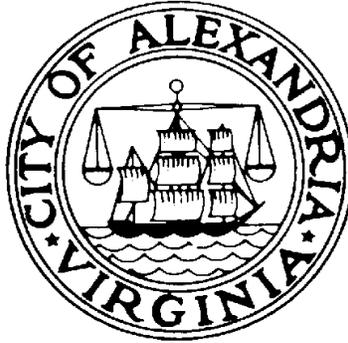


**2010 Virginia Paving Operations in Alexandria
Special Use Permit #2010-0014
Year 2010 Paving Season in Review**



**Department of Transportation & Environmental Services
Office of Environmental Quality (OEQ)
March 4, 2011**

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1.0 Executive Summary

The City of Alexandria issued a Special Use Permit (SUP) to the Virginia Paving Company (VAP) in November of 2006 and granted an administrative amendment on May 5, 2010. The SUP amended the hours that vehicles could enter and exit the facility and was issued with a total of 78 conditions to address concerns from the City of Alexandria and the community. Each condition was implemented to improve operational conditions at the facility, to enhance environmental protection, and to provide the City with the authority to enforce compliance with those conditions.

This document provides an overview of the 2010 paving season. This year was another year full of activities to finalize and improve the previously completed projects and to implement Best Management Practices (BMP) that were considered during the issuance of the permit.

The major activities in 2010 were:

- The VAP Community Liaison Committee held its last official meeting on April 14, 2010. The VAP Community Liaison Committee was to effectively communicate the concerns of the community and city staff to VAP.
- The Office of Environmental Quality received a copy of the VAP State Operating Permit dated February 17, 2010. With the issuance of the new State Operating Permit, many of the Special Use Conditions became enforceable by Virginia Department of Environmental Quality (VDEQ). VDEQ also issued a letter on August 25, 2010 to VAP cancelling the April 09, 2008, Consent Order issued by the State Air Pollution Control Board.
- OEQ received a copy of the VDEQ's response to public comments dated February 17, 2010. All comments were submitted December 10, 2009 at the public hearing hosted by VADEQ. All comments were reviewed and evaluated by VADEQ. Although not all recommendations were followed, many of the current SUP condition were reflected in the new permit and are summarized in section 5.0.
- VAP was granted an administrative amendment on May 5, 2010 by the City's Planning and Zoning Office to the SUP to include natural gas as a fuel alternative.
- The City conducted multi-departmental onsite inspections on March 30, 2010 and December 09, 2010. The full report summary is listed in Appendix 6.
- OEQ received a copy of the VAP opacity compliance report dated July 14, 2010 for initial compliance determination for visible emissions conducted on the Recycled Asphalt Plant (RAP), also the air emissions compliance report dated October 12, 2010 for particulate matter conducted on plant 1. These as well as other continuous best management practices (BMP) improvements are part of the SUP for this facility.
- To further reduce the impact to the community, VAP produced asphalt during day time operations and performed the load out only at night with a minimum crew present.
- VAP has continued operating its fuel efficient locomotive. This has eliminated air and noise complaints for many residents in the Cameron Station and Summer's Grove areas.
- The City continues to monitor VAP's operation and evaluates them against SUP production caps and other limits on a routine basis.
- The City continues to respond to odor complaints in a timely manner and also continues to monitor community conditions as well as monitor VAP's operations on a routine basis.

- The City continues to operate an ambient air monitoring station for particulate matter at the Armistead Boothe Park in Cameron Station.
- VAP operated in a manner that was satisfactory to the guidelines established in the SUP for the 2010 paving season; however, VAP and the City of Alexandria received a limited number of complaints during this period. Twelve separate complaints were received and investigated by VAP and OEQ this season.
- The City continues to monitor VAP operation and evaluate them against SUP production caps and other limits on a routine basis, as well as, respond to odor complaint in a timely manner. The City continues to operate an ambient air monitoring station for particulate matter at the Armistead Boothe Park in Cameron Station.

2.0 Asphalt Production for 2010

The following table provides a summary of asphalt production for 2010.

Total Annual Production Limit = 980,000 tons	2010 Total Production = 330,841 tons
Night Annual Production Limit = 275,000 tons *work conducted from 8PM-5AM	2010 Night Production = 0 tons *load out only but operations counted against night time caps *no active production at these times
Permitted Number of Nights = 110	2010 Number of Night Shifts = 23 *no active production at these times

2.1 Summary of Asphalt Production from Jan. 1, 2010 – Dec. 31, 2010

Month	Production (tons)	Night Production (tons) **	Number of nights	Quarterly Production (tons)	Quarterly Number of Nights
January	721	0	0	10256	0
February	0	0	0		
March	9535	0	0		
April	20835	0	2	75984	0
May	14460	0	7		
June	40686	0	5		
July	38704	0	6	168253	0
August	71555	0	3		
September	57984	0	0		
October	43077	0	0	76361	0
November	33050	0	0		
December	234	0	0		
Total Actual*	330841	0	23		
Permitted	980,000	275,000	110		

* The underlying data monitored by the City for SUP compliance was reviewed and found to be correct.

** - Night Production is based on any production conducted from 8 PM to 5 AM.

3.0 SUP REQUIRED PROJECTS

3.1 Projects Completed to Date

Several SUP conditions include specific completion dates for pertinent projects and improvements. VAP has completed all of the required capital improvement projects. The final phase of the landscape plan and the final one-third of diesel trucks were replaced and/or completed at the end of 2009. VAP has continued its environmental training for their staff and optimizing the operation.

3.2 Information on Key Completed Projects

Blue Smoke Control for Silos, Load-Out Area, and Conveyors

Plant 1

Blue smoke refers to the color of smoke when asphalt is produced. The blue color results from burning silica present in feed materials, such as, sand and rocks. As hot asphalt, at approximately at 300-350 degrees Fahrenheit, is moved on conveyors from the production area to the storage silos, to the delivery trucks, it releases blue fugitive emissions, i.e., blue smoke. VAP completed the installation of the blue smoke control technology for the Plant 1 silo tops in February 2007. In August of 2007, VAP completed the enclosing and venting of the Plant 1 load-out area. This improvement facilitates further reduction of fugitive emissions. As asphalt drops onto the delivery trucks, any blue smoke is potentially vented to the blue smoke control. In the current year, this process has been evaluated and many adjustments have been made to fine tune the collection of the blue smoke. One major adaptation is the daily monitoring of the magnetic gauges that provide the inspection team a snapshot of the system's overall performance.

Plant 2

VAP completed the second phase of blue smoke control technology at the facility, the enclosure and venting of Plant 2 silo tops, in July 2007. The final phase of the blue smoke control technology consists of enclosing and venting the Plant 2 load-out area to the collecting unit. This improvement has enabled further capture of odors generated when hot mix asphalt falls from Plant 2 silos onto the bed of the delivery trucks. This project was completed on schedule on June 28, 2008 and the city received a confirmation letter shortly afterwards. This blue smoke control is manufactured and serviced by the same company that developed the system for Plant 1. Plant 2 is a much smaller plant and the blue smoke control system is simply a smaller version for the smaller plant. The operation checks and filter maintenance for this system are identical to Plant 1.

Storm Water Management Facility

VAP installed two storm water management facilities (SWMFs) in December 2006 to provide treatment for storm water runoff leaving the VAP facility. The SWMF is located entirely

underground and configured for convenient inspection and maintenance. Routine inspection of the system and auxiliary equipment are a part of the Virginia Paving's Storm Water Pollution Prevention Program. Storm water BMP inspections for both units occurred on March 30, 2010. Inspection consisted of the inspection of existing cartridges and perlite media, and checking sediment build up within the vaults.

A canopy was erected over the equipment fueling station near the facility's office with a bin constructed within the canopy to keep residual spillage at the fuel dispensers confined within the area, and precipitation runoff out. Additional measures, such as, a maintenance agreement has been executed with the City of Alexandria.

The storm filter water maintenance vender provides maintenance and certifies the adequate operation of the storm water filters. VAP maintains a record of operating personnel training on the SWMF and an O&M Manual is onsite as part of the Storm Water Pollution Prevention Plan (SWPPP). Records of inspections can additionally be found at the facility. Documentation of the most recent storm water maintenance is attached.

Landscape Plan

The Virginia Paving's landscape plan was finalized and approved by the City of Alexandria. Installation of landscapes commenced on May 7, 2007. During Phase 1, VAP completed plantings located on the west side of the property and the riparian zone buffer restoration. This area, set between VAP and Backlick Run, was engineered for both soil stability and ecological restoration. It serves as a complement to the storm water runoff treatment system, and it provides a natural bio-filter, protecting Backlick Runs aquatic environment from sedimentation, runoff, and erosion. Phase 1 plantings included a large stand of evergreens which was installed on the adjacent property at Ben Brenman Park to provide enhanced esthetics. Phase 2 plantings are situated on the southwest side of the property along the railroad. This serves as a vegetative buffer for adjacent communities. Phase 3 plantings were completed and placed toward the west portion of the property. These landscape plans will help to screen and buffer VAP facility from Van Dorn Street's perspective. Installation of the final phase of the landscape plan has been approved by Planning and Zoning and is a modification the original plan. The final phase near Van Dorn Street would have required the removal of existing vegetation. The modification keeps much of original growth and prevents erosion of the hillside and allows Virginia Paving to improve the area with natural foliage.

FCC Environmental Oil Recycling Plant

In 2010, FCC Environmental (FCC) continued to take initiatives to improve its recycled oil operation on VAP's property. Specifically, FCC implemented a new vibrating screen, additional controls on the bio-filter area, including venting enclosure through two carbon filtration systems. Additionally, FCC continues to clean all used oil tanks using an innovative high pressure, low-temperature method. FCC Environmental has consistently shared with the City its monthly readings of volatile organic compounds (VOCs) and exiting the carbon filtration system. FCC Environmental, although not onsite 24 hours a day has provided a contact number onsite to respond to complaints with in their operation.

Capital Improvement Projects

VAP has completed all of the required capital improvement projects. The final phase of the landscape plan and the final one-third of diesel trucks were replaced in 2009. VAP has continued its environmental training of their staff and optimizing the operation. Table 2-1 provides a summary of all the projects completed. They have been listed by SUP condition for easy reference to the permit issued in November 2006 and granted an administrative amendment on May 5, 2010.

TABLE 3-1			
Virginia Paving Company, Alexandria, Virginia			
Special Use Permit Compliance Schedule - Projects Completed by December 2010			
SUP Condition	Project Description	SUP Compliance Date	Completion Date
6	Maintain records low-odor additive use	Ongoing	In Compliance
8	Maintain records for recycled oil specifications	Ongoing	In Compliance
9	Maintain records for fuel type used on Code Orange and Code Red days	Ongoing	In Compliance
10	Maintain records on No. 2 oil type and sulfur content	Ongoing	In Compliance
11	Plant 1 – Blue Smoke Control	12/31/06	02/28/07
11	Plant 2 – Fugitive Emission Control System	07/30/07	07/24/07
12	Plant 1 – Low NOx Burner	12/31/07	Installed 4/07
12	Plant 2 – Low NOx Burner	10/30/06	03/14/05
13	Asphalt Storage Tank – Vent Condensers	09/30/06	08/17/06
14	Plant 1 Asphalt Conveyors and Loadout – Fugitive Emissions Capture & Control	09/30/07	08/24/07
14	Plant 2 Asphalt Conveyors and Loadout – Fugitive Emissions Capture & Control	06/30/08	06/28/08
15	Plant 1 - Baghouse Visible Emissions Test	Once per month	In Compliance
15	Plant 2 - Baghouse Visible Emissions Test	Once per month	In Compliance
16	First half of On-Site Trucks & Diesel Engines – 90% Efficient Particle Traps	10/31/06	09/30/2006
16	Second Half of On-Site Trucks & Diesel Engines – 90% Efficient Particle Traps	12/31/06	12/22/2006
16	One-Third of VA Paving Dump Trucks – Replace Trucks	12/31/07	12/31/07
16	One-Third of VA Paving Dump Trucks – Replace Trucks	12/31/08	12/31/08

TABLE 3-1 Virginia Paving Company, Alexandria, Virginia Special Use Permit Compliance Schedule - Projects Completed by December 2010			
SUP Condition	Project Description	SUP Compliance Date	Completion Date
16	One-Third of VA Paving Dump Trucks – Replace Trucks	12/31/09	12/31/09
17	Plant 1 – Increase Stack Height to 20 m	01/31/07	12/20/06
17	Plant 2 – Increase Stack Height to 20 m	01/31/07	12/22/06
18	Hot Oil Heater – Increase Stack Ht to 6 m	10/31/06	01/20/06
19	RAP Crusher – Water Sprays and Drop Enclosures	12/31/06	06/25/05
21	Maintain water spraying and wet vacuuming on paved roads records	Daily	In Compliance
22	Plant 2 Product Shipment (Eastern End of Facility) – Pave Truck Access Area	10/31/06	01/09/06
23	All Material Transfer Points – Water Sprays and Enclosures	12/31/06	12/16/06
24	Submit record of fugitive dust control BMPs	04/30/07	4/30/07
24	Submit record of fugitive dust control BMPs	Every 6 months	In Compliance
25	Plant 1 - Stack Tests (PM2.5, PM10, NOx, SO2, CO) - Test Report	08/31/07 Within 90 days	8/28/07 10/22/07 10/21/08 9/15/10
25	Plant 2 - Stack Tests (PM2.5, PM10, NOx, SO2, CO) - Test Report	08/31/07 Within 90 days	8/28/07 10/22/07 11/12/08
29	Install Storm water Management Facility	12/31/06	12/22/06
30	Storm water BMPs		01/22/07
	- Execute maintenance agreement with City	Not specified	01/25/07
	- Secure maintenance contract with SWMF vendor	Not specified	12/13/06
	- Obtain O&M manual from SWMF vendor	Not specified	6/04/09 7/14/10
31	- Provide maintenance records to City	Once per year	
31	Vegetate buffer between RAP pile and stream	Not Specified	12/22/06
32	On-Site Stream Bank Stabilization	Not Specified	12/04/06
37	Maintain Delivery times, locomotive use, unloading operations, RAP crusher operation	Daily	In Compliance

TABLE 3-1 Virginia Paving Company, Alexandria, Virginia Special Use Permit Compliance Schedule - Projects Completed by December 2010			
SUP Condition	Project Description	SUP Compliance Date	Completion Date
39	All On-Site Trucks & Equipment – Noise Level Sensing Backup Alarms	05/27/07	06/25/06
43	Plant 1 Cylinder Exhaust Port – Noise Reducing Muffler	11/30/06	07/20/06
43	Plant 2 Cylinder Exhaust Port – Noise Reducing Muffler	11/30/06	07/20/06
48	Remove tack deposits, repair pavement	Within 90 days of City notice	In Compliance
51	Replace Locomotive Engine	12/31/09	6/19/09
52	Report of non-operational air pollution control equipment	Immediately	In Compliance
53	Maintain Plant temperature readings of asphalt mix	Daily	In Compliance
54	Baghouses - Report of failures and pressure drops - Notify City of repairs	Within 24 hours Upon completion	In Compliance
55	Maintain all records for 5 years	Daily	In Compliance
56	Provide copies of all correspondence with Virginia DEQ	Not specified	In Compliance
58	Submit monthly report of production data	Within 2 weeks of month end	In Compliance
59	All compliance records - Before completion of all SUP projects (There after on an annual basis)	Starting 3/31/07 Once per quarter - within 30 days after quarter end 12/31/07 (Annually after project completion)	Reports submitted: 1/28/10
60	Facility Inspection - First two years of SUP approval (There after inspections will be at least on an annual basis)	Once per 6 months – starting 11/28/06 (Performed annually after the first two years)	Inspections performed 3/30/10 12/09/10
63	Hold community meetings, i.e., Community Open House	Twice per year - before 06/30 and 12/31 of each year	4/14/10 10/5/10
64	Provide and implement a comprehensive landscape plan	Not specified	9/07
73	Remove parking area from City ROW, or apply for encroachment or vacation	Not specified	On schedule
76	Establish a Virginia Paving Liaison Committee	Not specified	Final Meetings held 4/14/10

4.0 COMMUNITY ISSUES

- The VAP Liaison Committee held its last public meetings on April 14, 2010.
- The 24-hour VAP Complaint Hotline received twelve complaints during this time period. The City received via email and/or telephone notification of these during this time period. All complaints originated in the Cameron Station and Summer's Grove areas. City staff investigations were conducted within hours after notification was received via email/or telephone calls.

Episode # 1: Odor complaint: A complaint was received via email by OEQ concerning odors in the Cameron Station area on the morning of February 20, 2010. This complaint was received and was investigated by city staff. VAP was forwarded a copy of the email. City staff contacted VAP and confirmed that the plant was not operating. The odor was described as burnt toast. City staff performed a follow up inspection that morning and no odors were detected.

Episode # 2: Odor complaint: A complaint was received via email by OEQ concerning asphalt odors in the Cameron Station area on the morning of March 20, 2010. The hotline was not used to log this issue. A follow up inspection was performed and the complainant was interviewed. Complainant was given the VAP hotline number to generate a quicker response. This complaint could not be verified due to the lag that occurred between the alleged episode and the time the complaint was received.

Episode #3: Noise complaint: A complaint was received via the VAP hotline concerning tailgate banging near the Summer's Grove area on the morning of May 11, 2010. This complaint was received and was investigated by VAP personnel. An independent trucking company that was responsible for slamming the tail gates was instantly contacted about the tail gate slamming from the front RAP pile. Furthermore, all returning drivers were reminded by VAP staff (over the course of several hours), not to slam tailgates on the property. The independent company is relatively new to the Alexandria plant and was receptive to the request.

Episode #4: Odor complaint: A complaint was received via the VAP hotline concerning the smell of asphalt in the Summer's Grove area the afternoon of May 24, 2010. The VAP responder did detect the slight odor of asphalt in the area. The plant and FCC were notified but no problems could be found with the operational controls at the plant. Weather conditions were the possible cause of this nuisance.

Episode #5: Odor complaint: A complaint was received via the VAP hotline concerning asphalt odors in the Cameron Station area on the morning of June 18, 2010. This complaint was received and was investigated by VAP personnel and city staff. No asphalt odors were detected in the immediate area. This complaint could not be verified.

Episode #6: Odor complaint: A complaint was received via telephone call to OEQ concerning asphalt odors in the Cameron Station area on the morning of June 27, 2010. The hotline was not used to log this issue. A follow up inspection was performed and the complainant was interviewed. Complainant was given the VAP hotline number to generate a quicker response. This complaint could not be verified due to the lag that occurred between the alleged episode and the time the complaint was received.

Episode #7: Odor complaint: A complaint was received via the VAP hotline concerning asphalt odors in the Cameron Station area on the morning of June 29, 2010. This complaint was received and was investigated by VAP personnel. City staff phoned in the complaint of asphalt odors while operating the Cameron Station monitoring site. City staff performed a follow up inspection immediately after the call to the hotline. The issue was identified and corrected with the addition of Ecosorb into the tankers of asphalt cement.

Episode #8: Odor complaint: A complaint was received via the VAP hotline concerning asphalt odors in the Cameron Station area at 3:20 pm on August 24, 2010. This complainant references the smell of asphalt in the area as he picked up his mail. This complaint was also received and was investigated by city staff. VAP staff noted favorable wind conditions and abnormally high production with lots of asphalt trucks leaving and entered the plant attributed to this odor complaint. VAP has reminded drivers to tarp loads before exiting the plant.

Episode #9: Odor complaint: A complaint was received via telephone call to OEQ concerning asphalt odors in the Cameron Station area on the morning of August 31, 2010. The hotline was not used to log this issue. A follow up inspection was performed and the complainant was interviewed. Complainant called Chris Monahan on a different phone number and left a message. This complaint could not be verified due to the lag that occurred between the alleged episode and the time the complaint was received.

Episode #10: Odor complaint: A complaint was received via the VAP hotline concerning asphalt odors in the Cameron Station area on the morning of September 13, 2010. This complaint was received and was investigated by VAP personnel and city staff. This odor was described as burnt popcorn. During the onsite investigation the odor gradually dissipated on a period of about an hour. This odor did not appear to be generated by VAP.

Episode #11: Noise complaint: A complaint was received via the VAP hotline concerning tailgate banging near the Summer's Grove area on the morning of October 12, 2010. This complaint was received and was investigated by VAP personnel. VAP discovered the gate to the front rap pile damaged by an unknown hauler. VAP installed new gate in the front of the plant to hopefully prevent future noise issues.

Episode #12: Odor complaint: A complaint was received by VAP on a non-manned line on November 17, 2010. The hotline was not used to log this issue. A follow up inspection was performed. The complainant was given the VAP hotline number and urged to report in that manner to generate a quicker response. This complaint could not be verified due to the lag that occurred between the alleged episode and the time the complaint was received.

The City requests that all complaints be called in immediately to the VAP 24-hour Hotline which can then be followed with calls to the City Nuisance Abatement hotline or Julius Holmes (City staff assigned to VAP). It is extremely difficult to investigate and validate complaints too long after the fact. Please share this information with members of the community so that complaints and concerns can be better investigated and resolved. The VA Paving 24-hour complaint hotline number remains the same (703) 906-9918. The City Nuisance Abatement hotline is (703) 836-

0041 and Mr. Holmes' contact information is: (703) 746-4069 office and email address: Julius.holmes@alexandriava.gov

5.0 Key Points of the New State Operating Permit (#NRO-046-10)

VDEQ on February 17, 2010 issued a stationary source permit to modify and operate an asphalt concrete plant located at 5601 Courtney Avenue, Alexandria, Virginia 22304. This amended permit supersedes all other previous permits and conditions.

This new permit resolves the previous Notice of Violation (NOV) issued in January 2008. The NOV was issued to Virginia Paving as a result of plant modifications that required permit review and revisions. In the current permit all modifications have been included in the new state operating permit.

5.1 Key Changes to the Permit are Listed Below:

- The low NOx burner installed on Plant 1 March 14, 2007 has been added to the permit as approved equipment for Plant 1.
- The low NOx burner installed on Plant 2 March 14, 2005 was added to the permit to identify it as an emission control device for nitrogen oxides for plant # 2.
- Hot oil heater (HOH) systems have been upgraded and reflected in the state operating permit. The primary unit (H: 1) has been replaced by a new unit (Gencor-Hy Way model HYTGO-340). The secondary unit (H: 2) was also replaced with a smaller unit (Heatec HC-120) as a backup only for the primary unit. If both natural gas and # 2 fuel oil are used in the heaters the combine total shall not exceed the annual emission limit specified in Condition 21.
- Operating limits for asphalt production have been capped. These production caps now align with the City of Alexandria's SUP production cap that was agreed upon mutually by the City of Alexandria and VAP.
- The limits for the faulty are as following:
 - 1. Plant # 1-810,000 tons per year**
 - 2. Plant # 2-170,000 tons per year**
- Natural gas has been permitted as an approved fuel source in all equipment that is appropriately designed to accommodate this fuel. Upon completion of the natural gas installation Plant 1, Plant 2, and the primary HOH will have the capacity to operate utilizing natural gas as a fuel source.
- VAP is required by Condition 25 to conduct emissions testing for nitrogen oxides when natural gas becomes available as an alternative fuel for the faulty. This series of stack test would then prompt the next SUP required stacking test in 5 years from the date of these tests.
- The City of Alexandria supported the inclusion of PM-2.5 emission limits in the permit for the facility. As a result of this request and supporting evidence the new permit includes revised PM-10 and PM-2.5 emissions limits in the permit for filterable and condensable fractions.

- The current SUP limits the visible emissions from the RAP crusher to 10% opacity. As a result of this request and supporting evidence the new permit includes revised opacity limits. The visible emission limit of 15% that was placed on the RAP crusher has been eliminated and a 10% limit has been placed on the entire RAP plant.

This new permit includes new emissions limits based on the most recent stack test report dated April 30, 2009 and recommendations submitted through public comments and OEQ. The current limits are included below and compared to the previous permit:

LIST OF CONTAMINATES TESTED AND REGULATED IN THE 2006 and 2010	2006 Permit Emissions Limits		2010 Permit Emissions Limits	
	Plant 1 Lb/ton Asphalt dryer	Plant 2 Lb/ton Asphalt dryer	Plant 1 Lb/ton Asphalt dryer	Plant 2 Lb/ton Asphalt dryer
NO2 (recycled fuel oil)	.021	.023	.052	.063
NO2 (natural gas)			.024	.029
CO (recycled fuel oil)	.13	.12	.084	.073
CO (natural gas)			.082	.092
PM2.5			.036	.027
PM10	.023	.023	.036	.029
SO2 (recycled fuel oil)	.058	.058	.034	.034
SO2 (natural gas)			.0034	.0034
VOCs (recycled fuel oil)	.0028	.0021	.020	.020
VOCs (natural gas)			.030	.030
Formaldehyde	2.3 ton/yr		1.52 ton/yr	

6.0 SUP AMENDMENT

Virginia Paving requested an administrative amendment on March 18, 2010 to their SUP (2005-0042) to include natural gas as a fuel source. The SUP amendment was a direct result of the new operating permit issued by VDEQ. The older SUP did not allow the plant to operate using natural gas as a fuel alternative. The change was requested in writing and stated the obvious benefits of using natural gas to fuel the operation of the plant to the greatest extent possible. This issue was brought before the former VAP Liaison Committee. The committee voted unanimously to recommend approval of the use of natural gas as a fuel source for the plant and recommended approval of the change as a minor amendment, an administrative approval under the Zoning Ordinance. The city's Planning and Zoning Office approved these changes and natural gas was included as an additional fuel source in the SUP (SUP2010-00014) on May 12, 2010. Currently VAP is waiting for the final installation phase to be completed by Washington Gas.

As a result of the satisfactory compliance with the SUP, Condition 59 and Condition 60 have been placed on any annual schedule per the original SUP requirements. Condition 59 refers to compliance records submitted to the City Of Alexandria that will be done annually moving forward and Condition 60 refers to Comprehensive Multi-departmental inspection that will be conducted at a minimum annually moving forward.

7.0 STACK TEST AND OPACITY SUMMARY FOR 2010

As required by the plant's Sup, VAP is tasked with performing performance test at on Plant 1 and Plant 2 at regular intervals. The most recent of these was conducted on September 15, 2010 on Plant 1. The test perimeters were established to determine continued compliance with the Particulate Matter Emission Limits using EPA Method 5. After a review of the stack test results, the test results show that the facility is in compliance with the City of Alexandria SUP emission limits. VAP also conducted additional opacity compliance testing determination for visible emissions on the RAP plant. This test was conducted to show compliance with the lower visible opacity limits in the current VDEQ permit. This test was conducted on July 16, 2010 and the results supplied to the City of Alexandria on July 21, 2010. The current VDEQ limits for opacity reflect the SUP opacity limits established in the 2005 SUP.

8.0 AMBIENT AIR QUALITY MONITORING

The City of Alexandria began routinely monitoring ambient air for particulate matter in 2006 at a new monitoring station located at Armistead Boothe Park, near the Samuel Tucker Elementary School in Cameron Station. Monitoring is being conducted to measure the ambient air concentrations of particulate matter less than 10 microns in diameter (PM10) in the surrounding Cameron Station monitor. This section of the report presents brief background information for this project, the analytical protocols used, and the monitoring results. Lastly, this report discusses the relevant findings.

8.1 Background

Residents near the VAP facility have expressed concerns about the health effects from potential exposure to particulate matter in their community. Specifically, the residents have raised concerns about emissions generated at the VAP hot mix asphalt facility. This facility is located near residential areas at Cameron Station and Summer’s Grove.

To address these concerns, the City conducted a short-term monitoring study in August of 2004. Two monitors were used for the study, one located at the Armistead Boothe Park and the other at the Ben Brenman Park. The study was designed to monitor PM-10 levels on days when its levels were anticipated to be the highest, based on engineering best practice analysis of weather conditions and predicted wind direction. Monitoring on days when rainfall was predicted was avoided. The results from this short monitoring period in 2004 met the national ambient air quality. However, because they were higher than expected, the City installed a new long term monitoring station to measure PM-10 at Armistead Boothe Park, near the Samuel Tucker Elementary School. This brief report presents the data collected at this newly established monitoring station since its inception, i.e. June 4, 2006.

8.2 Monitoring Results

For the purpose of demonstrating compliance with NAAQS, SUP Condition 28a states that: The City shall continue operating the PM-10 monitor at Tucker School until three years of valid data have been collected. Once three years of data is collected, the City shall determine the 98th percentile of this data, per the NAAQS, and then multiply that value by 75%, to impute a 98th percentile value for PM-2.5. As a result, the City of Alexandria consulted with Mactec Engineering and Consulting to tabulate the data collected at the Cameron Station PM10 site, which was established in June 2006. A full 36 months of data have been collected at this time and the representative data collected resulted in the following values:

24-Hour monitoring design value	= 33.9 ug/m3
24-Hour NAAQS	= 35 ug/m3
Annual monitoring design value	= 14.3 ug/m3
Annual NAAQS	= 15 ug/m3

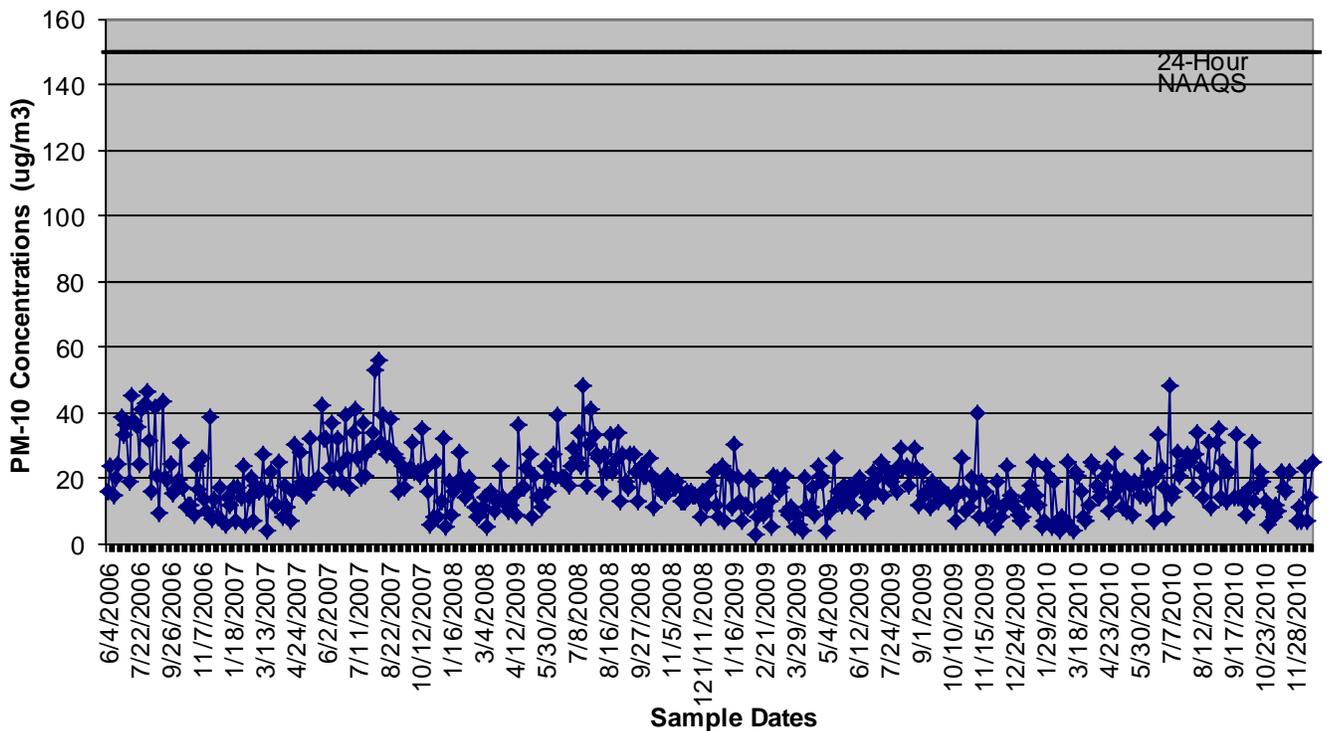
Table 8-1, summarizes the PM-10 monitoring data for 2010, showing the number of samples collected and the maximum values for each of the quarter in the year.

