TOWN OF WELLINGTON
PLANNING COMMISSION
May 1, 2023
6:30 PM

Leeper Center, 3800 Wilson Avenue, Wellington CO

REGULAR MEETING

Individuals wishing to make public comments must attend the meeting in person or may submit comments by sending an email to birdca@wellingtoncolorado.gov. The email must be received by 3:00 p.m. Friday, April 28, 2023. After 3:00 p.m. on April 28, written public comments can not be accepted. The comments will be provided to the Commissioners at the meeting. Emailed comments will not be read during the meeting.

The Zoom information below is for online viewing and listening only.

Please click the link below to join the webinar:
https://us06web.zoom.us/j/86154011660?pwd=VnZxZlRtUHRmNCtVSVpOcDIvYjZlQT09
Passcode: 446308
Webinar ID: 861 5401 1660
Or One tap mobile:
US: +17207072699,,87576162114# or +12532158782,,87576162114# Or Telephone:
US: +1 720 707 2699 or +1 253 215 8782 or +1 346 248 7799

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1. CALL TO ORDER
2. ROLL CALL
3. ADDITIONS TO OR DELETIONS FROM THE AGENDA
4. PUBLIC FORUM
5. CONSIDERATION OF MINUTES
   A. Meeting Minutes of April 3, 2023
6. OLD BUSINESS
   A. Site Plan Review - Connell Resources Asphalt Plant - Continued from March 6, 2023
7. NEW BUSINESS
8. COMMUNICATIONS
9. ADJOURNMENT

The Town of Wellington will make reasonable accommodations for access to Town services, programs, and activities and special communication arrangements Individuals needing special accommodation may request assistance by contacting at Town Hall or at 970-568-3381 at least 24 hours in advance.

TOWN OF WELLINGTON
PLANNING COMMISSION
April 3, 2023

MINUTES
REGULAR MEETING – 6:30 PM

1. CALL REGULAR MEETING TO ORDER – 6:30 p.m.

   The Planning Commission for the Town of Wellington, Colorado, met on April 3, 2023, at the Wilson Leeper Center, 3800 Wilson Avenue, Wellington, Colorado at 6:30 p.m.

2. ROLL CALL

Commissioners Present:	Eric Sartor, Chairperson Lisa Chollet Lowrey Moyer Tim Whitehouse Linda Knaack Bert McCaffrey
Absent:	
Town Staff Present:	Cody Bird, Planning Director Paul Whalen, Planner III Patty Lundy, Planning Analyst

3. ADDITIONS TO OR DELECTIONS FROM THE AGENDA

   None

4. PUBLIC FORUM

   None

5. CONSIDERATION OF MINUTES

   A. Meeting Minutes of March 6, 2023

   Commissioner Whitehouse moved to approve the meeting minutes of March 6, 2023. Commissioner Chollet seconded.

   Yeas – McCaffrey, Knaack, Whitehouse, Moyer, Chollet, Sartor
   Nays – None
   Motion carried

6. NEW BUSINESS

A. **Amended Site Plan Review – Lot 4, Block 1, Bonfire Subdivision 2nd Filing (8775 Bonfire Drive)**

Paul Whalen, Planner III presented the staff report. The applicant is seeking approval for an amended site plan previously approved to allow development of Phase II for business/warehouse use. This property is currently zoned LI – Light Industrial, which this is a permitted use by right in this zoning district.

Whalen explained the Town's Land Use Code now allows for a minimum 8 foot landscape area around the perimeter of industrial sites. Since the applicant needed to resubmit a site plan, he decided to work with the new code and push out the landscaping to meet the current code which allowed more parking spaces. Along with the landscaping and parking the building will now be 2 feet taller than in the original plans to allow for an overhead crane. Buildings B and C will have the same architecture as the current building. The applicant is working with the Town engineers to finalize the site grading, drainage and utility connections.

Doug Walker, applicant, said that Mr. Whalen had addressed everything and that he is working with the Town engineers for the remainder of the items. He also mentioned that the fire department would like one of the parking islands to be removed so they can get their new fire apparatus through the site. He said that he would do that and would add more evergreens to the front area to help block the view to the parking lot.

Chairman Sartor asked if Cody Bird, Planning Director had anything to add. Bird said he wanted to point that there were photos in the packet of the property to show what the existing site lighting looked like since the photometric plan in the packet was a scan of the original and is hard to read. The existing and proposed site lighting will be in accordance with the original approved photometric plan.

Chairman Sartor asked that the Planning Commissioners if they had any questions.

Commissioner Chollet asked if the photometric plan would be the same as it now. Bird confirmed the photometric plan is the same as what was originally approved.

Commissioner Chollet also wanted to know if the exterior finishes of the new building would match the current building. Mr. Walker said that it would match except that a few of the door locations would be different as well as the height will be increased slightly, but that the finishes would match the existing building.

Commissioner Whitehouse asked if someone could clarify the paving surface as pages 28 and 29 of the packet looks like it is showing recycled asphalt. Mr. Walker said that in the front of the building the parking lot would be concrete and the recycled asphalt would be in the yard behind the buildings. Bird also mentioned that they were seeing the original plans and that the Town had asked that he made the front parking area concrete to work with ADA standards. He agreed to those requirements in Phase I and plans to continue it through the rest of the site.

Commissioner Chollet asked to have the engineering review clarified since the staff presentation sounded like the applicant met the engineering requirements but that the report was saying it hadn't been completed. Bird said that in evaluating this site application the amended site plans provided by the applicant did not have all of the detailed information that the engineers look at for site grading contours, the drainage plan, utility sizing and the meter locations. When Planning staff talked with the Engineering staff, they had a pretty high level of confidence that anything that they might find that needs to be addressed will not be impactful to the overall site.

Commissioner Whitehouse moved to approve the amended site plan for Phase II, Lot 4, Block 1, Bonfire Subdivision 2nd Filing, subject to staff report comments and Town Engineer approvals.

Motion seconded by Commissioner Moyer.

Yeas – McCaffrey, Knaack, Whitehouse, Moyer, Chollet, Sartor
Nays – None
Motion carried

7. COMMUNICATIONS

Bird announced that the Board of Trustees will be making appointments to the vacancies at the April 11, 2023 Board meeting and the new appointments would be taking seats after.

Bird handed out a report of residential building permit activity. He shared graphs of how many residential permits have currently been issued and how many buildable residential lots there were still in inventory. He also showed historic and projected residential dwelling unit information.

Commissioner Whitehouse wanted to know if there were any other subdivisions that were close to having infrastructure in the ground in the next 2 years, other than Sage Meadows Second Subdivision. Bird replied that the developers had not given any clear timelines for other projects to start with public infrastructure.

Commissioner Chollet wanted to know if there was someone coming to build affordable housing. Bird replied that he had not received any indications of affordable units at this time.

Bird reminded everyone that the next meeting is May 1st, 2023 and we have an item that was tabled from the March 6th, 2023 meeting.

Whitehouse asked if there was any information on when BNSF was going to start construction on the GW Bush crossing and Cleveland Avenue crossing. Bird said that he knows BNSF has the GW Bush crossing as a high priority and they have it slotted for Spring/Summer of this year. No specific dates have been announced.

8. ADJOURNMENT

Chairman Sartor adjourned the regular meeting at 7:22 PM.

Approved this_____day of _____, 2023

_____

Recording Secretary

Planning Commission Meeting

Date: May 1, 2023
Submitted By: Cody Bird, Planning Director
Subject: Site Plan Review - Connell Resources Asphalt Plant - Continued from March 6, 2023

EXECUTIVE SUMMARY

At the March 6, 2023 regular Planning Commission meeting, the Commission was presented with an application for a site development plan proposed by Connell Resources, Inc. Written public comments were received the day of the meeting and verbal public comments were provided at the meeting and the Commission did not have adequate time to review and evaluate the public comments. Additional questions were raised at the meeting, and the Planning Commission desired additional time to consider the public comments and to have the applicant and Town staff provide additional information related to the topics of question. The agenda item was tabled to the May 1, 2023 regular Planning Commission meeting.

The applicant, Connell Resources, Inc., has submitted a request to continue the consideration of the site development plan to the June 5, 2023 regular Planning Commission meeting (Connell request attached). At the time of this agenda publication, the final studies and reports being prepared by the applicant are not yet available, and the applicant is requesting the continuation to allow additional time for completing the studies and reports to be provided to the Planning Commission.

Prior to receiving the request for continuation from the applicant, Town staff had advised the public that written public comments pertaining to this site plan application would be included in the May 1, 2023 Planning Commission agenda packet to be published April 25, 2023. The written communications received prior to 3:00pm on April 24, 2023 are included in this agenda packet. Written comments will continue to be accepted until 3:00pm Friday, April 28, 2023 and will be published in an amended packet and available here prior to the meeting: https://www.wellingtoncolorado.gov/129/Agendas-Minutes.

Town staff recommends the Planning Commission accept the applicant's request to continue the agenda item to allow time to complete studies and responses, and table the agenda item to the June 5, 2023 meeting. The Planning Commission may still receive public comments at the May 1, 2023 meeting. If the Planning Commission chooses to table the agenda item, there will also be additional opportunities for public comments to be made in writing for a rescheduled date as well as opportunity for verbal public comments at a rescheduled meeting date.

BACKGROUND / DISCUSSION

STAFF RECOMMENDATION

Move to table the site plan review for Connell Resources to the regular meeting of the Planning Commission to be held June 5, 2023 at 6:30pm at the Wilson Leeper Center, 3800 Wilson Ave., Wellington, Colorado.

ATTACHMENTS

1. Connell Continuation Request
2. Public Comments Received - 4/25/2023
3. Public Comments Received - 4/28/2023

Brownstein

Brownstein Hyatt Farber Schreck, LLP
303.223.1100 main
410 Seventeenth Street, Suite 2200
Denver, Colorado 80202

April 25, 2023

Carolynne C. White
Attorney at Law
303.223.1197 direct
cwhite@bhfs.com

VIA EMAIL

Planning Commission of the Town of Wellington
c/o Cody Bird, Planning Director
Leeper Center Board Room
3800 Wilson Avenue
Wellington, CO 80549

RE: Connell Resources – Site Plan Approval for the Wellington Asphalt Plant – Request for Continuance of the May 1, 2023 Hearing Before Planning Commission

Dear Planning Commission and Mr. Bird:

We are writing this letter on behalf of our client, Connell Resources, Inc. ("**Connell**"), the applicant for a site plan for an asphalt mixing plant (the "**Application**") located in the town of Wellington (the "**Town**"), county of Larimer ("**County**"), state of Colorado (the "**State**") along County Road 66 ("**CR 66**"), the North Poudre Irrigation ditch and the BNSF rail line (the "**Property**"). The Application proposes an office building, silos/plant, welding/maintenance shop, fueling facilities and workshop (the "**Project**").

The Application was presented to this Planning Commission (the "**Commission**") on March 6, 2023 (the "**Prior Hearing**"), which was continued to May 1, 2023 to allow Connell and County staff time to provide more information pertaining to the Commission's and the public's questions. During the Prior Hearing, the Commission asked Connell to provide information, studies and reports pertaining to the safety of the Project and specifically, an air dispersion modeling report that would identify any pollutants in connection with the operation of the Project. Connell promptly commissioned the air dispersion modeling report, but unfortunately a final draft of the report is not yet complete.

Connell is therefore requesting a continuance of the May 1, 2023 hearing to ensure that it can provide this Commission with the best available and accurate information, and give this Commission and County staff ample opportunity to review that information. It is our understanding that the next available hearing date is June 5, 2023, and we therefore request that the May 1, 2023 hearing be continued to June 5, 2023.

Thank you for your time and consideration. We look forward to your response.

Sincerely,

Carolynne C. White

cc: Dan Sapienza, esq.

25559596.1

Print

Planning Commission May 1, 2023 Public Comment - Submission #3019

Date Submitted: 4/24/2023

First and Last Name*

Elana Hurwitz

Email Address*

e_kerson@yahoo.com

Are you a Town of Wellington Resident? *

- [x] Yes
- [ ] No

Address

PO Box 1374 Wellington CO

Public Comment for the Planning Commission May 1, 2023 Meeting

April 24, 2023 Dear Planning Commission Members, As you know, the EPA has designated the Northern Colorado Front Range region as a "nonattainment" area for ozone, and the construction and operation of an asphalt plant in this area would only worsen the air quality problems we already face. To protect and preserve Colorado's public health and valuable resources such as our water, hot asphalt plants must adhere to strict air, water and waste requirements administered by the CO Department. of Health and Environment. (CDPHE) Asphalt plants emit a wide range of pollutants, including volatile organic compounds, particulate matter, and greenhouse gases, all of which contribute to the formation of ground-level ozone. This could have serious health consequences for the residents of Wellington and the surrounding communities. In addition, the transportation of asphalt also poses a risk of water and soil contamination. The potential for spills or leaks during transportation could have serious consequences for local water sources and soil quality. This is particularly concerning given the importance of agriculture in this region. The proposed location of the asphalt plant is in close proximity to two schools, the library, and a community park. The potential impact on the health and well-being of our children and families cannot be ignored. The noise and air pollution generated by the plant and increased truck traffic would have serious consequences for the surrounding homes, schools, and park, affecting the quality of life for the entire community. Furthermore, the impact of the proposed asphalt plant will not be limited to the immediate area surrounding it. Due to the prevailing winds in the region, the emissions and pollution from the plant would likely spread throughout the town, affecting the health and well-being of all residents. This is unacceptable, particularly for a community that values its natural environment and the health of its citizens. To mitigate these impacts, the plant's operators would need to implement robust pollution control measures, including state-of-the-art emissions control technologies and best practices for managing truck traffic. However, it is unclear whether these measures would be sufficient to protect the health and well-being of the surrounding community and environment. While the proponents of the asphalt plant may argue that it will bring economic benefits to the community, we cannot ignore the potential environmental and health costs. The long-term impacts of the pollution generated by the plant and its transportation far outweigh any short-term economic gains. I have questions related to the process of the plant approval: 1. Has there been an Environmental Impact Study done by and independent service? 2. Have the air quality records (New Source Performance Standards, and APEN report/forms) and storage regulation reports of onsite chemicals from the Connell plant in Timnath been reviewed for comparisons? 3. How were the numbers generated for truck trips that they determined for this facility? 4. When the town of Wellington has more road maintenance required to do due to the widening of roads and additional turn lanes and on/off ramp lanes for the plant that are added to the existing roads around the plant, how much will that raise the taxes for the residents in town to pay for this increased road care? 5. Has the plant construction project been approved by the Flood Review board; passed a Geotechnical report recommendations, and have a storm water permit? 6. what are their dust control plans to comply with state requirements for them? 7. How would the storage of materials so that they are not impacting stormwater in runoff planned to be safe, and what would happen if they aren't, how would the plans be enforced? 8. Is there going to be a community revue committee - separate from the planning board, made up of concerned citizens- to oversee the plant's compliance to the regulations for state, Larimer county and town of Wellington regulations? 9. If the final approval air permit from the state Air Pollution Control Division (APCD) is valid for the life of the equipment, what happens if there is an equipment failure? 10. Are there any records from the Timnath plant about inspections routinely done by APCD? And have we see the existing permit to see the emissions information that exists there? 11. What are the Timnath plant's existing documents from the "New Source performance Standards" requirements CO Reg. No. 6 Part A Subpart I? Thank you for your consideration of these questions and concerns. Most Sincerely, Elana Hurwitz Wellington Old Town Resident PO Box 1374 Wellington, CO 80549

Optional File Attachment	Optional File Attachment	Optional File Attachment
EHurwitz_Letter_4_24_23_to.pdf	Construction_CleanAir.pdf	Choose File No file selected

April 24, 2023

Dear Planning Commission members

As you know, the EPA has designated the Northern Colorado Front Range region as a "nonattainment" area for ozone, and the construction and operation of an asphalt plant in this area would only worsen the air quality problems we already face.

To protect and preserve Colorado's public health and valuable resources such as our water, hot asphalt plants must adhere to strict air, water and waste requirements administered by the CO Department. of Health and Environment. (CDPHE)

Asphalt plants emit a wide range of pollutants, including volatile organic compounds, particulate matter, and greenhouse gases, all of which contribute to the formation of ground-level ozone. This could have serious health consequences for the residents of Wellington and the surrounding communities.

In addition, the transportation of asphalt also poses a risk of water and soil contamination. The potential for spills or leaks during transportation could have serious consequences for local water sources and soil quality. This is particularly concerning given the importance of agriculture in this region.

The proposed location of the asphalt plant is in close proximity to two schools, the library, and a community park. The potential impact on the health and well-being of our children and families cannot be ignored. The noise and air pollution generated by the plant and increased truck traffic would have serious consequences for the surrounding homes, schools, and park, affecting the quality of life for the entire community.

Furthermore, the impact of the proposed asphalt plant will not be limited to the immediate area surrounding it. Due to the prevailing winds in the region, the emissions and pollution from the plant would likely spread throughout the town, affecting the health and well-being of all residents. This is unacceptable, particularly for a community that values its natural environment and the health of its citizens.

To mitigate these impacts, the plant's operators would need to implement robust pollution control measures, including state-of-the-art emissions control technologies and best practices for managing truck traffic. However, it is unclear whether these measures would be sufficient to protect the health and well-being of the surrounding community and environment.

While the proponents of the asphalt plant may argue that it will bring economic benefits to the community, we cannot ignore the potential environmental and health costs. The long-term impacts of the pollution generated by the plant and its transportation far outweigh any short-term economic gains.

I have questions related to the process of the plant approval:

1. Has there been an Environmental Impact Study done by and independent service?

2. Have the air quality records (New Source Performance Standards, and APEN report/forms) and storage regulation reports of onsite chemicals from the Connell plant in Timnath been reviewed for comparisons?

3. How were the numbers generated for truck trips that they determined for this facility?

4. When the town of Wellington has more road maintenance required to do due to the widening of roads and additional turn lanes and on/off ramp lanes for the plant that are added to the existing roads around the plant, how much will that raise the taxes for the residents in town to pay for this increased road care?

5. Has the plant construction project been approved by the Flood Review board; passed a Geotechnical report recommendations, and have a storm water permit?

6. what are their dust control plans to comply with state requirements for them?

7. How would the storage of materials so that they are not impacting stormwater in runoff planned to be safe, and what would happen if they aren't, how would the plans be enforced?

8. Is there going to be a community revue committee - separate from the planning board, made up of concerned citizens- to oversee the plant's compliance to the regulations for state, Larimer county and town of Wellington regulations?

9. If the final approval air permit from the state Air Pollution Control Division (APCD) is valid for the life of the equipment, what happens if there is an equipment failure?

10. Are there any records from the Timnath plant about inspections routinely done by APCD? And have we see the existing permit to see the emissions information that exists there?

11. What are the Timnath plant's existing documents from the "New Source performance Standards" requirements CO Reg. No. 6 Part A Subpart I?

Thank you for your consideration of these questions and concerns.

Most Sincerely,

Elana Hurwitz

Wellington Old Town Resident

PO Box 1374 Wellington, CO 80549

§7475. Preconstruction requirements Clean Air Act

(a) Major emitting facilities on which construction is commenced

https://www.govinfo.gov/content/pkg/USCODE-2013-title42/html/USCODE-2013-title42-chap85-subchapI-partC-subparti-sec7475.htm

42 U.S.C.

United States Code, 2013 Edition

Title 42 - THE PUBLIC HEALTH AND WELFARE

CHAPTER 85 - AIR POLLUTION PREVENTION AND CONTROL

SUBCHAPTER I - PROGRAMS AND ACTIVITIES

Part C - Prevention of Significant Deterioration of Air Quality

subpart i - clean air

Sec. 7475 - Preconstruction requirements

From the U.S. Government Publishing Office, www.gpo.gov

§7475. Preconstruction requirements

(a) Major emitting facilities on which construction is commenced

No major emitting facility on which construction is commenced after August 7, 1977, may be constructed in any area to which this part applies unless—

(1) a permit has been issued for such proposed facility in accordance with this part setting forth emission limitations for such facility which conform to the requirements of this part;

(2) the proposed permit has been subject to a review in accordance with this section, the required analysis has been conducted in accordance with regulations promulgated by the Administrator, and a public hearing has been held with opportunity for interested persons including representatives of the Administrator to appear and submit written or oral presentations on the air quality impact of such source, alternatives thereto, control technology requirements, and other appropriate considerations;

(3) the owner or operator of such facility demonstrates, as required pursuant to section 7410(j) of this title, that emissions from construction or operation of such facility will not cause, or contribute to, air pollution in excess of any (A) maximum allowable increase or maximum allowable concentration for any pollutant in any area to which this part applies more than one time per year, (B) national ambient air quality standard in any air quality control region, or (C) any other applicable emission standard or standard of performance under this chapter;

(4) the proposed facility is subject to the best available control technology for each pollutant subject to regulation under this chapter emitted from, or which results from, such facility;

(5) the provisions of subsection (d) of this section with respect to protection of class I areas have been complied with for such facility;

(6) there has been an analysis of any air quality impacts projected for the area as a result of growth associated with such facility;

(7) the person who owns or operates, or proposes to own or operate, a major emitting facility for which a permit is required under this part agrees to conduct such monitoring as may be necessary to determine the effect which emissions from any such facility may have, or is having, on air quality in any area which may be affected by emissions from such source; and

(8) in the case of a source which proposes to construct in a class III area, emissions from which would cause or contribute to exceeding the maximum allowable increments applicable in a class II area and where no standard under section 7411 of this title has been promulgated subsequent to August 7, 1977, for such source category, the Administrator has approved the determination of best available technology as set forth in the permit.

(b) Exception

The demonstration pertaining to maximum allowable increases required under subsection (a)(3) of this section shall not apply to maximum allowable increases for class II areas in the case of an expansion or modification of a major emitting facility which is in existence on August 7, 1977, whose allowable emissions of air pollutants, after compliance with subsection (a)(4) of this section, will be less than fifty

tons per year and for which the owner or operator of such facility demonstrates that emissions of particulate matter and sulfur oxides will not cause or contribute to ambient air quality levels in excess of the national secondary ambient air quality standard for either of such pollutants.

(c) Permit applications

Any completed permit application under section 7410 of this title for a major emitting facility in any area to which this part applies shall be granted or denied not later than one year after the date of filing of such completed application.

(d) Action taken on permit applications; notice; adverse impact on air quality related values; variance; emission limitations

(1) Each State shall transmit to the Administrator a copy of each permit application relating to a major emitting facility received by such State and provide notice to the Administrator of every action related to the consideration of such permit.

(2)(A) The Administrator shall provide notice of the permit application to the Federal Land Manager and the Federal official charged with direct responsibility for management of any lands within a class I area which may be affected by emissions from the proposed facility.

(B) The Federal Land Manager and the Federal official charged with direct responsibility for management of such lands shall have an affirmative responsibility to protect the air quality related values (including visibility) of any such lands within a class I area and to consider, in consultation with the Administrator, whether a proposed major emitting facility will have an adverse impact on such values.

(C)(i) In any case where the Federal official charged with direct responsibility for management of any lands within a class I area or the Federal Land Manager of such lands, or the Administrator, or the Governor of an adjacent State containing such a class I area files a notice alleging that emissions from a proposed major emitting facility may cause or contribute to a change in the air quality in such area and identifying the potential adverse impact of such change, a permit shall not be issued unless the owner or operator of such facility demonstrates that emissions of particulate matter and sulfur dioxide will not cause or contribute to concentrations which exceed the maximum allowable increases for a class I area.

(ii) In any case where the Federal Land Manager demonstrates to the satisfaction of the State that the emissions from such facility will have an adverse impact on the air quality-related values (including visibility) of such lands, notwithstanding the fact that the change in air quality resulting from emissions from such facility will not cause or contribute to concentrations which exceed the maximum allowable increases for a class I area, a permit shall not be issued.

(iii) In any case where the owner or operator of such facility demonstrates to the satisfaction of the Federal Land Manager, and the Federal Land Manager so certifies, that the emissions from such facility will have no adverse impact on the air quality-related values of such lands (including visibility), notwithstanding the fact that the change in air quality resulting from emissions from such facility will cause or contribute to concentrations which exceed the maximum allowable increases for class I areas, the State may issue a permit.

(iv) In the case of a permit issued pursuant to clause (iii), such facility shall comply with such emission limitations under such permit as may be necessary to assure that emissions of sulfur oxides and particulates from such facility will not cause or contribute to concentrations of such pollutant which exceed the following maximum allowable increases over the baseline concentration for such pollutants:

Maximum allowable increase (in

micrograms per cubic meter)

Particulate matter:

Annual geometric mean

19

Twenty-four-hour maximum

37

Sulfur dioxide:

Annual arithmetic mean

20

Twenty-four-hour maximum

91

Three-hour maximum

325

(D)(i) In any case where the owner or operator of a proposed major emitting facility who has been denied a certification under subparagraph (C)(iii) demonstrates to the satisfaction of the Governor, after notice and public hearing, and the Governor finds, that the facility cannot be constructed by reason of any maximum allowable increase for sulfur dioxide for periods of twenty-four hours or less applicable to any class I area and, in the case of Federal mandatory class I areas, that a variance under this clause will not adversely affect the air quality related values of the area (including visibility), the Governor, after consideration of the Federal Land Manager's recommendation (if any) and subject to his concurrence, may grant a variance from such maximum allowable increase. If such variance is granted, a permit may be issued to such source pursuant to the requirements of this subparagraph.

(ii) In any case in which the Governor recommends a variance under this subparagraph in which the Federal Land Manager does not concur, the recommendations of the Governor and the Federal Land Manager shall be transmitted to the President. The President may approve the Governor's recommendation if he finds that such variance is in the national interest. No Presidential finding shall be reviewable in any court. The variance shall take effect if the President approves the Governor's recommendations. The President shall approve or disapprove such recommendation within ninety days after his receipt of the recommendations of the Governor and the Federal Land Manager.

(iii) In the case of a permit issued pursuant to this subparagraph, such facility shall comply with such emission limitations under such permit as may be necessary to assure that emissions of sulfur oxides from such facility will not (during any day on which the otherwise applicable maximum allowable increases are exceeded) cause or contribute to concentrations which exceed the following maximum allowable increases for such areas over the baseline concentration for such pollutant and to assure that such emissions will not cause or contribute to concentrations which exceed the otherwise applicable maximum allowable increases for periods of exposure of 24 hours or less on more than 18 days during any annual period:

MAXIMUM ALLOWABLE INCREASE

(In micrograms per cubic meter)	Period of exposure	Low	High
terrain areas			
terrain areas			
	24-hr maximum	36	62
	3-hr maximum	130	221

(iv) For purposes of clause (iii), the term "high terrain area" means with respect to any facility, any area having an elevation of 900 feet or more above the base of the stack of such facility, and the term "low terrain area" means any area other than a high terrain area.

(e) Analysis; continuous air quality monitoring data; regulations; model adjustments

(1) The review provided for in subsection (a) of this section shall be preceded by an analysis in accordance with regulations of the Administrator, promulgated under this subsection, which may be conducted by the State (or any general purpose unit of local government) or by the major emitting facility applying for such permit, of the ambient air quality at the proposed site and in areas which may be affected by emissions from such facility for each pollutant subject to regulation under this chapter which will be emitted from such facility.

(2) Effective one year after August 7, 1977, the analysis required by this subsection shall include continuous air quality monitoring data gathered for purposes of determining whether emissions from such facility will exceed the maximum allowable increases or the maximum allowable concentration permitted under this part. Such data shall be gathered over a period of one calendar year preceding the date of application for a permit under this part unless the State, in accordance with regulations promulgated by the Administrator, determines that a complete and adequate analysis for such purposes may be accomplished in a shorter period. The results of such analysis shall be available at the time of the public hearing on the application for such permit.

(3) The Administrator shall within six months after August 7, 1977, promulgate regulations respecting the analysis required under this subsection which regulations—

(A) shall not require the use of any automatic or uniform buffer zone or zones,

(B) shall require an analysis of the ambient air quality, climate and meteorology, terrain, soils and vegetation, and visibility at the site of the proposed major emitting facility and in the area potentially affected by the emissions from such facility for each pollutant regulated under this chapter which will be emitted from, or which results from the construction or operation of, such facility, the size and nature of the proposed facility, the degree of continuous emission reduction which could be achieved by such facility, and such other factors as may be relevant in determining the effect of emissions from a proposed facility on any air quality control region,

(C) shall require the results of such analysis shall be available at the time of the public hearing on the application for such permit, and

(D) shall specify with reasonable particularity each air quality model or models to be used under specified sets of conditions for purposes of this part.

Any model or models designated under such regulations may be adjusted upon a determination, after notice and opportunity for public hearing, by the Administrator that such adjustment is necessary to take into account unique terrain or meteorological characteristics of an area potentially affected by emissions from a source applying for a permit required under this part.

(July 14, 1955, ch. 360, title I, §165, as added Pub. L. 95–95, title I, §127(a), Aug. 7, 1977, 91 Stat. 735; amended Pub. L. 95–190, §14(a)(44)–(51), Nov. 16, 1977, 91 Stat. 1402.)

Amendments

1977—Subsec. (a)(1). Pub. L. 95–190, §14(a)(44), substituted "part;" for "part:".

Subsec. (a)(3). Pub. L. 95–190, §14(a)(45), inserted provision making applicable requirement of section 7410(j) of this title.

Subsec. (b). Pub. L. 95–190, §14(a)(46), inserted "cause or" before "contribute" and struck out "actual" before "allowable emissions".

Subsec. (d)(2)(C). Pub. L. 95–190, §14(a)(47)–(49), in cl. (ii) substituted "contribute" for "contrbute", in cl. (iii) substituted "quality-related" for "quality related" and "concentrations which" for "concentrations, which", and in cl. (iv) substituted "such facility" for "such sources" and "will not cause or contribute to concentrations of such pollutant which exceed" for "together with all other sources, will not exceed".

Subsec. (d)(2)(D). Pub. L. 95–190, §14(a)(50), (51), in cl. (iii) substituted provisions relating to determinations of amounts of emissions of sulfur oxides from facilities, for provisions relating to determinations of amounts of emissions of sulfur oxides from sources operating under permits issued pursuant to this subpar., together with all other sources, and added cl. (iv).

Print

Planning Commission May 1, 2023 Public Comment - Submission #3031

Date Submitted: 4/25/2023

First and Last Name*

Hailey Ellis

Email Address*

hailey.ellis623@gmail.com

Are you a Town of Wellington Resident? *

- [x] Yes
- [ ] No

Address

Public Comment for the Planning Commission May 1, 2023 Meeting

My family and I do NOT condone the building of a Hot Mix Asphalt Plant in the Northeast section of the Business Park, 3/4 of a mile from the Buffalo Creek residential area. As a Buffalo Creek resident and first-time mom-to-be, the proximity to this plant is very concerning due to a decrease in home equity values and heightened risk to human health. The economic benefits of building such a plant do not outweigh the costs to residents' livelihoods and health. If the Wellington government is trying to build a community that has the potential for growth and development, with residents' best interests at heart, then the building of this asphalt plant would be decommissioned. I do not see many residents willing to stay and put up with the corruption of the town's government if this plant were to be built.

Optional File Attachment

Health issues with an asphalt plant nearby.pdf

Optional File Attachment

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Optional File Attachment

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Health Issues with an Asphalt Plant Nearby

Here are some short quotes and abstracts from articles referencing the health problems that occur with working, and/or living near an Asphalt Plant.

Asphalt and Diesel Exhaust Fumes

> " Over a half-million workers are exposed to fumes from asphalt, a petroleum product used extensively in road paving, roofing, siding, and concrete work. Health effects from exposure to asphalt fumes include headache, skin rash, sensitization, fatigue, reduced appetite, throat and eye irritation, cough, and skin cancer. "

Reference: Asphalt Fumes - United States Department of Labor, Occupational Safety and Health Administration

Reference: Hot Mix Asphalt Plants - Truck Loading and Unloading

> " The primary emission sources associated with Hot Mix Asphalt(HMA) production are the dryers, hot bins, and mixers, which emit particulate matter (PM) and a variety of gaseous pollutants. Other emission sources found at HMA plants include storage silos, which temporarily hold the HMA; truck load-out operations, in which the HMA is loaded into trucks for hauling to the job site; liquid asphalt storage tanks; hot oil heaters, which are used to heat the asphalt storage tanks; and yard emissions, which consist of fugitive emissions from the HMA in truck beds. Emissions also result from vehicular traffic on paved and unpaved roads, aggregate storage and handling operations, and vehicle exhaust. "

> " The PM emissions associated with HMA production include the criteria pollutants PM-10 (PM less than 10 micrometers in aerodynamic diameter) and PM-2.5, hazardous air pollutant (HAP) metals, and HAP organic compounds. The gaseous emissions associated with HMA production include the criteria pollutants sulfur dioxide (SO 2), nitrogen oxides (NO x), carbon monoxide (CO), and volatile organic compounds (VOC), as well as volatile HAP organic compounds. "

Reference: EPA - Hot Mix Asphalt Plant Emission Assessment

Summary of Research on Diesel and Asphalt Hazards

Toxic Smell

> "It smells."

> "While a state study indicates the air quality in a neighborhood next to a controversial paving plant meets safety standards, neighbors say their problems with the plant are as much about quality of life as quality of air.
>
> The odor of asphalt coming from the R.C. & Sons paving plant has been a prime complaint of several residents of the nearby Grandview neighborhood."

Bangor Daily News - It smells, but Maine Asphalt Plant meets standards

> " Dr. Mitchell said that tiny particles in asphalt production plant emissions can cause lung damage, exacerbate breathing conditions and ultimately cause more severe problems. "

New York Times Article - Who Wants to Live Near an Asphalt Plant

Noise

Here are typical noise emissions from a Hot-Mix Asphalt Plant.

Noise Level	Distance from Center of Plant
85 dBA	50 feet (measured reference level)
78 dBA	100 feet
70 dBA	200 feet
63 dBA	400 feet
55 dBA	800 feet
46 dBA	1,600 feet
36 dBA	3,200 feet
24 dBA	6,400 feet

We do not know the assumptions that went into the measurements in this noise summary table.

Looking at the California study, we do not know the age or size/capacity of the plant(s) measured.

Remember that newer plants are quieter, and older plants make more noise.

Reference: Full Document - Caltrans - State of California

Overall Health Effects

> " The complex chemical composition of asphalt makes it difficult to identify the specific component(s) responsible for adverse health effects observed in exposed workers. Known carcinogens have been found in asphalt fumes generated at worksites. Observations of acute irritation in workers from airborne and dermal exposures to asphalt fumes and aerosols and the potential for chronic health effects, including cancer, warrant continued diligence in the control of exposures. "

Reference: CDC - Hazard Review - Health Effects of Occupational Exposure to Asphalt

What the Federal Government Regulates on Asphalt Plants and Air Quality

What federal rules apply to asphalt plants?

- Asphalt plant emissions of particulate matter (PM2.5 and PM10, carbon monoxide, sulfur dioxide nitrogen dioxide, and lead must not exceed National Ambient Air Quality Standards (NAAQS) at the property boundary.
- Asphalt plants manufactured after June 11, 1973, are subject to 40 CFR 60 Subpart I-New Source Performance Standards for Hot Mix Asphalt Plants. NSPS, Subpart I limits only the emissions of particulate matter from material handling systems.
- On November 8, 2002 , USEPA removed Asphalt Hot Mix Production from the Source Category List for which development of National Emission Standards for Hazardous Air Pollutants Standar is required.

Reference: North Carolina Division of Air Quality - Air Toxics and Asphalt Plants

Web Sites With More Information

Here are addition web sites that have information on Asphalt Plants and health effects.

- Hot Mix Asphalt Plants - Stakeholders Opinions Report - US EPA
- Fact Sheet - Hot Mix Asphalt Plants - Oregon Department of Environmental Quality
- Preventing Pollution at Hot Mix Plants - A Guide to Environmental Compliance and Pollution Prevention for Asphalt Plants in Missouri - State of Missouri
- Asphalt Plant Pollution - Blue Ridge Environmental Report
- Road Paving Asphalt - State of New Hampshire - Fact Sheet
- Asphalt - Hazardous Fact Sheet - State of New Jersey
- North Carolina Division of Air Quality - Air Toxics and Asphalt Plants

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We are PARC - Protectors of the Ammonoosuc River Corridor in Lisbon, New Hampshire.

