

# Community Meeting

re: **Virginia Paving Company**  
**5601 Courtney Ave**  
**Alexandria, Virginia**

**September 18, 2006**



## BACKGROUND

- **Plant has been in operation at present site since not later than 1960**
- **Current Permits**
  - **State Operating Permit (Feb 17, 2005)**
  - **State Stormwater Discharge Permit (Jul 01, 2004)**
  - **City Special Use Permit (Feb 10, 1960)**
- **Minimal complaints prior to 2000**



# BACKGROUND

- **City Special Use Permit (Feb 10, 1960)**

**“That no operation of this plant requiring exit or entrance of vehicles be permitted after hours of darkness or during inclement weather or on Sundays or holidays.”**

- **Not an issue early on – night-time paving not prevalent at time plant was permitted and for many years thereafter.**
- **Paving practices changed - populations became more dense, traffic increased, paving technology changed and night-time paving became the preferred method.**
- **City did not enforce prohibition on night-time vehicular traffic – no complaints, plus no awareness of prohibition at time practices changed.**



# BACKGROUND

- **SUP Enforcement by the City**
  - **Historically complaint-driven – very few complaints regarding plant prior to 2000.**
  - **Current practice - City has changed Special Use Permit enforcement generally. Every site with an SUP will be reviewed for compliance at least once every three years, whether complaints are received or not. Also specialized enforcement terms built in to certain SUP's.**



# BACKGROUND

## Complaints/Concerns

- After 2000, City began to receive more complaints in general vicinity of plant.
- Primarily odor complaints, not attributing condition to paving plant specifically.
- As time passed, the City also began to receive other complaints about soot, noise, smoke and air quality – again not specific to paving plant.
- City began to look at all sources in area, including paving plant, and City staff “unearthed” the 1960 prohibition on night-time vehicular traffic. At this time, City undertook a comprehensive inspection of the asphalt plant.
- Communicated concerns to plant in October of 2004 – issues regarding compliance with water quality, fire code and other items, as well as 1960 SUP issues regarding night-time operations as well as need for settling basins. Began to work with plant to correct code violations; plant came in with an application to amend its SUP in March of 2005 to allow for night time vehicular traffic.



# BACKGROUND

- **June 2005 and June 2006 - City Council allows limited night-time vehicular traffic to plant.**
  - Specific City paving projects
  - Specific Woodrow Wilson Bridge paving
  - Emergency work



# BACKGROUND

## Specific Community Concerns

- Air Quality/Emissions – Is this “another Mirant?”
- Noise
- Traffic/Trucks
- Water Quality
- Proximity of plant to school/park



# BACKGROUND

- **17-month process during which City has:**
  - Collected information from and shared information with applicant and communities closest to plant
  - Consulted with scientific experts
  - Researched and benchmarked with other jurisdictions
  - Formulated and negotiated with applicant and community proposed conditions regarding a proposed amended SUP to reasonably address City's and community's concerns



## BACKGROUND

- **Large amount of work by numerous City departments to ensure fair, balanced process for both residents and applicant.**
- **Proposed amended SUP terms give City far more control, particularly over air quality, than it would otherwise be entitled to under state and federal law.**



## Virginia Paving SUP

- **Alternative is to go back to terms of 1960 SUP; while some storm water controls would be added and night time vehicular activity would stop, City would not be able to require the other extensive environmental controls we have negotiated with the plant in the context of an amended SUP.**
- **Return to 1960 SUP terms would be a net loss for the City.**



# Enforcement and Land Use Policy

Department of Planning and Zoning



## SUP Enforcement--Generally

- Changed from complaint-based to proactive in 2005
- All SUPs now inspected every three years
- Hierarchy of Enforcement:
  - *Notice*
  - *Fines*
  - *Hearing*
  - *Revocation*



# SUP Enforcement—Virginia Paving

## Frequency of Inspections

- Review and inspect every 6 months for the first 2 years and then annually thereafter
- Targeted inspections to insure compliance with/implementation of date specific conditions
- Inspections conducted in response to complaints



# **SUP Enforcement—Virginia Paving**

## **Penalties for Noncompliance with Specific Conditions**

- **Failure to comply with specific air quality conditions shall result in cessation of all night-time exit and entrance of vehicles from site; and**
- **The SUP will be docketed for review and action by City Council within 30 days.**



# SUP Enforcement—Virginia Paving

## Community Outreach

- **Designation of Va Paving employee as compliance officer with name and phone number provided to City and community.**
- **Regularly scheduled meetings, at least once every 6 months, to discuss operations,**



# Long-Range Planning for West End

- **Industrial land use and zoning historically for area in and around asphalt plant**
- **Current planning effort underway for Landmark/Van Dorn area calls for retention of industrial uses**
- **Planning for Eisenhower West area, to commence in 2007, will consider land use policies for industrially zoned uses in and around asphalt plant**



# Environmental Issues

Department of Transportation and  
Environmental Services

