

Marcella McTaggart
Air Pollution Control Officer
El Dorado County Air Quality Management Department
Placerville, CA 95667

August 10 2004

Subject: Observed Plan Noncompliance
Hollow Oak Subdivision Dust Mitigation Plan
APN 108-120-10, 11, 12, 13

Dear Ms McTaggart,

This purpose of this letter is to inform you that I and other members of the community have observed the activities of the construction equipment on and around the intersection of Bass Lake Road and Stone Hill Road (sometimes also known as Hollow Oak Road) in El Dorado Hills.

We have examined the Asbestos Dust Mitigation and Management Plan prepared for the site (the "Plan") and have observed what we believe are activities which are not in compliance with the Plan:

1. Some of the construction trucks laden with soil that exit the site at the intersection seem to have loads which extend above the top of the cargo compartment of the truck, in violation of section 4.5.2(ii) of the Plan. We urge that the trucks be loaded to conform with the stipulations of that section of the plan whereby "no point of the load extends above the top of the cargo compartment." or that the loads be covered, which is also an alternative provided by the Plan.
2. The surface of Bass Lake Road at the intersection, and to a considerable distance south of the intersection, is covered with tracked-out soil, in violation of Section 4.1.1 of the Plan. This also poses a safety hazard to vehicles using Bass Lake Road. We urge that the road be cleaned more often, as provided by the Plan, or that a washout be installed at the intersection that conforms to the stipulations in that section of the plan whereby a pad of cobbles and a wash system is utilized to prevent soil from being tracked out onto Bass Lake Road, which is also an alternative provided by the Plan.
3. The trucks traveling on Stone Hill Road at times raise considerable dust into the air, in violation of section 4.3.2 of the Plan. Since present mitigation activities are not sufficient, we urge that the road should either be watered down more frequently than the minimum "every two hours of active operations" to suppress the dust, which is an alternative provided by the Plan, or that Stone Hill Road be covered with gravel, which is also an alternative provided by the Plan.

We urge that these measures be implemented at once. The legal and regulatory requirement that dust mitigation plans be prepared and followed is based on legitimate concerns for the health and well-being of the community. Compliance with a dust mitigation plan at the mechanically minimum level when that minimum effort does not effectively provide protection to the community is not true compliance. That is, watering the road every two hours, the minimum frequency prescribed by the plan, is not compliance with the plan if watering every hour is required to keep the dust down, since the purpose of the plan is "to prevent the generation of visible dust during all grading and construction activities."

I am attaching copies of several photos that we took as we observed the activity at the intersection. I sincerely hope that with your assistance, and with the cooperation of the contractor doing the work, that we will soon be able to observe and report a marked improvement of the dust mitigation activity at the intersection.

Please do not hesitate to contact me.

Kathy Prevost
Bass Lake Action Committee