You can contact PARC at

PARC
P.O. Box 515
Sugar Hill, New Hampshire.
03586

Fiscal Agent: Peter Nightingale
Phone #: (603) 616-9292

ASPHALT PLANT POLLUTION

Asphalt plants mix gravel and sand with crude oil derivatives to make the asphalt used to pave roads, highways, and parking lots across the U.S. These plants release millions of pounds of chemicals to the air during production each year, including many cancer-causing toxic air pollutants such as arsenic, benzene, formaldehyde, and cadmium. Other toxic chemicals are released into the air as the asphalt is loaded into trucks and hauled from the plant site, including volatile organic compounds, polycyclic aromatic hydrocarbons (PAHs), and very fine condensed particulates.[EPA]

- **Asphalt Fumes are Known Toxins.** The federal Environmental Protection Agency (EPA) states "Asphalt processing and asphalt roofing manufacturing facilities are major sources of hazardous air pollutants such as formaldehyde, hexane, phenol, polycyclic organic matter, and toluene. Exposure to these air toxics may cause cancer, central nervous system problems, liver damage, respiratory problems and skin irritation." [EPA]. According to one health agency, asphalt fumes contain substances known to cause cancer, can cause coughing, wheezing or shortness of breath, severe irritation of the skin, headaches, dizziness, and nausea. [NJDHSS] Animal studies show PAHs affect reproduction, cause birth defects and are harmful to the immune system. [NJDHSS] The US Department of Health and Human Services has determined that PAHs may be carcinogenic to humans. [DHHS]

- **Health Impacts & Loss of Property Value.** The Blue Ridge Environmental Defense League (BREDL), a regional environmental organization, has done two studies on the adverse impacts on property values and health for residents living near asphalt plants. A property value study documented losses of up to 56% because of the presence of a nearby asphalt plant. In another study, nearly half of the residents reported negative impacts on their health from a new asphalt plant. The door-to-door health survey found 45% of residents living within a half mile of the plant reported a deterioration of their health, which began after the plant opened. The most frequent health problems cited were high blood pressure (18% of people surveyed), sinus problems (18%), headaches (14%), and shortness of breath (9%). [BREDL]

- **Flawed Tests Underestimate Health Risks.** In addition to smokestack emissions, large amounts of harmful "fugitive emissions" are released as the asphalt is moved around in trucks and conveyor belts, and is stored in stockpiles. A small asphalt plant producing 100 thousand tons of asphalt a year may release up to 50 tons of toxic fugitive emissions into the air. [Dr. R. Nadkarni] Stagnant air and local weather patterns often increase the level of exposure to local communities. In fact, most asphalt plants are not even tested for toxic emissions. The amounts of these pollutants that are released from a facility are estimated by computers and mathematical formulas rather than by actual stack testing, estimates that experts agree do not accurately predict the amount of toxic fugitive emissions released and the risks they pose. According to Dr. Luanne Williams, a North Carolina state toxicologist, 40% of the toxins from asphalt plant smokestacks even meet air quality standards—and for the other 60% of these emissions, the state lacks sufficient data to determine safe levels.

BE SAFE: Take Precautionary Action to Protect Our Communities from Asphalt Plant Air Pollution

OSHA ARCHIVE

NOTICE: This is an OSHA Archive Document, and no longer represents OSHA Policy. It is presented here as historical content, for research and review purposes only.

Asphalt Fumes

Over a half-million workers are exposed to fumes from asphalt, a petroleum product used extensively in road paving, roofing, siding, and concrete work. When hot asphalt is applied in a molten state, it generates toxic fumes. Workers exposed to asphalt fumes are at risk of developing headaches, rashes, cough, and possibly cancer. There is no OSHA standard for asphalt fumes. OSHA is developing an action plan to reduce worker exposures to this hazard but is not initiating rulemaking at this time.

Hazard Description

NIOSH estimated that over 500,000 workers were potentially exposed to asphalt fumes (1). OSHA estimated in 1992 that over 300,000 construction workers were exposed primarily in road-paving and roofing operations (2). Exposures vary considerably between different types of asphalt work (i.e. roofing vs. paving) and the different worker jobs (i.e. kettle operator vs. paver operator.) More research needs to be performed to determine and control important factors which cause increased worker exposures (i.e. application temperatures, type of equipment used, environmental conditions, workplace practices, and asphalt constituents.)

The acute effects of exposure to asphalt fumes include headache, skin rash, fatigue, reduced appetite, throat and eye irritation, and cough. Asphalt paving workers, for example, have reported breathing problems, asthma, bronchitis, and skin irritation (6). A recent study has shown that some of these effects occur at exposures of 0.5 to 1.3 mg/m3 (3).

Human studies have reported lung, stomach, and skin cancers following chronic exposures to asphalt fumes. However, these studies have been inconclusive, and the possible chronic effects to workers following exposures to asphalt fumes are areas of continuing investigations. One recent summary analysis of the available human studies found a nearly twofold increase in risk of lung and stomach cancer among roofers. Increased risks were also noted for other asphalt workers for lung, stomach, and bladder cancer, and for leukemia (4).

Laboratory studies have shown chemical extracts of asphalt fumes to have cancer-causing and mutagenic properties. For example, painting of asphalt extracts on mouse skin produces tumors that increase with dose (7). Other laboratory studies show DNA changes in mouse lung and skin cells (8) and in human fetal cells exposed to asphalt fume extracts (9). Urinalysis of exposed workers shows mutations in laboratory tests (10).

Current Status

OSHA does not have a standard for asphalt fumes although it proposed a 5 mg/m3 permissible exposure limit (PEL) in 1992 (5). OSHA's quantitative risk assessment estimated a significant risk of lung cancer among exposed workers at levels as low as 0.2 mg/m3.

The American Conference of Governmental Industrial Hygienists (ACGIH) currently recommends a Threshold Limit Value (TLV) of 5 mg/m3 as an 8-hour time weighted average. In 1977, the National Institute for Occupational Safety and Health (NIOSH) recommended a 5 mg/m3 15 minute short-term exposure limit. NIOSH is developing a new Criteria Document for asphalt fumes and expects to make new recommendations for exposure limits within six months.

The International Agency for Research on Cancer (IARC) found:

- "There is sufficient evidence for the carcinogenicity of extracts of steam-refined bitumens, air-refined bitumens and pooled mixtures of steam- and air-refined bitumens in experimental animals."
- There is limited evidence for the carcinogenicity of undiluted steam-refined bitumens and for cracking-residue bitumens in experimental animals.
- There is inadequate evidence for the carcinogenicity of undiluted air-refined bitumens in experimental animals.
- There is inadequate evidence that bitumens alone are carcinogenic to humans."

Rationale

Asphalt fume exposure meets several of the criteria for designation as an OSHA priority. In particular, the known and potential health effects are serious and a large number of workers are potentially exposed, especially considering high industry turnover rates. although the human studies of workplace cancer have limitations, there is considerable experimental evidence of cancer risk. There is also evidence of acute health effects among workers exposed to asphalt fumes.

References

1. NIOSH; National Occupational Exposure Survey; 1981-1983.
2. Federal Register, vol. 57, no. 114, June 12, 1992. Air Contaminants; Proposed Rule. pp. 26001-26602.
3. Chase, R.M., Liss, G.M., Cole, D.C., and Heath, B. 1994. Toxic health effects including reversible macrothrombocytosis in workers exposed to asphalt fumes. Am. J. Indus. Med. 25:279-289.
4. Partanen, T. and Boffetta, P. 1994. Cancer risk in asphalt workers and roofers: review and meta-analysis of epidemiologic studies. Am. J. Indus. Med. 26:721-740.
5. Federal Register vol. 57, June 12, 1992. Air Contaminants; Proposed Rule. p. 26182-26190 deals specifically with asphalt fume.
6. Norseth T, Waage J, and Dale I. Acute Effects and Exposure to Organic Compounds in Road Maintenance Workers Exposed to Asphalt. Am J Ind Med; 1991; 20:737-44.
7. "Assessment of the Cocarcinogenic/Promoting Activity of Asphalt Fumes;" U.S. Department of Health and Human Services, National Institute for Occupational Safety and Health; Contract 200-83-2612; December 1989.

New Jersey Department of Health and Senior Services

HAZARDOUS SUBSTANCE FACT SHEET

Common Name: **ASPHALT**

CAS Number: 8052-42-4
DOT Number: NA 1999 (Asphalt)
UN 1999 (Tars, Liquid)
DOT Hazard Class: 3 (Flammable)

RTK Substance number: 0170
Date: January 2001 Revision: April 2007

HAZARD SUMMARY

* **Asphalt** can affect you when breathed in.
* Extracts of certain *Asphalts* have been shown to cause cancer in animals.
* **Asphalt** *fumes* can irritate the eyes on contact.
* Breathing **Asphalt** *fumes* can irritate the nose, throat and lungs causing coughing, wheezing and/or shortness of breath.
* Contact can irritate and cause severe burns of the skin and may cause dermatitis and acne-like lesions.
* Exposure to **Asphalt** *fumes* can cause headache, dizziness, nausea and vomiting.
* Long-term contact can cause skin pigment change which is made worse by sunlight exposure.
* *Cutback* and *Rapid Curing* **Asphalt** are FLAMMABLE and FIRE HAZARDS.
* **Asphalt** is derived from *Petroleum*. **Asphalt** and *Coal Tar Pitch* are different. If you are actually working with *Coal Tar* chemicals, *CONSULT THE NEW JERSEY DEPARTMENT OF HEALTH AND SENIOR SERVICES HAZARDOUS SUBSTANCE FACT SHEETS ON COAL TAR PITCH AND COAL TARS.*
* *Asphalt, Oxidized* (CAS # 64762-93-4) is a carcinogen. *CONSULT THE NEW JERSEY DEPARTMENT OF HEALTH AND SENIOR SERVICES HAZARDOUS SUBSTANCE FACT SHEET ON ASPHALT, OXIDIZED.*

IDENTIFICATION

Asphalt is a blackish-brown solid, semi-solid or liquid, depending on the formulation or mixture of **Asphalt** used. **Asphalt** *fumes* are produced during the manufacture and heating of **Asphalt**, which is used for road building and roofing, and in rubber and adhesives.

REASON FOR CITATION

* **Asphalt** is on the Hazardous Substance List because it is cited by ACGIH, DOT, NIOSH, IARC and NFPA.
* Definitions are provided on page 5.

HOW TO DETERMINE IF YOU ARE BEING EXPOSED

The New Jersey Right to Know Act requires most employers to label chemicals in the workplace and requires public employers to provide their employees with information and training concerning chemical hazards and controls. The federal OSHA Hazard Communication Standard (29 CFR 1910.1200) requires private employers to provide similar training and information to their employees.

* Exposure to hazardous substances should be routinely evaluated. This may include collecting personal and area air samples. You can obtain copies of sampling results from your employer. You have a legal right to this information under the OSHA Access to Employee Exposure and Medical Records Standard (29 CFR 1910.1020).
* If you think you are experiencing any work-related health problems, see a doctor trained to recognize occupational diseases. Take this Fact Sheet with you.

WORKPLACE EXPOSURE LIMITS

NIOSH: The recommended airborne exposure limit is **5 mg/m^3**, which should not be exceeded during any 15-minute period.

ACGIH: The recommended airborne exposure limit is **0.5 mg/m^3** (for the *inhalable fraction* of the *Benzene*-soluble aerosol), averaged over an 8-hour workshift.

WAYS OF REDUCING EXPOSURE

* Where possible, enclose operations and use local exhaust ventilation at the site of chemical release. If local exhaust ventilation or enclosure is not used, respirators should be worn.
* Wear protective work clothing.
* Wash thoroughly immediately after exposure to **Asphalt** and at the end of the workshift.
* Post hazard and warning information in the work area. In addition, as part of an ongoing education and training effort, communicate all information on the health and safety hazards of **Asphalt** to potentially exposed workers.

This Fact Sheet is a summary source of information of all potential and most severe health hazards that may result from exposure. Duration of exposure, concentration of the substance and other factors will affect your susceptibility to any of the potential effects described below.

HEALTH HAZARD INFORMATION

Acute Health Effects

The following acute (short-term) health effects may occur immediately or shortly after exposure to **Asphalt**:

* **Asphalt** *fumes* can irritate the eyes on contact.
* Breathing **Asphalt** *fumes* can irritate the nose, throat and lungs causing coughing, wheezing and/or shortness of breath.
* Contact can irritate and cause severe burns of the skin and may cause dermatitis and acne-like lesions.
* Exposure to **Asphalt** *fumes* can cause headache, dizziness, nausea and vomiting.

Chronic Health Effects

The following chronic (long-term) health effects can occur at some time after exposure to **Asphalt** and can last for months or years:

Cancer Hazard

* While **Asphalt** has not been identified as a carcinogen, it should be HANDLED WITH CAUTION since extracts of certain **Asphalts** have been shown to cause cancer in animals.

Reproductive Hazard

* According to the information presently available to the New Jersey Department of Health and Senior Services, **Asphalt** has not been tested for its ability to affect reproduction.

Other Long-Term Effects

* Long-term contact can cause skin pigment change which is made worse by sunlight exposure.
* **Asphalt** *fumes* can irritate the lungs. Repeated exposure may cause bronchitis to develop with cough, phlegm, and/or shortness of breath.

MEDICAL

Medical Testing

Before beginning employment and at regular times after that, for those with frequent or potentially high exposures, the following are recommended:

* Lung function tests

Any evaluation should include a careful history of past and present symptoms with an exam. Medical tests that look for damage already done are not a substitute for controlling exposure.

Request copies of your medical testing. You have a legal right to this information under the OSHA Access to Employee Exposure and Medical Records Standard (29 CFR 1910.1020).

Mixed Exposures

* Because smoking can cause heart disease, as well as lung cancer, emphysema, and other respiratory problems, it may worsen respiratory conditions caused by chemical exposure. Even if you have smoked for a long time, stopping now will reduce your risk of developing health problems.

Conditions Made Worse By Exposure

* Exposure to sunlight may make skin effects of **Asphalt** worse.

WORKPLACE CONTROLS AND PRACTICES

Unless a less toxic chemical can be substituted for a hazardous substance, **ENGINEERING CONTROLS** are the most effective way of reducing exposure. The best protection is to enclose operations and/or provide local exhaust ventilation at the site of chemical release. Isolating operations can also reduce exposure. Using respirators or protective equipment is less effective than the controls mentioned above, but is sometimes necessary.

In evaluating the controls present in your workplace, consider: (1) how hazardous the substance is, (2) how much of the substance is released into the workplace and (3) whether harmful skin or eye contact could occur. Special controls should be in place for highly toxic chemicals or when significant skin, eye, or breathing exposures are possible.

In addition, the following controls are recommended:

* Where possible, automatically pump liquid **Asphalt** from drums or other storage containers to process containers.
* Before entering a confined space where **Asphalt** may be present, check to make sure that an explosive concentration does not exist.

Good **WORK PRACTICES** can help to reduce hazardous exposures. The following work practices are recommended:

* Workers whose clothing has been contaminated by **Asphalt** should change into clean clothing promptly.
* Contaminated work clothes should be laundered by individuals who have been informed of the hazards of exposure to **Asphalt**.
* Eye wash fountains should be provided in the immediate work area for emergency use.
* If there is the possibility of skin exposure, emergency shower facilities should be provided.
* On skin contact with **Asphalt**, immediately wash or shower to remove the chemical. At the end of the workshift, wash any areas of the body that may have contacted **Asphalt**, whether or not known skin contact has occurred.

* Do not eat, smoke, or drink where **Asphalt** is handled, processed, or stored, since the chemical can be swallowed. Wash hands carefully before eating, drinking, applying cosmetics, smoking, or using the toilet.

PERSONAL PROTECTIVE EQUIPMENT

WORKPLACE CONTROLS ARE BETTER THAN PERSONAL PROTECTIVE EQUIPMENT. However, for some jobs (such as outside work, confined space entry, jobs done only once in a while, or jobs done while workplace controls are being installed), personal protective equipment may be appropriate.

The OSHA Personal Protective Equipment Standard (29 CFR 1910.132) requires employers to determine the appropriate personal protective equipment for each hazard and to train employees on how and when to use protective equipment.

The following recommendations are only guidelines and may not apply to every situation.

Clothing

* Avoid skin contact with **Asphalt**. Wear protective gloves and clothing. Safety equipment suppliers/manufacturers can provide recommendations on the most protective glove/clothing material for your operation.
* All protective clothing (suits, gloves, footwear, headgear) should be clean, available each day, and put on before work.

Eye Protection

* Wear indirect-vent, impact and splash resistant goggles when working with liquids.
* Wear a face shield along with goggles when working with corrosive, highly irritating or toxic substances.
* Contact lenses should not be worn when working with this substance.

Respiratory Protection

IMPROPER USE OF RESPIRATORS IS DANGEROUS. Such equipment should only be used if the employer has a written program that takes into account workplace conditions, requirements for worker training, respirator fit testing, and medical exams, as described in the OSHA Respiratory Protection Standard (29 CFR 1910.134).

* Where the potential exists for exposure over **0.5 mg/m^3**, use a NIOSH approved full facepiece respirator with an organic vapor cartridge and particulate prefilters. Increased protection is obtained from full facepiece powered-air purifying respirators.
* If while wearing a filter or cartridge respirator you can smell, taste, or otherwise detect **Asphalt**, or if while wearing particulate filters abnormal resistance to breathing is experienced, or eye irritation occurs while wearing a full facepiece respirator, leave the area immediately. Check to make sure the respirator-to-face seal is still good. If it is, replace the filter or cartridge. If the seal is no longer good, you may need a new respirator.
* Be sure to consider all potential exposures in your workplace. You may need a combination of filters, prefilters or cartridges to protect against different forms of a chemical (such as vapor and mist) or against a mixture of chemicals.
* Where the potential exists for exposure over **5 mg/m^3**, use a NIOSH approved supplied-air respirator with a full facepiece operated in a pressure-demand or other positive-pressure mode. For increased protection use in combination with an auxiliary self-contained breathing apparatus operated in a pressure-demand or other positive-pressure mode.

HANDLING AND STORAGE

* Prior to working with **Asphalt** you should be trained on its proper handling and storage.
* **Asphalt**, when HEATED, can give off toxic *Hydrogen Sulfide gases*.
* **Asphalt** may ignite or explode when mixed with NAPHTHA, other VOLATILE SOLVENTS, and LIQUID OXYGEN.
* **Asphalt** is not compatible with OXIDIZING AGENTS (such as PERCHLORATES, PEROXIDES, PERMANGANATES, CHLORATES, NITRATES, CHLORINE, BROMINE and FLUORINE).
* Store in tightly closed containers in a cool, well-ventilated area.
* Sources of ignition, such as smoking and open flames, are prohibited where *Cutback* and *Rapid Curing* **Asphalt** are used, handled, or stored.
* Metal containers involving the transfer of *Cutback* and *Rapid Curing* **Asphalt** should be grounded and bonded.
* Use only non-sparking tools and equipment, especially when opening and closing containers of *Cutback* and *Rapid Curing* **Asphalt**.

QUESTIONS AND ANSWERS

Q: If I have acute health effects, will I later get chronic health effects?

A: Not always. Most chronic (long-term) effects result from repeated exposures to a chemical.

Q: Can I get long-term effects without ever having short-term effects?

A: Yes, because long-term effects can occur from repeated exposures to a chemical at levels not high enough to make you immediately sick.

Q: What are my chances of getting sick when I have been exposed to chemicals?

A: The likelihood of becoming sick from chemicals is increased as the amount of exposure increases. This is determined by the length of time and the amount of material to which someone is exposed.

Q: When are higher exposures more likely?
A: Conditions which increase risk of exposure include physical and mechanical processes (heating, pouring, spraying, spills and evaporation from large surface areas such as open containers), and "confined space" exposures (working inside vats, reactors, boilers, small rooms, etc.).

Q: Is the risk of getting sick higher for workers than for community residents?
A: Yes. Exposures in the community, except possibly in cases of fires or spills, are usually much lower than those found in the workplace. However, people in the community may be exposed to contaminated water as well as to chemicals in the air over long periods. This may be a problem for children or people who are already ill.

Q: Don't all chemicals cause cancer?
A: No. Most chemicals tested by scientists are not cancer-causing.

Q: Should I be concerned if a chemical causes cancer in animals?
A: Yes. Most scientists agree that a chemical that causes cancer in animals should be treated as a suspected human carcinogen unless proven otherwise.

Q: But don't they test animals using much higher levels of a chemical than people usually are exposed to?
A: Yes. That's so effects can be seen more clearly using fewer animals. But high doses alone don't cause cancer unless it's a cancer agent. In fact, a chemical that causes cancer in animals at high doses could cause cancer in humans exposed to low doses.

The following information is available from:

New Jersey Department of Health and Senior Services
Occupational Health Service
PO Box 360
Trenton, NJ 08625-0360
(609) 984-1863
(609) 984-7407 (fax)

Web address: http://www.state.nj.us/health/eoh/odisweb/

Industrial Hygiene Information
Industrial hygienists are available to answer your questions regarding the control of chemical exposures using exhaust ventilation, special work practices, good housekeeping, good hygiene practices, and personal protective equipment including respirators. In addition, they can help to interpret the results of industrial hygiene survey data.

Medical Evaluation
If you think you are becoming sick because of exposure to chemicals at your workplace, you may call personnel at the Department of Health and Senior Services, Occupational Health Service, who can help you find the information you need.

Public Presentations
Presentations and educational programs on occupational health or the Right to Know Act can be organized for labor unions, trade associations and other groups.

Right to Know Information Resources
The Right to Know Infoline (609) 984-2202 can answer questions about the identity and potential health effects of chemicals, list of educational materials in occupational health, references used to prepare the Fact Sheets, preparation of the Right to Know Survey, education and training programs, labeling requirements, and general information regarding the Right to Know Act. Violations of the law should be reported to (609) 984-2202.

>>>>>>>>>>>>>>>>> EMERGENCY INFORMATION <<<<<<<<<<<<<<<<<

Common Name: **ASPHALT**
DOT Number: **NA 1999 (Asphalt)**
UN 1999 (Tars, Liquid)
DOT Hazard Class: **3 (Flammable)**
NAERG Code: **130**
CAS Number: **8052-42-4**

Hazard rating	NJDHSS	NFPA
FLAMMABILITY	-	1, 2 or 3
REACTIVITY	-	0
FLAMMABLE OR COMBUSTIBLE DEPENDING ON FORMULATION POISONOUS GASES ARE PRODUCED IN FIRE CONTAINERS MAY EXPLODE IN FIRE		

Hazard Rating Key: 0=minimal; 1=slight; 2=moderate; 3=serious; 4=severe

FIRE HAZARDS

* *Cutback* and *Rapid Curing* **Asphalt** are FLAMMABLE.
* *Typical* or *Medium* to *Slow Curing* **Asphalt** is COMBUSTIBLE.
* Use dry chemical, CO_2, water spray, or a foaming agent.
* Water may cause frothing so do not apply solid streams of water directly on **Asphalt**.
* POISONOUS GASES ARE PRODUCED IN FIRE including *Sulfer Oxides* and *Hydrogen Sulfide*.
* CONTAINERS MAY EXPLODE IN FIRE.
* Use water spray to keep fire-exposed containers cool.
* Vapors may travel to a source of ignition and flash back.
* Vapor is heavier than air and may travel a distance to cause a fire or explosion far from the source.
* If employees are expected to fight fires, they must be trained and equipped as stated in the OSHA Fire Brigades Standard (29 CFR 1910.156).

SPILLS AND EMERGENCIES

If **Asphalt** is spilled or leaked, take the following steps:

* Evacuate personnel and secure and control entrance to the area.
* Eliminate all ignition sources.
* Absorb liquids in vermiculite, dry sand, earth, or a similar material and deposit in sealed containers.
* Ventilate and wash area after clean-up is complete.
* Keep **Asphalt** out of a confined space, such as a sewer, because of the possibility of an explosion.
* It may be necessary to contain and dispose of **Asphalt** as a HAZARDOUS WASTE. Contact your state Department of Environmental Protection (DEP) or your regional office of the federal Environmental Protection Agency (EPA) for specific recommendations.
* If employees are required to clean-up spills, they must be properly trained and equipped. The OSHA Hazardous Waste Operations and Emergency Response Standard (29 CFR 1910.120) may apply.

FOR LARGE SPILLS AND FIRES immediately call your fire department. You can request emergency information from the following:

CHEMTREC: (800) 424-9300
NJDEP HOTLINE: 1-877-WARN-DEP

HANDLING AND STORAGE (See page 3)

FIRST AID

For POISON INFORMATION call 1-800-222-1222

Eye Contact

* Immediately flush with large amounts of water for at least 15 minutes, occasionally lifting upper and lower lids.

Skin Contact

* Quickly remove contaminated clothing. Immediately wash contaminated skin with large amounts of soap and water.

Breathing

* Remove the person from exposure.
* Begin rescue breathing (using universal precautions) if breathing has stopped and CPR if heart action has stopped.
* Transfer promptly to a medical facility.

PHYSICAL DATA

Flash Point:

Cutback Asphalt: less than 50°F (10°C)
Slow to *Rapid Curing Asphalt*: 80°F (27°C) to 225°F (107°C)
Typical Asphalt: greater than 400°F (204°C)

Water Solubility: Insoluble

OTHER COMMONLY USED NAMES

This Fact Sheet can also be used for:
Alphalt (Cutback) RTK # 3172

Chemical Name:

Asphalt

Other Names:

Road Tar; Mineral Pitch; Petroleum Pitch; Bitumen

NEW JERSEY DEPARTMENT OF HEALTH AND SENIOR SERVICES
Right to Know Program
PO Box 368, Trenton, NJ 08625-0368
(609) 984-2202

Amador County News

Study Reveals Dangers of Asphalt Plants

NEW STUDY REVEALS ASPHALT PLANT DANGERS
http://www.bredl.org/press/2007/Young-McQueenasphaltplant.htm

Today at a press conference in Spruce Pine, the Mitchell County Citizens for Clean Air and the Blue Ridge Environmental Defense League released an air pollution study of the proposed Young & McQueen asphalt plant which shows that air toxins would be deposited far from the plant site. The League's report shows dangerous levels offsite of formaldehyde, benzene and arsenic.

The study concludes that formaldehyde would exceed the state's health-based air pollution limit at 200 meters beyond the plant property line. Even worse, the study concludes that benzene would be deposited at dangerous levels 1.8 miles away and that arsenic would be deposited at dangerous levels 2.17 miles away.

Janet Marsh, the League's Executive Director, said, "The state has long maintained that their computer modeling is conservative and health protective, while we have long maintained what we now can demonstrate—that the state's approach cannot protect human health while ignoring huge amounts of asphalt plant pollution." The new study points out that the state permit fails to include the asphalt tank heater and a 10,000 gallon liquid asphalt storage tank. Marsh continued, "The state can't have it both ways: they can't claim that their hands are tied by these

exemptions and that their permit means that area residents are safe from pollution."

Louis Zeller, who authored the report, used the US Environmental Protection Agency's worst-case computer model for air pollution from the proposed asphalt plant. This EPA model calculates ground-level air poisons as well as smokestack sources. Having accessed this worst-case model only two weeks ago, the League chose the Young & McQueen plant for its first study.

Dr. James Carroll, a local resident, said, "The Mitchell County Citizens for Clean Air was formed to protect our health, our homes and our community. We know that if this plant is built, it will create bad smells, increased dust and poisonous chemicals like formaldehyde and arsenic. We want our local officials to protect us from polluting industries like this asphalt plant by keeping them away from populated areas, and we want the state to protect us by denying this air pollution permit."

Sue Dayton, who coordinates the League's NC Health Communities Project, said, "We are particularly concerned about the emissions of arsenic, benzene and formaldehyde. Both arsenic and benzene are known to cause cancer, and, in addition to being a suspected human carcinogen, formaldehyde is an acute irritant, causing coughing, wheezing, nausea, headaches and asthma."

Both organizations recognize that the state's air pollution permit does not consider plant location. The Mitchell County Board of Commissioners has the power under state statute to adopt an asphalt plant moratorium and implement a protective polluting industries ordinance.

Return to Front-page

E-mail a comment for posting here...
Remember to include the title of the article for

Print

Planning Commission May 1, 2023 Public Comment - Submission #3002

Date Submitted: 4/23/2023

First and Last Name*

Brittany Cowan

Email Address*

brittany.a.cowan@gmail.com

Are you a Town of Wellington Resident? *

- [x] Yes
- [ ] No

Address

Public Comment for the Planning Commission May 1, 2023 Meeting

Please see the attachment with my family's comments.

Optional File Attachment

Information reguarding the proposed Asphalt Plant.pdf

Optional File Attachment

Choose File No file selected

Optional File Attachment

Choose File No file selected

Dear Planning Committee,

It is with great importance and emphasis that I write to you today. I am asking you to please take into account the town of Wellington's Land Use Code and enforce the necessary setback for the planned asphalt plant in Wellington.

While I know the argument that state agencies regulate asphalt plants, it DOES NOT NEGATE the fact that this proposed asphalt plant **DOES** in fact curate toxic chemicals and violate the Land Use Code. As long as toxic chemicals are curated (whether regulated or not) a setback must be implied per the town of Wellington's Land Use Code. This will be discussed in more depth further down in my statement.

While the proposed site is permitted as "Right to Use", it is ONLY right to use as long as it complies with the Land Use Code that was adopted on March 22, 2022.

Below you will find significant evidence as to why this does NOT meet the current Land Use Code as well as why the Heavy Industrial and Manufacturing setback of 2,640 ft from any residential district must be applied in this case.

Per the Land Use Code:

1.01.1 Purpose. The purpose of this Land Use Code is to create a vital, cohesive, well-designed community in order to enhance the Town's small-town character and further the residents' goals as identified in the Comprehensive Plan. These zoning regulations are designed to:

A. Promote the health, safety, values, and general welfare of Town residents.

The first point made in the Land Use Code is to "promote the health, safety… and general welfare of Town residents." Allowing an asphalt plant to be built less than 1,000 feet from the nearest home and proposed homes in the Sundance development goes against the Land Use Code.

"Asphalt plants mix gravel and sand with crude oil derivatives to make the asphalt used to pave roads, highways, and parking lots across the U.S. These plants release millions of pounds of chemicals to the air during production each year, including many cancer-causing toxic air pollutants such as arsenic, benzene, formaldehyde, and cadmium. Other toxic chemicals are released into the air as the asphalt is loaded into trucks and hauled from the plant site, including volatile organic compounds, polycyclic aromatic hydrocarbons (PAHs), and very fine condensed particulates.[EPA]"

Two other points of the Land Use Code are:

B. Establish a variety of zoning district classifications according to the use of land and buildings with varying intensities of uses and standards whose interrelationships of boundary zones form a compatible pattern of land uses and buffer areas which enhance the value of each zone.

F. Promote good design and arrangement of buildings or clusters of buildings and uses in residential, business, and industrial development.

By allowing this asphalt plant to be built so close to residential homes, it will negatively impact the home values near the proposed site.

"Health Impacts & Loss of Property Value. The Blue Ridge Environmental Defense League (BREDL), a regional environmental organization, has done two studies on the adverse impacts on property values and health for residents living near asphalt plants. A property value study documented losses of up to 56% because of the presence of a nearby asphalt plant. In another study, nearly half of the residents reported negative impacts on their health from a new asphalt plant. The door-to-door health survey found 45% of residents living within a half mile of the plant reported a deterioration of their health, which began after the plant opened. The most frequent health problems cited were high blood pressure (18% of people surveyed), sinus problems (18%), headaches (14%), and shortness of breath (9%). [BREDL]."

Noise pollution is also a concern from the plant. According to David Wang, "Noise generated by loader loading, induced draft fan operation, drying cylinder rotation, aggregate hoist lifting, and vibrating screen screening," is a source of noise pollution. This goes against the Land Use Code as well:

K. Establish regulations that promotes adequate light and air, maintains acceptable noise levels, and conserves energy and natural resources.

Another major concern is this plant's location within the Boxelder Watershed.

"Asphalt plants have the potential to contaminate ground water and surface waters through spills and leaks of chemicals. Contaminated groundwater can migrate towards nearby streams and lakes. Possible sources of groundwater pollution are: • Fuel tanks, pipework and fueling stations, • Solvents, • Other chemical agents used and stored onsite. Asphalt plants should not be sited in flood plains."

According to the Land Use Code, industrial areas should be located interior to the large block of industrial/light industrial. The proposed asphalt plant DOES NOT follow this.

"3.04.2 I – Industrial District. A. Intent. The Industrial District is intended to provide a location for large-format buildings for manufacturing, warehousing and distributing, indoor and outdoor storage. Locations for this zone require good access to major arterial streets and adequate water, sewer and power. Industrial areas should generally be located interior to the large block of industrial/light industrial areas."

Also, per the Land Use Code:

C. Limitations. Any use in this District shall conform to the following requirements:

1. Dust, fumes, odors, smoke, vapor and noise shall be confined to the site and be controlled in accordance with the state air pollution laws.

While the proposed plant may be regulated by state agencies, they cannot guarantee that these toxins will be confined to the site. In fact, pollution has been known to be carried over two and a half miles from asphalt sites.

Per the proof listed below on articles published by the EPA, US Department of Health and Human Services, scientists and others, the proposed asphalt plant in our town MUST be labeled as heavy industrial and the 2,640 feet setback from any residential district must be imposed:

B. Any Industrial and Manufacturing, Heavy use producing and curating toxic chemicals or conducting animal slaughtering shall be located at least:

1. Two thousand six hundred forty (2,640) feet from any residential district, religious land use, medical care facility, or school.

"Asphalt Fumes are Known Toxins. The federal Environmental Protection Agency (EPA) states "Asphalt processing and asphalt roofing manufacturing facilities are major sources of hazardous air pollutants such as formaldehyde, hexane, phenol, polycyclic organic matter, and toluene. Exposure to these air toxins may cause cancer, central nervous system problems, liver damage, respiratory problems and skin irritation." [EPA]. According to one health agency, asphalt fumes contain substances known to cause cancer, can cause coughing, wheezing or shortness of breath, severe irritation of the skin, headaches, dizziness, and nausea. [NJDHSS] Animal studies show PAHs affect reproduction, cause birth defects and are harmful to the immune system. [NJDHSS] The US Department of Health and Human Services has determined that PAHs may be carcinogenic to humans. [DHHS]."

I appreciate your time to correct this error in planning and ensure that the proposed asphalt site is enforced CORRECTLY. Again, while I know the argument that state agencies regulate asphalt plants, it DOES NOT NEGATE the fact that this proposed asphalt plant **DOES** in fact curate toxic chemicals and violate the Land Use Code. As long as toxic chemicals are curated (whether regulated or not) a setback must be implied per the town of Wellington's Land Use Code.

Please see the additional evidence below which outlines the toxic chemicals curated from asphalt plants as well as other concerning issues.

Sincerely,

Jade and Brittany Cowan and family

Additional Information:

About Asphalt Plant Pollution

Asphalt plants mix gravel and sand with crude oil derivatives to make the asphalt used to pave roads, highways, and parking lots across the country. These plants release millions of pounds of chemicals to the air during production each year, including many cancer-causing toxic air pollutants such as arsenic, benzene, formaldehyde, and cadmium. Other toxic chemicals are released into the air as the asphalt is loaded into trucks and hauled from the plant site, including volatile organic compounds, polycyclic aromatic hydrocarbons (PAHs), and very fine condensed particulates.[EPA]

Asphalt Fumes are Known Toxins. The federal Environmental Protection Agency (EPA) states "Asphalt processing and asphalt roofing manufacturing facilities are major sources of hazardous air pollutants such as formaldehyde, hexane, phenol, polycyclic organic matter, and toluene. Exposure to these air toxics may cause cancer, central nervous system problems, liver damage, respiratory problems and skin irritation." [EPA]. According to one health agency, asphalt fumes contain substances known to cause cancer, can cause coughing, wheezing or shortness of breath, severe irritation of the skin, headaches, dizziness, and nausea. [NJDHSS] Animal studies show PAHs affect reproduction, cause birth defects and are harmful to the immune system. [NJDHSS] The US Department of Health and Human Services has determined that PAHs may be carcinogenic to humans. [DHHS]

Flawed Tests Underestimate Health Risks. In addition to smokestack emissions, large amounts of harmful "fugitive emissions" are released as the asphalt is moved around in trucks and conveyor belts, and is stored in stockpiles. A small asphalt plant producing 100 thousand tons of asphalt a year may release up to 50 tons of toxic fugitive emissions into the air. [Dr. R. Nadkarni] Stagnant air and local weather patterns often increase the level of exposure to local communities. In fact, most asphalt plants are not even tested for toxic emissions. The amounts of these pollutants that are released from a facility are estimated by computers and mathematical formulas rather than by actual stack testing, estimates that experts agree do not accurately predict the amount of toxic fugitive emissions released and the risks they pose. According to Dr. Luanne Williams, a North Carolina state toxicologist, 40% of the toxins from asphalt plant smokestacks even meet air quality standards and for the other 60% of these emissions, the state lacks sufficient data to determine safe levels.

There is documented evidence from health experts and federal and state regulators of the serious health effects of asphalt plant emissions. We must heed these early warning signs and take action to prevent communities from further exposure to cancer-causing substances released by asphalt plants. The following actions are needed:

Moratoriums on asphalt plant construction and operation in communities where people live and go to school;
Stricter testing and enforcement of air quality standards at asphalt plants; and
Improved air standards that address all toxic contaminants including fugitive emissions.

Even if an asphalt plant meets all air pollution standards, people living nearby are still exposed to cancer-causing substances that can cause long-term damage. These standards are based on the principle of "acceptable risk", and assume each state will enforce the standards, the plants will operate perfectly, and the owners can be trusted to operate on an honor system where they are expected to follow all the laws and regulations that apply to their facility without any government oversight. In the majority of cases, it is unknown whether the `theoretical' air emissions predicted by computer models and used by plant owners accurately reflect air emissions from a plant's daily operations. We must put safety first and shut down or overhaul the current system that fails to protect communities from the daily health hazards of asphalt plant pollution.
Reference:
https://cms2.revize.com/revize/cityofcovington/covington/docs/downtownplan/Asphalt%20Facilities%20Analysis%20for%20Downtown%20Covington%20AHBL%20Final%20Revised_06_03_2010%20Clean%20Copy.pdf

II. Impacts of Asphalt Plants Asphalt plants have the potential for a variety of impacts due to the volume and type of materials handled, the heat requirements of the manufacturing process and associated emissions from burning of fuels, and the equipment used.

