

RULE 1466. CONTROL OF PARTICULATE EMISSIONS FROM SOILS WITH TOXIC AIR CONTAMINANTS

(a) Purpose

The purpose of this rule is to minimize the amount of off-site fugitive dust emissions containing toxic air contaminants by reducing particulate emissions in the ambient air as a result of earth-moving activities, including, dredging, excavating, grading, earth-cutting and filling, loading, unloading, handling, mechanized land clearing, treating, stockpiling, transferring, and removing of soil that contains applicable toxic air contaminants, from sites that meet the applicability requirements of subdivision (b).

(b) Applicability

(1) This rule shall apply to any owner or operator conducting earth-moving activities of soil with applicable toxic air contaminant(s) as defined in paragraph (c)(16) that have been identified as contaminant(s) of concern at a site that has been designated and notified by:

- (A) The U.S. Environmental Protection Agency (U.S. EPA) as a Superfund National Priorities List site;
- (B) The California Department of Toxic Substances Control (DTSC) as a Brownfield or Cleanup Program site;
- (C) The State Water Resources Control Board (State Water Board) or Regional Water Quality Control Board (Regional Water Board) as a Site Cleanup Program site;
- (D) A county, local, or state regulatory agency as a Hazardous Material Release site, as defined in California Health and Safety Code Section 25260; or
- (E) The Executive Officer pursuant to subdivision (i).

(2) This rule shall not apply to:

- (A) Earth-moving activities of soil with applicable toxic air contaminant(s) of less than 50 cubic yards; or
- (B) Removal of soil for sampling purposes.

(c) Definitions

(1) ADEQUATELY WET means the condition of being sufficiently mixed or penetrated with water to prevent the release of particulates or visible emissions. The process by which an adequately wet condition is achieved is by using a dispenser

or water hose with a nozzle that permits the use of a fine, low-pressure spray or mist.

- (c) (2) **ADJACENT ATHLETIC AREA** means any outdoor athletic field or park where youth organized sports occur that is in physical contact or separated solely by a public roadway or other public right-of-way to a **SCHOOL**.
- (3) **ADJOINING** means in physical contact with or separated solely by a public roadway or other public right-of-way.
- (4) **CHEMICAL STABILIZERS** means any non-toxic chemicals that are used to bind soil together to control **FUGITIVE DUST** emissions.
- (5) **DISTURBED SURFACE AREA** means a portion of the earth's surface which has been physically moved, uncovered, destabilized, or otherwise modified from its undisturbed natural soil condition, thereby increasing the potential for **FUGITIVE DUST**. This definition excludes those areas which have:
 - (A) Been restored to a natural state, such that the vegetative ground cover and soil characteristics are similar to adjacent or nearby natural conditions;
 - (B) Been paved or otherwise covered by a permanent structure; or
 - (C) Sustained a vegetative ground cover of at least 70 percent of the native cover for a particular area for at least 30 days.
- (6) **DUST SUPPRESSANTS** means water or hygroscopic materials, other than **CHEMICAL STABILIZERS**, that are used as a treatment material to reduce **FUGITIVE DUST** emissions.
- (7) **EARTH-MOVING ACTIVITIES** means, for the purpose of this rule, any activity on a site that meets the applicability requirements of subdivision (b) where **SOIL WITH APPLICABLE TOXIC AIR CONTAMINANT(S)** is being moved or uncovered, including: dredging, excavating, grading, earth-cutting and filling operations, loading, unloading, handling, mechanized land clearing, treating, transferring, removing, and adding to or removing from **STOCKPILES**, and vehicular movement of equipment associated with these activities. **EARTH-MOVING ACTIVITIES** do not include vehicular movement from: delivery vehicles, passenger vehicles transporting personnel to and from the site, vehicles used for administrative purposes, vehicles transporting personnel for the purposes of soil sampling and conducting ambient **PM₁₀** monitoring requirements, watering trucks, and equipment used exclusively on a portion(s) of the site where there is no **SOIL WITH APPLICABLE TOXIC AIR CONTAMINANT(S)**.

- (c) (8) FUGITIVE DUST means, for the purpose of this rule, any solid particulate matter that is in contact with ambient air and has the potential to become airborne, other than solid particulate matter that is emitted from an exhaust stack.
- (9) JOINT USE AGREEMENT PROPERTY means a shared public facility in which a formal agreement exists between a SCHOOL and another government entity setting forth the terms and conditions for shared use.
- (10) OWNER OR OPERATOR means any firm, business establishment, association, partnership, corporation or individual, whether acting as principal, agent, employee, contractor, or other capacity.
- (11) PAVED ROAD means a public or private improved street, highway, alley, public way, or easement that is covered by typical roadway materials, but excludes access roadways that connect a facility with a public paved roadway and are not open to through traffic. Public paved roads are those open to public access and that are owned by any federal, state, county, municipal, or any other governmental or quasi-governmental agencies. Private paved roads are any PAVED ROADS not defined as public.
- (12) PROPERTY LINE means the boundary of an area where a person has the legal use or possession of the property. Where such property is divided into one or more sub-tenancies, the property line(s) shall refer to the boundaries dividing the areas of all sub-tenancies.
- (13) SCHOOL means any public or private education center, including juvenile detention facilities with classrooms, used for the education of more than 12 children at the education center in kindergarten through grade 12. A SCHOOL also includes an Early Learning and Developmental Program by the U.S. Department of Education or any state or local early learning and development programs such as preschools, Early Head Starts, Head Start, First Five, and Child Development Centers. A SCHOOL does not include any private education center in which education is primarily conducted in private homes. A SCHOOL includes any building or structure, playground, athletic field, or other area of school property.
- (14) SLAG means, for the purpose of this rule, the by-product material that is separated from metals during smelting or refining of ore.
- (15) SOIL means dirt, sand, gravel, clay, SLAG, and aggregate material less than two inches in length or diameter, and other organic or inorganic particulate matter.
- (16) SOIL WITH APPLICABLE TOXIC AIR CONTAMINANT(S) means, for the purpose of this rule, SOIL that has been identified by the U.S. EPA, the DTSC, the

State Water Board, the Regional Water Board, or a county, local, or state regulatory agency, to contain one or more of the applicable toxic air contaminants listed in Table I that exceed action levels as specified by the designating agency, or soil that has been identified by the Executive Officer to contain one or more of the toxic air contaminants listed in Rule 1401 – New Source Review of Toxic Air Contaminants (Table I) or Hazardous Air Pollutants Identified as Toxic Air Contaminants as listed in California Code of Regulations Section 93001, excluding volatile organic compounds regulated under Rule 1166 – Volatile Organic Compound Emissions from Decontamination of Soil.