Table 8-1: Summary of PM10 Monitoring Results* Armistead Boothe Park Station			
2010 Quarter	Maximum Value ug/m3	Number of Samples	Arithmetic Mean ug/m3
1 st Quarterly Totals	25	26	12.54
2 nd Quarterly Totals	33	30	18.07
3 rd Quarterly Totals	48	29	22.38
4 th Quarterly Totals	31	25	14.92

2010 Annual Totals*		110	17.18
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*Information contained in this table is the most recently obtained from VDEQ (12/31/10)

The following graphic summarizes the PM-10 monitoring results for the long-term monitoring station located at Boothe Park near the Samuel Tucker School. Monitoring at this location started in June of 2006. The 24-hour average PM-10 concentrations are compared to the EPA-specified National Ambient Air Quality Standard (NAAQS) of 150 $\mu\text{g}/\text{m}^3$. A comparison of the monitoring results with the NAAQS shows that the ambient PM10 concentrations at Cameron Station are below the NAAQS, as depicted in the chart below. As expected, the results show considerable day-to-day variability.



Appendices



NRO-045-10

COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY
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February 17, 2010

DEQ's Response to Public Comments
Received December 10, 2009
Concerning draft minor New Source Review Permit for
Virginia Paving Company's Alexandria Plant

Response to Comments Submitted by the City of Alexandria on 12/10/2009.

Emission Limits

Issue 1. Asphalt Dryers - The SUP requires the asphalt Plants 1 and 2 to meet a PM limit of 0.03 gr/dscf and demonstrate compliance via stack tests once every two years. The current limit in the draft permit should be lowered from 0.04 gr/dscf to 0.03 gr/dscf and the above stack test frequency should be specified. (VDEQ Conditions 18 and 29)

Response - The basis for the 0.03 gr/dscf particulate matter emission limit in the SUP is not provided. The Department of Environmental Quality (DEQ) permit limit of 0.04 gr/dscf is the federal standard given in 40 CFR, Part 80 (NSPS), subpart I, Performance Standards for Hot Mix Asphalt Facilities, which must be met by all asphalt plants. The limits in Condition 17 are more stringent and are based on the 2008 stack test results. DEQ does not require multiple tests in permits for asphalt plants or other minor sources unless there is a problem with the initial test or they exceed the emission limits. If there is reason to believe that emission limits are being exceeded, the Regulations authorize the DEQ to require further tests to be conducted to demonstrate compliance. The initial stack tests are required by the permit for the source to demonstrate that the emission unit and its emissions controls can operate in compliance with the issued permit.

Issue 2. Asphalt Dryers - Alexandria recognizes and supports the inclusion of PM-2.5 emission limits in the permit for the facility. PM-2.5 is a criteria pollutant regulated under both EPA and VDEQ regulations; therefore, emission limits for this pollutant should be specified. Control of PM-2.5 emissions is also critical from this source given the history of PM-2.5 nonattainment in the Metropolitan Washington area that includes Alexandria. In addition, Alexandria also supports the inclusion of both filterable and condensable portion of PM-10 and PM-2.5 emissions in the limits. (VDEQ Conditions 17, 19 and 20)

Response - The City of Alexandria requested, in their comments on the 2008 draft minor New Source Review (NSR), that PM_{2.5} emission limits be placed in the permit. The revised PM₁₀ and PM_{2.5} emission limits in the permit reflect filterable as well as the condensable fraction.

Issue 3. Asphalt Dryers - The facility's current permit specifies a tons/year limit on the emissions of quinone from Plants 1 and 2, while draft permit issued by VDEQ does not specify any quinone limit. Quinone (SIC 108-51-4) is a hazardous air pollutant ("HAP") regulated under the Clean Air Act, Section 112, and Alexandria requests that an emissions limit for quinone be specified in the permit. (VDEQ Condition 19)

Response - Initially, emissions of formaldehyde, quinone and acrolein were calculated to be above the exemption rates under the State Air Pollution Control Boards (Board) Regulations for the Control and Abatement of Air Pollution (Regulations) for toxic pollutants, but simple screen modeling showed them to be below the Significant Ambient Air Concentration (SAAC) levels. Formaldehyde and quinone were listed in the permit since their emissions exceeded 0.5 tons per year. The quinone limit in the previous permit was at 1.2 tons per year, which was found later to be actually 0.12 tons per year. With the reduction in asphalt throughput limit, it is now estimated to be 0.08 tons per year and therefore below the DEQ's policy for inclusion in a permit as an emission limit. In addition, EPA made a determination published in February 12, 2002, federal register that asphalt concrete manufacturing is not a major source category for hazardous air pollutant emissions. Accordingly, DEQ may also consider them exempt from the state toxics regulatory requirements.

Issue 4. Asphalt Heaters - Alexandria supports the inclusion of emission factor-based limits in the permit for the asphalt heaters and the requirement to use these limits in calculating annual emission for compliance purposes. These limits appear to be from EPA's AP-42 document. For natural gas, the limits should clarify the emission units as being "lb/million scf" instead of "lb/million cu. ft." For distillate fuel oil, the SO₂ emission limit appears to be based on 0.5% sulfur content in oil. This limit should be revised to reflect the facility's SUP limit of 0.05% sulfur in distillate oil. This is further discussed in another comment below. (VDEQ Condition 20)

Response - The City of Alexandria's request to adjust the units for natural gas emission factors to "lbs/million scf" have been accommodated in the updated draft minor NSR permit. The change in the distillate fuel oil sulfur content was not requested by the

source and is not required for the burner modification. As long as Virginia Paving Company complies with the City of Alexandria Special Use Permit (SUP) limit of 0.05% sulfur fuel, it will be in compliance with DEQ limit of 0.5%.

Issue 5. Asphalt Heaters - While the draft permit specifies the emission factors for several criteria pollutants from the asphalt heaters, the annual limits are only specified for three of these pollutants, NO_x, CO and SO₂. Annual limits should also be specified for VOC, PM-10 and PM-2.5. The facility's current permit specifies a tons/year limit on the emissions of PM-10 from the asphalt heaters. Based on the short term emission rates and the fuel limits listed in the draft permit, Alexandria calculates the VOC, PM-10 and PM-2.5 emissions from the asphalt heaters to be 0.05, 0.14, and 0.13 tons/year, respectively. Alexandria requests that these limits be specified in the permit. (VDEQ Condition 21)

Response - By agency policy, DEQ does not include annual emission limits for criteria pollutants that are less than 0.5 tons per year.

Issue 6. RAP Crusher - The SUP limits the visible emissions from the RAP crusher to 10% opacity. The current limit in the draft permit should be lowered from 15% opacity to 10% opacity. (VDEQ Condition 23)

Response - The visible emission limit of 15% that was placed on the Recycled Asphalt Pavement (RAP) crusher has been eliminated and a 10% limit has been placed on the entire RAP processing plant.

Production Limitations

Issue 7. Asphalt Production - The facility operates under a combined asphalt production limit of 1,000 tons/hour from Plants 1 and 2. The draft permit only limits Plant 2 production to 310 tons/hour. The Plant 1 production should also be limited to its rated capacity of 600 tons/hour. In addition, the daily production at the facility is limited to 8,000 tons/day, which should also be specified in the permit. (VDEQ Condition 8)

Response - Hourly or daily plant production limits are unnecessary as the short term emission limits listed in the permit are based on hourly production rates. The production for Plant 2 was limited to 310 tons per hour. The limitation was placed on Plant 2 because during stack testing the plant was unable to achieve a production rate of at least 80% of the maximum rated capacity for this plant.

Issue 8. Asphalt Production - The daily asphalt production from the facility is limited on days when air quality is poor (per City SUP) as follows: 4,000 tons/day on any day for which the Air Quality Index ("AQI") is forecast from 150 to 200 (Code Red) and no production on any day when AQI is forecast greater than 200 (Codes Purple and Maroon). For purposes of this requirement, the AQI forecast is as identified on the

Metropolitan Washington Council of Governments ("MWCOC") website. These restrictions should be specified in the permit.

Response - DEQ permits for asphalt plants or other stationary sources do not specify an operational restriction based on forecast Air Quality Index (AQI) measures. Chapter 70 of the Regulations, Air Pollution Episode Prevention, specifies procedures that must be followed in case of "air pollution episodes", which are not the same as the Air Quality Index used in the Washington D.C. metropolitan statistical area non-attainment region. They are declared by the Air Pollution Control Board and the Governor, in case of emergencies.

Issue 9. Asphalt Production - The asphalt production from the facility is limited to a maximum of 110 nighttime shifts per year, 4,000 tons of asphalt production in any one nighttime shift, and 275,000 tons of annual nighttime production. For purposes of this requirement, nighttime is defined as any production between the hours of 8:00 pm and 5:00 am. These nighttime requirements should be specified in the permit.

Response - The DEQ has no regulatory basis for limiting the production of this stationary source during any particular time of day. As long as the stationary source operates in such a manner that does not cause it to exceed its short term and annual emission limits then the facility is considered to be in compliance.

Operating Restrictions

Issue 10. Asphalt Heaters - At any given time, the facility is restricted to operating only one of the two asphalt heaters under City's SUP. The permit should reflect this operational requirement.

Response - There is no significant difference in emissions from using one or the other heater, which are small. As long as the fuel throughput and emissions limits are met, DEQ does not believe such a restriction is necessary. However, based on their application, we understand that one heater will be used with the other as backup.

Fuel Limitations

Issue 11. Fuel Specification (Distillate Oil) - The No. 2 fuel oil used at the facility is required by the SUP to be the same as is approved for on-road diesel vehicles and is limited to a sulfur content of 0.05% by weight. This restriction should be specified in the permit and the sulfur content in the draft permit should be lowered from 0.5% to 0.05%. In addition,

this change in sulfur content should be reflected in the calculation of hourly SO₂ emissions from the asphalt heaters. (VDEQ Conditions 10 and 20)

Response - DEQ does not consider changing the fuel requirements in the permit to be an appropriate condition for allowing installation of the low NOx burner, unless it is required for the burner to operate properly, or the source voluntarily requests DEQ to place such a condition in their permit.

Issue 12. Fuel Specification (Recycled Oil) - The recycled fuel oil used at the facility limited by the SUP to more stringent fuel specifications for the following constituents. The corresponding specifications in the draft permit should be lowered to the following limits. (VDEQ Condition 10)

Arsenic	3 ppm
Chromium	7 ppm
Lead	50 ppm
PCB	2 ppm

Response - DEQ does not consider changing the fuel requirements in the permit to be an appropriate restriction to add for installation of the low NOx burner. Also, we are uncertain about the source of the more restrictive specifications. The limits in the permit are based on EPA specification for used oil given in 40 CFR Part 279, section 279.11, which exempts used oil from Part 279 requirements, if they are below the allowable levels listed. In the case of PCBs, reference is made to 40 CFR 761.20(e), which places restrictions on burning used oil at greater than quantifiable level of PCBs (2 ppm) but also the disposal restrictions are specified when the PCB content exceeds 50 ppm. DEQ currently requires that PCBs not exceed 49 ppm for burning used oil at asphalt plants. Unless the source agrees to the changes, or justification is provided for changing the used oil specifications that are based on federal regulations, the limits specified in the permit will remain.

Issue 13. Fuel Throughput - The No. 2 oil usage in the asphalt storage tank heaters is limited by the SUP to 100,000 gallons per year. The corresponding throughput limit in the draft permit should be lowered from 120,000 gallons per year to 100,000 gallons per year. (VDEQ Condition 13)

Response - The fuel throughput limit was reduced from 200,000 gallons per year in the earlier permit to 120,000 gallons per year when application was initially submitted by Virginia Paving Company. They did not request a further reduction to 100,000 gallons per year. It might be just an oversight but it would have little impact on the facility emissions. Also, DEQ has set a natural gas throughput limit on the heaters to 16.6 million cubic feet, which is equivalent to 120,000 gallons of distillate oil. Reducing the fuel oil could likewise lower the natural gas throughput limit. Therefore, DEQ chooses to leave the minor difference in place, until the source requests a change possibly at a later date or next revision of their permit.

Issue 14. Fuel Restriction - The use of recycled fuel oil in Plants 1 and 2 is prohibited on days when the AQI is forecast to be greater than 100 (Code Orange or worse). This requirement should be specified in the permit.

Response - DEQ permits for asphalt plants or other stationary sources do not specify an operational restriction based on forecast Air Quality Index (AQI) measures. Chapter 70 of the Regulations, Air Pollution Episode Prevention, specifies procedures that must be followed in case of "air pollution episodes", which are not the same as the Air Quality Index used in the Washington D.C. metropolitan statistical area non-attainment region. They are declared by the Air Pollution Control Board and the Governor, in case of emergencies.

Emission Controls

Issue 15. Emission Controls (NOx) - Both the asphalt Plants 1 and 2 at the facility operated with low-NOx burners ("LNB"). However, the draft permit only specifies the LNB requirement for Plant 2. The permit must reflect the LNB requirement for Plant 2 as well. (VDEQ Condition 2)

Response - The DEQ does not have information on file regarding a burner upgrade to Plant 2. Based on the recent stack test results, the NOx emission rate for Plant 2, in term of pounds per ton of asphalt, was higher than for Plant 1, but the emission rate was lower than the manufacturer's data on its older standard burner. Virginia Paving Company has agreed to add the "low NOx" designation for its Plant 2 burner with the understanding that compliance will be based on meeting the proposed emission limits, as stated in Condition 17.

Issue 16. Emission Controls (PM) - The facility has installed a six stage filtration system, referred to as "Blue Smoke Control," on the asphalt silos for both Plants 1 and 2. As required by the SUP, Virginia Paving Company has demonstrated that the system achieves 99% control efficiency for PM emissions. The draft permit should be revised to reflect this pollution control requirement. The permit should also require that the pressure drop across the filtration unit be monitored in the same manner as required for each fabric filter baghouse for Plants 1 and 2.

Response - Since the DEQ did not require the installation of the "Blue Smoke Control" device and the owner/operator of the facility did not request that this "air pollution control device" be included in the permit, it would be improper to place any operating restrictions on this device in the permit. It should be noted that the plant modification that triggered the permit amendment is for the replacement of the burner on Plant 1 and therefore Best Available Control Technology emission limits as well as operating limits are based on that modification.

Issue 17. Emission Controls (Asphalt Storage Tanks) - The facility should be required to maintain the carbon system to control asphalt storage tank emissions.

Response - DEQ currently does not require such fugitive VOC emission controls on liquid asphalt storage tanks for any asphalt plants in the region. There is a minor source permit exemption given in Article 6 of the Regulations under 9 VAC 5-80-1320 B.8., which exempts such tanks under 40,000 gallons capacity storing petroleum liquids of less than 1.5 pounds per square inch absolute pressure, such as fuel oils and liquid asphalt. In addition, our existing source regulations on Emission Standards for Petroleum Liquid Storage and Transfer Operations (Rule 4-37) as well as Emission Standards for Volatile Organic Compound Storage and Transfer Operations (Rule 4-25) are not applicable to petroleum liquids or compounds with vapor pressure less than 1.5 pounds per square inch absolute under actual storage conditions, or in the case of filling, under actual filling conditions. Liquid asphalt is considered to have a lower vapor pressure. Therefore the storage tank operations are considered exempt from new and existing source Regulations.

Issue 18. Emission Controls (Fugitive) - The facility has installed fugitive emissions control systems to capture fugitive emissions from the hot mix asphalt conveyors and load out and route them to the six-stage filtration (Blue Smoke Control) units. This should be reflected in the permit.

Response - Since the DEQ did not require the installation of the "Blue Smoke Control" device and the owner/operator of the facility did not request that this "air pollution control device" be included in the permit, it would be improper to place any operating restrictions on this device in the permit. It should be noted that the plant modification that triggered the permit amendment is for the replacement of the burner on Plant 1 and therefore Best Available Control Technology emission limits as well as operating limits are based on that modification.

Issue 19. Emission Controls (Fugitive) - For the Recycled Asphalt Pavement ("RAP") crusher, the SUP requires the facility to install enclosures at conveyor drop points. This requirement should be reflected in the permit. (VDEQ Condition 5)

Response - The RAP processing facility has not been modified and therefore there is no regulatory authority by which to require additional air pollution control restrictions on this part of the facility. However, DEQ has agreed to a 10% opacity limit for the RAP processing plant equipment, whether achieved by using wet suppression or enclosures.

Issue 20. Emission Controls (Fugitive Dust) - The facility is required by the SUP to spray water at least twice daily on all paved roads, and wet-vacuum the paved roads at least once daily. This requirement should be reflected in the permit. (VDEQ Condition 5)

Response - The permit has a condition on fugitive dust that provides general guidance for the facility to follow to minimize fugitive dust emissions. The permit requirement is common to all asphalt and other mineral processing plants.

Compliance Demonstration

Issue 21. Stack Tests - The facility is required to conduct stack tests for PM-2.5, PM-10, NO_x, SO₂ and CO initially every two years, i.e. once prior to August 31, 2008 and once prior to August 31, 2010, and thereafter once every five years. For PM emissions from the asphalt dryers, the facility is required to conduct stack tests every two years. This test frequency should be reflected in the permit. (VDEQ Condition 29)

Response - DEQ does not require multiple tests in permits for asphalt plants or other minor sources unless there is a problem with the initial test or they exceed the emission limits. If there is reason to believe that emission limits are being exceeded, the Regulations authorize the DEQ to require further tests to be conducted to demonstrate compliance. The initial stack tests are required by the permit for the source to demonstrate that the plant and its emissions controls can operate in compliance with the issued permit.

Issue 22. Visible Emissions Monitoring - The facility is required by the SUP to conduct visible emissions monitoring for each asphalt dryer baghouse on a monthly basis. This monthly schedule should be reflected in the permit. (VDEQ Condition 30)

Response - Such requirements are typically placed on major sources subject to Title V permit, where EPA requires some type of periodic monitoring. Visible emission observations have been accepted in some cases for such monitoring. However, for minor sources such as asphalt plants, it is not considered justified.

Response to "Objections to the Proposed Permit" submitted by Mr. Richard Ward

Specific Objections to the Proposed Permit

Issue - Condition 7: The condition fails to protect health and safety of nearby residents. A production level of 980,000 tons/year is extraordinarily high, and perhaps unprecedented in the Commonwealth of Virginia. It is noted that the permit fails to set limits for emissions from other sources, including, but not limited to, emissions from diesel-burning trucks, a diesel-burning train, diesel-burning heavy equipment, passive emissions, and particulate emissions from an on-site asphalt (RAP) crusher.

Response to Issue - Condition 7:

The production limit for the facility has been lowered from total 1.5 million tons per year in their previous permit of July 20, 2006, to 980,000 tons per year, which matches the limit set in the Special Use Permit issued by the City of Alexandria. The DEQ does not make throughput comparisons with other facilities but evaluates permit applications based on potential emissions, evaluation of control technology, federal and state regulations and standards, including compliance with the National Ambient Air Quality Standards that are intended to protect public health and welfare. The DEQ issues permits primarily to stationary emission sources subject to the Regulations for the Control and Abatement of Air Pollution (Regulations). The Regulations include some general rules for Mobile Sources, as stated in Article 41 (Rule 4-41). However, it exempts emissions from diesel locomotives; exempting other diesel-powered mobile sources also, except for general visible emission limit of 20% opacity. Permit Condition 5 addresses fugitive dust emission controls, including that of RAP crusher, as well as haul roads and traffic areas controlled by wet suppression. Fugitive emissions of volatile organic compounds are also to be minimized by avoiding spillage, improper disposal, evaporation and taking reasonable precautions including proper operation and maintenance of the equipment. The RAP processing plant is subject to visible emission limit given in Condition 23, as stated in the federal New Source Performance Standards (NSPS) for nonmetallic mineral processing plants, 40 CFR Part 60, subpart 000.

Issue - Condition 8: The condition fails to protect health and safety of nearby residents, and the region in general. High chloride waste oil (recycled fuel oil) use in a counterflow facility results in dioxin production which is many times higher than such a facility using virgin oil or natural gas. Waste oil also contains heavy metals, which may affect students in an adjacent school. Suggest requirement for use of natural gas for reduction of dioxin levels, as well as levels of other emissions, e.g., sulfur oxides. Virgin oil may be used on an interim basis if natural gas is unavailable. I further object to the use of waste oil, as testing did not use a "worst case" waste oil, nor was a "worst case" production situation used during testing. For example, Virginia Paving on occasion runs "exotic" hot mix blends for various clients, which increase emissions, especially noxious emissions, owing to high temperatures and/or contents of the hot mix.

Condition 10: The condition fails to protect health and safety of nearby residents, and the region in general. See comments for condition 8, which is incorporated herein in their entirety by reference.

Response to Issue - Conditions 8 and 10:

The recycled/used oil for the facility is restricted to "on specification" used oil. The fuel must meet the EPA specification for used oil given in 40 CFR Part 279, section 279.11, which exempts used oil from Part 279 requirements, if contents are below the allowable levels listed. The EPA reference document AP-42, Section 11.1 for Hot Mix Asphalt Plants provides criteria and "organic" pollutant emission factors for "waste oil" as well as distillate oil and natural gas, since they are commonly used in asphalt plants. Distillate and waste or used oil are given many of the same emission factors, including for dioxins and furans, which are very small (10^{-10} lbs/ton). The facility emissions were previously modeled and found to be in compliance with all regulatory standards; and with dioxin concentration below background levels. Other "organic" or toxics emissions were found to be below our state Regulations on toxics exemption rates, except for formaldehyde, quinone and acrolein. However, simple screening modeling showed them to be below the Significant Ambient Air Concentration (SAAC) levels. Formaldehyde, quinone, and polycyclic aromatic compounds (PAH) were listed in the permit since their emissions exceeded 0.5 tons per year. The quinone limit in the previous permit was at 1.2 tons per year, which was found later to be actually 0.1 tons per year. With the reduction in asphalt throughput limit, it is now estimated to be 0.08 tons per year. At such low emission levels, DEQ has determined that it does not need to be listed in the permit. PAH is at 0.43 tons per year but remains in the permit. Furthermore, EPA published a determination in February 12, 2002, federal register that asphalt concrete manufacturing is not a major source category for hazardous air pollutant emissions. Accordingly, DEQ may also consider them exempt from the state toxics regulatory requirements.

Response to Issue - Condition 10:

As stated above, the facility operation with recycled/used oil has not changed, but may be lower since it is no longer used in the asphalt heaters and the production limits are lower. Emissions may be higher with recycled/used oil as compared to natural gas, but the fuel must meet EPA specifications as based on supplier certifications or by testing, if required. The facility emissions were previously modeled and found to be in compliance with all regulatory standards; and with dioxin concentration below background levels. The U.S. EPA has not set a standard for toxics emissions from asphalt plant operation, with or without used oil, as they are not considered major sources of toxics emissions.

Issue - Conditions 17- 21: Emissions limits are objectionable to the extent that they result in increased hourly and/or yearly emissions over previous permits, including, but not limited to, the permit issued in 2005. Likely violation of Clean Air Act (results in violation of NAAQS), owing to low wind conditions in Eisenhower Valley (e.g., falling below 0.7 m/s for 8 hour periods, as evidenced by a recently installed Weatherbug station), as well as the channelling of emissions by nearby structures. Suggest setting emissions limits in accordance with a model which more accurately calculates pollution concentrations during low wind speed events, e.g., CALPUFF. Prior modeling efforts by Virginia Paving disregarded any windspeeds lower than 2 m/s. Also suggest setting emissions levels lower than, or equivalent to, those set in the 2005 State Operating Permit. Also suggest setting sulfur oxide emission levels at or below that demonstrated during the 2007 stack test.

Issue - Condition 18: Fails to adequately protect health and safety of nearby residents. Possible violation of Clean Air Act (results in violation of NAAQS), owing to low wind conditions in Eisenhower Valley (e.g., falling below 0.7 m/s for 8 hour periods, recorded as zero wind, as evidenced by a recently installed Weatherbug station). Sulfur dioxide emission factors are not based on 2007 stack tests, as stated in the condition. Suggest setting emissions limits in accordance with a model which more accurately calculates pollution concentrations during low wind speed events, e.g., CALPUFF. Prior modeling efforts by Virginia Paving disregarded any windspeeds lower than 2 m/s. Also suggest setting emissions levels lower than, or equivalent to, those set in the 2005 State Operating Permit. Also suggest setting sulfur oxide emission levels at or below that demonstrated during the 2007 stack test.

Response to Issue - Condition 17- 21, Including Condition 18:

The hourly and annual emission limits have been adjusted in the latest draft permit to reflect more realistic emission levels based on the result of extensive stack testing conducted in October and November 2008. It should be noted that emission levels set in the 2/17/05 permit and amended in 07/20/06 were based on stack test results that were flawed. The proposed permit corrects the previous errors as well as allows for the modification of Plant #1 from installing a low NOx burner. The revised emission limits are now based on the stack test results of each plant utilizing recycled/used oil as fuel and operating at full load conditions. They represent the facility maximum emission values that shall not be exceeded.

An air quality modeling analysis was required by the City of Alexandria on Virginia Paving Company as part of their Special Use Permit (SUP). It was conducted by Cambridge Environmental, Inc., a consultant hired by Virginia Paving Company to demonstrate the facility neither caused nor contributed to a modeled exceedance of the national ambient air quality standards (NAAQS) using EPA approved models and procedures, as well as the state toxics rule. The consultant to the City of Alexandria provided the meteorological data assumed to be representative of the area, as input for EPA approved AERMOD model. According to the EPA Guideline on Air Quality Models, 40 CFR Part 51, Appendix W, Section A.4, CALPUFF is another EPA approved model considered appropriate for long range transport of emissions but may be used also on a case-by-case basis for certain applications, such as for complex meteorological conditions. AERMOD model is recommended for regulatory use with applications of point, volume, and area sources; rural or urban areas; simple and complex terrain; transport distances up to 50 km; 1-hour to annual averaging times; and continuous toxic air emissions. Regarding your observation of low wind conditions, the EPA Guidance in section 8.3 states that "AERMOD, while fundamentally a steady-state Gaussian plume model, contains algorithms for dealing with low wind speed (near calm) conditions. As a result, AERMOD can produce model estimates for conditions when the wind speed may be less than 1 m/s, but still greater than the instrument threshold." The issue was also addressed in August 2006 meeting and follow-up memo from Cambridge Environmental, Inc. Since the modeling was conducted using EPA guidelines with an approved model, which was reviewed and approved by the City of Alexandria and its consultant, there is no reason for DEQ to doubt the validity of the results.

Regarding the "Weatherbug" station, you did not identify its location and we do not know about their instrumentation, accuracy, calibration schedule and whether it can provide

sufficient data for modeling purposes. According to the EPA Guideline, section B.3, "Meteorological Input Data", the meteorological data must be representative on spatial and climatological basis and also characterize the transport and dispersion conditions in the area of concern. The model input data are normally obtained either from the National Weather Service or as part of a site specific measurement program. The document also recommends that "five years of representative meteorological data should be used when estimating concentrations with an air quality model." "The meteorological data should be adequately representative, and may be site specific or from a nearby NWS station." "The use of 5 years of NWS meteorological data or at least 1 year of site specific data is required." Such data should be subject to the quality assurance procedures given in the EPA guidance that "provides recommendations on the collection and use of site specific meteorological data" as well as "data recording, processing, completeness requirements, reporting, and archiving". Based on the various requirements listed in the EPA Guidance document, the DEQ staff is uncertain that the data from the new Weatherbug station will adequately meet them.

Regarding the sulfur oxide emissions, the limits were set with consideration of stack test results, dryer manufacturer data, and EPA reference document AP-42. Sulfur dioxide emissions result from oxidation of fuel sulfur content through combustion in the dryer. The EPA document AP-42 also states that "50 percent of the fuel-bound sulfur, up to a maximum (as SO₂) of 0.1 lbs/ton of product, is expected to be retained in the product with the remainder emitted as SO₂." The facility conducted fuel sulfur analysis to obtain average sulfur content that correlate with their SO₂ stack test results. The DEQ staff adjusted the values up to the permit allowable limit of 0.5% sulfur content.

General Objections

- 1) The permit is generally objectionable as a synthetic minor permit because it fails to constrain all emission sources.
- 2) The permit is generally objectionable because it is based on data which is not collected during a worst-case scenario, e.g., cold conditions, wet aggregate, etc.
- 3) The permit is generally objectionable as a synthetic minor permit because it fails to put constraints on operations which are more extreme than those tested. For example, it does not require the facility to conduct operations at under 300 °F, it does not require the facility to only operate on hot dry August days (when the tests were conducted), and it does not require the facility to use only a 25% RAP mixture which is non-exotic (e.g., does not contain VOC emitting rubber components) in nature. In other words, if a plant is tested under a best-case condition, its operation should be constrained to that best-case condition, or else the facility can not be assured to be a "synthetic minor" facility.

Response to General Objections –

- 1) All point source emissions at the facility that are subject to the Regulations are constrained by the proposed permit, which consist of the two hot mix asphalt plants, the two asphalt heaters, and the RAP processing plant.

