staff anticipates minimal cost incurred for compliance with the proposed rule. Compliance activities associated with costs include requirements for notification, signage, recordkeeping, and additional dust controls that have not already been implemented in accordance with

existing South Coast AQMD rules and requirements for dust control. Cost details will be provided in the draft staff report (p. 3-1).” CalCIMA kindly requests additional information pursuant to these cost details to be disclosed as soon as possible for discussion.

### **Comparative Analysis**

This section states “Under California Health and Safety Code Section 40727.2, South Coast AQMD is required to perform a comparative written analysis when adopting, amending, or repealing a rule or regulation. The comparative analysis is relative to existing federal requirements, existing or proposed South Coast AQMD rules and other air pollution control requirements and guidelines which are applicable to large roadway projects (p. 3-2 to 3-3).” CalCIMA suggests the Rule/Statute 403 be better addressed by differentiated controls for any active operation or for large entity operations to make clear how PR 403.2 aligns with existing rules. Please defer to the attachment ‘Rule 403 Any Active Operation / Rule 403 Large Operation / PR 403.2 Language Comparison – *For Discussion Purposes Only*’ which includes some addition suggestions for context to be added.

CalCIMA and its members believe rule makers should strive not to create duplicate rules on stakeholders, and review proposed rules to ensure that accountably, they do not create punitive circumstances for a majority of ‘good acting’ operations as a result rule of limited enforcement challenges on a minority of ‘bad acting’ operations. Please contact me with any questions, concerns, or to further discuss PR 403.2 at (951) 941-7981 or at [sseivright@calcima.org](mailto:sseivright@calcima.org).

Sincerely,



Suzanne Seivright-Sutherland  
Director of Regional Governmental Affairs and Grassroots Operations

Attachment:

1. Rule 403 Any Active Operation / Rule 403 Large Operation / PR 403.2 Language Comparison – *For Discussion Purposes Only*.

Rule component	Rule 403 Any Active Operation / Rule 403 Large Entity Operation / PR 403.2 Language Comparison – For Discussion Purposes Only		
	PR 403.2 - Fugitive Dust from Large Roadway Projects	Rule 403 - Fugitive Dust, Any Active Operation	Rule 403 - Fugitive Dust, Large Entity Operation
Purpose	Mitigate impacts to near road communities from large roadway project fugitive dust operations, activities, equipment, and material piles	Reduce amount of particulate matter entrained in the ambient air by preventing, reducing, or mitigating fugitive dust	
Applicability	Large roadway projects with potential dust impacts on near road communities within 500 feet of an area of public exposure or 1000 feet of a sensitive receptor	Any activity or man-made condition capable of generating fugitive dust	
Requirements	Within 100 feet of area of public exposure or sensitive receptor prohibits aggregate crushing and grinding operations or maintenance of pile at a large roadway project		
	Within 100-500 feet of an area of public exposure or 100-1000 feet of a sensitive receptor prohibits aggregate crushing and grinding operations, construction / demolition activities, earth-moving or any other mechanical activity that results in disturbed surface areas, movement of construction vehicles over paved and unpaved roads, or maintenance of material piles exceeding 3 feet and a total surface area of 150 feet unless:		
		No emissions of fugitive dust from any active operation, open storage pile, or disturbed surface area that remains visible in atmosphere beyond the property line of the emissions source, or exceeds 20% opacity if a result of movement of a motorized vehicle; some leniency when wind gusts exceed 25 mph	
	Dust control supervisor designated		Large entity operations will identify a dust control supervisor
			Large entity operations will submit a dust control plan to be approved by AQMD
	Control measures listed below are used:		
	Aggregate crushing and grinding operations: 1) Stabilize surfaces prior to operation of equipment (including construction vehicles such as bulldozers, cranes or backhoes) and prior to any crushing and grinding, and 2) Stabilize aggregate material piles after crushing and grinding by applying a dust suppressant to prevent dust plumes from extending farther than 100 feet as measured from the nearest edge or perimeter of the operation/material pile or equipment location within the large roadway project.	Crushing: 1) Stabilize surface soils prior to operation of support equipment, 2) Stabilize material after crushing (Table 1)	
	Comments: 1) Explain why construction vehicles are discussed in this control section and in the 'Dust from Construction Vehicles' control section and clarify why this would not be confusing in relation to compliance since construction vehicles would have controls prescribed in three sections between Rule 403.2 and Rule 403 pursuant to any active operation. 2) Explain how these controls go beyond Rule 403 'any active operation' controls. 3) Explain the difference between 'aggregate crushing and grinding operations' in PR 403.2 and 'crushing' in Rule 403.	Screening: 1) Pre-water material prior to screening, 2) Limit fugitive dust emissions to opacity and plume length standards, 3) Stabilize material immediately after screening (Table 1)	

