

7. Non-spray and aerosol can application exemption. Nothing in Subsection 6.13.E.1 shall apply to the application of any coating or other agent from pre-packaged aerosol cans, flow coat, dip coat, brush coat, or roll coat applications.
 8. Low VOC content exemption. Nothing in Subsection 6.13.E.3 shall apply to the application of coatings where the VOC content does not exceed 2.1 Lb/Gal or 250 G/L.
 9. Lead or Hexavalent Chrome exemption. The prohibition in Subsection 6.13.D.1 shall not apply to a surface coating operation where the control officer determines that no practical alternative coating is available.
 10. Enclosure and/or particulate control exemption. The enclosure and/or particulate control requirements of Subsection 6.13.E.1. shall not apply to a surface coating operation where the control officer determines that such requirements would be ineffective, or unreasonable in capturing or controlling particulate or volatile organic compounds emissions from the facility.
 11. Inside exhaust exemption. If the Department of Labor & Industries or another agency of jurisdiction determines that the emissions from a surface coating operation to an inside work area are below the threshold where an exhaust system is required and the Fire Department or District of jurisdiction has no objection, then the Control Officer may grant an exemption to Subsection 6.13.E.1.
- G. Compliance with other laws and regulations. Compliance with Section 6.13 or qualifying for an exemption in Section 6.13.F. does not necessarily mean that the surface coating operation complies with fire protection, waste disposal, or other federal, state, or local applicable laws or regulations.
- H. Compliance schedule. All persons subject to the requirements of Section 6.13 and not already in compliance shall be in full compliance with Section 6.13 by October 7, 1998, unless an extension is applied for by the owner or operator and is granted in writing by the Authority.

SECTION 6.14 STANDARDS FOR CONTROL OF PARTICULATE MATTER ON PAVED SURFACES

- A. Applicability. The provisions of Section 6.14 shall apply to any government agency of a state, county, city or municipal corporation that applies or contracts for application of sanding materials to or mechanically sweeps or vacuums or contracts for sweeping or vacuuming of paved surfaces within the PM10 Nonattainment area, or within the PM10 maintenance area after the

nonattainment area is redesignated to attainment. This Section shall also apply to all suppliers of sanding materials to be used by these affected entities.

B. Definitions.

1. Affected Entity is any governmental agency of a state, county, city or municipal corporation as described in Subsection A.
2. Approved Laboratory means a certified or approved facility capable of performing the specified tests in a competent, professional, and unbiased manner in accordance with ASTM testing procedures.
3. The Authority is the Spokane Regional Clean Air Agency.
4. Base Sanding Amount is the average amount of sanding materials applied per lane mile by each affected entity within the PM10 Nonattainment Area during the 1992 - 1993 season or another base season, as requested by an affected entity and approved by the Authority.
5. Durability Index means the percent loss of weight as determined using ASTM "Standard Test Method for Resistance to Degradation of Small-Size Coarse Aggregate by Abrasion and Impact in the Los Angeles Machine", designated C131-89, or other approved ASTM procedure.
6. Full Deployment means that sanding materials have been applied to all priority roadways targeted for treatment during a snow/ice event.
7. Percent Fines means the percent material passing a #100 sieve as determined by the American Society for Testing Materials (ASTM) "Standard Method for Sieve Analysis of Fine and Coarse Aggregates", Designation C136-84a (1988) (American Highway and Transportation Officials designation T27-88), or other approved ASTM procedure.
8. PM10 Maintenance Area means the same as the PM10 Nonattainment area unless otherwise defined in an approved PM10 Maintenance Plan.
9. PM10 Nonattainment Area means the Spokane County PM10 Nonattainment Area, defined in CFR Title 40, Part 81, as designated on November 15, 1990.
10. Priority Roadway means any street, arterial, or highway, within the PM10 Nonattainment Area, with more than 15,000 average daily traffic count, and any connecting entrance or exit ramp.

