

**REGULATION 11
HAZARDOUS POLLUTANTS
RULE 14
ASBESTOS-CONTAINING SERPENTINE**

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**REGULATION 11
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RULE 14
ASBESTOS-CONTAINING SERPENTINE**

(Adopted July 17, 1991)

11-14-100 GENERAL

- 11-14-101 Description:** The purpose of this Rule is to control emissions of asbestos from unpaved road surfaces and other surfacing operations.
- 11-14-102 Exemption, Sand and Gravel Operations:** Sand and Gravel operations as defined in Section 11-14-207 are exempt from the limitations of Section 11-14-300.
- 11-14-103 Exemption, Quarry Roads:** Roads located at serpentine quarries, asbestos mines or mines located in serpentine deposits are exempt from the provisions of Section 11-14-301.
- 11-14-104 Exemption, Maintenance and Emergency Road Repairs:** Maintenance operations on any existing serpentine road surfaces or road repairs necessary due to landslide, flood, or other emergency are exempt from the provisions of Section 11-14-301 if the use of material other than serpentine is not feasible for the repair.
- 11-14-105 Exemption, Bituminous and Concrete Materials:** Serpentine material that is an integral part of bituminous concrete, portland cement concrete, bituminous surface, or other similar cemented materials is exempt from the provisions of Sections 11-14-301.

11-14-200 DEFINITIONS

- 11-14-201 Aggregate:** a mixture of mineral fragments, sand, gravel, rocks, or similar minerals.
- 11-14-201 Alluvial Deposit:** Any deposit of sediments laid down by running water including but not limited to streams and rivers.
- 11-14-203 Asbestos:** Asbestiforms of the following hydrated minerals: chrysotile (fibrous serpentine), crocidolite (fibrous riebeckite), amosite (fibrous cummingtonite-grunerite), fibrous tremolite, fibrous actinolite, and fibrous anthophyllite.
- 11-14-204 Asbestos-Containing Serpentine Material:** Serpentine material that has an asbestos content greater than five percent (5.0%).
- 11-14-205 Receipt:** Any written acknowledgment that a specified amount of serpentine material was received, delivered, or purchased. Receipts include, but are not limited to, bills of sale, bills of lading, and notices of transfer.
- 11-14-206 Road Surface:** The traveled way of a road and any shoulder which extends up to 10 feet from the edge of the traveled way.
- 11-14-207 Sand and Gravel Operation:** Any aggregate-producing facility operating in alluvial deposits.
- 11-14-208 Serpentine:** Any form of hydrous magnesium silicate minerals including, but not limited to antigorite, lizardite, and chrysotile.
- 11-14-209 Serpentine Material:** Any material that contains at least ten percent (10%) serpentine as determined by a registered geologist. The registered geologist must document precisely how the serpentine content of the material in question was determined.
- 11-14-210 Surfacing:** The act of covering any surface used for purposes of pedestrian, vehicular, or nonvehicular travel including, but not limited to, roads, road shoulders, streets, alleys, lanes, driveways, parking lots, playgrounds, trails, squares, plazas, and fairgrounds. For the purposes of this Regulation, surfacing shall not include cut slopes or fills which are not intended for pedestrian, vehicular or nonvehicular travel, nor shall surfacing include roofing or the decorative use of rock.

11-14-300 STANDARDS

11-14-301 Prohibition of Use for Surfacing Operations: No person shall use or apply serpentine material for surfacing in the District unless the material has an asbestos content of five percent (5.0%) or less.

11-14-302 Prohibition of Sale for Surfacing Operations: No person shall sell, supply, or offer for sale serpentine material for surfacing in the District unless the serpentine material has an asbestos content of five percent (5.0%) or less.

11-14-400 ADMINISTRATIVE REQUIREMENTS

11-14-401 Written Warning: Any person who sells, supplies, or offers for sale serpentine material shall provide each sale or supply a written warning containing the following statement: "Serpentine Material may have an asbestos content greater than five (5.0%). It is lawful to use serpentine material for surfacing unless the material has been tested and found to contain less than or equal to five percent (5.0%) asbestos. All tests for asbestos content must use California Air Resources Board Test Method 435, and a written record documenting the test results must be retained for at least seven years if the material is used for surfacing."

11-14-402 Written Receipts: Any person who sells, supplies, or offers for sale serpentine material that is represented, either orally or in writing, to be suitable for surfacing or to have an asbestos content that is five percent (5.0%) or less, shall provide to each purchaser or person receiving the serpentine material a written receipt which specifies the following information:

- a) the amount of serpentine material sold or supplied;
- b) the dates that the serpentine material was produced, sampled, tested, and supplied
- c) the asbestos content of the serpentine material as measured by ARB Test Method 435.

A copy of the receipt must, at all times, remain with the serpentine material during transit and surfacing.

11-14-500 MONITORING AND RECORDS

11-14-501 Maintenance of Records: Any person who sells, supplies, offers for sale, uses or applies serpentine material shall retain for a period of at least seven years from the date of sale or supply, copies of all receipts and copies of any analytical test results from asbestos testing of the serpentine material. All receipts and test results shall be provided to the Air Pollution Control Officer for review upon request.

11-14-600 MANUAL OF PROCEDURES

11-14-601 Test Method: All serpentine material supplied, sold, or offered for sale as a surfacing agent shall be tested in accordance with ARB Test Method 435, as specified in Title 17, California Code of Regulations, Section 94147.

11-14-602 Averaging of Test Results: If ARB Test Method 435 has been used to perform two or more test on any one volume of serpentine material, whether by the same or a different person, the arithmetic average of these results shall be used to determine the asbestos content of the serpentine material.