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ENVIRONMENTAL PLANNING • LICENSING & PERMITTING • REGULATORY COMPLIANCE

July 12, 2011 *Compliance Chron Log 2011-036*

Mr. Craig Hoffman
Compliance Project Manager
California Energy Commission
1516 Ninth Street MS-2000
Sacramento, CA 95661

Subject: Rice Solar Energy Project (Docket No. 09-AFC-10C)
Condition of Certification AQ-SC2
Air Quality Construction Mitigation Plan

Dear Craig:

In accordance with the requirements of Condition of Certification AQ-SC2, attached for your review and approval is the Air Quality Construction Mitigation Plan for the Rice Solar Energy Project. Should you have any questions or require additional information related to this submittal, please contact me at (916) 780-1171.

Sincerely,

Andrea E. Grenier

Andrea E. Grenier
Permitting and Compliance Manager

Attachment

1420 E. Roseville Parkway, Suite 140-377, Roseville, CA 95661
Tel (916) 780-1171 Cell (916) 847-0918 Email andrea@agrenier.com

Air Quality Construction Mitigation Plan for the Rice Solar Energy Project (09-AFC-10)

Prepared for

Rice Solar Energy, LLC

July 2011

CH2MHILL
2485 Natomas Park Drive, Suite 600
Sacramento, California 95833

Contents

SECTION 1

Introduction

This document presents the Air Quality Construction Mitigation Plan (AQCMP) for the Rice Solar Energy Project (RSEP or Project). The RSEP, developed and owned by Rice Solar Enery, LLC, is a 150-megawatt (MW) concentrating solar thermal power project with a central receiver tower, sun-tracking heliostat field and an integral thermal storage system using liquid salt as the heat transfer and storage medium. The AQCMP is being submitted to comply with Condition of Certification AQ-SC2 and WORKER SAFETY-8, as set forth in the California Energy Commission's (CEC) Final Commission Decision, dated December 2010. The purpose of the AQCMP is to detail the steps to be taken and the reporting requirements necessary to ensure compliance with the CEC Conditions of Certification AQ-SC3, AQ-SC4, AQ-SC5, and WORKER SAFETY-8. This AQCMP addresses all components of the Project and will be amended if necessary to account for new information or changing conditions.

SECTION 2

Project Overview

2.1 Project Description

The RSEP will be a solar generating facility located on a privately owned site in unincorporated eastern Riverside County, California (Figure 1-1) (all figures are provided at the end of the report). The project will be capable of producing approximately 450,000 megawatt hours (MWh) of renewable energy annually, with a nominal net generating capacity of 150 megawatts (MW).

The facility will use concentrating solar power (CSP) technology, with a central receiver tower and an integrated thermal storage system. The RSEP's technology generates power from sunlight by focusing energy from a field of sun-tracking mirrors called heliostats onto a central receiver. Liquid salt[1], which has viscosity and appearance similar to water when melted, is circulated through tubes in the receiver, collecting the energy gathered from the sun. The heated salt is then routed to an insulated storage tank where it can be stored with minimal energy losses. When electricity is to be generated, the hot salt is routed to heat exchangers (or steam generation system). The steam is then used to generate electricity in a conventional steam turbine cycle. After exiting the steam generation system, the salt is sent to the cold salt thermal storage tank and the cycle is repeated.

The solar facility will have the following key elements:

- a large circular field of mirrors (heliostats) that reflect the sun's energy onto a central receiver tower
- a conventional steam turbine generator to produce electricity
- insulated tanks to store the hot and cold liquid salt heat transfer fluid
- an air-cooled condenser (ACC) to eliminate water consumption for cooling the steam turbine exhaust
- linear facilities including a 10.0-mile-long generator tie-line together with 4.6 miles of parallel access road and a separate, 1-mile extension to connect with the existing low-voltage power distribution network
- an onsite transformer and switchyard and a new interconnection substation for tie-in to the existing transmission line
- ancillary items such as tanks, transformers, heat exchangers, and buildings

[1] The salt is a mixture of sodium nitrate, a common ingredient in fertilizer, and potassium nitrate, a fertilizer and food additive. These mineral products will be mixed onsite as received directly from mines in solid crystallized form and used without additives or further processing other than mixing and heating.

The RSEP will be located in an unincorporated area of eastern Riverside County, California, (Figure 1-2). Land surrounding the project site consists mostly of undeveloped open desert that is owned by the federal government and managed by the U.S. Bureau of Land Management (BLM).

