

## SECTION 015700

### FUGITIVE DUST CONTROL

#### PART 1 - GENERAL

##### 1.1 SUMMARY

- A. This Section includes the following:
  - 1. Provide all material, labor, fees, and services necessary to comply with the San Joaquin Valley Air Pollution Control District (SJVAPCD) Regulation VIII for dust control requirements.
  - 2. Contractor will determine the total disturbed surface area and the estimated bulk material moving volumes anticipated for the Project to determine if a Construction Notification or Dust Control Plan is required. Contractor shall prepare and submit a Construction Notification or Dust Control Plan to the SJVAPCD based on these expected Project conditions/activities.
  - 3. Non-residential Projects that will include five acres or more of disturbed surface area and/or will be moving, depositing, or relocating more than 2,500 cubic yards of bulk material on at least three days of the project are required to submit a Dust Control Plan to the SJVAPCD and receive approval prior to commencing earth moving activities.
  - 4. Non-residential projects that will include less five acres of disturbed surface area must submit a Construction Notification at least 48 hours prior to commencement of any earthmoving activities. No approval or response from the SJVAPCD is required.
  - 5. Contractor shall be solely responsible for payment of any fees or fines related to violations of SJVAPCD Regulation VIII from Project activities/conditions.
  - 6. All Contract requirements in Division 00 and 01 specifications.
- B. This Section does not include:
  - 1. None.
- C. Acronyms:
  - 1. SJVAPCD                      San Joaquin Valley Air Pollution Control District

##### 1.2 REFERENCES

- A. SJVAPCD Compliance Assistance Web Page on Dust Control:
  - 1. <https://ww2.valleyair.org/compliance/dust-control/>
- B. SJVAPCD Regulation VIII
  - 1. <https://ww2.valleyair.org/rules-and-planning/current-district-rules-and-regulations/regulation-viii-fugitive-pm10-prohibitions/>

##### 1.3 RELATED SECTIONS

- A. Section 31 11 00 – Site Clearing
- B. Section 31 20 00 – Earthwork
- C. Section 01 57 23 – Stormwater Pollution Prevention Plan

##### 1.4 SUBMITTALS

- A. If applicable, Contractor shall submit to the SJVAPCD the Project Dust Control Plan at least 30 days prior to commencing earth moving activities.
- B. If applicable, Contractor shall submit to the SJVAPCD the Project Construction Notification at least 48 hours prior to commencing earth moving activities.
- C. Contractor shall submit to Owner the Project Dust Control Plan approved by the SJVAPCD or documentation of submission of a Construction Notification to SJVAPCD prior to commencing earth moving activities.

## 1.5 REQUIREMENTS

- A. Comply with all requirements of SJVAPCD Regulation VIII throughout the life of this contract.
- B. The Contractor shall be fully aware of the requirements of SJVAPCD Regulation VIII, the requirements of these specifications for preparing, implementing, maintaining, and enforcing the provisions of SJVAPCD Regulation VIII, and the impact that Regulation VIII will have on the operation, prosecution and cost of the work. A submittal of a bid on this project will be considered as prima facie evidence that the Contractor fully comprehends these requirements and impacts and has fully allowed for their effect on this project, both in time and cost. Failure to comply with SJVAPCD Regulation VIII is a violation of local regulations. Contractor hereby agrees to indemnify, defend and hold harmless Owner, its officers, agents, and employees from and against any and all claims, demands, losses or liabilities of any kind or nature which Owner, its officers, agents, and employees may sustain or incur for noncompliance with the Regulation VIII arising out of or in connection with the Project, except for liability resulting from the negligence or willful misconduct of Owner, its officers, agents or employees. Owner may seek damages from Contractor for delay in completing the Project in accordance herewith, including damage caused by Contractor's failure to comply with Regulation VIII requirements.

## 1.6 QUALITY ASSURANCE

- A. None.

## PART 2 - PRODUCTS

### 2.1 MATERIALS

- A. Dust Management Practices (DMPs):
  - 1. The Contractor is responsible for the providing and furnishing all DMPs, products, and practices necessary to comply with Regulation VIII. All materials and DMPs shall follow the requirements outlined in Regulation VIII, Rule 8021.

## PART 3 - EXECUTION

### 3.1 FIELD QUALITY CONTROL

- A. Dust Control Training Class Certificate:
  - 1. At least one key individual representing the Contractor who prepares a Dust Control Plan must complete a Dust Control Training Class conducted by the SJVAPCD.
  - 2. At least one key individual representing the Contractor who is tasked to implement the Dust Control Plan must complete a Dust Control Training Class conducted by the SJVAPCD.

### 3.2 CLEANING AND REMOVAL

- A. All temporary DMPs shall be completely removed from the Project Site upon completion of

construction.

### 3.3 RECORD KEEPING

- A. If a Dust Control Plan applies to the Project, Contractor shall maintain records in accordance with the recordkeeping requirements of Regulation VIII, Rule 8011.

### 3.4 PAYMENT

- A. Full compensation for all costs involved in preparing, submitting, implementing, and monitoring the implementation of Regulation VIII for this project, including training, performing corrective measures, providing all labor, materials, resources to maintain the site, and all required records for a Dust Control Plan (if applicable), and being full liable for all failures to fulfill the intent and requirements of the Regulation VIII set forth by the SJVAPCD, shall be included in the cost bid for the various items of work and no additional payment will be made therefor.

END OF SECTION 01 57 00