- 2) The permit emission limits are based on the results of stack testing conducted with the plants operating near maximum operating levels and using the worst case fuel (being recycled/used oil).
- 3) The DEQ believes that the testing was conducted properly using typical materials and products used in the plants running at near full capacity, to produce asphalt concrete for its customers. The DEQ staff observed all testing, including analysis of the recycled/used oil with samples taken by DEQ for independent analysis at the state Consolidated Laboratories. The RAP content was kept high at 25% in order to allow for worst case operations, since RAP is old pavement that includes old asphalt (organics) as well as aggregates and possibly embedded impurities. The DEQ does not restrict any asphalt plant operation based on product qualities or its temperature, whether above or below 300 °F. The company produces hot mix asphalt for various clients, including highway departments. They must meet stringent standards for application to roadways and their products tested for acceptance by the clients.



APPENDIX 2

NRO-048-10

COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY
NORTHERN REGIONAL OFFICE

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www.deq.virginia.gov

David K. Payne
Director

Thomas A. Faha
Regional Director

February 17, 2010

Mr. David M. Horton
Plant Manager
Virginia Paving Company
5601 Courtney Avenue
Alexandria, Virginia 22304

Registration No.: 70579

Dear Mr. Horton:

Attached is a minor new source review permit to modify and operate an asphalt concrete plant located in Alexandria in accordance with the provisions of the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution (Regulations). This amended permit supersedes your permit dated July 20, 2008. This permit contains legally enforceable conditions. Failure to comply may result in a Notice of Violation and/or civil charges. Please read all permit conditions carefully.

The Department of Environmental Quality (DEQ) deemed the application complete on August 5, 2009, and has determined that the application meets the requirements for modification of a stationary source, as stated in 9 VAC 5-80-1100. The Department solicited written public comments by placing a newspaper advertisement in the Alexandria Gazette Packet on November 5, 2009. The required comment period, provided by 9 VAC 5-80-1170 D, expired on December 10, 2009. A public hearing was held on December 10, 2009.

This permit approval to modify and operate shall not relieve Virginia Paving Company of the responsibility to comply with all other local, state, and federal permit regulations.

The Board's Regulations as contained in Title 9 of the Virginia Administrative Code 5-170-200 provide that you may request a formal hearing from this case decision by filing a petition with the Board within thirty days after this case decision notice was mailed or delivered to you. 9 VAC 5-170-200 provides that you may request direct consideration of the decision by the Board if the Director of the DEQ made the decision. Please consult the relevant regulations for additional requirements for such requests.

Mr. David M. Horton
Virginia Paving Company
February 17, 2010
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As provided by Rule 2A:2 of the Supreme Court of Virginia, you have thirty days from the date you actually received this permit or the date on which it was mailed to you, whichever occurred first, within which to initiate an appeal of this decision by filing a Notice of Appeal with:

David K. Paylor, Director
Department of Environmental Quality
P. O. Box 1105
Richmond, VA 23218

If this permit was delivered to you by mail, three days are added to the thirty-day period in which to file an appeal. Please refer to Part Two A of the Rules of the Supreme Court of Virginia for information on the required content of the Notice of Appeal and for additional requirements governing appeals from decisions of administrative agencies.

A copy of the results of performance test required by 40 CFR 80, Subparts I and OOO, shall be sent to:

Associate Director
Office of Air Enforcement (3AP12)
U.S. Environmental Protection Agency
Region III
1850 Arch Street
Philadelphia, PA 19103-2029

If you have any questions concerning this permit, please contact the regional office at 703.583.3600.

Sincerely,



Terry H. Darton
Regional Air Permit Manager

TAF/THD/AK/10-046-mnsr

Attachments: Permit
Source Testing Report Format

cc: Director, OAPP (electronic file submission)
Manager, Data Analysis (electronic file submission)
Chief, Air Enforcement Branch (3AP12), U.S. EPA, Region III
Division Chief for Environmental Quality, City of Alexandria
Regional Air Compliance Manager (electronic file submission)



NRO-046-10

COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

NORTHERN REGIONAL OFFICE

13901 Crowe Court, Woodbridge, Virginia 22193-1453

(703) 583-3800 Fax (703) 583-3821

www.deq.virginia.gov

Stephen W. Demersch
Secretary of Natural Resources

David K. Boyler
Director

Thomas A. Faha
Regional Director

STATIONARY SOURCE PERMIT TO MODIFY AND OPERATE

**This permit includes designated equipment subject to
New Source Performance Standards (NSPS).**

This permit supersedes your permit dated July 20, 2006.

In compliance with the Federal Clean Air Act and the Commonwealth of Virginia
Regulations for the Control and Abatement of Air Pollution,

Virginia Paving Company
5601 Courtney Avenue
Alexandria, Virginia 22304
Registration No.: 70579

is authorized to modify and operate

an asphalt concrete plant

located at

5601 Courtney Avenue
City of Alexandria, Virginia 22304

in accordance with the Conditions of this permit.

Approved on: February 17, 2010.

Thomas A. Faha
Regional Director

Permit consists of 18 pages.
Permit Conditions 1 to 42.

INTRODUCTION

This permit approval is based on the permit applications dated January 4, 2007, and January 26, 2007; and supplemental information dated February 28, 2007, May 10, 2007, May 15, 2007, December 27, 2007, August 3, 2009; and stack test report dated April 30, 2009. Any changes in the permit application specifications or any existing facilities which alter the impact of the facility on air quality may require a permit. Failure to obtain such a permit prior to construction may result in enforcement action.

Words or terms used in this permit shall have meanings as provided in 9 VAC 5-80-1110 (definitions) and 9 VAC 5-10-20 of the State Air Pollution Control Board's (Board) Regulations for the Control and Abatement of Air Pollution (Regulations). The regulatory reference or authority for each condition is listed in parentheses () after each condition.

Annual requirements to fulfill legal obligations to maintain current stationary source emissions data will necessitate a prompt response by the permittee to requests by the Department of Environmental Quality (DEQ) or the Board for information to include, as appropriate: process and production data; changes in control equipment; and operating schedules. Such requests for information from the DEQ will either be in writing or by personal contact.

The availability of information submitted to the DEQ or the Board will be governed by applicable provisions of the Freedom of Information Act, §§ 2.2-3700 through 2.2-3714 of the Code of Virginia, § 10.1-1314 (addressing information provided to the Board) of the Code of Virginia, and 9 VAC 5-170-60 of the State Air Pollution Control Board Regulations. Information provided to federal officials is subject to appropriate federal law and regulations governing confidentiality of such information.

PROCESS REQUIREMENTS

1. **Equipment List** - Equipment to be permitted at this facility consists of the following:

Equipment to be Modified				
Reference No.	Equipment Description	Rated Capacity	Federal Requirements	
P:1	A counter flow drum mix asphalt concrete plant, CMI model STD600 with Hauck Eco Star II model 175B w/low NOx burner	600 tons/hour hot mix asphalt concrete product	NSPS, subpart I	
H:1	Asphalt cement heater, Gencor - Hy Way model HYTGO-340 hot oil heater	3.4 million Btu/hour	-	
H:2	Asphalt cement heater, Heatec HC-120 hot oil heater (backup to H:1)	1.5 million Btu/hour	-	

Equipment permitted prior to the date of this permit				
Reference No.	Equipment Description	Rated Capacity	Federal or State Requirements	Original Permit Date
P:2	A counter flow drum mix asphalt concrete plant, CMI model STD400 with Hauck Eco Star burner	400 tons/hour hot mix asphalt concrete product	NSPS, subpart I	2/17/2005, 7/20/2008
RAP	A recycled asphalt product processing plant	125 tons/hour	NSPS, subpart OOO	2/17/2005, 7/20/2008

Equipment Exempt from Permitting			
Reference No.	Equipment Description	Rated Capacity	Exemption Citation
1A, 1B	Two tanks for office heating fuel	500 gallons capacity, each	9 VAC 5-40-5200 C., or 9 VAC 5-80-1320 B.8.
2	Motor oil storage tank	500 gallons capacity	9 VAC 5-40-5200 C., or 9 VAC 5-80-1320 B.8.
3	ATF AST storage tank inside the shop	500 gallons capacity	9 VAC 5-40-5200 C., or 9 VAC 5-80-1320 B.8.
4, 5	Two diesel fuel storage tanks	6000 gallons capacity, each	9 VAC 5-40-5200 C., or 9 VAC 5-80-1320 B.8.
6	Gasoline dispensing facility storage tank	6000 gallons capacity	9 VAC 5-40-5220 E., F., or 9 VAC 5-80-1320 B.8.
7	Recycled fuel oil storage tank	275 gallons capacity	9 VAC 5-40-5200 C., or 9 VAC 5-80-1320 B.8.
8	Kerosene fuel oil storage tank	275 gallons capacity	9 VAC 5-40-5200 C., or 9 VAC 5-80-1320 B.8.
9, 10	TACK storage tanks	10,000 gallons capacity, each	9 VAC 5-40-5200 C., or 9 VAC 5-80-1320 B.8.
11	Recycled fuel storage tank	20,000 gallons capacity	9 VAC 5-40-5200 C., or 9 VAC 5-80-1320 B.8.
12	Diesel fuel storage tank	5,000 gallons capacity	9 VAC 5-40-5200 C., or 9 VAC 5-80-1320 B.8.
13, 14, 15	Three AC/asphalt storage tanks	20,000 gallons capacity, each	9 VAC 5-40-5200 C., or 9 VAC 5-80-1320 B.8.
16	Liquid AC/asphalt storage tank	17,000 gallons capacity	9 VAC 5-40-5200 C., or 9 VAC 5-80-1320 B.8.
17	Asphalt additive storage tank	17,000 gallons capacity	9 VAC 5-40-5200 C., or 9 VAC 5-80-1320 B.8.
18	Petroleum, oils and lubricating fluids	55 gallons capacity	9 VAC 5-40-5200 C., or 9 VAC 5-80-1320 B.8.
100-A	Parts cleaning machine, Purewash S820	40 gallons capacity	9 VAC 5-80-1320 D., Note: Subject to 9 VAC 5-40-6820 to 9 VAC 5-40-6960

Specifications included in the permit under this Condition are for informational purposes only and do not form enforceable terms or conditions of the permit.
 (9 VAC 80-1180 D 3)

2. **NO_x Emission Controls: Asphalt Plant Dryer** - Emissions of nitrogen oxides (as NO₂) from the dryer for CMI model STD600 asphalt plant (Ref. # P:1) shall be limited through the use of a low NO_x burner, Hauck Eco Star II model 175B; and the dryer for CMI model STD400 asphalt plant (Ref. # P:2) shall be limited through the use of low NO_x burner, Hauck Eco Star. The emissions from use of natural gas as burner fuel for the CMI model STD600 asphalt plant (Ref. # P:1) shall be controlled further by the use of flue gas recirculation. The equipment shall be provided with adequate access for inspection and shall be in operation when the drum dryer is operating.
(9 VAC 5-80-1160 and 9 VAC 5-50-260)
3. **Emission Controls: Asphalt Plant** - Particulate emissions from each drum dryer (Ref. # P:1 and P:2) shall be controlled by a fabric filter baghouse. The fabric filter shall be provided with adequate access for inspection and shall be in operation when the drum dryer is operating.
(9 VAC 5-80-1160 and 9 VAC 5-50-260)
4. **Monitoring Devices** - Each drum dryer's fabric filter baghouse shall be equipped with a device to continuously measure the differential pressure drop across the fabric filter. Each monitoring device shall be installed, maintained, calibrated and operated in accordance with approved procedures which shall include, as a minimum, the manufacturer's written requirements or recommendations. Each monitoring device shall be provided with adequate access for inspection and shall be in operation when the fabric filter baghouse is operating.

The permittee shall record the differential pressure drop readings on a daily basis, in a log book, when the plant is operating. These records shall be maintained on site and be available for inspection. Such records shall be current for the most recent five-year period.
(9 VAC 5-80-1160 D, 9 VAC 5-50-20 C and 9 VAC 5-50-260)

5. **Fugitive Dust Emission Controls** - Fugitive emission controls shall include the following, or equivalent, as approved by the DEQ:
 - a. Dust from material handling, load-outs, and the RAP crusher shall be controlled by wet suppression or equivalent (as approved by the DEQ).
 - b. All material being stockpiled shall be kept adequately moist to control dust during storage and handling, or covered at all times to minimize emissions.
 - c. Dust from haul roads and traffic areas shall be controlled by the application of asphalt, water, suitable chemicals, or equivalent methods approved by the DEQ.
 - d. Reasonable precautions shall be taken to prevent deposition of dirt on public roads and subsequent dust emissions. Dirt, product, or raw material spilled or tracked onto paved surfaces shall be promptly removed to prevent particulate matter from becoming airborne.
 - e. Volatile organic compounds shall not be intentionally spilled, discarded in sewers which are not connected to a treatment plant, or stored in open containers, or handled in any

other manner that would result in evaporation beyond that consistent with air pollution practices for minimizing emissions.
(9 VAC 5-50-90 and 9 VAC 5-50-260)

OPERATING LIMITATIONS

6. **Production** - The hourly production of asphalt concrete from the CMI model STD400 plant (Ref. # P:2) shall not exceed 310 tons per hour, as demonstrated from hourly plant production records maintained on site.
(9VAC 5-80-1180)

7. **Production** - Total production of asphalt concrete shall not exceed the following, calculated monthly as the sum of each twelve consecutive month period:

Unit 1 (Ref. # P:1) – 810,000 tons per year
Unit 2 (Ref. # P:2) – 170,000 tons per year

Compliance for the consecutive twelve-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding eleven months.
(9 VAC 5-80-1180)

8. **Fuel** - The approved fuels for the asphalt plants, Units 1 and 2 (Ref. # P:1 and P:2) are No. 2 distillate fuel oil, recycled fuel oil and natural gas that do not exceed the specifications provided in Condition 10. Natural gas may be used as an approved fuel for the equipment that is appropriately designed to accommodate this fuel. A change in the fuels may require a permit to modify and operate.
(9 VAC 5-80-1180)

9. **Fuel** - The approved fuels for the liquid asphalt storage tank heaters are No. 2 distillate fuel oil and natural gas that do not exceed the specifications provided in Condition 10. Natural gas may be used as an approved fuel for the equipment that is appropriately designed to accommodate this fuel. A change in the fuels may require a permit to modify and operate.
(9 VAC 5-80-1180)

10. **Fuel Specifications** - The fuels shall meet the specifications below:

DISTILLATE OIL which meets the ASTM specifications for numbers 1 or 2 fuel oil:

Maximum sulfur content per shipment: 0.5%

RECYCLED/USED OIL

Maximum Sulfur Content (weight percent) 0.5%

Maximum halogen (as chlorine) content (parts per million) 1000 ppm

PCB (parts per million)	49 ppm
Chromium (parts per million)	10 ppm
Lead (parts per million)	100 ppm
Arsenic (parts per million)	5 ppm
Cadmium (parts per million)	2 ppm
Flash Point (minimum)	100° F

NATURAL GAS of pipeline quality (with estimated heat content of 1000 Btu/scf HHV).
(9 VAC 5-80-1180)

- 11. Fuel Certification: Distillate Oil** - The permittee shall obtain a certification from the fuel supplier with each shipment of distillate oil. Each fuel supplier certification shall include the following:
- a. The name of the fuel supplier;
 - b. The date on which the distillate oil was received;
 - c. The volume of distillate oil delivered in the shipment;
 - d. A statement that the distillate oil complies with the American Society for Testing and Materials specifications (ASTM) for numbers 1 or 2 fuel oil; and
 - e. The sulfur content of the distillate oil.
(9 VAC 5-170-160)
- 12. Fuel Certification: Recycled/Used Oil** - The permittee shall obtain a certification from the recycled/used oil supplier, including sampling and analysis representative of each shipment purchased. Each used oil supplier certification shall include the following:
- a. The name of the fuel supplier;
 - b. The date on which the recycled/used oil was received;
 - c. The volume of recycled/used oil delivered in the shipment;
 - d. The content of arsenic, cadmium, chromium, lead, PCBs, and halogens with the recycled/used oil in ppm, by weight;
 - e. The sulfur content of the recycled/used oil;
 - f. The flash point of the recycled/used oil;

- g. Documentation of the recycled/used oil analysis indicating the location of the recycled/used oil when the sample was drawn; and
 - h. The test methods used to determine the contaminant level in the recycled/used oil.
(9 VAC 5-170-160)
13. **Fuel Throughput** - The total throughput of No. 2 distillate fuel oil for the liquid asphalt storage tank heaters, Gencor – Hy Way model HYTGO-340, and the Heatec model HC-120 (Ref. # H:1 and H:2), shall not exceed 120,000 gallons per year, calculated monthly as the sum of each consecutive twelve-month period. Compliance for the consecutive twelve-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding eleven months. Natural gas may be used instead of distillate fuel oil in the asphalt heaters. The throughput of natural gas shall not exceed 16.6 million cubic feet per year, calculated monthly as the sum of each consecutive twelve-month period, which is equivalent in heat value to the fuel oil limit of 120,000 gallons per year. If both natural gas and distillate fuel oil are used in the heaters, the throughputs shall be reduced such that their combined total emissions, calculated using the emission factors in Condition 20, do not exceed the annual emission limits specified in Condition 21.
(9 VAC 5-80-1160)
14. **Requirements by Reference** - Except where this permit is more restrictive than the applicable requirement, the NSPS equipment as described in Condition 1 shall be operated in compliance with the requirements of 40 CFR 60 Subpart I (applicable to hot mix asphalt facilities) and Subpart OOO (applicable to the RAP crusher as non-metallic mineral processing equipment).
(9 VAC 5-80-1180, 9 VAC 5-50-400 and 9 VAC 5-50-410)
15. **Testing/Monitoring Ports** – The facility shall be modified so as to allow for emissions testing upon reasonable notice at any time, using appropriate methods. Sampling ports shall be provided when requested by the DEQ at the appropriate locations and safe sampling platforms and access shall be provided.
(9 VAC 5-50-30 F and 9 VAC 5-80-1180)

EMISSION LIMITS

16. **Emission Limits: Asphalt Dryers** - Emissions from the operation of the drum dryers (Ref. # P:1 and P:2) shall not exceed the particulate matter limit of 0.04 grains/dry standard cubic foot (gr/dscf) of exhaust gas as measured by EPA Method 5 (reference 40 CFR 60, Appendix A).
(9 VAC 5-50-260, 9 VAC 5-50-400, 9 VAC 5-50-410 and 9 VAC 5-80-1180)
17. **Emission Limits: Asphalt Dryers** - Emissions from the operation of the drum dryers (Ref. #P:1 and P:2) shall not exceed the limits specified below:

	<u>Unit 1</u>	<u>Unit 2</u>
Nitrogen Oxides (as NO₂)		
Using recycled or distillate oil	0.052 lb/ton	0.063 lb/ton
Using natural gas	0.024 lb/ton	0.029 lb/ton
Carbon Monoxide		
Using recycled or distillate oil	0.084 lb/ton	0.073 lb/ton
Using natural gas	0.062 lb/ton	0.092 lb/ton
Volatile Organic Compounds (VOCs)		
Using recycled or distillate oil	0.020 lb/ton	0.020 lb/ton
Using natural gas	0.030 lb/ton	0.030 lb/ton
Sulfur Dioxide (SO₂)		
Using recycled or distillate oil	0.034 lb/ton	0.034 lb/ton
Using natural gas	0.0034 lb/ton	0.0034 lb/ton
PM10 (filterable and condensable)	0.036 lb/ton	0.029 lb/ton
PM-2.5 (filterable and condensable)	0.036 lb/ton	0.027 lb/ton

The above emission limits are in pounds per ton of asphalt produced, and derived from earlier stack testing conducted at the facility and manufacturer data at or near the maximum design capacity of the drum dryer plants. The permittee shall conduct emissions testing for nitrogen oxides (as NO₂) when natural gas becomes available as an alternative fuel for the facility, as stated in Condition 25. The permittee may also conduct emissions testing to establish fuel specific emission factors, if approved by DEQ. In addition, the facility may be subject to additional testing, if required by the DEQ, to demonstrate continuing compliance with the pollutant emission limits for Unit 1 or Unit 2 drum mix asphalt plants (Ref. # P:1 and P:2). These emission values shall be used as emission factors to calculate and demonstrate compliance with the annual emission limits provided in Condition 18. (9 VAC 5-50-260)

18. Hourly Emission Limits: Asphalt Dryers - Maximum hourly emissions from the operation of the drum dryers (Ref. #P:1 and P:2) are determined as specified below:

	<u>Unit 1</u> <u>Ref. # P:1</u>	<u>Unit 2</u> <u>Ref. # P:2</u>
Nitrogen Oxides (NO ₂)	31.20 lbs/hr	19.53 lbs/hr
Carbon Monoxide	50.40 lbs/hr	28.52 lbs/hr
Sulfur Dioxide	20.40 lbs/hr	10.54 lbs/hr
PM10 (filterable and condensable)	21.60 lbs/hr	6.99 lbs/hr
PM-2.5 (filterable and condensable)	21.60 lbs/hr	8.37 lbs/hr
Volatile Organic Compounds (VOCs)	16.00 lbs/hr	9.30 lbs/hr

These emissions are derived from the limits given in Condition 17, and the maximum rated or permitted capacity for each drum dryer unit. The emissions are provided for informational and inventory purposes only. Compliance with the emission limits will be determined based on Conditions 17 and 19.
 (9 VAC 5-50-260 and 9 VAC 5-80-1180)

19. Emission Limits: Asphalt Dryers – Total annual emissions from the operation of the counter flow dryers (Ref. # P:1 and P:2) shall not exceed the limits specified below.

Nitrogen Oxides (NO ₂)	26.42 tons/yr.
Carbon Monoxide	41.84 tons/yr.
Sulfur Dioxide	16.66 tons/yr.
PM10 (filterable and condensable)	17.05 tons/yr.
PM-2.5 (filterable and condensable)	16.88 tons/yr.
Volatile Organic Compounds (VOCs)	14.70 tons/yr.
Formaldehyde	1.52 tons/yr.
PAH*	0.43 tons/yr.

*Evaluated against worst case scenario of anthracene exemption levels.

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits shall be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Condition numbers 7, 8, 10, 16 and 17.
 (9 VAC 5-80-1180, 9 VAC 5-50-260 and 9 VAC 5-60-320)

20. Emission Limits: Asphalt Heaters – Emissions from the operation of the asphalt cement heaters (Ref. # H:1 and H:2) shall not exceed the limits specified below, and shall be used in the calculation of the annual emissions, as limited in Condition 21.:

	<u>Distillate Fuel Oil</u>	<u>Natural Gas</u>
Nitrogen Oxides (as NO ₂)	20 lb/1000 gal.	100 lb/million scf.
Carbon Monoxide	5 lb/1000 gal.	84 lb/million scf.
Volatile Organic Compounds (VOCs)	0.34 lb/1000 gal.	5.5 lb/million scf.
PM10 (filterable and condensable)	2.3 lb/1000 gal.	7.6 lb/million scf.
PM-2.5 (filterable and condensable)	2.1 lb/1000 gal.	7.6 lb/million scf.
Sulfur Dioxide (SO ₂)	71 lb/1000 gal.	0.6 lb/million scf.
(SO ₂ factor for oil = 142 x max. sulfur content)		(scf. = standard cubic feet)

Compliance shall be based on the proper operation and maintenance of the heaters using the approved fuels and by testing, if required by DEQ.
 (9 VAC 5-60-260)

- 21. Emission Limits: Asphalt Heaters** – Total annual emissions from the operation of the asphalt cement heaters (Ref. #H:1 and H:2) shall not exceed the limits specified below:

Nitrogen Oxides (as NO ₂)	1.20 tons/yr.
Sulfur Dioxide	4.26 tons/yr.
CO	0.70 tons/yr.

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits shall be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Condition numbers 9, 10, and 13.
(9 VAC 5-50-260 and 9 VAC 5-80-1180)

- 22. Visible Emission Limit: Baghouse** - Visible emissions from each asphalt plant baghouse exhaust shall not exceed 5% opacity as determined by the EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.
(9 VAC 5-80-1180 and 9 VAC 5-50-260)
- 23. Visible Emission Limit: RAP Processing Plant** - Visible emissions from the RAP processing plant shall not exceed 10% opacity, as determined by the EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.
(9 VAC 5-80-1180, 9 VAC 5-50-260 and 9 VAC 5-50-410)

INITIAL COMPLIANCE DETERMINATION

- 24. Stack Testing Verification Meeting** - The permittee shall arrange to meet with the Regional Air Compliance Manager of the DEQ's Northern Regional Office (NRO) to discuss any further stack testing of the asphalt plants (Ref. # P:1 and P:2). The meeting shall take place prior to the submittal of the final stack test protocol and is required in order for the protocol to be accepted.
(9 VAC 5-80-1180)
- 25. Stack Test: Drum Dryer** - Initial performance tests have been conducted for particulate matter, PM10 and PM2.5 (filterable and condensable), nitrogen oxides (as NO₂), sulfur dioxide (SO₂), carbon monoxide and volatile organic compounds emissions from the exhaust of both asphalt plants (Ref. # P:1 and P:2) operating on recycled/ used fuel oil using EPA reference methods 1-5, 6, 7E, 10, OTM-027 and 25Aap, as approved by the DEQ, to determine compliance with the emission limits contained in Conditions 16 and 17. Initial performance tests shall also be conducted for nitrogen oxides (as NO₂), carbon monoxide and volatile organic compounds from the exhaust stack of each asphalt plant (Ref. # P:1 and P:2) with the burner operating on natural gas, when available on site. The results of the tests may be used to establish revised emission limits for operation of each plant with natural gas. Initial performance tests may be conducted for nitrogen oxides (as NO₂) using

distillate (No. 2) fuel oil, if the permittee chooses to establish unique emission factors for such operation as compared to the previous test results using recycled/used fuel oil. Testing shall be performed with the asphalt plants (Ref. # P:1 and P:2) producing 80% or more of its rated or permitted hot mix asphalt output. The tests for compliance with natural gas emission limits shall be performed within 90 days of the plants commencing operation using natural gas. Tests shall be conducted and reported and data reduced as set forth in 9 VAC 5-50-30 and the test methods and procedures contained in each applicable section or subpart listed in 9 VAC 5-50-410. The details of the tests are to be arranged with the Regional Air Compliance Manager of the DEQ's Northern Regional Office (NRO). The permittee shall submit a test protocol at least thirty days prior to testing. Two copies of the test results shall be submitted to the Regional Air Compliance Manager of the DEQ's NRO within sixty days after test completion and shall conform to the test report format enclosed with this permit. One copy of the test results shall be sent to EPA Region III within forty-five days after test completion at the address in the cover letter of this permit.

All correspondence to the DEQ concerning this permit should be submitted to the following address:

Regional Air Compliance Manager
Department of Environmental Quality
NRO
13901 Crown Court
Woodbridge, VA 22193
(9 VAC 5-50-30, 9 VAC 5-80-1200 and 9 VAC 5-50-410)

26. **Visible Emission Evaluation: Baghouse** - Concurrently with the initial performance tests to be conducted when natural gas becomes available for facility use, Visible Emission Evaluations (VEE) in accordance with 40 CFR Part 60, Appendix A, Method 9, shall also be conducted by the permittee on the visible emissions exhaust from the asphalt plants (Ref. # P:1 and P:2) with their burners operating on natural gas to determine compliance with the emission limit contained in Condition 22. The permittee may also conduct VEE for the plants using distillate fuel oil to demonstrate compliance with the emission limit contained in Condition 22. Testing shall be performed with each asphalt plant (Ref. # P:1 and P:2) producing 80% or more of its rated hot mix asphalt output. Each test shall consist of thirty sets of twenty-four consecutive observations (at fifteen second intervals) to yield a six minute average. The details of the tests are to be arranged with the Regional Air Compliance Manager of the DEQ's NRO (at the address referenced in Condition 25). The permittee shall submit a test protocol at least thirty days prior to testing. The tests for compliance with the natural gas opacity limits shall be performed within 90 days of the plants commencing operation using natural gas. Should conditions prevent concurrent opacity observations, the Regional Air Compliance Manager of the DEQ's NRO (at the address referenced in Condition 25) shall be notified in writing, within seven days, and visible emissions testing shall be rescheduled within thirty days. Rescheduled testing shall be conducted under the same conditions (as possible) as the initial performance tests. Two copies of the test result shall be submitted to the Regional Air Compliance Manager of the DEQ's NRO (at the address referenced in Condition 25) within forty-five days after test completion and shall conform to the test report format enclosed with this permit. One copy

of the test results shall be sent to EPA Region III within forty-five days after test completion at the address in the cover letter of this permit.
(9 VAC 5-50-30, 9 VAC 5-80-1200, and 9 VAC 5-50-410)

- 27. Visible Emissions Evaluation: RAP Processing Plant** - Within 180 days from the date of this permit, Visible Emission Evaluations (VEE) in accordance with 40 CFR Part 60, Appendix A, Method 9, shall also be conducted by the permittee on the RAP processing plant to determine compliance with the emission limit contained in Condition 23. Each test shall consist of thirty sets of twenty-four consecutive observations (at fifteen second intervals) to yield a six minute average. The details of the tests are to be arranged with the Regional Air Compliance Manager of the DEQ's NRO (at the address referenced in Condition 25). The permittee shall submit a test protocol at least thirty days prior to testing. The evaluation shall be performed, reported and demonstrate compliance within ninety days after the permit issue date. Two copies of the test result shall be submitted to the Regional Air Compliance Manager of the DEQ's NRO (at the address referenced in Condition 25) within forty-five days after test completion and shall conform to the test report format enclosed with this permit. One copy of the test results shall be sent to EPA Region III within forty-five days after test completion at the address in the cover letter of this permit.
(9 VAC 5-50-30, 9 VAC 5-80-1200, and 9 VAC 5-50-410)

- 28. Visible Emissions Evaluation RAP Processing Plant** - Visible Emission Evaluations (VEE) required in Condition 23 on the RAP processing plant may be reduced to ten sets of twenty-four consecutive observations (at fifteen second intervals) to yield a six minute average if:

- a. There are no individual readings greater than 10% opacity for the RAP processing plant, and
- b. There are no more than three readings of 10% opacity for the one hour period for the RAP processing plant.

