



Eastern Kern

Air Pollution Control District

Glen E. Stephens, P.E.
Air Pollution Control Officer

January 13, 2022

Board of Directors
Eastern Kern APCD
2700 "M" Street, Suite 302
Bakersfield, CA 93301

SUBJECT: Adoption of Amendments to Rule 402, (Fugitive Dust)

Honorable Board:

The Eastern Kern Air Pollution Control District (District) is proposing to adopt amendments to Rule 402, (Fugitive Dust). On October 20, 2021, the District held a public workshop at the District Field Office and Board Chambers located at: 414 W. Tehachapi Boulevard Suite D, Tehachapi, CA 93561, to present proposed amendments to Rule 402. District staff submitted copies of the proposed amendments to the California Air Resources Board (CARB) and Region IX of the U.S. Environmental Protection Agency (EPA) for review. A 30-day public review and comment period followed the workshop. Minor changes were made to the proposed revision of Rule 402 based on written comments received from CARB and the public following the workshop. EPA provided no comments.

Rule 402 is being amended to prevent, reduce, and mitigate ambient concentrations of anthropogenic fugitive dust emissions to an amount sufficient to maintain the National Ambient Air Quality Standards ("NAAQS"). Rule 402 will become effective immediately upon Board adoption. A Notice of Public Hearing was duly published more than 30 days prior this hearing in the following newspapers: Mojave Desert News, Daily Independent, Tehachapi News, and Bakersfield Californian. The notice requested written comments on amended Rule 402 and associated staff reports be submitted by January 12, 2022. A copy of the staff report, which includes the proposed amendments to the rule is attached.

IT IS RECOMMENDED your Board Open Hearing; Receive Public Comment; Close Hearing; Adopt Amended Rule 402, (Fugitive Dust) and Resolution Number 2022-005-01.

Sincerely,

Glen E. Stephens, P.E.
Air Pollution Control Officer

GES: JC: KL
Enclosures

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