- (c) (17) **STABILIZED SURFACE** means any previously **DISTURBED SURFACE AREA** or **STOCKPILE**, which through the application of **CHEMICAL STABILIZERS** or **DUST SUPPRESSANTS**, shows visual or other evidence of surface crusting and is resistant to **WIND-DRIVEN FUGITIVE DUST**, and is demonstrated to be stabilized. Stabilization can be demonstrated by one or more of the applicable test methods contained in the most current version of the South Coast AQMD *Rule 403 Fugitive Dust Implementation Handbook* or in Volumes I and II of South Coast AQMD's *Dust Control in the Coachella Valley*.
- (18) **STOCKPILE** means any accumulation of **SOIL**, which is not fully enclosed and which attains a height of three feet or more and a total surface area of 150 square feet or more.
- (19) **TRACK-OUT** means, for the purpose of this rule, any **SOIL** that adheres to and agglomerates on the exterior surface of motor vehicles, haul trucks, and equipment (including tires) that has been released onto a **PAVED ROAD** and that can be removed by a vacuum sweeper under normal operating conditions.
- (20) **WIND-DRIVEN FUGITIVE DUST** means visible emissions from any **DISTURBED SURFACE AREA**, which is generated by wind action alone.
- (d) **Monitoring Requirements**
- (1) When on-site earth-moving activities occur, the owner or operator shall conduct continuous direct-reading near real-time ambient monitoring of **PM₁₀** concentrations pursuant to paragraph (d)(3).
- (2) If the **PM₁₀** concentration exceeds 25 micrograms per cubic meter, as measured pursuant to paragraph (d)(3) and as determined pursuant to paragraph (d)(9), the owner or operator shall cease on-site earth-moving activities, apply dust suppressant to fugitive dust sources, or implement other dust control measures as

necessary until the PM₁₀ concentration is equal to or less than 25 micrograms per cubic meter averaged over 30 minutes.

- (d) (3) The owner or operator conducting on-site earth-moving activities shall install PM₁₀ monitors and conduct ambient PM₁₀ monitoring:
- (A) In accordance with a U.S. EPA-approved equivalent method for PM₁₀ monitoring or using a Rule 1466 Approved PM₁₀ Monitor;
 - (B) Using a minimum of two monitors, placing each monitor as close to the property line as feasible, where:
 - (i) One or more monitors is in the seasonal prevailing wind direction upwind of the area(s) of on-site earth-moving activity, indicative of background PM₁₀ levels, and not generally influenced by fugitive dust sources from the site; and
 - (ii) One or more monitors is in the seasonal prevailing wind direction downwind of the area(s) of on-site earth-moving activity;
 - (C) Using PM₁₀ monitors that are identical in: make and model, settings, and configuration; and
 - (D) Using ambient PM₁₀ monitors that are operated, maintained, and calibrated in accordance with appropriate U.S. EPA-published documents for U.S. EPA-approved equivalent methods for PM₁₀ and manufacturer's instructions.
- (4) On and before December 31, 2021, the owner or operator shall collect ambient PM₁₀ data with a data acquisition system (DAS) that is capable of logging direct-reading near real-time data providing the date, time, and PM₁₀ concentration in micrograms per cubic meter every 10 minutes or less.
- (5) On and after January 1, 2022, the owner or operator shall collect ambient PM₁₀ data with a DAS that is capable of logging direct-reading near real-time data providing the date and time, calibrated to Pacific Standard Time (PST), and PM₁₀ concentration in micrograms per cubic meter every 1 minute or less.
- (6) On and after January 1, 2022, the owner or operator shall operate PM₁₀ monitors with the heated sampler inlet on.
- (7) On and after January 1, 2022, prior to conducting any on-site earth-moving activities, and weekly thereafter, the owner operator shall conduct intra-instrument precision tests with the PM₁₀ monitors in accordance with *Appendix 2 – Procedures to Demonstrate Intra-Instrument Precision*, or make available documentation and supporting data certifying that such intra-instrument precision tests were run by an

equipment rental company or other third party, that demonstrate an intra-instrument precision of:

- (d) (7) (A) No more than 25 percent as calculated pursuant to Step 7a in *Appendix 2* when ambient PM₁₀ concentrations are equal to or greater than 15 micrograms per cubic meter; or
- (B) No more than 5 micrograms per cubic meter as calculated pursuant to Step 7b in *Appendix 2* when ambient PM₁₀ concentrations are less than 15 micrograms per cubic meter.
- (8) On and after January 1, 2022, each day prior to conducting on-site earth-moving activities, the owner or operator shall conduct a passing zero check on each PM₁₀ monitor in accordance with:
 - (A) Steps 4 and 5 of *Appendix 2* that demonstrates an average PM₁₀ concentration of 0 ± 3 micrograms per cubic meter; or
 - (B) Manufacturer's instructions if a monitor is operated using an auto-zero check procedure that directs filtered particle-free air into the measurement chamber.
- (9) The owner or operator shall calculate the PM₁₀ concentration as a 120-minute rolling average, where:
 - (A) The initial average starts at the commencement of on-site earth-moving activities and ends 120 minutes after the commencement of on-site earth-moving activities;
 - (B) On and before December 31, 2021, the averages subsequent to the initial average specified in subparagraph (d)(9)(A) are to be calculated every 10 minutes and cover the previous 120-minute period;
 - (C) On and after January 1, 2022, the averages subsequent to the initial average specified in subparagraph (d)(9)(A) are to be calculated every 1 minute and cover the previous 120-minute period;
 - (D) The PM₁₀ concentration is calculated by subtracting the results of the upwind monitor(s) from the downwind monitor(s) for the same averaging period;
 - (i) If the wind direction is in the seasonal prevailing wind direction, then the monitor(s) described pursuant to clause (d)(3)(B)(i) shall be designated as the upwind monitor(s) and the monitor(s) described pursuant to clause (d)(3)(B)(ii) shall be designated as the downwind monitor(s); and

