

making it the largest source of PM-10 in the Las Vegas area.

The suggested measures for controlling emissions from disturbed vacant land fall into one of two categories: preventing motor vehicle disturbance of vacant land, and stabilizing vacant land.<sup>12</sup> We propose to find that the Clark County Plan evaluates a comprehensive set of potential controls for disturbed vacant land including the potential MSM from other States.

Clark County implemented both access prevention and surface stabilization with specific requirements in section 90 "Fugitive Dust From Open Areas and Vacant Lots". Section 90 requires prevention of motor vehicles (including off-road vehicles), where there is evidence of such use, on open areas and vacant lots greater than or equal to 5,000 square feet by installation of barriers or other effective traffic control measures and stabilization of motor-vehicle disturbed surfaces on such lots. Also, where 5,000 square feet or more of cumulative disturbed surface exists (from any activity) all disturbed areas must be stabilized using water, dust palliatives or gravel. When disking or blading areas of 5,000 square feet or more, water must be applied before and during operations and the disturbed surface stabilized afterwards.

The requirements apply to public and private vacant land alike. Clark County determined that less than one percent of vacant land within the BLM Disposal Boundary<sup>13</sup> consists of parcels smaller than 5,000 square feet, thus the requirements provide a stringent threshold of applicability. Section 90 contains appropriate performance standards and test methods for surface stability,<sup>14</sup> recordkeeping requirements, and otherwise meets EPA's enforceability criteria.

Clark County has also made a SIP commitment to adopt a requirement for dust management plans on large tracts

(i.e., 10,000 acres or more) of government owned land.<sup>15</sup>

Section 90 vacant lot requirements became effective on January 1, 2001. We propose to find that the Clark County Plan provides for the implementation of vacant lot measures as expeditiously as practicable, consistent with our proposed MSM policy.

For the MSM analysis, Clark County demonstrated that the section 90 requirements are of equivalent or greater stringency than those adopted or in practice in other areas.

We, therefore, propose to find that the Clark County Plan provides for the implementation of BACM and for the inclusion of MSM for disturbed vacant land. We also propose approval of section 90 into the SIP in accordance with CAA section 110 and the requirements of CAA Title I, part D.

#### b. Unpaved Parking Lots

This category includes emissions from re-entrained road dust from vehicle traffic on unpaved parking lots and windblown dust entrained from the disturbed surface of unpaved parking lots. Windblown emissions from unpaved parking lots are included in the disturbed vacant land category in the 1998 base year valley-wide and BLM Disposal Area emissions inventories. The extent of unpaved parking lots affected by the controls in adopted Rule 92 has not been determined (or credited) on a valley-wide inventory basis,<sup>16</sup> but instead only with respect to the microscale inventories.

There are two principal ways to control emissions from unpaved parking lots, both of which Clark County identified: prohibit unpaved parking lots or stabilize existing lots. We propose to find that the Clark County Plan evaluates a comprehensive set of potential controls for unpaved parking lots including the potential MSM from other States.

Clark County adopted requirements to stabilize existing unpaved parking lots in section 92 "Fugitive Dust From Unpaved Parking Lots." Clark County also adopted a SIP commitment to modify section 92 to prohibit new unpaved parking lots with limited exceptions.<sup>17</sup> Therefore, both potential BACM have or will shortly be adopted.<sup>18</sup>

<sup>15</sup> Clark County submitted a SIP amendment that establishes a revised deadline of March 31, 2003 for the section 90 and other rule revisions.

<sup>16</sup> See Clark County Plan, Chapter 4, subsection 4.5.2.2.5.

<sup>17</sup> Clark County submitted a SIP amendment that establishes a revised deadline of March 31, 2003 for the section 92 and other rule revisions.

<sup>18</sup> Adoption of a requirement prohibiting new unpaved parking lots, in addition to the section 92

Section 92 requires that all unpaved parking lots greater than or equal to 5,000 square feet be stabilized by application of paving, dust palliatives, or a combination of dust palliatives in the travel lanes and two inches of gravel. Lots used intermittently (thirty-five days per year or less), must be stabilized according to section 92 standards only on days of use. On days of inactivity, however, such lots are subject to section 90 standards.

The section 92 requirements apply to both public and private unpaved parking lots. The analysis Clark County used to assess the percentage of vacant land parcels smaller than 5,000 square feet in the BLM Disposal Area applies to unpaved parking lots as well. Section 92 contains appropriate performance standards and test methods for surface stability and opacity,<sup>19</sup> recordkeeping requirements, and otherwise meets EPA's enforceability criteria.

Section 92 unpaved parking lot requirements became effective on January 1, 2001. We propose to find that the Clark County Plan provides for the implementation of unpaved parking lot measures as expeditiously as practicable, consistent with our proposed MSM policy.

For the MSM analysis, Clark County demonstrated that the section 92 requirements are more stringent than those adopted or in practice in other areas. We, therefore, propose to find that the Clark County Plan provides for the implementation of BACM and for the inclusion of MSM for unpaved parking lots. We also propose SIP approval of section 92 per CAA section 110 and Part D.

#### c. Construction Sites

Sources of fugitive dust emissions at construction sites include land clearing, earthmoving, excavating, construction, demolition, material handling, bulk material storage and/or transporting operations, material track out or spillage onto paved roads (which we have addressed in the paved road section), and vehicle use and movement on site (e.g., the operation of any equipment on unpaved surfaces, unpaved roads and

stabilization requirements, collectively fulfill BACM and MSM. However, since the section 92 surface stabilization requirements apply to both new and existing unpaved parking lots, the requirement that new lots be paved provides only incremental emission reductions beyond measures already adopted and, therefore, is not critical in our determination that measures for this source category have been adopted as expeditiously as practicable.

<sup>19</sup> Both a 20% opacity standard according to a modified EPA Reference Method 9 and a silt content standard of 8% or alternatively, a silt loading standard of 0.33 oz/sq. ft., apply.

<sup>12</sup> Constructing windbreaks was also identified but deemed less stringent than surface stabilization. Therefore, the benefits of applying this potential BACM are subsumed in the more stringent emission reductions associated with surface stabilization. In addition, Clark County identified weed abatement on vacant land as a separate category. Since this pertains to "surface stabilization" we include it under that category; however, weed abatement by disking and blading also generates emissions as the activity is being conducted, therefore, Clark County has adopted separate requirements for weed abatement in its vacant lot rule.

<sup>13</sup> We note that section 90 requirements apply throughout the entire PM-10 nonattainment area.

<sup>14</sup> Standards include a visible crust determination, 20% cover of nonerodible elements, or a threshold friction velocity (corrected for nonerodible elements) of 100 cm/sec or higher.