Earth moving activities, construction/demo, or disturbed surface area: Apply dust suppressant as necessary to maintain stabilized surface and to prevent visible emissions from extending farther than 100 feet as measured from the nearest edge or perimeter of the operation/material pile or equipment location within the large roadway project.

Comments: 1) Explain why this is listed as a control when Rule 403 'Any Active Operation' goes well beyond in relation to controls that are currently required.

No active operation with a disturbed surface area of 5+ acres or with a daily report or export of 100 cubic yards or more of bulk material without utilizing at least one of the measures at each vehicle egress from the site to a paved public road: 1) Install a pad consisting of washed gravel w/ minimum 1" size maintained in clean condition to a minimum depth of 6" and extending a minimum of 30' wide and 50' long, 2) Pave the surface extending at least 100' and 20' wide, 3) Utilize a wheel shaker/wheel spreading device consisting of raised dividers at least 24' long and 10' wide to remove bulk material from tires and vehicle undercarriages before vehicles exit the site, 4) Utilize a wheel washing system to remove bulk material from tires and vehicle undercarriages before vehicles exit the site	
Demolition - mechanical/manual controls: 1) stabilize wind erodible surfaces to reduce dust, 2) Stabilize surface soil where support equipment and vehicles will operate, 3) Stabilize loose soil and demolition debris, 4) Comply with AQMD Rule 1403	
Disturbed soil: 1) Stabilize disturbed soil throughout the construction site, 2) Stabilize disturbed soil between structures (Table 1)	
Earth moving activities: 1) Pre-apply water to depth of proposed cuts, 2) Re-apply water as necessary to maintain soils in a damp condition and to ensure that visible emissions do not exceed 100 feet in any direction, 3) Stabilize soils once earth-moving activities are complete (Table 1)	
Road shoulder maintenance: 1) Apply water to unpaved shoulders prior to clearing, 2) Apply chemical dust suppressants and/or washed gravel to maintain a stabilized surface after completing road shoulder maintenance (Table 1)	
Unpaved roads / parking lots: 1) Stabilize soils to meet the applicable performance standards, 2) Limit vehicular travel to established unpaved roads (haul routes) and unpaved parking lots.	
	Large entity operation earth moving (except construction cutting and filling areas, and mining operations): 1) Maintain soil moisture content at a minimum of 12%, two soil moisture evaluations must be conducted during the first 3 hours of active operations during a calendar day, and two such evaluations each subsequent four-hour period of active operations, 2) For any earth moving which is more than 100 feet from all property lines, conduct watering as necessary to prevent visible dust emissions from exceeding 100 feet in length in any direction (Table 2)
	Large entity operation earth moving construction fill areas: 1) Maintain soil moisture content at a minimum of 12%, complete compaction process as expeditiously as possible after achieving at least 70% of the optimum soil moisture content. Two soil moisture evaluations must be conducted during the first three hours of active operations during a calendar day, and two such evaluations during each subsequent four-hour period of active operations (Table 2)
	Large entity operation earth moving - construction cut areas and mining operation: 1) conduct watering as necessary to prevent visible emissions from extending more than 100 feet beyond the active cut or mining area unless the area is inaccessible to watering vehicles due to slope conditions or other safety factors (Table 2)