- (d) (9) (D) (ii) If there is greater than a ± 90 degree change in wind direction from the seasonal prevailing wind direction, then the monitor(s) described pursuant to clause (d)(3)(B)(i) shall be designated as the downwind monitor(s) and the monitor(s) described pursuant to clause (d)(3)(B)(ii) shall be designated as the upwind monitor(s);
 - (E) If there is more than one upwind monitor, the upwind result is the average concentration of all upwind monitors for the same rolling averaging period;
 - (F) If there is more than one downwind monitor, the downwind result is the maximum concentration of any of the downwind monitors for the same rolling averaging period;
 - (G) On and before December 31, 2021, when on-site earth-moving activities resume after ceasing pursuant to paragraph (d)(2), the average shall start when on-site earth-moving activities resume and shall end 120 minutes after on-site earth-moving activities resume, and the subsequent averages are to be calculated every 10 minutes and shall cover the previous 120-minute period; and
 - (H) On and after January 1, 2022, when on-site earth-moving activities resume after ceasing pursuant to paragraph (d)(2), the average shall start when on-site earth-moving activities resume and shall end 120 minutes after on-site earth-moving activities resume, and the subsequent averages are to be calculated every one minute and shall cover the previous 120-minute period.
- (10) An owner or operator that elects to move the monitors accordingly when there is a change in wind direction in place of meeting the requirements specified in clauses (d)(3)(B)(i), (d)(3)(B)(ii), (d)(9)(D)(i), and (d)(9)(D)(ii), shall:
- (A) Place a minimum of one upwind monitor in the upwind direction of the area(s) of on-site earth-moving activity, indicative of background PM_{10} levels, and not generally influenced by fugitive dust sources from the site;
 - (B) Place a minimum of one downwind monitor in the downwind direction of the area(s) of on-site earth-moving activity; and
 - (C) Move the monitor(s) in subparagraph (d)(10)(A) to the new upwind location and the monitor(s) in subparagraph (d)(10)(B) to the new downwind location when there is a change in wind direction.
- (11) In the event that a DAS fails to log ambient PM_{10} data pursuant to paragraph (d)(5) or that the data management system integrated with the PM_{10} monitor(s) and

DAS(s) fails to calculate PM₁₀ concentrations pursuant to subparagraph (d)(9)(C) due to a technical issue beyond the reasonable control of an owner or operator, including, but not limited to, internet connection disruptions and computer malfunctions, the owner or operator shall:

- (d) (11) (A) Restore the DAS or data management system to working condition as soon as practicable and no later than the start of the next working day; and
- (B) Manually record the PM₁₀ concentration from the monitor(s) associated with the non-operational DAS once every 10 minutes or less and calculate the PM₁₀ concentration pursuant to the averages specified in subparagraph (d)(9)(B) until the DAS is restored or calculate the PM₁₀ concentration pursuant to the averages specified in subparagraph (d)(9)(B) until the data management system is restored.
- (12) When conducting ambient PM₁₀ monitoring as required in paragraph (d)(1), the owner or operator shall monitor wind direction and speed using a minimum of one stationary anemometer or wind sensor that:
 - (A) Is sited over open, level terrain within the project site with minimal obstructions to the wind flow at a minimum height of eight feet above grade;
 - (B) Meets the performance criteria of:
 - (i) Wind direction accuracy of ± 7 degrees and resolution of 1 degree; and
 - (ii) Wind speed accuracy of 2 miles per hour (mph) or ± 5 percent of the observed wind speed, whichever is greater, and resolution of 1 mph;
 - (C) Has a National Institute of Standards and Technology (NIST) Traceability certification;
 - (D) Is equipped with a data logger that records wind direction and speed data once every 1 minute or less and archives the recorded wind direction and speed data, including the date and time, calibrated to PST; and
 - (E) Is operated, calibrated, and maintained in accordance with manufacturer's specifications, but no less frequent than once every 6 months of cumulative operation.
- (13) The Executive Officer may approve a PM₁₀ monitor to be added as a Rule 1466 Approved PM₁₀ Monitor if the PM₁₀ monitor meets the specifications listed in *Appendix 1 – Rule 1466 Approved PM₁₀ Monitors*. The request for a PM₁₀ monitor to be added as a Rule 1466 Approved PM₁₀ Monitor shall:
 - (A) Be submitted to Rule1466ApprovedMonitors@aqmd.gov;