While required Best Available Control Technologies and other regulatory requirements work to minimize impacts of asphalt plants, there may still be potential for impacts, particularly due to equipment failure or human error. Below is a discussion of potential environmental impacts followed by a discussion on how these impacts may affect development in Covington’s Downtown.

Air quality Asphalt plants have the potential to emit particulate matter, polycyclic aromatic hydrocarbons (PAHs), and gaseous volatile organic compounds (VOCs). These pollutants are considered detrimental to human health (some are suspected carcinogens). The degree to which emissions are hazardous also depends on the fuel used in the production process. Natural gas or propane produce the least hazardous emissions, whereas oil or diesel may create more harmful emissions.

The mixer portion of an asphalt plant is the most significant source of gaseous emissions, however fugitive emissions may be released from other sources such as bitumen tanks, skip hoists, and loading stations. The main sources of particulates include stack emissions, as well as fugitive emissions from storage piles and transport of materials.

The amount of “stack dust” emitted depends on a number of production factors, including: • The nature and the moisture content of the used mineral materials, • The treatment of the mineral materials in the drum, • The amount and temperature of the waste gas, • The waste gas velocity in the drum, • The shape of the extraction hood, • The total output of the plant.

While technology, proper emission control systems, and periodic inspection and reporting may all help to minimize pollutants, asphalt plants are allowed to emit pollutants up to a certain level

under state and federal law. These emissions could have an impact on immediate ambient air quality that can be noticeable to the general public in the vicinity of the facility.

While EPA air quality standards (incorporated in WAC 173-400) would not allow an asphalt plant that causes or contributes to a violation of ambient air quality standards to be permitted, there is always some potential for the release of harmful pollutants above allowed levels.

Where pollution control technologies fail, or human operators make errors, plumes of gases may be released. Emissions from asphalt plants and associated activities also have potential for creating odor impacts.

The main source of odor for asphalt plants is typically bitumen. "Among the compounds identified in bitumen and its emissions, some have been listed as carcinogenic by the International Agency for Research on Cancer (IARC) and/or listed as carcinogenic, mutagenic, toxic to reproduction (CMR) and/or hazardous by the European Union."

Odor may be generated from the loading of bitumen tanks, and emptying of the mixer onto conveyors, or into trucks. While controls such as vapor condensers and baghouses are effective at reducing the everyday adverse impact of odors, the potential for offsite odors still exists. Routine site inspection to ensure good housekeeping practices are being used for storage and on-site movement of materials, and equipment is operating as specified, may be among the steps taken to minimize air quality impacts.

Siting asphalt plants downwind from residential areas and/or tightly regulating hours of operation may help to minimize odor and impacts to ambient air quality. The predominant wind patterns in the Covington TO: Richard Hart, City of Covington 04/05/10 FROM: AHBL, Inc 4 Regulatory Options for Asphalt Batch Plants area are generally from the southwest. The majority of Covington's downtown is to the east/northeast of the proposed asphalt plant site. This means that existing and new development would at least partially be downwind from the proposed asphalt plant site.

D. Water quality Asphalt plants have the potential to contaminate ground water and surface waters through spills and leaks of chemicals. Contaminated groundwater can migrate towards nearby streams and lakes. Possible sources of groundwater pollution are: • Fuel tanks, pipework and fueling stations, • Solvents, • Other chemical agents used and stored onsite. Asphalt plants should not be sited in flood plains.1 In addition to good housekeeping and best management practices to minimize spills and leaks associated with the manufacturing and delivery process, facilities often channel stormwater to avoid contamination or remove

"An asphalt plant is regarded everywhere as a quintessential heavy industrial use. It is associated with noise, with smells, with dust, with heavy truck traffic."

The pollution asphalt plants have

David Wang

David Wang

Overseas Manager at Santai Machinery CO.,LTD
Published Oct 10, 2018

What pollution do asphalt plants have in production?

1 Pollutants

The pollutants generated during the operation of the asphalt mixing plant mainly include the following aspects, as shown in chart 1.

(1) Harmful gases. The flue gas generated by the drum burner, the asphalt discharge produced by the finished product discharge port, the asphalt tank, the heavy oil tank heating and insulation, and the SOx, NOx, CO, CO2 discharged from the chimney.

(2) Dust. The loading process and the mixing of soot and dust generated in the main building and the gathering site.

(3) smell. The odor generated by the storage, unloading, and heating of the asphalt, as well as the odor of the burner during operation and the odor generated by the asphalt mixture on the truck.

(4) Noise. Noise generated by loader loading, induced draft fan operation, drying cylinder rotation, aggregate hoist lifting, and vibrating screen screening.

(5) Waste water and waste liquid. Waste water and waste liquid are mainly derived from cold aggregate storage (infiltration or mixing with natural soil), fuel oil tanks, heat transfer oil, oil and gas storage tanks, pipelines and gas stations, solvents, additives, etc.

(6) Waste. The waste is derived from the secondary recovery powder of the bag filter, laboratory analysis solvent, and the like.

(7) Visual aspects. Mainly the visual impact of the main building or chimney of the mixing station, and also the color of the paint in the mixing station; the other includes the steam in the wet aggregate discharged from the chimney, the storage area of the cold material and the lighting of the factory.

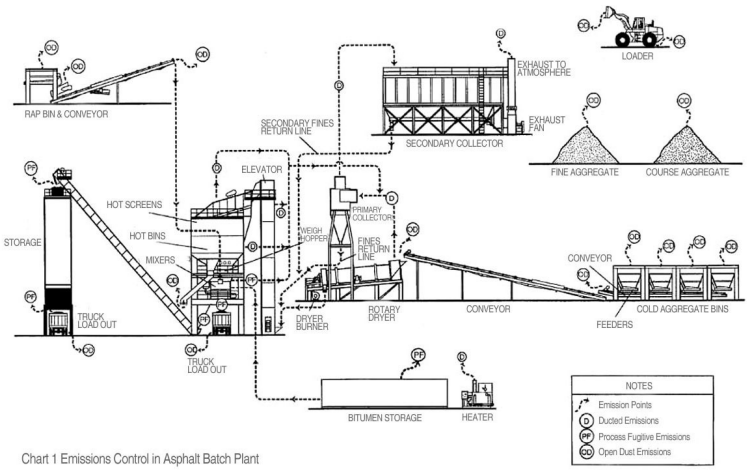

Chart 1 Emissions Control in Asphalt Batch Plant

2 Harm of pollutants

These pollutants can cause the following hazards to the environment and the human body.

(1) Asphalt smoke. Asphalt smoke contains thousands of substances, and the main harmful substances are acridine, phenols, pyridines, anthraquinones and benzopyrenes. Benzopyrene in asphaltic fumes is highly carcinogenic and toxic, causing headaches, dizziness, nausea and vomiting, pharyngitis, rhinitis, and enlarged liver.

(2) Dust. Dust mainly damages the body's respiratory system. After the inhalable particles in the air are inhaled into the human body, they enter the lungs through the nose, pharynx and bronchus. Some stimulating gas particles can be adsorbed on the nasopharynx to cause rhinitis and pharyngitis. The fine particles entering the lungs are blocked by the local tissues of the lungs. The role is easy to cause bronchitis, pulmonary fibrosis and emphysema.

(3) Sulfur dioxide. After entering the respiratory tract, sulfur dioxide is mostly soluble in water, so most of it is blocked in the upper respiratory tract, causing corrosive sulfite, sulfuric acid and sulfate on the moist mucous membrane to enhance the stimulation. The combined action of sulfur dioxide and fly ash can promote the proliferation of alveolar fibers, damage the lung tissue, and develop emphysema.

(4) Carbon monoxide. The degree of damage of carbon monoxide to the body depends mainly on the concentration and the length of time the body absorbs. Carbon monoxide poisoning can cause hypoxia in the body tissues, and the most significant impact on the heart and brain, often leading to softening and necrosis of brain tissue.

(5) Nitrogen oxides. Nitrogen oxides are less irritating to the mucous membranes of the eyes and upper respiratory tract, mainly invading the bronchioles and alveoli in the deep respiratory tract, causing pulmonary edema.

(6) Noise. Noise can not only seriously affect the auditory organs, but also cause people to lose hearing, but also affect sleep and nervous system, making people feel impatient and easy to get angry. Since noise can irritate the nervous system and cause it to be suppressed, people who work in a noisy environment for a long time are prone to neurasthenia.

(7) Odor. The odor generated by asphaltic cigarettes seriously affects the growth and development of humans, animals, and plants. If people are exposed to such odors for a long time, they may cause respiratory diseases and skin diseases, and may induce cancer.

Chart 2 Emissions Sources KG/T

Process		Particle Qty	PM10	PM2.5
Batch mix plant	Open dust emission	16	2.35	0.135
	Water filter	0.07	0.045	0.014
	Bag filter	0.021	0.014	0.004
Continuous type plant	Open dust emission	14	3.25	0.15
	Water filter	0.023	0.015	0.002
	Bag filter	0.017	0.012	0.001

Print

Planning Commission May 1, 2023 Public Comment - Submission #2965

Date Submitted: 4/18/2023

First and Last Name*

Test

Email Address*

Test

Are you a Town of Wellington Resident? *

- [x] Yes
- [ ] No

Address

Public Comment for the Planning Commission May 1, 2023 Meeting

Print

Planning Commission May 1, 2023 Public Comment - Submission #2967

Date Submitted: 4/18/2023

First and Last Name*

Test

Email Address*

Test

Are you a Town of Wellington Resident? *

- [x] Yes
- [ ] No

Address

Public Comment for the Planning Commission May 1, 2023 Meeting

Print

Planning Commission May 1, 2023 Public Comment - Submission #2980

Date Submitted: 4/20/2023

First and Last Name*

Kara Walker

Email Address*

K82walker@gmail.com

Are you a Town of Wellington Resident? *

- [x] Yes
- [ ] No

Address

3375 Firewater Ln

Public Comment for the Planning Commission May 1, 2023 Meeting

Why is an Asphalt plant going in near a residential area when it has been proven to cause SEVERE health issues?! Will precautions be made so that the toxic fumes wonâ€™t be released? Why is it ok to build near the park? My main concern is this causing health issues for my family and myself. Will this plant depreciate home value as well?

Print

Planning Commission May 1, 2023 Public Comment - Submission #2981

Date Submitted: 4/20/2023

First and Last Name*

Katie Meyer

Email Address*

katums926@gmail.com

Are you a Town of Wellington Resident? *

- [x] Yes
- [ ] No

Address

3255 Iron Horse Way, Wellington, CO 80549

Public Comment for the Planning Commission May 1, 2023 Meeting

Dear Town of Wellington Planning Commission: The Connell site plan doesnâ€™t meet the more stringent requirements that apply to toxic chemicals and so cannot be located at the proposed location. Land use code 4.03.21, B, regarding the production and curating of toxic chemicals, requires these sites to be located at least 2,640 feet from any residential district, religious land use, medical care facility, or school. According to section B of Land Use Code 4.03.21, the size of the property is too small to allow a setback of 2,640 feet. The Toxic Chemicals released are Hazardous air pollutants (HAPs) and Polycyclic aromatic hydrocarbons (PAHs). Toxic chemicals from these processes are; Formaldehyde, Acetaldehyde, Benzene, Hydrogen Sulfide, Chromium, Cadmium, Arsenic, Toluene, Ethylbenzene, and Xylene, along with smaller amounts of toxic chemicals. Current regulations for asphalt plants only assess particulate matter emissions, not toxic chemicals in the forms of HAPs and PAHs. From the last planning commission meeting, Connell Resources showed a holding pond of the runoff water closest to the community park. Wright, Minnesota has had health issues in neighborhoods from nearby asphalt plants. In reading their research, according to the New Jersey Department of Health and Senior Services Occupational Health Service, "Exposures in the community, except possibly in cases of fires or spills, are usually much lower than those found in the workplace. However, people in the community may be exposed to contaminated water as well as to chemicals in the air over long periods. This may be a problem for children or people who are already ill." https://www.co.wright.mn.us/AgendaCenter/ViewFile/Item/6844?fileID=14104 This batch asphalt plant produces and curates toxic chemicals. The planning board should not approve this plan due to the production and curating setback of 2,640 feet. No variance for this speciï¬c setback has been sought. Sincerely, Katie Meyer

Print

Planning Commission May 1, 2023 Public Comment - Submission #2983

Date Submitted: 4/20/2023

First and Last Name*

Chad Canfield

Email Address*

chad@sweetheartbowling.com

Are you a Town of Wellington Resident? *

- [x] Yes
- [ ] No

Address

3340 Grizzly Way

Public Comment for the Planning Commission May 1, 2023 Meeting

Thank you for the opportunity to comment on the proposed Hot Mix Asphalt plant in the Business Park. The primary concerns I want to address are the health and environmental impacts and the nuisance the plant will be for the Buffalo Creek neighborhood and surrounding residential and public areas within 1.5 â€“ 3 miles of the plant. Health concerns: 1. Air pollution: Hot mix asphalt plants emit various air pollutants such as formaldehyde, hexane, phenol, polycyclic organic Matter, toluene, other volatile organic compounds, carbon monoxide, sulfur dioxide, and nitrogen oxides, which can cause problems such as cancer, central nervous system problems, liver damage, asthma, coughing, wheezing, shortness of breath, headaches, dizziness, and nausea. 2. Noise pollution: The noise generated from the plant's machinery and trucks can lead to hearing loss, sleep disturbances, and stress-related health issues. 3. Chemical exposure: Handling and storing hot asphalt mix can expose workers and residents to harmful chemicals. Examples are as follows: Environmental concerns: 1. Water pollution: Runoff from hot-mix asphalt plants can contaminate nearby water sources (e.g., Boxelder Creek) with pollutants such as oil, grease, and heavy metals, which can harm aquatic life and affect water quality. 2. Soil contamination: Spills or leaks from the plant's machinery or storage tanks can contaminate the soil with hazardous substances. 3. Energy consumption: Asphalt production requires significant energy and resources, contributing to greenhouse gas emissions and climate change. Nuisance concerns: 1. Odors: The production process can generate unpleasant odors that can be a nuisance to nearby residents. 2. Traffic congestion: The constant flow of trucks in and out of the plant can lead to traffic congestion and safety hazards. 3. Aesthetics: The presence of an industrial facility in a residential area can impact the neighborhood's aesthetics, lowering property values. Specific Chemical Concerns: 1. Volatile Organic Compounds (VOCs): VOCs are a group of chemicals that can vaporize and form harmful gases when exposed to air. They can cause respiratory problems, eye irritation, headaches, and other health effects. Hot mix asphalt plants can emit VOCs from the asphalt binder, fuel combustion, and storage tanks. 2. Particulate Matter: refers to tiny particles of solid or liquid Matter that can be inhaled into the lungs and cause respiratory problems. Hot mix asphalt plants can emit PM from the aggregate material, the asphalt binder, and the combustion of fuels. 3. Carbon Monoxide: is a colorless, odorless gas that can be harmful in high concentrations. It can cause headaches, dizziness, nausea, and even death. Hot-mix asphalt plants can emit CO from fuel combustion and asphalt binder production. 4. Sulfur Dioxide: is a gas that can irritate the eyes, nose, and throat and cause respiratory problems. It can also contribute to acid rain and damage plants and crops. Hot-mix asphalt plants can emit SO2 from fuel combustion and asphalt binder production. 5. Nitrogen Oxides: refers to a group of gases that can contribute to smog formation and acid rain. They can also cause respiratory problems and aggravate existing health conditions. In addition, hot-mix asphalt plants can emit NOx from fuel combustion and asphalt binder production. 6. Polycyclic Aromatic Hydrocarbons: are a group of chemicals that can form during the combustion of organic material, such as asphalt. They can cause cancer, birth defects, and other health effects. Hot-mix asphalt plants can emit PAHs from fuel combustion and asphalt binder production. 7. Heavy Metals: Heavy metals such as lead, cadmium, and mercury can be present in asphalt binder and emitted from the plant during production. These metals can accumulate in the environment and risk human and ecological health. Because of the above concerns, I oppose the proposal for the plant. Thank you, Chad Canfield

Print

Planning Commission May 1, 2023 Public Comment - Submission #2982

Date Submitted: 4/20/2023

First and Last Name*

Miranda Zuvich

Email Address*

mirandazuvich@gmail.com

Are you a Town of Wellington Resident? *

- [x] Yes
- [ ] No

Address

3292 Iron Horse Way

Public Comment for the Planning Commission May 1, 2023 Meeting

I moved to Colorado to go to school at CSU. After living in Fort Collins for 2 years, I wanted to get out of the busy city and move somewhere quieter. I love the small-town vibe of Wellington. I love the open space. I love this town! I purchased a house on the north end of Buffalo Creek and I was so excited about where I lived! The community spaces near my house, a park, a dog park, and tennis courts! This is where I envision living for the rest of my life, where I hope to raise my kids. I was so excited to see the Middle High School open up, knowing that my future kids would have a great school near their house. Wellington has done so many great things to bring attention to them and invite hopeful residents. There are so many great restaurants, breweries, parks, and new housing developments. While I understand that an asphalt plant would bring new jobs, it will also push so many people out of this town. People will not want to move here, let alone spend time here. I will be one of the many leaving Wellington if this asphalt plant is approved. The plant would be less than a mile away from my home. With the known carcinogenic effects of this plant, I cannot justify living here. The plant would be less than a mile away from a beautifully developed community center. An asphalt plant does not belong that close to any town, it does not belong that close to Wellington. This plant should not just be moved to another small town with the prospect of new jobs, this plant should be moved to a rural area where the effects of its emissions will not smog a town of 12,000 people. The way to bring new jobs is to encourage new non-factory businesses to come to Wellington! Pitch a case to technology companies, restaurants, amazon warehouses, or literally anything that is not a factory. This town has done so much to make itself better and more habitable, please don't ruin that with an asphalt plant. Please. While I plead my case, consider that you also live here. Think of your kids. Think of the town you obviously care about so much that you are working for the government of this town. Money can cloud our judgment. Please put the health and safety of the people of Wellington over money. Please.

Print

Planning Commission May 1, 2023 Public Comment - Submission #2985

Date Submitted: 4/20/2023

First and Last Name*

Timothy Strohl

Email Address*

strohlts@gmail.com

Are you a Town of Wellington Resident? *

- [x] Yes
- [ ] No

Address

3280 Iron Horse Way

Public Comment for the Planning Commission May 1, 2023 Meeting

To whom it may concern, When I first heard about Connell Resources wanting to build an asphalt plant, I was under the impression that it was going to be on the North side of County Road 66, not the South side. I grew very concerned with this information. There are many, many studies that conclude the air in and around an asphalt plant can produce many types of respiratory issues. Many studies also conclude that breathing the air around a Hot Mix Asphalt (HMA) plant can cause wheezing, coughing, and shortness of breath as well as nausea, headaches, dizziness, and vomiting. The chemicals in asphalt can vary depending on the source of the crude oil, the type of asphalt being made, and the process used. In general, the fumes are a mixture of several different types of chemicals including volatile organic chemicals (VOCs), carbon monoxide, sulfur, nitrogen oxides, and polycyclic aromatic hydrocarbons (PAHs) There was also a study done in Bangor, Maine at an asphalt plant there where one Doctor, a Doctor Mitchell, commented that tiny particles in the production of asphalt produced lung damage, exacerbated breathing conditions and could ultimately cause more serious health issues. This report was published by the U.S. Department of Labor. It was further noted in that report that asphalt fumes has known carcinogens that are generated at the worksite. It was further stated that exposure to asphalt fumes has the potential for chronic health effects, including cancer. That in and of itself should tell the elected officials of this beautiful town, NO we do not want this in our community. As elected government officials, you have been tasked with doing what is best for this community and pave the way for future generations that will follow. Only looking at the revenue, ie; the taxes collected from this site is short sided and irresponsible. The future of our town is in your hands. If this plant is allowed to be built, you face many hurdles, such as lawsuits both of the personal and professional level due to FORSEEABLE health risks from this plant. Connell Resources has a gravel pit on the Carr Road, why are they not wanting to build there? That plant has everything they need to build and sustain an asphalt plant..water, aggregate, etc, and they are no where near a residential area. One can only speculate as to why they do not want to build there. Did Weld County tell them no? Did the residents of Carr tell them no? The proposed plant would be very close to the park where families gather to enjoy the fresh air, and the many opportunities that are within that park. Building a HMA plant might just cause a snowball effect for this town, such as decreased home values, people selling and moving to other cities such as Timnath, or Windsor. This will cause Wellington to become a ghost town in the end. In closing, do not allow greed to make this decision. The residents of this community do not need nor want a HMA plant in our town. Sincerely, Timothy Strohl

Print

Planning Commission May 1, 2023 Public Comment - Submission #2988

Date Submitted: 4/20/2023

First and Last Name*

Carolyn L. Goodwin

Email Address*

info@thecolonialshop.com

Are you a Town of Wellington Resident? *

- [x] Yes
- [ ] No

Address

305 West Magnolia St PMB 357

Public Comment for the Planning Commission May 1, 2023 Meeting

I am opposed to the Hot Mix Asphalt Plant in the NE section of the Business Park which is 3/4 of a mile from the Buffalo Creek residential area where I live.

Print

Planning Commission May 1, 2023 Public Comment - Submission #2989

Date Submitted: 4/20/2023

First and Last Name*

James Perry

Email Address*

SAgent76@yahoo.com

Are you a Town of Wellington Resident? *

- [x] Yes
- [ ] No

Address

3363 CRAZY HORSE DR

Public Comment for the Planning Commission May 1, 2023 Meeting

I would like the planning commission to provide at least one benefit the Asphalt plant would have to the home owners in the Buffalo Creek development, since we are the ones to suffer the most from the air pollution and increased truck traffic. I bet the commission can' t provide one benefit. The planning commissions first priority should be looking out for the home owners in Wellington and not increasing the coffers of the town at their expense. No way should this asphalt plant be built near any residential area period.

Print

Planning Commission May 1, 2023 Public Comment - Submission #2995

Date Submitted: 4/21/2023

First and Last Name*

JEFFREY A Shaw

Email Address*

shawdog2@gmail.com

Are you a Town of Wellington Resident? *

- [x] Yes
- [ ] No

Address

3382 Iron Horse Way Wellington Co. 80549

Public Comment for the Planning Commission May 1, 2023 Meeting

Inserting an asphalt plant in the town of Wellington is the most ridiculous idea I have ever heard of. Not only will it omit dangerous chemicals into the air close to 3 schools and a daycare center where kids play outside and will be subjected to those chemicals but it will definitely reduce our property values that we work so hard to maintain. This is just crazy, crazy, crazy. I honestly was thinking about not wasting my time by voicing my opinion on this subject because ya'll are going to do what you want anyway. It's not about us. It's about you people. Mark my word, you watch how life in Wellington will decline if this project goes through. Just saying.

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Planning Commission May 1, 2023 Public Comment - Submission #2990

Date Submitted: 4/20/2023

First and Last Name*

Susanne Burtis

Email Address*

Susanneburtis@gmail.com

Are you a Town of Wellington Resident? *

- [x] Yes
- [ ] No

Address

3234 Wild West Lane

Public Comment for the Planning Commission May 1, 2023 Meeting

I cannot understand why a Hot Asphalt Plant can be allowed to be built so close to a community and children's park when it has been proven that noise and smell and chemicals will impact my community. In looking at the Asphalt Plant in Timnath there are no houses as close as Buffalo Creek will be to this Plant. This will turn Wellington into a place residents will want to move away from. There are other places this Asphalt Plant can be built that do not effect communities like Buffalo Creek. This should not be allowed. CONNELL INDUSTRIES should not be allowed to proceed with this Plant.

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Planning Commission May 1, 2023 Public Comment - Submission #2996

Date Submitted: 4/21/2023

First and Last Name*

Dan Matlock

Email Address*

damatlock@tdsmail.com

Are you a Town of Wellington Resident? *

- [x] Yes
- [ ] No

Address

3371 White Buffalo Drive

Public Comment for the Planning Commission May 1, 2023 Meeting

Way too much truck and heavy equipment traffic (6-9 double tankers hauling liquid asphalt, roughly 9,000 gallons per truck daily, set to stay about 3 months). Oil fumes and diesel exhaust fumes will cause respiratory as well as environmental hazards. Not to mention the piles of gravel and sand other trucks will bring in. Noise pollution will be extremely noisy. Totally NOT ACCEPTABLE!

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Planning Commission May 1, 2023 Public Comment - Submission #2998

Date Submitted: 4/22/2023

First and Last Name*

Monte medina

Email Address*

montecmedina@hotmail.com

Are you a Town of Wellington Resident? *

- [x] Yes
- [ ] No

Address

3364 iron horse way

Public Comment for the Planning Commission May 1, 2023 Meeting

To whom it may concern, When I first heard about Connell Resources wanting to build an asphalt plant, I was under the impression that it was going to be on the North side of County Road 66, not the South side. I grew very concerned with this information. There are many, many studies that conclude the air in and around an asphalt plant can produce many types of respiratory issues. Many studies also conclude that breathing the air around a Hot Mix Asphalt (HMA) plant can cause wheezing, coughing, and shortness of breath as well as nausea, headaches, dizziness, and vomiting. The chemicals in asphalt can vary depending on the source of the crude oil, the type of asphalt being made, and the process used. In general, the fumes are a mixture of several different types of chemicals including volatile organic chemicals (VOCs), carbon monoxide, sulfur, nitrogen oxides, and polycyclic aromatic hydrocarbons (PAHs) There was also a study done in Bangor, Maine at an asphalt plant there where one Doctor, a Doctor Mitchell, commented that tiny particles in the production of asphalt produced lung damage, exacerbated breathing conditions and could ultimately cause more serious health issues. This report was published by the U.S. Department of Labor. It was further noted in that report that asphalt fumes has known carcinogens that are generated at the worksite. It was further stated that exposure to asphalt fumes has the potential for chronic health effects, including cancer. That in and of itself should tell the elected officials of this beautiful town, NO we do not want this in our community. As elected government officials, you have been tasked with doing what is best for this community and pave the way for future generations that will follow. Only looking at the revenue, ie; the taxes collected from this site is short sided and irresponsible. The future of our town is in your hands. If this plant is allowed to be built, you face many hurdles, such as lawsuits both of the personal and professional level due to FORSEEABLE health risks from this plant. Connell Resources has a gravel pit on the Carr Road, why are they not wanting to build there? That plant has everything they need to build and sustain an asphalt plant..water, aggregate, etc, and they are no where near a residential area. One can only speculate as to why they do not want to build there. Did Weld County tell them no? Did the residents of Carr tell them no? The proposed plant would be very close to the park where families gather to enjoy the fresh air, and the many opportunities that are within that park. Building a HMA plant might just cause a snowball effect for this town, such as decreased home values, people selling and moving to other cities such as Timnath, or Windsor. This will cause Wellington to become a ghost town in the end. In closing, do not allow greed to make this decision. The residents of this community do not need nor want a HMA plant in our town. Sincerely, Monte C Medina

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Planning Commission May 1, 2023 Public Comment - Submission #2999

Date Submitted: 4/22/2023

First and Last Name*

Christopher Kerin

Email Address*

chrisjkerin1@yahoo.com

Are you a Town of Wellington Resident? *

- [x] Yes
- [ ] No

Address

8818 Indian Village Dr

Public Comment for the Planning Commission May 1, 2023 Meeting

This proposal to put an asphalt plant in close proximity to residential houses and a park puts the health and safety of all Wellington citizens at risk. This is in clear violation of EPA health and safety guidelines. This will expose anyone at the community park, nearby schools, and surrounding homes to harmful chemicals emitted from the asphalt plant. This sends a clear message to the citizens of Wellington, that money is more important than our health and safety. This is unacceptable and everyone involved should be ashamed of themselves. Please put a stop to this now before this goes any further. It is not too late to do the right thing and show the people of Wellington that our health and safety does matter.

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Planning Commission May 1, 2023 Public Comment - Submission #3000

Date Submitted: 4/22/2023

First and Last Name*

Paul Bodnar

Email Address*

bodnarp60@gmail.com

Are you a Town of Wellington Resident? *

- [x] Yes
- [ ] No

Address

9089 Raging Bull Ln. Wellington, CO

Public Comment for the Planning Commission May 1, 2023 Meeting

RE: PROPOSED ASPHALT PLANT Dear Planning Commission, I wish to register my revulsion to the proposed asphalt plant. I am hopeful that wisdom will prevail and that this abhorrent plan, which will certainly destroy the quality of life in Wellington, can be withdrawn. The close proximity of the asphalt plant to residential areas will undoubtedly propagate an awful, dangerous stench that will make life in Wellington unbearable. From the perspective of health hazards, some of the toxic chemicals found in asphalt plant emissions include Polycyclic aromatic hydrocarbons (PAH), benzene, toluene, nitric and carbonic acid, benz(a)pyrene, formaldehyde, carbon monoxide, nitrogen dioxide, sulphur dioxide and hydrogen sulphide. Many of these chemicals are known carcinogens, as well as skin, eye and respiratory irritants. Secondary to the emissions will be and unsightly industrial plant, the incessant noise and heavy truck traffic. The end result, if the plant becomes a reality, will be a significant reduction in the quality of life, a significant drop in property values and relegate Wellington to be known as nothing more than the Commerce City of Northern Colorado. A town where people live out of necessity rather than by choice. I recommend the Planning Commission take a field trip to a location down-wind of an existing plant to experience and therefore understand the awful, potent and hazardous fumes that the residents of Wellington will no doubt be subject to endure if this plant becomes operational. Best regards, Paul Bodnar 9089 Raging Bull Ln, Wellington

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Planning Commission May 1, 2023 Public Comment - Submission #3001

Date Submitted: 4/22/2023

First and Last Name*

Huston Hoffman

Email Address*

morse.huston@gmail.com

Are you a Town of Wellington Resident? *

- [x] Yes
- [ ] No

Address

3313 Thundering Herd Way

Public Comment for the Planning Commission May 1, 2023 Meeting

My comment on this issue is - are you seriously considering approving a HEAVY industrial use to be placed next to the largest, most popular, and exceptionally featured community park (let alone the residential neighbors to this park). Town events going to be held right next to the asphalt plant? REALLY? Hop Skip and a jump away from the new high school and middle school? Come on. The addition of this plant to Wellington while I am sure would be beneficial from a creating jobs, etc. stand point - we HAVE GOT to be smarter than this. I am vehemently opposed to this location being approved for this kind of use. Be smarter about this.

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Planning Commission May 1, 2023 Public Comment - Submission #3004

Date Submitted: 4/23/2023

First and Last Name*

Kenneth M Ferrier

Email Address*

kmfkona@gmail.com

Are you a Town of Wellington Resident? *

- [x] Yes
- [ ] No

Address

3393 White Buffalo Dr

Public Comment for the Planning Commission May 1, 2023 Meeting

The proposed asphalt plant would be in direct contradiction to the stated PURPOSE (Article 1.01.1) of the Wellington Land Use Code (WLUC). Specifically, the asphalt plant would NOT "enhance the Town's small-town character" nor would it "further the residents' goals as identified in the Comprehensive Plan". If you disagree, please show us what goals would be furthered by the plant. Furthermore, an Asphalt Plant in the proposed location would stand in opposition to several of the specific stated purposes for which the WLUC was adopted. The WLUC states that the zoning regulations contained therein are designed to: 1.01.1, A - Promote the health, safety, values, and general welfare of Town residents. How would the asphalt plant with its emissions, truck traffic, noise, and negative asthetics achieve any of those foundational goals? Rather, it would seem designed to do just the opposite. 1.01.1, C - Ensure adequate provision of transportation, water supply, sewage disposal, schools, parks, and other public improvements. We are painfully aware of the water supply issues facing our community. How can an asphalt plant do anything but add to the burden of an already over-taxed (and over-priced) system? 1.01.1, H - Prevent...danger and congestion in travel and transportation, and any other use or development that might be detrimental to the stability and livability of the Town. Wellington residents are all too familiar with the traffic congestion that occurs at the I-25 on-ramps and off-ramps, as well as the traffic signal at the East Frontage Rd. At certain times of day the intersection at N. County Rd. 7 and Cleveland Ave. gets really backed up. I have had to wait through multiple cycles of the traffic light, especially when turning left. There is also a concern for the present school zone near Eyestone Elementary School and Wellington Middle School. Those roads are often clogged with school busses and other vehicles belonging to parents who are dropping off or picking up students. Adding a steady flow of asphalt trucks to the situation can only heighten the level of congestion and the likelihood of danger to vehicles and pedestrian students alike. Wouldn't that be "detrimental to the stability and livability of the Town"? I respectfully urge you to act in the best interests of our community and keep the asphalt plant out. Thank you!

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Planning Commission May 1, 2023 Public Comment - Submission #3007

Date Submitted: 4/23/2023

First and Last Name*

Susanne Burtis

Email Address*

Susanneburtis@gmail.com

Are you a Town of Wellington Resident? *

- [x] Yes
- [ ] No

Address

3234 Wild West Lane

Public Comment for the Planning Commission May 1, 2023 Meeting

I have passed the Asphalt Plant in Timnath many times and the proximity to any housing developments is negligible in comparison to the proximity of the proposed Asphalt Plant in Wellington. Buffalo Creek sits closer. Putting this plant next to the communities and children's playground will show what the elected officials and appointed members of Wellington truly think of the quality of life here for the residents here. Noise, toxic chemicals blowing from the very strong winds that we get here will cause not only physical health issues , but also mental health issues. This is a very bad idea.

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Planning Commission May 1, 2023 Public Comment - Submission #3006

Date Submitted: 4/23/2023

First and Last Name*

Virginia Jensen

Email Address*

ginjens@gmail.com

Are you a Town of Wellington Resident? *

- [x] Yes
- [ ] No

Address

3316 Thundering Herd Way)

Public Comment for the Planning Commission May 1, 2023 Meeting

To the Planning Commission and City Trustees of Wellington. Re: Connell Asphalt Recycling Plant First, I would like to thank and commend you for listening to the citizens of Wellington at the March meeting and postponing the decision to approve the proposed asphalt recycling plant. Second, I have yet to hear any benefit to the citizens and community if this plant is built. I would like to hear why this plant is good for the community. Third, the literature I have seen is both negative and positive regarding health hazards. Some say there are no significant hazards. Others note multiple hazards and that the EPA does not adequately regulate these facilities. Since we cannot be sure we need to be cautious. Fourth, the perception of the vast majority of people here in my neighborhood is that this is not a good idea for multiple reasons, and they do not want it built. My family agrees that this plant should not be given permission. It needs to go away from a population center. Please consider the PEOPLE YOU SERVE and do what is right. Thank you.

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Planning Commission May 1, 2023 Public Comment - Submission #3008

Date Submitted: 4/23/2023

First and Last Name*

Brendan Gallagher

Email Address*

bjfgallagher@gmail.com

Are you a Town of Wellington Resident? *

- [x] Yes
- [ ] No

Address

3443 Firewater lane

Public Comment for the Planning Commission May 1, 2023 Meeting

Letter to the Planning Commision RE: the proposed Connell Hot Mix Asphalt Plant To the members of the planning commission: My name is Brendan Gallagher. I live at 3443 Firewater Lane in Wellington. I am very concerned about the effects that the proposed hot mix asphalt plant would have on the health, property values, and culture of our community. Like many people in Wellington, I moved here because it gave me an opportunity to purchase a house and raise a family in a small town. I value both the new and old communities that exist here, and it is important that we prioritize the health of our residents, especially our children. One of the many cancer-causing chemicals that hot mix asphalt plants generate is benzene. In addition to causing cancer, this chemical damages the human nervous system in adults and affects the development of children. A representative from Connell stated that hot mix asphalt plants create less benzene than a fast food restaurant like the Burger King down the road, but that information is from a study paid for by the National Asphalt Pavement Association (https://www.sanbornhead.com/wp-content/uploads/2021/08/Emissions-Comparison-Report.pdf). There are, in fact, many known negative health effects from exposure to asphalt and other hydrocarbons. â€œAvailable epidemiological studies have shown statistically significant links between exposure to hydrocarbons and/or metal fume and childhood leukemia2 and between exposure to asphalt fume and a variety of cancers.â€ (https://www.epa.gov/sites/default/files/2020-10/documents/stkhld-opn.pdf). And there are even more unknown negative health effects. â€œSince EPAâ€™s current approach is based on considering each chemical by itself, knowledge about the health effects of each individual chemical will not be available for many decades. Further, even after this data has been compiled, the synergistic interactions between these chemicals in a complex mixture will not be available and would require further study.â€ (https://www.epa.gov/sites/default/files/2020-10/documents/stkhld-opn.pdf) I donâ€™t understand why a variance for setbacks and silo height were ever granted in the first place. We donâ€™t need an asphalt plant in Wellington, and we definitely donâ€™t need it to be built so close to existing and already-approved residential sites. I moved here to raise a family, not to put my familyâ€™s health at risk. I urge you to find the legal means to protect the residents in Wellington and stop the approval of this plant. Sincerely, Brendan Gallagher 3443 Firewater Lane Wellington, CO

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Planning Commission May 1, 2023 Public Comment - Submission #3009

Date Submitted: 4/24/2023

First and Last Name*

Jeanette Baysingar

Email Address*

drjmag04@gmail.com

Are you a Town of Wellington Resident? *

- [x] Yes
- [ ] No

Address

6781 Mount Nimbus St

Public Comment for the Planning Commission May 1, 2023 Meeting

Dear Committee. I am writing to you to stop the asphalt company from building in our community. The negative impact on our town should not be minimized. The plant will affect the air quality of everyone but especially our children. The proximity to the NEW school and our large beautiful COMMUNITY Park is an outrage. My family loves being outdoors and this will deter any healthy habits of outdoor exercise. This will harm our animals in the community. It will devalue our homes and increase people leaving this community. The houses will be harder to sale and sale for less. The plant will not grow this community in a positive manner. Please reconsider allowing this plant to be built in our town. It needs to be further away from our town and especially our children. Our children are our future and we need to invest in them and their health

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Planning Commission May 1, 2023 Public Comment - Submission #3011

Date Submitted: 4/24/2023

First and Last Name*

Rachael Johnson

Email Address*

rcjohnson313@gmail.com

Are you a Town of Wellington Resident? *

- [x] Yes
- [ ] No

Address

3243 Firewater Ln

Public Comment for the Planning Commission May 1, 2023 Meeting

I strongly oppose the proposed asphalt plant. I live close to the plant in the Buffalo Creek neighborhood. I have asthma and have struggled with respiratory problems especially the last 3 years. I am concerned about the impacts of the plant on my health, as we already have poor air quality in this area and this would make the problem worse. I enjoy walking in the community park that will be very close to the plant. It seems very shortsighted to place as asphalt plant so close to the community park where the community, especially families with children, are playing and spending time. I worry about my property values and how they would be negatively impacted by this plant. I'm concerned about increased traffic and the school that will be so close to the plant. I care about Wellington and am very concerned about how this plant being in this specific spot is going to impact our town. Please consider the health and well being of our community do not approve the asphalt plant in this location.

