

SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT

RULE 8060 -- FUGITIVE DUST REQUIREMENTS FOR CONTROL OF FINE PARTICULATE MATTER (PM-10) FROM PAVED AND UNPAVED ROADS

(Adopted October 21, 1993; Amended April 25, 1996; Amended November 15, 2001)

1.0 Purpose

The purpose of this Rule is to limit emissions of fine particulate matter (PM-10) from paved and unpaved roads through control of fugitive dust emissions by implementing design criteria for paved and unpaved roads.

2.0 Applicability

This Rule applies to any paved, or unpaved public or private road, street, highway, freeway, alley, way, access drive, access easement, or driveway constructed or modified after December 10, 1993. Road construction and repair activities are subject to the requirements set forth in Rule 8020. This rule shall remain in effect until April 30, 2002 or until the effective date of Rule 8061 (Paved and Unpaved Roads), whichever occurs later.

3.0 Definitions

3.1 Annual Average Daily Vehicle Trips: annual average 24-hour total of all vehicle trips counted on a road segment.

3.2 Modified Road: any road, street, highway, alley, way, access easement, or driveway which is widened or improved so as to increase traffic capacity or which has been reconstructed. This term does not include road maintenance, repair, chipseal, or surface overlay work.

3.3 New Paved Surfaces: any road segments or other paved surfaces constructed or modified after the effective date of this Rule.

4.0 Exemptions

In addition to the exemptions established in Rule 8010, the following exemptions are established for this Rule:

4.1 Private and/or public easements and roads providing access for not more than ten residences.

4.2 Paved roads and paved road segments with a length of less than 3 miles and unpaved roads and unpaved road segments with a length of less than ½ mile which are constructed after December 10, 1993.

- 4.3 Unpaved agricultural access roads and end of row equipment turnaround areas in or adjacent to agricultural fields.
- 4.4 Public or private roads, streets, highways, alleys, ways, access drives, access easements, or driveways which have been approved by a city or county as part of a subdivision, conditional use permit, or site plan review and for which a building permit has been issued prior to the effective date of this Rule.
- 4.5 Roads owned by a public agency, special district, or public utility which are gated and on which public access is prohibited.
- 4.6 Road construction for which bids have been awarded prior to the effective date of this Rule.
- 4.7 Road maintenance and resurfacing are exempt. Reconstruction or modifications which add travel lanes or traffic capacity are not exempt.

5.0 Requirements

5.1 Any agency, or owner, or operator having jurisdiction over, or ownership of, public or private paved roads shall construct, or require to be constructed, all new or modified paved roads in conformance with the American Association of State Highway and Transportation Officials (AASHTO) guidelines for width of shoulders and median shoulders as specified below:

5.1.1 New construction, modification, or approvals of paved roads with projected average daily vehicle trips of 500 vehicles or more shall be constructed with paved shoulders having the following minimum widths:

Annual Average Daily Vehicle Trips	Minimum Shoulder Width
500-3000	4 feet
3000 or greater	8 feet

5.1.2 Where curbing is constructed adjacent to and contiguous with the travel lane or paved shoulder of a road, the shoulder width design standards specified in subsection 5.1.1 shall not be applicable.

5.1.3 The paved shoulder width requirements set forth in subsection 5.1.1 are not applicable at intersections or where auxiliary entry and exit lanes are constructed adjacent to and contiguous with the roadway.

5.1.4 The paved shoulder width requirements set forth in subsection 5.1.1 are not applicable where the requirements would conflict with environmental, historical, or archaeological considerations. Examples of environmental conflicts include the need to minimize road width when constructing a road through mountainous terrain or wetlands areas.

5.1.5 Where paved roads are constructed, or modified with medians and have projected annual average daily vehicle trips of 500 vehicles or more, the medians shall be constructed with paved shoulders having a minimum width of four feet adjacent to the traffic lanes unless:

5.1.5.1 The medians are solidly paved, or

5.1.5.2 Medians of roads having speed limits set at or below 45 miles per hour are constructed with curbing, or

5.1.5.3 Medians are landscaped and maintained with grass or other vegetative ground cover.

5.1.6 In lieu of the paving and landscaping requirements, the agency, owner, or operator may use application of oils or other approved dust suppressant chemicals to control shoulder and median areas to the specified required width. The material shall be reapplied and maintained in accordance with the manufacturer's recommendations.

5.2 No person shall construct or otherwise utilize a new unpaved road or road segment, after the effective date of this regulation, without application of one of the control measures set forth in subsections 5.2.1 through 5.2.3 below. Where soil moisture is sufficient to limit dust emissions equal to or less than the 40% opacity level, no action is required. Where control measures set forth in subsections 5.2.1 through 5.2.3 are required, unpaved roads or road segments shall not be subject to the Visible Dust Emissions (VDE) limits as defined in Rule 8010, section 3.31.

5.2.1 At least 50% of the length of the new unpaved road surface is controlled by application of chemical suppressant or other equivalent stabilization in accordance with manufacturer's recommendations, or

5.2.2 The entire new unpaved road surface is controlled by application of water at least one time per week, or

5.2.3 At least 25% of the length of the new unpaved road surface is paved to provide a permanent stable surface.

6.0 Administrative Requirements

6.1 City, County and State agencies having jurisdiction over publicly maintained paved roads open to public access shall prepare and submit a written report to the District documenting compliance with the provisions of this Rule. This report shall be prepared for the year 1994 and no less frequently than each two (2) year period thereafter. The reports shall be transmitted no later than 90 days after the end of the calendar year and shall include:

- 6.1.1 The total miles of paved roads under the jurisdiction of the owner or agency and the miles of roads constructed or modified during the reporting period subject to the requirements of this regulation.
- 6.1.2 For newly constructed or modified roads, a summary of actions taken during the reporting period to prevent or mitigate PM-10 emissions, with miles specified for each type of preventive or mitigative control measure used to reduce PM-10 emissions.
- 6.1.3 For all roadways under the agency's jurisdiction, a summary of actions which directly or indirectly reduce PM-10 emissions from publicly maintained roads during the reporting period. Where possible, the total miles of roads for which these procedures were enforced and the estimated traffic volume on the affected roads should be provided.
- 6.1.4 Other information which may be needed by the APCO for compliance with EPA requirements.

7.0 Alternative Compliance Plan

If special conditions exist which will unreasonably prevent compliance with the requirements in section 5.0 of this Rule, the owner/operator may submit and request approval of an Alternative Compliance Plan in accordance with section 6.0 of Rule 8010. The Alternative Compliance Plan must specify the special circumstances which unreasonably prevent compliance and provide an alternative program of control measures. Failure to implement control measures specified in an approved Alternative Compliance Plan constitutes a violation of this Rule.