	Large entity operation disturbed surface areas (except completed grading areas): 1) Apply dust suppression in sufficient quantity and frequency to maintain a stabilized surface. Any areas which cannot be stabilized, as evidenced by wind driven fugitive dust must have an application of water at least twice per day to at least 80% of the unstabilized area (Table 2)
	Large entity operation disturbed surface areas - completed grading areas: 1) Apply chemical stabilizers within five working days of grading completion, OR 2) use Table 3 methods (Table 2)
	Large entity operation inactive disturbed surface areas: 1) Apply water to at least 80% of all inactive disturbed surface areas on a daily basis when there is evidence of wind driven fugitive dust, excluding any areas which are inaccessible to watering vehicles due to excessive slope or other safety conditions, OR 2) Apply dust suppressants in sufficient quantity and frequency to maintain a stabilized surface, OR 3) Establish a vegetative ground cover within 21 days after active operations have ceased, OR 4) Utilize any combination of control actions listed (Table 2)
<p>Dust from construction vehicles (implement all controls): 1) Apply dust suppressant as necessary to prevent visible emissions during vehicle operation, and 2) Limit vehicle speed to 15 mph on roadways, and 3) Cover frequently traveled unpaved roads and unpaved parking areas w/ low silt content material (i.e. asphalt, concrete, recycled road base, or gravel to a minimum depth of four inches), and 4) Treat unpaved roads w/ dust suppressant, mulch, or other cover to maintain a stabilized surface, and 5) Remove dust from paved roadways and construction vehicles as required to prevent track out or entrained dust by washing, vacuum sweeping, broom sweeping or any other mechanical means that does not generate fugitive dust.</p> <p>Comments: 1) Explain why the Rule 403 Large Entity control to limit vehicle speed is required and the other Rule 403 Large Entity control options pursuant to unpaved roads are omitted. 2) Explain why covering frequently traveled roads and unpaved parking areas with low silt content material and treating unpaved roads w/ dust suppressant, mulch, or other cover go beyond Rule 403 Any Active Operation controls that require no track-out to extend 25 feet or more and shall be removed at the conclusion of each workday or evening shift, and Rule 403 Any Active Operation controls for construction activities. 3) Explain the difference between PR 403.2 control to apply dust suppressant as necessary and Rule 403 Any Active Operation control for traffic areas for construction activities to stabilize all off-road traffic and parking areas.</p>	No track-out to extend 25 feet or more and shall be removed at the conclusion of each workday or evening shift
	Importing/exporting of bulk materials: 1) Stabilize material while loading to reduce fugitive dust emissions, 2) Maintain at least six inches of freeboard on haul vehicles, 3) Stabilize material while transporting to reduce fugitive dust emission, 4) Stabilize material while unloading to reduce fugitive dust emissions, 5) comply with Vehicle Code Section 2314 (Table 1)
	Traffic areas for construction activities: 1) stabilize all off-road traffic and parking areas, 2) Stabilize all haul routes, 3) Direct construction traffic over established haul routes (Table 1)
	Trenching: 1) Stabilize surface soils where trencher or excavator and support equipment will operate, 3) Stabilize soils at the completion of trenching activities (Table 1)
	Truck loading: 1) Pre-water material prior to loading, 2) Ensure that freeboard exceeds six inches (CVC 23114) (Table 1)
	Large entity operation unpaved roads: 1) Water all roads used for any vehicular traffic at least once per every two hours of active operations, OR 2) Water all roads used for any vehicular traffic once daily and restrict vehicle speeds to 15 mph, OR 3) Apply a chemical stabilizer to all unpaved road surfaces in sufficient quantity and frequency to maintain a stabilized surface (Table 2)