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Planning Commission May 1, 2023 Public Comment - Submission #3020

Date Submitted: 4/24/2023

First and Last Name*

Carol Feebeck

Email Address*

clf010114@gmail.com

Are you a Town of Wellington Resident? *

- [x] Yes
- [ ] No

Address

3136 White Buffalo Dr

Public Comment for the Planning Commission May 1, 2023 Meeting

I am totally against the building of a hot mix asphalt plant in Wellington. . I take daily walks through my neighborhood, Buffalo Creek, and Wellington Community Park. Building the plant puts my well-being and health in jeopardy. I have COPD and am very concerned that my condition will be exacerbated due to the fumes and particles it will generate. Building the asphalt plant compromises my home-life as I like to sit in my backyard, have my doors and windows open. The fumes, particles and smells plus noise is going to be a negative affect on my life. I also believe having an asphalt plant close to my residence is going to detour potential buyers and also decrease the value of my home.

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Planning Commission May 1, 2023 Public Comment - Submission #3021

Date Submitted: 4/24/2023

First and Last Name*

Reesa Conrey

Email Address*

reesa.conrey@gmail.com

Are you a Town of Wellington Resident? *

- [x] Yes
- [ ] No

Address

9009 Spirit St.

Public Comment for the Planning Commission May 1, 2023 Meeting

24 April 2023 Dear Town of Wellington Planning Commission: I am writing to request that you vote â€œnoâ€ on the hot mix asphalt plant proposed by Connell Resources to be built northeast of the Buffalo Creek residential area and north of Wellington Community Park. If the proposal remains under consideration by the Wellington Town Planning Commission, despite the objections of Wellington residents, I request that you publicly provide the results of your consultations with appropriate agencies, such as the Larimer County Department of Health and Environment and Colorado Parks and Wildlife. I also request that you make available any data gathered from Connellâ€™s existing operations elsewhere, comparable operations by other companies, and the results of surveys contracted by Connell or the Town of Wellington on water resources, biological resources, or cultural resources on or near the proposed build site and areas downwind and/or downstream from the proposed facility. I attended the Commission meeting on March 6th, where many residents voiced their concerns over air quality, odor, noise, traffic, and groundwater impacts. There were multiple questions about why this site was chosen, given that there are closer locations to their aggregate source in Carr that are still near the train tracks and I-25. This location is adjacent to current and planned residences and just north (and upwind) of Wellington Community Park. I have observed asphalt mix operations on Taft Hill Rd. in Fort Collins and in the proposed Ladera development in Timnath, and I donâ€™t believe that these operations are appropriate or desirable for this site in Wellington. Although I appreciate that Connell has worked with the Board of Adjustment on their proposal, I continue to feel that this is not the right site for this project. I donâ€™t believe they should have granted the variances for smaller setbacks and taller structure heights that otherwise would prevent this project from being built here. There are potential threats to the health of nearby residents, likely loss of home values, and impacts on our park and ballfields downwind of this site, should this asphalt plant be built. Please consider voting â€œnoâ€ on this project, or at least making publicly available all data and results of appropriate consultations. Thank you, Reesa Yale Conrey, Homeowner, Buffalo Creek 9009 Spirit St. Wellington

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Planning Commission May 1, 2023 Public Comment - Submission #3024

Date Submitted: 4/24/2023

First and Last Name*

Travis Paul

Email Address*

Tpaul7712@gmail.com

Are you a Town of Wellington Resident? *

- [x] Yes
- [ ] No

Address

3348 Firewater Ln

Public Comment for the Planning Commission May 1, 2023 Meeting

I am writing this letter to express my deep concern over the proposed installation of an asphalt plant near our neighborhood. As a resident of a surrounding neighborhood, I strongly oppose this proposed installation for various reasons. Firstly, the asphalt plant produces a lot of harmful emissions that can have adverse effects on the health of the residents in the surrounding area. Studies have shown that these emissions can cause respiratory problems and other health problems in children, the elderly, and those with pre-existing conditions. Secondly, the installation of such a plant will likely result in an increase in traffic in our community, leading to more traffic accidents and reduced livability for residents. Lastly, the presence of an asphalt plant near our community could lead to a significant decrease in property values, which could have a negative impact on the local economy. I urge local officials to reconsider the installation of this asphalt plant in our neighborhood. Thank you for your time and attention.

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Planning Commission May 1, 2023 Public Comment - Submission #3022

Date Submitted: 4/24/2023

First and Last Name*

David Motichka

Email Address*

dmotichka@hotmail.com

Are you a Town of Wellington Resident? *

- [x] Yes
- [ ] No

Address

8960 Raging Bull Lane

Public Comment for the Planning Commission May 1, 2023 Meeting

To the Town Planning Commission - My name is David Motichka and I have lived in Wellington for 22 years. I am writing due to concerns with the Asphalt plant. I am not going to get into the health concerns because I don't feel I am knowledgeable enough, other than reading articles pro and con, to have an intelligent conversation about that. I am writing because I don't understand how we even got to this point regarding the variance of setback and building height. I have built homes in Wellington and on one occasion had to apply for a variance because a buyer decided they wanted a fireplace added. We asked for a 6 inch variance on a side setback and honestly it was a difficult process because the town said "Setbacks are designed for a reason" and "If we change it for one person, we have to change it potentially for others" So if it was so hard to get a 6 inch variance on a side setback for a house, how in the world is the planning commission giving the massive change in setback and building height requested by Connell? It is extremely hard for a resident that is not savvy to the inner dealings of the Town and Connell to not wonder what the incentives or motives are for this move. I think that the town is owed a real explanation of why the variances were given so easily. I would hope that this decision is not being made because this is a golden ticket for Wellington to get out of the many planning and financial mistakes this town has made over the years. Sincerely David Motichka

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Planning Commission May 1, 2023 Public Comment - Submission #3025

Date Submitted: 4/24/2023

First and Last Name*

Meghan Paul

Email Address*

meghanroloson@yahoo.com

Are you a Town of Wellington Resident? *

- [x] Yes
- [ ] No

Address

3348 Firewater Ln

Public Comment for the Planning Commission May 1, 2023 Meeting

I am writing this letter to strongly disagree with the proposed construction of an asphalt plant near our neighborhood. As a long-time resident of this area, I am concerned about the potential impacts that such a plant would have on our quality of life. As you may be aware, asphalt plants produce a great deal of pollution and noise. This could have serious consequences for the health and safety of our community. Studies have shown that the emissions from these plants can contribute to respiratory problems, especially in vulnerable populations such as children and the elderly. Additionally, the construction of an asphalt plant would increase traffic in our already-busy neighborhood, leading to more accidents and increased noise pollution. Moreover, the presence of an asphalt plant in our area could have severe economic consequences. Properties near industrial establishments often decrease in value, which could result in a negative impact on our local economy. For these reasons, I strongly urge you to reconsider the building of an asphalt plant near our neighborhood. We value our community and the wellbeing of our friends and families, and we do not want to expose them to the negative effects of an industrial facility. Thank you for your attention to this matter.

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Planning Commission May 1, 2023 Public Comment - Submission #3026

Date Submitted: 4/24/2023

First and Last Name*

Heather Burton

Email Address*

hburtonart@gmail.com

Are you a Town of Wellington Resident? *

- [x] Yes
- [ ] No

Address

7535 Horsechestnut Street

Public Comment for the Planning Commission May 1, 2023 Meeting

We feel that the entire town of Wellington should have been notified about this and not just the neighborhood next to the proposed site. We found out about the proposal today which is unacceptable. The amount of road traffic alone from this site will be significant and there needs to be many more studies done about the impact on our air quality as well as noise and traffic issues. In addition, I don't believe this is the type of business that our community needs right in town. Something this industrial belongs a bit further out. There are much better ways to build our community. We have to ask, what kind of town do we want Wellington to become, and is this the type of business that takes us in that direction or away from it. I believe it will negatively impact everyone's home values and bring real questions as to the quality of our air and water. At the very least a lot more due diligence should be done before altering our community forever.

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Planning Commission May 1, 2023 Public Comment - Submission #3027

Date Submitted: 4/24/2023

First and Last Name*

Brooke Musial

Email Address*

Brookemmusial@gmail.com

Are you a Town of Wellington Resident? *

- [x] Yes
- [ ] No

Address

3255 Crazy Horse drive Wellington, CO 80549

Public Comment for the Planning Commission May 1, 2023 Meeting

I strongly oppose the asphalt plant. I live in the Buffalo Creek neighborhood and will be the closest neighborhood to the plant. I have children and animals and our air here is already toxic enough. I do not want to not spend time outside because of the terrible air pollution that will be right outside my home. My children okay at the playground and splash pad. My dogs play at the dog park. My family and I have an extremely rare cancer gene that increases our chances of getting cancer by a lot. We try to do everything we can to avoid toxins and I want to be able to breath in as clean of air as I can when I walk outdoors. Living close at an asphalt plant increases your risk for cancer. Why would anyone want this in our small community, right across from a neighborhood!? I donâ€™t care if they are known as â€œgoodâ€ neighbors. That doesnâ€™t take the toxins away. I also care about the value of my home and that will drop drastically for this entire area? The only people that I have heard that want this have financial gain. Put it far away from houses! There is plenty of empty land close by that they could move their plant to without being on top of a neighborhood. Itâ€™s sickening and the fact that the board let it get this far is even worse. What are they turning Wellington into?

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Planning Commission May 1, 2023 Public Comment - Submission #3032

Date Submitted: 4/25/2023

First and Last Name*

Ben Freese

Email Address*

benjamin.freese

Are you a Town of Wellington Resident? *

- [x] Yes
- [ ] No

Address

8436 Nashua Circle

Public Comment for the Planning Commission May 1, 2023 Meeting

I understand that the Connell Asphalt Plant is up for debate again. I implore the town to not move forward in allowing the construction of this plant within the limits of our town. We're already known as the northern Colorado town with the worst water quality-- do we want to also be known as the town with the worst air quality? Let's change our story. Wellington: the town that put profits second to the health of its residents. Thank you.

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Planning Commission May 1, 2023 Public Comment - Submission #3033

Date Submitted: 4/25/2023

First and Last Name*

Austin Jackson

Email Address*

austin.jackson@live.com

Are you a Town of Wellington Resident? *

- [x] Yes
- [ ] No

Address

Public Comment for the Planning Commission May 1, 2023 Meeting

With how much this town struggles dealing with health, safety, and infrastructure already, I worry that certain members of our community put dollars ahead of human beings. Weâ€™re already on the hook for poor water quality, halted developments, snow plowing, limited high-speed internet access, destroyed pavement (ironically, this is something I doubt the proposed facility will help with), and the community is routinely asked to foot the bill for repairs and expansion after the fact. Do we want to be known as a family-friendly farm community or as a poorly-planned and unregulated industrial park with a train line and interstate running through it?

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Connell Resources Asphalt Plant - Wellington, CO

Alden Gaw <agawster@gmail.com>
Mon 4/3/2023 2:00 PM

To: Cody Bird <birdca@wellingtoncolorado.gov>
Cc: janice.marchman.senate@coleg.gov <janice.marchman.senate@coleg.gov>;JKefalas@larimer.org <JKefalas@larimer.org>;takeactionwellington@gmail.com <takeactionwellington@gmail.com>

Dear Cody Bird et al,

My wife and I have resided in the Buffalo Creek HOA in Wellington Colorado since May of 2013. Our primary reason for choosing Wellington was because of its rural and very minor light industry nature and presence.

We watched as the Wellington Community Park was created and appreciated the value-add it's creation brought to Wellington as a whole. We have used and enjoyed it daily throughout these years.

That there is now consideration for an asphalt production plant to become a part of Wellington Colorado east of this community park and adjoining residential neighborhood is beyond and against common sense, good judgement and goodwill to those of us that live here. Industrial additions of this nature without doubt stem from personal greed and the lack of respect and consideration for all that live in and around the town of Wellington.

I've found no one that lives in my neighborhood, or have encountered a Wellington citizen who is in favor of such an offensive addition to our lives, our community, our environment, our health and our well being.

I urge you all to refuse approval of this and any other type of industrial business that is known to produce and release the broad spectrum of toxic chemicals, whether or not regulated at the State and/or Federal levels, immediately and forthwith, and insure that now and for the future the town of Wellington will never have to endure such proposals again, by zoning at the most any parts and parcels of the town of Wellington Colorado as light industrial, especially east of the Wellington Community Park and areas zoned near and around now or in the future as residential.

Respectfully,

Alden Gaw

Everything Depends on Everything Else

Written Public Comments
3:00pm 4/25/2023

Against asphalt company

Brycen Ballinger <ballingerb71@gmail.com>

Wed 4/5/2023 8:54 AM

To: Cody Bird <birdca@wellingtoncolorado.gov>

I'm sure you are getting loads of emails against this potential Connell asphalt company going in next to the park. Down below I listed some asphalt known toxins. I'm personally against this for not only my future wellbeing but my kids who play at this very park and live just a stones throw away. Please If you care for the not only the future of the wellington but its populous tell these guys to take a hike! Share this with whomever you want. Thanks

Asphalt Fumes are Known Toxins. The federal Environmental Protection Agency (EPA) states "Asphalt processing and asphalt roofing manufacturing facilities are major sources of hazardous air pollutants such as formaldehyde, hexane, phenol, polycyclic organic matter, and toluene. Exposure to these air toxics may cause cancer, central nervous system problems, liver damage, respiratory problems and skin irritation." [EPA]. According to one health agency, asphalt fumes contain substances known to cause cancer, can cause coughing, wheezing or shortness of breath, severe irritation of the skin, headaches, dizziness, and nausea. [NJDHSS] Animal studies show PAHs affect reproduction, cause birth defects and are harmful to the immune system. [NJDHSS] The US Department of Health and Human Services has determined that PAHs may be carcinogenic to humans. [DHHS]

Written Public Comments
3:00pm 4/25/2023

NO ASPHALT IN WELLINGTON

Mike Locke <lockem2011@yahoo.com>
Wed 4/5/2023 6:21 AM
To: Cody Bird <birdca@wellingtoncolorado.gov>

NO ASPHALT PLANT: IN WELLINGTON!!

Connell Resources Inc. = the applicant

Next to Wellington Community Park, Buffalo Creek subdivision & the undeveloped Sundance subdivision.

WHY WE DON'T WANT IT HERE?
1. Toxic air emmisions/carcinogens/dust/foul odors, adverse air quality.
2. Liklihood of negative impact on groundwater supply. Strain on already insufficient storm water/ drainage infrastructure in Wellington.
3. Increased residential / business water bills.
3. Plant operations = noise pollution / increased, unpleasant noise in area.
4. Semi Traffic noise / congestion & yes "jake breaks". (always happens, always). Ask Weld county rural residents.
5. LOSS OF PROPERTY / HOME VALUES. Ie; Northern Wellington & rural properties along CR's. 66, 7, 9, & owl canyon.
6. Wellington does NOT require an Environmental Impact Statement. (Lack of Transparency).
7. Increased taxes for All. For road maintenance, Fire Dept. expansion & increased police presence for traffic enforcement, ect, ect..
8. Increased electricity & natural gas costs on Wellington residents. (infrastructure again).
9. More increased TAXES, annexation. Potential for Wellington to expand north. Thus, to attract more, big, heavy industry w/ tax credits /abatements & an increase in taxation on existing residents/business's to accommodate necessary infrustructure expansion. DOES YOUR TOWN GOVERNMENT HAVE YOUR BEST INTEREREST AT HEART? VOTERS!!??

Sincerely, Mike
Wellington pointe community

Written Public Comments
3:00pm 4/25/2023

Asphalt plant

Rachel Hayes <rhayes7686@icloud.com>

Mon 4/10/2023 6:08 AM

To: Cody Bird <birdca@wellingtoncolorado.gov>

Please include in May 1st meeting packet for the board.

We / our family of five does not want an asphalt plant near our park where we go to play, ride bikes, walk our dogs, have a bbq and bath air .

There was little information presented to us and false information provided about it being an asphalt recycling plant. This hot batch asphalt plant should require a huge set back due to curating and producing toxic chemicals. Should not be allowed to be so close to house that are not even built yet.

Not enough information was presented by Connell only a lot of nice words and skating over most questions and stating
“Only steam comes out, we will put trees and shrubberies so to block smell and site of the 70’ addition.” Not acceptable.
No information provided about the affect it will have on the resale of our homes.

Please listen to our communities concerns. Even our middle and high school kiddos (12 & 17 year old) don’t want this here. This isn’t why we moved here.
Thanks
Rachel Hayes
3328 Wild West lane wellington

Sent from my iPhone

Written Public Comments
3:00pm 4/25/2023

Fw: Asphalt Plant Proposal

TOW Building <Building@wellingtoncolorado.gov>
Thu 4/13/2023 8:25 AM
To: Cody Bird <birdca@wellingtoncolorado.gov>
This was in the building email account.

Town of Wellington
Planning and Building Department
Phone: (970) 568- 3554
Email: building@wellingtoncolorado.gov
Web: www.wellingtoncolorado.gov
8225 Third Street, Wellington, CO 80549

From: Chad Mickschl <chad.guides@gmail.com>
Sent: Wednesday, April 12, 2023 10:23 AM
To: TOW Building <Building@wellingtoncolorado.gov>
Subject: Asphalt Plant Proposal

Hi Planning Dept,

I want to inquire and provide comments regarding the proposed Asphalt Plant. I live on the south end of Wellington in the Sage Meadows subdivision. I have some questions about the process of evaluating the impacts of the Asphalt Plant and how this gets approved or denied.

I was able to listen to the video recording of the meeting that is posted online, thanks for making this available.

What I heard was that the land in which the proposed Asphalt Plant is on is zoned industrial. Zoning maps recently changed in Wellington and in the new zoning regulations there are setbacks of 1,000ft linearly and 45ft vertically for land uses in industrial zoned areas. Given these new definitions, the Asphalt Plant needed to be granted variance to the requirements in order to have the proposal considered. From the meeting, I heard that these variances were granted because prior to the new zoning maps and regulations, there were no setback requirements. My concern is that new setback requirements were determined, obviously considering potential uses that could be permitted in industrial areas. To then grant variances to the Asphalt Plant after it was determined that new setbacks are required and justified, I don't see why the variances were granted. Furthermore, to grant variances prior to thorough understanding and analysis of environmental and human impacts seems premature.

1. Are there public documents that the town produced assessing impacts to this proposed action?
2. Impacts that should be assessed and disclosed to the public

- Visual Impacts

- Noise Impacts
- Traffic Pattern Impacts
- Air Quality Impacts
- Water Resource Impacts
- Economic Impacts

Given the proposed location of the Asphalt Plant, next to an established housing neighborhood and next to land zoned for housing development, and next to a public park with a children playground, tennis courts and baseball field, it seems like there is a better location for the health, safety and viability of the town and its residents. The Town of Wellington should prioritize protecting its residents before a polluting industry moves into a neighborhood. If the Asphalt Plant is permitted, I would predict many residents moving out of town and others not moving here. The Town of Wellington already has health and safety issues to deal with for its residents, I don't believe they should add another. There is a lot of vacant land outside of city limits, there is certainly a better location and balance to achieve and the company should be exploring those options.

Thanks

Chad Mickschl

Written Public Comments
3:00pm 4/25/2023

May 1st meeting/Asphalt Plant

Susanne B. <susanneburtis@gmail.com>

Thu 4/20/2023 4:27 PM

To: Cody Bird <birdca@wellingtoncolorado.gov>

I am writing again regarding the proposed Asphalt Plant. I oppose it. I live in Buffalo Creek and with the bad impact from noise, air quality(pollution)especially with the high wind in Wellington and toxic chemicals that this Plant will produce it is a very bad idea to force residents to try to live normal lives around this Plant. CONNELL INDUSTRIES can build this plant in Weld County without impacting the health of residents close by. This is a very bad thing to make the residents of Wellington have to suffer from. I was led to believe Colorado was an environmentally safe place to live. If this Asphalt Plant is approved for Wellington. Then protecting the environment here is not a priority. Wellington will not be a safe place to live in.

Written Public Comments
3:00pm 4/25/2023

Development

Joanne Carlson <vinmarkid5@msn.com>

Thu 4/20/2023 4:52 PM

To: Cody Bird <birdca@wellingtoncolorado.gov>

I had always thought that piece of property in the north east area of Wellington would be a perfect location for some good businesses like are on the south end of the street. Nice looking and bringing business to Wellington. The proposal of hot asphalt plant is neither of those things. Wellington city council can do better. I know there surely must be other businesses who would like to come to Wellington. Please search this out before acting so quickly.
Joanne Carlson
3255 Grizzly Way
Sent from my iPhone

Written Public Comments
3:00pm 4/25/2023

Fwd: Asphalt plant

Chris Schott <cschott50@hotmail.com>

Thu 4/20/2023 9:09 AM

To: Cody Bird <birdca@wellingtoncolorado.gov>

Dear Mr Bird:
I sent the letter below to you quite a while ago and I am resending it now because I would like it to be included in the planning commission packet for the town council meeting on May 1. Please respond and confirm that it will be included. Thank you for your assistance in this matter,
Mary Chris Schott
8987 Smoke Signal Way
Wellington, Colorado
Sent from my iPad

Begin forwarded message:

From: Chris Schott <cschott50@hotmail.com>
Date: December 8, 2022 at 8:55:25 PM MST
To: Jodi Quass <jodiquass@gmail.com>
Cc: Chris Schott <cschott50@hotmail.com>
Subject: Asphalt plant

Dear Mr. Byrd and town council members:
I have recently become aware of the town's plans to erect an asphalt plant just to the north of town. I have done some research on the effect of asphalt plants in neighborhood areas and the results are not good. There is a dramatic increase in the incidence of cancer, nerve dysfunctions, and liver issues. In other places where asphalt plants have been built there are reports of headaches,rash, sensitivity, fatigue, reduced appetite, cough and various skin cancers. Small particulate matter is also released and that can get into the lungs and bloodstream causing cancers and heart problems.I have read that the newer technology mitigates these unfortunate effects but frankly I don't find them to be very credible. Once we have the plant here, if it's determined that it does create pollution or health issues it will be too late for us to do anything about it. I find this an unreasonable situation. Not only do I live in town but my daughter and her family also live in town with their small children. I can't imagine the effect of breathing in the kind of air pollution that comes with that sort of plant on their small bodies.

In addition to the numerous negative health effects, property values would likely decrease. Having a layer of soot on everything isn't a great selling point. Ask the people in Commerce City how they enjoy the environment that they have been told does no harm to them. I have not spoken to anyone in Wellington, who is in favor of the asphalt plant, so I'm wondering why the town is continuing to move forward with this. Surely how the

constituents feel about this matters to the council.

I'm not sure what the benefit of this asphalt plant would be to the town, but I doubt that it would make up for the harm that it will do. I hope that the council will reconsider this proposal for the good of us all.

Sent from my iPhone

Written Public Comments
3:00pm 4/25/2023

Plant

Jeffrey Shaw <shawdog2@gmail.com>

Fri 4/21/2023 6:35 PM

To: Cody Bird <birdca@wellingtoncolorado.gov>

Cody, Inserting an asphalt plant in the town of Wellington is the most ridiculous idea I have ever heard of. Not only will it omit dangerous chemicals into the air close to 3 schools and a daycare center where kids play outside and will be subjected to those chemicals but it will definitely reduce our property values that we work so hard to maintain. This is just crazy, crazy, crazy. I honestly was thinking about not wasting my time by voicing my opinion on this subject because ya'll are going to do what you want anyway. It's not about us. It's about you people. Mark my word, you watch how life in Wellington will decline if this project goes through. Just saying.

Paul Whalen

From: josh kerson <jkoct28@hotmail.com>
Sent: Sunday, April 23, 2023 9:15 PM
To: Paul Whalen
Subject: Please do not allow the asphalt plant to be built in our community...

Ladies and gentlemen of the City Planning Board,
I'm here today to express our community's strong opposition to the proposed new asphalt plant. We are deeply concerned that this plant would have significant negative impacts on our community values, especially given the fact that our Front Range Colorado air is already compromised.
We have several concerns about the proposed plant, including the dangerous chemicals that are used in producing asphalt. These chemicals, such as benzene, toluene, and formaldehyde, can pose serious health risks to our community, especially to the children who will attend the new school that is located in close proximity to the plant.
In addition, the emissions from the plant could further compromise our air quality, exposing us to even more pollution and toxins. This is particularly concerning given that our community is already struggling with poor air quality, and we believe that the addition of an asphalt plant would only make things worse.
We are also concerned about the impact the plant would have on our quality of life. The noise, traffic, and pollution generated by the plant would make it more difficult for us to enjoy outdoor activities such as biking, running, and playing sports. We value the ability to spend time outside with our families and friends, but the construction of this plant would make that much more difficult.
Moreover, the Union of Concerned Scientists has reported that asphalt plants are among the top industrial sources of cancer-causing pollution. We cannot allow our community to be exposed to such risks, especially when we already have significant concerns about air quality in our area.
In conclusion, I urge you to take our concerns seriously as you consider the proposal for the new asphalt plant. The health and well-being of our community is at stake, and we believe that the construction of this plant would be a grave mistake. Thank you for your time and consideration.

Thank you kindly, Josh Kerson
3815 Garfield Ave
Wellington CO, 80549
po 1374

Written Public Comments 3:00pm 4/25/2023

05/01/2023 Town Planning Meeting - Asphalt Plant

Daniel Otamendi <dan.otamendi@gmail.com>

Sun 4/23/2023 7:23 PM

To: Cody Bird <birdca@wellingtoncolorado.gov>

1 attachments (16 KB)

Outlook-unxwd02n.jpg;

Hello Cody,

My name is Daniel Otamendi and I live at 9076 Smoke Signal Way in the Buffalo Creek community. Our house backs up directly to the community park. We are strongly opposed to the asphalt plant due to: increased noise and industrial traffic in the area, poor air quality, and the high likelihood of a decrease in property value.

Thank you for your time and consideration with reading this email.

Regards,
Dan

On Mon, Mar 6, 2023, 1:25 PM Cody Bird <birdca@wellingtoncolorado.gov> wrote:

> Daniel and Family,
>
> Thank you for the correspondence. I have received your email and will include it in the information provided to the Planning Commission.
>
> Kind regards,
>
> ---
>
> **From:** Daniel Otamendi <dan.otamendi@gmail.com>
> **Sent:** Monday, March 6, 2023 12:49 PM
> **To:** Cody Bird <birdca@wellingtoncolorado.gov>
> **Subject:** 03/06/2023 Town Planning Meeting - Asphalt Plant
>
> Good Afternoon Cody,
>
> I am a resident of the Bufflao Creek Community and I am opposed to the Connel Asphalt Plant so near to the Wellington Community Park and our neighborhood. Attached is a document with a few more details.
>
> Thank you,
> Daniel Otamendi and Family

Written Public Comments
3:00pm 4/25/2023

Asphalt plant

Jeanette Baysingar <drjmag04@gmail.com>

Mon 4/24/2023 6:35 AM

To: Cody Bird <birdca@wellingtoncolorado.gov>

Dear Cody,

I am writing to you to stop the asphalt company from building in our community. The negative impact on our town should not be minimized. The plant will affect the air quality of everyone but especially our children. The proximity to the NEW school and our large beautiful COMMUNITY Park is an outrage. My family loves being outdoors and this will deter any healthy habits of outdoor exercise. This will harm our animals in the community. It will devalue our homes and increase people leaving this community. The houses will be harder to sale and sale for less. The plant will not grow this community in a positive manner. Please reconsider allowing this plant to be built in our town. It needs to be further away from our town and especially our children. Our children are our future and we need to invest in them and their health.

Sincerely
Jeanette Baysingar
6781

Written Public Comments
3:00pm 4/25/2023

Asphalt plant

susan cooney <stcooney9701@gmail.com>

Mon 4/24/2023 10:23 AM

To: Cody Bird <birdca@wellingtoncolorado.gov>

Dear Mr. Bird,
My family and I live at 7359 View Pointe Circle in Wellington. I was very alarmed when I learned that Wellington is considering allowing an asphalt plant to be built in Wellington. The health effects and smell associated with an asphalt plant are certainly an area of concern. I am also worried about the effect this will have on my property value. I urge you to support the will of the citizens and not allow this asphalt company to locate in Wellington.

Sincerely,
Susan Cooney
720-383-3948

Written Public Comments
3:00pm 4/25/2023

Public Comment

Gilda Gallagher <gilda.gallagher@gmail.com>
Mon 4/24/2023 8:31 PM
To: Cody Bird <birdca@wellingtoncolorado.gov>

Dear Cody Bird,

My name is Gilda Gallagher. I live at 3443 Firewater Lane in Wellington. I am very concerned about the effects that the proposed hot mix asphalt plant would have on the health, property values, and culture of our community.

It is important that we prioritize the health of our residents, especially our children. I expect Wellington leaders to be thoughtful about the impact of the choices they make. I expect our leaders to represent and look out for their residents. I don't understand why a variance for setbacks and silo height were ever granted. There is no reason for this plant to be built so close to our schools, park, & residential area when other locations are available.

I urge you to find the legal means to protect the residents in Wellington and stop the approval of this plant.

Sincerely,

Gilda Gallagher
3443 Firewater Lane
Wellington, CO

Sundance at Daubert Farm Holdings, LLC
308 Commerce Drive, Unit A
Fort Collins, CO 80524
Phone: 970-493-6262

March 6, 2023

Planning Department
Attention: Cody Bird
8225 Third Street
Wellington, CO 80549
birdca@wellingtoncolorado.gov

Re: Connell Resources

Dear Planning Department,

Sundance at Daubert Farm Holdings, LLC is the owner of the land immediately west of the proposed Connell site. We currently have a single-family home subdivision planned for this site and plan to construct it in the future. We have had several meetings and conversations with representatives from Connell, as well as several meetings and conversations with Cody Bird of the Wellington Planning Department. In every meeting we found all parties willing to work together to produce a plan that would work well for everyone. We have known from the very beginning that the land immediately east of our site would be developed into an industrial commercial facility. I am familiar with Connell's current plant located on I-25 just south of the Harmony exit. I have always been impressed with their efforts to make the plant as aesthetically pleasing as possible. We feel there are far worse potential users for this site than Connell. We also think Connell will be a good neighbor to our community. We fully support Connell's proposal for their plant and believe the effect it will have on our community will be minimal. We ask that you please approve this proposal.

Thank you for your time.

Sincerely,

John G. Giuliano
Managing Member

Online Form Submittal: Contact the Planning and Building Department

noreply@civicplus.com <noreply@civicplus.com>
Mon 4/24/2023 8:07 PM
To: TOW Building <Building@wellingtoncolorado.gov>

Contact the Planning and Building Department

Acknowledgement	I agree
First Name	Carlos
Last Name	Gonzalez
Property Address Related to Question	3802 Mount Flora St
City	Wellington
State	CO
Zip Code	80549
Email Address	cmgonzalez454@aol.com
Phone Number	3617261815
Preferred contact method?	Email or phone
Are you the homeowner, contractor, business, or other related to this project?	Homeowner
What is the zoning district for the location you have questions about? If you are unsure please utilize the zoning district map to the right.	Unsure
Discover Your Zoning District	Zoning District Map
I have a question regarding...	New commercial building
What specific questions do you have? Please provide any relevant information.	Is the tax money received from the asphalt company really worth compromising the great quality of life we have in Wellington? Will the extra taxes pay for the community streets the large semi trucks will ultimately destroy. Will the the taxes mask the stench of asphalt in the air? Will the taxes take away all the noise and light pollution the plant will create? There is a reason the asphalt plant was pushed out of Fort Collins. It was not worth the trouble or the money. Let's not make it our

	problem. Do any of the board members have a financial stake in the company coming to Wellington?
Helpful Documents	*Field not completed.*

Online Form Submittal: Contact the Planning and Building Department

noreply@civicplus.com <noreply@civicplus.com>
Mon 4/24/2023 11:52 AM
To: TOW Building <Building@wellingtoncolorado.gov>

Contact the Planning and Building Department

Acknowledgement	I agree
First Name	Valerie
Last Name	Kramer
Property Address Related to Question	6813 sumner st
City	Wellington
State	Colorado
Zip Code	80549
Email Address	Valcraig99@gmail.com
Phone Number	*Field not completed.*
Preferred contact method?	Email
Are you the homeowner, contractor, business, or other related to this project?	Homeowner
What is the zoning district for the location you have questions about? If you are unsure please utilize the zoning district map to the right.	R-2 Residential Medium
Discover Your Zoning District	Zoning District Map
I have a question regarding...	Other
What specific questions do you have? Please provide any relevant information.	Hello, I am submitting a comment today I. The hopes that I am one of MANY doing so - I am absolutely opposed to an asphalt plant being built in wellington. I feel strongly about the health of my family and the health of my community. I mean this is the literal sense, but also health in the way of how our town grows and improves. I am proud to live here, but our town CANNOT go down this path. I will be one of many residents that then has to make the decision to move elsewhere. Please. Do not allow

	an asphalt plant to be built in wellington. Thank you - Valerie
Helpful Documents	*Field not completed.*

Email not displaying correctly? View it in your browser.

Written Public Comments
3:00pm 4/25/2023

Asphalt Plant Protest

Leatherman, Scarlett - Student <73961@psdschools.org>

Mon 4/24/2023 1:35 PM

To: Cody Bird <birdca@wellingtoncolorado.gov>

Hi. Please stop trying to build the asphalt plant near Wellington Middle High School. It will ruin the school, and possibly give people cancer from its hazardous fumes. Go build it in Greeley, CO.

-A concerned student

Written Public Comments
3:00pm 4/25/2023

Asphalt Plant

Jess Leatherman <twigs1404@gmail.com>

Mon 4/24/2023 10:44 AM

To: Cody Bird <birdca@wellingtoncolorado.gov>

Hello,
My concern is about the proposed asphalt plant. I've heard it will be close to the Middle/high school and that it will be near town. Why on earth is this being considered so close to town!?! Are we really trying to turn Wellington into the armpit/Commerce City of Northern Colorado? These plants have shown to be harmful to the health of humans. The smell is awful. Headaches would abound at the school and in the community! Why aren't we working on getting better community business in the area. A larger grocery store, better food chains, a rec center, a community pool. Making the intersection at I-25 and HWY 1 safer, re building that bridge. People are moving here because other areas have become too expensive. I appreciate that this is a quite rural/agricultural area not an industrial zone! Send this crap to Weld county, they don't seem to mind. The county doesn't allow this sort of thing on their lands why would you use a loop hole to put it so close to the town!?! Quit putting in Dollar stores and crap that takes away from the beauty of this community. I'm finishing my basement and putting money into making my house our permanent home. This plant would bring down property values in the area. Parents would pull children from the school if they start having health problems due to the asphalt plant. All the money put into the school would be a waste if enrollment drops significantly! I firmly disagree with this plant. Please don't allow this toxic plant in our beautiful town.
Thank you,
Jessica Leatherman
7517 Final Turn Drive
Wellington, Co. 80549

Written Public Comments
3:00pm 4/25/2023

Opposition to Asphalt Plant

D Peel <d.peel2725@gmail.com>

Mon 4/24/2023 3:48 PM

To: Cody Bird <birdca@wellingtoncolorado.gov>

We have a home in the Buffalo Creek subdivision, and we are opposed to the Asphalt Plant. As you are aware, the chemicals, gasses and other byproducts from this operation are known carcinogens. Please do not approve this operation.
Thank you,
Dan Peel
9052 Painted Horse Lane
(970) 218-5238

Written Public Comments
3:00pm 4/25/2023

Fw: Online Form Submittal: Contact Us Form

Verity Ketsdever <KetsdeverV@wellingtoncolorado.gov>

Mon 4/24/2023 11:23 AM

To: Cody Bird <birdca@wellingtoncolorado.gov>

Hi Cody,

This came through the online form submittal to Mahalia and myself regarding the asphalt plant. If I get more, would you like me to forward them to you?