- (d) (13) (B) Include a description of the PM₁₀ monitor, any accessories, and all monitor specifications; and
 - (C) Include documentation demonstrating compliance with each specification listed in *Appendix 1*.
- (e) Requirements to Minimize Fugitive Dust Emissions
- (1) On and before December 31, 2021, an owner or operator shall not conduct on-site earth-moving activities unless the area is surrounded with fencing that is a minimum of 6 feet tall and at least as tall as the height of the tallest stockpile, with a windscreen that has a porosity of 50 ± 5 percent. A section of the perimeter surrounding an on-site earth-moving activity area may be excluded from this requirement if that section:
 - (A) Has a solid physical barrier, such as a solid wall or other solid feature that minimizes air flow, that is a minimum of 6 feet tall but at least 6 inches taller than the height of the tallest stockpile; or
 - (B) Does not have on-site earth-moving activity occurring within 300 feet from the perimeter of that section.
 - (2) On and after January 1, 2022, an owner or operator shall not conduct on-site earth-moving activities unless the area is surrounded with fencing that is a minimum of 6 feet tall but at least 6 inches taller than the height of the tallest stockpile, with a windscreen that has a porosity of 50 ± 5 percent or a mesh windscreen that has a shade value or opacity of 85 ± 5 percent. A section of the perimeter surrounding an on-site earth-moving activity area may be excluded from this requirement if that section meets the conditions as specified in subparagraph (e)(1)(A) or (e)(1)(B).
 - (3) An owner or operator conducting on-site earth-moving activities shall:
 - (A) Adequately wet to the depth of earth-moving activity and allow time for penetration; and
 - (B) Adequately wet at frequencies to prevent the generation of visible dust plumes.
 - (4) An owner or operator that is moving vehicles on, within, or off a site shall:
 - (A) Post signs at all entrances of the site to designate the speed limit as 15 mph;
 - (B) Stabilize the surface of all vehicular traffic and parking areas by applying gravel, paving, chemical stabilizers pursuant to paragraph (e)(13), or dust suppressant;
 - (C) Not allow any track-out outside of the property line that is 25 feet or more in cumulative length. Remove any track-out at a minimum frequency of

- once each day using a vacuum equipped with a filter(s) rated by the manufacturer to achieve a 99.97 percent control efficiency for 0.3 micron particles;
- (e) (4) (D) Clean the soil from the exterior of trucks, trailers, and tires prior to the truck leaving the site, without the use of forced air; and
 - (E) Utilize at least one of the following measures at each vehicle egress from the site to a public road:
 - (i) Install a pad consisting of washed gravel (minimum-size: 1 inch), maintained in a clean condition, to a depth of at least 6 inches and extending at least 30 feet wide and at least 50 feet long;
 - (ii) Pave the surface extending at least 100 feet from the property line and at least 30 feet wide;
 - (iii) Utilize a wheel shaker/wheel spreading device consisting of raised dividers (rails, pipes, or grates) at least 24 feet long and 30 feet wide; or
 - (iv) Install and utilize a wheel washing system to remove soil from tires and vehicle undercarriages.
 - (5) An owner or operator conducting on-site earth-moving activities shall ensure that stockpiles with any soil with applicable toxic air contaminant(s) be:
 - (A) Segregated from non-contaminated stockpiles;
 - (B) Labelled with “South Coast AQMD Rule 1466 – Control of Particulate Emissions from Soils with Toxic Air Contaminant(s) Applicable Soil”;
 - (C) Maintained to avoid steep sides or faces that exceed the angle of repose;
 - (D) No more than 400 cubic yards of soil;
 - (E) Maintained to minimize fugitive dust emissions containing toxic air contaminants by applying chemical stabilizers pursuant to paragraph (e)(13), applying dust suppressant, or completely covering pursuant to paragraph (e)(14); and
 - (F) Either chemically stabilized pursuant to paragraph (e)(13) and/or completely covered pursuant to paragraph (e)(14) at all times when earth-moving activities and ambient PM₁₀ monitoring are not occurring.
 - (6) An owner or operator conducting truck and trailer loading activities of soil containing applicable toxic air contaminant(s) shall:
 - (A) Apply dust suppressant to material prior to loading;
 - (B) Empty the loader bucket slowly so that no visible dust plumes are generated;

- (e) (6) (C) Minimize the drop height from the loader bucket;
- (D) Maintain at least 6 inches of space between the soil and the top of the truck bed and trailer while transporting within a site; and
- (E) Completely cover the truck bed and trailer prior to leaving the site.
- (7) An owner or operator conducting truck and trailer unloading activities of soil containing applicable toxic air contaminant(s) shall:
 - (A) Apply dust suppressant to material prior to unloading; and
 - (B) Empty the trailer slowly so that no visible dust plumes are generated.
- (8) The owner or operator shall immediately remove any spilled soil.
- (9) The owner or operator shall cease on-site earth-moving activities if the wind speed is greater than 15 mph averaged over a 15-minute period or the instantaneous wind speed exceeds 25 mph.
- (10) During on-site earth-moving activities, the owner or operator shall have an on-site dust control supervisor that:
 - (A) Is employed by or contracted with the owner or operator;
 - (B) Is located on the site during working hours;
 - (C) Is in a position to expeditiously employ sufficient dust control measures to ensure compliance with all rule requirements;
 - (D) Has completed the South Coast AQMD Fugitive Dust Control Class and has been issued a valid Certificate of Completion for the class; and
 - (E) Has the following credentials, if asbestos is an applicable toxic air contaminant:
 - (i) Successfully completed the Asbestos Abatement Contractor/Supervisor course pursuant to the Asbestos Hazard Emergency Response Act (AHERA), and obtained and maintained accreditation as an AHERA Asbestos Abatement Contractor/Supervisor; and
 - (ii) Trained on the provisions of 40 CFR Part 61.145, 61.146, 61.147 and 61.152 (Asbestos NESHAP provisions) and Part 763, and has the means to comply with these provisions.
- (11) An owner or operator shall apply a chemical stabilizer pursuant to paragraph (e)(13) and/or use a cover pursuant to paragraph (e)(14) on potential sources of fugitive dust when earth-moving activities are not occurring in the specific location(s) containing the potential source(s) of fugitive dust.