2.2 Project Schedule

A project schedule showing construction activities is presented in Table 2-1. M Mobilization for construction is expected to start in September 2011, assuming regulatory approvals are obtained prior to this date. Project construction is expected to last approximately 30 months.

Based upon an anticipated construction period of approximately 30 months, commercial operation is targeted for March 2014.

TABLE 2-1
Project Construction Schedule

Event Description	Expected Dates
Anticipated Construction Start Date	September 1, 2011
Start construction of the project boundaries, clearing and grubbing, and sediment/wildlife fence installation.	September/October 2011
Start construction of laydown, parking, and construction offices	Third Quarter 2011
Start power plant construction	October 2011
Start transmission line construction	Fall 2012
Facility startup and commissioning activities	Fourth Quarter 2013
Commercial Operation	March 2014

SECTION 3

Project Participants

The Air Quality Construction Mitigation Manager (AQCMM) or AQCMM delegate will be responsible for directing and documenting compliance with conditions AQ-SC3, AQ-SC4, AQ-SC5, and Worker Safety -8 (See Sections 4 and 5). A copy of AQ-SC3, AQ-SC4, AQ-SC5, and Worker Safety-8 are included in Appendix A.

The AQCMM and AQCMM delegates:

- shall have full access to all areas of construction on the project site and linear facilities
- shall have the authority to stop any or all construction activities
- shall have the authority to direct more intensive dust mitigation measures as required by AQ-SC4 and Worker Safety-8 (See Section 5)
- may coordinate the installation of best mitigation practices (BMPs) for wind erosion control in conjunction with the implementation of the Stormwater Pollution Prevention Plan (SWPPP) and Drainage, Erosion, and Sediment Control Plan (DESCP)
- will be responsible for the preparation of the air quality portion of the monthly compliance reports (MCR) as outlined in Section 6.

The AQCMM will prepare a monthly report for submittal to the Construction Compliance Manager for inclusion in the MCR submittal to the CEC CPM.

The project's engineering, procurement, and construction (EPC) contractor is identified as the General Contractor in Table 3-1. Under direction of the AQCMM, the General Contractor will be responsible for the implementation of the fugitive dust and diesel emission control methods outlined in Section 4. The General Contractor will report potential dust mitigation compliance issues to the AQCMM and the Construction Compliance Manager.

The CEC CPM oversees compliance with the CEC conditions of certification for the Project. The CEC CPM is also responsible for processing post-certification changes, documenting and tracking compliance filings, and ensuring that compliance files are maintained and accessible.

The contact information for the AQCMM, the Project Owner, CEC CPM, Construction Compliance Manager, and the General Contractor are included in Table 3-1.

TABLE 3-1
Rice Solar Energy Project Personnel and Contact Information

Project Owner	**Rice Solar Energy, LLC** 2425 Olympic Boulevard Suite 500 East Santa Monica, CA 90404
EPC Contractor	**Cobra Industrial Plants** Phone: TBD
Project –EPC Contractor Onsite Construction Manager	**Pat Krum** (770) 713-6306
Project Owner's Construction Compliance Manager	**Andrea Grenier** Mobile: (916) 847-0918 Office: (916) 780-1171
AQCMM	**TBD**
CEC CPM	**Craig Hoffman** (916) 654-4781
MDAQMD Compliance Division	**Permitting** (760) 245-1661 x1

SECTION 4

Emission Control Methods

4.1 Fugitive Dust Mitigation Measures

The following fugitive dust mitigation measures will be implemented during project construction in order to comply with CEC Condition of Certification AQ-SC3 and Worker Safety-8:

a. The main access roads through the facility to the power block areas will be stabilized for the purposes of dust control by being paved, using soil binders, or equivalent methods that may include a crushed rock (gravel or similar material with fines removed) top layer, prior to initiating construction in the main power block area and prior to taking initial deliveries in delivery areas for operations materials (chemicals, replacement parts, etc.).

b. All unpaved construction roads and unpaved operation and maintenance site roads, as they are being constructed, shall be stabilized with a nontoxic soil stabilizer or soil weighting agent that can be determined to be both as efficient or more efficient for fugitive dust control as California Air Resources Board (ARB) approved soil stabilizers, and shall not increase any other environmental impacts including loss of vegetation to areas beyond where the soil stabilizers are being applied for dust control. All other disturbed areas in the project and linear construction sites shall be watered as frequently as necessary during grading; and after active construction activities shall be stabilized with a non-toxic soil stabilizer or soil weighting agent, or alternative approved soil stabilizing methods, in order to comply with the dust mitigation objectives in Section 5 of this document. The frequency of watering can be reduced or eliminated during periods of precipitation.