TOWN OF WELLINGTON

Verity Ketsdever
Administrative Assistant II/ Court Clerk
Phone: 970.568.3381
Email: KetsdeverV@wellingtoncolorado.gov
Web: www.wellingtoncolorado.gov
8225 Third Street
Wellington, CO 80549

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Monday, April 24, 2023 11:08 AM
To: Mahalia Henschel <henschem@wellingtoncolorado.gov>; Verity Ketsdever <KetsdeverV@wellingtoncolorado.gov>
Subject: Online Form Submittal: Contact Us Form

Contact Us Form

First and Last Name	Jenifer Wilcher
Address	3940 Buckthorn St
City	Wellington
State	Colorado
Zip Code	80549
Phone Number	9702229740
Email Address	Jenifer.wilcher@gmail.com
Comment or Question	I will be unable to attend the meeting on May 1. But wanted to send a quick comment stating that my family and I are against the proposed asphalt plant.

Written Public Comments
3:00pm 4/25/2023

How would you like to be contacted?	Email me

Email not displaying correctly? View it in your browser.

Written Public Comments
3:00pm 4/28/2023

Asphalt Facility

Brian Harrison <bah511@yahoo.com>
Wed 4/26/2023 12:36 PM
To: Cody Bird <birdca@wellingtoncolorado.gov>

To the members of the planning commission:

My name is Brian Harrison. I live at 9073 Painted Horse Lane in Wellington. I am very concerned about the effects that the proposed hot mix asphalt plant would have on the health, property values, and culture of our community.

Like many people in Wellington, I moved here because it gave me an opportunity to purchase a house and raise a family in a small town. I value both the new and old communities that exist here, and it is important that we prioritize the health of our residents, especially our children.

One of the many cancer-causing chemicals that hot mix asphalt plants generate is benzene. In addition to causing cancer, this chemical damages the human nervous system in adults and affects the development of children. A representative from Connell stated that hot mix asphalt plants create less benzene than a fast food restaurant like the Burger King down the road, but that information is from a study paid for by the National Asphalt Pavement Association (https://www.sanbornhead.com/wp-content/uploads/2021/08/Emissions-Comparison-Report.pdf).

There are, in fact, many known negative health effects from exposure to asphalt and other hydrocarbons. "Available epidemiological studies have shown statistically significant links between exposure to hydrocarbons and/or metal fume and childhood leukemia2 and between exposure to asphalt fume and a variety of cancers." (https://www.epa.gov/sites/default/files/2020-10/documents/stkhld-opn.pdf).

And there are even more *unknown* negative health effects. "Since EPA's current approach is based on considering each chemical by itself, knowledge about the health effects of each individual chemical will not be available for many decades. Further, even after this data has been compiled, the synergistic interactions between these chemicals in a complex mixture will not be available and would require further study." (https://www.epa.gov/sites/default/files/2020-10/documents/stkhld-opn.pdf)

I don't understand why a variance for setbacks and silo height were ever granted in the first place. We don't need an asphalt plant in Wellington, and we definitely don't need it to be built so close to existing and already-approved residential sites. I moved here to raise a family, not to put my family's health at risk. I urge you to find the legal means to protect the residents in Wellington and stop the approval of this plant.

Sincerely,

Brian Harrison 9073 Painted Horse Lane
Wellington, CO 80549

Written Public Comments
3:00pm 4/28/2023

Opposition to Hot Asphalt Plant

Larry Rice <larryriceoc1@gmail.com>

Wed 4/26/2023 7:01 PM

To: Cody Bird <birdca@wellingtoncolorado.gov>

Dear Mr. Bird,

Simply and to the point, I am a Wellington resident who resides and owns a home in Buffalo Creek subdivision, located to the west of the proposed Hot Asphalt Plant that is being considered for construction behind Wellington Community Park. I want to express in the strongest means possible that I oppose any such development in our community! Why? In plain terms that anyone can understand: IT STINKS! The smell, full of toxic gases and emissions. The eyesore (really, does anyone want to look out and see this ugly construction site?). The increase in heavy truck traffic within our town (as if we need any MORE traffic). The reduction in property values (who would like to have their home situated downwind of the asphalt fumes?). Noise pollution (yes, there are residents of Wellington who appreciate its small-town tranquility).

And why is this hot asphalt plan even being considered to be located in Wellington? Hmmm….let's think about that for a second. Money? Greed? Short-sighted, ill-informed thinking? All of the above? I think "all of the above."

I implore you, Mr. Bird, and the rest of the town trustees, including the mayor, to stop this ill-conceived idea from going any further. Do NOT allow this asphalt plan to be situated anywhere within Wellington. Not only for us current residents, but for those who might want to call Wellington their home in the future. It's just a plain bad idea that should have never have been considered in the first place. It's time to stop it now. Wellington does not need it. We do not need it!

Thanks you for your time and consideration. Please do the right thing.

Sincerely,

Larry Rice

Buffalo Creek Estates

Sent from my iPhone

Written Public Comments
3:00pm 4/28/2023

Notice of my Opposition

Sandra Hunnicutt <sandy.hunnisan@gmail.com>

Thu 4/27/2023 4:46 PM

To: Jon Gaiter <gaiterjm@wellingtoncolorado.gov>;tietz@wellingtoncolorado.gov <tietz@wellingtoncolorado.gov>;Brian Mason <masonb@wellingtoncolorado.gov>;Calar Chaussee <chausseec@wellingtoncolorado.gov>;David Wiegand <wiegandd@wellingtoncolorado.gov>;Patti Garcia <garciapa@wellingtoncolorado.gov>;Cody Bird <birdca@wellingtoncolorado.gov>;macdonar@wellingtoncolorado.gov <macdonar@wellingtoncolorado.gov>;dailyrm@wellingtoncolorado.gov <dailyrm@wellingtoncolorado.gov>

2 attachments (737 KB)

Asphalt Email BOT April212023.pdf; Hot Mix Asphalt Plants-EPA-Dec2000.pdf;

I'm writing to express my strong opposition to having a Hot Mix Asphalt plant within the borders of our town. Not only are the serious health implications most alarming, but it would not comply with the goals of our Comprehensive Plan and Land Use Codes. Please find attached my supportive research, and do not proceed with The Plant!

Sincerely,

Sandra Hunnicutt
3940 Ginkgo St
Wellington, CO

April 20, 2023

Dear Town of Wellington Trustees and appointed officials,

I'm writing this letter for three primary purposes:

1. I'm frustrated and upset that the amount of public input has decreased by one week, per Mr. Bird, Planning Commissioner. He has changed the routine of having written comments submitted to the Planning Commission no later than 3 pm on the meeting day. Just today, I learned that the cutoff for the May 1 meeting is tomorrow, April 21, at 3 pm! This certainly does not comply with the Theme, Reliable & Resilient Public Services, of the Comprehensive Plan. It almost appears to be a sabotage of getting as much public input as possible to reflect the truly diverse desires of the community. **Please reverse this decision!**

2. **I do not want the asphalt plant built downtown!** It counters the community themes written in our town's Comprehensive Plan (2021). It is an irrefutable source of detriment to the environment and health of our residents. Although the owners of the plant deny any causes of toxicity, the attached sampling of researched articles strongly refutes their claims:

    - "EPA Hot Asphalt Plant Emission Assessment Report, EPA Document #EPA 454R.00.019, December 2000." Please pay special attention to the following pages sections:
        - Pg.1, Sect. 1.2 – "Overview of the HMA (Hot Mix Asphalt) Industry."
        - Pg.11, Sect. 2.1.4 – "Emissions and Controls," especially the first paragraph listing the emissions from the two significant emissions categories. *A little more than "just water in that steam!"*
        - Pg. 19, Table 5 - estimated annual emissions for a typical batch mix plant dryer, hot screens, and mixers
        - Pgs. 20-26, Tables 6-12 - refer to the toxic contributions of additional production sources: plant load-out operations; storage tank emissions; drum mix dryers; drum mix plant silos; estimated annual yard VOC (volatile organic compounds) emissions.
        - Pg. 15, Sect. 2.3 – "Emission Factors for Other Generic Sources Associated with HAP Facilities:" - **these are often overlooked in discussing the *cumulative* toxic output of HAPs!**
            - Receipt of new aggregate
            - Transfer of aggregate from storage to the conveyor belt
            - Unpaved road dust emissions
            - Paved road dust emissions
            - Diesel exhaust emissions (think 20 trucks a day just idling in the yard while waiting to load or unload)

    - Center for HMA, Environmental, and Justice (CHEJ): "A Bad Place for An Asphalt Plant: An African American Community Fights Back," March 3, 2022. (Please relate this to our community with a particular focus on the severe health problems suffered by those living in proximity to a HAP): Cancer, Nervous system dysfunction, Liver damage.

    - Extracts from other articles:
        - Living near an HMA plant exposes residents to toxic air pollutants of polycystic aromatic oxide, sulfur dioxide, and hydrogen sulfide; volatile organic compounds; and metals. (North Carolina Department of Environmental Quality).

  - Exposure to asphalt (Study by North Carolina government) and detrimental health effects include **breathing fumes**; irritate nose, throat, and lungs causing coughing, wheezing, shortness of breath, headache, dizziness, nausea, and vomiting; **contact** with asphalt: severe skin burns, dermatitis, acne-like lesions.

- "Timnath group opposing TopGolf to submit petitions Wednesday," Loveland Reporter-Herald, Dallas Heltzell, 3/27/23: This article from our neighboring town of Timnath reflects the concerns of residents about heavy industry taking over and their need for development plans to be congruent with their 2020 Comprehensive Plan.
  - Petition signatures more than double the needed signatures gathered to trigger a special election to block Topgolf. The ballot measure would stipulate land use/development parameters for future commercial industries.
  - The opposition focuses on wildlife protection and the negative impacts on residential quality of life.
  - Topgolf also does not remotely coincide with the goals of the town's Comprehensive Plan for future development, and this significantly concerns the residents. *Sound familiar?*

3) I thank you for promoting the community themes in our Comprehensive Plan, with a focus on creating that "small town" feeling where tourists would be drawn to visit, thus boosting our economy. I doubt that 70 ft. smokestacks and an asphalt plant will contribute much to the atmosphere of a "charming" small town and be much of a tourist attraction. Nor would people using our projected parks and trails find it peaceful and placid to run/walk past a "delightfully" roiling, dusty, loud asphalt plant.

Please, do whatever it takes to revise zoning, land use codes, health codes, etc., **to halt the asphalt plant and any other heavy industries from ever being considered in our downtown in the future**. This request comes at a pivotal point in the design, vision, and desired characteristics of 'our little town.'

Thank you for your perseverance in reviewing this rather lengthy letter and for all of your hard work in developing our unique town of Wellington with the timely input of us, the residents.

Sincerely,

Sandra L Hunnicutt

United States Environmental Protection Agency | Office Of Air Quality Planning And Standards Research Triangle Park, NC 27711 | EPA-454/R-00-019 December 2000

Air

HOT MIX ASPHALT PLANTS

EMISSION ASSESSMENT REPORT

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EPA 454/R-00-019

HOT MIX ASPHALT PLANTS

EMISSION ASSESSMENT REPORT

This document was prepared by:

Emissions Monitoring and Analysis Division
Office of Air Quality Planning and Standards
United States Environmental Protection Agency
Research Triangle Park, NC

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and

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1600 Perimeter Park
P.O. Box 2010
Moorisville, NC
EPA Contract Number 68-D7-0068

U.S. ENVIRONMENTAL PROTECTION AGENCY
Office of Air and Radiation
Office of Air Quality Planning and Standards
Research Triangle Park, North Carolina 27711

December 2000

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DISCLAIMER

The information in this document has been funded by the Office of Air Quality Planning and Standards, U.S. Environmental Protection Agency (EPA) under contract 68-D-98-027 to Midwest Research Institute and under contract 68-D-70-068 to Eastern Research Group, Inc. The EPA has made additions and revisions to the information submitted by the contractors. This final report has been subjected to the Agency's review, and it has been approved for publication as an EPA document. Mention of trade names or commercial products is not intended to constitute endorsement or recommendation for use.

PREFACE

This report was produced by the Source Measurement Technology Group of EPA's Emissions Measurement Center located in Research Triangle Park, NC. It is one of a series of twelve reports prepared to document an EPA program to characterize emissions to the air from hot mix asphalt plants. These twelve reports and their associated EPA document numbers and publication dates are:

Document Title	EPA Document Number	Publication Date
Hot Mix Asphalt Plants Emission Assessment Report	EPA 454/R-00-019	December 2000
Hot Mix Asphalt Plants Kiln Dryer Stack Instrumental Methods Testing Asphalt Plant A, Cary, North Carolina	EPA 454/R-00-020	April 2000
Hot Mix Asphalt Plants Kiln Dryer Stack Manual Methods Testing Asphalt Plant A, Cary, North Carolina		
Volume 1 of 2	EPA 454/R-00-021a	April 2000
Volume 2 of 2	EPA 454/R-00-021b	April 2000
Hot Mix Asphalt Plants Kiln Dryer Stack Instrumental Methods Testing Asphalt Plant B, Clayton, North Carolina	EPA 454/R-00-022	April 2000
Hot Mix Asphalt Plants Kiln Dryer Stack Manual Methods Testing Asphalt Plant B, Clayton, North Carolina		
Volume 1 of 2	EPA 454/R-00-023a	April 2000
Volume 2 of 2	EPA 454/R-00-023b	April 2000
Hot Mix Asphalt Plants Truck Loading and Silo Filling Instrumental Methods Testing Asphalt Plant C, Los Angeles, California	EPA 454/R-00-024	May 2000
Hot Mix Asphalt Plants Truck Loading and Silo Filling Manual Methods Testing Asphalt Plant C, Los Angeles, California		
Volume 1 of 8	EPA 454/R-00-025a	May 2000
Volume 2 of 8	EPA 454/R-00-025b	May 2000
Volume 3 of 8	EPA 454/R-00-025c	May 2000
Volume 4 of 8	EPA 454/R-00-025d	May 2000
Volume 5 of 8	EPA 454/R-00-025e	May 2000
Volume 6 of 8	EPA 454/R-00-025f	May 2000
Volume 7 of 8	EPA 454/R-00-025g	May 2000
Volume 8 of 8	EPA 454/R-00-025h	May 2000
Hot Mix Asphalt Plants Technical Systems Audit of Testing at Asphalt Plant C Asphalt Plant C, Los Angeles, California	EPA 454/R-00-026	May 2000

Document Title	EPA Document Number	Publication Date
Hot Mix Asphalt Plants Truck Loading Instrumental Methods Testing Asphalt Plant D, Barre, Massachusetts	EPA 454/R-00-027	May 2000
Hot Mix Asphalt Plants Truck Loading Manual Methods Testing Asphalt Plant D, Barre, Massachusetts	EPA 454/R-00-028	May 2000
Hot Mix Asphalt Plants Response to Comments on Testing Program for Asphalt Plants C and D	EPA 454/R-00-029	May 2000
Hot Mix Asphalt Plants Stakeholders Opinions Report	EPA 454/R-00-030	

These documents, including this Emissions Assessment Report document, are available for downloading, on CD-ROM and in paper.

Downloads can be made from:

http//www.epa.gov/ttn/emc/asphalt.html

Copies of the CD ROM can be requested by mail at:

Emission Measurement Center, MD-19
US Environmental Protection Agency
Research Triangle Park, NC 27711

Paper copies of the reports can be obtained from:

National Technical Information Service
5285 Port Royal Road
Springfield, VA 22161
Phone orders 1-800-553-6847 or (703) 605-6000; FAX orders (703) 605-6900
http://www.ntis.gov/products/environment.htm

ACKNOWLEDGMENTS

Many individuals contributed to the development of this report. Ron Myers of the Emission Measurement Center's Source Measurement Technology Group (SMTG), Brian Shrager, Scott Klamm, Richard Marinshaw, and Amy Marshall of Midwest Research Institute (MRI), are the primary authors of the report. Bob McConnell of EPA's Region I office, David Mobley, Acting Director of EPA's Emissions Monitoring and Analysis Division, Bill Lamason, Mike Toney, Gary McAlister, and Candace Sorrell of EPA's Emission Measurement Center, Ron Ryan and Dennis Beauregard of EPA's Emission Factor and Inventory Group, Laura Autry of EPA's Air Quality Trends Analysis Group, participated in the review. We also acknowledge the contributions of numerous reviewers and advisors from PES, MRI and EPA.

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LIST OF ACRONYMS

ASTM	American Society of Testing and Materials
Btu	British thermal unit
CH_4	methane
CO	carbon monoxide (as measured by EPA Method 10)
CO_2	carbon dioxide (as measured by EPA Method 3)
EPA	Environmental Protection Agency
HAP	hazardous air pollutant (listed in or pursuant to section 112(b) of the 1990 Clean Air Act Amendments)
HMA	hot mix asphalt
NO_x	nitrogen oxides (as measured by EPA Method 7)
PAH	polycyclic aromatic hydrocarbon (a class of HAPs)
PM	particulate matter (as measured by EPA Methods 5 or 17)
PM-10	particulate matter less than 10 microns in diameter
PM-2.5	particulate matter less than 2.5 microns in diameter
RAP	reclaimed asphalt pavement
RTFOT	rolling thin film oven test (ASTM Method D2872-88)
SCC	source classification code
SO_2	sulfur dioxide (as measured by EPA Methods 6 or 8)
SO_x	sulfur oxides
TOC	total organic compounds (as measured by EPA Method 25A)
VOC	volatile organic compound (refer to 40 CFR 51.100); VOC is TOC plus formaldehyde, less methane, ethane, acetone, and other chemicals listed as negligibly photochemically reactive.

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1. EXECUTIVE SUMMARY

1.1 INTRODUCTION

This report presents an assessment of emissions from hot mix asphalt (HMA) manufacturing facilities. Included in the report is a description of the manufacturing process and the emissions associated with HMA production; the procedures for developing emission factors and emission inventories for the HMA industry; and estimated annual emissions for typical HMA facilities.

1.2 OVERVIEW OF HMA INDUSTRY

Hot mix asphalt is used primarily as paving material and consists of a mixture of aggregate and liquid asphalt cement, which are heated and mixed in measured quantities. Hot mix asphalt facilities can be broadly classified as either drum mix plants or batch mix plants, according to the process by which the raw materials are mixed. In a batch mix plant, the aggregate is dried first, then transferred to a mixer where it is mixed with the liquid asphalt. In a drum mix plant, a rotary dryer serves to dry the aggregate and mix it with the liquid asphalt cement. After mixing, the HMA generally is transferred to a storage bin or silo, where it is stored temporarily. From the silo, the HMA is emptied into haul trucks, which transport the material to the job site. Figure 1 presents a diagram of a typical batch mix HMA plant; a typical drum mix HMA plant is depicted in Figure 2.

In 1996, approximately 500 million tons of HMA were produced at the 3,600 (estimated) active asphalt plants in the United States. Of these 3,600 plants, approximately 2,300 are batch plants, and 1,300 are drum mix plants. The total 1996 HMA production from batch and drum mix plants is estimated at about 240 million tons and 260 million tons, respectively. Based on these figures, an average batch mix plant produces approximately 100,000 tons of HMA annually, and an average drum mix plant produces about 200,000 tons of HMA per year. Natural gas fuel is used to produce 70 to 90 percent of the HMA. The remainder of the HMA is produced using oil, propane, waste oil, or other fuels.

The primary emission sources associated with HMA production are the dryers, hot bins, and mixers, which emit particulate matter (PM) and a variety of gaseous pollutants. Other emission sources found at HMA plants include storage silos, which temporarily hold the HMA; truck load-out operations, in which the HMA is loaded into trucks for hauling to the job site; liquid asphalt storage tanks; hot oil heaters, which are used to heat the asphalt storage tanks; and yard emissions, which consist of fugitive emissions from the HMA in truck beds. Emissions also result from vehicular traffic on paved and unpaved roads, aggregate storage and handling operations, and vehicle exhaust.

The PM emissions associated with HMA production include the criteria pollutants PM-10 (PM less than 10 micrometers in aerodynamic diameter) and PM-2.5, hazardous air pollutant (HAP) metals, and HAP organic compounds. The gaseous emissions associated with HMA production include the criteria pollutants sulfur dioxide (SO_2), nitrogen oxides (NO_x), carbon monoxide (CO), and volatile organic compounds (VOC), as well as volatile HAP organic compounds.

1.3 DEVELOPMENT AND USE OF EMISSION FACTORS FOR HMA FACILITIES

An emission factor relates the quantity (weight) of pollutants emitted to a unit of activity of the source. Emission factors for the HMA industry are generally determined in units of pounds of pollutant emitted per ton of HMA produced. These emission factors typically are used to estimate area-wide

emissions for a large number of facilities and emissions for specific facilities where source-specific emissions data are not available or where source testing is cost prohibitive.

To develop emission factors for the HMA industry, data from more than 390 emission test reports and other documents on the industry were compiled and reviewed. Through a careful screening process, the documents that were determined to be unusable for emission factor development were excluded from further evaluation. The remaining reports were compiled by plant type, emission source, pollutant, and emission control. For each emission test, emission factors were calculated by dividing the measured emission rates by the HMA production rate measured at the time of the emission test. These emission factors were then grouped by source, pollutant, and control device, and an average emission factor was calculated for each group.

Emission factors can be used to estimate emissions from one or more HMA facilities by multiplying the emission factor by the HMA production rate. For example, the emission factor for CO emissions from a natural gas-fired drum mix dryer is 0.13 pounds per ton (lb/ton). If the dryer produces 200,000 tons per year (ton/yr), the estimated CO emissions during that period would be: 200,000 ton/yr × 0.13 lb/ton = 26,000 lb/yr or 13 tons/yr.

1.4 ESTIMATED ANNUAL EMISSIONS FROM TYPICAL HMA FACILITIES

Annual emissions for a facility can be estimated by summing up the emissions from each emission source over the course of a year. Annual emissions for a specific source can be estimated by multiplying the annual throughput or production rate for that source by its corresponding emission factors. For an HMA facility, annual emissions can be estimated by multiplying the annual HMA production rate by the emission factors for each type of source at the facility. Table 1 summarizes annual emissions for a typical HMA batch mix plant, and Table 2 summarizes annual emissions for a typical drum mix HMA plant. The estimates presented in these tables account for all of the identified emission sources at each type of facility. For both batch mix plants (Table 1) and drum mix plants (Table 2), the estimate includes emissions from the dryer/mixer, load-out operations, asphalt storage, yard (fugitive emissions from loaded trucks), diesel exhaust, paved and unpaved road dust, and aggregate processing (screening, conveyor transfer, and reclaimed asphalt pavement [RAP] crushing). Additionally, for the drum mix plant (Table 2), the estimate includes emissions from silo filling operations. Estimates are presented for criteria pollutants (pollutants for which national ambient air quality standards have been developed) and hazardous air pollutants (HAPs, as defined in section 112(b) of the 1990 Clean Air Act Amendments). Criteria pollutants include PM-10, VOC, CO, SO_2, and NO_x. Emissions for three classes of HAPs are presented in Tables 1 and 2: polycyclic aromatic hydrocarbons (PAHs), volatile organic HAPs, and metal HAPs. The emissions were estimated using the emission factors developed for the HMA industry and the following assumptions:

- Dryers are fueled with natural gas or No. 2 fuel oil (estimates are presented for both types). It is estimated that between 70 and 90 percent of HMA plants use natural gas, although some HMA plants use fuel oil as an alternative to natural gas.
- Dryer emissions are controlled with fabric filters.
- PM emissions from load-out and silo filling are entirely PM-10.
- Annual HMA production rate for a typical batch mix plant is 100,000 ton/yr.
- Annual HMA production rate for a typical drum mix plant is 200,000 ton/yr.
- The typical HMA plant has two 18,000-gallon asphalt storage tanks.

As indicated in Table 1, a typical batch mix plant using a No. 2 fuel oil-fired dryer emits over 74,000 lb/yr of criteria pollutants, and a typical batch mix plant using a natural gas-fired dryer emits over

56,000 lb/yr of criteria pollutants, of which approximately 41,000 lb/yr are CO and approximately 10,700 lb/yr are PM-10; emissions of other criteria pollutants range from about 500 to about 12,000 lb/yr. The same plant would emit about 770 lb/yr of HAPs. A typical drum mix plant using a No. 2 fuel oil-fired dryer emits about 83,000 lb/yr of criteria pollutants, and a typical drum mix plant using a natural gas-fired dryer emits around 75,000 lb/yr of criteria pollutants, of which approximately 28,000 lb/yr are CO, about 10,000 lb/yr are VOC, and around 31,000 lb/yr are PM-10. A typical drum mix plant emits from 1,300 to 2,000 lb/yr of HAPs, depending on the fuel used in the dryer.

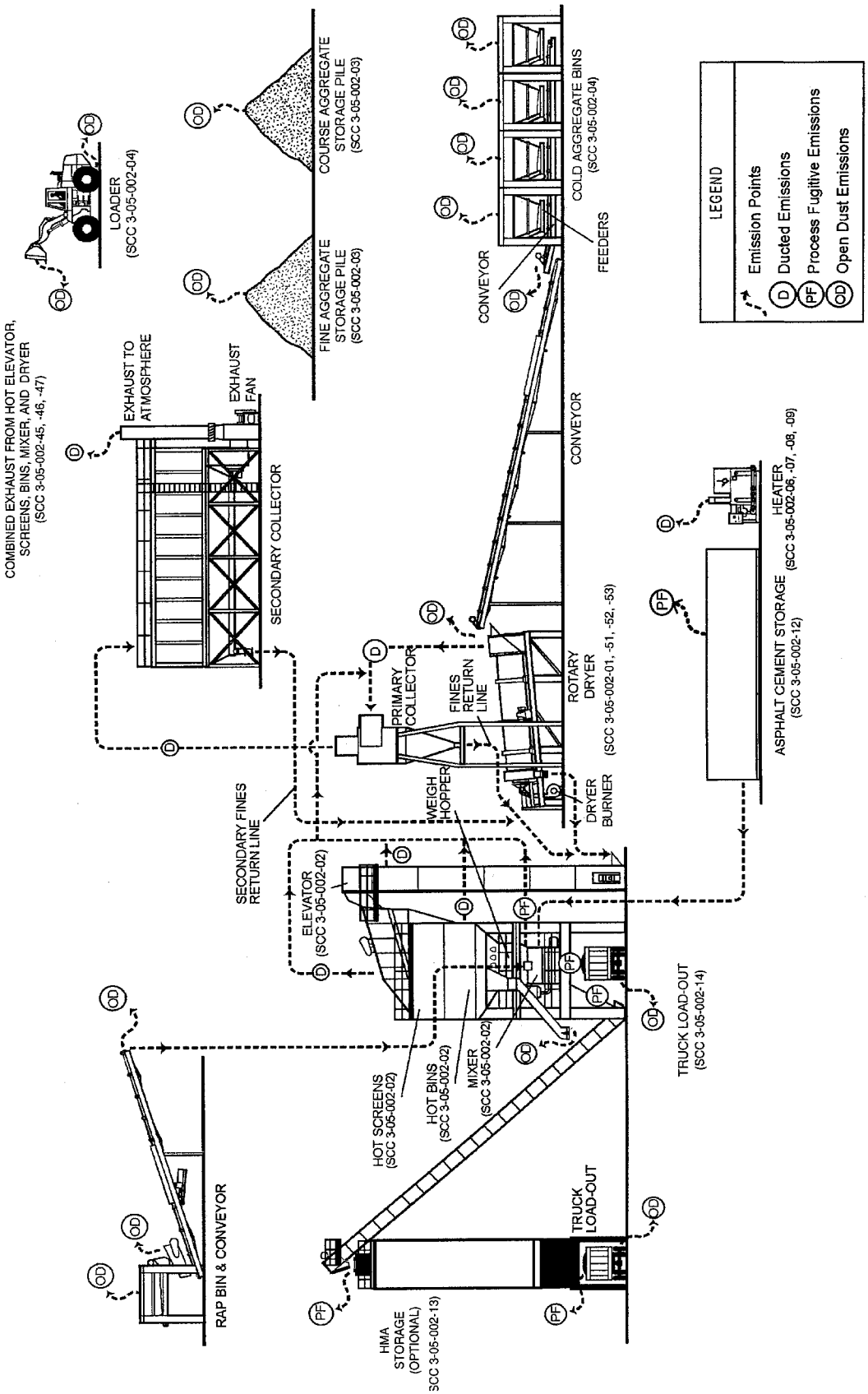

Figure 1. General process flow diagram for batch mix asphalt plants (source classification codes in parentheses).

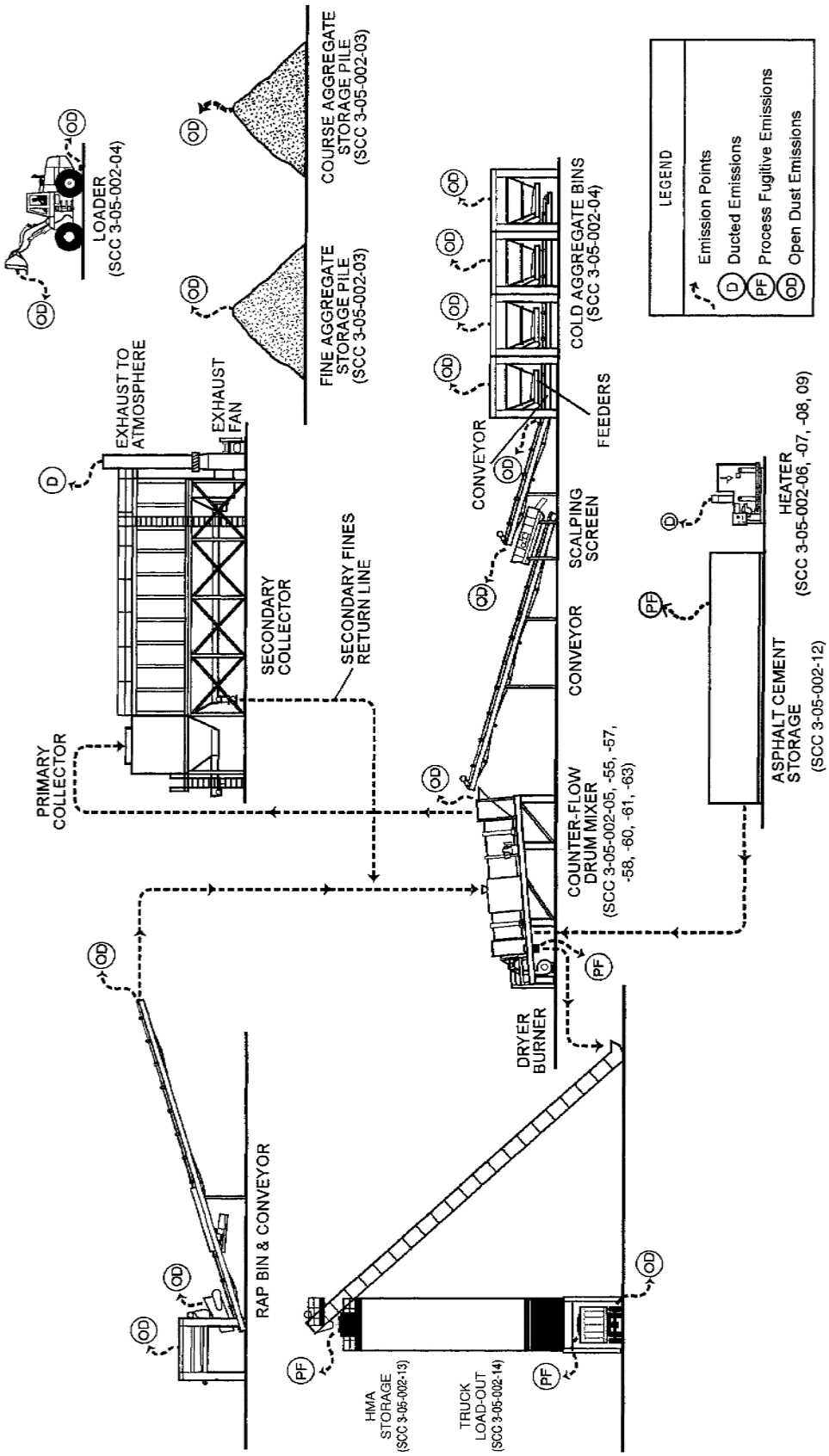

Figure 2. General process flow diagram for counter-flow drum mix asphalt plants (source classification codes in parentheses).

TABLE 1. ESTIMATED ANNUAL EMISSIONS FOR A TYPICAL BATCH MIX HMA FACILITY[a]

Pollutant	Annual emissions by source, pounds per year								
	Mobile sources (diesel exhaust)	Material handling and road dust	No. 2 fuel oil-fired dryer, hot screens, and mixer[b]	Natural gas-fired dryer, hot screens, and mixer[c]	Load-out[d]	Asphalt Storage[e]	Yard[f]	Total[g] (oil-fired)	Total[g] (gas-fired)
Criteria air pollutants									
Particulate matter less than 10 micrometers (PM-10)	46	7,900	2,700	2,700	52			10,700	10,700
Volatile organic compounds (VOC)	100		820	820	391	32	110	1,500	1,500
Carbon monoxide (CO)	700		40,000	40,000	135	3	35	41,000	41,000
Sulfur dioxide (SO_2)	22		8,800	460				8,800	480
Nitrogen oxides (NO_x)	380		12,000	2,500				12,400	2,900
Hazardous air pollutants (HAPs)									
Polycyclic aromatic hydrocarbons (PAHs)	0.035		11	11	2.0	0.12		13	13
Phenol					0.40			0.40	0.40
Volatile HAPs	1.9		751	751	6.2	140	1.6	760	760
Metal HAPs			1.4	1.4				1.4	1.4
Total HAPs[g]	1.9		760	760	8.6	140	1.6	770	770

[a] Based on an annual HMA production rate of 100,000 tons per year.
[b] Between 10 and 30 percent of the HMA is produced using fuel oil.
[c] Between 70 and 90 percent of the HMA is produced using natural gas.
[d] Loading of HMA into haul trucks.
[e] Includes emissions from oil-fired hot oil heaters.
[f] Fugitive emissions from loaded trucks prior to departure to the job site.
[g] Total expressed using two significant figures.

TABLE 2. ESTIMATED ANNUAL EMISSIONS FOR A TYPICAL DRUM MIX HMA FACILITY[a]

Pollutant	Annual emissions by source, pounds per year									
	Mobile sources (diesel exhaust)	Material handling and road dust	No. 2 fuel oil-fired dryer[b]	Natural gas-fired dryer[c]	Load-out[d]	Silo filling[e]	Asphalt storage[f]	Yard[g]	Total[h] (oil-fired)	Total[h] (gas-fired)
Criteria air pollutants										
Particulate matter less than 10 micrometers (PM-10)	220	26,000	4,600	4,600	104	117			31,000	31,000
Volatile organic compounds (VOC)	190		6,400	6,400	782	2,440	64	220	10,000	10,000
Carbon monoxide (CO)	1,200		26,000	26,000	270	236	6	72	28,000	28,000
Sulfur dioxide (SO_2)	26		2,200	680					2,200	710
Nitrogen oxides (NO_x)	560		11,000	5,200					12,000	5,800
Hazardous air pollutants (HAPs)										
Polycyclic aromatic hydrocarbons (PAHs)	0.13		176	37	4.0	5.8	0.12		190	50
Phenol					0.80				0.80	0.80
Volatile HAPs	6.6		1,560	1,020	12.4	31	140	3.3	1,800	1,200
Metal HAPs			19	16					19	16
Total HAPs[h]	6.7		1,800	1,100	17	37	140	3.3	2,000	1,300

[a] Based on an annual HMA production rate of 200,000 tons per year.
[b] Between 10 and 30 percent of the HMA is produced using fuel oil.
[c] Between 70 and 90 percent of the HMA is produced using natural gas.
[d] Loading of HMA into haul trucks
[e] Filling of temporary storage silo prior to load-out.
[f] Includes emissions from oil-fired hot oil heaters.
[g] Fugitive emissions from loaded trucks prior to departure to the job site.
[h] Total expressed using two significant figures.

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2. ASSESSMENT OF HOT MIX ASPHALT EMISSIONS

This section presents the results of an assessment of emissions from HMA manufacturing. An overview of the HMA industry and process operations is provided first (Section 2.1). Section 2.2 summarizes the methodology used to develop emission factors for the HMA industry. Section 2.3 identifies other sections of AP-42 that apply to HMA plants. An overview of the process for conducting an emission inventory is presented in Section 2.4, and Section 2.5 presents estimates of annual emissions from typical HMA facilities.

2.1 INDUSTRY OVERVIEW AND PROCESS DESCRIPTION[1]

Hot mix asphalt paving materials are a mixture of well-graded, high-quality aggregate and liquid asphalt cement, which is heated and mixed in measured quantities. The aggregate often includes RAP. Aggregate and RAP (if used) constitute over 92 percent by weight of the total mixture. Aside from the amount and grade of asphalt cement used, mix characteristics are determined by the relative amounts and types of aggregate and RAP used. A certain percentage of fine aggregate (less than 74 micrometers [μm] in physical diameter) is required for the production of good quality HMA.

Hot mix asphalt plants can be classified by their mixing operation as one of the following: (1) batch mix plants, (2) continuous mix (mix outside dryer drum) plants, (3) parallel flow drum mix plants, and (4) counterflow drum mix plants. An HMA plant can be constructed as a permanent plant, a skid-mounted (easily relocated) plant, or a portable plant. All plants can have RAP processing capabilities.