- (e) (12) An owner or operator shall inspect daily, including days when no on-site earth-moving activities are occurring, labeled stockpiles pursuant to subparagraph (e)(5)(B) and stabilized or covered stockpiles pursuant to (e)(5)(F).
 - (A) For a stabilized stockpile, such inspections shall include a demonstration of stabilization by one or more of the applicable test methods contained in the most current version of the South Coast AQMD *Rule 403 Fugitive Dust Implementation Handbook* or Volumes I and II of South Coast AQMD's *Dust Control in the Coachella Valley*.
 - (B) For a covered stockpile, such inspections shall include a visual inspection of all seams and plastic cover surfaces to ensure that no portion of the soil is exposed to the atmosphere.
- (13) When utilizing a chemical stabilizer, an owner or operator shall:
 - (A) Ensure the chemical stabilizer meets any specifications, criteria, or tests required by any federal, state, or local agency or any applicable law, rule, or regulation; and
 - (B) Unless otherwise indicated, use a sufficient concentration of the chemical stabilizer and an application frequency sufficient to maintain a stabilized surface and no less than what is specified by the manufacturer for the period of inactivity.
- (14) When using a cover for stockpiles, an owner or operator shall ensure the cover:
 - (A) Is at least 10 mil thick plastic sheeting that overlaps a minimum of 24 inches; and
 - (B) Is anchored and secured so that no portion of the soil is exposed to the atmosphere.
- (15) An owner or operator that is conducting earth-moving activities of soil with applicable toxic air contaminant(s) at a school, joint use agreement property, adjacent athletic area, or at a site that is adjoining a school, joint use agreement property, or adjacent athletic area shall:
 - (A) Only conduct earth-moving activities at a school or at a site that is adjoining a school outside of the hours between 7:30 a.m. and 4:30 p.m. on days when the school is in session;
 - (B) Not conduct earth-moving activities at a school, joint use agreement property, adjacent athletic area, or at a site that is adjoining a school, joint use agreement property, or adjacent athletic area if there is a school sponsored activity or youth organized sports taking place at that site;

- (e) (15) (C) Handle excavated soils with applicable toxic air contaminant(s) by:
 - (i) Immediately placing soil in a leak-tight container whereby any contained solids or liquids are prevented from escaping or spilling out;
 - (ii) Directly loading soil in truck beds, trailers, and bins for transport, applying chemical stabilizer pursuant to paragraph (e)(13) or dust suppressant, and completely covering prior to transporting; or
 - (iii) Stockpiling pursuant to paragraph (e)(5), in a fenced area that is not accessible to the general public, and locked when not in use; and
 - (D) Within five days of its excavation, remove all soil with applicable toxic air contaminant(s) from the site.
- (f) Notification Requirements
- (1) The owner or operator shall electronically submit an initial notification to the Executive Officer, using a format approved by the Executive Officer, of the intent to conduct any on-site earth-moving activities.
 - (A) Initial notifications shall be submitted:
 - (i) At least 72 hours but no more than 30 days prior to conducting any earth-moving activities on any site meeting the applicability requirements of subdivision (b); or
 - (ii) As soon as the information becomes available but no later than 48 hours after the information becomes available that on-site earth-moving activities of soil with applicable toxic air contaminant(s) exceed 50 cubic yards.
 - (B) Initial notifications shall include the following requirements:
 - (i) Name, address, telephone number, and e-mail address of the owner or operator;
 - (ii) Name, telephone number, and e-mail address of the on-site dust control supervisor;
 - (iii) Project name and, if applicable, the project identification number from the designating agency;
 - (iv) Project location (address and/or coordinates);
 - (v) Identify whether the site is a school, joint use agreement property, adjacent athletic area, or is adjoining a school, joint use agreement property, or adjacent athletic area;

- (f) (1) (B) (vi) A map indicating the specific location(s) of each on-site earth-moving activity and the concentrations of the applicable toxic air contaminant(s) and location of PM₁₀ monitors;
- (vii) A description of the on-site earth-moving activities, estimated volume of soil with applicable toxic air contaminant(s), and a schedule that includes the anticipated start and completion dates of on-site earth-moving activities;
- (viii) Current and/or previous type of operation(s) and use(s) at the site;
- (ix) Applicable exemption(s); and
- (x) Whether the notice being provided is a revised notification.
- (2) Notification Updates
- Initial notifications pursuant to paragraph (f)(1) shall be updated when any of the following conditions arise:
- (A) Earlier Start Date
- A change in the start date of on-site earth-moving activities to an earlier date shall be reported to the South Coast AQMD no later than 72 hours before any on-site earth-moving activities begin.
- (B) Later Start Date
- A delay in the start date of on-site earth-moving activities shall be reported to the South Coast AQMD as soon as the information becomes available, but no later than the original start date.
- (C) Change in Exemption Status
- Any change(s) in exemption status pursuant to subdivision (k) shall be reported to the South Coast AQMD as soon as the information becomes available, but no later than 48 hours after the information becomes available.
- (D) Completion Date
- The completion date of on-site earth-moving activities shall be reported to the South Coast AQMD no later than 48 hours after on-site earth-moving activities are completed.
- (3) Within 72 hours of an exceedance of the PM₁₀ emission limit specified in paragraph (d)(2), the owner or operator shall electronically submit a notification to the Executive Officer, using a format approved by the Executive Officer, of the exceedance and shall include the following information:

- (f) (3) (A) Name, address, telephone number, and e-mail address of the owner or operator;
- (B) Name, telephone number, and e-mail address of the on-site dust control supervisor;
- (C) Project name and, if applicable, the project identification number from the designating agency;
- (D) Project location (address and/or coordinates);
- (E) PM₁₀ monitoring results and wind direction and speed results pursuant to subdivision (d), including location of monitors, result, date and time of exceedance(s), 12 hours before first exceedance, and 12 hours after last exceedance;
- (F) On-site earth-moving activities occurring at the date and time of exceedance(s); and
- (G) Dust control measure(s) taken to mitigate fugitive dust.

(g) Signage Requirements

When conducting on-site earth-moving activities, the owner or operator shall install and maintain project signage.

- (1) Unless otherwise approved in writing by the Executive Officer, signage shall:
 - (A) Be installed at all entrances and at intervals of 1,000 feet or less along the property line or perimeter of the site, with a minimum of one sign along each side;
 - (B) Be located between 6 and 8 feet above grade from the bottom of the sign;
 - (C) Display lettering at least 4 inches tall with text contrasting with the sign background; and
 - (D) Display the following information:
 - (i) Local or toll-free phone number for the site contact or pre-recorded notification center that is accessible 24 hours a day; and
 - (ii) Warning statement:

“THIS SITE CONTAINS SOILS THAT CONTAIN THE
FOLLOWING CHEMICALS: [LIST APPLICABLE TOXIC AIR
CONTAMINANT(S)]
TO REPORT ANY DUST LEAVING THE SITE PLEASE CALL
[FACILITY CONTACT AND PHONE NUMBER] OR THE
SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
AT 1-800-CUT-SMOG”.

