



AFFILIATED AGENCIES

*Orange County
Transit District*

*Local Transportation
Authority*

*Service Authority for
Freeway Emergencies*

*Consolidated Transportation
Service Agency*

*Congestion Management
Agency*

March 16, 2022

Mr. Ryan Bañuelos
Planning, Rule Development and Area Sources,
California Environmental Quality Act Section
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765

Subject: **Proposed Rule 403.2 – Fugitive Dust from Large Roadway Projects**

Dear Mr. Bañuelos:

Thank you for providing the Orange County Transportation Authority (OCTA) the opportunity to comment on Proposed Rule (PR) 403.2 – Fugitive Dust from Large Roadway projects. The following comments are provided for your consideration:

- Existing Rule 403 has sufficiently reduced fugitive dust at large operation construction sites by requiring the implementation of the best available dust control measures.
 - For example, these measures include maintaining soil stability through site pre-watering prior to clearing and grubbing; stabilizing surface soil where support equipment and vehicles operate; and re-applying water to maintain soils in a damp condition and to ensure that visible emissions do not exceed 100 feet in any direction, etc.,
 - As standard operating procedures utilized during construction activities, OCTA has a robust public outreach process to inform the nearby residents of pending construction activities. This includes an estimated construction schedule on activities that could affect the residents. As construction activity timelines are confirmed, the OCTA outreach team further relays the information to the community and stakeholders, as appropriate.
- PR 403.2 states that it would “...prohibit aggregate operations, crushing and grinding operations and material piles to be located at a large roadway project that is within 100 feet of any property line...of an area of public exposure...or a sensitive receptor...”
 - Whenever feasible, OCTA recycles excavated materials on-site to minimize impacts to the environment. It is not clear what

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- implications this PR 403.2 would have on agencies' desire to reuse materials on-site. For example, would an agency be required to export the materials at an off-site location, and then reimport it to the construction site, or forego reusing existing materials?
- Off-site aggregate operation and import of materials will be more costly and lead to additional truck trips that would increase vehicle miles traveled and emissions. In most urbanized areas, this would require the import of materials from remote areas resulting in significant diesel vehicular and greenhouse gas emissions.
 - The majority of roadway projects are publicly funded. This PR would increase project costs and construction schedule delays, thereby increasing the cost to taxpayers and construction-related disruptions to the local communities.

Throughout the development of this project, we encourage communication with OCTA on any matters discussed herein. If you have any questions or comments, please contact me at (714)-560-5907 or at dphu@octa.net.

Sincerely,



Dan Phu
Manager, Environmental Programs