(9 VAC 5-180-1200, 40 CFR 60.675(C)(4) and 9 VAC 5-50-410)

CONTINUING COMPLIANCE DETERMINATION

- 29. Stack Tests** - Upon request by the DEQ, the permittee shall conduct additional performance tests to demonstrate compliance with the emission limits contained in this permit. The details of the tests shall be arranged with the Regional Air Compliance Manager of the DEQ's NRO at the address referenced in Condition 25.
(9 VAC 5-80-1200 and 9 VAC 5-50-30 G)

- 30. Visible Emissions Evaluation** - Upon request by the DEQ, the permittee shall conduct additional visible emission evaluations to demonstrate compliance with the visible emission limits contained in this permit. The details of the tests shall be arranged with the Regional Air Compliance Manager of the DEQ's NRO at the address referenced in Condition 25.
(9 VAC 5-80-1200 and 9 VAC 5-50-30 G)

RECORDS

- 31. On Site Records** - The permittee shall maintain records of emission data and operating parameters as necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Regional Air Compliance Manager of the DEQ's NRO at the address referenced in the Condition 25. These records shall include, but are not limited to:
- a. Hourly production of asphalt concrete for Plant 2 (Ref. #P:2), that demonstrate compliance with the hourly production limit (as referenced in Condition 6).
 - b. Annual production of asphalt concrete for each asphalt plant (as referenced in Condition 7), calculated monthly as the sum of each consecutive twelve-month period. Compliance for the consecutive twelve-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding eleven months.
 - c. Annual throughput of No. 2 distillate fuel oil and natural gas for the asphalt cement heaters (as referenced in Condition 13), calculated monthly as the sum of each consecutive twelve-month period. Compliance for the consecutive twelve-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding eleven months.
 - d. All fuel supplier certifications (as referenced in Conditions 10, 11, and 12).
 - e. The daily fabric filter baghouse differential pressure gauge readings as required by Condition 4.
 - f. Monthly emission calculations or data necessary to demonstrate compliance with the emission limits contained in Conditions 19 and 21.
 - g. Annual throughput of the solvent (TEKUSOLV II) used in the parts cleaning machine (Ref. #100-A), calculated as the sum of each consecutive twelve-month period. Compliance for the consecutive twelve-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding eleven months.
 - h. Results of all stack tests, visible emission evaluations and performance evaluations.
 - i. Records of the occurrence and duration of any bypass, malfunction, shutdown or failure of the facility or its associated air pollution control equipment that results in excess emissions for more than one hour. The records shall be maintained in a form suitable for inspection and maintained for at least two years (unless a longer period is specified in the applicable emission standard) following the date of the occurrence.

These records shall be available for inspection by the DEQ and shall be current for the most recent five years, unless otherwise noted.
(9 VAC 5-80-1180 and 9 VAC 5-50-50)

NOTIFICATIONS

32. Initial Notifications - The permittee shall furnish written notification to the Regional Air Compliance Manager of the DEQ's NRO (at the address referenced in Condition 25) of:

- a. The actual date on which modification of the burner for the Unit 1 drum mix asphalt plant (Ref. # P:1) commenced within fifteen days after permit issue date.
- b. The actual start-up date of the Unit 1 drum mix asphalt plant (Ref. # P:1) with the new burner, within fifteen days after permit issue date.
- c. The anticipated start-up date of the drum mix asphalt plants (Ref. # P:1 and P:2) with the burners operating on natural gas (when natural gas becomes available for use at the facility), postmarked not more than sixty days nor less than thirty days prior to such date.
- d. The anticipated date of performance tests of the drum mix asphalt plant (Ref. # P:1 and P:2) with the new burner when operating on natural gas as stated in Conditions 25 and 26, postmarked at least thirty days prior to such date.

Copies of the written notifications referenced in items a and b above are to be sent to:

Associate Director
Office of Air Enforcement (3AP10)
U.S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029

(9 VAC 5-50-50 and 9 VAC 5-80-1180)

GENERAL CONDITIONS

33. Certification of Documents

A. The following documents submitted to the Board shall be signed by a responsible official: (i) any emission statement, application, form, report, or compliance certification; (ii) any document required to be signed by any provision of the regulations of the Board; or (iii) any other document containing emissions data or compliance information the owner wishes the Board to consider in the administration of its air quality programs. A responsible official is defined as follows:

1. For a business entity, such as a corporation, association or cooperative, a responsible official is either:
 - a. The president, secretary, treasurer, or a vice president of the business entity in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the business entity; or

b. A duly authorized representative of such business entity if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit and either (i) the facilities employ more than 250 persons or have gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars) or (ii) the authority to sign documents has been assigned or delegated to such representative in accordance with procedures of the business entity.

2. For a partnership or sole proprietorship, a responsible official is a general partner or the proprietor, respectively.
3. For a municipality, state, federal, or other public agency, a responsible official is either a principal executive officer or ranking elected official. A principal executive officer of a federal agency includes the chief executive officer having responsibility for the overall operations of the principal geographic unit of the agency.

B. Any person signing a document under subsection A above shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who managed the system, or those persons directly responsible for gathering and evaluating the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

C. Subsection B shall be interpreted to mean that the signer must have some form of direction or supervision over the persons gathering the data and preparing the document (the preparers), although the signer need not personally nor directly supervise these activities. The signer need not be in the same line of authority as the preparers, or do the persons gathering the form need to be employees (e.g., outside contractors can be used). It is sufficient that the signer has authority to assure that the necessary actions are taken to prepare a complete and accurate document.

(9 VAC 5-20-230)

34. **Permit Suspension/Revocation** - This permit may be suspended or revoked if the permittee:

- a. Knowingly makes material misstatements in the permit application or any amendments to it;
- b. Fails to comply with the conditions of this permit;

- c. Fails to comply with any emission standards applicable to a permitted an emissions unit, included in this permit;
 - d. Causes emissions from the stationary source which result in violations of, or interfere with the attainment and maintenance of, any ambient air quality standard; or
 - e. Fails to operate in conformance with any applicable control strategy, including any emission standards or emission limitations, in the State Implementation Plan in effect at the time an application for this permit is submitted.
- (9 VAC 5-80-1210 F)

35. Right of Entry - The permittee shall allow authorized local, state, and federal representatives, upon the presentation of credentials:

- a. To enter upon the permittee's premises on which the facility is located or in which any records are required to be kept under the terms and conditions of this permit;
- b. To have access to and copy at reasonable times any records required to be kept under the terms and conditions of this permit or the State Air Pollution Control Board Regulations;
- c. To inspect at reasonable times any facility, equipment, or process subject to the terms and conditions of this permit or the State Air Pollution Control Board Regulations; and
- d. To sample or test at reasonable times.

For purposes of this condition, the time for inspection shall be deemed reasonable during regular business hours or whenever the facility is in operation. Nothing contained herein shall make an inspection time unreasonable during an emergency.
(9 VAC 5-170-130 and 9 VAC 5-80-1180)

36. Maintenance/Operating Procedures – The permittee shall take the following measures in order to minimize the duration and frequency of excess emissions, with respect to air pollution control equipment, monitoring devices and process equipment which affect such emissions:

- a. Develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance.
- b. Maintain an inventory of spare parts.
- c. Have available written operating procedures for equipment. These procedures shall be based on the manufacturer's recommendations, at a minimum.
- d. Train operators in the proper operation of all such equipment and familiarize the operators with the written operating procedures, prior to their first operation of such

equipment. The permittee shall maintain records of the training provided including the names of trainees, the date of training and the nature of the training.

Records of maintenance and training shall be maintained on site for a period of five years and shall be made available to DEQ personnel upon request.
(9 VAC 5-50-20 E and 9 VAC 5-80-1180 D)

37. **Record of Malfunctions** – The permittee shall maintain records of the occurrence and duration of any bypass, malfunction, shutdown or failure of the facility or its associated air pollution control equipment that results in excess emissions for more than one hour. Records shall include the date, time, duration, description (emission unit, pollutant affected, cause), corrective action, preventive measures taken and name of person generating the record.
(9VAC 5-20-180 J and 9 VAC 5-80-1180 D)

38. **Notification for Facility or Control Equipment Malfunction** - The permittee shall furnish notification to the Regional Air Compliance Manager of the DEQ's NRO (at the address referenced in Condition 25) of malfunctions of the affected facility or related air pollution control equipment that may cause excess emissions for more than one hour, by facsimile transmission, telephone or telegraph. Such notification shall be made as soon as practicable but no later than four daytime business hours after the malfunction is discovered. The permittee shall provide a written statement giving all pertinent facts, including the estimated duration of the breakdown, within two weeks of discovery of the malfunction. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the permittee shall notify the Regional Air Compliance Manager of the DEQ's NRO in writing.
(9 VAC 5-20-180 C and 9 VAC 5-80-1180)

39. **Notification for Control Equipment Maintenance** - The permittee shall furnish notification to the Regional Air Compliance Manager of the DEQ's NRO (at the address referenced in Condition 25) of the intention to shut down or bypass, or both, air pollution control equipment for necessary scheduled maintenance, which results in excess emissions for more than one hour, at least twenty-four hours prior to the shutdown. The notification shall include, but is not limited to, the following information:

- a. Identification of the air pollution control equipment to be taken out of service, as well as its location, and registration number;
- b. The expected length of time that the air pollution control equipment will be out of service;
- c. The nature and quantity of emissions of air pollutants likely to occur during the shutdown period;
- d. Measures that will be taken to minimize the length of the shutdown or to negate the effect of the outage.

(9 VAC 5-20-180 B)

- 40. Violation of Ambient Air Quality Standard** - The permittee shall, upon request of the DEQ, reduce the level of operation or shut down a facility, as necessary to avoid violating any primary ambient air quality standard and shall not return to normal operation until such time as the ambient air quality standard will not be violated.
(9 VAC 5-20-180 I and 9 VAC 5-80-1180)
- 41. Change of Ownership** - In the case of a transfer of ownership of a stationary source, the new owner shall abide by any current permit issued to the previous owner. The new owner shall notify the Regional Air Compliance Manager of the DEQ's NRO at the address referenced in Condition 25 of the change of ownership within thirty days of the transfer.
(9 VAC 5-80-1240)
- 42. Permit Copy** - The permittee shall keep a copy of this permit on the premises of the facility to which it applies.
(9 VAC 5-80-1180)

SOURCE TESTING REPORT FORMAT

Report Cover

1. Plant name and location
2. Units tested at source (indicate Ref. No. used by source in permit or registration)
3. Test Dates.
4. Tester, name, address and report date

Certification

1. Signed by team leader/certified observer (include certification data)
2. Signed by responsible company official
3. *Signed by reviewer

Copy of approved test protocol

Summary

1. Reason for testing
2. Test dates
3. Identification of unit tested & the maximum rated capacity
4. *For each emission unit, a table showing:
 - a. Operating rate
 - b. Test Methods
 - c. Pollutants tested
 - d. Test results for each run and the run average
 - e. Pollutant standard or limit
5. Summarized process and control equipment data for each run and the average, as required by the test protocol
6. A statement that test was conducted in accordance with the test protocol or identification & discussion of deviations, including the likely impact on results
7. Any other important information

Source Operation

1. Description of process and control devices
2. Process and control equipment flow diagram
3. Sampling port location and dimensioned cross section. Attached protocol includes: sketch of stack (elevation view) showing sampling port locations, upstream and downstream flow disturbances and their distances from ports; and a sketch of stack (plan view) showing sampling ports, ducts entering the stack and stack diameter or dimensions

Test Results

1. Detailed test results for each run
2. *Sample calculations
3. *Description of collected samples, to include audits when applicable

Appendix

1. *Raw production data
2. *Raw field data
3. *Laboratory reports
4. *Chain of custody records for lab samples
5. *Calibration procedures and results
6. Project participants and titles
7. Observers' names (industry and agency)
8. Related correspondence
9. Standard procedures

* Not applicable to visible emission evaluations

DMATT
MCC
MAG
LAW - CRESTMAG
DAL
-DM - ORIGINAL



NRO-061-10

COMMONWEALTH of VIRGINIA

Douglas W. Donatucci
Secretary of Natural Resources

DEPARTMENT OF ENVIRONMENTAL QUALITY
NORTHERN REGIONAL OFFICE
13901 Crown Court, Woodbridge, Virginia 22193-1453
(703) 583-3800 Fax (703) 583-3821
www.deq.virginia.gov

David K. Paylor
Director

Thomas A. Faha
Regional Director

February 4, 2010

Mr. Chris Monahan
Environmental Coordinator
Virginia Paving Company
P.O. Box 22247
Alexandria, VA 22304

Dear Mr. Monahan:

This letter acknowledges receipt of your November 10, 2009 letter. In that letter you were requesting a permitting determination with regards to replacing the drum at the Alexandria Asphalt Plant 1.

Based on the information supplied in your letter it has been determined that replacing the drum on an asphalt plant does not constitute a modification to the emission unit and therefore does not require a minor New Source Review permit.

This decision concerning permit applicability is not binding upon the Department of Environmental Quality (DEQ) and is subject to change upon further review.

You are cautioned that this decision also should not be construed to mean that your operation is automatically in compliance with all aspects of the Regulations for the Control and Abatement of Air Pollution (Regulations). Regional personnel will be constantly evaluating all sources for compliance with the Regulations.

Any owner claiming that a facility is exempt from the provisions of 9 VAC 5, Chapter 80, Article 6 shall keep records in accordance with 9 VAC 5-80-1320 A 4 as may be necessary to demonstrate to the satisfaction of the DEQ its continued exempt status.

If you have questions concerning this matter please contact me at 703.583.3845.

Sincerely,

Terry H. Darton
Air Permit Manager.

THD/061-10

cc: file

RECEIVED
VIRGINIA PAVING CO

FEB 08 2010

ALEXANDRIA



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

NORTHERN REGIONAL OFFICE

13901 Crown Court, Woodbridge, Virginia 22193

(703) 583-3800 Fax (703) 583-3821

www.deq.virginia.gov

Douglas W. Domenech
Secretary of Natural Resources

David K. Paylor
Director

August 25, 2010

David M. Horton
Plant Manager
Virginia Paving Company
5601 Courtney Ave
Alexandria, VA 22304

RE: Cancellation of the April 9, 2008, Consent Order issued by the State Air Pollution Control Board to Virginia Paving Company

Dear Mr. Horton:

Department of Environmental Quality Northern Regional Office (DEQ-NRO) staff have reviewed the files in the above-referenced matter and determined that the requirements of the Consent Order (CO) have been fulfilled. This letter is notice to you that the Order will be canceled thirty days from the date of this letter (*i.e.*, September 24, 2010).

Should you have any questions regarding this cancellation, please contact Stephanie Bellotti at (703) 583-3857. Thank you for your cooperation in our continuing efforts to protect the air quality of Virginia.

Respectfully,


Thomas A. Faha
NRO Regional Director

Cc: Enforcement File - DEQ NRO
Permit File - DEQ NRO
Compliance Inspector-DEQ-NRO
Andrea Wortzel- Hunton and Williams, LLP

HART, CALLEY, GIBBS & KARP, P.C.

ATTORNEYS AND COUNSELLORS AT LAW

107 NORTH WASHINGTON STREET
ALEXANDRIA, VIRGINIA 22314-2557

TELEPHONE (703) 816-3757
FAX (703) 548-5443
hcgl.law@verizon.net

LURAY OFFICE

170 KIBLER DRIVE
LURAY, VA 22835

TELEPHONE: 540-743-2922
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HARRY F. HART
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ASSOCIATE
DAVID L. CHAMOWITZ

OF COUNSEL
CONSTANCE H. PIERCE

RETIRED
ROBERT L. MURPHY, 2001
CYRIL D. CALLEY, 2005

March 18, 2010

Ms. Farrol Hamer, Director
c/o Mr. Stephen Milone, Division Chief
Department of Planning & Zoning
City Hall, Room 2100
Alexandria, Virginia 22314

Re: Special Use Permit #2005-0042
Virginia Paving Company, 5601 Courtney Ave.

Dear Mr. Milone:

This letter is written on behalf of the applicant, Virginia Paving Company, to request a minor amendment to the above-referenced Special Use Permit for their facility on Courtney Avenue. The conditions of the current Special Use Permit allow the use of recycled oil with certain specifics and No. 2 oil as the only fuel sources for the drum dryers and hot oil heaters. See Condition Nos. 7, 8 and 9 of SUP No. 2005-0042. As you are aware, Virginia Paving Company has been issued a new Source Review Permit to Modify and Operate their asphalt plant dated February 17, 2010.

There are obvious benefits to using natural gas to fuel the operation of the plant to the greatest extent possible, but the conditions of the Special Use Permit do not allow Virginia Paving to do so. As you are aware, this specific issue was brought before the Virginia Paving Community Liaison Committee, appointed by City Council pursuant to the above-reference SUP, and the Committee voted unanimously to recommend approval of the use of natural gas as a fuel source for the plant and recommended approval of the change as a minor amendment, an administrative approval under the Zoning Ordinance.

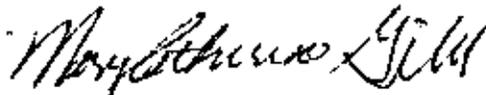
As a result, Virginia Paving Company formally requests that their SUP No. 2005-0042 be administratively amended to permit the use of natural gas as a fuel source for the operation of the plant, including the hot oil heaters (Cond. No. 7), the drum dryers (Cond. No. 8), and on Code Orange days or above (Cond. No. 9) and wherever fuel sources are

Mr. Stephen Milone, Division Chief
March 18, 2010
Page 2 of 2

identified in the Special Use Permit. I've enclosed an application for a Minor Amendment as well as the requisite fee.

Thank you for your attention to this matter and we look forward to continuing to work with your office.

Very truly yours,



Mary Catherine Gibbs

Enclosures

cc: Mr. David M. Horton, Plant Manager, Virginia Paving Company
Mr. Jay Cruickshank, Vice President Legal and Safety, Lane Construction Corp.



APPLICATION SPECIAL USE PERMIT

SLP 2010-0014

ADMINISTRATIVE CHANGE OF OWNERSHIP OR MINOR AMENDMENT

Change of Ownership Minor Amendment

[most use black ink or type]

PROPERTY LOCATION: 5001 Courtney Ave.

TAX MAP REFERENCE: 87.04-02-12, -17, -8, -20 **ZONE:** 1

APPLICANT

Name: Virginia Paving Co., a division of Lane Construction Corp.

Address: 5001 Courtney Ave., Alexandria, VA 22304

PROPERTY OWNER

Name: Lane Construction Corp.

Address: 50 Fieldstone Court, Cheesee, CT 06410

SITE USE: Asphalt Plant

THE UNDERSIGNED hereby applies for a Special Use Permit for Change in Ownership, in accordance with the provisions of Article XI, Division A, Section 11-503 (5)(f) of the 1992 Zoning Ordinance of City of Alexandria, Virginia.

THE UNDERSIGNED, having read and received a copy of the special use permit, hereby agrees to comply with all conditions of the current special use permit, including all other applicable City codes and ordinances.

THE UNDERSIGNED hereby applies for a Special Use Permit for Minor Amendment, in accordance with the provisions of Article XI, Division A, Section 11-509 and 11-511 of the 1992 Zoning Ordinance of City of Alexandria, Virginia.

THE UNDERSIGNED, having obtained permission from the property owner, hereby requests this special use permit. The undersigned also attests that all of the information herein required to be furnished by the applicant are true, correct and accurate to the best of his/her knowledge and belief.

Mary Catherine Gibbs

Print Name of Applicant or Agent

307 N. Washington Street

Mailing/Street Address

Alexandria, VA 22314

City and State Zip Code

Mary Catherine Gibbs

Signature

703-520-8757 703-548-8443

Telephone # Fax #

mcbgk@verizon.net

Email address

3/10/10

Date

DO NOT WRITE IN THIS SPACE - OFFICIAL USE ONLY

Applicant Received: _____	Fee Paid: \$ _____
Legal advertisement: _____	_____
ACTION - PLANNING COMMISSION: _____	ACTION - CITY COUNCIL: _____

The following information must be furnished to the Department of Planning and Zoning to determine if the current use conducted on the premises complies with the special use permit provisions and all other applicable codes and ordinances.

1. Please describe prior special use permit approval for the subject use.

Most recent Special Use Permit # 2009-0042

Date approved: 11 / 28 / 2008
month day year

Name of applicant on most recent special use permit Virginia Paving Co.

Use Asphalt Plant

2. Describe below the nature of the existing operation in detail so that the Department of Planning and Zoning can understand the nature of the change in operation; include information regarding type of operation, number of patrons served, number of employees, parking availability, etc. (Attach additional sheets if necessary.)

The only change requested is authorization to use natural gas as a fuel source at the facility in addition to
the other fuel sources identified under the Special Use Permit. No other changes are proposed.

Special Use Permit # 2010-0014

4. Is the use currently open for business? Yes No

If the use is closed, provide the date closed. _____ / _____ / _____
month day year

5. Describe any proposed changes to the conditions of the special use permit:

Authorization to use natural gas as a fuel source for the drum dryers and the hot oil heaters.

6. Are the hours of operation proposed to change? Yes No

If yes, list the current hours and proposed hours:

Current Hours:

Proposed Hours:

7. Will the number of employees remain the same? Yes No

If no, list the current number of employees and the proposed number.

Current Number of Employees:

Proposed Number of Employees:

8. Will there be any renovations or new equipment for the business? Yes No

If yes, describe the type of renovations and/or list any new equipment proposed.

The only renovation will be the installation of a gas line to the facility.

9. Are you proposing changes in the sales or service of alcoholic beverages? Yes No

If yes, describe proposed changes:

10. Is off-street parking provided for your employees? Yes No
If yes, how many spaces, and where are they located?
42 spaces on site, and 27 across Courtney Avenue on property owned by the railroad.

11. Is off-street parking provided for your customers? Yes No
If yes, how many spaces, and where are they located?
Same, part of above.

12. Is there a proposed increase in the number of seats or patrons served? Yes No
If yes, describe the current number of seats or patrons served and the proposed number of seats and patrons served. For restaurants, list the number of seats by type (i.e. bar stools, seats at tables, etc.)

Current:	Proposed:
_____	_____
_____	_____
_____	_____

13. Are physical changes to the structure or interior space requested? Yes No
If yes, attach drawings showing existing and proposed layouts. In both cases, include the floor area devoted to uses, i.e. storage area, customer service area, and/or office spaces.

14. Is there a proposed increase in the building area devoted to the business? Yes No
If yes, describe the existing amount of building area and the proposed amount of building area.

Current:	Proposed:
_____	_____
_____	_____
_____	_____

15. The applicant is the (check one) Property owner Lessee
 a division of the property owner.
 other, please describe: _____

16. The applicant is the (check one) Current business owner Prospective business owner
 other, please describe: _____

17. Each application shall contain a clear and concise statement identifying the applicant, including the name and address of each person owning an interest in the applicant and the extent of such ownership interest. If the applicant, or one of such persons holding an ownership interest in the applicant is a corporation, each person owning an interest in excess of ten percent (10%) in the corporation and the extent of interest shall be identified by name and address.

For the purpose of this section, the term "ownership interest" shall include any legal or equitable interest held in the subject real estate at the time of the application. If a nonprofit corporation, the name of the registered agent must be provided.

Please provide ownership information here:

100% - Lane Construction Co., 90 Fieldstone Court, Chesire, CT 06410



Minor Amendment
5601 Courtney Avenue-Virginia Paving

DATE: May 11, 2010

TO: Faroll Hamer, Director
Department of Planning and Zoning

FROM: Barbara Ross, Deputy Director *BRoss*
Department of Planning and Zoning

SUBJECT: Administrative Review for Minor Amendment
Special Use Permit #2010-0014
Site Use: Asphalt Production Facility
Applicant: Virginia Paving Company, by Mary Catherine Gibbs, attorney
Location: 5601 Courtney Avenue

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: May 12, 2010

Action: Approved

Faroll Hamer / BA
Faroll Hamer, Director

I. DISCUSSION

REQUEST

The applicant, Virginia Paving Company, a division of Lane Construction Corporation, requests a minor amendment under section 11-511 of the zoning ordinance to allow it to use natural gas as a fuel for operation of the asphalt plant located at 5601 Courtney Avenue. Specifically it seeks to amend three conditions of the previously approved Special Use Permit (#2005-0042) so that the language, which now limits allowable fuel to #2 fuel oil, reflects the additional fuel type.

SITE DESCRIPTION

The subject property is comprised of five lots of record with frontage on Courtney Avenue and South Van Dorn Street, and occupies approximately 10 acres. The site is developed with the Virginia Paving Company asphalt plant and PCC Environmental oil recycling facility, a tenant that leases a portion of the site and supplies fuel oil to Virginia Paving. Access to the property is from South Van Dorn Street.



The surrounding area is occupied by a mix of uses including industrial, commercial and residential. There are several industrial facilities in the immediate area. Immediately to the north, along Pickett Street, are industrial warehouse and commercial uses. To the south is the Norfolk Southern railroad facility, the City Waste-to-Energy plant, a United Parcel Service shipping facility, the Police Firing Range and automobile impound lot, and the MetroRail. To the west is Vulcan Materials Company, a concrete facility, and other warehouse, industrial uses. There are also residential uses in the immediate vicinity, including the Summer's Grove townhouse development to the south, and Cameron Station development to the east, with a park and the Samuel Tucker Elementary School. Both Cameron Station and Summer's Grove were approved and built in the last five to fifteen years.

BACKGROUND

On November 28, 2006, City Council granted Special Use Permit #2005-0042 for the operation of the Virginia Paving Company asphalt plant. The existing asphalt plant was first authorized at 5601 Courtney Avenue under SUP#398 approved by City Council on April 12, 1960.

In 1960, the City approved Special Use Permit #398 for the asphalt production facility which has been in continuous operation since that time. The original permit did not have restrictions on the hours of operation or production limits. The use, however, did have a restriction for vehicular safety that did not allow vehicular movement to enter or exit the plant "after hours of darkness or during inclement weather, or on Sundays or holidays." In 2001, Virginia Paving acquired the

plant from Newton Asphalt. In 2005, Virginia Paving applied to amend its SUP to allow entry and exit of vehicles from the plant on nights and weekends so that it could perform government paving projects such as those for the Virginia Department of Transportation and the City of Alexandria that must be conducted at night to minimize disruptions to vehicular traffic.

On November 28, 2006, City Council approved SUP #2005-0042 for Virginia Paving Company, amending the original permit. In addition to permitting nighttime plant operation during the high volume paving season between April 1 and November 1, the new SUP placed many new controls on plant operations and required extensive infrastructure improvements and environmental upgrades to lessen the impact of the plant operations on the surrounding residential neighborhoods and the environment. All of the conditions from the 2006 approved SUP are attached.

As to the issue of natural gas, it was discussed at length in the context of the SUP review in 2005 and 2006 and has been advocated by City Staff and the community since then. At the time of the SUP approval in 2006, Virginia Paving could not commit to using natural gas; the language of the approved SUP does not address that possibility. Since 2006, as a result of community and Staff encouragement and the ability of Virginia Paving to find a way for Washington Gas to work with it, in February 2010 Virginia DEQ approved a new operating permit for the plant that allows the use of natural gas. Virginia Paving is now requesting the right to add the use of natural gas within the formal SUP to be in line with the state operating permit and the community's desires.

PROPOSAL

The current application requests a minor amendment to allow the use of natural gas as a fuel source for the plant, in addition to No. 2 fuel oil specified in the conditions of SUP #2005-0042. The request seeks changes to Conditions 7, 8, and 9 to add the words, "natural gas or" and to continue the cap on production levels previously established in measures applicable to that fuel source so that together, fuel used at the plant is not increased from current limits. Conditions 7, 8, and 9 would read as follows:

7. VA Paving shall only burn natural gas, No. 2 virgin fuel oil or better in the hot oil heaters. The annual consumption of No. 2 fuel oil in the hot oil heater shall be limited to 100,000 gallons based on a rolling twelve month total. Only one of the two currently permitted hot oil heaters shall operate at any one time. VA Paving shall clearly mark this requirement on the heaters and train the operators so that they are aware of this condition.
8. VA Paving shall only utilize natural gas, No. 2 fuel oil or specification recycled oil as fuel for the drum dryers. The natural gas shall be of pipeline quality. The recycled oil shall meet the following specification....

Further, for sulfur content, the applicant will target .40 by weight, and if specification is not achieved for a particular shipment, the applicant will meet with the supplier and take action to ensure that target can be achieved. For every shipment of recycled oil received, VA Paving shall maintain on site, for a period of five years, fuel supplier records

showing concentrations of the above constituents, as well as daily and monthly consumption of the same. The records shall be provided to the City upon request.

9. Virginia Paving shall only utilize natural gas and/or low-sulfur No. 2 distillate oil as fuel for the drum dryers on days when the Air Quality Index (AQI) value for Alexandria/Region is predicted to exceed 100 (Codes Orange and Red) for ozone and particulate matter, as identified on MWCOG's website. Additionally, Virginia Paving shall be limited to a daily production cap of 4000 tons on days when AQI is forecast from 150 to 200 (Code Red) and shall not produce hot mix asphalt on days when AQI is forecast greater than 200 (Code Purple and Maroon.) A record shall be maintained that documents appropriate fuel usage and compliance with this requirement.

It should be noted that Virginia Paving will continue to use No. 2 fuel oil in addition to natural gas. Washington Gas has indicated that it presently does not have the supply capacity to provide the full volume that Virginia Paving would need operate a plant exclusively with natural gas fuel. One of Virginia Paving's plants is equipped to burn a combination of No. 2 fuel oil and natural gas. Additionally, Virginia Paving will have a lower use priority for natural gas and could have their natural gas supply limited or shut-off in favor of higher priority users such as heat for buildings. In the summer, however, when plant output is higher and pollution a greater concern, Virginia Paving will be able to reduce pollution by burning natural gas.

Final plans have not been developed, and are subject, in part, to whether this SUP amendment is approved. The current plan is for Washington Gas to bring natural gas to the site in a series of underground pipes from its line that serves the existing industrial and commercial uses along the south side of South Pickett Street. Washington Gas will supervise the construction itself, up to the last 25 feet on the Virginia Paving site, for which Va. Paving will supervise the construction. The system, and construction, is similar to the work that occurs when a new home or building with natural gas fuel is built.

ACTIVITY SINCE 2006 APPROVAL

Improvements at the Plant

In addition to operational improvements, there have been significant physical infrastructure improvements at the plant mandated by SUP#2005-0042, including the following:

- Installed a Blue Smoke control system to control particulate matter at the top of the silos;
- Installed low NOx burners on the drum dryers;
- Installed vent condensers to control asphalt storage emissions;
- Installed Fugitive Emissions Control Systems on the loadout and asphalt mix conveyor system;
- Installed particle traps on all on-site engines, front end loaders, trucks and other diesel equipment owned and operated by Virginia Paving;
- Increased the height of the drum dryer exhaust stack to 20 meters;
- Increased the height of the hot oil heater exhaust stack 6 meters;
- Installed a particulate matter emission control system at the Recycled Asphalt Pavement

(RAP) crusher;

- Paved the truck asphalt area at the eastern end of the site to reduce fugitive dust;
- Install water sprayer and enclosure, and establish Best Management Practices (BMPs) to reduce fugitive dust.
- Replaced their 50 year old locomotive engine with a new locomotive that requires little warm-up time and idling.

Additionally, Virginia Paving conducted significant improvements along Back Lick Run to stabilize the section of stream on Virginia Paving property. It created a 35 foot vegetative buffer between the top of the bank and the asphalt pile. Within the 35 foot buffer, native trees and shrubs were planted and a Stormwater Management Facility installed to treat stormwater runoff from the site.