- (g) (2) If signage pursuant to paragraph (g)(1) exceeds 48 inches by 96 inches, the owner or operator or designating agency shall include the warning statement referenced in clause (g)(1)(D)(ii), displaying lettering at least 4 inches tall with text contrasting with the sign background, but may use 2.5 inch tall lettering to list applicable toxic air contaminant(s). All other signage requirements set forth in paragraph (g)(1) shall remain the same. If signage continues to exceed 48 inches by 96 inches with these parameters, the owner or operator or designating agency may use alternative signage as set forth in paragraph (g)(3).
- (3) The owner or operator or designating agency may use alternative signage approved by the Executive Officer pursuant to subdivision (j). Notwithstanding subdivision (j), the request shall include a visual representation of the alternative sign, including proposed lettering height, and locations and, at a minimum, the alternative signage shall:
- (A) Display text contrasting with the sign background; and
- (B) Display the following warning statement:
- “THIS SITE CONTAINS SOILS THAT CONTAIN THE FOLLOWING
CHEMICALS: [LIST APPLICABLE TOXIC AIR CONTAMINANT(S)]
TO REPORT ANY DUST LEAVING THE SITE PLEASE CALL
THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT AT
1-800-CUT-SMOG”.
- (4) The owner or operator may be excluded from installing and maintaining project signage pursuant to subparagraph (g)(1)(A) at any entrance(s) or interval(s) along the property line or perimeter of the site that is not visible and not accessible to the public unless the site is a school, joint use agreement property, or adjacent athletic area or the site is adjoining a school, joint use agreement property, or adjacent athletic area.
- (h) **Recordkeeping Requirements**
- The owner or operator shall maintain records for a period of not less than 3 years and shall make such records available to the Executive Officer upon request. At a minimum, records shall be maintained daily and shall include:
- (1) Inspections of all stabilized or covered stockpiles containing soils with applicable toxic air contaminant(s) and all re-stabilization, cover repair, and label maintenance activities, including dates and times the specific activities were conducted;
- (2) Results of wind and PM₁₀ monitoring, including: ambient PM₁₀ data; rolling average PM₁₀ concentrations and calculations; wind direction and speed

corresponding to the rolling average PM₁₀ concentrations; movement of monitoring instruments corresponding to wind direction changes; instrument make and model; settings; proof of valid calibration in accordance with manufacturer's recommended schedule; configuration; calibration, correction, and correlation factors; maintenance; operator training; daily instrument performance check records and manual zero or auto-check results; weekly zero calibration records and intra-instrument precision test data and calculation results; and all instrument logs for all monitoring instruments;

- (h) (3) All instrument maintenance activities, including: zero calibration, cleaning, filter replacement, and performance checks, including dates and times of the specific procedures;
 - (4) Documentation of all DAS and data management system failures, including date and time of the failure, date and time of the correction, the technical issue(s) causing the failure, and activities performed to restore the failed DAS or data management system to working condition;
 - (5) On-site earth-moving activities conducted and the corresponding volume of soil with applicable toxic air contaminant(s);
 - (6) Names and business addresses of the transporting and receiving facilities, and a copy of the shipping manifest;
 - (7) Complaints called in, including the name of complainant and contact information, date and time, on-site earth-moving activities occurring at the date and time, complaint, and action taken to mitigate the source of the complaint; and
 - (8) A copy of all submitted notifications for the project.
- (i) Executive Officer Designated Sites
 - (1) The Executive Officer may designate a site if the Executive Officer has evidence that the site contains soil with applicable toxic air contaminant(s) as defined in paragraph (c)(16), after consultation with U.S. EPA, DTSC, the State Water Resources Control Board, the Regional Water Quality Control Board, and/or local, county, or state regulatory agencies, and consideration of the following:
 - (A) Site history, including current and/or previous type(s) of operation(s) and use(s) at the site and regulatory history;
 - (B) Concentration(s) of applicable toxic air contaminant(s) in the soil;
 - (C) Background concentration(s) of applicable toxic air contaminant(s);
 - (D) Volume of soil with applicable toxic air contaminant(s);

- (i)
 - (1)
 - (E) Distance to a residence, park, school, joint use agreement property, adjacent athletic area, or a site adjoining a school, joint use agreement property, or adjacent athletic area;
 - (F) Meteorological data;
 - (G) Health risk information or other data provided by the owner or operator, if available; and
 - (H) Ambient monitoring data and other applicable data, if available.
 - (2) Prior to making a determination, the Executive Officer will notify the owner or operator in writing that the site may be subject to this rule.
 - (A) In the event the owner or operator exercises this opportunity to demonstrate that this rule does not apply, the owner or operator shall submit information to the Executive Officer within 14 days of the notification substantiating why the site should be excluded from this rule.
 - (B) Upon final determination, the Executive Officer will notify the owner or operator in writing if the site is subject to this rule.
 - (3) During the determination period, the owner or operator shall comply with the provisions of this rule or cease all on-site earth-moving activities until a determination is made.
- (j) **Alternative Provisions**
 - (1) If requesting an alternative provision pursuant to paragraph (g)(3), the owner or operator or designating agency shall submit the request in writing at least 30 days prior to conducting any earth-moving activities and include all information to the Executive Officer to substantiate its position.
 - (2) The Executive Officer may request additional information from the owner or operator or designating agency.
 - (3) The owner or operator or designating agency shall submit all requested information within 14 days of the request for additional information.
 - (4) The Executive Officer will review the request for an alternative provision and will approve or reject the data and notify the owner or operator or designating agency in writing. Approved alternative provisions may not be used retroactively.
 - (5) Alternative provisions that were approved and notified in writing by the Executive Officer before June 4, 2021 shall be deemed compliant with the requirements of the applicable provisions of the rule, shall remain in effect only for the period of time and for the specific project for which they were granted, and shall not be renewed or extended.

