

WASHINGTON COUNTY DUST CONTROL POLICY Revision

STATEMENT OF POLICY

It shall be the policy of Washington County to permit the application of dust control agents for the control of fugitive dust on county gravel roads, all pursuant to the provision of Chapter 318.8 of the Code of Iowa and Chapter 37.08 of the Washington County Code of Ordinances.

CONTRACTOR REQUIREMENTS

Pre-Approval – Washington County requires that each contractor who wishes to do dust control work within the right-of-way (ROW) in Washington County first be pre-approved by the Washington County Secondary Road Department.

Insurance – All contractors desiring to provide dust control services in Washington County shall submit a certificate of insurance in an amount not less than \$1,000,000 aggregate with Washington County named as additional insured.

Materials – Contractors shall certify that all materials used for dust control are free and clear of toxic materials affecting the environment, the public, and livestock. A listing of ingredients shall be submitted stating the composition and percentage of each ingredient in the mixture. Certification shall state that the mixture meets or exceeds applicable DNR and EPA regulations. The following materials are approved for use as dust control:

1. Lignin Sulfonate (tree sap)
2. Calcium Chloride
3. Soy Oil
4. Refined Glycerine
5. Magnesium Chloride
6. Chip Seal (Oil)

Typical Dust Control Application – The typical dust control treatment will be a minimum of 20 feet wide and 500 feet long. The Washington County Secondary Road Department reserves the right to limit the length of a dust control treatment beyond 500 feet in order to ensure the roadway can still be maintained and that it does not appear to the traveling public the road surfacing classification has changed from gravel to a chip seal surface. In addition, the Washington County Secondary Road Department reserves the right to require an application of dust control treatment longer than 500 feet in the event there are two or more residents submitting applications within 600 feet of each other on a single stretch of road. The normal annual dust control treatment schedule will be an initial treatment placed approximately during the last two weeks of May and the second treatment placed in early August, weather permitting. For chip seal, only one (1) treatment is required per applicant in a calendar year.

Road Surfacing Classification – A road with chip seal applied pursuant to this policy shall remain classified as an unpaved (gravel) road. The applicant shall be required to maintain the chip seal surface as required by the Washington County Secondary Road Department. A road with chip seal as a dust control treatment will continue to be treated as an unpaved road for the purposes of embargoes and snow and ice removal. Nothing in this policy shall be interpreted as placing any limitation on what type of road maintenance the County may perform on any given stretch of road. The applicant

will be responsible to maintain the surface, at the applicant's cost, as directed by the County and as specified in the permit. If the applicant does not maintain the surface, the County may take steps to revert the affected section of road back to gravel. The County will not provide any reimbursement to participating residents in the event a chip seal application is damaged by the County's road maintenance activities. If a resident discontinues participation in the program, the County may take steps to revert the affected section of road back to gravel.

Chip Seal Treatments – Every spring these treated areas will be evaluated by Washington County Secondary Road staff to determine what, if any or all, will need to be re-treated that season. You will be notified of the area and will be required to file a permit or the treated road will be reverted back to gravel. At any time of the year, the Washington County Secondary Road Department may send a letter of notification to the applicant requesting repairs of the chip seal surface including, but not limited to: patching, distortion of the road surface requiring reshaping of the road and repairs resulting from utility work and road maintenance including culvert replacement. Any area not properly maintained, as required by the Washington County Secondary Road Department, will be reverted back to a gravel surface, and the applicant may file another permit the following year.

Marking Dust Control Area – Each location treated for dust control shall be marked with bright orange plastic flags (5" x 8" with 30" staff) provided by the contractor at no cost to Washington County. The flags shall be placed on both sides of the road at each end of the dust control area and embedded in the road shoulder, at the break of the slope. The flags shall be placed at the time of permit application. Washington County will not be liable for blading through unpermitted and/or unmarked dust control areas.

Permit Applications – The Contractor shall accept the dust control permit applications and collect the permit fee from the applicants.

PERMITTING PROCESS AND PROCEDURES

Annual Permit Application – All persons desiring dust control services in Washington County shall apply for a dust control permit through a pre-approved contractor by May 1st. Permit applications received after April 30th shall be considered late applications. Dust control permit forms will be available from the pre-approved contractors. Applicants are required to provide all information requested on the permit form and return it to the contractor accompanied by the permit fee. The contractor will then forward the permit application and fee to the Washington County Secondary Roads Department for review and approval.

Permit Fee Schedule

Annual Permit received before May 1 st	\$ 50.00
Annual Permit received after April 30 th (late application)	\$ 100.00

Dust Control Application – Permits received before May 1st will have dust control applied in late May and again in early August. This schedule is designed to allow the secondary road crews adequate time to prepare the roadbed to the proper crown and grade by blading the road, and if necessary, adding rock. Residents should be aware that the dust control area may be bladed prior to the second treatment if deemed necessary by the secondary road department.

Obligations of Applicant – No obligation to the applicant shall be made by Washington County or inferred by the contractor. It is the obligation of the applicant to keep all of the flags up marking the limits of the dust control area for the entire season. It is also the obligation of the applicant to fill any

depression in their dust control area with loose gravel from the side of the road. Grader operators will be instructed to avoid blading the marked dust control areas unless potholes over 1" in depth or washboarding develop.

Obligation of County – It is the Washington County Secondary Road Department's responsibility to maintain the road system in Washington County. If a dust control section should become rough or potholed, Washington County will do corrective blading to repair the rough areas without compensation to the resident for damage to the dust control surface. Washington County may, at any time it deems, add rock, blade the road, replace a culvert or perform other road maintenance activities. All efforts will be made to preserve the treated area, but if the Washington County Secondary Road Department deems the roadwork essential, the work shall be completed. In October, the County will prepare the dust control areas for winter which may include scarifying, blading and rocking; this does not apply to areas with seal coat treatments unless the area needs repairs and the applicant is not going to make them.

The vote on the Resolution: Aye - ^{Davis}~~Seaman~~^{Stoops}~~Young~~^{Podar} _____; Nay - none; Absent/Abstain - none.

Adopted this 18th day of February, 2014.


STEVE DAVIS
Chair, Board of Supervisors

Attest:


DANIEL L. WIDMER
County Auditor