



**Board of Supervisors
County of Louisa
Monday, February 5, 2024
Louisa County Public Meeting Room
5:00 PM**

CALL TO ORDER - 5:00 P.M.

Chairman Adams called the February 5, 2024, meeting of the Louisa County Board of Supervisors to order at 5:00 p.m.

Attendee Name	Title	Status	Arrived
Tommy J. Barlow	Mountain Road District Supervisor	Present	5:00 PM
Fitzgerald A. Barnes	Patrick Henry District Supervisor	Present	5:00 PM
Christopher C. McCotter	Cuckoo District Supervisor	Present	5:00 PM
H. Manning Woodward, III	Louisa County Supervisor	Present	5:00 PM
R. T. Williams	Jackson District Supervisor	Present	5:00 PM
Duane A. Adams	Mineral District Supervisor	Present	5:00 PM
Rachel G. Jones	Green Springs District Supervisor	Present	5:00 PM

Others Present: Christian Goodwin, County Administrator; Dale Mullen, Interim County Attorney; Chris Coon, Assistance County Administrator; Wanda Colvin, Deputy County Administration/Director of Finance; Alexandra Stanley, Executive Assistant/Deputy Clerk; Griff Carmichael, Director of Human Resources; Josh Gillespie, Director of Community Development; and Scott Raettig, Manager of Information Technology

CLOSED SESSION

On the motion of Mr. Barlow, seconded by Mr. Barnes, which carried by a vote of 7-0, the Board voted to enter Closed Session at 5:00 p.m. for the purpose of discussing the following:

1. In accordance with §2.2-3711(A)(1) VA Code Ann., discussion and consideration of prospective candidates for employment of a public body, in particular, for the position of County Attorney of Louisa County;
2. In accordance with §2.2-3711(A)(3) VA Code Ann., discussion or consideration of the acquisition and, or, disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body;
3. In accordance with §2.2-3711(A)(5) VA Code Ann., discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community; and
4. In accordance with §2.2-3711(A)(8) VA Code Ann., consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel.

REGULAR SESSION

On the motion of Mr. Williams, seconded by Mr. Barnes, which carried by a vote of 7-0,

the Board voted to return to Regular Session at 6:00 p.m.

RESOLUTION - CERTIFICATION OF CLOSED SESSION

Voter	Role	Vote
Tommy J. Barlow	Voter	Yes/Aye
Fitzgerald A. Barnes	Seconder	Yes/Aye
R.T. Williams, Jr.	Mover	Yes/Aye
Christopher C. McCotter	Voter	Yes/Aye
Duane A. Adams	Voter	Yes/Aye
Rachel G. Jones	Voter	Yes/Aye
H. Manning Woodward, III	Voter	Yes/Aye

On the motion of Mr. Williams, seconded by Mr. Barnes, which carried by a vote of 7-0, the Board voted to adopt the following resolution:

WHEREAS, the Louisa County Board of Supervisors has convened a Closed Meeting this 5th day of February 2024, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, §2.2-3712 of the Code of Virginia requires a certification by the Louisa County Board of Supervisors that such closed meeting was conducted in conformity with the Virginia Law.

NOW, THEREFORE BE IT RESOLVED on this 5th day of February 2024, that the Louisa County Board of Supervisors does hereby certify that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting was heard, discussed or considered by the Louisa County Board of Supervisors.

ADMINISTRATIVE ITEMS - 6:00 P.M.

INVOCATION

Mr. McCotter led the invocation, followed by the Pledge of Allegiance.

ADOPTION OF AGENDA

On the motion of Mr. Barnes, seconded by Mr. Williams, which carried by a vote of 7-0, the Board voted to adopt the February 5, 2024, agenda, as amended, with the following changes:

- Added a discussion on Regional Jail litter cleanup crew to Information/Discussion Items

MINUTES APPROVAL

Board of Supervisors (BOS) - Regular Meeting – January 16, 2024

On the motion of Mr. Barnes, seconded by Mr. Williams, which carried by a vote of 7-0,

the Board voted to approve the minutes of the January 16, 2024, meeting.