In 1996, approximately 500 million tons of HMA were produced at the 3,600 (estimated) active asphalt plants in the United States. Of these 3,600 plants, approximately 2,300 are batch plants, 1,000 are parallel flow drum mix plants, and 300 are counterflow drum mix plants. The total 1996 HMA production from batch and drum mix plants is estimated at about 250 million tons and 260 million tons, respectively. About 85 percent of new plants being constructed today are of the counterflow drum mix design, while batch plants and parallel flow drum mix plants account for 10 percent and 5 percent respectively. Continuous mix plants represent a very small fraction of the plants in use ($\leq$0.5 percent) and, therefore, are not discussed further. While most HMA plants have the capability to use both fuel oil and natural gas, it is estimated that between 70 and 90 percent of the HMA in the U. S. is produced using natural gas. The process operations at typical batch mix and drum mix plants are described in the following paragraphs.

2.1.1 Batch Mix Plants[2]

Processing begins as the aggregate is hauled from onsite storage piles and is placed in the appropriate hoppers of the cold feed unit. The material is metered from the hoppers onto a conveyer belt and is transported into a rotary dryer (typically gas- or oil-fired). As the hot aggregate leaves the dryer, it drops into a bucket elevator, is transferred to a set of vibrating screens, then separated into as many as four different grades (sizes), and dropped into "hot" bins according to size. At newer facilities, RAP may be transferred to a separate heated storage bin. At the same time, liquid asphalt cement is pumped from a heated storage tank to an asphalt bucket, where it is weighed to achieve the desired aggregate-to-asphalt cement ratio in the final mix. To control the aggregate size distribution in the final batch mix, the operator transfers material from various hot bins (and RAP bins, if used) to a weigh hopper until the desired mix

[1] See Appendix A, Section 11.1.1, and Appendix B, Section 2.1, for more detailed information.

[2] See Appendix A, Section 11.1.1.1, and Appendix B, Section 2.2.1, for more detailed information.

and weight are obtained. The aggregate from the weigh hopper is dropped into the mixer (pug mill) and dry-mixed for 6 to 10 seconds. The liquid asphalt is then dropped into the pug mill where it is mixed for an additional period of time. At older plants, RAP typically is conveyed directly to the pug mill from a storage hopper and combined with the hot aggregate. Total mixing time usually is less than 60 seconds. Then, the hot mix is conveyed to a hot storage silo or is dropped directly into a truck and hauled to the job site. Figure 1 depicts a typical batch mix plant.

2.1.2 Drum Mix Plants[3]

This process is a continuous mixing type process. The major difference between this process and the batch process is that the dryer is used not only to dry the material but also to mix the heated and dried aggregates with the liquid asphalt cement. In a parallel flow drum mixer, the aggregate is introduced to the drum at the burner end. As the drum rotates, the aggregate, as well as the combustion products from the burner, move toward the other end of the drum in parallel. Liquid asphalt cement is introduced in the mixing zone midway down the drum in a lower temperature zone, along with any RAP and PM from collectors. In a counterflow drum mixer, the material flow in the drum is opposite or counterflow to the direction of exhaust gases. In addition, the liquid asphalt cement mixing zone is located behind the burner flame zone so as to remove the materials from direct contact with hot exhaust gases. After mixing, the mixture is discharged at the end of the drum and is conveyed to either a surge bin or HMA storage silos. Figure 2 illustrates a counterflow drum mix plant.

In a parallel flow mixer, the exhaust gases also exit the end of the drum and pass on to the collection system. Parallel flow drum mixers have an advantage, in that mixing in the discharge end of the drum captures a substantial portion of the aggregate dust, therefore lowering the load on the downstream PM collection equipment. For this reason, most parallel flow drum mixers are followed only by primary collection equipment (usually a baghouse or venturi scrubber). However, because the mixing of aggregate and liquid asphalt cement occurs in the hot combustion product flow, organic emissions (gaseous and liquid aerosol) may be greater than in other processes.

Counterflow drum mix plants likely will have organic stack emissions (gaseous and liquid aerosol) that are lower than parallel flow drum mix plants because the liquid asphalt cement, virgin aggregate, and RAP are mixed in a zone removed from the exhaust gas stream. A counterflow drum mix plant normally can process RAP at ratios up to 50 percent with little or no observed effect upon emissions.

2.1.3 Recycle Processes[4]

Reclaimed asphalt pavement significantly reduces the amount of new aggregate and asphalt cement needed to produce HMA. In the reclamation process, old asphalt pavement is removed from the road base. This material is then transported to the plant, and is crushed and screened to the appropriate size for further processing. The paving material then is heated and mixed with new aggregate (if applicable), and the proper amount of new asphalt cement is added to produce HMA that meets the quality requirements of the customer.

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[3] See Appendix A, Sections 11.1.1.2 and 11.1.1.3, and Appendix B, Sections 2.2.2 and 2.2.3, for more detailed information.

[4] See Appendix A, Section 11.1.1.4, and Appendix B, Section 2.2.4, for more detailed information.

2.1.4 Emissions and Controls[5]

Hot mix asphalt plants have two major categories of emissions: ducted sources (those vented to the atmosphere through some type of stack, vent, or pipe), and fugitive sources (those not confined to ducts and vents but emitted directly from the source to the ambient air). Dryers are the most significant ducted sources of emissions from both batch mix and drum mix HMA plants. Emissions from these sources consist of water (as steam evaporated from the aggregate); PM; products of combustion (carbon dioxide [CO_2], NO_x, and sulfur oxides [SO_x]); CO; and small amounts of organic compounds of various species (including VOC, methane [CH_4], and HAPs). The CO and organic compound emissions result from incomplete combustion of the fuel and also are released from the heated asphalt.

At batch mix plants, other potential process sources include the hot-side conveying, classifying, and mixing equipment, which are vented to either the primary dust collector (along with the dryer gas) or to a separate dust collection system. These emissions are mostly aggregate dust, but they also may contain gaseous organic compounds, CO, and a fine aerosol of condensed organic particles. This organic aerosol is created by the condensation of gas into particles during cooling of organic vapors volatilized from the asphalt cement in the mixer. The amount of organic aerosol produced depends to a large extent on the temperature of the asphalt cement and aggregate entering the mixer. Organic vapor and its associated aerosol also are emitted directly to the atmosphere as process fugitives during truck load-out, from the bed of the truck itself during transport to the job site, and from the asphalt storage tank. Both the low molecular weight organic compounds and the higher weight organic aerosol may contain small amounts of HAP. The ducted emissions from the heated asphalt storage tanks may include gaseous and aerosol organic compounds and combustion products from the tank heater.

At most HMA facilities, fabric filters are used to control emissions from dryers. Other controls used include mechanical collectors and scrubbers. Emissions from aggregate handling and transfer typically are controlled with fabric filters or scrubbers. Large diameter cyclones and settling chambers also are used as product recovery devices. The material collected in those devices is recycled back into the process.

There also are a number of fugitive dust sources associated with batch mix HMA plants, including vehicular traffic generating fugitive dust on paved and unpaved roads, aggregate material handling, and other aggregate processing operations.

2.2 EMISSION FACTOR DEVELOPMENT FOR AP-42 SECTION 11.1, HOT MIX ASPHALT PLANTS

A detailed description of how the emission factors were developed for the HMA industry is provided in Section 4 of Appendix B. The following paragraphs summarize the methodology used.

To develop emission factors for the HMA industry, data from about 390 emission test reports and other documents on the industry were compiled and reviewed (a complete list of these references is provided following Section 4 of Appendix B). The majority of these reports documented measurements of emissions from batch plant dryer/mixers and drum plant dryers. Through a careful screening process, 35 of the reports were determined to be unusable for emission factor development and were excluded from further evaluation. About 350 reports remained and were compiled by plant type, emission source, pollutant, and emission control. These emission factors were then grouped by source, pollutant, and

[5] See Appendix A, Section 11.1.2, and Appendix B, Section 2.3, for more detailed information.

control device, and an average emission factor was calculated for each group. Table 3 presents a matrix of all of the sources and pollutants for which emission factors are presented in AP-42 (Appendix A).

While the particulate, CO_2, CO, and TOC emission factors are based on over 100 tests, most of the remaining criteria pollutant emission factors are based on between 5 and 10 tests. A few HAP emission factors are based on more than 5 tests, although the majority are based on between 2 and 5 tests. Information on the supporting data for specific emission factors and the quality rating assigned to the emission factor is included in the section or table in Appendices A and B as indicated in Table 4. Column four of Table 4 references the tables in Appendix A that present the emission factors and quality ratings. Column five of Table 4 references the paragraphs in Appendix B that discuss the basis for the emission factors developed for all of the sources and pollutants. Column six of Table 4 references the tables in Appendix B that present the emission factors and the individual data used to develop the emission factors. Generally, the amount of supporting data is typical of many AP-42 sections. However, the amount of data supporting the particulate, CO_2, CO, and TOC emission factors is greater than most AP-42 sections. The following paragraphs summarize the procedures followed to develop the emission factors for HMA facilities.

2.2.1 Batch Mix and Drum Mix Dryers

The usable data on batch mix and drum mix plant dryer emissions were compiled according to source type, emission control, and pollutant. Data on fuel types, the percentage of RAP used in the mix, and the process operating rate (e.g., dryer production rate) also were recorded. The quality of the emission data was evaluated with respect to the level of documentation in the report, the test methods used, the number of test runs, and any reported problems with the sampling procedures or the operation of the source during the test period. On the basis of this evaluation, data ratings of A, B, C, or D were assigned to each data set. Specific procedures used to evaluate the data are specified in *Procedures for Preparing Emission Factor Documents (*EPA-454/R-95-015).

For each emission test, an emission factor also was calculated for each pollutant sampled. These test-specific emission factors then were grouped according to source type, emission control device, pollutant, and, in the case of combustion sources, fuel type. At this stage in the process, D-rated data sets were discarded, provided there were higher quality data available for that particular group (i.e., that specific combination of source, control, fuel, and pollutant). In addition, where there were data from multiple tests on the same specific emission source, the test-specific emission factors were averaged to yield a source-specific emission factor. In subsequent calculations, this source-specific emission factor was used.

A statistical analysis of the data for batch and drum mix dryers was performed to determine the effects of RAP content, fuel type, production rate on emissions of several pollutants. The analysis showed no strong correlation between these parameters and emission factors. Details on the statistical analysis can be found in Section 4.3 of Appendix B.

To develop emission factors, the mean of the test-specific emission factors was calculated for each of the emission factor groups discussed above. In some cases, the data for two or more groups were combined and an overall mean emission factor was calculated. For example, if the data indicated that fuel type had no apparent effect on emissions of a specific pollutant, fuel type was ignored and all of the data for that source type and pollutant were combined. The final step in developing emission factors is to assign a quality rating of A, B, C, D, or E. Quality ratings are a function primarily of the number of data points

from which a specific emission factor is calculated. Additional information on the rating system used is discussed in Section 3 of Appendix B.

2.2.2 Hot Oil Heaters

For hot oil heaters, only a single test report for an oil-fired hot oil heater was available. The report was reviewed and the emission factors compiled using the procedures described previously. Appendix B, Section 4.2.4.2, provides a detailed description of how these emission factors were developed. It should be noted that most hot oil heaters are gas-fired, and the emission factors developed from the available data would not necessarily be representative of gas-fired heaters.

2.2.3 Truck Load-Out

Truck load-out emissions were developed from two emission tests sponsored by the U. S. Environmental Protection Agency (EPA) (Appendix B References 355 and 356). In designing, performing and evaluating these two tests, EPA was involved with a number of groups. The groups included citizens, State and local health agencies, State and local air pollution control agencies, and industry associations. These different groups provided input on the selection of facilities for emissions testing, the design of the test program, reviewed the individual site-specific test plans, observed emissions testing, commented on the draft test reports and provided suggestions for analysis of the data to develop emission factors. The procedures used to develop emission factors generally were the same as those described above. However, additional steps were taken to ensure the quality and consistency of the data and the representativeness and universality of the emission factors developed from the data. For example, two quality assurance scientists from Research Triangle Institute were employed to independently audit the test. These additional steps are summarized below. Detailed explanations of the methodology used are provided in Section 4.4 of Appendix B.

At one of the facilities the sampling area was enclosed but did not meet EPA requirements for a total enclosure. Consequently, the capture efficiency was quantitatively estimated and the data were corrected for capture efficiency.

At one facility, emissions due to diesel truck operation could not be segregated from emissions due to truck load-out. Therefore, background concentrations also were sampled. To account for background levels of various pollutants emitted from truck operation, the as-measured background concentrations were subtracted from the capture efficiency corrected load-out emission concentrations. For the most part, values were treated as zero if the background concentration exceeded the capture-efficiency-adjusted run concentration.

Because the asphalt types and temperatures for the two facilities differed, adjustments also were made to normalize the emission data. To account for differences in the volatility of the liquid asphalts used, samples of asphalt were collected during the emission tests and analyzed by ASTM Method D 2872-88, *Effects of Heat and Air on a Moving Film of Asphalt (Rolling Thin Film Oven Test - RTFOT)* to determine the "loss-on-heating" values for the asphalts. Additional loss-on-heating data also were obtained from several State departments of transportation laboratories in order to determine a common RTFOT value to use as a default in those situations where no historical information is available. Based upon the RTFOT data collected and the desire to select a default which encourages the use of site-specific data, a default of -0.5 percent was selected as a default value for use in the predictive emission factor equations developed from the data.

To account for differences in the load-out temperatures of the two facilities the data were adjusted using the Clausius-Clapeyron equation, which relates vapor pressure and temperature of a substance. This equation and the asphalt laboratory data provide a mechanism to normalize the emissions to a temperature of 325°F, which is the maximum midpoint load-out temperature recommended by the Asphalt Pavement Environmental Council's Best Practices Guide dated March 2000.

Using the adjusted data and the temperature and volatility relationship described above, separate predictive emission factor equations were developed for emissions of total PM, organic PM, total organic compounds (TOC), and CO from drum mix and batch mix load-out operations. Additionally, adjusted data for a variety of HAP's were used to develop ratios of the HAP pollutant to either organic PM or TOC (speciation profiles). These speciation profiles are applicable to load-out emissions and yard emissions.

2.2.4 Silo Filling

Silo filling emission factors were developed from one of the emission tests described in the previous paragraphs for load-out emissions (Appendix B Reference 355). These data also were collected and evaluated with stakeholder involvement. Additionally, the same basic methodology described in the previous paragraphs for load-out emissions was used to adjust the data on emissions from silo filling operations. Predictive emission factor equations also were developed for total PM, organic PM, TOC, and CO. A detailed explanation of the methodology used to develop these equations is provided in Section 4.4.4 of Appendix B. Speciation profiles for silo filling emissions were also developed using the methodology described for load-out emissions. The speciation profiles from silo filling are applicable to asphalt storage tank emissions.

2.2.5 Asphalt Storage Tanks

To estimate emissions from heated organic liquid storage tanks, the methodologies described in Chapter 7 of AP-42 and the TANKS software are generally used. The emissions from these types of tanks depend on the contents of the tank, the volume of gas vented, and the operating temperature range of the liquid in the tank. Emissions during the filling of these tanks (working loss) are governed by the saturation concentration of the liquid stored in the tank and the volume of gas displaced by the addition of liquid to the tank. Emissions during other periods (breathing losses) are governed by the saturation concentration of the liquid stored in the tank and the changes in the volume of the gas caused by temperature variations. Although vapor pressure information on paving asphalt is not available to allow the use of the TANKS program without additional information, information was available from the silo filling test report to infer emissions during the filling of the asphalt storage tank and, by extension, the vapor pressure characteristics of paving asphalt at the typical operating temperatures. Using these data, input values for Antoine's equation and liquid and vapor molecular weight were developed for use with the TANKS program to calculate working and breathing losses for asphalt storage tanks. A detailed explanation of the methodology used to develop these values is presented in Section 4.4.5 of Appendix B.

2.2.6 Yard Emissions

At one of the EPA-sponsored emission tests described in the previous paragraphs for load-out emissions (Appendix B Reference 355), data also were collected on fugitive emissions from loaded trucks as they sat in the yard prior to departure for the job site. As with the other data from this reference, these data were evaluated with stakeholder involvement. The data obtained were fitted to a power function in order to develop an equation for these yard emissions as a function of time. A specific emission factor for cumulative emissions over an 8-minute period (which represents the maximum time represented by the

data) was calculated using the power function equation developed from the emission data. A detailed explanation of the methodology used to develop the equations and the emission factor is provided in Section 4.4.6 of Appendix B.

2.3 OTHER APPLICABLE AP-42 SECTIONS

Emission factors for other generic sources associated with HMA facilities can be found in other sections of AP-42 (http://www.epa.gov/ttn/chief/ap42/index.html). As discussed above, methodologies for estimating emissions from asphalt storage tanks can be found in Chapter 7 of AP-42. Methods for estimating fugitive dust emissions from vehicular traffic are presented in AP-42 Chapter 13 (Sections 13.2.1 and 13.2.2). Material handling emissions and storage pile emissions are addressed in AP-42 Chapter 11 (Section 11.19.2) and Chapter 13 (Section 13.2.4). Emission factors for truck exhaust are provided in AP-42 Volume II: Mobile Sources (http://www.epa.gov/oms/ap42.htm).

To calculate the material handling and mobile source emission estimates presented in Tables 1 and 2 of this report, suitable emission factors for these material handling and mobile sources were determined. The following paragraphs describe the basis for the emission factors that were used:

- Receipt of new aggregate – Used equation from AP-42 Section 13.2.4, assuming an average moisture content of 1.5 percent and an average wind speed of 10 miles per hour (mph). The resulting PM-10 emission factor is 0.0041 lb/ton of new aggregate. The resulting PM-2.5 emission factor is 0.0013 lb/ton of new aggregate.
- Transfer of aggregate from storage to conveyor belt or between conveyor belts – Used controlled emission factor from AP-42 Section 11.19.2. The PM-10 emission factor is 0.000048 lb/ton of new aggregate.
- Screening of aggregate – Used controlled emission factor from AP-42 Section 11.19.2. PM-10 emission factor is 0.00084 lb/ton of new aggregate.
- RAP crushing – Used controlled tertiary crushing emission factor from AP-42 Section 11.19.2. PM-10 emission factor is 0.00059 lb/ton of new aggregate.
- Paved road dust emissions – Used paved roads equation from AP-42 Section 13.2.1, assuming an average vehicle weight of 22 tons and a road silt content of 3 grams per square meter. The resulting PM-10 emission factor is 0.016 lb per vehicle mile traveled. The resulting PM-2.5 emission factor is 0.0040 lb per vehicle mile traveled.
- Unpaved road dust emissions – Used unpaved roads equation from AP-42 Section 13.2.2, assuming an average vehicle weight of 6 tons, a road silt percentage of 10 percent, a surface moisture content of 0.7 percent. The resulting PM-10 emission factor is 2.04 lb per vehicle mile traveled. The resulting PM-2.5 emission factor is 0.29 lb per vehicle mile traveled.
- Diesel exhaust emissions – Used heavy duty diesel truck emission factors for idling and for an average speed of 10 mph with a 250 brake horsepower engine. The diesel engines get 10 miles per gallon at 10 mph and burn 1 gallon per hour (gal/hr) of fuel at idle. The sulfur content of diesel fuel is 0.05 percent. At idle, the emissions factors for diesel engines are: VOC - 0.208 grams per minute (g/min) (0.00046 pound per minute [lb/min]), CO - 1.57 g/min (0.0035 lb/min), NO_x - 0.917 g/min (0.0020 lb/ min), SO_2 - 0.157s pounds per gallon of fuel (lb/gal) (where s is fuel sulfur content) and PM - 0.043 g/min (0.000095 lb/min). When traveling at an average speed of 10 mph, the emission factors for diesel engines are: VOC - 3.18 grams per mile (g/mile) (0.0070 pounds per mile [lb/mile]), CO - 18.82 g/mile (0.041 lb/mile), NO_x - 8.50 g/mile (0.019 lb/mile), SO_2 - 0.157s lb/gal fuel (where s is fuel sulfur content), and PM - 0.1011 grams per brake horsepower hour (0.00022 pounds per horsepower hour). For organic HAP emissions - Used medium duty diesel truck emission

factors from article by Schauer, et. al., in Environmental Science & Technology of May 15, 1999. The volatile HAP emission factors presented were 0.084 grams per kilometer (g/km) (0.00030 lb/mile) and 0.0016 g/km (0.0000057 lb/mile) for PAHs.

The ducted and process fugitive emissions estimates presented in Tables 1, 2, 7, and 11 are based on the following additional assumptions:

- 84,800 ton/yr of new aggregate for batch mix plant.
- 10,000 ton/yr of recycled pavement for batch plant.
- 1.25 million gallons (5,200 tons) of asphalt for batch plant.
- 150,900 ton/yr of new aggregate for drum mix plant.
- 40,000 ton/yr of recycled pavement for drum mix plant.
- 2.5 million gallons (10,400 tons) of asphalt for drum mix plant.
- Two 18,000-gallon asphalt storage tanks.
- Five open conveyor transfer points for new aggregate.
- Front end loader travel over unpaved roads of 0.25 mile per ton of RAP used.
- Vehicle travel over paved roads of 1.5 miles per 25 tons of HMA produced.
- Vehicle idling time of 128,000 min (an average of 4 trucks in line during the average 8-minute load-out time) for batch plant.
- Vehicle idling time of 72,000 min (an average of 6 trucks in line during the average 1.5-minute load-out time) for drum mix plant.

2.4 EMISSION INVENTORY FOR TYPICAL HOT MIX ASPHALT PLANTS

To perform an emission inventory for a typical HMA plant, the first step is to identify the types of emission sources and to count the total number of each type of source. The next step is to identify the best emission estimation tools, which include: (1) facility-specific emissions test data; (2) source-specific emission factors; (3) other types of source-specific data, such as mass balance data; (4) emission factors for similar sources; (5) emission factors for sources that are believed to be somewhat similar to the source being considered; and (6) engineering estimates. After selecting appropriate emission estimation tools, activity factors, such as production rates, should be determined for each source so that emissions can be estimated for a specified period of time. The emissions over the specified period of time for each source and pollutant then are summed to complete the emission inventory. Appendix C provides more detailed information on procedures for performing an emission inventory at an HMA plant.

2.5 EMISSION ESTIMATES FOR TYPICAL HOT MIX ASPHALT PLANTS

Tables 1 and 2 present annual estimates of emissions of criteria pollutants and HAPs for typical batch mix and drum mix HMA plants, respectively. The estimates presented in these tables account for the most significant emission sources at each type of facility. Tables 5 through 12 present more detailed annual emission estimates for typical batch and drum mix HMA plants. Table 5 summarizes the estimated emissions from a typical batch mix plant dryer, hot screens, and mixer. Included in the table are estimates for criteria pollutants as well as specific PAHs, volatile HAPs, and metal HAPs for which emission factors were developed. Estimated annual criteria pollutant, PAH and volatile HAP emissions from typical batch mix plant load-out operations and asphalt storage tank are summarized in Tables 6 and 7. Tables 8, 9, 10, and 11 summarize the estimated annual emissions from a typical drum mix plant dryer, load-out operations, silo filling operations, and asphalt storage tank respectively. These tables includes estimates for criteria pollutants, PAHs, volatile HAPs, and metal HAPs for which emission factors were developed. Finally, Table 12 presents estimates of fugitive emissions from loaded trucks (yard emissions) for a typical

batch mix and drum mix plant. The emissions estimates presented in Tables 5 through 12 are based on the emission factors developed for the HMA industry and the following assumptions:

- Batch mix plant and drum mix plant dryers are fueled with either natural gas or fuel oil. It is estimated that between 70 and 90 percent of HMA plants use natural gas, although some HMA plants use fuel oil as an alternative to natural gas. As shown in Tables 5 and 8, fuel oil-fired mixers and dryers have higher emissions of SO_2, NO_x, and some HAPs.
- Batch mix plant dryer, hot screens, and mixer and drum mix plant dryer emissions are controlled with fabric filters.
- PM emissions from load-out and silo filling are entirely PM-10. (However, the organic portion of these emissions also can be assumed to be PM-2.5. Information is available in AP-42 Appendix B.1, Particle Size Distribution Data and Sized Emission Factors for Selected Sources, for categorizing the inorganic or filterable PM into PM-10 and PM-2.5 fractions.)
- Average asphalt loss on heating is -0.5 percent (asphalt volatility).
- Average HMA load-out temperature is 325°F.
- The typical HMA plant has two asphalt storage tanks that are 50 feet long and 8 feet in diameter. It is estimated that these storage tanks require a total heating capacity of about 200,000 Btu/hr, based on a heat loss of 60 Btu/ft^2 of tank surface area. The asphalt storage tanks are kept at 325°F continuously for the five months the HMA plant operates. As a result, 720 million Btu are used to maintain the temperature of the asphalt in the storage tank. For a gas-fired hot oil heater, 720,000 ft^3 of gas is combusted. For an oil-fired hot oil heater, 5,100 gallons of fuel oil are combusted. It should be noted that this fuel usage is about 3 percent of the fuel used in a typical batch mix plant and 1.6 percent of the fuel used in a typical drum mix plant.

TABLE 3. MATRIX OF EMISSION FACTORS DEVELOPED FOR HMA SOURCES

Plant type	Source	Criteria pollutants	HAPs	Other pollutants
Batch mix	Dryer, hot screens, and mixer	PM-10, NO_x, CO, SO_2, VOC	24 organic HAPs 9 metal HAPs	CO_2 4 other organics 3 other metals
	Hot oil heaters		22 organic HAPs	
	Load-out	PM, CO, VOC,	41 organic HAPs	3 other organics
	Yard emissions	VOC	19 organic HAPs	
Drum mix	Dryer	PM-10, NO_x, CO, SO_2, VOC	58 organic HAPs 11 metal HAPs	CO_2 15 other organics, 6 other metals
	Hot oil heaters		22 organic HAPs	
	Load-out	PM, CO, VOC	41 organic HAPs	3 other organics
	Silo filling	PM, CO, VOC	28 organic HAPs	3 other organics
	Yard emissions	VOC	19 organic HAPs	

TABLE 4. LOCATIONS OF SUPPORTING DATA FOR EMISSION FACTORS

Plant Type	Source	Pollutant	Appendix A Table	Appendix B Section	Appendix B Table
Batch Mix	Dryer, hot screens, mixer	PM-10	11.1-1, 11.1-2	4.2.4.3.1-4.2.4.3.6	4-19
		CO	11.1-5	4.2.4.3.7	4-20
		CO_2	11.1-5	4.2.4.3.8	4-20
		NO_x	11.1-5	4.2.4.3.9	4-20
		SO_2	11.1-5	4.2.4.3.10	4-20
		TOC/VOC/methane	11.1-6	4.2.4.3.11, 4.2.4.3.12	4-20
		Speciated organics	11.1-9	4.2.4.3.12-4.2.4.3.15	4-22
		Trace metals	11.1-11	4.2.4.3.16	4-21
Drum Mix	Dryer/mixer	PM-10	11.1-3, 11.1-4	4.2.4.1.1-4.2.4.1.6	4-14
		CO	11.1-7	4.2.4.1.7	4-15
		CO_2	11.1-7	4.2.4.1.8	4-15
		NO_x	11.1-7	4.2.4.1.9	4-15
		SO_2	11.1-7	4.2.4.1.10	4-15
		TOC/VOC/methane	11.1-8	4.2.4.1.11	4-15
		HCl	11.1-8	4.2.4.1.18	4-17
		Speciated organics	11.1-10	4.2.4.1.12-4.2.4.1.15, 4.2.4.1.19	4-17
		Dioxin/furans	11.1-10	4.2.4.1.17	4-17
		Trace metals	11.1-12	4.2.4.1.16	4-16
Batch or Drum Mix	Hot oil heater	Organic pollutants	11.1-13	4.2.4.2	4-18
	Load-out	PM, organic PM, TOC, CO, speciated organics	11.1-14 11.1-15 11.1-16	4.4.4	4-27 to 4-37, 4-43, 4-44
	Silo filling	PM, organic PM, TOC, CO, speciated organics	11.1-14 11.1-15 11.1-16	4.4.4	4-38 to 4-44
	Asphalt storage	Speciated organics	11.1-15 11.1-16	4.4.5	4-43, 4-44
	Yard emissions	Speciated organics	11.1-15 11.1-16	4.4.6	4-45, 4-46

TABLE 5. ESTIMATED ANNUAL EMISSIONS FOR A TYPICAL BATCH MIX PLANT DRYER, HOT SCREENS, AND MIXER[a]

Pollutant	Oil-fired dryer	Natural gas-fired dryer
	Emissions, lb/yr	
Criteria Pollutants		
PM-10	2,700	2,700
VOC	820	820
CO	40,000	40,000
SO_2	8,800	460
NO_x	12,000	2,500
PAHs (semi-volatile HAPs)		
Naphthalene	3.6	3.6
2-Methylnaphthalene	7.1	7.1
Acenaphthene	0.090	0.090
Acenaphthylene	0.058	0.058
Anthracene	0.021	0.021
Benzo(a)anthracene	0.00046	0.00046
Benzo(a)pyrene	0.000031	0.000031
Benzo(b)fluoranthene	0.00094	0.00094
Benzo(g,h,i)perylene	0.00005	0.00005
Benzo(k)fluoranthene	0.0013	0.0013
Chrysene	0.00038	0.00038
Dibenz(a,h)anthracene	0.0000095	0.0000095
Fluoranthene	0.016	0.016
Fluorene	0.16	0.16
Indendo(1,2,3-cd)pyrene	0.00003	0.00003
Phenanthrene	0.26	0.26
Pyrene	0.0062	0.0062
Total PAHs	11	11
Volatile HAPs		
Acetaldehyde	32	32
Benzene	28	28
Ethylbenzene	220	220
Formaldehyde	74	74
Quinone	27	27
Toluene	100	100
Xylene	270	270
Total Volatile HAPs	751	751
Metal HAPs		
Arsenic	0.046	0.046
Beryllium	0.015	0.015
Cadmium	0.061	0.061
Chromium	0.057	0.057
Lead	0.089	0.089
Manganese	0.69	0.69
Mercury	0.041	0.041
Nickel	0.3	0.3
Selenium	0.049	0.049
Total metal HAPs	1.35	1.35

[a] Dryer, hot screens, and mixer controlled by fabric filter producing 100,000 tons of hot mix asphalt per year. Between 70 and 90 percent of HMA is produced using natural gas; most of the remaining HMA is produced using fuel oil.

TABLE 6. ESTIMATED ANNUAL EMISSIONS FOR TYPICAL BATCH MIX PLANT LOAD-OUT OPERATIONS[a]

Pollutant	Emissions, lb/yr
Criteria Pollutants	
PM-10	52
VOC	391
CO	135
PAHs (semi-volatile HAPs)	
Acenaphthene	0.089
Acenaphthylene	0.0095
Anthracene	0.0239
Benzo(a)anthracene	0.0065
Benzo(b)fluoranthene	0.0026
Benzo(k)fluoranthene	0.00075
Benzo(g,h,i)perylene	0.00065
Benzo(a)pyrene	0.00078
Benzo(e)pyrene	0.0027
Chrysene	0.035
Dibenz(a,h)anthracene	0.00013
Fluoranthene	0.017
Fluorene	0.26
Indeno(1,2,3-cd)pyrene	0.00016
2-Methylnaphthalene	0.81
Naphthalene	0.43
Perylene	0.0075
Phenanthrene	0.28
Pyrene	0.051
Total PAHs	2.02
Other semi-volatile HAPs	
Phenol	0.40
Volatile HAPs	
Benzene	0.22
Bromomethane	0.040
2-Butanone	0.20
Carbon disulfide	0.054
Chloroethane	0.00087
Chloromethane	0.062
Cumene	0.46
Ethylbenzene	1.16
Formaldehyde	0.37
n-Hexane	0.62
Isooctane	0.0075
Methylene chloride	0.00
Methyl tert-butyl ether	0.00
Styrene	0.030
Tetrachloroethene	0.032
Toluene	0.87
1,1,1-Trichloroethane	0.00
Trichloroethene	0.00
Trichlorofluoromethane	0.0054
m-/p-Xylene	1.70
o-Xylene	0.33
Total volatile HAPs	6.18

[a] Uncontrolled emissions from 100,000 tons of hot mix asphalt per year.

TABLE 7. ESTIMATED ANNUAL EMISSIONS FOR TYPICAL BATCH MIX PLANT ASPHALT STORAGE TANK[a]

Pollutant	Emissions, lb/yr
Criteria Pollutants	
PM-10	ND
VOC	32
CO	3
PAHs (semi-volatile HAPs)	
Acenaphthene	0.0027
Acenaphthylene	0.0010
Anthracene	0.00092
Benzo(b)fluoranthene	0.00051
Fluoranthene	0.00022
Fluorene	0.00016
Naphthalene	0.087
Phenanthrene	0.025
Pyrene	0.00016
Total PAHs	0.12
Volatile HAPs	
Benzene	0.010
Bromomethane	0.0016
2-Butanone	0.012
Carbon disulfide	0.0051
Chloroethane	0.0012
Chloromethane	0.0074
Ethylbenzene	0.012
Formaldehyde	140
n-Hexane	0.032
Isooctane	0.000099
Methylene chloride	0.000086
Phenol	0.00
Styrene	0.0017
Toluene	0.020
m-/p-Xylene	0.061
o-Xylene	0.018
Total volatile HAPs	140

[a] Uncontrolled emissions from plant producing 100,000 tons of hot mix asphalt per year. Includes emissions from oil-fired hot oil heaters. All calculated PAH emissions and almost all of the formaldehyde emissions are from the oil-fired hot oil heater.

TABLE 8. ESTIMATED ANNUAL EMISSIONS FOR A TYPICAL DRUM MIX DRYER[a]

Pollutant	No. 2 fuel oil-fired dryer	Natural gas-fired dryer
	Emissions, lb/yr	
Criteria Pollutants		
PM-10	4,600	4,600
VOC	6,400	6,400
CO	26,000	26,000
SO_2	2,200	680
NO_x	11,000	5,200
PAHs (semi-volatile HAPs)		
2-Methylnaphthalene	34	15
Acenaphthene	0.28	0.28
Acenaphthylene	4.4	1.7
Anthracene	0.62	0.044
Benzo(a)anthracene	0.042	0.042
Benzo(a)pyrene	0.0020	0.0020
Benzo(b)fluoranthene	0.020	0.020
Benzo(e)pyrene	0.022	0.022
Benzo(g,h,i)perylene	0.0080	0.0080
Benzo(k)fluoranthene	0.0082	0.0082
Chrysene	0.036	0.036
Fluoranthene	0.12	0.12
Fluorene	2.2	0.76
Indeno(1,2,3-cd)pyrene	0.0014	0.0014
Naphthalene	130	18
Perylene	0.0018	0.0018
Phenanthrene	4.6	1.5
Pyrene	0.60	0.11
Total PAHs	180	37
Volatile HAPs		
Isooctane	8.0	8.0
Hexane	184	180
Benzene	78	78
Ethylbenzene	48	48
Formaldehyde	620	620
Methyl chloroform	9.6	9.6
Toluene	580	30
Xylene	40	40
Total volatile HAPs	1,568	1,020
Metal HAPs		
Lead	3	0.12
Mercury	0.52	0.048
Antimony	0.036	0.036
Arsenic	0.11	0.11
Beryllium	0.000	0.000
Cadmium	0.082	0.082
Chromium	1.1	1.1
Manganese	1.5	1.5
Nickel	12.6	12.6
Selenium	0.070	0.070
Total metal HAPs	19	16

[a] Dryer controlled by fabric filter producing 200,000 tons of hot mix asphalt per year. Between 70 and 90 percent of HMA is produced using natural gas; most of the remaining HMA is produced using fuel oil.

TABLE 9. ESTIMATED ANNUAL EMISSIONS FOR TYPICAL DRUM MIX PLANT LOAD-OUT OPERATIONS[a]

Pollutant	Emissions, lb/yr
Criteria Pollutants	
PM-10	104
VOC	780
CO	270
PAHs (semi-volatile HAPs)	
Acenaphthene	0.177
Acenaphthylene	0.0191
Anthracene	0.0477
Benzo(a)anthracene	0.013
Benzo(b)fluoranthene	0.0052
Benzo(k)fluoranthene	0.0015
Benzo(g,h,i)perylene	0.0013
Benzo(a)pyrene	0.00157
Benzo(e)pyrene	0.0053
Chrysene	0.070
Dibenz(a,h)anthracene	0.00025
Fluoranthene	0.034
Fluorene	0.53
Indeno(1,2,3-cd)pyrene	0.00032
2-Methylnaphthalene	1.62
Naphthalene	0.85
Perylene	0.015
Phenanthrene	0.55
Pyrene	0.10
Total PAHs	4.05
Other semi-volatile HAPs	
Phenol	0.80
Volatile HAPs	
Benzene	0.43
Bromomethane	0.080
2-Butanone	0.41
Carbon disulfide	0.11
Chloroethane	0.0017
Chloromethane	0.12
Cumene	0.91
Ethylbenzene	2.3
Formaldehyde	0.73
n-Hexane	1.25
Isooctane	0.015
Methylene chloride	0.00
Methyl tert-butyl ether	0.00
Styrene	0.06
Tetrachloroethene	0.064
Toluene	1.74
1,1,1-Trichloroethane	0.00
Trichloroethene	0.00
Trichlorofluoromethane	0.011
m-/p-Xylene	3.40
o-Xylene	0.66
Total volatile HAPs	12.35

[a] Uncontrolled emissions from 200,000 tons of hot mix asphalt per year.