VA Paving Liaison Committee and Community Outreach

As part of the approved SUP, the Virginia Paving Liaison Committee was established to promote communication between VA Paving and the community, to ensure that any complaints were adequately addressed, and to monitor compliance with the SUP conditions. The Liaison Committee has included representatives from Cameron Station Civic Association, Summer's Grove Homeowners Association, and Brookville-Seminary Valley Civic Association, Cameron Station Community Association, the Alexandria Federation of Civic Associations, Alexandria City Public Schools, the West End Business Association, and the Departments of Planning and Zoning and Transportation and Environmental Services.

The Liaison Committee conducted ten public meetings at Samuel Tucker Elementary School over the course of three years. The meetings offered a good venue for Virginia Paving to report on operations of the plant, compliance with SUP conditions and the infrastructure improvements, and Virginia Paving interaction with state VDEQ to secure an amended state permit. Staff also provided reports on results of City staff's regular inspections of the plant. At all meetings, the public was given the opportunity to make comments and ask questions. The subject of the request for the new state operating permit and the change in the state permit to allow the use of natural gas was discussed at every meeting. Those in attendance universally supported the use of natural gas at the plant and the use of the minor amendment procedure to effect that change.

Although the formal life of the Liaison Committee has just ended, Virginia Paving will continue public outreach in the future by keeping a community relations function as part of its operation to "discuss operations and to attempt to resolve any problems, conflicts, or issues identified by the community related to the plant's operation." A condition of the SUP requires meetings twice per year with representatives from the surrounding residential community as well as City Staff from P&Z and T&ES. In the past few years, Virginia Paving has conducted at least one of these meetings as an open house, allowing visitors to tour the plant and ask questions of plant employees about the operation of the plant. It is anticipated that this public outreach will continue to facilitate good communication with the neighbors and quick resolution of issues or complaints.

Virginia State Permit

On February 17, 2010, VDEQ approved the new stationary source permit for the Virginia Paving asphalt plant. VDEQ held public hearings on the state permit on August 27, 2008 and December 10, 2009. The hearings were held at Samuel Tucker Elementary School, were advertised in a local paper, and were preceded by public comment periods July 24 to August 27, 2008 and November 5 to December 10, 2009. The new state permit has been revised to incorporate many of the requirements and limitations of the City SUP including reducing the production limits from 1,500,000 tons/year governed by the previous state operating permit to 980,000 tons/year as controlled by the approved SUP.

No Recorded Violations of SUP

Staff has not issued any notice of violations or documented any violations of the SUP conditions since the SUP was approved in 2006.

At the state level, on January 16, 2008, there was a citation to Virginia Paving by the Virginia DEQ for alleged violations regarding installation of the low NOX burner (an SUP requirement) on plant #1 without prior approval by the VDEQ, submission of incorrect stack test data (conducted in August 2004), and exceedance of short term emissions limit of the state issued permit. Virginia Paving has since entered into a consent order with Virginia DEQ, paid a fine, and conducted a valid stack test which was used to help establish thresholds incorporated into the new Virginia DEQ air permit issued on February 17, 2010.

According to the City Attorney's Office, the Virginia Supreme Court has held, in a case involving the Alexandria Mirant power plant, that a violation involving another government entity's laws does not and may not be considered to constitute a violation of local law or, in this case, the approved SUP.

Since the SUP approval in 2006, Staff, in the form of a multi-departmental team, has conducted regular inspections of the plant to determine whether there are violations of the SUP. The most recent inspection occurred on March 30, 2010, when Staff visited the property and found no violations of the special use permit.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the Industrial zone. Section 4-1203A of the Zoning Ordinance allows an asphalt plant in the Industrial zone only with a special use permit.

The proposed use is consistent with the Landmark/Van Dorn Small Area Plan chapter of the Master Plan which designates the property for Industrial use.

II. STAFF ANALYSIS

Staff supports the amendment to allow the use of natural gas as an additional fuel source for the plant because the change is an improvement in the operation of the plant that will reduce air pollution emanating from the plant and reduce the impact of the use on the City and surrounding residential community.

Since the time of the approval of the SUP#2005-0042 in November 2006, Virginia Paving has installed all of the infrastructure improvements mandated by the SUP. These improvements have successfully reduced the impacts of the Virginia Paving Company asphalt plant operation on the surrounding residential neighborhoods and the community. The change to natural gas as a fuel is one more step in reducing impacts from the plant.

BENEFITS OF NATURAL GAS FUEL

Natural gas is the cleanest burning fossil fuel. Because the combustion process for natural gas is very efficient, very few by-products are emitted into the atmosphere as pollutants, when compared to other fuels. Since natural gas burns cleanly, it doesn't leave behind any unpleasant soot, ash, or odors. Also, use of Low NOx Burner at this facility in conjunction with the use of natural gas reduces a key pollutant, nitrogen oxide, a pollutant targeted by the Clean Air Act can be significantly reduced. Nitrogen oxide is a precursor to the ozone, a significant regional pollutant during summertime.

Although the extent to which natural gas will be used at this facility will be primarily governed by the relative prices of No. 2 fuel oil and specification recycled oil, and the price and availability of natural gas, it is anticipated that during summer season when fuel use at the plant is the highest, the demand for and price of natural gas is relatively low. To the extent that natural gas is used at this facility in lieu of the other fuels, it will only be positive from air quality perspective. The positive effects of using natural gas will be most pronounced and the community will benefit more during the summer when pollution is worse and asphalt production highest.

MINOR AMENDMENT PROCESS

Although staff's support for the substance of the proposed amendment is clear, the question of the appropriate process for the amendment has been the subject of some debate. The applicant seeks to take advantage of the minor amendment process under the zoning ordinance for special use permits approved by Council. The alternative is to request the amendment through the public hearing process, with consideration by the Planning Commission and City Council. That process opens the applicant to discussion of any and all issues related to the special use permit, a risk that Virginia Paving has stated it would be reluctant to take. Therefore, it is seeking approval from the Director of Planning under the administrative minor amendment process.

Minor Amendment Criteria

Section 11-511 of the Zoning Ordinance authorizes the Director of Planning and Zoning to approve special use permit minor amendments for requests that meet the criteria delineated in that provision. In this case, the Director finds that the request meets all criteria for processing as a minor amendment. Specifically, section 11-511 requires:

- **A minor amendment must constitute no more than a minimal enlargement or extension of a use.** In this case, the proposal to add natural gas as a fuel does not change by enlargement or extension the use whatsoever. Adding a gas line and a new, alternative fuel provides an opportunity for the same plant operations which already exist to continue with a new, cleaner source of fuel.
- **The changes must be so insignificant, when the overall use is considered, that they will have little or not zoning impact on adjacent properties or the neighborhood.** Here, when the overall use is considered, the change is insignificant in terms of potential negative or "zoning" impact. The only impacts on the neighborhood are positive benefits including cleaner air from using clean fuel – natural gas – to run the plant.
- **The proposal will not change the character of the use or increase its overall intensity.** The SUP conditions, including Condition nos. 1 and 2, limit the output from the plant in terms of annual and daily output. These conditions remain and will not change. Thus, the character, intensity and scope of the use will not be increased whatsoever as a result of using natural gas as a fuel.
- **There have been no substantiated violations of the special use permit conditions within the last five years.** Here, there have been no substantiated violations of the approved SUP, despite regular inspections by City Staff. There has been a violation of a state regulation but it does not constitute an SUP violation.
- **The proposed change when considered in conjunction with all amendments since city council approval constitutes no more than a single minor amendment.** This is the first and only amendment to the approved SUP that has been requested.

Thus, the Planning Director has found that the application qualifies for processing as a minor amendment. The Director also has the authority to require a full hearing process in an appropriate case.

Community Support/Opposition to the Process

Planning staff has been contacted by the Federation of Civic Associations who has expressed opposition to processing this matter as a minor amendment. Its concerns relate to the general fact that Virginia Paving has been a source of controversy and citizen concern in the past and that natural gas is a potentially dangerous fuel. More specifically, it questions whether minor amendments should be allowed for large industrial uses in the City. The Federation has not stated opposition to the substance of the request, only to the process. Staff has also received one citizen letter in opposition to the administrative process for this amendment. Based on the Federation's concerns, Planning staff delayed its consideration of the request until it could

discuss this matter in more detail with that group. Staff understands that the Federation has reconsidered but retained its initial position.

Staff has also received a series of letters in support of the process from the Cameron Station Civic Association and the Cameron Station Homeowners Association. Support for the minor amendment process has also been received from the West End Business Association. These three groups represent those residents and businesses most closely affected.

Perhaps most significantly, the Virginia Paving Liaison Committee has submitted a strong letter in support of the minor amendment – as to both the substance and the process for it. Its recent letter reiterates its position over time, as it has worked closely with Virginia Paving to encourage the addition of natural gas as a fuel. Its long held position is based on the benefit to the environment and surrounding community by reducing air pollution from the facility. Its position that the minor amendment is appropriate has also been repeatedly voiced and used as encouragement to Virginia Paving to participate with the City in its administrative process for change. The Committee documented this long held position in letters to Virginia DEQ in 2008 and 2009 supporting the plant's revisions to its state air permit to allow the use of natural gas.

The Committee cites the fact that the matter of natural gas has already been the subject of two formal and well attended public hearings at Samuel Tucker school, and that the subject has been discussed over time at its ten public Liaison Committee meetings as reasons that a public hearing process is not necessary in this case, as it might be in others.

Minor Amendment Issues

Members of the Federation and others have raised questions and suggestions about the minor amendment process, including about the recently published staff proposals to change the text to expand it. As an example, one issue is whether the minor amendment process should be changed to prohibit major industrial users from participating. As an alternative, new provisions could outline different criteria for industrial use applicants. A different idea presented would allow for an amendment for an SUP to proceed through the hearing process without the ability of staff or Council to change aspects of the use other than what has been proposed. Staff thinks these suggestions warrant review and consideration and has proposed to work further on the question with the Federation or some of its representatives, either as part of or separate from the pending Small Business Zoning text amendment.

Staff Recommendation

Staff approves the change to allow natural gas as a fuel at Virginia Paving as a minor amendment its SUP.

III. CONDITIONS

AIR

1. Virginia Paving Company (hereinafter, VA Paving) shall limit its hot mix asphalt production to a yearly maximum of 850,000 tons per year until all air pollution controls have been installed as scheduled in this special use permit. Thereafter, the hot mix asphalt production shall be limited to 980,000 tons per year. In addition, Virginia Paving shall limit hot mix asphalt production to 275,000 tons per year during nighttime shifts as defined in Condition No. 4 below. (T&ES) (City Council) (SUP#2005-0042)
2. Virginia Paving shall limit its hot asphalt production rate to a maximum of 1,000 tons per hour and 8,000 tons in any daily period, not to exceed 4,000 tons in any one nighttime shift. (T&ES) (City Council) (SUP#2005-0042)
3. Virginia Paving shall control odors, smoke and any other air pollution from operations at the site, and prevent them from leaving the property and becoming a nuisance to neighboring properties, as determined by the Department of T&ES, in coordination with the Director of Department of Health. (T&ES) (City Council) (SUP#2005-0042)
4. Virginia Paving shall limit its nighttime work to 110 nighttime shifts per calendar year. A record shall be maintained on site for the days/shifts on which nighttime work was conducted. Work conducted from 8 p.m. to 5 a.m. will be considered as nighttime shift. A partial shift work will be counted as one nighttime shift work for the purposes of this condition. (T&ES) (City Council) (SUP#2005-0042)
5. All nighttime production at Virginia Paving shall be limited to public road, street and highway work for government customers only. Nighttime production for and servicing of non-government entities from this facility is not permitted. (T&ES) (City Council) (SUP#2005-0042)
6. For control of odors, Virginia Paving shall use low-odorous additive or, upon proposal to and approval by the Department of T&ES, another equally effective approach such that odors from Virginia Paving is in compliance with Condition No. 3 hereto. Since effectiveness of these additives is highly dependent on their usage in manufacturer's recommended quantities, Virginia Paving shall maintain records on site that demonstrates that these additives are being used as per manufacturer's recommendations. The records will include the amount of additive used, compared to production and use of asphalt cement. (T&ES) (City Council) (SUP#2005-0042)
7. VA Paving shall only burn natural gas, No. 2 virgin fuel oil or better in the hot oil heaters. The annual consumption of No. 2 fuel oil in the hot oil heater shall be limited to 100,000 gallons based on a rolling twelve month total. Only one of the two currently permitted hot oil heaters shall operate at any one time. VA Paving shall clearly mark this requirement on the heaters and train the operators so that they are aware of this condition. (T&ES) (SUP#2005-0042)

8. VA Paving shall only utilize natural gas, No. 2 fuel oil or specification recycled oil as fuel for the drum dryers. The natural gas shall be of pipeline quality. The recycled oil shall meet the following specification.

Constituent	Maximum Allowed Level	Typical Level
Sulfur	0.5 % by weight	0.4 % by weight
Arsenic	3 ppm	< 2 ppm
Cadmium	2 ppm	< 2 ppm
Chromium	7 ppm	5 ppm
Lead	50 ppm	20 ppm
Total Halogens	1,000 ppm	700 ppm
PCB	2 ppm	<2 ppm
Flash Point	100 °F minimum	100 °F minimum

Further, for sulfur content, the applicant will target .40 by weight, and if specification is not achieved for a particular shipment, the applicant will meet with the supplier and take action to ensure that target can be achieved. For every shipment of recycled oil received, VA Paving shall maintain on site, for a period of five years, fuel supplier records showing concentrations of the above constituents, as well as daily and monthly consumption of the same. The records shall be provided to the City upon request. (T&ES) (SUP#2005-0042)

9. Virginia Paving shall only utilize natural gas and/or low-sulfur No. 2 distillate oil as fuel for the drum dryers on days when the Air Quality Index (AQI) value for Alexandria/Region is predicted to exceed 100 (Codes Orange and Red) for ozone and particulate matter, as identified on MWCOG's website. Additionally, Virginia Paving shall be limited to a daily production cap of 4000 tons on days when AQI is forecast from 150 to 200 (Code Red) and shall not produce hot mix asphalt on days when AQI is forecast greater than 200 (Code Purple and Maroon.) A record shall be maintained that documents appropriate fuel usage and compliance with this requirement. (T&ES) (City Council) (SUP#2005-0042)
10. The No. 2 distillate oil used as fuel by VA Paving shall be the same as is approved for use in on-road diesel vehicles. The sulfur content of this oil shall be limited to 0.05% by weight. For every shipment of No. 2 distillate oil received, VA Paving shall maintain on site, for a period of five years, fuel supplier records certifying the fuel type and sulfur content. The records shall be provided to the City upon request. (T&ES) (SUP#2005-0042)
11. VA Paving shall install, operate, and maintain Blue Smoke Control system (six-stage filtration or ventilation to drum dryer burner: Butler-Justice, Inc.) to achieve 99% control efficiency for particulate emissions within the capture zone at the top of the silos per vendor specification. VA Paving or the vendor shall test the system to demonstrate that the system will meet its efficiency rating for captured PM-2.5 and PM-10 emissions

- within 90 days of startup of the system. The installation and testing for the top of the silos for Plant 1 shall be completed by December 31, 2006. For Plant 2, the fugitive emission control system shall be installed at the top of the silos by July 30, 2007. (T&ES) (SUP#2005-0042)
12. VA Paving shall install and maintain low-NOx burners on both drum drier units. The installation of low-NOx burners shall be completed no later than October 30, 2006 for Plant 2 and no later than December 31, 2007 for Plant 1. (T&ES) (SUP#2005-0042)
 13. VA Paving shall install and maintain tank vent condensers which may include steel wool filters, or other alternate control approved by the Director of T&ES, to control asphalt storage tank emissions no later than September 30, 2006. (T&ES) (SUP#2005-0042)
 14. VA Paving shall install Fugitive Emissions Control Systems to capture and control fugitive emissions from the hot mix asphalt conveyors and loadouts. The systems shall be vented to the drum dryer burner or the six-stage filtration collection unit. For Plant 1, the system shall be installed no later than September 30, 2007. For Plant 2, the system shall be installed no later than June 30, 2008. Both systems shall be certified within 180 days of startup. (T&ES) (SUP#2005-0042)
 15. The particulate matter (TSP) emissions from the drum dryer baghouses and the lime storage silo baghouse shall not exceed 0.03 gr/dscf of exhaust gas as measured by EPA Method 5. VA Paving shall demonstrate compliance with this limit once every two years by conducting performance tests for each baghouse. Results of performance tests and compliance status report shall be submitted to the City within thirty (30) days of the completion of the tests. Visible Emissions testing (VE) shall be conducted monthly by a Certified Visible Emissions inspector with results available for review at the plant site. (T&ES) (SUP#2005-0042)
 16. All on-site engines, front end loaders, trucks and other diesel equipment owned and operated by Virginia Paving shall install 90% efficient particle traps. The installation of particle traps on half (50%) of this equipment shall be completed no later than October 31, 2006, starting with the largest engines, and on the remaining equipment no later than December 31, 2006. In addition, all dump trucks owned and operated by Virginia Paving will be replaced with new trucks that will meet new 2007 Tier III EPA standard for emissions from diesel engines within three years of the approval. Virginia Paving shall replace one third of the existing trucks each year between 2007 and 2009. (T&ES)(City Council) (SUP#2005-0042)
 17. VA Paving shall increase the height of the drum dryer exhaust stacks to 20 meters no later than January 31, 2007, pending approval by Virginia DEQ. (T&ES) (SUP#2005-0042)
 18. VA Paving shall increase the height of hot oil heater exhaust stack 6 meters no later than October 31, 2006. (T&ES) (SUP#2005-0042)

19. Virginia Paving shall install and maintain a particulate matter emission control system at the Recycled Asphalt Pavement (RAP) crusher. Such system shall be installed no later than December 31, 2006, and must consist of water sprays and drop enclosures (housing at the end of the conveyer). (T&ES) (SUP#2005-0042)
20. Visible emissions from the Recycled Asphalt Pavement (RAP) crusher shall not exceed 10% opacity as measured using EPA Method 9. This condition shall apply at all times except during startup, shutdown and malfunction. The duration of each startup and each shutdown of the RAP crusher shall be limited to no more than 10 minutes. A log of each malfunction shall be maintained indicating cause of malfunction, duration of malfunction, and corrective action taken to eliminate the malfunction and avoid future malfunctions. (T&ES) (SUP#2005-0042)
21. Effective immediately, VA Paving shall spray water using a water truck on all on-site paved roadways at least twice daily. More frequent water spraying shall be conducted if necessary to effectively control fugitive dust emissions from the paved roads. All paved roads shall be wet-vacuumed at least once daily. VA Paving shall maintain a daily log of water spraying and wet-vacuuming operations, and shall make the log available to the City for review upon request. (T&ES) (SUP#2005-0042)
22. VA Paving shall pave the truck access areas at the eastern end of the facility for trucks receiving product from Plant 2 no later than October 31, 2006. (T&ES) (SUP#2005-0042)
23. VA Paving shall install and maintain water sprays, and construct enclosures, as modeled, on all transfer points as identified in the modeling no later than December 31, 2006. (T&ES) (SUP#2005-0042)
24. VA Paving shall incorporate into a Long Term Control Plan (LTCP) and operations manual specifying the Best Management Practices (BMPs) to be employed for control of fugitive dust sources as outlined in this Special Use Permit. The BMPs in the LTCP shall include, but not be limited to, vacuum sweeping and water flushing of paved access areas (e.g. roads, parking, etc.), paving of any unpaved access areas, wetting and/or chemical stabilization of aggregate handling and storage including RAP, and enclosures for all conveyor to conveyor transfer points. To demonstrate compliance with the BMPs, VA Paving shall maintain appropriate records including (1) frequency of vacuum sweeping, (2) frequency and quantity of water application, (3) frequency, quantity and type of chemical suppressant applied, and (4) periodic inspection of conveyor to conveyor transfer points to ensure integrity. The records as required by this annual inspection shall be submitted to the City every six months, first submittal no later than April 30, 2007. (T&ES) (SUP#2005-0042)
25. VA Paving shall conduct stack tests for PM2.5, PM10, NOx, SOx, and CO emissions at the outlined schedule. The test shall be completed prior to August 31, 2007. A second test shall be conducted within two years of the first test and must be completed prior to August 31, 2009. Thereafter the tests must be conducted at a frequency of not less than

once every five years. The results of the stack tests shall be submitted to the City within 90 days of the tests. (PC) (SUP#2005-0042)

26. VA Paving shall obtain all necessary construction permit(s) and revisions to the operating permit from the Virginia Department of Environmental Quality (DEQ). (T&ES) (SUP#2005-0042)
27. In the event that the plant is found to be creating a public nuisance or a public health problem, as determined by the City of Alexandria, VA Paving shall suspend all operations until satisfactory corrections are made in accordance with further recommendation of the Director of Transportation and Environmental Services in consultation with the Director of Alexandria Health Department. (T&ES) (SUP#2005-0042)
28. In the event that the National Ambient Air Quality Standards are modified or new ones are added, the City reserves the right to require Virginia Paving to perform an analysis that provides all technical data to demonstrate that the facility is not causing the exceedance of the National Ambient Air Quality standard in place at that time. In particular, since the 24-hr. standard for the PM_{2.5} NAAQS has been revised from 65 $\mu\text{g}/\text{m}^3$ to 35 $\mu\text{g}/\text{m}^3$ (determined as the 98th percentile of three years of valid data), although this NAAQS is not enforceable by EPA until the year 2015, the following conditions shall apply:
 - 28A. The City shall continue operating the PM₁₀ monitor at Samuel Tucker School until three years of valid data have been collected. The City shall determine the 98th percentile of these data, per the NAAQS, and then multiply that value by 75%, to impute a 98th percentile value for PM_{2.5}.
 - 28B. If the imputed value exceeds 35 $\mu\text{g}/\text{m}^3$, then the City reserves the right to require VA Paving to demonstrate that the facility is not causing this imputed exceedance, pursuant to the deadlines to be set by the City, but in no circumstance to be less than 90 days from the date of notice by the City. (PC) (SUP#2005-0042)

WATER

29. VA Paving shall install a Stormwater Management Facility (SWMF) to treat stormwater runoff and contact water from its entire site no later than December 31, 2006. The stormwater management facility shall be designed and constructed to address pollutants of concern i.e. sediment and petroleum based products. The SWMF shall be located within the boundaries of the VA Paving facility. The design and location of the SWMF shall meet the satisfaction of the Department of T&ES. (T&ES) (SUP#2005-0042)
- 30A. VA Paving shall execute a maintenance agreement with the City for all installed stormwater Best Management Practices (BMPs). VA Paving shall secure a maintenance contract with the vendor of the installed SWMF and provide a copy of the contract to the City or the applicant shall obtain certification from the vendor that appropriate

maintenance has been performed by the employees of the applicant. (T&ES) (SUP#2005-0042)

- 30B. The stormwater BMPs required for this project shall be constructed and installed under the direct supervision of the design engineer or his designated representative. The design engineer shall make a written certification to the City that the BMP(s) are constructed and installed as designed and in accordance with the approved Plan. (T&ES) (SUP#2005-0042)
- 30C. VA Paving shall develop or obtain an Operations and Maintenance Manual from the designer or manufacturer of the SWMF. The Manual shall include (1) an explanation of the functions and operations of each BMP and any supporting utilities, (2) catalog cuts on any mechanical or electrical equipment, (3) a schedule of routine maintenance for the BMP(s) and supporting equipment, and (4) a copy of the maintenance agreement with the City. VA Paving shall maintain the SWMF in accordance with the procedures prescribed in the Manual. The maintenance records shall be maintained at the facility for five years and shall be provided to the Department of T&ES once every year or upon request. (T&ES) (SUP#2005-0042)
31. VA Paving shall maintain the existing Asphalt Pile that has been pulled back from the stream (Back Lick Run) and shall maintain a minimum distance of 35 feet between the pile and the top of the bank. This buffer shall be vegetated to the satisfaction of Department of Planning and Zoning, Department of Parks and Recreation, and Department of T&ES, and maintenance access shall be provided. (T&ES) (SUP#2005-0042)
32. VA Paving shall be responsible for conducting a bank stabilization project in the section of the stream that is on its property as generally depicted on the Concept Plan dated February 6, 2006. Such restoration project must be to the satisfaction of Department of T&ES. (T&ES) (SUP#2005-0042)

NOISE

33. The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line. (T&ES) (SUP#2005-0042)
34. No amplified sound, such as intercom speakers, shall be audible at the property line. (T&ES) (SUP#2005-0042)
35. VA Paving shall limit its night time operations to only one dryer unit, one loader, one skid steer and one mobile crane, and trucks as needed between the hours of 9 pm and 6 am. (T&ES) (SUP#2005-0042)

36. VA Paving shall continue to work with Norfolk Southern to encourage all deliveries to be made only between the hours of 7 am and 6 pm (Monday-Friday). (T&ES) (SUP#2005-0042)
37. Operation of VA Paving locomotive engine, unloading of rail cars and operation of the RAP crusher shall be limited to the hours of 7 am to 6 pm (Monday-Friday), and 9 am to 6 pm on Saturdays. No unloading shall occur on Sundays, New Years Day, Memorial Day, the Fourth of July, Labor Day, Thanksgiving or Christmas. VA Paving shall maintain a log of the timing of arrival of deliveries, use of their locomotive engine, unloading operations, and RAP crusher operations. (T&ES) (SUP#2005-0042)
38. VA Paving will not be permitted to dump on the top of the RAP (Recycled Asphalt Pavement) pile at night. When necessary to deliver RAP to site during night time operations, only the eastern storage area will be utilized. The practice of dumping at the ground level will make use of RAP stockpile as noise buffer. Access to the top of the pile will be blocked daily to eliminate access. (T&ES) (SUP#2005-0042)
39. All on-site trucks and equipment owned and operated by VA paving shall be equipped with ambient noise level sensing backup alarms within six months of the approval of this Special Use Permit. VA Paving shall also adjust route trucks and other equipment on its site in such a manner that minimizes the need to use back-up alarms. (T&ES) (SUP#2005-0042)
40. VA Paving shall take active measures including use of on-site personnel to direct the unloading of milled material on the site without use of tailgate banging. The measures may include, but shall not be limited to, permanently installing signs on the property instructing truck drivers, in English and Spanish, to not bang their tailgates and to not use engine brakes. Posting of signs alone is not sufficient to be in compliance with this condition. (T&ES) (SUP#2005-0042)
41. VA Paving shall establish a 24 hour "Hotline" number. The number, and the name of the person responsible for this number at the plant, shall be provided to the City, and the community, and updated on a regular basis. All complaints received at this number shall be logged, followed up and responded. (T&ES) (SUP#2005-0042)
42. VA Paving shall install signs on its property to limit engine idling to a maximum of five minutes. Use of engine brakes shall be prohibited while on VA Paving property and appropriate signs shall be installed to make operators aware of this requirement. (T&ES) (SUP#2005-0042)
43. VA Paving shall install noise reducing mufflers on plant air cylinder exhaust ports where possible. These shall be installed by November 30, 2006. (T&ES) (SUP#2005-0042)
44. Two years after the approval of the Special Use Permit, the Department of T&ES shall review any noise complaints and actual measurements at the nearby properties, and the frequency, duration and timing of the impacting noise, and may require reasonable

additional measures, including sound barriers or requiring all privately operated trucks and equipment to be equipped with ambient noise level sensing back-up alarms, necessary to address any outstanding issues. (PC) (SUP#2005-0042)

OTHER

45. All waste products including, but not limited to, organic compounds (such as solvents), motor oil, compressor lubricant and antifreeze shall be disposed of in accordance with all local, state and federal ordinances or regulations and shall not be discharged to the sanitary or storm sewers, or onto the ground. (T&ES) (SUP#2005-0042)
46. VA Paving shall comply with the City of Alexandria Best Management Practices manual for automotive related industries. A copy can be obtained by contacting the Department of T&ES, Office Division of Environmental Quality at 703-746-4063 519-3400, ext-166. (T&ES) (SUP#2005-0042)
47. All repairs of motor vehicles or equipment shall be conducted inside a building or structure that is approved by the Department of Planning and Zoning, except in the limited cases where the large size of the equipment is prohibitive. (T&ES) (SUP#2005-0042)
48. At the intersections where pavement has been impacted by tack deposits from VA Paving's operations, VA Paving shall be responsible for restoration or removal of tack deposits of the impacted intersections or roadway pavement as determined and to the satisfaction of the Department of T&ES. Upon being notified by the Department of T&ES and identification of the impacted intersections, VA Paving shall make the repairs within ninety (90) days of the date of the notice. (T&ES) (SUP#2005-0042)
49. VA Paving shall not use the outdoor lighting of its property, which are so arranged that the illumination and glare there from is thrown upon the adjacent property occupied for residential purposes, in an amount of illumination which measures more than point twenty-five hundredths footcandles measured at any point seven feet beyond the property line of the adjacent property used for residential purposes. (SUP#2005-0042)
50. All lights used by VA Paving shall be shielded or directed so as to confine the area of diffusion to the property, which it is intended to illuminate. (SUP#2005-0042)
51. VA Paving shall take all necessary measures to ensure that its locomotive engine is not leaking any oil. In the event that the current engine continues to leak oil, lubricants or fuels, VA Paving shall take additional measures deemed necessary to prevent oil, lubricants or fuels leaks and to eliminate any environmental impacts. VA Paving shall replace its locomotive engine no later than December 31, 2009. (SUP#2005-0042)
52. VA Paving shall maintain all on-site equipment, including pollution control equipment, in an optimum working condition. Any applicable maintenance records shall be kept on-site. In the event that any air pollution control equipment is not operational, the City will be notified immediately. (SUP#2005-0042)

53. VA Paving shall maintain records on site on plant mix temperature readings of asphalt mix in drum dryers on a daily basis and such records shall be available to be reviewed by the Department of T&ES to ensure stack test records submitted by VA Paving are accurate and reflect such temperature readings. These records shall be maintained for a period of five years. (SUP#2005-0042)
54. VA Paving shall maintain records on site describing any failures or pressure drops in the baghouses in accordance with guidelines established by VDEQ under their Air Permit and shall notify the Department of T&ES within twenty-four (24) hours of such failures or pressure drops. VA Paving shall promptly take corrective actions to repair the baghouse in question and notify the City upon completion of repairs and resumption of normal operations. (SUP#2005-0042)
55. VA Paving shall maintain all records required by this special use permit and shall keep such records on site for at least the most recent 5 year period. All records shall be available to the City upon request. (SUP#2005-0042)
56. VA Paving shall copy the City on all of their correspondence with Virginia DEQ and EPA including, but not limited to, its Air and Water permits and permit applications. (SUP#2005-0042)
57. VA Paving plant site shall be available for inspection by City staff during all hours of operation. (SUP#2005-0042)

ENFORCEMENT

Reporting to the City

58. VA Paving shall maintain daily production and site activity information and provide it to the City on a monthly basis. Reports must be submitted within 2 weeks of the month ending. (SUP#2005-0042)
59. VA Paving shall provide the City a Quarterly report that provides status of all projects required by the SUP. Also the records that are required by the conditions will be submitted along with this quarterly report. After all the Capital projects are installed, the BMP reporting requirements shall be made annually. (SUP#2005-0042)

Review

60. The Director of Planning and Zoning shall review compliance with the conditions of the special use permit, as part of a coordinated inspection with the Department of Transportation and Environmental Services and Code Enforcement, as well as the Alexandria Health Department who shall identify any health concerns, including at Samuel Tucker Elementary School, every six months for the first two years after approval, then annually thereafter, and shall docket the matter for consideration by the

Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the director has received a request from any person to docket the permit for review as the result of a complaint that rises to the level of a serious violation of the permit conditions, (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (PC) (SUP#2005-0042)

Penalty for Violation of Specific Conditions

61. If the applicant fails to comply with installation dates set forth for Conditions #11, #12, #13, #14, #17 and #18, without prior advance notice of a reasonable basis for delay, it shall cease all operations involving the night-time exit and entrance of vehicles from the site, and within 30 days, staff will docket the case for review and potential action by City Council on the next available docket. (PC) (SUP#2005-0042)

Community Outreach

62. The applicant shall designate an employee whose responsibility will be to assure compliance with all conditions of the Special Use Permit. The name and phone number of this employee will be provided to the Department of Planning and Zoning and to a representative(s) of the residential surrounding community. (P&Z) (SUP#2005-0042)
63. The applicant shall establish a community relations function as part of their operation. This function shall include regularly scheduled meetings to discuss operations and to attempt to resolve any problems, conflicts or issues identified by the community related to the plant's operations. The meetings shall be held with representatives from the surrounding residential communities, and notice of such meetings will be given to these communities as well as to the Department of Planning and Zoning and Transportation and Environmental Services, and shall be held twice each year. (P&Z) (SUP#2005-0042)

LANDSCAPING

64. Provide and implement a comprehensive landscape plan to the satisfaction of the directors of Planning and Zoning, Transportation & Environmental Services and Recreation, Parks & Cultural Activities. The applicant shall continue to work with City staff to develop a site planting strategy consistent with Concept Development Plan drawings dated 06 December 2005. The landscape plan shall include:
 - a. Crown area coverage calculations in compliance with City of Alexandria Landscape Guidelines. Provide pre-site disturbance and post-site disturbance calculations.
 - b. An exhibit that demonstrates open space calculations. Provide pre-site disturbance and post-site disturbance calculations for on-site open space.