c. No vehicle shall exceed 10 miles per hour on unpaved areas within the construction site, with the exception that vehicles may travel up to 25 miles per hour on stabilized unpaved roads as long as such speeds do not create visible dust emissions.

d. Visible speed limit signs shall be posted at the construction site entrances.

e. All construction equipment vehicle tires shall be inspected and washed as necessary to be cleaned free of dirt prior to entering paved roadways.

f. Gravel or paved ramps of at least 20 feet in length must be provided at the tire washing/cleaning station.

g. All unpaved exits from the construction site shall be graveled or treated to prevent track-out to public roadways.

h. All construction vehicles shall enter the construction site through the treated entrance roadways, unless an alternative route has been submitted to and approved by the CPM.

i. Construction areas adjacent to any paved roadway below the grade of the surrounding construction area or otherwise directly impacted by sediment from site drainage shall be provided with sandbags or other measures as specified in the Storm Water Pollution Prevention Plan (SWPPP) to prevent run-off to roadways, only when such SWPPP measures are necessary so that this condition does not conflict with the requirements of the SWPPP.

j. All paved roads within the construction site shall be swept daily or as needed (less during periods of precipitation) on days when construction activity occurs to prevent the accumulation of dirt and debris.

k. At least the first 500 feet of any paved public roadway exiting the construction site or exiting other unpaved roads en route from the construction site or construction staging areas shall be swept as needed on days when construction activity occurs or on any other day when dirt or runoff from the construction site is visible on the public paved roadways.

l. All soil storage piles and disturbed areas that remain inactive for longer than 10 days shall be covered or treated with appropriate dust suppressant compounds.

m. All vehicles that are used to transport solid bulk material on public roadways and that have the potential to cause visible emissions shall be provided with a cover, or the materials shall be sufficiently wetted and loaded onto the trucks to provide at least two feet of freeboard.

n. Wind erosion control techniques (such as windbreaks, water, chemical dust suppressants, and/or vegetation) shall be used on all construction areas that may be disturbed. Any windbreaks installed to comply with this condition shall remain in place until the soil is stabilized or permanently covered with vegetation.

o. Site workers shall use dust masks (NIOSH N-95 or better) whenever visible dust is present.

p. There shall be implementation of enhanced dust control methods (presented in Section 5)

4.2 Diesel-Fueled Engine Control

The following diesel-fueled engine control measures will be implemented during project construction in order to comply with CEC Condition of Certification AQ-SC5:

a. All diesel-fueled engines used in the construction of the facility shall have clearly visible tags, issued by the on-site AQCMM, showing that the engine meets the conditions set forth herein.

b. All construction diesel engines with a rating of 50 hp or higher shall meet, at a minimum, the Tier 3 California Emission Standards for Off-Road Compression-Ignition Engines, as specified in California Code of Regulations, Title 13, section 2423(b)(1), unless a good faith effort to the satisfaction of the CPM that is certified by the on-site AQCMM demonstrates that such engine is not available for a particular item of

equipment. In the event that a Tier 3 engine is not available for any offroad equipment larger than 50 hp, that equipment shall be equipped with a Tier 2 engine, or an engine that is equipped with retrofit controls to reduce exhaust emissions of nitrogen oxides (NOx) and diesel particulate matter (DPM) to no more than Tier 2 levels unless certified by engine manufacturers or the on-site AQCMM that the use of such devices is not practical for specific engine types. For purposes of this condition, the use of such devices is "not practical" for the following, as well as other, reasons.

1. There is no available retrofit control device that has been verified by either the California Air Resources Board or U.S. Environmental Protection Agency to control the engine in question to Tier 2 equivalent emission levels and the highest level of available control using retrofit or Tier 1 engines is being used for the engine in question; or
2. The construction equipment is intended to be on site for 10 days or less.
3. CPM may grant relief from this requirement if the AQCMM can demonstrate a good faith effort to comply with this requirement and that compliance is not practical.

c. The use of a retrofit control device may be terminated immediately, provided that the CPM is informed within 10 working days of the termination and that a replacement for the equipment item in question meeting the controls required in item "b" occurs within 10 days of termination of the use, if the equipment would be needed to continue working at this site for more than 15 days after the use of the retrofit control device is terminated, if one of the following conditions exists:

1. The use of the retrofit control device is excessively reducing the normal availability of the construction equipment due to increased down time for maintenance, and/or reduced power output due to an excessive increase in back pressure.
2. The retrofit control device is causing or is reasonably expected to cause engine damage.
3. The retrofit control device is causing or is reasonably expected to cause a substantial risk to workers or the public.
4. Any other seriously detrimental cause which has the approval of the CPM prior to implementation of the termination

d. All heavy earth-moving equipment and heavy duty construction-related trucks with engines meeting the requirements of (b) above shall be properly maintained and the engines tuned to the engine manufacturer's specifications.

e. All diesel heavy construction equipment shall not idle for more than five (5) minutes. Vehicles that need to idle as part of their normal operation (such as concrete trucks) are exempted from this requirement.

f. Construction equipment will employ electric motors when feasible.