11. Recycled Sanding Materials means previously used sanding materials which have been collected from roadways or paved areas and are then re-used as is, after washing, or after blending with new sanding materials.
12. Sanding Materials means natural geologic materials, excluding salt and other de-icing chemicals, used to provide increased traction on roadways or paved areas.
13. Season means the period beginning, November 1, in one calendar year and concluding on April 30, the next calendar year.

C. Emission reduction and control plans. Each affected entity shall submit to the Authority an initial plan, including an implementation schedule describing the programs and methods to be used to reduce PM10 emissions from paved surfaces. If the affected entity incorporated after the effective date of this regulation, that entity shall submit an initial plan within 180 days of incorporation. In reviewing each plan, the Authority shall allow consideration of mobility and transportation safety factors. In approving any initial plan, or plan revision the Authority must make a finding, in consultation with the Washington State Department of Ecology, that the cumulative effect of the plans submitted by all affected entities will maintain at least a 70% reduction, from the 1992 - 1993 base season, in the 24 hour PM10 emissions from paved surfaces.

1. Each plan is subject to approval by the Authority and shall address, at a minimum, all of the following:
 - a. Base sanding amount;
 - b. Percent sanding reduction goal;
 - c. Sanding materials specifications to be employed;
 - d. Criteria for application of sanding materials. Where and when sanding materials are applied;
 - e. Identification of priority roadways;
 - f. Locations, application rates, and circumstances for the use of chemical deicers and other sanding alternatives;
 - g. Street sweeping frequency and technology to be employed;
 - h. Factors for determining when and where to initiate street sweeping following a sanding event, with the goal of expeditious removal of sanding materials from priority roadways when safety and mobility requirements have been satisfied;

- i. An implementation schedule giving the estimated dates of start and completion, if applicable, of each part of the plan; and
 - j. A schedule for removal of sanding materials from all surfaces to which they are applied.
2. The plans submitted shall be implemented by each affected entity upon approval of each plan.
3. Within 45 days of submittal of the reports required in Subsection F. of this Section, the Authority shall determine if the plan commitments have been met and shall notify each affected entity that has failed to fully implement its plan.
4. If the Authority, after consultation with the affected entities, the Washington Department of Ecology, and the United States Environmental Protection Agency, determines that the emission reduction and control plans do not provide for sufficient reduction in PM10 emissions to achieve the emission reduction credit for paved road surfaces as contained in the State Implementation Plan, the Authority may require any or all affected entities to modify their plans in order to achieve additional reductions.
5. Each affected entity shall review their approved plan within 90 days of the effective date of the amendment to this regulation and every five (5) years thereafter and within 90 days of the Authority's determination made pursuant to Subsection C. 4. and revise the plan as appropriate to ensure that identified priority roadways reflect changes in traffic counts and driving patterns and that all aspects of the plan reflect current sanding and sweeping technologies, programs, and schedules of the affected entity and requirements of the Authority. All amended plans are subject to approval by the Authority.

D. Sanding Materials Specifications

1. **Material Standards.** No affected entity shall use sanding materials, whether new or recycled, which equal or exceed 3% fines and 25% durability index.
2. **Contractual Requirements.** After the effective date of this regulation, no affected entity shall execute a contract for the purchase of sanding materials unless the contract includes standards at least as stringent as those set forth in Subsection E.1. of this Section.

E. Testing

1. Supplier Testing Requirements
 - a. Suppliers of sanding materials shall have tests performed by an approved laboratory to determine the percent fines and durability index on representative samples of their sanding materials which are supplied to affected entities.
 - b. The sampling and test frequency and methodology used shall ensure that the samples are representative and enable the supplier to certify to the affected entity that the actual sanding materials supplied for use will meet the requirements of Subsection D. of this Section.
2. User Requirements. Affected entities or their contractors, shall have at least one test performed by an approved laboratory to determine the percent fines and durability index on all recycled materials at least once for the first 250 tons of recycled materials used each season and at least once for every 500 tons of recycled materials used thereafter during the same season.
3. Authority Audits. The Authority may enter the site of any affected entity or supplier of sanding materials subject to this Section for the purpose of obtaining a sample of sanding materials to determine if the materials meet the requirements of Subsection D. of this Section.

