

RULE 8061 PAVED AND UNPAVED ROADS (Adopted November 15, 2001; Amended August 19, 2004)

1.0 Purpose

The purpose of this rule is to limit fugitive dust emissions from paved and unpaved roads by implementing control measures and design criteria.

2.0 Applicability

This rule applies to any new or existing public or private paved or unpaved road, road construction project, or road modification project. The provisions of this rule adopted on November 15, 2001 shall remain in effect until October 1, 2004 at which time the amendments adopted on August 19, 2004 shall take effect.

3.0 Definitions

The definitions of terms in Rule 8011 (General Requirements) shall apply to this rule.

4.0 Exemptions

In addition to the exemptions established in Rule 8011, the following exemptions are established for this Rule:

4.1 Any unpaved road segment with less than 26 annual average daily vehicle trips (AADT).

4.1.1 This exemption shall not apply to Section 5.2.3 of this rule.

4.1.2 An owner/operator of any unpaved road segment with 26 or more AADT must provide estimated or actual vehicle trip data to the APCO by July 1, 2005.

4.2 Maintenance and resurfacing of existing paved roads does not apply to section 5.2 of this rule.

4.3 Agricultural sources subject to, or specifically exempt from, Rule 8081 (Agricultural Sources)

4.4 Emergency activities performed to ensure public health and safety as specified in Rule 8011, section 4.1.

4.5 Equipment used to remove debris beyond the capabilities of PM10-efficient street sweepers.

## 5.0 Requirements

In addition to the requirements of this rule, a person shall comply with all other applicable requirements of Regulation VIII.

### 5.1 Paved Roads

#### 5.1.1 New or Modified Paved Roads:

5.1.1.1 An owner/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 for median shoulders as specified in section 5.1.1.2 of this rule as specified below:

5.1.1.1.1 New paved roads or modifications to existing paved roads with projected annual average daily vehicle trips of 500 vehicles or more shall be constructed with paved shoulders that meet following widths:

Annual Average Daily Vehicle Trips (AADT)	Minimum Paved or Stabilized Shoulder Width
500-3000	4 feet or limit of right-of-way, whichever is the lesser
Greater than 3000	8 feet or limit of right-of-way, whichever is the lesser

5.1.1.1.2 A curbing adjacent to and contiguous with the travel lane or paved shoulder of a road may be constructed, in lieu of meeting the paved shoulder width standard in Section 5.1.1.1.1

5.1.1.1.3 Intersections, auxiliary entry lanes, and auxiliary exit lanes may be constructed adjacent to and contiguous with the roadway, in lieu of meeting the paved shoulder width standard in Section 5.1.1.1.1

5.1.1.1.4 Where the requirements specified in Section 5.1.1.1.1 are shown to conflict with the requirements of the California Environmental

Quality Act (CEQA) and National Environmental Policy Act (NEPA) with respect to determinations regarding environmental, cultural, archaeological, historical, or other considerations addressed in such documents, an owner/operator is exempt from the paved shoulder width requirements specified in Section 5.1.1.1.1 of this rule.

5.1.1.2 Whenever any paved road which has projected annual average daily vehicle trips of 500 or more is constructed, or modified with medians, the medians shall be constructed in conformance with the AASHTO guidelines for width of median shoulders, with paved shoulders having a minimum width of four feet adjacent to the traffic lanes unless:

5.1.1.2.1 The medians of roads having speed limits set at or below 45 miles per hour are constructed with curbing; or

5.1.1.2.2 The medians are landscaped and maintained with grass or other vegetative ground cover or chemical/organic dust suppressants/stabilizers to comply with the definition of stabilized surface in Rule 8011.

5.1.2 PM10-Efficient Street Sweepers:

Each city, county, or state agency with primary responsibility for any existing paved road within an urban area shall take the following actions:

5.1.2.1 Effective July 1, 2005, all purchases of street sweeper equipment by such agency or their contractor(s) shall be only PM10-efficient street sweepers.

5.1.2.2 The utilization of PM10-efficient street sweepers by an agency or its contractor(s) shall be prioritized for use on routine street sweeper route(s) with paved curbs which have been determined by an agency to have the greatest actual or potential for dirt and silt loadings.

5.1.2.3 Any agency which conducts or contracts for routine street sweeping activities or services shall purchase, or require their contractor(s) to purchase and place into service, at least one PM10-efficient street sweeper not later than July 1, 2008.

5.1.2.4 Any street sweeping routes with paved curbs covered by PM10-efficient street sweepers pursuant to Section 5.1.2.2 shall conduct routine street sweeping operations over such routes at a frequency of not less than once per month.

5.1.2.5 All PM10-efficient street sweepers shall be operated and maintained according to manufacturer specifications.

5.1.2.6 If the provisions of Sections 5.1.2.1 or 5.1.2.3 cannot be met due to budgetary constraints, the agency may submit a statement of financial hardship to, and approved by, the APCO and US EPA.

### 5.1.3 Post-Event Clean-Up

Each city, county, or state agency with primary responsibility for any existing paved road shall take the following actions upon discovery by the city, county or state agency of accumulations of mud/dirt [event material] of at least 1 inch thickness over an area of at least 50 square feet on road surface travel lanes as a result of wind/storm/water erosion and runoff:

5.1.3.1 Within 24 hours of discovery by the city, county or state agency of such condition, remove the mud/dirt from the travel lanes or restrict vehicles from traveling over said mud/dirt until such time as the material can be removed from the travel lanes.