BILLS APPROVAL

Resolution – To Approve the Bills for the Second Half of January 2024

On the motion of Mr. Barnes, seconded by Mr. Williams, which carried by a vote of 7-0, the Board adopted a resolution approving the bills for the second half of January 2024.

CONSENT AGENDA ITEMS

On the motion of Mr. Barnes, seconded by Mr. Williams, which carried by a vote of 6-0, the Board voted to adopt the Consent Agenda items for February 5, 2024, as follows:

1. Resolution - To Take Streets in The Elk Creek Landing Subdivision into The Secondary System of Highways in Louisa County, Virginia
2. Resolution - Proclaiming March 3-9, 2024, as Women in Construction Week
3. Resolution - Authorizing the General Services Department to Proceed with the Replacement of Fleet Vehicles per the Capital Improvement Plan for FY 2024
4. Resolution - Congratulating Maxwell Mackie for Winning the 2024 Louisa County Spelling Bee Contest
5. Resolution - Authorizing a Pass Through Appropriation for Insurance Proceeds
6. Resolution - Proclaiming February 17-24, 2024, as National FFA Week
7. Resolution - To Spend ARPA Funds for Phase I of the Community Development Remodel (Temp Space in Voter Registrar) and Construction of Handicap Ramp at the Louisa Medical Center
8. Resolution - Authorizing a Budget Supplement for Library of VA Grant
9. Resolution- Authorizing a Budget Supplement for VTC VA250 Grant
10. Resolution - Authorizing a Pass-through appropriation for Vending Machine Commission
11. Resolution - Authorizing a Pass Through Appropriation for K-9 Donations
12. Resolution - Authorizing Pass Through Appropriations for Project Lifesaver and Fire and EMS Donations
13. Resolution - Proclaiming Thursday, May 2, 2024, as National Day of Prayer

RECOGNITIONS

(None)

PUBLIC COMMENT PERIOD

Chairman Adams opened the public comment period.

Mr. Brian Hinnett, Green Springs District, spoke in support of Parks, Recreation, & Tourism's FY25 budget request, and encouraged the Board to bring back the skate park. He provided the Board with a packet of information on skatepark designs and custom builds (see Appendix A).

Ms. Becky Jones, Louisa District, spoke in support of a multi-use recreational facility and the lack of resources in Louisa that accommodates young professionals and families.

Ms. Dominique McLaughlin, Patrick Henry District, spoke in support of the proposed expansion

of a multi-use recreational facility.

Mr. Hudson Field, Louisa District, spoke in support of the proposed expansion of a multi-use recreational facility.

Ms. Vicky Harte, Louisa District, appeared before the Board to talk about the FEMA Flood Insurance Program, Virginia House Senate bills - mandating to approve solar and battery storage facilities and SB597/HB363 - Land Use Authority to the SCC, and the potential to add pickleball courts to several existing parks in the County.

Mr. Harry Looney, Mineral District/LACA Board of Directors, addressed the Board about the FY25 funding request for LACA (Lake Anna Civic Association).

With no one else wishing to speak, Chairman Adams closed the public comment period.

INFORMATION/DISCUSSION ITEMS

Discussion TOD and Solar Workgroup

Chairman Adams appointed Williams and Jones to the Technology Overlay District (TOD) Workgroup and directed they report back to the Board in March.

Chairman Adams reactivated the Solar Workgroup and reappointed himself and Mr. Barnes to serve.

Discussion – Comprehensive Plan Update

Mr. Coon stated, in the months to come, the Board will consider a County-initiated Comprehensive Plan Amendment on focus areas that will need to be reviewed by the Planning Commissions, as well as additional chapters from the TJPDC (Thomas Jefferson Planning District Commission) on housing and transportation.