SECTION 5

Fugitive Dust Response Requirements

The AQCMM or an AQCMM delegate shall monitor all construction activities for visible dust plumes with the potential to be transported off the project site, 200 feet beyond the centerline of the construction of linear facilities, or within 400 feet upwind of any regularly occupied structures not owned by the Project Owner.

In the event that the mitigation measures outlined in Section 4.1 of this plan are not effective in reducing the offsite visible dust plumes, the following fugitive dust response measures will be implemented during project construction in order to comply with CEC Condition of Certification AQ-SC4:

Step 1: Within 15 minutes of making such a determination, the AQCMM or delegate shall direct more intensive application of the existing best mitigation methods.

Step 2: If Step 1 specified above fails to result in adequate mitigation within 30 minutes of the original determination, the AQCMM or delegate shall direct implementation of additional methods of dust suppression.

Step 3: If Step 2 specified above fails to result in effective mitigation within one hour of the original determination, the AQCMM or delegate may direct a temporary shutdown of the activity causing such ineffective mitigation. The activity shall not restart until the AQCMM or delegate is satisfied that appropriate additional mitigation or other site conditions have changed so that visual dust plumes will not result upon restarting the shutdown source. The owner/operator may appeal to the CPM any directive from the AQCMM or delegate to shut down an activity, if the shutdown shall go into effect within one hour of the original determination, unless overruled by the CPM before that time.