5.1.3.2 Follow dust minimizing practices during the removal of such mud/dirt from the travel lanes.

5.1.3.3 In the event unsafe travel conditions would result from restricting vehicle traffic pursuant to Section 5.1.3.1, and removal of such material is not possible within 72 hours due to weekend or holiday conditions, the provisions of Section 5.1.3.1 can be extended upon notification to and approval by the APCO.

5.1.3.4 As soon as practicable, removal of mud/dirt from paved shoulders should also occur through the use of dust minimizing practices.

## 5.2 Unpaved Road Segment

5.2.1. On any unpaved road segment with 26 or more AADT, the owner/operator shall limit VDE to 20% opacity and comply with the

requirements of a stabilized unpaved road by application and/or re-application/maintenance of at least one of the following control measures, or shall implement an APCO-approved Fugitive PM10 Management Plan as specified in Rule 8011 (General Requirements):

5.2.1.1 Watering;

5.2.1.2 Uniform layer of washed gravel;

5.2.1.3 Chemical/organic dust stabilizers/suppressants in accordance with the manufacturer's specifications;

5.2.1.4 Roadmix;

5.2.1.5 Paving;

5.2.1.6 Any other method that can be demonstrated to the satisfaction of the APCO that effectively limits VDE to 20% opacity and meets the conditions of a stabilized unpaved road.

5.2.2 Within an urban area, the construction of any new unpaved road is prohibited unless the road meets the definition of a temporary unpaved road as specified in section 3.60 of Rule 8011.

5.2.3 Requirements for Existing Unpaved Public Roads in Urban and Rural Areas:

5.2.3.1 Each city, county, or state agency with primary responsibility for any existing unpaved road within urban and rural areas shall take the following actions:

5.2.3.1.1 By January 1, 2005 provide the District with a list of all unpaved roads under its jurisdiction in any urban area(s), including data on length of, and AADT on, each unpaved road segment.

5.2.3.1.2 By July 1, 2005 provide the District with a list of all unpaved roads under its jurisdiction in any rural area, including data on length of, and AADT on, each unpaved road segment.

5.2.3.1.3 By January 1, 2010, pave an average of 20% annually of all unpaved roads identified in Section 5.2.3.1.1 up to a maximum of 5 cumulative miles within any one

urban area, with priority given to roads with the highest AADT levels. In meeting this requirement, each jurisdiction must show incremental progress.

5.2.3.1.4 By April 1 of each year, 2006 through 2010, submit to the District the total number of unpaved road miles which were paved during the previous calendar year, and the percentage of cumulative miles paved relative to the list provided pursuant to Section 5.2.3.1.1.

5.2.3.1.5 If the provisions of Section 5.2.3.1.3 cannot be met due to budgetary constraints, the agency may submit a statement of financial hardship to, and approved by, the APCO and US EPA.

5.2.4 Requirements for Existing Paved Public Roads with Unpaved Shoulders in Urban and Rural Areas:

5.2.4.1 Each city, county, or state agency with primary responsibility for any existing paved public road with unpaved shoulders in urban and rural areas shall take the following actions:

5.2.4.1.1 By January 1, 2005 provide the District with a list of all paved public roads with unpaved shoulders in any urban and rural area, including data on length of, and AADT on, each segment of paved public road with unpaved shoulders.

5.2.4.1.2 In Urban areas, by January 1, 2010, pave or stabilize 4-foot shoulders on 50% of existing paved public roads with the highest AADT in urban areas identified in Section 5.2.4.1.1. In meeting this requirement, each jurisdiction must show incremental progress.

5.2.4.1.3 In Rural areas, by January 1, 2010, pave or stabilize 4-foot shoulders on 25% of existing paved public roads with the highest AADT in rural areas identified in Section 5.2.4.1.1. In meeting this requirement, each jurisdiction must show incremental progress.

5.2.4.1.4 If the provisions of Sections 5.2.4.1.2 or 5.2.4.1.3 cannot be met due to budgetary constraints, the agency may submit a statement of financial hardship to, and approved by, the APCO and US EPA.

### 5.2.5 Requirements for Establishing and Posting Maximum Speed Limits on Unpaved Roads

Each owner/operator shall establish a maximum speed limit of 25 mph on each unpaved road with 26 AADT or more and shall post speed limit signs, one in each direction, per mile of road segment in urban areas, and per two miles of road segment in rural areas. This provision shall become effective one year from the date of adoption of this rule amendment.

## 6.0 Administrative Requirements

### 6.1 Test Methods

The applicable test methods specified in Rule 8011 shall be used to determine compliance with this rule.

### 6.2 Recordkeeping and Reporting

In addition to complying with the recordkeeping requirements specified in Rule 8011 and Sections 5.2.3 and 5.2.4 of this rule, city, county and state agencies responsible for the maintenance and operation of public paved and unpaved roads, 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 years 2003 and 2004, and no less frequently than each two (2) year period thereafter. The reports shall be transmitted to the District no later than 90 days after the end of the calendar year and shall include:

6.2.1 The total miles of paved and unpaved 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.

6.2.2 For newly constructed or modified roads, a summary of actions taken during the reporting period to prevent or mitigate PM10 emissions, with miles specified for each type of control measure used to reduce PM10 emissions.

6.2.3 For all roads under the agency's jurisdiction, a summary of actions taken to reduce PM10 emissions from roads during the reporting period. The total miles of roads for which these procedures were enforced and the estimated traffic volume on the affected roads shall be provided.

6.2.4 Other information that may be needed by the APCO for compliance with the United States Environmental Protection Agency's requirements.