<p>Material piles (one or more control measures, as needed, to ensure fugitive dust control): 1) Maintain below a maximum height of 20 feet; and 2) Apply dust suppressant as necessary but no less than twice per hour to maintain a stabilized surface and prevent visible emissions from extending farther than 100 feet as measured from the nearest edge or perimeter of the operation/ material pile or equipment location; or 3) Install coverings, or 4) Install an enclosure within a minimum of three sides (the open side of which will face farthest from potentially impacted areas) and walls with a maximum porosity of 50 percent and minimum height equal to the highest point of the material pile</p>	<p>Stockpiles/bulk material handling: 1) Stabilize stockpiled materials, 2) Stockpiles within 200 yards of off-site occupied buildings must not be greater than eight feet in height; or must have a road laded to the top to allow water truck access or must have an operational water irrigation system that is capable of complete stockpile coverage (Table 1)</p>	<p>Large entity operation open storage piles: 1) Apply chemical stabilizers, OR 2) Apply water to at least 80% of the surface area of all open storage piles on a daily basis when there is evidence of wind driven fugitive dust, OR 3) Install temporary coverings, OR 4) Install a three-sided enclosure with walls with no more than 50% porosity which extend, at a minimum, to the top of the pile (only for aggregate-related plants for cement manufacturing facilities) (Table 2)</p>
	PM10 level monitoring in coordination with wind	
	Backfilling controls (Table 1)	
	Clearing and grubbing controls (Table 1)	
	Clearing forms controls (Table 1)	
	Cut and fill controls (Table 1)	
	Landscaping controls (Table 1)	
	Staging area controls (Table 1)	
	Turf overseeding controls (Table 1)	
	Vacant lot controls (Table 1)	
<p><b>Signage</b></p>		
<p>1) Signage must be located within 50 feet of each project site entrance; 2) A maximum of four signs are required per large roadway project; 3) One sign is sufficient for multiple site entrances located within 300 yards of each other; 4) Signage shall be 1/2 inch A/C laminated plywood board or similar strength and durability material with dimensions of 48 inches by 96 inches. 5) Sign background must contrast with lettering, typically black text with white background; 6) The lower edge of the sign board must be a minimum of 6 feet and a maximum of 7 feet above grade; 7) The telephone listed for the contact must be a local or a toll-free number and shall be accessible 24 hours per day; 8) At a minimum, each sign shall include the following information, with text height as shown on the right side of the sign template below, and an accessible 24 hours per day local or toll-free phone number for contacting the large roadway project responsible person(s) or dust control supervisor regarding fugitive dust issues</p>		<p>Large entity operations will install and maintain project signage with project contact signage meeting 'Rule 403 Implementation Handbook' (p 3-4) - Within 50 feet of each public site entrance and other frequently-used work entrances, no more than 4 signs are required per site/facility, One sign is sufficient for multiple site entrances located within 300 yards of each other.</p>

	Notification		
	<p>Requirements for areas of public exposure and sensitive receptors: At least 120 hours prior to commencement of activities for a large roadway project the dust control supervisor or other responsible person shall notify the owner(s) or occupant(s) of occupied buildings or open space / recreational facility management as applicable, in writing and include 1) Large roadway project dust control supervisor contact information including contact name, company/agency name, address, telephone number, and email address; and 2) Est. duration of project with commencement and completion dates, 3) Location of the large roadway project including address and/or coordinates and a map depicting the location of the site</p>		<p>Large entity operations submit a Large Operation Notification to the Executive Officer within 7 days of qualifying as a large operation including names, address(es), phone numbers of the persons responsible for the submittal, a description of the operation(s) including map for depicting the location of the site and inform the Executive Officer in writing after the site no longer qualifies as a large operation</p>
	<p>South Coast AQMD: At least 120 hours prior to establishing a large roadway project the dust control supervisor or other responsible person shall notify the Executive Officer in writing and include 1) Large roadway project contact information including name, company/agency name, address, telephone number, and email address of all responsible persons including the dust control supervisor, 2) Location of project, 3) Estimated duration of project, 4) List of permitted rock crushing and/or grinding equipment and related un-permitted, powered equipment w/ potential to generate dust, including but not limited to CARB PERP equipment</p>		
	<p>Comments: 1) Explain why this control exceeds Rule 403 Large Entity controls. 2) Explain the specific shortcomings of the Rule 403 Large Entity controls and include discussion as to proportionately, how these shortcomings quantifiably relate to South Coast AQMD validated complaints perhaps via percentage or number of violations. 3) Explain why permitted equipment is included in context of violations or other documented adverse experiences that resulted in fugitive dust exceeding a property line.</p>		
	Recordkeeping		
	<p>The dust control supervisor shall be responsible for maintaining daily records of the required control measures documenting: 1) Each type of operation/activity conducted and the associated permitted and unpermitted powered equipment w/ potential to generate dust, 2) The specific dust control measures taken for each activity or equipment, and 3) The frequency of dust control measures.</p>		<p>Large entity operations will maintain daily records to document the specific dust control actions taken</p>
<p><b>Exemptions</b></p>	<p>Does not apply to emergency situations; essential service utilities; or material resulting from linear trenching for natural gas, power, sewer, and water projects on large roadways</p>	<p>Dairies, confined animal facilities, agricultural crop operations, operations conducted during an emergency, operations conducted by essential service utilities during outages, week abatement operations, and sandblasting operations. Selected exemptions provided for motion picture, television and video production activities.</p>	