Discussion – Solicitor Ordinance

Mr. Goodwin explained, over the years, there has been some sporadic issues where citizens complain to Louisa County Sheriff's Office (LCSO) (or online) about people soliciting door to door. LCSO has suggested that a solicitor ordinance might alleviate the concern by providing a basis for familiarity on LCSO's part regarding those soliciting in the County. He provided the Board with information on Fauquier's solicitor ordinance. He noted theirs includes, among other things: solicitors to register in advance with the Sheriff; solicitors to pay a small fee (for "investigation and processing"); exclusions; and related information.

The Board directed the County Administrator to move forward with a draft proposal for consideration.

Discussion – Procurement for Water/Sewer Infrastructure

Mr. Andy Wade, Director of Economic Development Director notified the Board of the County's intent to send 30-day right-of-entry letters to the property owners that may be impacted by the

raw water line that will serve the Lake Anna Technology Campus. He stated property entry is to perform design due diligence associated with the infrastructure design. The 30-day letter provides the property with information regarding the types of due diligence to be performed onsite, the professional firms performing the due diligence, and a range of time the firms will be onsite. Per Virginia State Code Section 25.1-203, the letter serves as the County's intent to enter and gives the property owner 30 days to grant access. If permission is not granted, access is automatically granted per code.

Mr. Wade explained the PPEA approach to procuring a design/build team to deliver the required infrastructure to both AWS campuses is the best approach. Since the Board adopted the Water Services Agreements with AWS in December 2023, the office of Economic Development has received several calls from interested design/build teams regarding the procurement process. It's possible, but uncertain at this time if the County will receive an unsolicited bid from an interested design/build firm. Given the interest received, Mr. Wade asked the Chairman to appoint two Board members to serve on an internal selection committee to evaluate proposals and ultimately select the design/build team for this project.

Chairman Adams appointed himself and Mr. Barlow to the PPEA Water/Sewer Infrastructure Selection Committee.

Discussion – Regional Jail Litter Cleanup Crew

Mr. Barnes requested the County Administrator have the regional jails provide a response on inmate litter pickup services.

UNFINISHED BUSINESS

(None)

NEW BUSINESS/ACTION ITEMS

Resolution – Adjusting the Louisa County Board of Supervisors Regular Meeting Schedule for the Month of April 2024

Pursuant to Virginia State Code § 15.2-1416, days, times and places of regular meetings to be held during the ensuing months shall be established at the first meeting which meeting may be referred to as the annual or organizational meeting. If the governing body subsequently prescribes any public place other than the initial public meeting place, or any day or time other than that initially established, as a meeting day, place or time, the governing body shall pass a resolution as to such future meeting day, place or time.

The Louisa County Board of Supervisors has previously established its regularly scheduled meetings for the first and third Monday of each month beginning at 5:00 p.m. The Board desires to modify its schedule for the month of April 2024.

On the motion of Mr. Williams, seconded by Mr. Barnes, which carried by a vote of 7-0, the Board voted to approve modifications to its regularly scheduled meetings for the second meeting of April 2024 as follows:

1. The Board will move its regularly scheduled meeting on Monday, April 1, 2024, to Monday, April 8, 2024, in the Public Meeting Room, located at 1 Woolfolk Ave., Louisa, VA 23093, in Louisa, Virginia.
2. The Board will its regularly scheduled meeting on Monday, April 15, 2024, to Monday, April 29, 2024, in the Public Meeting Room, located at 1 Woolfolk Ave., Louisa, VA 23093, in Louisa, Virginia.
3. The Clerk of the Board shall ensure a copy of this resolution be posted in the County Office Building bulletin board and a summary of it to be published and posted to the County website.
4. This resolution shall become effective upon adoption.