- c. Detailed material, scale massing and character elevation views and sections for all proposed fences and/or walls. Indicate above/below grade conditions, and existing/proposed grade conditions, including top/bottom of wall grades.
 - d. An enhanced level of detail plantings throughout the site (in addition to trees). Plantings shall include a mixture of seasonally variable, evergreen and deciduous shrubs, ornamental and shade trees and herbaceous groundcovers that are horticulturally acclimatized to the Mid-Atlantic and Washington, DC National Capital Region.
 - e. Identification of limits of grassing operations and limits of work.
 - f. Provide additional screen plantings along Van Dorn Street.
 - g. Planting details including sections, for all site landscape conditions.
 - h. Information that fixes and describes the design, scale, dimension, massing and character of stormwater management facilities; stream buffer area plantings; slope stabilization; recreation trail reservation; stream restoration activities, retaining and/or sound walls, and any above/below grade utility structures.
 - i. Provide a phasing plan and narrative that clearly indicates a time line for implementation and completion of the landscape plan. Provide the following information:
 - 1. Coordinated work with construction of stormwater management facilities.
 - 2. Specific dates and planting seasons of phased implementation.
 - 3. Limits of work, quantities of plantings and maintenance requirements by phase.
 - 4. Details and specifications for a by-phase watering/irrigation plan to maintain proposed plantings.
 - j. Provide an agreement stating that the property owner shall maintain all items depicted and proposed in the landscape plan in a safe, healthy, thriving condition.
 - 1. Submit a maintenance plan that depicts the scope, intensity and frequency of landscape maintenance activities during planting establishment periods and normally scheduled maintenance thereafter including any on and improvements.
 - 2. Plantings that expire or are deemed in an unhealthy condition must be replaced during the next successive planting season. (RP&CA) (SUP#2005-0042)
65. Provide notes on the Landscape Plan indicating the following:
- a. All plant specifications shall be in accordance with the current and most up-to-date edition of the American Standard for Nursery Stock (ANSI Z60.1) as produced by the American Association of Nurserymen; Washington, DC."

- b. "Unless more strenuous specifications are provided, all landscape related work shall be performed in accordance with the latest edition of Landscape Specification Guidelines as produced by the Landscape Contractors Association (LCA) of Maryland, District of Columbia and Virginia; Gaithersburg, Maryland."
 - c. "Prior to commencement of landscape installation/planting operations, a pre-installation/construction meeting will be scheduled and held with the City's Arborist and Landscape Architects to review plant installation procedures and processes." (RP&CA) (SUP#2005-0042)
66. Provide note on demolition, sediment and erosion control, site plan and landscape drawings that indicates:
- a. "All tree protection shall be approved in-field by the City Arborist prior to commencement of any site disturbing activities." (RP&CA) (SUP#2005-0042)
67. The Landscape Plan and all related phasing and maintenance materials shall be prepared and certified by a Landscape Architect certified/licensed to practice in the Commonwealth of Virginia. (RP&CA) (SUP#2005-0042)
68. To the satisfaction of the Directors of Planning and Zoning, Transportation & Environmental Services and Recreation, Parks & Cultural Activities, demonstrate coordination with the following:
- a. City of Alexandria Open Space Master Plan.
 - b. City of Alexandria Bicycle Trail Master Plan, including establishment of a connection to adjacent Fairfax County and the Van Dorn Metro Station area.
 - c. City of Alexandria Landmark/Van Dorn Small Area Planning process and study. (RP&CA) (SUP#2005-0042)
69. Virginia Paving Company shall grant the City of Alexandria an option, for recordation in the land records of the City of Alexandria, for a public access easement for continuation of a multi-use trail on Virginia Paving property along the property line. The necessity for, specific location, construction and orientation of any such trail will be determined by the City pursuant to its normal processes and procedures, after completion of which the City may exercise its option to have Virginia Paving grant the public access easement. This option must be recorded upon approval of the amended SUP for Virginia Paving operations. *All reservations shall be depicted on a subdivision plat and approved by the City Attorney.* (RP&CA) (SUP#2005-0042)

SITE MAINTENANCE

70. The asphalt storage pile located on Parcel B of the site plan and which faces South Van Dorn Street shall not exceed the height of the South Van Dorn Bridge. Visibility shall be minimized to the extent possible from South Van Dorn Street. (P&Z) (SUP#2005-0042)

71. All asphalt and gravel piles shall not spill or encroach onto Backlick Run at any time. (P&Z) (SUP#2005-0042)
72. All equipment and trucks shall be stored on the property in an orderly fashion at all times. (P&Z) (SUP#2005-0042)
73. The applicant shall remove the parking area from the city right-of-way, or shall apply for an encroachment or vacation. (P&Z) (SUP#2005-0042)

HOURS OF OPERATION

74. The hours of daytime operation for the asphalt plant shall be limited to 5:00 a.m. to 8:00 p.m. Monday through Saturday. In addition, when undertaking Federal, State or Local Government roadway projects during the paving season (April 1 to November 1), the facility may also operate from 8:00 p.m. to 5:00 a.m. Sunday through Friday. During nighttime hours, the applicant shall not engage in private paving. (PC)(City Council) (SUP#2005-0042)
75. Consistency with Eisenhower West Small Area Plan (SAP) and Sunset Provision: City Council shall review this SUP, conduct a public hearing, and determine if the continued operation of this use is inconsistent with the Eisenhower West Small Area Plan (SAP) and implementing zoning amendments, anticipated for adoption in 2009, and with the ensuing and foreseeable development and redevelopment in the area. Such public hearing shall be held, and determination made, on or about three years after adoption of the SAP. In the event Council does not determine that the continued operation of the use is inconsistent with such SAP, implementing zoning and development or redevelopment, the use may continue, subject to the terms and conditions of this SUP, including a new or revised sunset date. In the event Council determines that the continued operation of the use is inconsistent with such SAP, implementing zoning and development or redevelopment, the use, and all related and tenant operations on or within the site after expiration of the current lease (which is in 2016), shall terminate at such time as the Council shall determine, which shall not be sooner than seven years after adoption of the SAP nor longer than the applicable amortization period under Zoning Ordinance Section 12-214 as demonstrated by the Applicant. Investments made subsequent to this SUP Amendment will not be included in such an amortization analysis. With the exception of removing a claim of additional vested rights, or a claim for an extension of the amortization period based upon additional investments made, as a result of or subsequent to this amendment to the SUP, this provision is written as a declaration of existing zoning rights on the property. Nothing contained herein is a concession from Virginia Paving that a rezoning of their property is necessary or appropriate under the SAP. (City Council) (SUP#2005-0042)
76. The City shall establish a Virginia Paving Liaison Committee, to be appointed by the Mayor, to provide a forum for discussing and monitoring continuing impact and compliance issues arising from the operation of the plant. Members of the Committee

shall include citizens and businesses residing near the Virginia Paving plant, representatives of Virginia Paving, and City staff. (City Council) (SUP#2005-0042)

77. Virginia Paving shall be responsible for compliance with all generally applicable SUP terms, codes and ordinances regarding noise, odor, water quality and light for any tenant operations on the property. If any tenant on the property is found by the City of Alexandria to be the cause of a violation of any applicable SUP terms, codes or ordinances regarding noise, odor, water quality and light as referenced above, Virginia Paving shall take such steps as are necessary to modify or cease the tenant's operation until such modifications are made to ensure compliance with the above-referenced SUP terms, codes or ordinances. (City Council) (SUP#2005-0042)
78. Virginia Paving shall reimburse the City for the reasonable and proportionate administrative costs associated with the enforcement of this SUP, not to exceed \$126,000 for each of the first two years after approval and not to exceed \$50,000 each year thereafter, including the reasonable and proportionate cost of any additional staff, equipment or consultants determined to be necessary by the City to properly enforce the terms. Such cost shall be determined by the City in consultation with Virginia Paving and billed on a quarterly basis. Each bill will include an itemization of the amount charged. This term applies specifically to the cost of enforcement of the terms set forth in the SUP and shall not operate to shift fees or costs in the event of any subsequent administrative or legal dispute between the parties. (City Council) (SUP#2005-0042)

STAFF: Barbara Ross, Deputy Director, Department of Planning and Zoning;
Stephen Milone, Division Chief, Land Use Services;
William Skrabak, Director, Office of Environmental Quality;
Lalit Sharma, Division Chief, Office of Environmental Quality.

Attachments: Letters

IV. CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Transportation & Environmental Services:

All comments have been included as changes in the conditions.

Code Enforcement:

C-1 A new fire prevention code permit is required for the proposed operation. An egress plan showing fixture location, aisles and exit doors shall be submitted for review with the permit application.

Health Department:

F-1 No comment.

Parks and Recreation:

All comments have been included as changes in the conditions.

Police:

F-1 No comment.



WEST END BUSINESS ASSOCIATION
City of Alexandria, Virginia

3213 Duke Street, Box 128
Alexandria, VA 22314
E:alexandriaWEBA@gmail.com
Website: www.alexandriaWEBA.com

April 23, 2010

Ms. Farrah Hamer
Director, P&Z
City of Alexandria
301 King Street
Alexandria VA 22314

Re: Request by Virginia Paving Company for a Minor Amendment to SUP

Dear Ms. Hamer,
The West End Business Association (WEBA) requests that the Virginia Paving Company's (VPC) application to use natural gas as a fuel at its Alexandria plant at 5601 Courtney Avenue be processed as a Minor Amendment (rather than a full SUP).

Using natural gas as a substitute for petroleum-based fuels, when available, can only benefit the West End and the City of Alexandria. This possibility was discussed at length, in community meetings and public hearings, when VPC was going through the approval process for its Special Use Permit in 2006. At that time, natural gas supply was not available to the site; since then, VPC has been able to reach agreement with Washington Gas as an "interruptible supply" customer. This is a very favorable outcome, and one in a series of actions VPC has taken to improve Alexandria's air quality.

To request a full SUP process at this point would be counterproductive. The question at hand, use of natural gas as a substitute for petroleum based fuels, has been fully vetted in the original SUP process. Conducting a full SUP process on this point would not provide any new information, and be very costly to the company, the Alexandria community, and citizens and civic groups. A full SUP process takes several months, and thus delays the use of natural gas well past the start of the summer season and on code orange days when it could be of great benefit to Alexandria to have the plant switch from use of #2 fuel oil. The full SUP process is also quite costly: the company would spend tens of thousands of dollars in legal fees, City staff would spend valuable hours managing a community hearing process and writing lengthy docket reports, and members of the community would have to spend time monitoring the proceedings (attending meetings, sending emails, preparing official remarks on behalf of their associations) - and all this time and effort would not provide us with any benefits.

WEBA has been monitoring the Virginia Paving Company's activities since it applied for its Special Use Permit, attending the initial meetings and hearings, and since then participating in the Liaison Committee. We regularly talk with plant personnel, and are delighted with their efforts to be part of the west end community. We are pleased with VPC's compliance with the terms of their SUP, and fully support the winding down of the Liaison Committee and movement toward a less formal monitoring mechanism. Accordingly, we urge that VPC be allowed to obtain permission to use natural gas as a fuel through the City's Minor Amendment process, without going through a full SUP process that would be costly to the company and the community.

Sincerely,

Scott Kersjes
President
3814 Dominion Mill Dr., Alexandria, VA 22304
PH 202-251-9419
Scott.kersjes@lfacilities.us

Cc: Mayor and Members of City Council
Chairman and Members of Planning Commission

Virginia Paving Liaison Committee

17 West Oak Street
Alexandria, VA 22301
April 19, 2010



Farrell Hamer
Director, Department of Planning and Zoning
City of Alexandria
301 King Street, Room 2100
Alexandria, VA 22313

Dear Ms. Hamer:

On behalf of the Virginia Paving Liaison Committee, I am writing to reiterate the committee's longstanding position in favor of Virginia Paving's request for a minor amendment of SUP#2005-0042. This proposal would allow the addition of the use of natural gas as a permitted fuel source for the plant.

At the committee's April 14, 2010 meeting, the committee voted unanimously to support Virginia Paving Company's request to use natural gas as a minor amendment to the SUP, thereby approvable by the Director of Planning and Zoning. The committee believes the request meets the criteria, as we understand it, in the zoning ordinance section 11-511 for a minor amendment. In addition, the committee has long favored and advocated for the use of natural gas at the plant as it has the potential to positively impact the surrounding community specifically and Alexandria in general by improving air emissions from the plant.

This position reiterates the committee's formal vote at our meeting on April 16, 2008 providing unanimous support to add the use of natural gas at the plant through administrative approval as a minor amendment to the SUP. At committee meetings on July 16, 2008 and November 19, 2009, the committee again voted unanimously to support this change and sent letters to the Virginia Department of Environmental Quality (dated August 13, 2008 and December 10, 2009) in support of revisions to the state air permit to allow the use of natural gas at the plant.

The committee also notes that there have been numerous public meetings and hearings regarding this issue, including ten Virginia Paving Liaison

Committee meetings and two public hearings hosted by the Virginia Department of Environmental Quality. It is important to note that the VDEQ has already authorized the use of natural gas in addition to No. 2 fuel oil as part of the new State operating permit for the Virginia Paving plant.

Finally, the committee would also like to note that its membership is very inclusive with representatives from the Cameron Station Civic Association, Summer's Grove Homeowners Association, Brookville-Seminary Valley Civic Association, Cameron Station Community Association, Alexandria Federation of Civic Associations, Alexandria City Public Schools and West End Business Association—those neighboring communities and citizens most impacted by the plant. The committee members have kept their associations/organizations well-informed throughout this process with regards to all matters concerning the operation of the Virginia Paving facility.

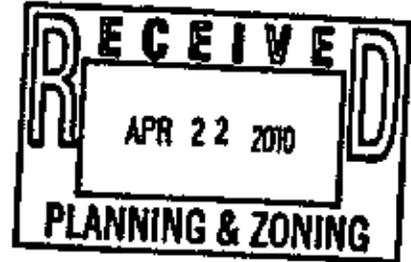
In closing, the Virginia Paving Liaison Committee requests this matter be addressed as expediently as possible saving further time, energy and cost on a matter which has most certainly received appropriate vetting and due diligence.

Should you have any questions related to this matter, please don't hesitate to contact me. My email address is: john.porter@actforalexandria.org.

Sincerely,

John Porter, Chair
Virginia Paving Liaison Committee

cc: Mayor and Members of City Council
Planning Commission
James Hartmann, City Manager



April 19, 2010

Ms. Farrol Hamer
Director of Planning and Zoning
301 King Street
Alexandria, Virginia 22314

RE: Administrative Special Use Permit, 100 Courtney Avenue

Dear Ms. Hamer:

I am writing to you on behalf of the Cameron Station Community Association, Inc. (CSCA). Please know that the CSCA Board of Directors fully supports the Administrative Special Use Permit (ASUP) request for the installation of natural gas at 100 Courtney Avenue by Virginia Paving.

The residents of Cameron Station have supported natural gas as a fuel source for asphalt production since it is more environmentally friendly than oil. We have followed the development of this request for many years through the Virginia Paving Liaison Committee and meetings with Virginia Paving representatives. We feel that this request is due to the effort of many parties, including the City Staff. We do not believe that a full Special Use Permit (SUP) process is necessary.

Again, we encourage the ASUP application. Should you have any questions please feel free to contact me.

Sincerely,

Michael Kuhl
President, Cameron Station Community Association, Inc.
president@cameronstation.org

Cc: Mayor and City Council
Planning Commission

April 5, 2010

Ms. Faroll Hamer
Director, Planning and Zoning
Room 2100, City Hall
301 King Street
Alexandria, VA 22314

Dear Ms. Hamer:

On behalf of the Alexandria Federation of Civic Associations, Inc. (Federation) we hereby respectfully request that Virginia Paving Company's Administrative Special Use Permit (SUP) #2010-0014 not be handled administratively, but go through the full SUP process in the interest of good public policy and effective governance.

Given the fact that this SUP amendment request involves a significant industrial facility located in close proximity to residential neighborhoods and an elementary school, it would be appropriate and useful for Staff to analyze the potential impact of the proposed amendment, including estimating possible benefits and costs, such as the effect on air quality and the potential for intensification of use (i.e., increased production quantities), among other things. The full SUP process, including the preparation of a Staff report, would give citizens an opportunity to review the facts and comment at public hearings, and have the matter properly considered by the Planning Commission and City Council.

Thank you for your consideration of the Federation's comments. We look forward to hearing back from you regarding this matter.

Sincerely,

Katy Cannady and Joanne Lepanto, Co-Chairs
Alexandria Federation of Civic Associations, Inc.

cc: Alexandria Planning Commission Members
Nathan Randall, Department of Planning and Zoning

Cameron Station Civic Association

5235 Tancreti Lane, Alexandria, Virginia 22304

703/567-9827

Ms. Farol Hamer
Director of Planning and Zoning
301 King St.
Alexandria, VA 22314

RE: Administrative Special Use Permit, 100 Courtney Avenue

Dear Ms. Hamer;

At our April Board of Directors' Meeting, the Cameron Station Civic Association voted to support the Administrative Special Use Permit (ASUP) request for the installation of natural gas at 100 Courtney Avenue by Virginia Paving.

The residents of Cameron Station; one of the areas most affected by this industrial operation; realized many years ago that natural gas as a fuel source for asphalt production is more environmentally friendly than oil. We have followed the development of this request for many years through the City Council appointed Virginia Paving Liaison Committee; of which we, other civic organizations, and Virginia Paving are members, and meetings with Virginia Paving representatives. We feel that this request is a result of hard work and effort by many parties; including the involvement of City Staff.

We do not believe that a full Special Use Permit (SUP) process is warranted nor encouraged for the following reasons; (1) a full process would be extensive and push the installation of the gas lines back many months if not years, (2) many hours of staff time would be needed that could be used for other urgent matters, (3) this was a fuel source discussed during the original SUP negotiations, but at the time was extremely expensive and not feasible, (4) our interpretation of the ASUP guidelines allow this application, (5) the request to use natural gas has already been evaluated and approved by the Virginia Department of Environmental Quality, and (6) we also feel that if a full process is required the applicant may never install natural gas. In addition, through the years since the inception of the current SUP Virginia Paving has worked with the community in a full and open process and as a result become not only a partner in many respects but a good corporate citizen.

Again, we encourage the ASUP application. Should you have any questions please feel free to contact me.

Sincerely,

Mindy Lyfe
President, Cameron Station Civic Association

Cc: Mayor and City Council
Barbara Ross
Planning Commission

3

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of Special Use Permit #2010-0014.

Mary Catherine Gidd, attorney
Applicant - Signature

5/12/10
Date

Mary Catherine Gibbs, Attorney
Applicant - Printed

attachment: Conditions of Special Use Permit #2010-0014.



City of Alexandria, Virginia
Department of Planning & Zoning

SPECIAL USE PERMIT CERTIFICATE

Article XI, Division A, Section 11-510 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia requires that you display this special use permit in a conspicuous and publicly accessible place. A copy of the list of conditions associated with the special use permit shall be kept on the premises and made available for examination by the public upon request.

Special Use Permit #2010-0014
Approved by Planning & Zoning on: May 12, 2010
Permission is hereby granted to: Virginia Paving Company
to use the premises located at: 5601 Courtney Avenue
for the following purpose: see attached report

It is the responsibility of the special use permit holder to adhere to the conditions approved by City Council. The Department of Planning and Zoning will periodically inspect the property to identify compliance with the approved conditions. If any condition is in violation, the permit holder will be cited and issued a ticket. The first violation carries a monetary fine. Continued violations will cause staff to docket the special use permit for review by City Council for possible revocation.

5-12-2010

Date

Farroll Hamer / BA

Farroll Hamer, Director
Department of Planning and Zoning



City of Alexandria, Virginia

VIRGINIA PAVING COMMUNITY LIAISON COMMITTEE

C/O DEPARTMENT OF PLANNING AND ZONING
301 King Street, Room 2100
P.O. Box 178
Alexandria, Virginia 22313
(703) 838-4666 FAX (703) 838-6393

RECEIVED

AUG 15 2008

DEPT. OF ENVIRONMENTAL
QUALITY-NRO

August 13, 2008

Mr. Ali Khalilzadeh,
Virginia Department of Environmental Quality
13901 Crown Court
Woodbridge, Virginia 22193

Sent via regular mail and e-mail: akhalilzadeh@deq.virginia.gov

Re: Draft Permit for Virginia Paving Company, Alexandria, Virginia, Registration No. 70579

Dear Mr. Khalilzadeh,

I am writing on behalf of the Virginia Paving Community Liaison Committee in regard to the application for an amendment to Virginia Paving's minor new source review permit allowing the Alexandria facility to modify and operate one of the two hot mix asphalt plants.

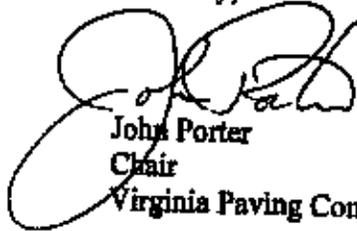
The proposed amendment to the air permit would allow Virginia Paving Company to operate Plant 1 with a low NOx burner, allow both plants to use natural gas as well as recycled/waste oil and distillate fuel oil, and sets emission limits based on stack tests conducted at the facility.

The Virginia Paving Community Liaison Committee consists of 11 members appointed by the Mayor and Alexandria City Council to discuss plant operations and to resolve any problems, conflicts or issues identified by the community related to Virginia Paving's operations at their location on Courtney Avenue in the City of Alexandria. The committee meets quarterly and is composed of representatives from surrounding residential communities, the Virginia Paving Company, and City Staff.

At its meeting on July 16, 2008, the Committee discussed Virginia Paving's request to use natural gas for their operations. Committee members support the use of natural gas for this facility and asked that I send a letter of support to the VDEQ. The Committee supports the request for the use of natural gas because it believes that it will result in a cleaner operation of the plant with less impact to the surrounding community.

Thank you for the opportunity to comment on this request. Should you have any questions related to this matter, please don't hesitate to contact me. My email address is jporter@acps.k12.va.us

Sincerely,



John Porter
Chair
Virginia Paving Community Liaison Committee

cc: Mayor and Members of City Council
Virginia Paving Community Liaison Committee
James K. Hartmann, City Manager
Farroll Hamer, Planning Director
Rich Baier, Director, Transportation and Environmental Services



VIRGINIA PAVING COMMUNITY LIAISON COMMITTEE

c/o DEPARTMENT OF PLANNING AND ZONING

301 King Street

Room 2100

Alexandria, VA 22314

Phone (703) 746-4666

Fax (703) 838-6393

www.alexandriava.gov

December 10, 2009

Mr. Ali Khalilzadeh
Virginia Department of Environmental Quality
13901 Crown Court
Woodbridge, Virginia 22193

Sent via regular mail and e-mail: akhalilzadeh@deq.virginia.gov

Re: Draft Permit for Virginia Paving Company, Alexandria, Virginia, Registration No. 70579

Dear Mr. Khalilzadeh,

I am writing on behalf of the Virginia Paving Community Liaison Committee in regard to the application for an amendment to Virginia Paving's minor new source review permit allowing the Alexandria facility to modify and operate one of the two hot mix asphalt plants.

The proposed amendment to the air permit would allow Virginia Paving Company to operate Plant 1 with a low NOx burner, allow both plants to use natural gas as well as recycled/waste oil and distillate fuel oil, and sets emission limits based on stack tests conducted at the facility.

The Virginia Paving Community Liaison Committee consists of 11 members appointed by the Mayor and Alexandria City Council to discuss plant operations and to resolve any problems, conflicts or issues identified by the community related to Virginia Paving's operations at their location on Courtney Avenue in the City of Alexandria. The committee meets quarterly and is composed of representatives from surrounding residential communities, the Virginia Paving Company, and City Staff.

At its meeting on November 19, 2009, the Committee discussed Virginia Paving's request to use natural gas for their operations. Committee members unanimously support the use of natural gas for this facility and asked that I send a letter of support to the VDEQ. The Committee supports the request for the use of natural gas because we believe that it will result in a cleaner operation of the plant with less impact to the surrounding community. This letter reiterates the position that this committee took in 2008 and sent to you by previous letter dated August 13, 2008. As we understand it, no decision has been made.

Thank you for the opportunity to comment on this request. Should you have any questions related to this matter, please don't hesitate to contact me. My email address is john.porter@actforalexandria.org

Sincerely,



John Porter
Chair

Virginia Paving Community Liaison Committee

cc: Mayor and Members of City Council
Virginia Paving Community Liaison Committee
James K. Hartmann, City Manager
Faroll Hamer, Director, Planning and Zoning
Rich Baier, Director, Transportation and Environmental Services



APPENDIX 5

COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

NORTHERN REGIONAL OFFICE

13901 Crown Court, Woodbridge, Virginia 22193

(703) 583-3800 Fax (703) 583-3821

www.deq.virginia.gov

Douglas W. Domenech
Secretary of Natural Resources

David K. Paylor
Director

Thomas A. Faha
Regional Director

April 15, 2010

Mr. Chris Monahan
Virginia Paving Company
5601 Courtney Ave.
Alexandria, VA. 22304

Re: Virginia Paving – permit #VAR051466

Dear Mr. Monahan:

Enclosed is a copy of the Recon Inspection Report generated from observations made while performing a Facility Inspection at the Virginia Paving- Alexandria facility on March 17, 2010. I would like to thank you for your time and assistance during the inspection.

If you have any questions or comments concerning this report, please feel free to contact me at the Northern Regional Office (NRO) at (703) 583-3882 or by E-mail at Sharon.Allen@deq.virginia.gov.

Sincerely,

Sharon Allen
Environmental Specialist II
Water Compliance Inspector

cc: Permits / DMR File

Electronic copy sent:

Compliance Manager- DEQ
Andy Dinsmore- EPA Region III

APR 19 2010

Virginia Department of Environmental Quality

RECON INSPECTION REPORT

FACILITY NAME: Virginia Paving Company- Alexandria Plant		INSPECTION DATE: March 17, 2010	
		INSPECTOR: Sharon Allen	
PERMIT No.: VAR051466		REPORT DATE: April 15, 2010	
TYPE OF FACILITY:	<input type="checkbox"/> Municipal	<input type="checkbox"/> Major	TIME OF INSPECTION:
	<input checked="" type="checkbox"/> Industrial	<input checked="" type="checkbox"/> Minor	
	<input type="checkbox"/> Federal	<input type="checkbox"/> Small Minor	TOTAL TIME SPENT (including prep & travel)
	<input type="checkbox"/> HP	<input type="checkbox"/> LP	
PHOTOGRAPHS: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		UNANNOUNCED INSPECTION? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
REVIEWED BY / Date: <div style="text-align: center;"> 4/16/10</div>			
PRESENT DURING INSPECTION: Joel Thomas, Mike Rounds, Chris Monahan- Virginia Paving Andrew Dinsmore, Chris Menen- EPA, Region III Susan Mackert, Terry Nelson- DEQ NRO			

INSPECTION OVERVIEW AND CONDITION OF TREATMENT UNITS

- This site visit was initiated by Andy Dinsmore of the EPA who was interested in visiting permitted and unpermitted industrial sites that have a stormwater (SW) discharge into Backlick Run.
- We introduced ourselves to Mr. Rounds and Mr. Dinsmore explained the purpose of the site visit.
- We met Joel Thomas, plant foreman, who began the plant tour.
- All storm water for this facility passes through one of two ConTech StormFilter[®] box culverts filter tanks. StormFilter is a cartridge based system that uses pollutant specific media to filter storm water runoff prior to discharge to the environment.
- The stormwater runoff from the southern part of the property is directed toward an underground stormwater culvert that leads to the BMP structure (StormFilter[®]) #1.
- A hay bale and an absorbent boom are kept in place across the stormwater flow path prior to the inlet to the underground culvert to filter the water before entering the BMP. There was no evidence of any petroleum products in the run off entering the culvert.
- The absorbent booms are recycled; hay bales are disposed of in the trash.
- Stormwater enters the large underground vault containing the media canisters, where it is filtered and discharged through Outfall 001 into Backlick Run.
- There is one emergency overflow pipe that would also discharge into Backlick Run.
- We were joined by Chris Monahan, Environmental Coordinator for Virginia Paving, who continued the site tour with us.