F. Reporting

1. Supplier Reporting Requirements. Prior to, or upon, delivery of sanding materials, suppliers shall provide affected entities that use their sanding materials a report demonstrating that the supplier has met all testing requirements of this Section applicable to the time period in which deliveries are made. The supplier shall certify in writing to the affected entity that the sanding materials meet the requirements of Subsection D. of this Section.
2. Affected Entity Reporting Requirements
 - a. Affected entities that use recycled sanding materials shall submit to the Authority copies of the results of testing conducted according to Subsection E.2. of this Section no later than 30 days after the tests are conducted.
 - b. No later than June 30, of each year, affected entities shall submit a report to the Authority containing information for the preceding season on:

- 1) the total amount of sanding materials (both new and recycled) and salt and other deicing chemicals used;
- 2) the number of lane miles sanded, salted and deiced; and
- 3) the number of full deployment episodes; and

- c. Within 7 calendar days of awarding a contract for the purchase of sanding materials to a supplier, an affected entity shall notify the Authority of the supplier's name and location of the aggregate sources from which the materials will be supplied.
- d. Affected entities shall maintain on file reports received under the provisions of Subsection F.1. of this Section for a period of three (3) years.

3. Sweeper Reporting Requirements

- a. Affected entities shall maintain monthly records to document the information described below. No later than June 30, of each year, each affected entity shall submit a report to the Authority that shall contain the information described below.
 - 1) Date of each sweeping operation;
 - 2) Priority lane miles swept;
 - 3) All other lane miles swept;
 - 4) Type of equipment used; and
 - 5) Number of passes on priority roadways.

4. Authority Audits. All records generated under the provisions of this Section shall be made available for inspection upon request by the Authority.

- G. Alternate Test Methods and Standards. Alternate percent fines and durability index test procedures may be approved by the Authority should they be determined to provide a measure that is equivalent to the test procedures of this Section.
- H. Alternate Sanding Materials. Experimentation with new sanding materials may be approved by the Authority provided the Authority finds that the impact of such

experiments will not cause a failure to maintain the 70% reduction in PM10 emissions from the 1992-93 base season, as described in Subsection C.

SECTION 6.15 STANDARDS FOR CONTROL OF PARTICULATE MATTER ON UNPAVED ROADS

- A. Applicability. The provisions of Section 6.15 shall apply to:
1. The City of Spokane, the Town of Millwood, Spokane County, and other governmental entities responsible for the maintenance of unpaved public roads within the PM10 Nonattainment Area; and
 2. Those specific unpaved public roads which have been identified by Ecology or the Authority for inclusion in an implementation plan or a maintenance plan for control of PM10 emissions.
- B. Definitions.
1. Authority means the Spokane Regional Clean Air Agency.
 2. Ecology means the Washington Department of Ecology.
 3. EPA means the United States Environmental Protection Agency or the Administrator of the United States Environmental Protection Agency or his/her designated representative.
 4. Implementation Plan has the same meaning as in Section 110 of the Federal Clean Air Act (42 USC 7410).
 5. Maintenance Plan has the same meaning as in Section 175A of the Federal Clean Air Act (42 USC 7505).
 6. Palliative means salts and other hygroscopic materials, petroleum resins, asphalt emulsions, adhesives, chemical soil stabilizers or other surface treatment materials acting as a method of dust control, and not prohibited for use by any local, state, or federal law, rule, or regulation.
 7. Paved means application of concrete, asphaltic concrete, asphalt, or combination thereof as a means of forming a permanent surface for a road.
 8. PM10 Nonattainment Area means the Spokane County PM10 Nonattainment Area, defined in CFR Title 40, Part 81, as designated on November 15, 1990. This definition will remain in effect, even after EPA makes the determination that the PM10 standard that existed before September 16, 1997, no longer applies to Spokane County. Retaining the