Resolution – Opposing House Bill 636 and Senate Bill 567

Mr. Goodwin explained House Bill 636 and Senate Bill 567 would give the Virginia State Corporation Commission (SCC) the authority to override local governing boards for the siting of utility-scale solar, wind, and energy storage projects. He stated the two companion bills, if approved, would result in legislation that allows independent power producers to bypass local planning commissions and boards of supervisors when seeking approval for the siting and operation of solar projects with a rated generation capacity of 50 megawatts (MW) or more and wind projects of 100 MW or more.

He noted these preemptive bills would strip localities of the authority to make decisions about their own land and water and could be hazardous to the health and safety of county residents.

The SCC has less familiarity with concerns facing individual localities; therefore, it stands to reason, that only local governing boards should determine the alignment of a renewable energy project with their land-use goals.

On the motion of Mr. Williams, seconded by Mr. Barnes, which carried by a vote of 7-0, the Board voted to communicate its opposition to House Bill 636 and Senate Bill 567.

REPORTS OF OFFICERS, BOARDS AND STANDING COMMITTEES

Committee Reports

Chairman Adams explained there have been discussions about holding a photo contest for landscape photos of Louisa County. He said the contest will call for individuals to submit their best photos of Louisa County and its activities and attractions, as well as historic and scenic locations. The idea is to have several photos, one to two of each district, to be showcased in the Public Meeting Room.

Chairman Adams said he would like for two members of the board to serve on a review/selection committee and appointed Mr. McCotter and Mr. Barlow.

Board Appointments

On the motion of Mr. McCotter, seconded by Mr. Williams, which carried by a vote of 7-0, the Board voted to appoint the make the following appointments:

- Appointed Mr. Harry Looney to LAAC (Lake Anna Advisory Committee)

- Appointed Ms. Wanda Colvin to the Rappahannock Juvenile Detention Center as an Alternate
- Reappointed Ms. Amanda Welch to the Thomas Jefferson Water Resources Protection Foundation

County Administrator's Report

Mr. Goodwin reported that there were several reports and items of correspondence in the Board packet and reminded the Board of several upcoming events.

PUBLIC HEARINGS

Resolution – To Approve/Deny REZ2023-07, Essex Concrete Corporation, Applicants; KFP1 LLC, Owners – Rezoning Request

Mr. Josh Gillespie, Director of Community Development, presented the staff report regarding Essex Concrete Corporation, Applicants; KFP1, Owners; Rea T. Williams, III, Esq., Agent, rezoning request.

The request is for rezoning of 13.81 +/- acres General Commercial Growth Area Overlay District (C-2 GAOD) to Industrial General Growth Area Overlay District (I-2 GAOD). The goal of this rezoning is to allow the establishment and operation of a concrete manufacturing facility on a portion of tax map parcel 67-2-C, with access through a portion of tax map parcel 67-2-B located on Three Notch Road (US Route 250) in the Patrick Henry Election District. The portions of the subject property to be rezoned are further identified in the applicants concept site layout dated revision January 18, 2024 Enclosure 1 as parcel 67-2-C (14.59 acres) portion to be rezoned (11.88 acres) and 67-2-B (13.22 acres) portion to be rezoned (1.93 acres).

At a regular meeting of the Louisa County Planning Commission held January 11, 2024, the Planning Commission voted that the public necessity, convenience, general welfare, or good zoning practice compels it to forward a recommendation of denial to the Louisa County Board of Supervisors on the request of rezoning the entirety of parcels 67-2-C, 67-2-B, and 67-2-A from General Commercial Growth Area Overlay District (C-2 GAOD) to Industrial General Growth Area Overlay District (I-2 GAOD) with proffered conditions developed during a meeting recess as follows:

1. The development of the leasehold shall be in compliance with the concept plan dated November 17, 2023 and attached hereto as Exhibit A.
2. The Vegetative Buffer, as shown on the attached plan shown as Exhibit A shall remain in place.
3. All exterior lighting shall be in compliance with the standards of the international dark sky association.
4. The uses shall be limited to the following: Utility Service, Minor, Construction Yard, Contractor's Offices and shop, Industrial, light, Industrial, Medium, Warehousing and Distribution.
5. The uses shown on the concept plan attached and shown on Exhibit A, shall be solely served by the Louisa County Water Authority, or successors thereof. This Proffer shall not apply to any uses outside of the area shown on the Concept plan attached hereto as Exhibit A.

