

August 24, 2005

To the Residents of Sacramento County, California:

The July 29, 2002 Air Toxic Control Measure (ATCM) for asbestos, adopted by the Air Resources Board (ARB) and updated March 29, 2004, authorizes an Air Pollution Control Officer (APCO) to apply the ATCM to any area that is determined to contain naturally-occurring asbestos (NOA).¹ For the reasons discussed below, the Sacramento Metropolitan Air Quality Management District's (SMAQMD) APCO has determined that the Copper Hills Volcanics areas in eastern Sacramento County, including the eastern portion of the City of Folsom, contain NOA at levels greater than the jurisdictional threshold in the ATCM. Properties located entirely or partially within the area identified on the attached map as in the Copper Hills Volcanics unit must comply with the ATCM, unless the owner of a specific site or group of sites submits a geologic evaluation by a registered geologist that demonstrates that the individual site does not contain NOA. The evaluation must comply with the requirements of 17 CCR 93105, subsection (c).

SMAQMD has consulted with the California Department of Conservation to help us in determining the likelihood of discovering NOA throughout the Copper Hills Volcanics. Several geologic factors are present that increase the chance that NOA will be found, although it is not possible to determine whether it will be found at any specific location. Areas of eastern Sacramento County containing the Copper Hills Volcanics unit exhibit geologic conditions that favor the presence of asbestos minerals, including:

- The rocks in this unit contain minerals that, under the right physical conditions, can become asbestos.
- The rocks in this unit have been metamorphosed (altered under temperature and pressure conditions different from those in which they originally formed) and asbestos may form during some metamorphic events.
- Eastern Sacramento County is located west of the Bear Mountains Fault Zone, and the Mormon Island fault is located near the eastern boundary of Sacramento County. Other unmapped fault or shear zones may occur in eastern Sacramento County, but identification of such zones can be difficult without detailed site-specific investigations. The potential for NOA formation is increased along fault or shear zones.

(See September 17, 2004 letter from the State Geologist, attached)

In addition to the favorable geologic regime, there is empirical evidence that the Copper Hills area contains NOA. First, staff has received positive test results within the Empire Ranch area of Folsom. Second, El Dorado County has received positive test results west of the West Bear Mountains Fault, including a positive test result in the Sophia Parkway road extension project that straddles the Sacramento County-El Dorado County line. Thus, NOA has been positively identified in adjacent rock formations

¹ 17 CCR, § 93105, subs. (b)(2).

along the Sacramento County-El Dorado County border in units that demonstrate the same geologic factors discussed above regarding Copper Hills.

Enforcement of the asbestos regulations will be effective as of the date of this letter. Violations of air quality regulations are subject to criminal or civil penalties, pursuant to California Health & Safety Code (CH&SC) sections 42400 through 42402.5. At this time, this declaration only applies to the Copper Hills Volcanics formation in eastern Sacramento County. The SMAQMD is continuing to evaluate the Copper Hills Volcanics and Gopher Ridge Volcanics areas in cooperation with the Department of Conservation, and may revise this determination once that work is complete.

Additional information regarding NOA, including applicable regulations and forms, can be found at the SMAQMD's website at www.airquality.org. The California Air Resources Board's website at www.ca.arb.gov also contains useful NOA background information. Specific questions regarding compliance practices should be directed to the SMAQMD's asbestos staff at (916) 874-4800.

Sincerely,

Larry Greene
Air Pollution Control Officer

Attachments

cc: SMAQMD Board of Directors

Steve Miklos, Mayor, and Council Members, City of Folsom
Martha Clark Lofgren, City Manager, City of Folsom
Michael Johnson, Community Development Director, City of Folsom
Amy Feagans, Director of Neighborhood Services, City of Folsom
Dean "Skip" Perry, Chief Building Official, City of Folsom
Terry Schutten, County Executive, Sacramento County
Glennah Trochet, Sacramento County Public Health Officer
Cheryl Creson, Administrator, Municipal Services Agency, Sacramento Co.
Robert Sherry, Director Of Planning, Sacramento County
Joyce Horizumi, DERA Director, Sacramento County
Steve Pedretti, Director of County Engineering, Sacramento County
Phil Fischbach, Architectural Services Division, Sacramento County
Dennis Rogers, Building Industry Association of Superior California
John Clinkenbeard, California Geological Survey
Ron Churchill, California Geological Survey
Rick Fears, California Department of Toxic Substances Control
Catherine Witherspoon, Executive Director, California Air Resources Board
Rich Boyd, California Air Resources Board
Marcella McTaggart, APCO, El Dorado County AQMD
Tom Christofk, APCO, Placer County APCD
Mat Ehrhardt, APCO, Yolo-Solano AQMD
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