

## **Draft Notes from July 16, 2008 Virginia Paving Community Liaison Committee Meeting**

Attending:

Committee Members: Wendy Albert, Annabelle Fisher, Carol James, Mindy Lyle, Chris Monahan, John Porter, Zina Raye, Lalit Sharma (for Bill Skrabak), Rich Josephson

Committee Members Absent: Micki Aronson

Others present: Joe Bennett, John Catlett, David Chamowitz, Tim Giles, Geoff Goodale, David Horton, John Irvine, Dennis Luzier, Peter Pennington, Adam Thiel, Bernie Snyder

John Porter opened the meeting and welcomed everyone.

Rich Josephson reported that the notes from the April and July meetings will be sent together to the Committee subsequent to the July meeting.

Chris Monahan from VAP provided an update on compliance with SUP conditions. He reported that the blue smoke control on the Plant 2 loadout was completed on June 30, in accordance with the SUP conditions, avoiding an anticipated delay. A letter to this effect was provided to the Committee. This installation completes the odor controls required by the SUP. Plant 2 was taken off line while this work was being done. There have been regular visits by City staff to the plant, many conducted at night, to verify compliance with the SUP.

Chris provided an update on the status of the air permit. He indicated that the request to the State for the change to the air permit to install the low NO<sub>x</sub> burner was made 1 ½ years ago. The current request for changes to the permit includes the low NO<sub>x</sub> burners, incorporating new emission standards and using natural gas. VAP would like to have the option of using natural gas in addition to fuel oil. They would not be using natural gas exclusively. Annabelle Fisher asked why VAP did not propose using natural gas originally and would they have to go through the SUP process again if they wanted to use natural gas. Denny Luzier indicated that, at the time they were going through the SUP, they could not commit to using natural gas due to infrastructure limitations, but wanted to be able to explore further as an option. The advantages of using natural gas are that it is a cleaner fuel and it is transported through a pipeline, and not delivered by truck, as is fuel oil. The process for getting approval for the use of natural gas will involve changes to the air permit as well as a modification to the SUP that restricts the use of fuel only to No. 2 fuel oil or specification recycled oil. There was discussion concerning how the SUP is modified to allow the use of natural gas. Rich Josephson explained that the modification may be able to be done administratively since the use of natural gas is an enhancement, but it has to be a very transparent process, starting with the Liaison Committee and

including the larger community. The request also needs to be shared with appointed and elected officials.

VADEQ will hold a public hearing on the air permit in August. The preliminary dates are August 26, 27 or 28. The location is to be determined, but will try to be held at Samuel Tucker ES. Committee members will be notified as to the exact date, time and location of the hearing.

Lalit Sharma provided a report by the City on activities and complaints. He provided a memo to the Committee dated July 15, 2008 titled Virginia Paving Asphalt Plant Update. The memo indicated that VAP started its nighttime operations on June 10, 2008. The City continues to monitor VAP operations and compliance with SUP conditions. Staff have been responding to complaints and conducting evening inspections of the plant.

Lalit reported that VADEQ is ready to set a public hearing on VAPs air permit to allow low NOx burners and the use of natural gas. The City is reviewing the permit application and will provide comments to the Committee. City staff met with FCC (formerly US Filter) on May 22 to discuss complaints and ask them to attend the July 16 Liaison Committee meeting. Lalit also reported that the City continues to monitor PM10 at the air monitoring station at Armistead Boothe Park.

Since the last Liaison Committee meeting in April, there were 10 complaints reported to either the VAP hotline, T&ES, or the City's 24-hour nuisance hotline. All of the complaints were investigated. Seven of the complaints were related to either VAP or US Filter operations and were discussed with respective managers and either abated or resolved. The other three complaints were unrelated to the operations of the plant or US filter. Virginia Paving's asphalt production is well below their allowance.

There was a question by Annabelle Fisher concerning how VAP is advised of complaints that do not come in through their hotline. Complaints that come in through the City are emailed to VAP. The City maintains on their website information about contacting VAP and/or the City with complaints through their respective hotlines. Other community groups also provide this information on their websites. Complaints about US Filter are handled by contacting them and requesting correction. US Filter is routinely inspected by the City. They also have instituted a set of standard operating procedures.

Zina Raye asked about US Filter's operating procedures and how they interact with VAP. Tom Giles and Bernie Snyder from FCC (US Filter) were at the meeting. Tom Giles indicated that they work closely with VAP. He stated that they respond immediately when there is a problem. He explained that their standard procedures include daily monitoring of equipment, including their tanks, vapor recovery system and pollutant control equipment. They maintain a checklist and must verify that everything is in working order on a daily basis.

During the public comment period, Peter Pennington from the Environmental Policy Commission indicated that the EPC might be able to write a letter in support of the use of

natural gas. He also indicated that the use of the complaint hotline is something that was of interest relative to the draft environmental charter and action plan for application on a citywide basis, not just for VAP.

Denny Luzier responded to a question regarding additional pollutant control equipment by stating that all environmental improvements are done with the exception of a few trucks and replacement of the locomotive.

Jeff Goodale asked if information about the VADEQ hearing could be put on the City's website, enews and VAP website. The response was that this information could be provided in these locations.

Joe Bennett stated that the VADEQ hearing needs to be scheduled in the area where the plant and the community is located. The response was that first choice for the hearing would be to locate it at Samuel Tucker school and that the State would probably be agreeable to that.

Jeff Goodale requested that the City post any comments on the draft air permit application on the City's website.

John Irvine from VAP provided a Community Relations Update handout to the Committee indicating community events, awards and recognition, and open house and tours of Virginia Paving since April 16.

John Porter asked Committee members to indicate whether they supported VAPs request to use natural gas. Committee members spoke in support of the request and their desire that this should be approved administratively. A show of hands indicated that all of those present supported the request. John indicated that he would send a letter of support to the VADEQ and that Committee members will be notified of the date, location and time of the hearing.

The next meeting of the Committee is scheduled for November 12 at 7 pm at Tucker School.