After the Louisa County Planning Commission meeting held January 11, 2024, the application was revised on January 18, 2024, for rezoning parcel 67-2-C portion of (14.59 acres) and parcel 67-2-B portion of (13.22 acres) from General Commercial (C-2) (GAOD) to Industrial General (I-2) (GAOD); and these proffered conditions were submitted by email on January 25, 2024:

1. The development of the leasehold for a Concrete plant shall be in substantial compliance with the Concept Site Layout plan dated December 14, 2023 and updated on January 18, 2024 and attached hereto as Exhibit A.
2. The Existing Vegetative Buffer, as shown on the attached plan shown as Exhibit A shall remain in place.
3. All exterior lighting shall be in compliance with the standards of the international dark sky association.
4. The I-2 (GOAD) zoning uses on the subject property shall be limited to the following: Utility Service, Minor, Construction Yard, Contractor's Offices and shop, Industrial, light, Industrial, Medium, Warehousing and Distribution.
5. The Concrete plant will not operate on Sundays.
6. The Concrete Plant shown on the Concept Site Layout plan shown on Exhibit A attached hereto, shall be solely served by the Louisa County Water Authority, or successors thereof.

Mr. Torrey Williams, Agent, presented the proposed plan indicating the request for rezoning and provided a high level of detail of the proposed operations of the plant.

Discussion ensued among the Board regarding: the Planning Commission's vote to forward a recommendation of denial, the difference between the application now and when it was heard at the Planning Commission level, the visibility of the plant from the road, water usage, hours of operation, impact on traffic and noise levels, air quality monitoring and control, the concept of mobile batch plants, the containment basins on site, and stormwater runoff management.

Chairman Adams opened the public hearing.

Mr. Greg Hosaflook, Patrick Henry District, spoke in opposition of the proposed rezoning.

Ms. Gina Lombarde, Patrick Henry District, spoke in opposition of the proposed rezoning.

Mr. Stacy Shifflet, Patrick Henry District, spoke in opposition of the proposed rezoning.

Ms. Sophie Hacken, Patrick Henry District, spoke in opposition of the proposed rezoning.

Mr. Matthew Fields, Patrick Henry District, spoke in opposition of the proposed rezoning.

Ms. Susannah "Susan" Bickley, Patrick Henry District, spoke in opposition of the proposed rezoning.

Mr. Michael Breen, Patrick Henry District, spoke in opposition of the proposed rezoning.

Ms. Heidi Shalloway, Patrick Henry District, spoke in opposition of the proposed rezoning.

Mr. Phillip Winston, Mineral District, spoke in opposition of the proposed rezoning.

Ms. Vicky Harte, Louisa District, brought up the containment basins and questioned where the overflow will go since it was not identified in the presentation.

Mr. Raynor Richardson, Patrick Henry District, spoke in opposition of the proposed rezoning.

Ms. Lisa King, Patrick Henry District, spoke in opposition of the proposed rezoning.

Ms. Yvonne Johnston, Patrick Henry District, spoke in opposition of the proposed rezoning.

Ms. Lisa Luck, Patrick Henry District, spoke in opposition of the proposed rezoning.

Mr. William Hernandez, Patrick Henry District, spoke in opposition of the proposed rezoning.

Mr. Tom Silling, Fluvanna County Resident, spoke in opposition of the proposed rezoning.

Ms. Roxanne Bailey, Scottsville & Property Owner in Patrick Henry District, spoke in opposition of the proposed rezoning.

