

Indirect Source Review (ISR) Frequently Asked Questions for Road Construction Projects

Q. What types of projects are covered by the Rule 9510 (Indirect Source Review)?

- A.**
- New roads
 - Expansions to existing roads
 - Interchange and intersection improvements
 - Transit projects that involve facility construction

Q. Is there a size threshold for rule applicability?

A. Projects with construction exhaust emissions less than 2.0 tons/year of NO_x and 2.0 tons/year PM₁₀ are exempt.

Q. What types of road projects are not subject to the rule?

- A.**
- Maintenance and resurfacing projects
 - Projects that do not increase capacity
 - Projects with construction exhaust emissions less than 2.0 tons/year of NO_x and 2.0 tons/year PM₁₀
 - Transportation control measures in a District plan

Q. How do I know if my project exceeds the rule's 2.0 ton/year threshold?

A. As a rule of thumb, constructing the equivalent of 0.25 miles of two-lane paved road will exceed the 2.0 ton/year threshold.

The Road Construction Emission Model developed for the Sacramento Metro Area Air Quality Management District (SMAQMD) can be used to estimate project emissions if the following information is known:

- Year construction will take place
- Length of the construction activity
- Length of the road being constructed
- Acres of the road right of way being disturbed
- Whether water trucks will be used
- Amount of soil imported for the project
- Amount of soil exported for the project

Other project specific information can be used to replace default values when better information is known:

- Length of each phase of the construction period
- Numbers and types of construction equipment
- Hours of operation for each type of equipment
- Horsepower and load factor for the equipment

Q. What must I do if the project is below 2.0 tons without applying any mitigation measures to the construction equipment?

A. The project would not be subject to District Rule 9510, thus there is no need to submit an Air Impact Assessment Application. However, it is recommended that you maintain records supporting your determination. Furthermore, the project may be subject to other District rules, such as Regulation VIII.

Q. Will I receive a refund of my Air Impact Assessment application filing fee if the District determines that the project is below the 2.0 ton applicability threshold?

A. That depends, per the San Joaquin Valley Air Pollution Control District's Policy ADM1445 (Applicable fees for exemption determinations for equipment and development projects), when an application is submitted and an analysis by the District was required to determine if or that the project is exempt from ISR requirements, the application filing fee will not be refunded. The District would provide a letter to the applicant certifying that the project is exempt.

Q. My project will produce over 2.0 tons of emissions. How can I determine the applicable off-site mitigation fee amount, if any?

A. The rule requires construction exhaust emissions of NO_x and PM₁₀ to be reduced by 20% and 45% respectively, as compared to the statewide fleet average. If the reductions are achieved, there will be no off-site fee.

To calculate applicable off-site fees, if any:

- Quantify the project emissions using the Sacramento Metro Area Air Quality Management District Road Construction Model
- If construction exhaust emissions of NO_x and PM₁₀ have not been reduced by 20% and 45% respectively, as compared to the statewide fleet average, off-site mitigation fees apply to the remaining balance
- Enter the remaining balance of each pollutant into the fee equation from the rule or use the District's fee calculator for the year the fee will be paid

For projects where the fleet type and age and hours of operation are not known emissions are calculated using the state fleet average value. Because there is no onsite mitigation, fees will apply to 20% of the NO_x and 45% of the PM₁₀ emissions. Enter the respective tonnage into the fee equation from the rule or use the District's fee calculator for the year the fee will be paid.

Q. How can I minimize applicable off-site mitigation fees?

A. Agencies have several options for minimizing or eliminating off-site mitigation fees.

- Using equipment with retrofit devices or alternative fuels that result in the required reductions
- Using equipment newer than the state fleet average, meeting or exceeding the percent reduction requirements.
- Using construction contractors with equipment capable of meeting the requirements

Q. How do I quantify the benefits of providing a cleaner than average construction fleet?

A. Use the Construction Mitigation Calculator to determine if the fleet is cleaner than average. The calculator requires the user to enter the year, horsepower, and hours of operation for each piece of construction equipment used for the project. The results provide a percent reduction compared to the statewide average for each pollutant.

If the construction fleet will be retrofitted with PM filters or NOx catalysts or will use alternative fuels, contact the District for the latest before and after emission factors for the specific technology/device chosen.

Q. When must the fee be paid for road and transit projects?

A. The fees are due 60 days after the District approves the air impact assessment (AIA) application.

Projects not due to begin construction in the near future may request a fee deferral schedule (FDS) with the District. Payment must be made prior to the commencement of construction for each phase. Phases must be at least one year or longer in length to qualify for a separate payment.

Q. Is there incentive funding available to retrofit construction equipment?

A. Yes. Construction companies are eligible for District grant funding as long as they are not the applicant for the project subject to ISR.

Q. How will the District ensure that all agencies with projects subject to the rule have submitted an application?

A. The District will work closely with the Transportation Planning Agencies (TPAs) to track projects that go through the federal and state funding processes. All projects included in the Transportation Improvement Program (TIP) that have construction emissions close to the threshold levels may be identified in advance and tracked through the approval process. Locally funded projects that require a discretionary approval from a public agency will be tracked through CEQA noticing requirements.

Q. What supporting documentation needs to be submitted with an application?

A. For projects where detailed information is not available the minimum needed includes the following:

- A brief project description
- A vicinity map to illustrate the location of the project
- A map illustrating the dimensions of the project (maximum size 11x17 in.)

Other information that if available will allow more accurate emissions estimates:

- The grading plan, if one is prepared at the time of application
- A detailed construction schedule with specific timing for each construction phase
- An estimate of the number of hours each equipment type will be operated