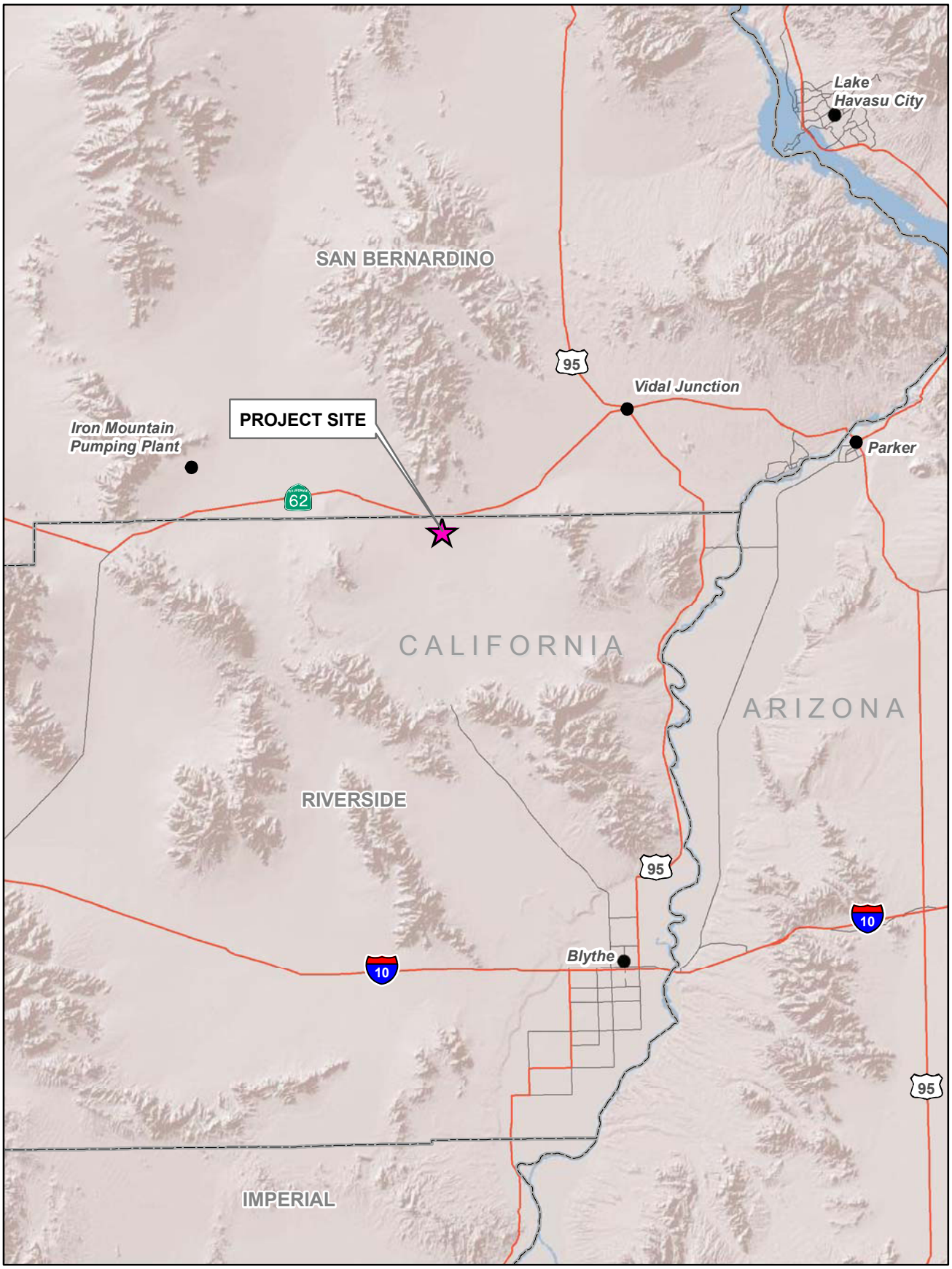
SECTION 6

Reporting Requirements

Monthly reports will be prepared by the AQCMM or AQCMM delegate and submitted to the Construction Compliance Manager for transmittal to the CEC CPM as part of the Monthly Compliance Report. The CPM will also be notified if any of the mitigation measures are not providing a level of protection that is appropriate for the impact that is occurring. The CPM will be notified of recommendations, if any, for alternative mitigation measures.

The first monthly report will be prepared following the start of soil disturbance activities. Subsequent reports will be prepared on a monthly basis throughout the construction period. The monthly AQCMM reports will include the following information to meet the requirements of AQ-SC3, AQ-SC4 and Worker Safety-8 (reporting frequency in parentheses):

- Summarize all of the actions taken to maintain compliance with these conditions. (monthly).
- Copies of any complaints filed with the District in relation to project construction. (monthly)
- Any other documentation deemed necessary by the CPM or AQCMM to verify compliance with these conditions. Such information may be provided via electronic format or disk at the project owner's discretion. (monthly)
- A list of all heavy equipment used on site during that month, including the owner of that equipment and a letter from each owner indicating that equipment has been properly maintained. (monthly)