TABLE 10. ESTIMATED ANNUAL EMISSIONS FOR TYPICAL DRUM MIX PLANT SILO FILLING OPERATIONS[a]

Pollutant	Emissions, lb/yr
Criteria Pollutants	
PM-10	120
VOC	2,400
CO	240
PAHs (semi-volatile HAPs)	
Acenaphthene	0.24
Acenaphthylene	0.0071
Anthracene	0.066
Benzo(a)anthracene	0.028
Benzo(e)pyrene	0.0048
Chrysene	0.11
Fluoranthene	0.076
Fluorene	0.51
2-Methylnaphthalene	2.7
Naphthalene	0.92
Perylene	0.015
Phenanthrene	0.91
Pyrene	0.22
Total PAHs	5.8
Other semi-volatile HAPs	
Phenol	0.00
Volatile HAPs	
Benzene	0.78
Bromomethane	0.12
2-Butanone	0.95
Carbon disulfide	0.39
Chloroethane	0.095
Chloromethane	0.56
Ethylbenzene	0.93
Formaldehyde	17
n-Hexane	2.4
Isooctane	0.0076
Methylene chloride	0.0066
Styrene	0.13
Toluene	1.5
m-/p-Xylene	4.6
o-Xylene	1.4
Total volatile HAPs	31

[a] Uncontrolled emissions from 200,000 tons of hot mix asphalt per year.

TABLE 11. ESTIMATED ANNUAL EMISSIONS FOR TYPICAL DRUM MIX PLANT ASPHALT STORAGE TANK[a]

Pollutant	Emissions, lb/yr
Criteria Pollutants	
PM-10	ND
VOC	64
CO	6
PAHs (semi-volatile HAPs)	
Acenaphthene	0.0027
Acenaphthylene	0.0010
Anthracene	0.00092
Benzo(b)fluoranthene	0.00051
Fluoranthene	0.00022
Fluorene	0.00016
Naphthalene	0.087
Phenanthrene	0.025
Pyrene	0.00016
Total PAHs	0.12
Volatile HAPs	
Benzene	0.020
Bromomethane	0.0031
2-Butanone	0.025
Carbon disulfide	0.010
Chloroethane	0.0025
Chloromethane	0.015
Ethylbenzene	0.024
Formaldehyde	140
n-Hexane	0.064
Isooctane	0.00020
Methylene chloride	0.00017
Phenol	0.00
Styrene	0.0035
Toluene	0.040
m-/p-Xylene	0.12
o-Xylene	0.036
Total volatile HAPs	140

[a] Uncontrolled emissions from plant producing 200,000 tons of hot mix asphalt per year. Includes emissions from an oil-fired hot oil heater. All of the calculated PAH emissions and almost all of the formaldehyde emissions are from the oil-fired hot oil heater.

TABLE 12. ESTIMATED ANNUAL YARD VOC EMISSIONS FOR TYPICAL BATCH MIX AND DRUM MIX HMA PLANTS[a]

	Batch mix[b]	Drum mix[c]
Pollutant	Emissions, lb/yr	
Criteria Pollutants		
PM-10	ND	ND
VOC	110	220
CO	36	72
PAHs (semi-volatile HAPs)	ND	ND
Other semi-volatile HAPs		
Phenol	0.00	0.00
Volatile HAPs		
Benzene	0.057	0.11
Bromomethane	0.011	0.021
2-Butanone	0.054	0.11
Carbon disulfide	0.014	0.029
Chloroethane	0.00023	0.0046
Chloromethane	0.017	0.033
Cumene	0.12	0.24
Ethylbenzene	0.31	0.62
Formaldehyde	0.10	0.19
n-Hexane	0.17	0.33
Isooctane	0.0020	0.0040
Methylene chloride	0.00	0.00
Styrene	0.0080	0.016
Tetrachloroethene	0.0085	0.017
Toluene	0.23	0.46
Trichlorofluoromethane	0.0014	0.0029
m-/p-Xylene	0.45	0.90
o-Xylene	0.088	0.18
Total volatile HAPs	1.6	3.3

[a] Fugitive VOC emissions from loaded haul truck for eight minutes after completion of load-out.
[b] Uncontrolled emissions from plant producing 100,000 tons of hot mix asphalt per year.
[c] Uncontrolled emissions from plant producing 200,000 tons of hot mix asphalt per year.

APPENDIX A

AP-42 Section 11.1
Hot Mix Asphalt Plants

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APPENDIX B

Emission Factor Documentation for AP-42 Section 11.1
Hot Mix Asphalt Production

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APPENDIX C

Chapter 3:
Preferred and Alternative Methods for Estimating
Air Emissions from Hot Mix Asphalt Plants
Emission Inventory Improvement Program (EIIP)
July 1996

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TECHNICAL REPORT DATA

(Please read Instructions on reverse before completing)

1. REPORT NO.	2.	3. RECIPIENT'S ACCESSION NO.
EPA-454/R-00-019		

4. TITLE AND SUBTITLE	5. REPORT DATE
Hot Mix Asphalt Plants Emission Assessment Report	December 2000
	6. PERFORMING ORGANIZATION CODE

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Ron Myers (EPA) Brian Shrager (MRI) Gary Brooks (ERG)	

9. PERFORMING ORGANIZATION NAME AND ADDRESS	10. PROGRAM ELEMENT NO.
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Office of Air Quality Planning and Standards Office of Air and Radiation U.S. Environmental Protection Agency Research Triangle Park, NC 27711	14. SPONSORING AGENCY CODE EPA/200/04

15. SUPPLEMENTARY NOTES

16. ABSTRACT The United States Environmental Protection Agency (EPA) Emission Factors and Inventory Group (EFIG) is investigating the Hot Mix Asphalt industry to identify and quantify criteria and hazardous air pollutants (HAP's) emitted from kiln stacks, transport truck loading and silo filling. EFIG obtained over 300 emission tests from kiln stacks that characterize emissions of criteria pollutants and hazardous air pollutants' emissions. EFIG requested that EPA's Emission Measurement Center (EMC) conduct the required testing of the transport truck and silo filling operations. Under separate EPA contracts, Midwest Research Institute (MRI) and Pacific Environmental Services (PES) performed two emissions tests. The primary objective of the testing program was to characterize uncontrolled emissions of the criteria pollutants particulate matter (PM) and total hydrocarbons (THC) and emissions of volatile and semi-volatile organic HAP's including polycyclic organic matter, phenol, benzene, toluene, xylene, ethyl benzene, 2-butanone, cumene, formaldehyde, hexane, isooctane and others. The results of the two test reports and responses to comments on these test reports are covered in separate EPA reports (EPA 454/R-00-024, EPA 454/R-00-025 (a through h), EPA 454/R-00-026, EPA 454/R-00-027, EPA 454/R-00-028 and EPA 454/R-00-029). This document characterizes hot mix asphalt plant operations, summarizes emissions from the typical batch mix and drum mix plants, presents emission factors specifically developed for hot mix asphalt plants and presents analyses used to develop the emission factors developed and presents information needed to inventory the emissions at hot mix asphalt plants.

17. KEY WORDS AND DOCUMENT ANALYSIS

a. DESCRIPTORS	b. IDENTIFIERS/OPEN ENDED TERMS	c. COSATI Field/Group
	Air Pollution control	

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Written Public Comments
3:00pm 4/28/2023

FW: Connell Resources Asphalt Plant

Patti Garcia <garciapa@wellingtoncolorado.gov>
Thu 4/27/2023 3:24 PM

To: chad.guides@gmail.com <chad.guides@gmail.com>
Cc: **Board of Trustees <boardoftrustees@wellingtoncolorado.gov>**;Cody Bird <birdca@wellingtoncolorado.gov>

Hi Chad –

Thank you for your email. The email you sent was to the Board of Trustees; the Planning Commission is a separate advisory board which will be considering the site plan for Connell Resources. Appeals of decisions made by the Planning Commission are made to the Board of Trustees so the Mayor and Trustees are not permitted to comment on this item as it could be considered ex-parte communications if there is an appeal.

I wanted to respond to you so that you understood why the Mayor and Trustees did not reply to your email. You can view the May 1, 2023 Planning Commission packet at this link https://www.wellingtoncolorado.gov/Archive.aspx?AMID=56.

Patti

TOWN OF WELLINGTON

Patti Garcia
Town Administrator
Mobile: (970) 473-6033
Email: garciapa@wellingtoncolorado.gov
Web: www.wellingtoncolorado.gov
8225 3rd Street, Wellington, CO 80549

From: Calar Chaussee <chausseec@wellingtoncolorado.gov>
Sent: Thursday, April 27, 2023 10:50 AM
To: Patti Garcia <garciapa@wellingtoncolorado.gov>
Subject: Fwd: Connell Resources Asphalt Plant

God Bless,
Mayor Chaussee
Ph:(970)652-3261

Begin forwarded message:

> **From:** Chad Mickschl <chad.guides@gmail.com>
> **Date:** April 27, 2023 at 10:39:17 MDT
> **To:** Calar Chaussee <chausseec@wellingtoncolorado.gov>, Eetzs@wellingtoncolorado.gov, David Wiegand <wiegandd@wellingtoncolorado.gov>, Brian Mason <masonb@wellingtoncolorado.gov>, Jon Gaiter <gaiterjm@wellingtoncolorado.gov>, Rebekka Dailey

<dailey rm@wellingtoncolorado.gov>
Subject: Connell Resources Asphalt Plant

Mayor and Trustees of Wellington,

I am a resident of Wellington in the Sage Meadows subdivision. I am writing to you all regarding the proposed development of the Connell Resources Asphalt Plant. I wanted to voice my thoughts and am very against the asphalt plant being built in its proposed location.

1. The town of Wellington was re-zoned in 2022 with the land that Connell Resources wants to develop zoned as Heavy Industrial. As Wellington was re-zoned, Heavy Industrial land came with setback requirements of 1000ft linear and 45ft height restrictions. The claim by Connell Resources that the land is not suitable for Heavy Industrial use with current setbacks should have led town planners to decide that this property should be re-zoned to Light Industrial to limit the setback needs. The need for a greater setback of 2640ft is actually more appropriate given the language in the Land Use Code Section 4.03.21 B curating toxic chemicals. Especially since it is adjacent to a residential neighborhood, a park and school. Additionally, the asphalt plant will not only impact the nearby neighborhoods, but our entire small town as the air quality will be impacted.

2. I have issues with the lack of informed decision making to grant the setback variance as well. It does not appear the town of Wellington has done any environmental (air quality, water quality and quantity, soil erosion and discharge), traffic impact, view shed impacts, noice, environmental justice for underserved communities, or economic impacts analysis that this will have on the health and safety of Wellington residents and wildlife such as migrating birds. The town must clearly understand and communicate to the public, the risks and/or benefits associated with the Asphalt Plant. This has yet to have been completed.

Based on other locations where Asphalt Plants are located near neighborhoods, property values decreased 56% according to Blue Ridge Environmental Defense League (BREDL). BREDL also found that 45% of residents living within a half mile of a new asphalt plant reported a deterioration of their health, which began after the plant opened. Known toxins also come with an Asphalt Plant such as odor, formaldehyde, hexane, phenol, polycyclic organic matter, and toluene. The CDC's National Institute for Occupational Safety & Health states, "Known carcinogens have been found in asphalt fumes generated at work sites."* Exposure to these air toxins may cause cancer, central nervous system problems, liver damage, respiratory problems, and skin irritation (EPA Asphalt Plant Emission Assessment Report 2000).

The town of Wellington has a number of human health and safety issues to deal with currently, they do not need to add another issue. The responsibility of the Town of Wellington and its elected representatives is the health, safety, and well being of its residents. If this asphalt plant is approved, the town is falling far short of this responsibility.

3. The economic impact on the residents and the town will be noticeable. Residents will lose property value and will likely look to move out of town. With issues Wellington is already trying to deal with (train crossings, water quality, water price, concentrated feed lots, close proximity to the highway), this will likely be the final thing to tilt residents to leave. Businesses will also likely leave and close as their consumers will leave town.

4. There are certainly better locations for the Asphalt Plant to be located. Connell Resources likes to mention that homes have been built in Fort Collins next to their plants, however that is a homeowners decision. With this approval in Wellington, homeowners were not able to make a decision to live next to an Asphalt Plant, the town of Wellington is poorly making that decision for them. As elected officials, you must stand up for your constituents.

There are large swaths of county land in Larmier and Weld where this could be located away from residential areas. Connell Resources claims that the counties don't want the Asphalt Plants, but there is a process to get those approved there. There are also areas within Weld County where these plants are welcomed. Connell Resources also claimed that they could open in Carr (where they get their aggregate) but its too cold and windy for transporting. There are common mitigations such as lining and insulating trucks for transport. These plants exist in far colder places than the Front Range of Colorado. It's time for the town of Wellington to STOP being Fort Collins' dumping ground.

5. One other concern is the lack of transparency with this proposal and process. I do not feel there has been adequate public notification of this controversial proposal. As I speak to residents in my neighborhood, people are not aware, but once they find out are very against the Asphalt Plant being built. The decision of permit the Asphalt Plant should absolutely be put on hold until there is an adequate public notification process completed.

Thank you for taking comments and I trust the right decision will be made regarding the health, safety, and viability of residents and the town of Wellington.

Chad Mickschl

6915 Grassy Range Dr

Written Public Comments
3:00pm 4/28/2023

Asphalt batch plant

M S <antisubmarine@yahoo.com>

Tue 4/25/2023 9:10 PM

To: Shirrell Tietz <tietzs@wellingtoncolorado.gov>;David Wiegand <wiegandd@wellingtoncolorado.gov>;Jon Gaiter <gaiterjm@wellingtoncolorado.gov>;daileyrm@wellingtoncolorado.gov <daileyrm@wellingtoncolorado.gov>;Calar Chaussee <chausseec@wellingtoncolorado.gov>;Cody Bird <birdca@wellingtoncolorado.gov>;Brian Mason <masonb@wellingtoncolorado.gov>

Town of Wellington

My grave disappointment in you is so profound. We bought our forever home 2 ½ years ago. My husband put in his retirement papers this week. This was supposed to be a time of relaxing and celebrating. Instead, we are trying to figure out where in the USA we want to live since Wellington is now off the table. Thanks to you, this is no longer our forever home, but our for-the-moment home. I have breathing issues. My neighbors with small children have contacted a realtor. You are breaking up my community. Soon our beautiful Wellington will look like LaPorte – only people who don't care about their property or communities will be living here. Why, why, why would you put our most beautiful park which means our children – our most sacred gifts – in a toxic environment? I hope your children and grandchildren live on the other side of town. I am especially disappointed that you didn't even ASK your own citizens. Thank you for the reminder that my life, my health and my success are none of your concern. You need to take down the sign letting people know "We are the playful city" and change it to "We are the toxic city." I just wanted to remind you that what you do impacts people. Are you making a positive impact, or a horrendous impact?

Mary Beth Smith

9088 Painted Horse Ln

Wellington, CO

Written Public Comments 3:00pm 4/28/2023

May 1, 2023 Planning Commission Meeting Comments

Kimjosh Cruz-Rodenbeck <kimjoshchuy@yahoo.com>

Fri 4/28/2023 11:07 AM

To: Cody Bird <birdca@wellingtoncolorado.gov>

2 attachments (235 KB)

Connell Plant Settlement Agreement 12-5-22.pdf; Board of Trustees - Mar 28 - 2023.docx;

To the Planning Commissioners:

First, I would like to thank you for affording Wellington citizens and yourselves the time to further research asphalt plant operations, zoning and the harms that may or may not be posed by locating a hot batch asphalt plant in proximity to residential and open spaces. I also want to thank you for asking hard questions at the March 6 meeting. I appreciate the commissioners taking the reigns, asking hard questions and requesting more of the applicant in order to demonstrate (from their perspective) historical safety compliance and effects to the environment.
Second, I would like to point out a few items that concern me regarding Connell and asphalt plants in general based on comments made at the March 6 meeting.

1. At the 2hr 31m mark during the meeting, Mr. Warren stated, "we have been able to pass all their air quality permits to date." I believe this statement was made to demonstrate the trustworthiness of Connell and their ability to follow all rules and regulations. Unfortunately, this just wasn't true. When researching the public records the first report I came to was an inspection that they failed. They remained in non-compliance for several months and were later fined $7,000 for this non-compliance (please see attached settlement document). Mr. Warren did allude to the severity of the financial repercussions of falling out of compliance but there was never any mention of what happens to those individuals who happen to live in proximity of an asphalt plant when these non-compliant events occur. This should concern all of us. Especially if a non-compliance event occurs during their busy season.

2. Connell's busy season, in which emissions will spike, is the summertime, precisely when all our children will be outdoors, playing at the Wellington Community park, riding their bikes through our neighborhoods. According to the American Lung Association,

> "Children have more respiratory infections than adults, which also seems to increase their susceptibility to air pollution.
> Furthermore, children don't behave like adults, and their behavior also affects their vulnerability. They are outside for longer periods
> and are usually more active when outdoors. Consequently, they inhale more polluted outdoor air than adults typically do." (https://www.lung.org/clean-air/outdoors/who-is-at-risk/children-and-air-pollution#:~:text=Children%20have%20more%20respiratory%20infections,their%20susceptibility%20to%20air%20pollution.&text=Furthermore%2C%20children%20don't%20behave,usually%20more%20active%20when%20outdoors

3. At the 1hr 56m mark Ms. Lea Schnider from the Larimer County Health Department stated that, "air toxics are really understudied." She goes on to talk about how the oil and gas industry didn't have to comply with as many safety regulations until AFTER air toxics were studies in more depth. I am very concerned that as a self-reporting industry there is little incentive for the asphalt industry to actually invest the time and money to make sure we are all safe.

4. Ms. Schnider also stated at the 3hr 23m mark that, "the (Connell) plant DOES produce air toxins." This statement along with point 3 above should really give us pause as a community.

And finally, I believe the **Adjustments Committee failed to follow the rules set forth in the Town of Wellington Land Use Code** when they approved a setback variance for Connell**. Specifically section 4.03.21 subsection B1.** "Any Industrial and Manufacturing, Heavy use producing and curating toxic chemicals or conducting animal slaughtering shall be located at least two thousand six hundred forty (2,640) feet from any residential district, religious land use, medical care facility or school." It is a fact that Connell's Asphalt plant will be producing and releasing toxic chemicals into the air as a direct result of their asphalt production. This should not only disqualify them from the variance granted, but also prohibit them from operating on the proposed heavy industrial parcel they are seeking approval on based on it's proximity to a residential district.

Thank you for your time and energy on this. It really matters.

Written Public Comments
3:00pm 4/28/2023

Kim Cruz-Rodenbeck
3255 Wild West Ln

I have also attached my comments to the Board of Trustees (March 28, 2023) to make sure they get into the record for this meeting. Thank you.

To The Wellington Board of Trustees,

I am writing to respectfully request that you reconsider the appropriateness of having Heavy Industrial zoned parcels of land adjacent to residential and public zoned parcels which contain parks where the most vulnerable people in our community spend much of their time…our children.

The following quotes are taken from the Land Use Leadership Alliance Training Program Guidance Manual, a publication of the Colorado Chapter of the American Planning Association. Here is the link to the publication: https://www.law.du.edu/documents/rmlui/workshops/LinkingLandUse-Water-GuidanceManual.pdf

- "**The general purpose of zoning is to regulate uses of land and the physical improvements to land *in the interest of the public welfare*, without imposing undue burdens on landowners**."
- While the land owner is protected from undue burdens "**a land owner is not entitled to the most profitable or best use of his or her property.**"
- "**Prior court decisions have held that where a landowner has not been deprived of all reasonable economic uses of his or her land, a zoning regulation will generally be upheld.**"

Wellington is a bedroom community where many have moved to raise their children. According to the most recent census, 39.2% of our residence are under the age of 18 (https://www.census.gov/quickfacts/fact/table/wellingtontowncolorado/AFN120217). Many of those children live, go to school and play outside within a 2 mile radius of the currently zoned Heavy Industrial parcels within our town limits. Any future heavy industrial development would have a disproportionately negative impact on this population as they will spend most of their waking and sleeping hours in proximity to heavy industry.

The American Lung Association reports that,
"**Children have more respiratory infections than adults, which also seems to increase their susceptibility to air pollution. Furthermore, children don't behave like adults, and their behavior also affects their vulnerability. They are outside for longer periods and are usually more active when outdoors. Consequently, they inhale more polluted outdoor air than adults typically do.**" (https://www.lung.org/clean-air/outdoors/who-is-at-risk/children-and-air-pollution#:~:text=Children%20have%20more%20respiratory%20infections,their%20susceptibility%20to%20air%20pollution.&text=Furthermore%2C%20children%20don't%20behave,usually%20more%20active%20when%20outdoors.) Any additional pollutants released into the atmosphere by heavy industry, however nominal, would increase the possibility of respiratory issues in the short and long term for these most precious members of our community.

I have not been able to see the proposed zoning changes that are up for consideration by the Board of Trustees, but I do know that the proximity to homes, schools and recreational/outdoor

areas of the currently zoned Heavy Industrial properties seems problematic and inappropriate. Changing the currently zoned heavy industrial parcels to light industrial would be more consistent with the general purpose of zoning as stated above. Heavy Industry has no place in close proximity to residential property, parks or schools.

I respectfully request that the Board of Trustees and the Town of Wellington put our children's safety and the welfare of all its citizens **ABOVE** the interests of any heavy industry that may seek to operate within the town limits by eliminating any heavy industrial zoning that is, or would be, adjacent to residentially zoned parcels, parcels that are zoned open space that contain parks and schools/daycares.

Thank you for your time and consideration.

Kim Cruz-Rodenbeck
3255 Wild West Ln.
Wellington, CO 80549

COLORADO
Department of Public Health & Environment

December 5, 2022

SENT VIA ELECTRONIC MAIL

Brandon Martin
Connell Resources, Inc.
7785 Highland Meadows Pky. #100
Fort Collins, CO 80528

Re: Proposed Early Settlement Agreement in the Matter of Connell Resources, Inc.
AIRS No.: 069-0373
Case No.: 2022-180

Dear Brandon Martin:

Connell Resources, Inc. ("CRI") owns and operates the asphalt paving material plant located at 5150 SE Frontage Road, Fort Collins, Larimer County, Colorado ("Facility"). The Facility is subject to the terms and conditions of Colorado Construction Permit Number 00LR0746, Issuance 4 issued to CRI on November 30, 2020 ("Permit Number 00LR0746"); Colorado Air Quality Control Statutes; and Colorado Air Quality Control Commission ("AQCC") Regulations. The Facility's hot mix asphalt equipment (AIRS ID 069-0373-001), is relevant to this enforcement action.

On June 25, 2021, CRI conducted compliance testing on the Facility's hot mix asphalt equipment ("Compliance Test"). The Compliance Test was unobserved by the Colorado Air Pollution Control Division ("Division"). Based on the Compliance Test, and a review of records related to the Facility, the Division issued a Compliance Advisory to CRI on October 20, 2022. On November 15, 2022, the Division and CRI met to discuss the issues identified in the Compliance Advisory.

Based upon a review of the inspection, records related to the Facility, and the information provided by CRI, the Division has determined the following:

A. Pursuant to Permit Number 00LR0746, Condition 7, emissions of air pollutants from the Facility's hot mix asphalt equipment must not exceed 8.5 tons per year of NOx and 19.9 tons per year of CO. Pursuant to Permit Number 00LR0746, Condition 19, a source initial compliance test must be conducted on the main stack to measure and demonstrate compliance with the pollutant emission rates in the permit. The compliance test must be conducted in accordance with the Division's Compliance Test Manual. The Compliance Test conducted on June 25, 2021 was stopped by CRI before completion due to failing test results. CRI was therefore out of compliance with the hot mix asphalt equipment NOx and CO emission rates. From June 25, 2021 to October 20, 2021, CRI failed to demonstrate compliance with the hot mix asphalt equipment NOx and CO emission rates, violating Permit Number 00LR0746, Conditions 7 and 19.

On October 20, 2021, CRI successfully conducted a full compliance test of the hot mix asphalt equipment, demonstrating compliance with the emission rates in Permit Number 00LR0746.

The Colorado Air Pollution Prevention and Control Act, at § 25-7-122(1)(b), C.R.S., specifies the penalty for such violations. The monetary amount of the Division's settlement offer specified below takes into account, among other factors, the magnitude and severity of the violation, cooperation of the company, as well as the prior history of violations of air quality requirements associated with any of the company's facilities/operations in the State of Colorado (including a company's parent or subsidiary relations, if applicable). Settlement offers are based on the evaluation of the same factors and criteria in all cases. Based upon CRI's cooperation, and its efforts to bring its operations into compliance with the regulations and permit conditions identified above, the Division acknowledges that CRI has appropriately and adequately addressed all compliance issues identified above. In the interest of settling the matters cited herein, the Division therefore offers the following settlement in accordance with the Division's settlement policy.

1. Payment of a reduced penalty in the sum of **Seven Thousand Dollars ($7,000.00)**. Payment of the penalty precludes further enforcement by the Division for the above-described violation against CRI. The Division retains its authority to take enforcement actions based on any and all violations not specifically described above.

2. Entering into this settlement shall not constitute an admission of violation of the air quality laws, or the alleged facts relating thereto, nor shall any third party infer it to be such an admission in any administrative or judicial proceeding. However, CRI agrees not to challenge the factual or legal determinations herein, the Division's authority to bring, or the court's jurisdiction to hear, any action, insofar as it pertains to the matters contained herein, to enforce the terms of this settlement agreement. The described violation will constitute part of CRI's compliance history for any purpose for which such history is relevant.

This letter constitutes an offer of settlement and is not a demand for payment. Please contact me if you wish to discuss this offer of settlement. We remain willing to consider any information you wish to submit related to the violation. Please be advised, however, that the offer of settlement contained in this letter is predicated on resolving this matter within fifteen (15) days of the date of this settlement proposal letter. If you elect to continue the negotiation of this matter beyond that date, this offer shall be deemed withdrawn, and any penalty mitigation built into this settlement proposal may be revoked. If you require additional time to evaluate this settlement proposal or discuss remaining issues with the Division, however, please contact me regarding your request for an extension of the offer. Any extension of the offer, if agreed to by the Division, must be confirmed, in writing, by the Division.

If the above terms are acceptable to you, please have the appropriate person sign and return this letter and send a check in the sum of **$7,000.00**, made payable to the Colorado Department of Public Health and Environment, to

Air Pollution Control Division
Attn: Heather Wuollet
4300 Cherry Creek Drive South
APCD-SS-B1
Denver, Colorado 80246-1530

This offer of settlement, upon being fully endorsed by both the Division and CRI, shall constitute full and final resolution of the noncompliance issues identified herein and in the Compliance Advisory issued to CRI.

You may write or call to request a settlement conference if you wish to discuss the matter with representatives of the Division's compliance staff. If we do not receive a response from you within fifteen (15) days of the date of this letter, we will assume that you are not interested in resolving this matter as outlined above. Please call me, at 303-692-3259, or Heather Wuollet, at 720-515-0279, if you have any further questions regarding this matter.

Sincerely,

DocuSigned by:
17DC47B908A249B...
Shannon McMillan
Compliance and Enforcement Program Manager

I certify that I am authorized by Connell Resources, Inc. to execute this settlement agreement and bind Connell Resources, Inc., and any affiliated entities, to the terms and conditions of this agreement. I have read the above settlement and agree to the terms and conditions of this offer.

Name: John M Warren

Title: President

DocuSigned by:
01F3D0EAF45E47B...
Signature

970.223.3151
Telephone Number

12/19/2022
Date

cc: Shannon McMillan, APCD
Paul Carr, APCD
Heather Wuollet, APCD
Ben Cappa, APCD
Tom Roan, Attorney General's Office
Jeffrey Bishop, APCD
Beth Pilson, APCD
Tom Lovell, APCD
Michael Stovern, EPA (Region VIII)
File

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Kim Cruz-Rodenbeck
3255 Wild West Ln.
Wellington, CO 80549

COLORADO
Department of Public Health & Environment

December 5, 2022

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Shannon McMillan
Compliance and Enforcement Program Manager

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Name: John M Warren

Title: President

DocuSigned by:
01F3D0EAF45E47B...
Signature

970.223.3151
Telephone Number

12/19/2022
Date

cc: Shannon McMillan, APCD
Paul Carr, APCD
Heather Wuollet, APCD
Ben Cappa, APCD
Tom Roan, Attorney General's Office
Jeffrey Bishop, APCD
Beth Pilson, APCD
Tom Lovell, APCD
Michael Stovern, EPA (Region VIII)
File

Written Public Comments
3:00pm 4/28/2023

Asphalt plant

Lori Flitcroft <lorisbassets1@aol.com>

Fri 4/28/2023 3:44 PM

To: Cody Bird <birdca@wellingtoncolorado.gov>

Sir,

I am writing to you in support of the asphalt plant in Wellington, CO. I feel that most of the people against this plant are ill informed and honestly have no idea what they are talking about. It is very important to have industry in your town. I come from a small town in Kansas and most industry left that town. They barely survived. Luckily a technical school moved which brought money back in. I truly believe it is just a small contingency that opposes this plant. Please, do not bow to the minority which seems to the norm in our country. This town needs this plant. I am sure they will put back into the town. Thank you for your time.

Lori Flitcroft

Board of Trustees

For 5/1/23 Planning Mtg.

April 20, 2023

Dear Town of Wellington Trustees and appointed officials,

I'm writing this letter for three primary purposes:

1. I'm frustrated and upset that the amount of public input has decreased by one week, per Mr. Bird, Planning Commissioner. He has changed the routine of having written comments submitted to the Planning Commission no later than 3 pm on the meeting day. Just today, I learned that the cutoff for the May 1 meeting is tomorrow, April 21, at 3 pm! This certainly does not comply with the Theme, Reliable & Resilient Public Services, of the Comprehensive Plan. It almost appears to be a sabotage of getting as much public input as possible to reflect the truly diverse desires of the community. **Please reverse this decision!**

2. **I do not want the asphalt plant built downtown!** It counters the community themes written in our town's Comprehensive Plan (2021). It is an irrefutable source of detriment to the environment and health of our residents. Although the owners of the plant deny any causes of toxicity, the attached sampling of researched articles strongly refutes their claims:

    - "EPA Hot Asphalt Plant Emission Assessment Report, EPA Document #EPA 454R.00.019, December 2000." Please pay special attention to the following pages sections:
        - Pg.1, Sect. 1.2 – "Overview of the HMA (Hot Mix Asphalt) Industry."
        - Pg.11, Sect. 2.1.4 – "Emissions and Controls," especially the first paragraph listing the emissions from the two significant emissions categories. *A little more than "just water in that steam!"*
        - Pg. 19, Table 5 - estimated annual emissions for a typical batch mix plant dryer, hot screens, and mixers
        - Pgs. 20-26, Tables 6-12 - refer to the toxic contributions of additional production sources: plant load-out operations; storage tank emissions; drum mix dryers; drum mix plant silos; estimated annual yard VOC (volatile organic compounds) emissions.
        - Pg. 15, Sect. 2.3 – "Emission Factors for Other Generic Sources Associated with HAP Facilities:" - **these are often overlooked in discussing the *cumulative* toxic output of HAPs!**
            - Receipt of new aggregate
            - Transfer of aggregate from storage to the conveyor belt
            - Unpaved road dust emissions
            - Paved road dust emissions
            - Diesel exhaust emissions (think 20 trucks a day just idling in the yard while waiting to load or unload)

    - Center for HMA, Environmental, and Justice (CHEJ): "A Bad Place for An Asphalt Plant: An African American Community Fights Back," March 3, 2022. (Please relate this to our community with a particular focus on the severe health problems suffered by those living in proximity to a HAP): Cancer, Nervous system dysfunction, Liver damage.

    - Extracts from other articles:
        - Living near an HMA plant exposes residents to toxic air pollutants of polycystic aromatic oxide, sulfur dioxide, and hydrogen sulfide; volatile organic compounds; and metals. (North Carolina Department of Environmental Quality).

- Exposure to asphalt (Study by North Carolina government) and detrimental health effects include **breathing fumes**; irritate nose, throat, and lungs causing coughing, wheezing, shortness of breath, headache, dizziness, nausea, and vomiting; **contact** with asphalt: severe skin burns, dermatitis, acne-like lesions.

- "Timnath group opposing TopGolf to submit petitions Wednesday," Loveland Reporter-Herald, Dallas Heltzell, 3/27/23: This article from our neighboring town of Timnath reflects the concerns of residents about heavy industry taking over and their need for development plans to be congruent with their 2020 Comprehensive Plan.
  - Petition signatures more than double the needed signatures gathered to trigger a special election to block Topgolf. The ballot measure would stipulate land use/development parameters for future commercial industries.
  - The opposition focuses on wildlife protection and the negative impacts on residential quality of life.
  - Topgolf also does not remotely coincide with the goals of the town's Comprehensive Plan for future development, and this significantly concerns the residents. *Sound familiar?*

3. I thank you for attempting to promote the community themes in our Comprehensive Plan, with a focus on creating that "small town" feeling where tourists would be drawn to visit, thus boosting our economy. I doubt that 70 ft. smokestacks and an asphalt plant will contribute much to the atmosphere of a "charming" small town and be much of a tourist attraction. Nor would people using our projected parks and trails find it peaceful and placid to run/walk past a "delightfully" roiling, dusty, loud asphalt plant.

Please, do whatever it takes to revise zoning, land use codes, health codes, etc., **to halt the asphalt plant and any other heavy industries from ever being considered in our downtown in the future**. This request comes at a pivotal point in the design, vision, and desired characteristics of 'our little town.'

Thank you for your perseverance in reviewing this rather lengthy letter and for all your hard work in developing our unique town of Wellington with timely input from us, the residents.

Sincerely,

Sandra L Hunnicutt

Sandra L Hunnicutt
3940 Ginkgo St.
Wellington, CO 80549

P.S. I could not send this through email to each of you because your emails were ***blocked***. Therefore, the EPA report is not attached.

To whom it may Concern:

Wellington Planning Board,

I Nancy V. McKay
3803 Roosevelt ave, Wellington
970-342-5378, request to
Speak at the 5-1-23 6:30pm
Meeting pertaining to the
future planning on the Connell
Resources Asphalt plant. As
a Citizen of Wellington and
a homeowner I feel a strong
need to input.

Thank You
Nancy McKay

Town of Wellington
Planning Board
(May I meeting request)

Written Public Comments
3:00pm 4/28/2023

Asphalt Plant in Wellington

Claudia Simpson <claudiasimpson11@gmail.com>

Fri 4/28/2023 3:20 PM

To: Cody Bird <birdca@wellingtoncolorado.gov>

Dear Mr Bird, please add my name to the list of people who oppose the building of an asphalt plant here in Wellington. This plant is not conducive to the wellbeing of the people of this community, especially the children. I have 6 grandchildren that are going or will be going to Eyestone and Rice. That fact that the plans are to build it so close to one of our parks and elementary school scares me!!! We will already be dealing with a not too distant landfill in our backyards, please stop this from happening!!! Sincerely, Claudia Simpson

Print

Planning Commission May 1, 2023 Public Comment - Submission #3035

Date Submitted: 4/25/2023

First and Last Name*

Stacie L Magruder

Email Address*

staciemagruder@gmail.com

Are you a Town of Wellington Resident? *

- [x] Yes
- [ ] No

Address

3294 thundering herd way

Public Comment for the Planning Commission May 1, 2023 Meeting

Strong opposition to the proposed asphalt plant. The priority for this commission should be the health and wellbeing of its residents that already undergo under representation in the community with high utility fee. When are the needs of the residents going to be the priority? My property value is the most important asset I own and I hope you will oppose the plant and put community first.

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Planning Commission May 1, 2023 Public Comment - Submission #3038

Date Submitted: 4/26/2023

First and Last Name*

Joe Harkins

Email Address*

jhark40@gmail.com

Are you a Town of Wellington Resident? *

- [x] Yes
- [ ] No

Address

3313 Firewater Ln

Public Comment for the Planning Commission May 1, 2023 Meeting

My family is strongly opposed to the proposed Asphalt plant. There is no â€œsafeâ€ asphalt plant that could be made at the proposed site because of its close proximity to others. To place a plant that produces severe pollutants less than a mile from neighborhoods, parks, a library, and a school is unethical. Why are we even considering putting an Asphalt plant this close to our community??? The Town leaders present today and all leaders of the Town of Wellington can and must do better. Stop wasting time and resources on a project that will harm the community. Turn your efforts to a project that will benefit our town. Reject the Asphalt Plant! Thank You.

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Planning Commission May 1, 2023 Public Comment - Submission #3040

Date Submitted: 4/26/2023

First and Last Name*

Page Melcher

Email Address*

Page.burdick@gmail.com

Are you a Town of Wellington Resident? *

- [x] Yes
- [ ] No

Address

3905 Eucalyptus St

Public Comment for the Planning Commission May 1, 2023 Meeting

I am opposed to the proposed development of the asphalt plant on the north west side of town. A search of peer-reviewed journal studies indicates there are negative respiratory effects to living near an asphalt plant. These negative health effects impact young children more than adults and I have two young kids who love to play outside. As a mother and a Public Health specialist I do not want to live so close to something that will have adverse effects on my childrenâ€™s future.