VA DEQ Recon Inspection Report

Permit #

VAR051466

INSPECTION OVERVIEW AND CONDITION OF TREATMENT UNITS

- There is a green space and stormwater swale between the working area of the facility and Backlick Run that was created within the last 3 years. The swale directs runoff from the northern section of the property into BMP structure #1.
- There is a large recycled asphalt pile (rap) that abuts the green area. Currently, this pile does not receive new loads or have material removed, and is largely left in place as an impromptu sound barrier.
- There is a low containment wall, but material can easily fall over the side. Material that does fall over is shoveled back up onto the storage pile by hand. (See photo).
- The western end of the property drains to BMP structure # 2. This area receives runoff from a large rap pile and an equipment parking area. Hay bales and booms are placed in the stormwater path prior to the inlet structure same as for BMP #1.
- The water entering BMP structure #2 did have an oily sheen and petroleum smell prior to the hay bale and boom. The boom appeared saturated, but after on the downside of the boom water appeared largely product free.
- There was no evidence of problems at Outfall 002. Some debris washed up by high water levels partially blocks the outfall path, but facility staff are trying to get this cleaned up.
- Mr. Monahan also mentioned that the storm water from Van Dorn Ave. and Courtney Ave. inters a stormwater curb inlet that ties into the discharge pipe for BMP structure #2 (downstream of filter vault discharge) – while this is an outside stormwater influence, they have not noticed an adverse effect on SW samples.
- A portion of the property is occupied by a tenant- FCC Environmental. This is a No Discharge facility that processes waste oil, which is then burned by VA Paving as fuel.
- FCC's area is surrounded by a berm to contain processed water – FCC responsible for all water inside berm.
- Stormwater inside the berm flows into one of two holding tanks equipped with an internal Oil-Water separator. Water is either used as cooling water or shipped offsite.
- Both outfall pipes for the oil-water separators are padlocked closed to prevent discharge.
- The SWPPP and monitoring records were reviewed in the office. Records are well kept and up to date.

Last annual comprehensive evaluation- January 2010.

Last employee training- December -2009 (conducted every 6 months).

VA DEQ Recon Inspection Report

Permit #	VAR051466
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EFFLUENT FIELD DATA: NA

Flow	<input type="text"/> MGD	Dissolved Oxygen	<input type="text"/> mg/L	TRC (Contact Tank)	<input type="text"/> mg/L
pH	<input type="text"/> S.U.	Temperature	<input type="text"/> °C	TRC (Final Effluent)	<input type="text"/> mg/L
Was a Sampling Inspection conducted? <input type="checkbox"/> Yes (see Sampling Inspection Report) <input type="checkbox"/> No					

CONDITION OF OUTFALL AND EFFLUENT CHARACTERISTICS:

1. Type of outfall: <input checked="" type="checkbox"/> Shore based <input type="checkbox"/> Submerged	Diffuser?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2. Are the outfall and supporting structures in good condition?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3. Final Effluent (evidence of following problems):		<input type="checkbox"/> Sludge bar	<input type="checkbox"/> Grease
<input type="checkbox"/> Turbid effluent	<input type="checkbox"/> Visible foam	<input type="checkbox"/> Unusual color	<input type="checkbox"/> Oil sheen
4. Is there a visible effluent plume in the receiving stream?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
5. Receiving stream:		<input checked="" type="checkbox"/> No observed problems <input type="checkbox"/> Indication of problems (explain below)	
<u>Comments:</u>			

REQUIRED CORRECTIVE ACTIONS:

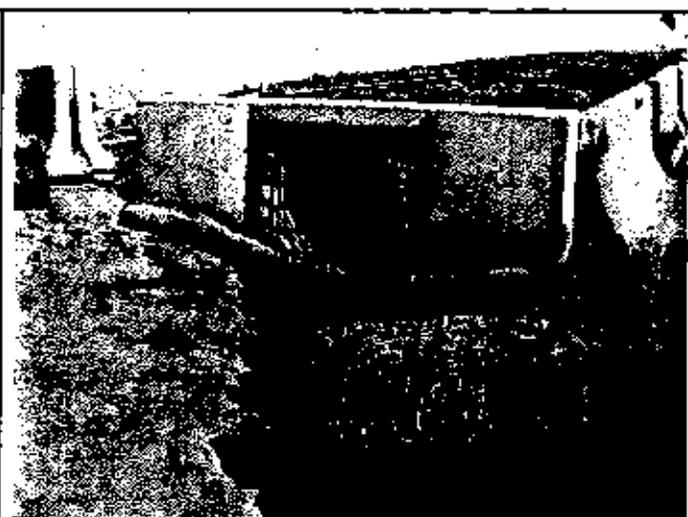
1. None

NOTES and COMMENTS:

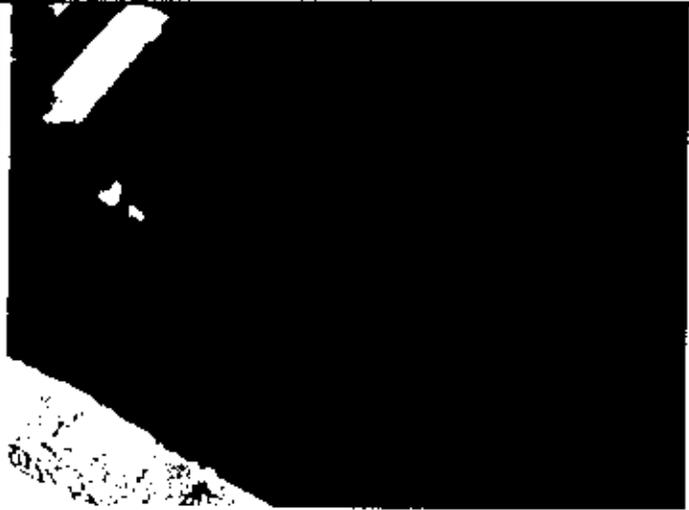
<ul style="list-style-type: none"> > I spoke to Mr. Monahan via telephone on April 14, 2010. > He does intend to implement the suggestion from Andy Dinsmore and Susan Mackert to install check dams in the stormwater swale to slow the water running off of the north side of the property and prior to it entering the StormFilter[®] vault. > The facility has a maintenance agreement with the manufacturer which includes an annual inspection of both systems. Both vaults were inspected by ConTech during the week of April 5, 2010, and 97 canisters are scheduled to be replaced. <p>Recommendations:</p> <ul style="list-style-type: none"> > DEQ recommends creating a form or spreadsheet to record the items identified as needing improvement during the annual comprehensive site inspection and to track the progress of those improvements. > A revision date should be added to the Stormwater Pollution Prevention Plan (SWPPP) cover page when significant changes are made.



1) Stormwater path on the southern side of the property.



2) BMP Inlet #1.



3) BMP structure # 1- media canisters inside vault.



4) Outfall 001 to Backlick Run.



5) New green area created between the yard and creek.



6) Stormwater drainage area for BMP structure #2



7) Stormwater drainage area for BMP structure #2



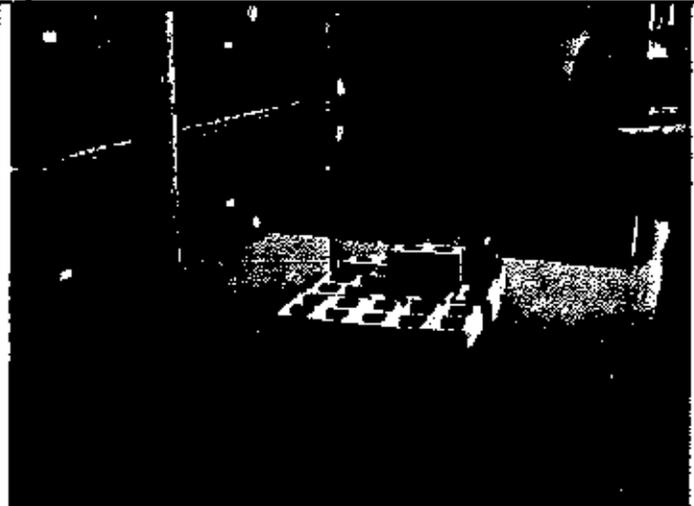
8) Outfall #02.



9) FCC



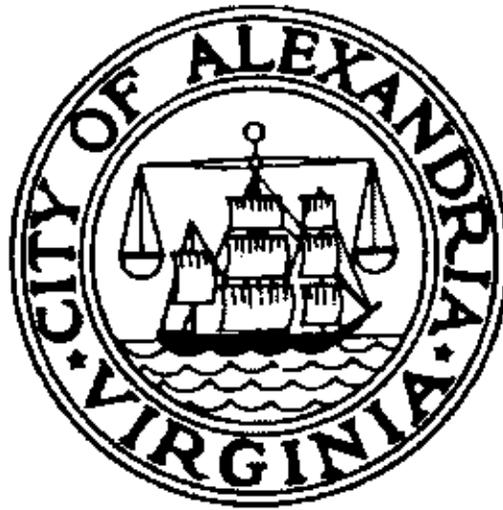
10) Stormwater inlet to FCC's holding tank.



11) Holding tank.



12) Padlocked discharge pipe from FCC holding tank.



Comprehensive Inspection Report

Virginia Paving Company

5601 Courtney Avenue, Alexandria, VA

March 30-31, 2010

December 9, 2010

Comprehensive March 30-31, 2010 Inspection Report Summary

The Multi-departmental onsite inspection was conducted on March 30-31, 2010. In attendance was staff from the City Planning and Zoning, ALEX-OEQ, the Health Department, the Department of Recreation, and the Fire department, Division of Code Enforcement.

Attendees at this year's first comprehensive inspection are as following: Julius Holmes (Environmental Specialist), Erica Bannerman (Environmental Specialist), Jesse Maines (Water Quality Specialist), Charlie McRorie (Code Enforcement), Felton Gilliam (Planning and Zoning), Stephen Milone (Division Chief, Planning and Zoning), Tony Menjivar (Deputy Fire Marshal), Tom McGaregal (Health Department), Tim Giles (FCC Environmental) and Chris Monahan, David Horton of Virginia Paving.

The Virginia Paving Company (VAP) operates an asphalt manufacturing plant in Alexandria, Virginia, under a Special Use Permit (SUP #2010-0014). The SUP requires that various City departments conduct a comprehensive bi-annual inspection of the VAP plant. The comprehensive bi-annual inspection consists of: (1) Technical Inspection Checklist, (2) On-site Plant Inspection, and (3) Visits to surrounding communities.

The Technical Inspection Checklist was developed by the City Department of Transportation and Environmental Services – Office of Environmental Quality (OEQ) to address SUP related documentation and compliance. The checklist reflects technical onsite inspections with full records review and plant operations.

Various conditions set forth in the SUP are monitored via review of records required to be kept by VAP. These records include hourly asphalt production and delivery logs, plant operating hours, daily fuel type usage, fuel delivery invoices, and the operating permit issued by the Virginia DEQ. A complete list of records that ALEX-OEQ monitors is included in the Technical Inspection Checklist. VAP has provided full access to their entire SUP related records during requests by OEQ.

The multi-departmental onsite inspection was conducted during day operations and consisted of accessing the various areas at the plant to ascertain general site conditions and any health hazards to the workers or the surrounding communities. Those areas included the record keeping office areas; the maintenance buildings; Plants 1 and 2; the pollution control devices such as the Blue Smoke Control System, installed on Plant 1 and 2; the conveyor systems, the recycling asphalt product pile, the storm water management system, the diesel locomotive, the asphalt heaters and storage tanks, and the FCC Environmental (currently owned by Siemens) oil recycling facility. Night operations were monitored by OEQ several times on a weekly basis from April to October.

OEQ also conducts visits to the surrounding communities during the day and at night when the VAP is producing asphalt. Communities of concern include Summers Grove, Cameron Station and the business area abutting the plant to the north. These communities have expressed environmental concerns related to VAP operations. Of

particular concern are asphalt odors emanating from VAP, petroleum odors emanating from the FCC facility, particulate and fugitive dust emissions, and noise from trucks and trains especially at night. In addition to community visits to address these concerns, OEQ monitors and addresses all citizen complaints received at the 24-hour hotline and/or received via other means, such as direct telephone and email contacts.

The VAP facility in Alexandria continues to satisfactorily implement the projects and procedures delineated in the SUP. During the March 30-31, 2010 inspection, Julius Holmes of the City's Office of Environmental Quality observed no items which needed to be addressed during the visit. After the March 31, 2010 inspection, Jesse Maines submitted a post inspection letter to VAP requesting scheduled maintenance for the facilities' stormwater BMP. During the March 30, 2010 inspection, Charlie McRorie of the City's Code Enforcement Bureau observed no items which needed to be addressed during the visit. During the March 30, 2010 inspection Felton Gilliam from the Alexandria Planning and Zoning Department did not find any compliance issues. During the March 30, 2010 inspection Tim McGaregal of the Alexandria Health Department noted that areas of standing water could potentially act as mosquito breeding habitats around the facility during the spring and summer months. There was no indication of mosquitoes during the inspection. After the March 30, 2010 inspection, Tony Menjivar submitted a post inspection list to VAP requesting additional follow up of the items listed below. As requested by Mr. Maines' letter, VAP has formally inspected the stormwater BMP and awaits a service date. VAP has also corrected items listed by the Fire Marshal and a reinspection was conducted on 4/29/10.

INSPECTION CHECKLIST - TECHNICAL Virginia Paving Company 5601 Courtney Avenue, Alexandria, Virginia			
Inspection Dates		March 30, 2010 March 31, 2010	
Inspection Time		9 AM-12PM, 9 AM-12PM	
Inspection Performed by		Julius Holmes / Jesse Maines/Felton Gilliam/Erica Bannerman/Charlie McRorie/Stephen Milone/Tony Menjivar/Tom McGaregal	
Inspector Initials			
RECORDS REVIEW			
1	Is a copy of the State Operating Permit issued by VDEQ kept on site and readily available to plant manager and environmental compliance personnel?	Y	Reviewed 4/31/10
2	Are copies of all reports/records required by VDEQ kept on site and readily available to plant manager and environmental compliance personnel?	Y	Reviewed 4/31/10
3	Is a copy of the Special Use Permit issued by City of Alexandria kept on site and readily available to plant manager and environmental compliance personnel?	Y	Reviewed 4/31/10
4	Are copies of all reports/records required by the City kept on site and readily available to plant manager and environmental compliance personnel?	Y	Reviewed 4/31/10

5	(a) Are copies of all correspondence with Virginia DEQ available on site? (b) Was a copy of every such correspondence submitted to the City?	Y Y	Reviewed 4/31/10
6	Operating Hours (a) Is there a complete on-site record of day/night shifts of asphalt production? (b) Is there a running total of night shifts during which asphalt was produced? (Night is defined as 8pm to 5am) (c) Is the running 12-month total number of night shifts less than 110? (d) Did the facility operate on any Code Purple or Code Maroon days?	Y Y Y N	Reviewed 4/31/10
7	Asphalt Production Records (a) Is there a complete on-site record of the tons of asphalt produced during every hour, day, month, and 12-month period of operation? (b) Is the maximum hourly production less than 1,000 tons? (c) Is the maximum nighttime (8pm to 5am) production less than 4,000 tons? (d) Is the maximum daily production less than 8,000 tons? (e) Is the maximum production on a Code Red day less than 4,000 tons? (f) Is the running 12-month night production less than 275,000 tons? (g) Are all environmental projects required by SUP completed? (i) If NO, is the running 12-month total production less than 850,000 tons? (ii) If YES, is the running 12-month total production less than 980,000 tons?	Y Y Y Y Y Y Y N Y NA	Reviewed 4/31/10
8	(a) For each asphalt delivery, is there a complete on-site record of the customer name, delivery date and time, and tons of asphalt delivered? (b) Was nighttime production delivered to non-government customers?	Y N	Reviewed 4/31/10
9	Low-Odor Additive Use (a) Are manufacturer guidelines on low-odor additive use available on site? (b) For each ton of asphalt produced, is there a complete on-site record of the quantity of low-odor additive used and quantity of asphalt cement used?	Y Y	Provided in weekly spreadsheet for Va Paving and Reviewed 4/31/10
10	No. 2 oil usage in hot oil heaters and drum dryers (a) Is there a monthly consumption record for the hot oil heaters? (b) Are all running 12-month totals for heater use less than 100,000 gals? (c) For every shipment, is there a record of sulfur content less than 0.05 wt%? (d) For every shipment, is there a record that fuel is on-road diesel quality? (e) On each heater, is there a sign indicating the use of #2 oil only as well as the use of only one heater at any time?	Y Y Y Y Y	Reviewed 4/31/10 None have exceeded
11	Recycled oil usage in drum dryers (a) Is there a daily and monthly consumption record? (b) For every shipment, is there a record of sulfur content less than 0.5 wt%? (c) If sulfur content exceeds 0.4 wt%, is there a record of communication with fuel supplier to achieve 0.4 wt% sulfur. (d) For every shipment, is there a record of meeting other constituent limits? (Other limits include metals, halogens, PCB and flash point.) (e) Was any recycled oil used on Code Orange or Code Red days?	Y Y NA Y NA	Sulfur threshold not exceeded.

13	<p>Plant 1 Blue Smoke Control for silo, load outs, conveyors (6-stage filtration)</p> <p>(a) Was capture and control system certified to be 99% efficient? (Performance Test Date: June 14, 2007)</p> <p>(b) Are manufacturer maintenance guidelines available on site?</p> <p>(c) Is there a record of maintenance/repair (filter replacement, etc.)? (Last Maintenance Date: 10/13/2009)</p>	<p>Y</p> <p>Y</p> <p>Y</p>	<p>Filter replacement has been preformed.</p> <p>Reviewed 4/31/10</p>
14	<p>Plant 2 Blue Smoke Control for silo, loadouts, conveyor (venting to burner)</p> <p>(a) Was capture & control system certified to be 99% efficient? (Performance Test Date: June 14, 2007)</p> <p>(b) Are manufacturer maintenance guidelines available on site?</p> <p>(c) Is there a record of maintenance/repair performed on this system? (Last Maintenance Date: 10/14/2009)</p>	<p>NA</p> <p>Y</p> <p>Y</p> <p>Y</p>	<p>Reviewed 4/31/10</p>
15	<p>Baghouse Controls</p> <p>(a) Was a performance test done on each baghouse in the last 2 years? Plant 1 Test Date: 2007 and 2008 Plant 2 Test Date: 2007 and 2008 Lime Silo Test Date: NA</p> <p>(b) Is there a record of all tests showing TSP less than 0.03 gr/dscf?</p> <p>(c) Is there a record of all monthly opacity tests?</p>	<p>Y</p> <p>Y</p> <p>Y</p>	<p>No Lime Silo in use. Lime silo has been removed from site.</p>
16	<p>Fugitive Emissions Controls</p> <p>(a) Is a copy of the fugitive dust BMP manual readily available on site?</p> <p>(b) Is there a record of opacity monitoring for RAP crusher showing < 10%?</p> <p>(c) Is there a record of twice-daily watering of every paved road?</p> <p>(d) Is there a record of once daily wet vacuuming of every paved road?</p> <p>(e) Is there a record of watering and vacuuming of other paved areas?</p> <p>(f) Is there a record of routine wetting or chemical stabilization of piles?</p> <p>(g) Is there a record of routine inspection of conveyor drop enclosures?</p> <p>(h) Were these records submitted to the City within the last six months? Last Submission Date: 1/29/2010</p>	<p>N</p> <p>N</p> <p>Y</p> <p>Y</p> <p>Y</p> <p>Y</p> <p>N</p> <p>Y</p>	<p>Not required in SUP or state permit. Daily records for watering RAP were reviewed. The rap crusher wasn't operating during the site visit. It is now equipped with three water sprayers: one where rap enters the crusher and two at the end of the conveyors. The water truck operated once during the inspection. No opacity issues from the grounds or RAP crusher observed.</p>
12	<p>Pollution Control Malfunctions</p> <p>(a) Was there any malfunction of any control measure for any pollutant?</p> <p>(b) Is there a record of these malfunctions (date, equipment, reason, etc.)?</p> <p>(c) Was a timely report submitted to the City for every malfunction?</p>	<p>N</p> <p>NA</p> <p>NA</p>	<p>I have no records of recent malfunctions</p>
17	<p>Stack Tests</p> <p>(a) Is there a record of stack tests on Plants 1 and 2 (PM2.5, PM10, NOx, SO2, CO)? Last Plant 1 Test Date: 2004, 2007 and 10/21/08 Last Plant 2 Test Date: 2004, 2007 and 11/12/08</p> <p>(b) Were test reports submitted to the City within 90 days of test date?</p> <p>(c) Is there a record of plant mix temperature readings on a daily basis?</p>	<p>Y</p> <p>NA</p> <p>Y</p>	<p>Recent stack tests were recently completed. Time elapsed was not expired.</p>

18	<p>Storm water Management Facility</p> <p>(a) Is a copy of the SWMF BMP contract readily available on site?</p> <p>(b) Is a copy of the SWMF O&M Manual readily available on site?</p> <p>(c) Is there a record of vendor-performed or vendor-certified maintenance? Last Maintenance Date: 4/9/08</p> <p>(d) Were maintenance records submitted to the City within the last one year? Submission Date: 4/17/08</p>	<p>Y</p> <p>Y</p> <p>Y</p> <p>Y</p>	<p>Yearly Inspection performed 4/5/10</p>
19	<p>Night Operations</p> <p>(a) During any night shift, was more than one dryer, one loader, one skid steer or one mobile crane operated?</p> <p>(b) Is there a record of all rail deliveries showing delivery date and time?</p> <p>(c) Is there a record of operating hours of locomotive engine, unloading operations and RAP crusher use? Were these operated at night?</p> <p>(d) Was any night delivery of RAP ever dumped on the top of the RAP pile?</p>	<p>N</p> <p>Y</p> <p>Y/N</p> <p>N</p>	
20	<p>"Hotline" Phone Number</p> <p>(a) Is the "hotline" active?</p> <p>(b) Is the name of the responsible person provided to the City and community?</p> <p>(c) Is there a log of complaints received at this number?</p> <p>(d) Have all complaints been resolved to date?</p>	<p>Y</p> <p>Y</p> <p>Y</p> <p>+</p>	<p>All complaints investigated.</p>
21	<p>Is a copy of the City's BMP manual for automotive industries kept on site and readily available?</p>	<p>Y</p>	
22	<p>Is there a record of maintenance for the locomotive engine to prevent/repair oil, lubricant or fuel leaks?</p>	<p>Y</p>	<p>Maintenance by Estetor Rane.</p>
23	<p>Is a copy of the comprehensive landscape plan readily available on site?</p>	<p>Y</p>	<p>Copy on site since March 2007</p>
PLANT INSPECTION			
1	<p>Asphalt Plant 1</p> <p>(a) Was Plant 1 operational?</p> <p>(b) If YES, was the baghouse pressure gauge operating properly?</p> <p>(c) Was any visible smoke (other than water) observed from the stack?</p> <p>(d) Did the Blue Smoke control appear to be operating properly?</p> <p>(e) Was strong asphalt odor detected near the Plant 1?</p> <p>(f) Was the stack raised to 20-meter height?</p> <p>(g) What fuel was being burned in the drum dryer? #4 Fuel</p>	<p>N</p>	<p>Baghouse magnetic value was 0.0. Plant was down for repairs.</p>
2	<p>Asphalt Plant 2</p> <p>(a) Was Plant 2 operational?</p> <p>(b) If YES, was the baghouse pressure gauge operating properly?</p> <p>(c) Was any visible smoke (other than water) observed from the stack?</p> <p>(d) Did the Blue Smoke control appear to be operating properly?</p> <p>(e) Was strong asphalt odor detected near the Plant 2?</p> <p>(f) Was the stack raised to 20-meter height?</p> <p>(g) What fuel was being burned in the drum dryer? None</p>	<p>N</p>	<p>Plant 2 was not in operation during inspection.</p>
3	<p>Asphalt Storage Tanks</p> <p>(a) Were tank vent condensers/steel wool filters appear to be effective?</p> <p>(b) Was strong asphalt odor detected near the storage tanks?</p>	<p>Y</p> <p>N</p>	<p>The vent condensers appeared to be effective.</p>

4	<p>Hot Oil Heaters</p> <p>(a) Was either of the two hot oil heaters operational?</p> <p>(b) If YES, was the other hot oil heater shut down?</p> <p>(c) Was there a sign clearly indicating that only one heater is allowed to operate at any time?</p> <p>(d) Was the stack raised to 6-meter height?</p> <p>(e) What fuel was being burned in the heater? #2 OIL.</p>	<p>Y</p> <p>Y</p> <p>Y</p> <p>Y</p> <p>Y</p>	
6	<p>Fugitive Dust Emissions</p> <p>(a) Was there evidence of watering/vacuuming of paved roads and surfaces?</p> <p>(b) Was the RAP crusher operational?</p> <p>(c) Were any visible emissions observed from the RAP crusher?</p> <p>(d) Did transfer point enclosures appear to be effective?</p> <p>(e) Did water sprays appear to be effective?</p> <p>(f) Based on general observation, did the facility appear to be following the fugitive dust BMPs?</p>	<p>Y</p> <p>Y</p> <p>N</p> <p>Y</p> <p>Y</p> <p>Y</p>	<p>Crusher did not operate at night. The rap crusher wasn't operating during the day site visit. It is equipped with three water sprayers: one where rap enters the crusher and two at the end of the conveyors. The water truck operated during the inspection. No opacity issues from the grounds or RAP crusher observed.</p>
7	<p>Storm water Management Facility</p> <p>(a) Did the SWMF appear to be operating properly?</p> <p>(b) Was there evidence of sediments or petroleum products in the discharge?</p>	<p>Fair</p> <p>N</p>	<p>The storm water system contains ~120 filters: 100 located in the rear of the property and 20 in the front. Outfall monitoring is performed on a quarterly basis. The water samples taken from the rear outfall were free of sediment and petroleum products. This system needs scheduled maintenance performed.</p>
8	<p>RAP / Asphalt Pile / Backlick Run</p> <p>(a) Is the asphalt pile a minimum of 35 feet from the stream?</p> <p>(b) Is access to the RAP pile blocked at night?</p> <p>(c) Was there any evidence of RAP deposited at the top of the pile during night?</p> <p>(d) Is the stream bank properly stabilized?</p> <p>(e) Is the height of the asphalt pile on Parcel B lower than the height of the South Van Dorn Bridge?</p>	<p>Y</p> <p>N</p> <p>N</p> <p>Y</p> <p>Y</p>	<p>There have been nights that the rap pile has been left open in recent months.</p>
9	<p>Noise</p> <p>(a) Were any amplified sounds audible at the property line?</p> <p>(b) Was there excessive tailgate banging during truck unloading?</p> <p>(c) Was there excessive use of engine brakes?</p> <p>(d) Are there signs clearly advising truck drivers to minimize tailgate banging and use of engine brakes?</p> <p>(e) Is the truck route properly marked to minimize backup alarms?</p> <p>(f) Do trucks have ambient noise-level sensing backup alarms?</p> <p>(g) Is the RAP crusher shut down at night?</p> <p>(h) During night operation, is only one dryer unit, one loader, one skid steer and one mobile crane operating?</p> <p>(i) Is the locomotive engine taken out of service at night?</p> <p>(j) Was a train delivery received at night? If YES, did the unloading wait until daytime?</p> <p>(k) Are the noise reducing mufflers on plant cylinder exhausts effective?</p>	<p>N</p> <p>N</p> <p>N</p> <p>Y</p> <p>Y</p> <p>Y</p> <p>Y</p> <p>Y</p> <p>Y</p> <p>Y</p> <p>Y/N</p>	<p>All equipment owned by Va Paving is in compliance.</p>

	(l) Are there signs on property to limit engine idling to a maximum of five minutes?	Y	
		Y	
10	(a) Were automotive fluids (oils, lubricants and antifreeze) prevented from being disposed on the ground? (b) Were automotive fluids (oils, lubricants and antifreeze) prevented from being disposed in the storm or sanitary sewers? (c) Were equipment and automotive repairs found to occur inside building?	N N Y	Teksolv II is now utilized (in lieu of Safety Kleen) in the parts washer. It is less hazardous than Safety Kleen. Many of the repairs are done at a different location.
11	Lighting (a) Were only the necessary lights turned on during night operations? (b) Are all lights shielded and pointed downward during use?	Y Y	

Comprehensive December 9, 2010 Inspection Report Summary

The Multi-departmental onsite inspection was conducted on December 9, 2010. In attendance was staff from the City Planning and Zoning, OEQ, and the Fire Department, Division of Code Enforcement.

Attendees at this comprehensive inspection are as following: Julius Holmes (Environmental Specialist), Jeremy Hassan (Water Quality Specialist), Felton Gilliam (Planning and Zoning), Russell Furr (Fire and Code Enforcement), DC Stanton (Fire and Code Enforcement), Tim Giles (FCC Environmental), David Horton (Virginia Paving) and Chris Monahan (Virginia Paving).

The VAP facility in Alexandria continues to satisfactorily implement the projects and procedures delineated in the SUP. During the December 9, 2010 inspection, Julius Holmes of the City's Office of Environmental Quality observed no items which needed to be addressed during the visit. During the December 9, 2010 inspection Felton Gilliam from the Alexandria Planning and Zoning Department did not find any non compliance issues. After the December 9, 2010 inspection, DC Stanton submitted a post inspection list to VAP requesting additional follow up. VAP has corrected items listed by the Fire Marshal and have completed a second inspection where no non-compliance issues were noted.