LEGEND

PROJECT SITE

COUNTY BOUNDARIES

N

0 5 10

Miles

FIGURE 1-1
PROJECT LOCATION
RICE SOLAR ENERGY PROJECT
RIVERSIDE COUNTY, CALIFORNIA

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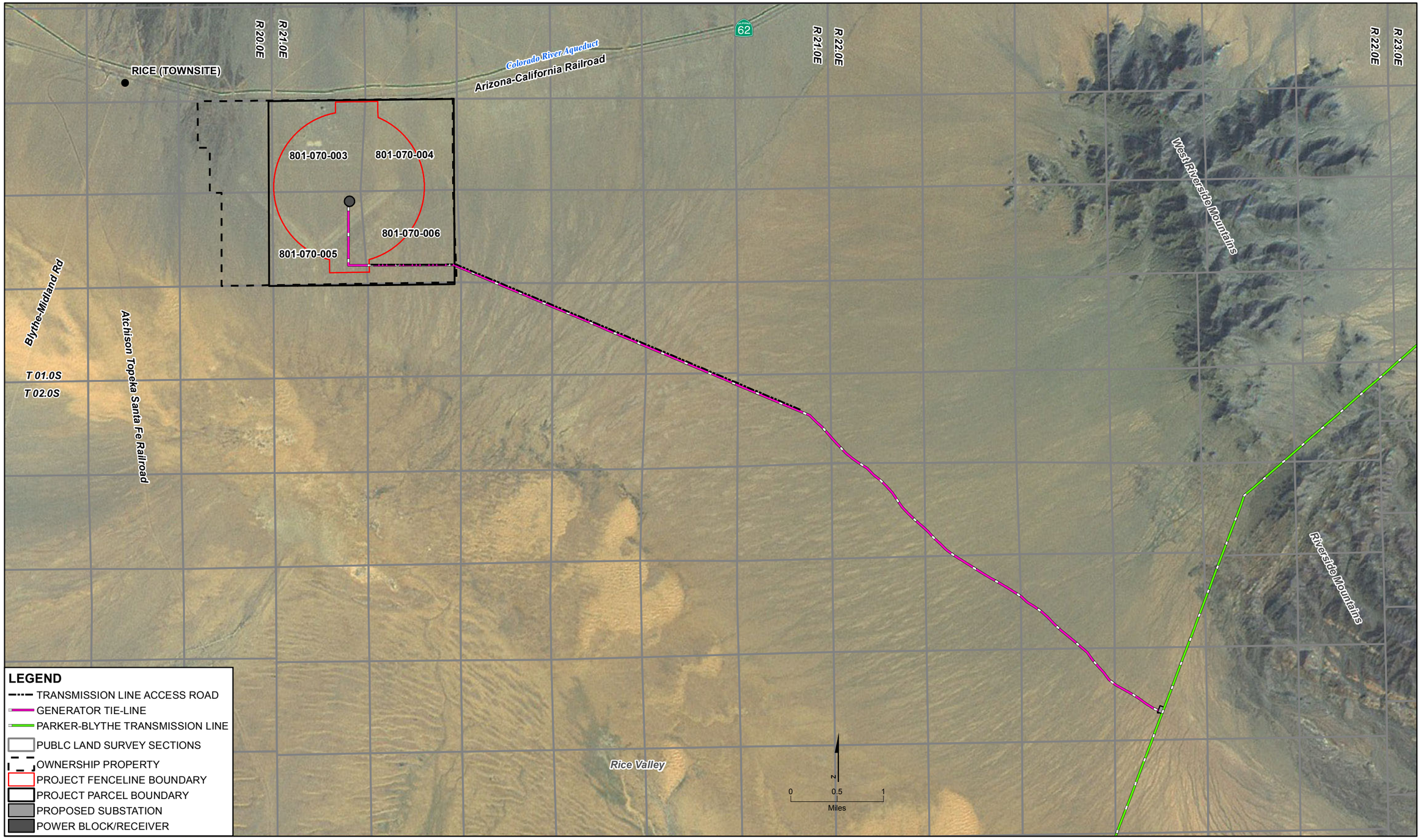

This map was compiled from various scale source data and maps and is intended for use as only an approximate representation of actual locations.

FIGURE 1-2
SITE LOCATION
RICE SOLAR ENERGY PROJECT
RIVERSIDE COUNTY, CALIFORNIA

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Appendix A
CEC Conditions of Certification

AQ-SC3 Construction Fugitive Dust Control: The AQCMM shall submit documentation to the CPM in each Monthly Compliance Report that demonstrates compliance with the Air Quality Construction Mitigation Plan (AQCMP) mitigation measures for the purposes of minimizing fugitive dust emission creation from construction activities and preventing all fugitive dust plumes that would not comply with the performance conditions identified in **AQ-SC4** from leaving the project site. The following fugitive dust mitigation measures shall be included in the Air Quality Construction Mitigation Plan (AQCMP) required by **AQ-SC2**, and any deviation from the following mitigation measures shall require prior CPM notification and approval.

A. The main access roads through the facility to the power block areas will be either paved or stabilized using soil binders, or equivalent methods, to provide a stabilized surface that is similar for the purposes of dust control to paving, that may or may not include a crushed rock (gravel or similar material with fines removed) top layer, prior to initiating construction in the main power block area, and delivery areas for operations materials (chemicals, replacement parts, etc.) will be paved or treated prior to taking initial deliveries.

B. All unpaved construction roads and unpaved operation and maintenance site roads, as they are being constructed, shall be stabilized with a non-toxic soil stabilizer or soil weighting agent that can be determined to be both as efficient or more efficient for fugitive dust control as ARB approved soil stabilizers, and shall not increase any other environmental impacts including loss of vegetation to areas beyond where the soil stabilizers are being applied for dust control. All other disturbed areas in the project and linear construction sites shall be watered as frequently as necessary during grading (consistent with Biology Conditions of Certification that address the minimization of standing water); and after active construction activities shall be stabilized with a nontoxic soil stabilizer or soil weighting agent, or alternative approved soil stabilizing methods, in order to comply with the dust mitigation objectives of Condition of Certification **AQ-SC4**. The frequency of watering can be reduced or eliminated during periods of precipitation.

C. No vehicle shall exceed 10 miles per hour on unpaved areas within the construction site, with the exception that vehicles may travel up to 25 miles per hour on stabilized unpaved roads as long as such speeds do not create visible dust emissions.

D. Visible speed limit signs shall be posted at the construction site entrances.

E. All construction equipment vehicle tires shall be inspected and washed as necessary to be cleaned free of dirt prior to entering paved roadways.

