

YOLO-SOLANO AIR QUALITY MANAGEMENT DISTRICT

RULE 9.8 - ASBESTOS - SERPENTINE ROCK

(Adopted February 23, 1994)

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100 GENERAL

101 PURPOSE: To limit asbestos emissions to the atmosphere from serpentine rock by prohibiting the use or sale of serpentine rock containing more than one percent (1%) asbestos for surfacing applications.

102 EXEMPTIONS: The provisions of Section 300 shall not apply to the following:

110.1 Sand and gravel operations as defined in Section 207;

110.2 Roads located at serpentine quarries, asbestos mines, or mines located in serpentine deposits;

110.3 Maintenance operations on any existing road surfaces, or to the construction of new roads in serpentine deposits, provided no additional asbestos-containing serpentine material is applied to the road surface.

110.4 Bituminous and concrete products which have serpentine material as an integral part of the bituminous concrete, portland cement concrete, bituminous surface, or other similar cemented materials; and

110.5 Landfill operations other than the surfacing of public-access roads used by vehicular traffic.

200 DEFINITIONS

201 AGGREGATE: A mixture of mineral fragments, sand, gravel, rocks, or similar minerals.

202 ALLUVIAL DEPOSIT: Any deposit of sediments laid down by running water including, but not limited to, streams and rivers.

203 ASBESTOS: For the purpose of this rule asbestos is defined as a group of substances identified by the state of California as a Toxic Air Contaminant and a known human carcinogen. These substances are found in the form of Asbestiforms of the following hydrated minerals:

203.1 Chrysotile (fibrous serpentine)

203.2 Crocidolite (fibrous riebeckite)

203.3 Amosite (fibrous cummingtonite-grunerite)

203.4 Fibrous tremolite

203.5 Fibrous actinolite

203.6 Fibrous anthophyllite

204 ASBESTOS-CONTAINING SERPENTINE MATERIAL: Serpentine material that has an asbestos content greater than one percent (1%) by weight as determined by the test method specified in Section 501.

205 RECEIPT: Any written acknowledgement that a specified amount of serpentine material was received, delivered, or purchased. Receipts include, but are not necessarily limited to, bills of sale, bills of lading, and notices of transfer.

206 ROAD SURFACE: The traveled way of a road and any shoulder which extends up to 10 feet from the edge of the traveled way.

207 SAND AND GRAVEL OPERATION: Any aggregate-producing facility operating in alluvial deposits.

208 SERPENTINE: Any form of hydrous magnesium silicate minerals, including, but not limited to, antigorite, lizardite, and chrysotile.

209 SERPENTINE MATERIAL: Any material that contains at least ten percent (10%) by weight of serpentine as determined by a registered geologist. The registered geologist must document precisely how the serpentine content of the material in question was determined.

210 SURFACING: The act of covering any surface used for the purpose of pedestrian, vehicular, or non-vehicular travel, including, but not limited to, roads, road shoulders, streets, alleys, lanes, driveways, parking lots, playgrounds, trails, squares, plazas, and fairgrounds.

300 STANDARDS

301 PROHIBITION OF USE FOR SURFACING OPERATIONS: A person shall not use or apply serpentine materials for surfacing in the District unless the serpentine material has an asbestos content of one percent (1%) or less as determined by the test method specified in Section 501.

302 PROHIBITION OF SALE FOR SURFACING OPERATIONS: A person shall not sell, supply, or offer for sale, serpentine material for surfacing in the District unless the serpentine material has an asbestos content of one percent (1%) or less as determined by the test method specified in Section 501.

400 ADMINISTRATIVE REQUIREMENTS

401 WRITTEN WARNING: Any person who sells, supplies, or offers for sale serpentine material shall provide, prior to each sale or supply, and at the time of offer for sale, a written warning containing the following statement:

"Serpentine material may have an asbestos content greater than one percent (1%). It is unlawful to use serpentine material for surfacing unless the material has been tested and found to have an asbestos content of one percent (1%) or less. All tests for asbestos content must use California Air Resources Board Test Method 435, and a written record documenting the test results must be retained for at least seven years, if the material is used for surfacing."

402 WRITTEN RECEIPTS: Any person who sells, supplies, or offers for sale serpentine material that is represented, either orally or in writing, to be suitable for surfacing or to have an asbestos content that is one percent (1%) or less, shall provide to each purchaser or person receiving the serpentine material, a written receipt. A copy of this receipt must, at all times, remain with the serpentine material during transit and surfacing, and must contain the following information:

402.1 The amount of serpentine material sold or supplied;

402.2 The dates that the serpentine material was produced, sampled, tested, and supplied or sold; and

402.3 The asbestos content of the serpentine material as measured by the test method specified in Section 501.

500 MONITORING AND RECORDS

501 TEST METHOD: All serpentine material supplied, sold, or offered for sale as surfacing shall be tested in accordance with ARB Test Method 435.

502 RECORD KEEPING: Any person who sells, supplies, offers for sale, uses or applies serpentine material shall retain for a period of seven years from the date of sale or supply, copies of all receipts and copies of any analytical test results from asbestos testing of the serpentine material. All receipts and test results shall be provided to the Air Pollution Control Officer for review upon request.