(k) Exemptions

- (1) The owner or operator may be exempt from one or more provisions of this rule provided there is written confirmation that the designating agency under subparagraphs (b)(1)(A) through (b)(1)(D) has consulted with the Executive Officer and has determined that the provision(s) are not needed based on information specified in subparagraphs (i)(1)(A) through (i)(1)(H).
- (2) On-site earth-moving activities performed within an enclosed system vented to South Coast AQMD permitted air pollution control equipment shall be exempt from all requirements except: subparagraphs (e)(4)(C) through (e)(4)(E), subparagraphs (e)(6)(D) and (e)(6)(E), and subdivisions (f), (g), and (h).
- (3) Linear trenching for natural gas, power, sewer, and water projects on roadways with soil with applicable toxic air contaminant(s), directly loaded into a truck bed, trailer, or bin for transport, shall be exempt from all requirements except: paragraphs (e)(3) through (e)(9), paragraphs (e)(13) and (e)(15), and subdivisions (f), (h), and (i).
- (4) On-site earth-moving activities consisting only of excavation activities of soil with applicable toxic air contaminant(s) of less than 500 cubic yards, directly loaded into a truck bed, trailer, or bin for transport, shall be exempt from all requirements except: paragraphs (e)(3) through (e)(9), paragraphs (e)(13) and (e)(15), and subdivisions (f), (h), and (i).
- (5) On-site earth-moving activities conducted during emergency life-threatening situations, or in conjunction with any officially declared disaster or state of emergency as declared by an authorized health officer, agricultural commissioner, fire protection officer, or other authorized agency officer shall be exempt from all requirements. The Executive Officer shall be notified electronically no later than 48 hours following such on-site earth-moving activities. Written notification shall include written emergency declaration from the authorized officer.
- (6) On-site earth-moving activities conducted by essential service utilities to provide electricity, natural gas, telephone, water, or sewer during periods of service outages and emergency disruptions shall be exempt from all requirements. The Executive Officer shall be notified electronically no later than 48 hours following such on-site earth-moving activities.

Table I – Applicable Toxic Air Contaminants

CAS Number	Substance
7440-38-2	arsenic and arsenic compounds (inorganic) including, but not limited to: arsenic compounds (inorganic)
7784-42-1	arsine
1332-21-4	Asbestos
7440-43-9	cadmium and cadmium compounds
57-74-9	chlordanes
	dibenzo-p-dioxins (chlorinated)
1746-01-6	tetrachlorodibenzo-p-dioxin, 2,3,7,8-
40321-76-4	pentachlorodibenzo-p-dioxin, 1,2,3,7,8-
39227-28-6	hexachlorodibenzo-p-dioxin, 1,2,3,4,7,8-
57653-85-7	hexachlorodibenzo-p-dioxin, 1,2,3,6,7,8-
19408-74-3	hexachlorodibenzo-p-dioxin, 1,2,3,7,8,9-
35822-46-9	heptachlorodibenzo-p-dioxin, 1,2,3,4,6,7,8-
3268-87-9	octachlorodibenzo-p-dioxin, 1,2,3,4,6,7,8,9-
41903-57-5	total tetrachlorodibenzo-p-dioxin
36088-22-9	total pentachlorodibenzo-p-dioxin
34465-46-8	total hexachlorodibenzo-p-dioxin
37871-00-4	total heptachlorodibenzo-p-dioxin
72-54-8	dichlorodiphenyldichloroethane
72-55-9	dichlorodiphenyldichloroethylene
50-29-3	dichlorodiphenyltrichloroethane

Table I – Applicable Toxic Air Contaminants (cont.)

CAS Number	Substance
18540-29-9 10294-40-3 13765-19-0 7758-97-6 10588-01-9 7789-06-2 13530-65-9	chromium (hexavalent) and chromium compounds including, but not limited to: barium chromate calcium chromate lead chromate sodium dichromate strontium chromate zinc chromate
7439-92-1 301-04-2 7758-97-6 7446-27-7 1335-32-6	lead and lead compounds (inorganic, including elemental lead) including, but not limited to: lead compounds (inorganic) lead acetate lead chromate lead phosphate lead subacetate
7439-97-6 7487-94-7 593-74-8	mercury and mercury compounds (inorganic) including, but not limited to: mercuric chloride methyl mercury

Table I – Applicable Toxic Air Contaminants (cont.)

CAS Number	Substance
7440-02-0	nickel and nickel compounds including, but not limited to:
373-02-4	nickel acetate
3333-67-3	nickel carbonate
13463-39-3	nickel carbonyl
12054-48-7	nickel hydroxide
1313-99-1	nickel oxide
12035-72-2	nickel subsulfide
1271-28-9	nickelocene
	refinery dust from the pyrometallurgical process
1336-36-3	polychlorinated biphenyls (PCBs)
32598-13-3	3,3',4,4'-tetrachlorobiphenyl (PCB 77)
70362-50-4	3,4,4',5-tetrachlorobiphenyl (PCB 81)
32598-14-4	2,3,3',4,4'-pentachlorobiphenyl (PCB 105)
74472-37-0	2,3,4,4',5-pentachlorobiphenyl (PCB 114)
31508-00-6	2,3',4,4',5-pentachlorobiphenyl (PCB 118)
65510-44-3	2,3',4,4',5'-pentachlorobiphenyl (PCB 123)
57465-28-8	3,3',4,4',5-pentachlorobiphenyl (PCB 126)
38380-08-4	2,3,3',4,4',5-hexachlorobiphenyl (PCB 156)
69782-90-7	2,3,3',4,4',5'-hexachlorobiphenyl (PCB 157)
52663-72-6	2,3',4,4',5,5'-hexachlorobiphenyl (PCB 167)
32774-16-6	3,3',4,4',5,5'-hexachlorobiphenyl (PCB 169)
39635-31-9	2,3,3'4,4',5,5'-heptachlorobiphenyl (PCB 189)

Table I – Applicable Toxic Air Contaminants (cont.)

