
From: Dann Jennifer L Civ 377 MSG/CEVC [mailto:Jennifer.Dann@kirtland.af.mil]

Sent: Wednesday, February 06, 2008 12:02 PM

To: Butt, Neal T.

Cc: Clark Scott C Civ 377 MSG/CEVC

Subject: Written Comment, 20.11.20 NMAC Fugitive Dust Control

Hello,

After reviewing the proposed changes in the public review draft for 20.11.20 NMAC Fugitive Dust, we have one comment that we wanted to express:

In 20.11.20.23, Reasonably Available Control Measures for Fugitive Dust, several means of dust control that were once among the options to use have been made mandatory with the following language: "At a minimum, all projects requiring a fugitive dust control construction permit shall utilize paved or gravel entry/exit aprons, steel grates or other devices capable of removing mud and bulk material from vehicle traffic tires, and erect a properly-maintained fabric fencing material around the perimeter of the disturbed surface area."

The regulation already contains provisions to prohibit transport, track out, and fugitive dust from operations to cross property lines. Requiring "one size fits all" dust control measures for all projects is unnecessary. Many of our projects do not lend themselves to single points of entry/exit either due to the small confined nature of project, or roadway paving projects that require entry from one end and exit from another point for delivery and deposit of material. Additionally, the limits of some of our projects don't generally lend themselves to perimeter fencing (e.g., work on airfield). In some cases, perimeter fencing and single point of entry won't contribute to effective fugitive dust control, and will only add unnecessary and sometimes prohibitive cost to the project. Appropriate dust control measures should be selected in consultation with the AEHD on a project-by-project basis.

Thank you for your consideration,

Jennifer Dann
Chief, Compliance Section
377 MSG/CEVC
Building 20685
Kirtland Air Force Base, NM 87117
505-853-3481

02/07/2008

Albuquerque Environmental Health Department
Air Quality Division (AQD)

Re: Regulatory and Policy Advisory Committee (RPAC) written responses to Stakeholders, concerning proposed amendments to the Albuquerque-Bernalillo County Air Quality Control Board (board) Regulation 20.11.20 NMAC – Fugitive Dust Control (Part 20).

The current version of Part 20, implemented in March 2004, required that the board hold a public hearing regarding a decision on continuation or expiration of eight sources that had been given a three year exemption to Part 20. The status of the sources exempt for three years was to be considered after review of an emission inventory of the eight source types. The AQD requested additional time to complete an extensive review and submit amendments for the entire Part 20 regulation. The board approved additional time and the AQD provided a draft to stakeholders in June 2007, an amended draft to stakeholders in December 2007, and a public review draft on December 29, 2007 for review and comment. The following are the responses to stakeholder comments received by the Part 20 subcommittee during public comment period.

The responses were sent by electronic mailing (email) to the stakeholder.

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RPAC Response: Since the current Part 20 for fugitive dust control was implemented in March 2004, the AQD field staff has determined that the majority of complaints and enforcement actions involve track-out from projects not utilizing some sort of device that removes a majority of the bulk material on vehicle tires, and projects causing excessive transport of bulk material due to a lack of a perimeter control.

The AQD's intention for proposing these two mandatory controls, in addition to controlling fugitive dust, is to limit the potential for violations that may lead to penalties. It is not the intention of the AQD to want to direct the selection of control measures or to require conditions that may be considered to be excessive when applied to case by case project conditions. Therefore, the AQD is open to further discussion concerning alternative mandatory requirements or other means of control measures to maintain compliance throughout the scope of projects requiring fugitive dust control permits. This especially would coincide with projects that have the potential for track-out and transport of bulk materials that do not utilize the proposed recommended measures in their permit applications.