F. Gravel or paved ramps of at least 20 feet in length must be provided at the tire washing/cleaning station.

G. All unpaved exits from the construction site shall be graveled or treated to prevent track-out to public roadways.

H. All construction vehicles shall enter the construction site through the treated entrance roadways, unless an alternative route has been submitted to and approved by the CPM.

I. Construction areas adjacent to any paved roadway below the grade of the surrounding construction area or otherwise directly impacted by sediment from site drainage shall be provided with sandbags or other equivalently effective measures to prevent run-off to roadways, or other similar run-off control measures as specified in the Storm Water Pollution Prevention Plan (SWPPP), only when such SWPPP measures are necessary so that this condition does not conflict with the requirements of the SWPPP.

J. All paved roads within the construction site shall be swept daily or as needed (less during periods of precipitation) on days when construction activity occurs to prevent the accumulation of dirt and debris.

K. At least the first 500 feet of any paved public roadway exiting the construction site or exiting other unpaved roads en route from the construction site or construction staging areas shall be swept as needed (less during periods of precipitation) on days when construction activity occurs or on any other day when dirt or runoff resulting from the construction site activities is visible on the public paved roadways.

L. All soil storage piles and disturbed areas that remain inactive for longer than 10 days shall be covered, or shall be treated with appropriate dust suppressant compounds.

M. All vehicles that are used to transport solid bulk material on public roadways and that have potential to cause visible emissions shall be provided with a cover, or the materials shall be sufficiently wetted and loaded onto the trucks in a manner to provide at least two feet of freeboard.

N. Wind erosion control techniques (such as windbreaks, water, chemical dust suppressants, and/or vegetation) shall be used on all construction areas that may be disturbed. Any windbreaks installed to comply with this Condition shall remain in place until the soil is stabilized or permanently covered with vegetation.

Verification: The AQCMM shall provide the CPM a Monthly Compliance Report to include the following to demonstrate control of fugitive dust emissions:

A. a summary of all actions taken to maintain compliance with this Condition;

B. copies of any complaints filed with the District in relation to project construction; and

C. any other documentation deemed necessary by the CPM or AQCMM to verify compliance with this Condition. Such information may be provided via electronic format or disk at the project owner's discretion.

AQ-SC4 Dust Plume Response Requirement: The AQCMM or an AQCMM Delegate shall monitor all construction activities for visible dust plumes. Observations of visible dust plumes that have the potential to be transported (A) off the project site and within 400 feet upwind of any regularly occupied structures not owned by the project owner or (B) 200 feet beyond the centerline of the construction of linear facilities indicate that existing mitigation measures are not resulting in effective mitigation. The AQCMP shall include a section detailing how the additional mitigation measures will be accomplished within the time limits specified. The AQCMM or Delegate shall implement the following procedures for additional mitigation measures in the event that such visible dust plumes are observed:

Step 1: The AQCMM or Delegate shall direct more intensive application of the existing mitigation methods within 15 minutes of making such a determination.

Step 2: The AQCMM or Delegate shall direct implementation of additional methods of dust suppression if Step 1, specified above, fails to result in adequate mitigation within 30 minutes of the original determination.

Step 3: The AQCMM or Delegate shall direct a temporary shutdown of the activity causing the emissions if Step 2, specified above, fails to result in effective mitigation within one hour of the original determination. The activity shall not restart until the AQCMM or Delegate is satisfied that appropriate additional mitigation or other site conditions have changed so that visual dust plumes will not result upon restarting the shutdown source. The owner/operator may appeal to the CPM any directive from the AQCMM or Delegate to shut down an activity, if the shutdown shall go into effect within one hour of the original determination, unless overruled by the CPM before that time.

Verification: The AQCMM shall provide the CPM a Monthly Compliance Report to include:

A. a summary of all actions taken to maintain compliance with this Condition;

B. copies of any complaints filed with the District in relation to project construction; and

C. any other documentation deemed necessary by the CPM or AQCMM to verify compliance with this Condition. Such information may be provided via electronic format or disk at the project owner's discretion.