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Planning Commission May 1, 2023 Public Comment - Submission #3041

Date Submitted: 4/26/2023

First and Last Name*

Brian Harrison

Email Address*

bah511@yahoo.com

Are you a Town of Wellington Resident? *

- [x] Yes
- [ ] No

Address

bah511@yahoo.com

Public Comment for the Planning Commission May 1, 2023 Meeting

To the members of the planning commission: My name is Brian Harrison. I live at 9073 Painted Horse Ln. in Wellington. I am very concerned about the effects that the proposed hot mix asphalt plant would have on the health, property values, and culture of our community. Like many people in Wellington, I moved here because it gave me an opportunity to purchase a house and raise a family in a small town. I value both the new and old communities that exist here, and it is important that we prioritize the health of our residents, especially our children. One of the many cancer-causing chemicals that hot mix asphalt plants generate is benzene. In addition to causing cancer, this chemical damages the human nervous system in adults and affects the development of children. A representative from Connell stated that hot mix asphalt plants create less benzene than a fast food restaurant like the Burger King down the road, but that information is from a study paid for by the National Asphalt Pavement Association (https://www.sanbornhead.com/wp-content/uploads/2021/08/Emissions-Comparison-Report.pdf). There are, in fact, many known negative health effects from exposure to asphalt and other hydrocarbons. â€œAvailable epidemiological studies have shown statistically significant links between exposure to hydrocarbons and/or metal fume and childhood leukemia2 and between exposure to asphalt fume and a variety of cancers.â€ (https://www.epa.gov/sites/default/files/2020-10/documents/stkhld-opn.pdf). And there are even more unknown negative health effects. â€œSince EPAâ€™s current approach is based on considering each chemical by itself, knowledge about the health effects of each individual chemical will not be available for many decades. Further, even after this data has been compiled, the synergistic interactions between these chemicals in a complex mixture will not be available and would require further study.â€ (https://www.epa.gov/sites/default/files/2020-10/documents/stkhld-opn.pdf) I donâ€™t understand why a variance for setbacks and silo height were ever granted in the first place. We donâ€™t need an asphalt plant in Wellington, and we definitely donâ€™t need it to be built so close to existing and already-approved residential sites. I moved here to raise a family, not to put my familyâ€™s health at risk. I urge you to find the legal means to protect the residents in Wellington and stop the approval of this plant. Sincerely, Brian Harrison Buffalo Creek Resident 9073 painted Horse Ln. Wellington, CO

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Planning Commission May 1, 2023 Public Comment - Submission #3037

Date Submitted: 4/26/2023

First and Last Name*

Kaitlyn Folmer

Email Address*

kaitlyn.pierson@gmail.com

Are you a Town of Wellington Resident? *

- [x] Yes
- [ ] No

Address

14112 N County Road 7

Public Comment for the Planning Commission May 1, 2023 Meeting

Dear Planning Board, The Connell site plan doesnâ€™t meet the more stringent requirements that apply to toxic chemicals and so cannot be located at the proposed location. Land use code 4.03.21,B, regarding the production and curing of toxic chemicals requires these sites be located at least 2,640 feet from any residential district, religious land use, medical care facility, or school. I would appreciate you reading this article published by Wright County- in Minnesota (linked below). The article dives into the repercussions the town and people dealt with, the smell (doctors from across the country warn that smell equates to fume exposure), cites the CDC and OSHA, and all came to the same conclusion- â€œThe complex chemical composition of asphalt makes it difficult to identify the specific components responsible for adverse health effects observed in exposed workers. Known carcinogens have been found in asphalt fumes generated at worksites. Observations of acute irritation in workers from airborne and dermal exposures to asphalt fumes and aerosols and the potential for chronic health effects, including cancerâ€¦â€ The people living within the 2640 foot setback would be at great risk. The children playing, going to school, and growing up with in the 2640 foot setback would be at great risk. Approving this asphalt plant should not be a risk we are willing to take. This batch asphalt plant produces and curates toxic chemicals. The planning board should not approve this plan due to the producing and curing setback of 2,640 feet. No variance for this specific setback has been sought. Thanks for your consideration, Kaitlyn Article https://www.co.wright.mn.us/AgendaCenter/ViewFile/Item/6844?fileID=14104 If the link doesnâ€™t work- google â€œhow many people per year are affected by asphalt plantsâ€ and itâ€™s the first result.

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6844.pdf

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Health Issues with an Asphalt Plant Nearby

Here are some short quotes and abstracts from articles referencing the health problems that occur with working, and/or living near an Asphalt Plant.

Asphalt and Diesel Exhaust Fumes

> " Over a half-million workers are exposed to fumes from asphalt, a petroleum product used extensively in road paving, roofing, siding, and concrete work. Health effects from exposure to asphalt fumes include headache, skin rash, sensitization, fatigue, reduced appetite, throat and eye irritation, cough, and skin cancer. "

Reference: Asphalt Fumes - United States Department of Labor, Occupational Safety and Health Administration

Reference: Hot Mix Asphalt Plants - Truck Loading and Unloading

> " The primary emission sources associated with Hot Mix Asphalt(HMA) production are the dryers, hot bins, and mixers, which emit particulate matter (PM) and a variety of gaseous pollutants. Other emission sources found at HMA plants include storage silos, which temporarily hold the HMA; truck load-out operations, in which the HMA is loaded into trucks for hauling to the job site; liquid asphalt storage tanks; hot oil heaters, which are used to heat the asphalt storage tanks; and yard emissions, which consist of fugitive emissions from the HMA in truck beds. Emissions also result from vehicular traffic on paved and unpaved roads, aggregate storage and handling operations, and vehicle exhaust. "
>
> " The PM emissions associated with HMA production include the criteria pollutants PM-10 (PM less than 10 micrometers in aerodynamic diameter) and PM-2.5, hazardous air pollutant (HAP) metals, and HAP organic compounds. The gaseous emissions associated with HMA production include the criteria pollutants sulfur dioxide (SO 2), nitrogen oxides (NO x), carbon monoxide (CO), and volatile organic compounds (VOC), as well as volatile HAP organic compounds. "

Reference: EPA - Hot Mix Asphalt Plant Emission Assessment

Summary of Research on Diesel and Asphalt Hazards

Toxic Smell

> "It smells."

> "While a state study indicates the air quality in a neighborhood next to a controversial paving plant meets safety standards, neighbors say their problems with the plant are as much about quality of life as quality of air.
>
> The odor of asphalt coming from the R.C. & Sons paving plant has been a prime complaint of several residents of the nearby Grandview neighborhood."

Bangor Daily News - It smells, but Maine Asphalt Plant meets standards

> " Dr. Mitchell said that tiny particles in asphalt production plant emissions can cause lung damage, exacerbate breathing conditions and ultimately cause more severe problems. "

New York Times Article - Who Wants to Live Near an Asphalt Plant

Noise

Here are typical noise emissions from a Hot-Mix Asphalt Plant.

Noise Level	Distance from Center of Plant
85 dBA	50 feet (measured reference level)
78 dBA	100 feet
70 dBA	200 feet
63 dBA	400 feet
55 dBA	800 feet
46 dBA	1,600 feet
36 dBA	3,200 feet
24 dBA	6,400 feet

We do not know the assumptions that went into the measurements in this noise summary table.

Looking at the California study, we do not know the age or size/capacity of the plant(s) measured.

Remember that newer plants are quieter, and older plants make more noise.

Reference: Full Document - Caltrans - State of California

Overall Health Effects

> " The complex chemical composition of asphalt makes it difficult to identify the specific component(s) responsible for adverse health effects observed in exposed workers. Known carcinogens have been found in asphalt fumes generated at worksites. Observations of acute irritation in workers from airborne and dermal exposures to asphalt fumes and aerosols and the potential for chronic health effects, including cancer, warrant continued diligence in the control of exposures. "

Reference: CDC - Hazard Review - Health Effects of Occupational Exposure to Asphalt

What the Federal Government Regulates on Asphalt Plants and Air Quality

What federal rules apply to asphalt plants?

- Asphalt plant emissions of particulate matter (PM2.5 and PM10, carbon monoxide, sulfur dioxide nitrogen dioxide, and lead must not exceed National Ambient Air Quality Standards (NAAQS) at the property boundary.
- Asphalt plants manufactured after June 11, 1973, are subject to 40 CFR 60 Subpart I-New Source Performance Standards for Hot Mix Asphalt Plants. NSPS, Subpart I limits only the emissions of particulate matter from material handling systems.
- On November 8, 2002 , USEPA removed Asphalt Hot Mix Production from the Source Category List for which development of National Emission Standards for Hazardous Air Pollutants Standar is required.

Reference: North Carolina Division of Air Quality - Air Toxics and Asphalt Plants

Web Sites With More Information

Here are addition web sites that have information on Asphalt Plants and health effects.

- Hot Mix Asphalt Plants - Stakeholders Opinions Report - US EPA
- Fact Sheet - Hot Mix Asphalt Plants - Oregon Department of Environmental Quality
- Preventing Pollution at Hot Mix Plants - A Guide to Environmental Compliance and Pollution Prevention for Asphalt Plants in Missouri - State of Missouri
- Asphalt Plant Pollution - Blue Ridge Environmental Report
- Road Paving Asphalt - State of New Hampshire - Fact Sheet
- Asphalt - Hazardous Fact Sheet - State of New Jersey
- North Carolina Division of Air Quality - Air Toxics and Asphalt Plants

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We are PARC - Protectors of the Ammonoosuc River Corridor in Lisbon, New Hampshire.

You can contact PARC at

PARC
P.O. Box 515
Sugar Hill, New Hampshire.
03586

Fiscal Agent: Peter Nightingale
Phone #: (603) 616-9292

ASPHALT PLANT POLLUTION

Asphalt plants mix gravel and sand with crude oil derivatives to make the asphalt used to pave roads, highways, and parking lots across the U.S. These plants release millions of pounds of chemicals to the air during production each year, including many cancer-causing toxic air pollutants such as arsenic, benzene, formaldehyde, and cadmium. Other toxic chemicals are released into the air as the asphalt is loaded into trucks and hauled from the plant site, including volatile organic compounds, polycyclic aromatic hydrocarbons (PAHs), and very fine condensed particulates.[EPA]

- **Asphalt Fumes are Known Toxins.** The federal Environmental Protection Agency (EPA) states "Asphalt processing and asphalt roofing manufacturing facilities are major sources of hazardous air pollutants such as formaldehyde, hexane, phenol, polycyclic organic matter, and toluene. Exposure to these air toxics may cause cancer, central nervous system problems, liver damage, respiratory problems and skin irritation." [EPA]. According to one health agency, asphalt fumes contain substances known to cause cancer, can cause coughing, wheezing or shortness of breath, severe irritation of the skin, headaches, dizziness, and nausea. [NJDHSS] Animal studies show PAHs affect reproduction, cause birth defects and are harmful to the immune system. [NJDHSS] The US Department of Health and Human Services has determined that PAHs may be carcinogenic to humans. [DHHS]

- **Health Impacts & Loss of Property Value.** The Blue Ridge Environmental Defense League (BREDL), a regional environmental organization, has done two studies on the adverse impacts on property values and health for residents living near asphalt plants. A property value study documented losses of up to 56% because of the presence of a nearby asphalt plant. In another study, nearly half of the residents reported negative impacts on their health from a new asphalt plant. The door-to-door health survey found 45% of residents living within a half mile of the plant reported a deterioration of their health, which began after the plant opened. The most frequent health problems cited were high blood pressure (18% of people surveyed), sinus problems (18%), headaches (14%), and shortness of breath (9%). [BREDL]

- **Flawed Tests Underestimate Health Risks.** In addition to smokestack emissions, large amounts of harmful "fugitive emissions" are released as the asphalt is moved around in trucks and conveyor belts, and is stored in stockpiles. A small asphalt plant producing 100 thousand tons of asphalt a year may release up to 50 tons of toxic fugitive emissions into the air. [Dr. R. Nadkarni] Stagnant air and local weather patterns often increase the level of exposure to local communities. In fact, most asphalt plants are not even tested for toxic emissions. The amounts of these pollutants that are released from a facility are estimated by computers and mathematical formulas rather than by actual stack testing, estimates that experts agree do not accurately predict the amount of toxic fugitive emissions released and the risks they pose. According to Dr. Luanne Williams, a North Carolina state toxicologist, 40% of the toxins from asphalt plant smokestacks even meet air quality standards—and for the other 60% of these emissions, the state lacks sufficient data to determine safe levels.

BE SAFE: Take Precautionary Action to Protect Our Communities from Asphalt Plant Air Pollution

OSHA ARCHIVE

NOTICE: This is an OSHA Archive Document, and no longer represents OSHA Policy. It is presented here as historical content, for research and review purposes only.

Asphalt Fumes

Over a half-million workers are exposed to fumes from asphalt, a petroleum product used extensively in road paving, roofing, siding, and concrete work. When hot asphalt is applied in a molten state, it generates toxic fumes. Workers exposed to asphalt fumes are at risk of developing headaches, rashes, cough, and possibly cancer. There is no OSHA standard for asphalt fumes. OSHA is developing an action plan to reduce worker exposures to this hazard but is not initiating rulemaking at this time.

Hazard Description

NIOSH estimated that over 500,000 workers were potentially exposed to asphalt fumes (1). OSHA estimated in 1992 that over 300,000 construction workers were exposed primarily in road-paving and roofing operations (2). Exposures vary considerably between different types of asphalt work (i.e. roofing vs. paving) and the different worker jobs (i.e. kettle operator vs. paver operator.) More research needs to be performed to determine and control important factors which cause increased worker exposures (i.e. application temperatures, type of equipment used, environmental conditions, workplace practices, and asphalt constituents.)

The acute effects of exposure to asphalt fumes include headache, skin rash, fatigue, reduced appetite, throat and eye irritation, and cough. Asphalt paving workers, for example, have reported breathing problems, asthma, bronchitis, and skin irritation (6). A recent study has shown that some of these effects occur at exposures of 0.5 to 1.3 mg/m3 (3).

Human studies have reported lung, stomach, and skin cancers following chronic exposures to asphalt fumes. However, these studies have been inconclusive, and the possible chronic effects to workers following exposures to asphalt fumes are areas of continuing investigations. One recent summary analysis of the available human studies found a nearly twofold increase in risk of lung and stomach cancer among roofers. Increased risks were also noted for other asphalt workers for lung, stomach, and bladder cancer, and for leukemia (4).

Laboratory studies have shown chemical extracts of asphalt fumes to have cancer-causing and mutagenic properties. For example, painting of asphalt extracts on mouse skin produces tumors that increase with dose (7). Other laboratory studies show DNA changes in mouse lung and skin cells (8) and in human fetal cells exposed to asphalt fume extracts (9). Urinalysis of exposed workers shows mutations in laboratory tests (10).

Current Status

OSHA does not have a standard for asphalt fumes although it proposed a 5 mg/m3 permissible exposure limit (PEL) in 1992 (5). OSHA's quantitative risk assessment estimated a significant risk of lung cancer among exposed workers at levels as low as 0.2 mg/m3.

The American Conference of Governmental Industrial Hygienists (ACGIH) currently recommends a Threshold Limit Value (TLV) of 5 mg/m3 as an 8-hour time weighted average. In 1977, the National Institute for Occupational Safety and Health (NIOSH) recommended a 5 mg/m3 15 minute short-term exposure limit. NIOSH is developing a new Criteria Document for asphalt fumes and expects to make new recommendations for exposure limits within six months.

The International Agency for Research on Cancer (IARC) found:

- "There is sufficient evidence for the carcinogenicity of extracts of steam-refined bitumens, air-refined bitumens and pooled mixtures of steam- and air-refined bitumens in experimental animals."
- There is limited evidence for the carcinogenicity of undiluted steam-refined bitumens and for cracking-residue bitumens in experimental animals.
- There is inadequate evidence for the carcinogenicity of undiluted air-refined bitumens in experimental animals.
- There is inadequate evidence that bitumens alone are carcinogenic to humans."

Rationale

Asphalt fume exposure meets several of the criteria for designation as an OSHA priority. In particular, the known and potential health effects are serious and a large number of workers are potentially exposed, especially considering high industry turnover rates. although the human studies of workplace cancer have limitations, there is considerable experimental evidence of cancer risk. There is also evidence of acute health effects among workers exposed to asphalt fumes.

References

1. NIOSH; National Occupational Exposure Survey; 1981-1983.
2. Federal Register, vol. 57, no. 114, June 12, 1992. Air Contaminants; Proposed Rule. pp. 26001-26602.
3. Chase, R.M., Liss, G.M., Cole, D.C., and Heath, B. 1994. Toxic health effects including reversible macrothrombocytosis in workers exposed to asphalt fumes. Am. J. Indus. Med. 25:279-289.
4. Partanen, T. and Boffetta, P. 1994. Cancer risk in asphalt workers and roofers: review and meta-analysis of epidemiologic studies. Am. J. Indus. Med. 26:721-740.
5. Federal Register vol. 57, June 12, 1992. Air Contaminants; Proposed Rule. p. 26182-26190 deals specifically with asphalt fume.
6. Norseth T, Waage J, and Dale I. Acute Effects and Exposure to Organic Compounds in Road Maintenance Workers Exposed to Asphalt. Am J Ind Med; 1991; 20:737-44.
7. "Assessment of the Cocarcinogenic/Promoting Activity of Asphalt Fumes;" U.S. Department of Health and Human Services, National Institute for Occupational Safety and Health; Contract 200-83-2612; December 1989.

New Jersey Department of Health and Senior Services

HAZARDOUS SUBSTANCE FACT SHEET

Common Name: **ASPHALT**

CAS Number: 8052-42-4
DOT Number: NA 1999 (Asphalt)
UN 1999 (Tars, Liquid)
DOT Hazard Class: 3 (Flammable)

RTK Substance number: 0170
Date: January 2001 Revision: April 2007

HAZARD SUMMARY

* **Asphalt** can affect you when breathed in.
* Extracts of certain *Asphalts* have been shown to cause cancer in animals.
* **Asphalt** *fumes* can irritate the eyes on contact.
* Breathing **Asphalt** *fumes* can irritate the nose, throat and lungs causing coughing, wheezing and/or shortness of breath.
* Contact can irritate and cause severe burns of the skin and may cause dermatitis and acne-like lesions.
* Exposure to **Asphalt** *fumes* can cause headache, dizziness, nausea and vomiting.
* Long-term contact can cause skin pigment change which is made worse by sunlight exposure.
* *Cutback* and *Rapid Curing* **Asphalt** are FLAMMABLE and FIRE HAZARDS.
* **Asphalt** is derived from *Petroleum*. **Asphalt** and *Coal Tar Pitch* are different. If you are actually working with *Coal Tar* chemicals, *CONSULT THE NEW JERSEY DEPARTMENT OF HEALTH AND SENIOR SERVICES HAZARDOUS SUBSTANCE FACT SHEETS ON COAL TAR PITCH AND COAL TARS.*
* *Asphalt, Oxidized* (CAS # 64762-93-4) is a carcinogen. *CONSULT THE NEW JERSEY DEPARTMENT OF HEALTH AND SENIOR SERVICES HAZARDOUS SUBSTANCE FACT SHEET ON ASPHALT, OXIDIZED.*

IDENTIFICATION

Asphalt is a blackish-brown solid, semi-solid or liquid, depending on the formulation or mixture of **Asphalt** used. **Asphalt** *fumes* are produced during the manufacture and heating of **Asphalt**, which is used for road building and roofing, and in rubber and adhesives.

REASON FOR CITATION

* **Asphalt** is on the Hazardous Substance List because it is cited by ACGIH, DOT, NIOSH, IARC and NFPA.
* Definitions are provided on page 5.

HOW TO DETERMINE IF YOU ARE BEING EXPOSED

The New Jersey Right to Know Act requires most employers to label chemicals in the workplace and requires public employers to provide their employees with information and training concerning chemical hazards and controls. The federal OSHA Hazard Communication Standard (29 CFR 1910.1200) requires private employers to provide similar training and information to their employees.

* Exposure to hazardous substances should be routinely evaluated. This may include collecting personal and area air samples. You can obtain copies of sampling results from your employer. You have a legal right to this information under the OSHA Access to Employee Exposure and Medical Records Standard (29 CFR 1910.1020).
* If you think you are experiencing any work-related health problems, see a doctor trained to recognize occupational diseases. Take this Fact Sheet with you.

WORKPLACE EXPOSURE LIMITS

NIOSH: The recommended airborne exposure limit is **5 mg/m^3**, which should not be exceeded during any 15-minute period.

ACGIH: The recommended airborne exposure limit is **0.5 mg/m^3** (for the *inhalable fraction* of the *Benzene*-soluble aerosol), averaged over an 8-hour workshift.

WAYS OF REDUCING EXPOSURE

* Where possible, enclose operations and use local exhaust ventilation at the site of chemical release. If local exhaust ventilation or enclosure is not used, respirators should be worn.
* Wear protective work clothing.
* Wash thoroughly immediately after exposure to **Asphalt** and at the end of the workshift.
* Post hazard and warning information in the work area. In addition, as part of an ongoing education and training effort, communicate all information on the health and safety hazards of **Asphalt** to potentially exposed workers.

This Fact Sheet is a summary source of information of all potential and most severe health hazards that may result from exposure. Duration of exposure, concentration of the substance and other factors will affect your susceptibility to any of the potential effects described below.

HEALTH HAZARD INFORMATION

Acute Health Effects

The following acute (short-term) health effects may occur immediately or shortly after exposure to **Asphalt**:

* **Asphalt** *fumes* can irritate the eyes on contact.
* Breathing **Asphalt** *fumes* can irritate the nose, throat and lungs causing coughing, wheezing and/or shortness of breath.
* Contact can irritate and cause severe burns of the skin and may cause dermatitis and acne-like lesions.
* Exposure to **Asphalt** *fumes* can cause headache, dizziness, nausea and vomiting.

Chronic Health Effects

The following chronic (long-term) health effects can occur at some time after exposure to **Asphalt** and can last for months or years:

Cancer Hazard

* While **Asphalt** has not been identified as a carcinogen, it should be HANDLED WITH CAUTION since extracts of certain **Asphalts** have been shown to cause cancer in animals.

Reproductive Hazard

* According to the information presently available to the New Jersey Department of Health and Senior Services, **Asphalt** has not been tested for its ability to affect reproduction.

Other Long-Term Effects

* Long-term contact can cause skin pigment change which is made worse by sunlight exposure.
* **Asphalt** *fumes* can irritate the lungs. Repeated exposure may cause bronchitis to develop with cough, phlegm, and/or shortness of breath.

MEDICAL

Medical Testing

Before beginning employment and at regular times after that, for those with frequent or potentially high exposures, the following are recommended:

* Lung function tests

Any evaluation should include a careful history of past and present symptoms with an exam. Medical tests that look for damage already done are not a substitute for controlling exposure.

Request copies of your medical testing. You have a legal right to this information under the OSHA Access to Employee Exposure and Medical Records Standard (29 CFR 1910.1020).

Mixed Exposures

* Because smoking can cause heart disease, as well as lung cancer, emphysema, and other respiratory problems, it may worsen respiratory conditions caused by chemical exposure. Even if you have smoked for a long time, stopping now will reduce your risk of developing health problems.

Conditions Made Worse By Exposure

* Exposure to sunlight may make skin effects of **Asphalt** worse.

WORKPLACE CONTROLS AND PRACTICES

Unless a less toxic chemical can be substituted for a hazardous substance, **ENGINEERING CONTROLS** are the most effective way of reducing exposure. The best protection is to enclose operations and/or provide local exhaust ventilation at the site of chemical release. Isolating operations can also reduce exposure. Using respirators or protective equipment is less effective than the controls mentioned above, but is sometimes necessary.

In evaluating the controls present in your workplace, consider: (1) how hazardous the substance is, (2) how much of the substance is released into the workplace and (3) whether harmful skin or eye contact could occur. Special controls should be in place for highly toxic chemicals or when significant skin, eye, or breathing exposures are possible.

In addition, the following controls are recommended:

* Where possible, automatically pump liquid **Asphalt** from drums or other storage containers to process containers.
* Before entering a confined space where **Asphalt** may be present, check to make sure that an explosive concentration does not exist.

Good **WORK PRACTICES** can help to reduce hazardous exposures. The following work practices are recommended:

* Workers whose clothing has been contaminated by **Asphalt** should change into clean clothing promptly.
* Contaminated work clothes should be laundered by individuals who have been informed of the hazards of exposure to **Asphalt**.
* Eye wash fountains should be provided in the immediate work area for emergency use.
* If there is the possibility of skin exposure, emergency shower facilities should be provided.
* On skin contact with **Asphalt**, immediately wash or shower to remove the chemical. At the end of the workshift, wash any areas of the body that may have contacted **Asphalt**, whether or not known skin contact has occurred.

* Do not eat, smoke, or drink where **Asphalt** is handled, processed, or stored, since the chemical can be swallowed. Wash hands carefully before eating, drinking, applying cosmetics, smoking, or using the toilet.

PERSONAL PROTECTIVE EQUIPMENT

WORKPLACE CONTROLS ARE BETTER THAN PERSONAL PROTECTIVE EQUIPMENT. However, for some jobs (such as outside work, confined space entry, jobs done only once in a while, or jobs done while workplace controls are being installed), personal protective equipment may be appropriate.

The OSHA Personal Protective Equipment Standard (29 CFR 1910.132) requires employers to determine the appropriate personal protective equipment for each hazard and to train employees on how and when to use protective equipment.

The following recommendations are only guidelines and may not apply to every situation.

Clothing

* Avoid skin contact with **Asphalt**. Wear protective gloves and clothing. Safety equipment suppliers/manufacturers can provide recommendations on the most protective glove/clothing material for your operation.
* All protective clothing (suits, gloves, footwear, headgear) should be clean, available each day, and put on before work.

Eye Protection

* Wear indirect-vent, impact and splash resistant goggles when working with liquids.
* Wear a face shield along with goggles when working with corrosive, highly irritating or toxic substances.
* Contact lenses should not be worn when working with this substance.

Respiratory Protection

IMPROPER USE OF RESPIRATORS IS DANGEROUS. Such equipment should only be used if the employer has a written program that takes into account workplace conditions, requirements for worker training, respirator fit testing, and medical exams, as described in the OSHA Respiratory Protection Standard (29 CFR 1910.134).

* Where the potential exists for exposure over **0.5 mg/m^3**, use a NIOSH approved full facepiece respirator with an organic vapor cartridge and particulate prefilters. Increased protection is obtained from full facepiece powered-air purifying respirators.
* If while wearing a filter or cartridge respirator you can smell, taste, or otherwise detect **Asphalt**, or if while wearing particulate filters abnormal resistance to breathing is experienced, or eye irritation occurs while wearing a full facepiece respirator, leave the area immediately. Check to make sure the respirator-to-face seal is still good. If it is, replace the filter or cartridge. If the seal is no longer good, you may need a new respirator.
* Be sure to consider all potential exposures in your workplace. You may need a combination of filters, prefilters or cartridges to protect against different forms of a chemical (such as vapor and mist) or against a mixture of chemicals.
* Where the potential exists for exposure over **5 mg/m^3**, use a NIOSH approved supplied-air respirator with a full facepiece operated in a pressure-demand or other positive-pressure mode. For increased protection use in combination with an auxiliary self-contained breathing apparatus operated in a pressure-demand or other positive-pressure mode.

HANDLING AND STORAGE

* Prior to working with **Asphalt** you should be trained on its proper handling and storage.
* **Asphalt**, when HEATED, can give off toxic *Hydrogen Sulfide gases*.
* **Asphalt** may ignite or explode when mixed with NAPHTHA, other VOLATILE SOLVENTS, and LIQUID OXYGEN.
* **Asphalt** is not compatible with OXIDIZING AGENTS (such as PERCHLORATES, PEROXIDES, PERMANGANATES, CHLORATES, NITRATES, CHLORINE, BROMINE and FLUORINE).
* Store in tightly closed containers in a cool, well-ventilated area.
* Sources of ignition, such as smoking and open flames, are prohibited where *Cutback* and *Rapid Curing* **Asphalt** are used, handled, or stored.
* Metal containers involving the transfer of *Cutback* and *Rapid Curing* **Asphalt** should be grounded and bonded.
* Use only non-sparking tools and equipment, especially when opening and closing containers of *Cutback* and *Rapid Curing* **Asphalt**.

QUESTIONS AND ANSWERS

Q: If I have acute health effects, will I later get chronic health effects?

A: Not always. Most chronic (long-term) effects result from repeated exposures to a chemical.

Q: Can I get long-term effects without ever having short-term effects?

A: Yes, because long-term effects can occur from repeated exposures to a chemical at levels not high enough to make you immediately sick.

Q: What are my chances of getting sick when I have been exposed to chemicals?

A: The likelihood of becoming sick from chemicals is increased as the amount of exposure increases. This is determined by the length of time and the amount of material to which someone is exposed.

Q: When are higher exposures more likely?
A: Conditions which increase risk of exposure include physical and mechanical processes (heating, pouring, spraying, spills and evaporation from large surface areas such as open containers), and "confined space" exposures (working inside vats, reactors, boilers, small rooms, etc.).

Q: Is the risk of getting sick higher for workers than for community residents?
A: Yes. Exposures in the community, except possibly in cases of fires or spills, are usually much lower than those found in the workplace. However, people in the community may be exposed to contaminated water as well as to chemicals in the air over long periods. This may be a problem for children or people who are already ill.

Q: Don't all chemicals cause cancer?
A: No. Most chemicals tested by scientists are not cancer-causing.

Q: Should I be concerned if a chemical causes cancer in animals?
A: Yes. Most scientists agree that a chemical that causes cancer in animals should be treated as a suspected human carcinogen unless proven otherwise.

Q: But don't they test animals using much higher levels of a chemical than people usually are exposed to?
A: Yes. That's so effects can be seen more clearly using fewer animals. But high doses alone don't cause cancer unless it's a cancer agent. In fact, a chemical that causes cancer in animals at high doses could cause cancer in humans exposed to low doses.

The following information is available from:

New Jersey Department of Health and Senior Services
Occupational Health Service
PO Box 360
Trenton, NJ 08625-0360
(609) 984-1863
(609) 984-7407 (fax)

Web address: http://www.state.nj.us/health/eoh/odisweb/

Industrial Hygiene Information
Industrial hygienists are available to answer your questions regarding the control of chemical exposures using exhaust ventilation, special work practices, good housekeeping, good hygiene practices, and personal protective equipment including respirators. In addition, they can help to interpret the results of industrial hygiene survey data.

Medical Evaluation
If you think you are becoming sick because of exposure to chemicals at your workplace, you may call personnel at the Department of Health and Senior Services, Occupational Health Service, who can help you find the information you need.

Public Presentations
Presentations and educational programs on occupational health or the Right to Know Act can be organized for labor unions, trade associations and other groups.

Right to Know Information Resources
The Right to Know Infoline (609) 984-2202 can answer questions about the identity and potential health effects of chemicals, list of educational materials in occupational health, references used to prepare the Fact Sheets, preparation of the Right to Know Survey, education and training programs, labeling requirements, and general information regarding the Right to Know Act. Violations of the law should be reported to (609) 984-2202.

>>>>>>>>>>>>>>>>> EMERGENCY INFORMATION <<<<<<<<<<<<<<<<<

Common Name: **ASPHALT**
DOT Number: **NA 1999 (Asphalt)**
UN 1999 (Tars, Liquid)
DOT Hazard Class: **3 (Flammable)**
NAERG Code: **130**
CAS Number: **8052-42-4**

Hazard rating	NJDHSS	NFPA
FLAMMABILITY	-	1, 2 or 3
REACTIVITY	-	0
FLAMMABLE OR COMBUSTIBLE DEPENDING ON FORMULATION POISONOUS GASES ARE PRODUCED IN FIRE CONTAINERS MAY EXPLODE IN FIRE		

Hazard Rating Key: 0=minimal; 1=slight; 2=moderate; 3=serious; 4=severe

FIRE HAZARDS

* *Cutback* and *Rapid Curing* **Asphalt** are FLAMMABLE.
* *Typical* or *Medium* to *Slow Curing* **Asphalt** is COMBUSTIBLE.
* Use dry chemical, CO_2, water spray, or a foaming agent.
* Water may cause frothing so do not apply solid streams of water directly on **Asphalt**.
* POISONOUS GASES ARE PRODUCED IN FIRE including *Sulfer Oxides* and *Hydrogen Sulfide*.
* CONTAINERS MAY EXPLODE IN FIRE.
* Use water spray to keep fire-exposed containers cool.
* Vapors may travel to a source of ignition and flash back.
* Vapor is heavier than air and may travel a distance to cause a fire or explosion far from the source.
* If employees are expected to fight fires, they must be trained and equipped as stated in the OSHA Fire Brigades Standard (29 CFR 1910.156).

SPILLS AND EMERGENCIES

If **Asphalt** is spilled or leaked, take the following steps:

* Evacuate personnel and secure and control entrance to the area.
* Eliminate all ignition sources.
* Absorb liquids in vermiculite, dry sand, earth, or a similar material and deposit in sealed containers.
* Ventilate and wash area after clean-up is complete.
* Keep **Asphalt** out of a confined space, such as a sewer, because of the possibility of an explosion.
* It may be necessary to contain and dispose of **Asphalt** as a HAZARDOUS WASTE. Contact your state Department of Environmental Protection (DEP) or your regional office of the federal Environmental Protection Agency (EPA) for specific recommendations.
* If employees are required to clean-up spills, they must be properly trained and equipped. The OSHA Hazardous Waste Operations and Emergency Response Standard (29 CFR 1910.120) may apply.

FOR LARGE SPILLS AND FIRES immediately call your fire department. You can request emergency information from the following:

CHEMTREC: (800) 424-9300
NJDEP HOTLINE: 1-877-WARN-DEP

HANDLING AND STORAGE (See page 3)

FIRST AID

For POISON INFORMATION call 1-800-222-1222

Eye Contact

* Immediately flush with large amounts of water for at least 15 minutes, occasionally lifting upper and lower lids.

Skin Contact

* Quickly remove contaminated clothing. Immediately wash contaminated skin with large amounts of soap and water.

Breathing

* Remove the person from exposure.
* Begin rescue breathing (using universal precautions) if breathing has stopped and CPR if heart action has stopped.
* Transfer promptly to a medical facility.

PHYSICAL DATA

Flash Point:

Cutback Asphalt: less than 50°F (10°C)
Slow to *Rapid Curing Asphalt*: 80°F (27°C) to 225°F (107°C)
Typical Asphalt: greater than 400°F (204°C)

Water Solubility: Insoluble

OTHER COMMONLY USED NAMES

This Fact Sheet can also be used for:
Alphalt (Cutback) RTK # 3172

Chemical Name:

Asphalt

Other Names:

Road Tar; Mineral Pitch; Petroleum Pitch; Bitumen

NEW JERSEY DEPARTMENT OF HEALTH AND SENIOR SERVICES
Right to Know Program
PO Box 368, Trenton, NJ 08625-0368
(609) 984-2202

Amador County News

Study Reveals Dangers of Asphalt Plants

NEW STUDY REVEALS ASPHALT PLANT DANGERS
http://www.bredl.org/press/2007/Young-McQueenasphaltplant.htm

Today at a press conference in Spruce Pine, the Mitchell County Citizens for Clean Air and the Blue Ridge Environmental Defense League released an air pollution study of the proposed Young & McQueen asphalt plant which shows that air toxins would be deposited far from the plant site. The League's report shows dangerous levels offsite of formaldehyde, benzene and arsenic.

The study concludes that formaldehyde would exceed the state's health-based air pollution limit at 200 meters beyond the plant property line. Even worse, the study concludes that benzene would be deposited at dangerous levels 1.8 miles away and that arsenic would be deposited at dangerous levels 2.17 miles away.

Janet Marsh, the League's Executive Director, said, "The state has long maintained that their computer modeling is conservative and health protective, while we have long maintained what we now can demonstrate—that the state's approach cannot protect human health while ignoring huge amounts of asphalt plant pollution." The new study points out that the state permit fails to include the asphalt tank heater and a 10,000 gallon liquid asphalt storage tank. Marsh continued, "The state can't have it both ways: they can't claim that their hands are tied by these

exemptions and that their permit means that area residents are safe from pollution."

Louis Zeller, who authored the report, used the US Environmental Protection Agency's worst-case computer model for air pollution from the proposed asphalt plant. This EPA model calculates ground-level air poisons as well as smokestack sources. Having accessed this worst-case model only two weeks ago, the League chose the Young & McQueen plant for its first study.

Dr. James Carroll, a local resident, said, "The Mitchell County Citizens for Clean Air was formed to protect our health, our homes and our community. We know that if this plant is built, it will create bad smells, increased dust and poisonous chemicals like formaldehyde and arsenic. We want our local officials to protect us from polluting industries like this asphalt plant by keeping them away from populated areas, and we want the state to protect us by denying this air pollution permit."

Sue Dayton, who coordinates the League's NC Health Communities Project, said, "We are particularly concerned about the emissions of arsenic, benzene and formaldehyde. Both arsenic and benzene are known to cause cancer, and, in addition to being a suspected human carcinogen, formaldehyde is an acute irritant, causing coughing, wheezing, nausea, headaches and asthma."

Both organizations recognize that the state's air pollution permit does not consider plant location. The Mitchell County Board of Commissioners has the power under state statute to adopt an asphalt plant moratorium and implement a protective polluting industries ordinance.

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