CAS Number	Substance
	polycyclic aromatic hydrocarbons (PAHs)
56-55-3	benzo[a]anthracene
50-32-8	benzo[a]pyrene
205-99-2	benzo[b]fluoranthene
207-08-9	benzo[k]fluoranthene
218-01-9	chrysene
53-70-3	dibenz[a,h]anthracene
193-39-5	indeno[1,2,3-c,d]pyrene

Appendix 1 – Rule 1466 Approved PM₁₀ Monitors

The Executive Officer may approve PM₁₀ monitors that meet the following physical and performance requirements.

1. Physical Requirements

- 1.1. PM₁₀ monitors shall be continuous direct-reading near-real time monitors and shall monitor particulate matter less than 10 microns.
- 1.2. PM₁₀ monitors shall be equipped with:
 - 1.2.a. Omni-directional heated sampler inlet;
 - 1.2.b. Sample pump with active flow control mechanism;
 - 1.2.c. Enclosure;
 - 1.2.d. Data logger capable of logging each data point with average concentration, time, date, and data point number; and
 - 1.2.e. Conductive tubing that minimizes particle loss for any external tubing used to carry sampled air prior to measurement.

2. Performance Requirements

- 2.1. PM₁₀ monitors shall have the following minimum performance standards:
 - 2.1.a. Range: 0 - 10,000 µg/m³;
 - 2.1.b. Accuracy, determined through factory testing against a U.S. EPA Federal Reference Method or Federal Equivalent Method, for a minimum of 30 measurements each averaged over 24 hours, to show:
 - 2.1.b.i. ± 5% of reading ± precision; or
 - 2.1.b.ii. Coefficient of determination (R²) of ≥ 0.95 through simple linear regression;
 - 2.1.c. Resolution: 1.0 µg/m³;
 - 2.1.d. Flow control accuracy of ± 5% of factory setpoint; and
 - 2.1.e. Measurement Cycle: User selectable (30 minute and 2 hour).
- 2.2. Monitors that have a valid *Monitoring Certification Scheme* certification meeting the latest version of the *Monitoring Certification Scheme (MCERTS): Performance Standard for Indicative Ambient Particulate Monitors* may be exempt from meeting the performance requirements listed above, but shall meet all stated physical requirements.

3. Quality Assurance/Quality Control Requirements

In order to ensure the validity of the PM₁₀ measurements performed, there shall be appropriate Quality Assurance/Quality Control (QA/QC). It is the responsibility of the owner or operator to adequately supplement QA/QC Plans to include the following critical features: instrument calibration, instrument maintenance, operator training, and daily instrument performance checks.

Appendix 2 – Procedures to Demonstrate Intra-Instrument Precision

An owner or operator shall perform the following procedures to demonstrate the intra-instrument precision of all PM₁₀ monitors as required in paragraph (d)(7).

1. Ensure monitors are identical in make and model, settings, and configuration.
2. Ensure monitor inlets are at the same height and located within 4 meters of each other but no less than 1 meter apart for the duration of the test.
3. Power on the monitors and turn on the heated sampler inlet. Allow the monitors to warm-up per manufacturer's recommendations or when readings have stabilized.
4. For each monitor, conduct a zero calibration in accordance with manufacturer's instructions, then conduct a manual zero check by removing any sampling inlet and installing a filter, rated by the manufacturer to achieve a 99.97 percent control efficiency for 0.3 micron particles, on the inlet of the monitor for a minimum of 10 minutes. If the monitors are operated using an auto-zero check procedure that directs filtered particle-free air into the measurement chamber, conduct the zero check in accordance with manufacturer's instructions.
5. Log the PM₁₀ concentration reading every minute, and calculate and record the average of the readings of the manual zero check. The average of the manual zero check readings shall be 0 ± 3 micrograms per cubic meter before proceeding to Step 6. If conducting an auto-zero check, the monitor shall pass the zero check in accordance with manufacturer's instructions before proceeding to Step 6. If any monitors fail either the manual zero check or the auto-zero check, the owner or operator shall conduct a zero calibration in accordance with manufacturer's instructions and/or correct any issue(s) causing the failure, followed by conducting a passing zero check on the PM₁₀ monitor(s) in accordance with Steps 4 and 5.
6. Remove the filter and install the monitor inlet as required. After waiting 10 minutes, operate the monitors simultaneously and log the PM₁₀ concentration reading every minute for a minimum of 60 minutes.

7. Calculate the intra-instrument precision using either of the following equations:
- a. Intra-instrument precision in relative standard deviation or correlation of variation (%) when ambient PM₁₀ concentrations are greater than or equal to 15 micrograms per cubic meter:

$$P = \frac{S_t}{C_t} \times 100\%$$

where,

P = Intra-instrument precision in percent (%);

S_t = Standard deviation of the averaged PM₁₀ concentration readings from all tested monitors over the time t of testing duration, to be calculated as:

$$S_t = \sqrt{\frac{\sum(x_i - \bar{x})^2}{(n - 1)}}$$

where,

x_i = Mean of the PM₁₀ concentration readings for a tested monitor over time t of testing duration,

\bar{x} = Mean of the averaged PM₁₀ concentration readings from all tested monitors over the time t of testing duration, and

n = Number of tested monitors; and

C_t = Mean of the averaged PM₁₀ concentration readings from all tested monitors over the time t of testing duration; or

- b. Intra-instrument precision in absolute value (micrograms per cubic meter) when ambient PM₁₀ concentrations are less than 15 micrograms per cubic meter:

$$P = S_t$$

where,

P = Intra-instrument precision in micrograms per cubic meter, and

S_t = Standard deviation of the averaged PM₁₀ concentration readings from all tested monitors over the time t of testing duration.

8. Record the results of the calculations.