AQ-SC5 Diesel-Fueled Engine Control: The AQCMM shall submit to the CPM, in the Monthly Compliance Report, a construction mitigation report that demonstrates compliance with the AQCMP mitigation measures for purposes of controlling diesel construction-related emissions. The following off-road diesel construction equipment mitigation measures shall be included in the Air Quality Construction Mitigation Plan (AQCMP) required by **AQ-SC2**, and any deviation from the following mitigation measures shall require prior CPM notification and approval.

a. All diesel-fueled engines used in the construction of the facility shall have clearly visible tags issued by the on-site AQCMM showing that the engine meets the Conditions set forth herein

b. All construction diesel engines with a rating of 50 hp or higher shall meet, at a minimum, the Tier 3 California Emission Standards for Off-Road Compression-Ignition Engines, as specified in California Code of Regulations, Title 13, section 2423(b)(1), unless a good faith effort to the satisfaction of the CPM that is certified by the onsite AQCMM demonstrates that such engine is not available for a particular item of equipment. In the event that a Tier 3 engine is not available for any off-road equipment larger than 50 hp, that equipment shall be equipped with a Tier 2 engine, or an engine that is equipped with retrofit controls to reduce exhaust emissions of nitrogen oxides (NOX) and diesel particulate matter (DPM) to no more than Tier 2 levels unless certified by engine manufacturers or the on-site AQCMM that the use of such devices is not practical for specific engine types. For purposes of this Condition, the use of such devices is "not practical" for the following, as well as other, reasons.

1. There is no available retrofit control device that has been verified by either the California Air Resources Board or U.S. Environmental Protection Agency to control the engine in question to Tier 2 equivalent emission levels and the highest level of available control using retrofit or Tier 1 engines is being used for the engine in question; or
2. The construction equipment is intended to be on site for 10 days or less.
3. The CPM may grant relief from this requirement if the AQCMM can demonstrate a good faith effort to comply with this requirement and that compliance is not practical.

c. The use of a retrofit control device may be terminated immediately, provided that the CPM is informed within 10 working days of the termination and that a replacement for the equipment item in question meeting the controls required in item "b" occurs within 10 days of termination of the use, if the equipment would be needed to continue working at this site for more than 15 days after the use of the retrofit control device is terminated, if one of the following conditions exists :

1. The use of the retrofit control device is excessively reducing the normal availability of the construction equipment due to increased down time for maintenance, and/or reduced power output due to an excessive increase in back pressure.
2. The retrofit control device is causing or is reasonably expected to cause engine damage.
3. The retrofit control device is causing or is reasonably expected to cause a substantial risk to workers or the public.
4. Any other seriously detrimental cause which has the approval of the CPM prior to implementation of the termination.

d. All heavy earth-moving equipment and heavy-duty construction related trucks with engines meeting the requirements of (b) above shall be properly maintained and the engines tuned to the engine manufacturer's specifications.

e. All diesel heavy construction equipment shall not idle for more than five minutes. Vehicles that need to idle as part of their normal operation (such as concrete trucks) are exempted from this requirement.

f. Construction equipment will employ electric motors when feasible.

Verification: The AQCMM shall include in the Monthly Compliance Report the following to demonstrate control of diesel construction-related emissions:

A. A summary of all actions taken to control diesel construction-related emissions;

B. A list of all heavy equipment used on site during that month, including the owner of that equipment and a letter from each owner indicating that equipment has been properly maintained; and

C. Any other documentation deemed necessary by the CPM or AQCMM to verify compliance with this Condition. Such information may be provided via electronic format or disk at the project owner's discretion.

WORKER SAFETY-8 The project owner shall develop and implement an enhanced Dust Control Plan that includes the requirements described in **AQ-SC3** and **AQ-SC4** and additionally requires:

a. site worker use of dust masks (NIOSH N-95 or better) whenever visible dust is present;

b. implementation of methods equivalent to Rule 402 of the Kern County Air Pollution Control District (as amended Nov. 3, 2004); and

c. implementation of enhanced dust control methods (increased frequency of watering, use of dust suppression chemicals, etc. consistent with AQ-SC4) immediately whenever visible dust comes from or onto the site or when PM10 measurements obtained when implementing ii (above) exceed 50 micrograms per cubic meter (µg/m3).

Verification: At least 60 days prior to the commencement of site mobilization, the enhanced Dust Control Plan shall be provided to the CPM for review and approval.

Appendix B
Equipment Survey Form

Appendix B
Equipment Survey Form

Description of Project Construction Equipment
(To be filled out by the onsite Air Quality Construction Mitigation Manager)

Equipment Type	Model Year	Manufacturer	Horsepower	EPA/ARB Engine Tier

Note:
For all construction equipment 50 hp or higher that do not meet the Tier 3 California Emission Standards for Off-Road Compression- Ignition Engines, quotes from two separate vendor sources must be attached, documenting that the equipment in question is not available at the Tier 3 level.

Appendix C
Resume of AQCMM and AQCMM Delegate

Resume of AQCMM to be provided in July