

DISTRICT 1  
LOUIS FUENTES

DISTRICT 2  
JACK TERRAZAS

DISTRICT 3  
MICHAEL W. KELLEY

DISTRICT 4  
GARY WYATT

DISTRICT 5  
WALLY LEIMGRUBER

COUNTY ADMINISTRATION CENTER

940 MAIN STREET, SUITE 209  
EL CENTRO, CA 92243-2871  
TELEPHONE: (760) 482-4220  
FAX: (760) 482-4215

# Board of Supervisors

## County of Imperial

April 6, 2010

Mary Nichols

Chair of the Board

California Air Resources Board

1001 "I" Street

Sacramento CA. 95812

RE: Imperial County PM10 SIP

Dear Ms. Nichols:

The Imperial County APCD has prepared and approved a PM10 State Implementation Plan (SIP) as required by the federal Clean Air Act, and submitted the SIP to the Air Resources Board for consideration. PM10 air quality in Imperial County has improved to the extent that over the past three years the federal standard has been exceeded a total of just seven days. All of these days exceeded the standard as a result of wind events or air pollution transport from Mexico. The Clean Air Act and US EPA rules include provisions to account for the fact that these types of events are uncontrollable by the states, and that SIPs are not required to be designed to address these types of events. Fortunately, these events are relatively rare.

Over the past several years, the Imperial County APCD has diligently and proactively adopted and implemented a series of rules designed to reduce fugitive dust, the primary component of PM10 in Imperial County, in an effort to attain the health based standard as expeditiously as possible. It should not go without notice, that the application of these adopted rules have successfully reduced violations of the PM10 standard, with the exceptions as noted above, and form the basis of the emission control strategy for fugitive dust contained in the PM10 SIP on August 11, 2009, the Imperial County APCD found that this emission control strategy meets the applicable Clean Air Act requirements and should be approved by ARB and the US EPA.

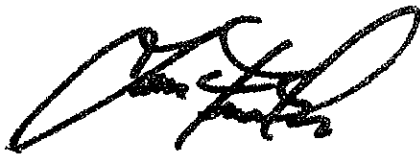
At the same time, the Imperial County APCD continues to look for cost-effective rule improvements that would help improve air quality. Our staff has once again reviewed the adopted fugitive dust rules, and has identified potential rule improvements that would further enhance the existing SIP for Imperial County. This Board has directed staff to continue their efforts to explore and develop appropriate amendments in order to further improve fugitive dust rules to maximize public health benefits.

The Imperial County APCD is committed to continuing this development of cost-effective rule amendments to further enhance the existing SIP. The amendments will address the concepts described in Attachment 1. The APCD will make every attempt possible to bring the proposed amendments to a public hearing for adoption before the end of December 2010. The rules will be sent to ARB for administrative submittal to US EPA. To expedite the process, we request that ARB technical staff review the amendments consistent with the existing rule review protocol established between ARB and the California Air Pollution Control Officers Association.

The Imperial County APCD Board of Directors requests ARB support for these further PM10 rule improvements designed to improve public health. We also want to recognize the importance of ARB rules, programs, and assistance in improving our air quality. California's most significant health risks from air pollution are due to PM2.5 and ozone exposures in communities. The key pollutant that forms PM2.5 and ozone is NOx (oxides of nitrogen), which continues to decrease each year in Imperial County. As emissions have decreased, air quality has improved to such an extent that Imperial County now meets the current federal ozone and annual PM2.5 standards.

The air quality improvements reflect the importance of California's state and local air pollution control programs. Accordingly, as always, the Imperial County APCD will continue to look for further opportunities to improve air quality in Imperial County. We also want to continue working with US EPA to help improve air quality at the California-Mexico border. While Clean Air Act requirements recognize that the states and local air agencies are not responsible for mitigating international transport, Imperial County APCD will continue our cooperative efforts and collaboration with ARB, US EPA, and Mexico, and explore innovative ways to addressing the impacts of air pollution transport on public health.

Sincerely,

A handwritten signature in black ink, appearing to read "Louis A. Fuentes". The signature is stylized and cursive, with a large loop at the beginning and end.

Louis A. Fuentes

Chairman

## **ATTACHMENT 1**

In order to further enhance the Imperial County PM10 SIP, the ICAPCD is committed to the following:

1. Related to Open Areas

a. Recreational Off-Highway Vehicle (OHV) Activity

Revise Rule 800 to address the following:

- Direct applicability of Rules 804 and 805 to recreational OHV areas not feasible; therefore, Imperial will develop specific dust control measures for unpaved roads and open areas to be included in dust control plans for recreational OHV areas.
- State and BLM will address PM10 mitigation for recreational OHV areas under their control through dust control plans.
- Limit OHV activity during the summertime
- Include a definition for “disturbed surface area”

2. Related to Unpaved Roads

a. Border Patrol Roads

- Revise Rule 800 to narrow exemption and specify dust control measures for unpaved roads that need to be included in Border Patrol’s dust control plan that are not in direct contradiction with their mission.

3. Related to Agricultural Lands

a. Tiling and Harvesting

- Revise the CMP application forms to be more specific on the required controls and frequency of CMPs for land preparation and cultivation (including tiling) and harvesting activities.

b. Windblown dust from fallow fields

- Develop and adopt a new rule and application forms to require CMPs to control windblown dust from agricultural fallowed parcels.