

RESOLUTION 2013-1

RESOLUTION TO IMPLEMENT MEASURES TO REDUCE DUST EMISSIONS FROM PAVED ROADS AND UNPAVED TRAFFIC SURFACES IN THE PM-10 STATE IMPLEMENTATION PLAN FOR PINAL COUNTY.

WHEREAS, the Pinal County area has been classified as a moderate nonattainment area for PM-10 particulate matter; and

WHEREAS, the Pinal County nonattainment area continues to record violations of the federal standards for PM-10; and

WHEREAS, the Arizona Department of Environmental Quality has prepared a State Implementation Plan for the Pinal County nonattainment area to address continued violations of the 24-hour PM-10 standard; and

WHEREAS, reasonably available control measures are required to reduce reentrained dust emissions from paved roads and similar sources in the PM-10 nonattainment area; and

WHEREAS, Arizona Revised Statutes 49-406 G. requires that each agency that commits to implement a control measure describe that commitment in a resolution adopted by the governing body which specifies its authority for implementing the measure as provided in statute, ordinance, or rule; a program for enforcement of the measures; and the level of personnel and funding allocated to the implementation of the measure; and

WHEREAS, the State Transportation Board has the authority to set priorities for construction of department transportation facilities and to adopt the five year transportation facilities construction program under A.R.S. § 28-6951 et seq.; and

WHEREAS, the Director of the Arizona Department of Transportation supervises and administers the overall activities of the Arizona Department of Transportation including the design, construction, operations and maintenance of department transportation facilities, and the development of the five year transportation facilities construction program.

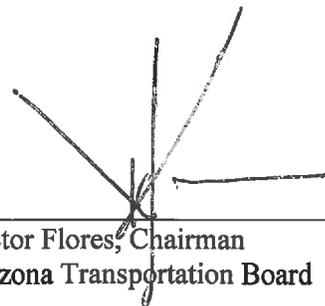
NOW, THEREFORE, BE IT RESOLVED BY THE STATE TRANSPORTATION BOARD as follows:

SECTION 1. That the Arizona Department of Transportation agrees to proceed with a good faith effort to implement the measures identified in Exhibit A which is part of this resolution.

SECTION 2. That the Arizona Department of Transportation commits to implement the measures as scheduled and with the funding sources identified. Recognizing, however, that the availability of necessary funding may depend on the funding programs or processes of various state and federal agencies, the Arizona Department of Transportation agrees to consider modifications of the funding or schedules for implementation actions, if necessary.

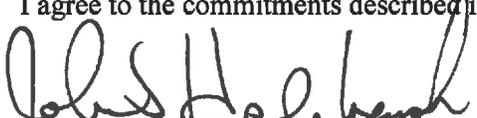
PASSED AND ADOPTED by the State Transportation Board of Arizona this 13th day of December 2013.

Attest:



Victor Flores, Chairman
Arizona Transportation Board

I agree to the commitments described in sections 1 and 2 above within my authority as Director.



JOHN HALIKOWSKI, Director
Arizona Department of Transportation

Dated 12-13-13

EXHIBIT A
ADOT REASONABLY AVAILABLE CONTROL MEASURES
FOR THE PINAL COUNTY PM10 NONATTAINMENT AREA

ADOT will implement the following Available Fugitive Dust Control Measures:

- Require that access points to State highways and routes, constructed under an encroachment permit, be paved with asphalt or concrete.
- Maintain existing stormwater drainage structures that are within ADOT right-of-way to reduce water erosion onto roadways.
- Provide for cleanup of debris (water erosion runoff, mud/dirt carryout areas, material spills, etc.) on State highways and routes upon receipt of notification of the roadway hazard.
- Require vegetation, chemical stabilization, or other abatement of areas within ADOT right-of-way that exceed one acre of soil disturbance resulting from highway construction, highway maintenance, or encroachment permit activities.

ADOT has the authority to implement these control measures through Arizona Revised Statute (ARS) § 28-332 which states, “the exclusive control and jurisdiction over state highways, state routes, state-owned airports, and all state-owned transportation systems or modes are vested in the Department of Transportation (DOT).” ARS § 28-7053 gives the Director the authority to issue permits, enforce against unauthorized encroachments, and pursue legal remedies. The requirements for highway encroachment permits are listed in Arizona Administrative Code (A.A.C.) Title 17, Chapter 3, Article 5.

The enforcement of these controls will be through the standard contract provisions identified in *ADOT Standard Specifications for Road and Bridge Construction (2008 Edition)*. Sections 104.08, 104.09, 805 and 810 of the standard specifications address prevention of air and noise pollution, stormwater management, reseeding and erosion and pollution control, respectively. The stormwater requirements will be enforced as described in ADOT’s permit issued by Arizona Department of Environmental Quality under the Arizona Pollutant Discharge Elimination System (AZPDES) program.

The Tucson District will provide the personnel and funding for implementing these controls within the Pinal County PM10 nonattainment area. The Tucson District has currently invested \$870,241.44 for implementing sweeping and dust mitigation through the following contracts that can be found on the Procure.AZ.gov website. These contracts include the weekly sweeping and cleaning of a 157,620 sq. ft. MVD parking lot in Casa Grande and the sweeping of 234.6 miles of roadway a year on portions of SR87, SR79, SR79B, and I-10.

Contract/Blanket #	Bid#	Description	Vendor Name	Begin Date	End Date
<u>ADOT12-017273</u>	<u>ADOT12-00001166</u>	Parking Lot Sweeping for Phoenix Metro and Casa Grande	SUNSTATE SWEEPING LLC	01/31/2012	01/30/2014
<u>ADOT13-034210</u>	<u>ADOT13-00001983</u>	Landscape, Lot Clean-up and Dust Mitigation - On Call for Phoenix and Tucson Districts	SOMERSET LANDSCAPE MAINTENANCE INC	10/21/2012	10/20/2014
<u>ADOT13-049244</u>	<u>ADOT13-00002861</u>	Mechanical Sweeping Services, Highways - Tucson District	C&S SWEEPING SVCS INC	06/09/2013	06/08/2014