INSPECTION CHECKLIST - TECHNICAL Virginia Paving Company 5601 Courtney Avenue, Alexandria, Virginia	
Inspection Dates	December 9, 2010 January 6, 2011
Inspection Time	1 PM-5:30PM, 9 AM-12PM
Inspection Performed by	Julius Holmes /Felton Gilliam/ Jeremy Hassan/ Russell Furr/DC Stanton
Inspector Initials	

RECORDS REVIEW			
1	Is a copy of the State Operating Permit issued by VDEQ kept on site and readily available to plant manager and environmental compliance personnel?	Y	Reviewed 1/6/10
2	Are copies of all reports/records required by VDEQ kept on site and readily available to plant manager and environmental compliance personnel?	Y	Reviewed 1/6/10
3	Is a copy of the Special Use Permit issued by City of Alexandria kept on site and readily available to plant manager and environmental compliance personnel?	Y	Reviewed 1/6/10
4	Are copies of all reports/records required by the City kept on site and readily available to plant manager and environmental compliance personnel?	Y	Reviewed 1/6/10
5	(a) Are copies of all correspondence with Virginia DEQ available on site? (b) Was a copy of every such correspondence submitted to the City?	Y Y	Reviewed 1/6/10
6	Operating Hours (a) Is there a complete on-site record of day/night shifts of asphalt production? (b) Is there a running total of night shifts during which asphalt was produced? (Night is defined as 8pm to 5am) (c) Is the running 12-month total number of night shifts less than 110? (d) Did the facility operate on any Code Purple or Code Maroon days?	Y Y Y N	Reviewed 1/6/10
7	Asphalt Production Records (a) Is there a complete on-site record of the tons of asphalt produced during every hour, day, month, and 12-month period of operation? (b) Is the maximum hourly production less than 1,000 tons? (c) Is the maximum nighttime (8pm to 5am) production less than 4,000 tons? (d) Is the maximum daily production less than 8,000 tons? (e) Is the maximum production on a Code Red day less than 4,000 tons? (f) Is the running 12-month night production less than 275,000 tons? (g) Are all environmental projects required by SUP completed? (i) If NO, is the running 12-month total production less than 850,000 tons? (ii) If YES, is the running 12-month total production less than 980,000 tons?	Y Y Y Y Y Y Y N Y NA	Reviewed 1/6/10
8	(a) For each asphalt delivery, is there a complete on-site record of the customer name, delivery date and time, and tons of asphalt delivered? (b) Was nighttime production delivered to non-government customers?	Y N	Reviewed 1/6/10
9	Low-Odor Additive Use (a) Are manufacturer guidelines on low-odor additive use available on site? (b) For each ton of asphalt produced, is there a complete on-site record of the quantity of low-odor additive used and quantity of asphalt cement used?	Y Y	Provided in weekly spreadsheet for Va Paving and Reviewed 1/6/10
10	No. 2 oil usage in hot oil heaters and drum dryers (a) Is there a monthly consumption record for the hot oil heaters? (b) Are all running 12-month totals for heater use less than 100,000 gals? (c) For every shipment, is there a record of sulfur content less than 0.05 wt%? (d) For every shipment, is there a record that fuel is on-road diesel quality? (e) On each heater, is there a sign indicating the use of #2 oil only as well as	Y Y Y Y Y	Reviewed 1/6/10 None have exceeded

	the use of only one heater at any time?	Y	
11	<p>Recycled oil usage in drum dryers</p> <p>(a) Is there a daily and monthly consumption record?</p> <p>(b) For every shipment, is there a record of sulfur content less than 0.5 wt%?</p> <p>(c) If sulfur content exceeds 0.4 wt%, is there a record of communication with fuel supplier to achieve 0.4 wt% sulfur.</p> <p>(d) For every shipment, is there a record of meeting other constituent limits? (Other limits include metals, halogens, PCB and flash point)</p> <p>(e) Was any recycled oil used on Code Orange or Code Red days?</p>	<p>Y</p> <p>Y</p> <p>NA</p> <p>Y</p> <p>NA</p>	Sulfur threshold not exceeded.
13	<p>Plant 1 Blue Smoke Control for silo, load outs, conveyors (6-stage filtration)</p> <p>(a) Was capture and control system certified to be 99% efficient? (Performance Test Date: June 14, 2007)</p> <p>(b) Are manufacturer maintenance guidelines available on site?</p> <p>(c) Is there a record of maintenance/repair (filter replacement, etc.)? (Last Maintenance Date: 6/12/2010)</p>	<p>Y</p> <p>Y</p> <p>Y</p>	<p>Filters replaced and unit cleaned has been preformed.</p> <p>Reviewed 1/6/10</p>
14	<p>Plant 2 Blue Smoke Control for silo, loadouts, conveyor (venting to burner)</p> <p>(a) Was capture & control system certified to be 99% efficient? (Performance Test Date: June 14, 2007)</p> <p>(b) Are manufacturer maintenance guidelines available on site?</p> <p>(c) Is there a record of maintenance/repair performed on this system? (Last Maintenance Date: 10/14/2009)</p>	<p>NA</p> <p>Y</p> <p>Y</p> <p>Y</p>	<p>Reviewed 1/6/10</p> <p>Plant was not utilized in the past year.</p>
15	<p>Baghouse Controls</p> <p>(a) Was a performance test done on each baghouse in the last 2 years? Plant 1 Test Date: 2007 and 2008 Plant 2 Test Date: 2007 and 2008 Lime Silo Test Date: NA</p> <p>(b) Is there a record of all tests showing TSP less than 0.03 gr/dscf?</p> <p>(c) Is there a record of all monthly opacity tests?</p>	<p>Y</p> <p>Y</p> <p>Y</p>	<p>No Lime Silo in use. Lime silo has been removed from site.</p>
16	<p>Fugitive Emissions Controls</p> <p>(a) Is a copy of the fugitive dust BMP manual readily available on site?</p> <p>(b) Is there a record of opacity monitoring for RAP crusher showing < 10%?</p> <p>(c) Is there a record of twice-daily watering of every paved road?</p> <p>(d) Is there a record of once daily wet vacuuming of every paved road?</p> <p>(e) Is there a record of watering and vacuuming of other paved areas?</p> <p>(f) Is there a record of routine wetting or chemical stabilization of piles?</p> <p>(g) Is there a record of routine inspection of conveyor drop enclosures?</p> <p>(h) Were these records submitted to the City within the last six months?</p> <p>Last Submission Date: 1/28/2010</p>	<p>N</p> <p>N</p> <p>Y</p> <p>Y</p> <p>Y</p> <p>Y</p> <p>N</p> <p>Y</p>	<p>Not required in SUP or state permit. Daily records for watering RAP were reviewed. The rap crusher wasn't operating during the site visit. It is now equipped with three water sprayers: one where rap enters the crusher and two at the end of the conveyors. The water truck operated once during the inspection. No opacity issues from the grounds or</p>

			RAP crusher observed.
12	<p>Pollution Control Malfunctions</p> <p>(a) Was there any malfunction of any control measure for any pollutant?</p> <p>(b) Is there a record of these malfunctions (date, equipment, reason, etc.)?</p> <p>(c) Was a timely report submitted to the City for every malfunction?</p>	<p>N</p> <p>NA</p> <p>NA</p>	I have no records of recent malfunctions
17	<p>Stack Tests</p> <p>(a) Is there a record of stack tests on Plants 1 and 2 (PM2.5, PM10, NOx, SO2, CO)?</p> <p>Last Plant 1 Test Date: 2004, 2007, 10/21/08 and 9/15/10</p> <p>Last Plant 2 Test Date: 2004, 2007 and 11/12/08</p> <p>(b) Were test reports submitted to the City within 90 days of test date?</p> <p>(c) Is there a record of plant mix temperature readings on a daily basis?</p>	<p>Y</p> <p>NA</p> <p>Y</p>	Recent stack tests were recently completed. Time elapsed was not expired.
18	<p>Storm water Management Facility</p> <p>(a) Is a copy of the SWMF BMP contract readily available on site?</p> <p>(b) Is a copy of the SWMF O&M Manual readily available on site?</p> <p>(c) Is there a record of vendor-performed or vendor-certified maintenance?</p> <p>Last Maintenance Date: 6/24/10</p> <p>(d) Were maintenance records submitted to the City within the last one year?</p> <p>Submission Date: 6/24/10</p>	<p>Y</p> <p>Y</p> <p>Y</p> <p>Y</p>	Yearly Inspection performed 4/26/10
19	<p>Night Operations</p> <p>(a) During any night shift, was more than one dryer, one loader, one skid steer or one mobile crane operated?</p> <p>(b) Is there a record of all rail deliveries showing delivery date and time?</p> <p>(c) Is there a record of operating hours of locomotive engine, unloading operations and RAP crusher use? Were these operated at night?</p> <p>(d) Was any night delivery of RAP ever dumped on the top of the RAP pile?</p>	<p>N</p> <p>Y</p> <p>Y/N</p> <p>N</p>	
20	<p>"Hotline" Phone Number</p> <p>(a) Is the "hotline" active?</p> <p>(b) Is the name of the responsible person provided to the City and community?</p> <p>(c) Is there a log of complaints received at this number?</p> <p>(d) Have all complaints been resolved to date?</p>	<p>Y</p> <p>Y</p> <p>Y</p> <p>*</p>	All complaints investigated.
21	Is a copy of the City's BMP manual for automotive industries kept on site and readily available?	Y	
22	Is there a record of maintenance for the locomotive engine to prevent/repair oil, lubricant or fuel leaks?	Y	Maintenance by Estetor Rane.
23	Is a copy of the comprehensive landscape plan readily available on site?	Y	Copy on site since March 2007

PLANT INSPECTION			
1	<p>Asphalt Plant 1</p> <p>(a) Was Plant 1 operational?</p> <p>(b) If YES, was the baghouse pressure gauge operating properly?</p> <p>(c) Was any visible smoke (other than water) observed from the stack?</p> <p>(d) Did the Blue Smoke control appear to be operating properly?</p> <p>(e) Was strong asphalt odor detected near the Plant 1?</p> <p>(f) Was the stack raised to 20-meter height?</p> <p>(g) What fuel was being burned in the drum dryer? #4 Fuel</p>	N	Baghouse magnetic value was 0.0. Plant was down for repairs.
2	<p>Asphalt Plant 2</p> <p>(a) Was Plant 2 operational?</p> <p>(b) If YES, was the baghouse pressure gauge operating properly?</p> <p>(c) Was any visible smoke (other than water) observed from the stack?</p> <p>(d) Did the Blue Smoke control appear to be operating properly?</p> <p>(e) Was strong asphalt odor detected near the Plant 2?</p> <p>(f) Was the stack raised to 20-meter height?</p> <p>(g) What fuel was being burned in the drum dryer? None</p>	N	Plant 2 was not in operation during inspection.
3	<p>Asphalt Storage Tanks</p> <p>(a) Were tank vent condensers/steel wool filters appear to be effective?</p> <p>(b) Was strong asphalt odor detected near the storage tanks?</p>	Y	The vent condensers appeared to be effective.
		N	
4	<p>Hot Oil Heaters</p> <p>(a) Was either of the two hot oil heaters operational?</p> <p>(b) If YES, was the other hot oil heater shut down?</p> <p>(c) Was there a sign clearly indicating that only one heater is allowed to operate at any time?</p> <p>(d) Was the stack raised to 6-meter height?</p> <p>(e) What fuel was being burned in the heater? #2 OIL</p>	Y	
		Y	
		Y	
		Y	
		Y	
6	<p>Fugitive Dust Emissions</p> <p>(a) Was there evidence of watering/vacuuming of paved roads and surfaces?</p> <p>(b) Was the RAP crusher operational?</p> <p>(c) Were any visible emissions observed from the RAP crusher?</p> <p>(d) Did transfer point enclosures appear to be effective?</p> <p>(e) Did water sprays appear to be effective?</p> <p>(f) Based on general observation, did the facility appear to be following the fugitive dust BMPs?</p>	Y	Crusher did not operate at night. The rap crusher wasn't operating during the day site visit. It is equipped with three water sprayers: one where rap enters the crusher and two at the end of the conveyors. The water truck operated during the inspection. No opacity issues from the grounds or RAP crusher observed.
		Y	
		N	
		Y	
		Y	
		Y	
7	<p>Storm water Management Facility</p> <p>(a) Did the SWMF appear to be operating properly?</p> <p>(b) Was there evidence of sediments or petroleum products in the discharge?</p>	Fair	The storm water system contains ~120 filters: 100 located in the rear of the property and 20 in the front. Outfall monitoring is performed on a quarterly basis. The water samples taken from the rear outfall were free of sediment and petroleum products.
		N	

8	RAP / Asphalt Pile / Backlick Run (a) Is the asphalt pile a minimum of 35 feet from the stream? (b) Is access to the RAP pile blocked at night? (c) Was there any evidence of RAP deposited at the top of the pile during night? (d) Is the stream bank properly stabilized? (e) Is the height of the asphalt pile on Parcel B lower than the height of the South Van Dorn Bridge?	Y N N Y Y	There have been nights that the rap pile has been left open in recent months.
9	Noise (a) Were any amplified sounds audible at the property line? (b) Was there excessive tailgate banging during truck unloading? (c) Was there excessive use of engine brakes? (d) Are there signs clearly advising truck drivers to minimize tailgate banging and use of engine brakes? (e) Is the truck route properly marked to minimize backup alarms? (f) Do trucks have ambient noise-level sensing backup alarms? (g) Is the RAP crusher shut down at night? (h) During night operation, is only one dryer unit, one loader, one skid steer and one mobile crane operating? (i) Is the locomotive engine taken out of service at night? (j) Was a train delivery received at night? If YES, did the unloading wait until daytime? (k) Are the noise reducing mufflers on plant cylinder exhausts effective? (l) Are there signs on property to limit engine idling to a maximum of five minutes?	N N N Y Y Y Y Y Y Y Y Y Y	All equipment owned by Va Paving is in compliance.
10	(a) Were automotive fluids (oils, lubricants and antifreeze) prevented from being disposed on the ground? (b) Were automotive fluids (oils, lubricants and antifreeze) prevented from being disposed in the storm or sanitary sewers? (c) Were equipment and automotive repairs found to occur inside building?	N N Y	Teksolv II is now utilized (in lieu of Safety Kleen) in the parts washer. It is less hazardous than Safety Kleen. Many of the repairs are done at a different location.
11	Lighting (a) Were only the necessary lights turned on during night operations? (b) Are all lights shielded and pointed downward during use?	Y Y	



Stormwater BMP Inspection Report

11835 NE Glenn Widing Dr
 Portland, OR 97220
 Phone : 503.240.3393 / Fax: 503.240.9553

Project Name: <u>Virginia Paving</u>	Weather: <u>Sunny, 80 deg F</u>
Project Address: <u>5601 Courtney Avenue Alexandria, VA 22304</u>	Number of BMPs Inspected: <u>2</u>
Project Number (internal use only): <u>11711</u>	Page Number: <u>1 of 5</u>

This report contains information regarding the results of inspection of BMP(s) for the above referenced project.

The following information is provided for each BMP inspected:

- BMP Type**
- Product Name (if applicable)**
- Inspection Date**
- Date of Last Inspection (or install date if not previously inspected)**
- BMP & Site Description**
- BMP Condition**
- Pollutant Load Description**
- Additional Observations/Comments**
- BMP Photos (as appropriate)**
- Recommended Actions**

Based on the results of the inspection it is recommended that:

- No further action is required at this time. Next inspection should be performed prior to:
- Repairs to BMP(s) are required. See report content for specifics.
- Cleaning of BMP(s) is required. See report content for specifics.



Stormwater BMP Inspection Report

System Number:	<u>0.01</u>			Model & Size:	<u>See Below</u>				
GPS Coordinates:	<u>N38.802917, W77.1325</u>			Hydro Dynamic Separator	<u>N/A</u>				
Vault	<input checked="" type="checkbox"/>	Y	<input type="checkbox"/>	N	StormFilter	<input checked="" type="checkbox"/>	Y	<input type="checkbox"/>	N
Manhole	<input type="checkbox"/>	Y	<input type="checkbox"/>	N	StormGate	<input type="checkbox"/>	Y	<input type="checkbox"/>	N
catch Basin	<input type="checkbox"/>	Y	<input type="checkbox"/>	N	MFS	<input type="checkbox"/>	Y	<input type="checkbox"/>	N
Detention	<input type="checkbox"/>	Y	<input type="checkbox"/>	N	HDS	<input type="checkbox"/>	Y	<input type="checkbox"/>	N
Date installed / Last Service:	<u>Fall 2006/Spring 2008</u>			Media	<u>Perlite</u>				
Sediment Depth - Cart Bay:	<u>Negligible</u>			Cart #	<u>18</u>				
Sediment Depth - Forebay:	<u>Negligible</u>			Other	<u></u>				
Water Depth:	<u>12" in cartridge bay</u>			Site Contact	<u>Chris Monahan</u>				
Excessive Oil:	<u>Yes, primarily in forebay</u>								
Internal Condition of unit:	<u>Good</u>								

Site Description and System Condition:

This site is home to Virginia Paving. Site pollutants include sediments, oils, and trash. The StormFilter System referenced above was in good structural condition however the amount of standing water in the system indicates that it is not draining appropriately. As such, the vault should be cleaned and cartridges replaced. See attachment A for photos of this system.

This hereby certifies that the information contained in this report is accurate and was obtained using accepted industry practices.

Inspector's Tom Gorrivan

Company: CONTECH Construction Products, Inc.

Signature: *[Signature]*

Date: 4/26/2010

Title/Qualifications: Inspector, CPSWQ



Stormwater BMP Inspection Report

System Number:	<u>0.02</u>			Model & Size:	<u>See Below</u>				
GPS Coordinates:	<u>N38.8035, W77.1279</u>			Hydro Dynamic Separator	<u>N/A</u>				
Vault	<input checked="" type="checkbox"/>	Y	<input type="checkbox"/>	N	StormFilter	<input checked="" type="checkbox"/>	Y	<input type="checkbox"/>	N
Manhole	<input type="checkbox"/>	Y	<input type="checkbox"/>	N	StormGate	<input type="checkbox"/>	Y	<input type="checkbox"/>	N
Catch Basin	<input type="checkbox"/>	Y	<input type="checkbox"/>	N	MFS	<input type="checkbox"/>	Y	<input type="checkbox"/>	N
Detention	<input type="checkbox"/>	Y	<input type="checkbox"/>	N	HDS	<input type="checkbox"/>	Y	<input type="checkbox"/>	N
Date installed / Last Service:	<u>Fall 2006/Spring 2008</u>			Media	<u>Perlite</u>				
Sediment Depth - Cart Bay:	<u>6" to 8"</u>			Cart #	<u>97</u>				
Sediment Depth - Forebay:	<u>8"</u>			Other	<u></u>				
Water Depth:	<u>Negligible</u>			Site Contact	<u>Chris Monahan</u>				
Excessive Oil:	<u>Negligible</u>								
Internal Condition of unit:	<u>Good</u>								

Site Description and System Condition:

Sediment accumulation in this system ranged from 6" to 8". As such, the vault should be cleaned and cartridges replaced. See Attachment B for photos of this system.

This hereby certifies that the information contained in this report is accurate and was obtained using accepted industry practices.

Inspector's Tom Gorivan _____

Company: CONTECH Construction Products, Inc.

Signature: *Tom Gorivan*

Date: 4/26/2010

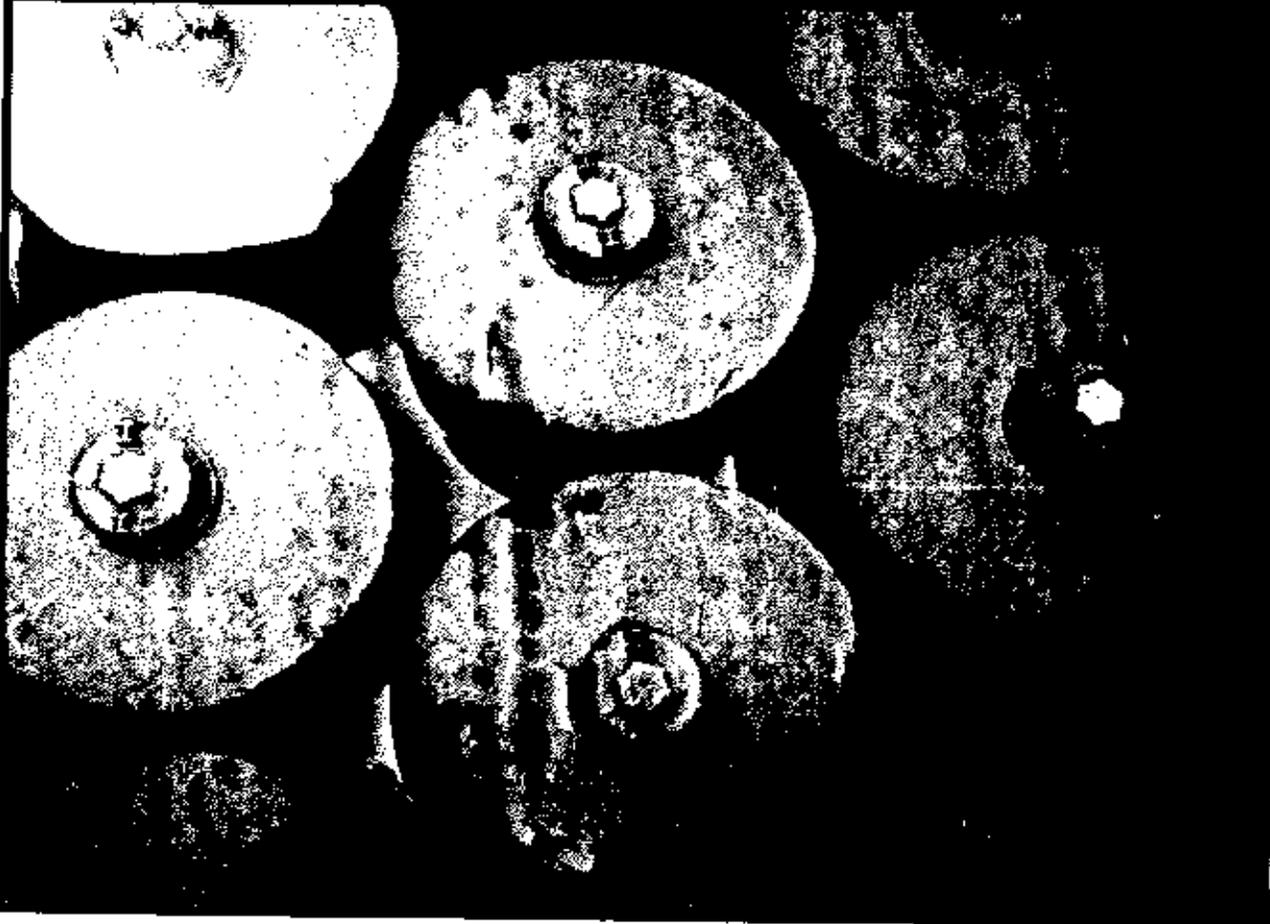
Title/Qualifications: Inspector, CPSWQ

Project Name: Virginia Paving

Page 4

System Number: 0.01

(list site designation if available)



Notes:

Standing water was present in this system as represented in this photo. Based on this, cleaning and cartridge replacement should occur at the earliest convenience.

Project Name:

Virginia Paving

Page 5

System Number: D.02

(list site designation if available)



Note:

A significant amount of sediment was found in the system as represented in this photo. Based on this, cleaning and cartridge replacement should occur at the earliest convenience.



Stormwater BMP Maintenance Report

11835 NE Glenn Widing Dr
Portland, OR 97220

Phone : 503.240.3393 / Fax: 503.240.9553

Project Name:	<u>Virginia Paving Company</u>	Weather Conditions:	<u>Summer</u>
Project Address:	<u>5601 S Courtney Ave., Alexandria, VA</u>	Number of BMPs Inspected:	<u>1</u>
Project Number (internal use only):	<u>416725</u>	Number of Pages:	<u>4</u>

This report contains information regarding the results of inspection of BMP(s) for the above referenced project.

The following information is provided for each BMP maintained:

- BMP Type**
- Product Name (if applicable)**
- Inspection Date**
- Date of Last Inspection (or install date if not previously inspected)**
- BMP Site Description**
- BMP Condition**
- Pollutant Load Description**
- Additional Observations/Comments**
- BMP Photos (as appropriate)**
- Recommended Actions**

Based on the results of the inspection it is recommended that:

- No further action is required at this time. Next inspection should be performed prior to:
- Repairs to BMP(s) are required. See report content for specifics.
- Cleaning of BMP(s) completed. See report content for specifics.



Stormwater BMP Inspection Report

GPS Coordinates: N38.8035 W77.1278

Model & Size: Vault System Filter

Unit Configuration: Vault

Hydro Dynamic Separator

Vault	<input checked="" type="checkbox"/>	Y	<input type="checkbox"/>	N
Manhole	<input type="checkbox"/>	Y	<input checked="" type="checkbox"/>	N
Catch Basin	<input type="checkbox"/>	Y	<input checked="" type="checkbox"/>	N
Detention	<input type="checkbox"/>	Y	<input checked="" type="checkbox"/>	N

StormFilter	<input checked="" type="checkbox"/>	Y	<input type="checkbox"/>	N
StormGate	<input type="checkbox"/>	Y	<input checked="" type="checkbox"/>	N
MFS	<input type="checkbox"/>	Y	<input checked="" type="checkbox"/>	N
HDS	<input type="checkbox"/>	Y	<input checked="" type="checkbox"/>	N

Date installed / Last Service: N/A

Media: Perlite

Sediment Depth - Cart Bay: 4-8"

Cart #: 104

Sediment Depth - Forebay: 12-15"

Other: N/A

Water Depth: 8"

Site Contact: Chris Monahan 703-906-9918

Excessive Oil: 0

Internal Condition of unit: Appears to be in good working condition

Site Description and system Condition:

Cleaned outfall pipe.

This hereby certifies that the information contained in this report is accurate and was obtained using accepted industry practices.

Maintenance Leader Name: Rick Harbaugh

Company: CONTECH Maintenance Provider

Signature: *Rick Harbaugh*

Date: 6/24/2010

Title/Qualifications: National Maintenance Manager

Project Name:

Virginia Paving Company

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System Number:

0.01

(list site designation if available)



Location



Notes:

STORMWATER TREATMENT SYSTEM CERTIFICATE OF COMPLIANCE



Virginia Paving Company
5601 S Courtney Ave., Alexandria, VA

Let it be known that the Stormwater Management StormFilters® system were maintained by a qualified professional at a frequency and in a manner consistent with the manufacturer's guidelines for general inspection and maintenance. Results of the inspection were used to determine if additional maintenance activities such as cleaning and/or repair of the system was necessary. The results of the inspection concluded that maintenance was required on the StormFilters®.

Therefore, based on these activities and by signed authorization below, this hereby certifies that the CONTECH StormFilters® at the above referenced location has met the requirements for maintenance compliance as specified by the manufacturer for the for a period of one year, from June 2010 to June 2011.



CERTIFICATE AUTHORIZATION

Gordon Clem
Regional Maintenance Manager
CONTECH Construction Products Inc.
Date: June 24, 2010

Appendix 8



**VIRGINIA
PAVING
COMPANY**

Division of The Lane Construction Corporation

An Equal Opportunity Employer M/F/V/D

City of Alexandria
Office of Environmental Quality
Transportation and Environmental Services City of Alexandria
City Hall
301 King Street, Room 3900
Alexandria, Virginia 22314

Mr. Stephen Milone
Division Chief, Land Use Services
Alexandria Planning and Zoning
City Hall, Room 2100
Alexandria, VA 22314

RE: Virginia Paving Company – Alexandria Asphalt Plant
SUP #2010-0014

Attn: T&ES and P&Z

Virginia Paving seeks guidance on an upcoming issue related to our Alexandria Plant SUP #2005-0042. We have concerns regarding the timing of stack testing for Plant 2, as stated in Conditions 15 of our SUP. This condition requires testing Plant 1 and Plant 2 for Total Suspended Particulates (TSP) emissions by EPA Method 5, once every two years. This requirement was last met during November 2008. We are planning to demonstrate compliance with this requirement on Plant 1, during the upcoming test scheduled for the week of September 13, 2010.

We seek an extension on the associated requirement for Plant 2, which accounts for less than 25% of total facility production. The reason for this request is related to construction quality issues and not consistently meeting mix specifications from plant 2. We will make enhancements this winter to improve this.

As an alternative Virginia Paving offers, for the compliance test of Plant 2, to be performed within 90 days and in no event later than 180 days of Plant 2's next operation. This language is consistent with state operating permits, will limit production from Plant 2 until the compliance test is completed, and provides flexibility to operate the plant as necessary during the maintenance period. We will likely schedule Plant 2's TSP test in conjunction with additional VDEQ tests required by natural gas usage.

Please let us know at your earliest convenience if this is an acceptable approach for the City so we can plan future logistics. If you have any questions or further requests, please contact me at (703) 751 – 7100.

Best regards,

Chris Monahan
Environmental Coordinator

cc: DMH, MCC, MAS, Cheshire-GAW, Mary Catherine Gibbs



DEPARTMENT OF PLANNING AND ZONING

301 King Street
Room 2100
Alexandria, VA 22314

Phone (703) 746-4666
Fax (703) 838-6393

www.alexandriava.gov

October 8, 2010

Sent via e-mail and U.S. Mail

Mr. Christopher D. Monahan
5601 Courtney Avenue
Alexandria, Virginia 22304

Re: Plant 2 Testing

Dear Mr. Monahan:

This letter responds to your request to extend the two-year testing for Plant 2 as required by Condition #15 of SUP#2010-0014. Previous testing of Plant #2 was conducted November 12-14, 2008, as required.

You have provided the following information. Plant #2 cannot produce asphalt that consistently meets the strict quality and mix specifications required by Virginia Paving Company customers. Operating Plant #2 at the production level necessary to conduct the emissions testing required by Condition #15 would result in producing large quantities of asphalt that would most likely not be able to be used due to questionable asphalt production quality and would have to be recycled. Virginia Paving Company has ceased using Plant #2 for regular manufacture of asphalt. Plant #2 will remain inoperative until maintenance enhancements are performed to the plant. Repairs and enhancements to Plant #2 will be performed in the winter when demand for asphalt is low and Virginia Paving Company employees are available to perform facility maintenance and repairs. Until Plant #2 production quality issues are repaired and the plant is tested for emissions, Virginia Paving Company will rely solely on Plant #1 for production needs. Plant #2 testing is expected to be completed in conjunction with additional Virginia DEQ tests required by the use of natural gas. Testing on Plant #1 was completed in mid-September with results to be delivered in mid-October, in compliance with the SUP condition.

Based on the above information, as well as your letter of September 7, 2010, and our meeting on September 9, 2010, we agree that the testing can be delayed. The City of Alexandria finds it reasonable to permit a one-time extension of the period when Plant #2

Mr. Christopher D. Monahan
October 8, 2010
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testing must be conducted to a period 90 days after the next plant start-up. We expect that necessary Plant #2 maintenance work and subsequent testing will be diligently pursued and completed. If unforeseen circumstances are encountered that delay diligent completion of the work and emissions testing on the plant, the City expects that Plant #2 will remain inoperative for regular asphalt production until all work and required emissions testing can be completed. To ensure compliance with SUP#2010-0014 requirement for testing, Virginia Paving should notify the Departments of Planning and Zoning and Transportation and Environmental Services when Plant #2 milestones are reached including beginning of and progress of work on Plant #2, initial start up of the plant, and anticipated test dates. This one-time exception is limited to the above circumstances. Condition #15 otherwise remains in full force.

If you have any questions or need additional information, please do not hesitate to contact us.

Very truly yours,



Faroll Hamer, Director
Department of Planning and Zoning

cc: Mark Jinks, Deputy City Manager
Christopher Spera, Deputy City Attorney
Richard Baier, Director, Transportation and Environmental Services
William Skrabak, Director, T&ES Office of Environmental Quality
Barbara Ross, Deputy Director, Planning and Zoning