Mr. Fred Shorey, Fluvanna County Resident, spoke in opposition of the proposed rezoning.

Mr. Edwin Bailey, Fluvanna County Resident, spoke in opposition of the proposed rezoning.

Mr. John Childress, Fluvanna County Resident, spoke in opposition of the proposed rezoning.

Several speakers provided the Board with supplemental information to be included as part of the official meeting record. (See Appendix B)

Petition opposing the rezoning request was also submitted. (see Appendix C)

With no one wishing to speak, Chairman Adams closed the public hearing and brought it back to the Board for discussion.

The Board took recess at 8:20 pm and reconvened at 8:39 p.m.

Further discussion ensued between the Board and the applicant.

Board discussion was suspended for a brief recess during which the proffered conditions submitted on January 25, 2024, were revised by the applicant, as follows:

1. The development of the leasehold for a Concrete plant shall be in substantial compliance with the Concept Site Layout plan dated December 14, 2023, and updated on January 18, 2024 and attached hereto as Exhibit A.
2. The Existing Vegetative Buffer, as shown on the attached plan shown as Exhibit A shall remain in place.
3. All exterior lighting shall be in compliance with the standards of the international dark sky association.
4. The I-2 (GOAD) zoning uses on the subject property shall be limited to the following: Utility Service, Minor, Construction Yard, Contractor's Offices and shop, Industrial, light, Industrial, Medium, Warehousing and Distribution.

5. No industrial uses, including equipment operation, will be allowed on Sundays.
6. All industrial uses on the 13.81 acres that are the subject of this rezoning, shall be solely served by the Louisa County Water Authority, or successors thereof.

On the motion of Mr. Barnes, seconded by Mr. Barlow, which carried by a vote of 6-1, with Mr. McCotter voting against, the Board voted to approve the request for rezoning of a portion of parcel 67-2-C and a portion of parcel 67-2-B to Industrial I-2 GAOD with proffered conditions provided by the applicant to staff on January 25, 2024, and, as revised, to the Board of Supervisors on February 5, 2024, as follows:

1. The development of the leasehold for a Concrete plant shall be in substantial compliance with the Concept Site Layout plan dated December 14, 2023, and updated on January 18, 2024 and attached hereto as Exhibit A.
2. The Existing Vegetative Buffer, as shown on the attached plan shown as Exhibit A shall remain in place.
3. All exterior lighting shall be in compliance with the standards of the international dark sky association.
4. The I-2 (GOAD) zoning uses on the subject property shall be limited to the following: Utility Service, Minor, Construction Yard, Contractor's Offices and shop, Industrial, light, Industrial, Medium, Warehousing and Distribution.
5. No industrial uses, including equipment operation, will be allowed on Sundays.
6. All industrial uses on the 13.81 acres that are the subject of this rezoning shall be solely served by the Louisa County Water Authority, or successors thereof.

Resolution – To Approve/Deny REZ2023-06, GK Structures LLC, Applicant/Owner; Larry Giannasi, Managing Member and Agent Rezoning Request

Mr. Josh Gillespie, Director of Community Development, presented the staff report regarding GK Structures LLC, Applicant/Owner and Larry Giannasi, Managing Member and Agent, request for rezoning approximately 21.954 acres from Agricultural (A-1) to Agricultural (A-2).

The goal of this rezoning is to allow a subdivision of the subject property. The property is located at the intersection of Halls Store Road (State Route 612) and Jefferson Highway (US Route 33) and is further identified as tax map parcel 73-6-4, in the Jackson Election District; and

At a regular meeting of the Louisa County Planning Commission held December 14, 2023, the Planning Commission voted that the public necessity, convenience, general welfare, or good zoning practice compels it to forward a recommendation of denial to the Louisa County Board of Supervisors on the request for rezoning approximately 21.954 acres from Agricultural (A-1) to Agricultural (A-2) to allow a subdivision.

After the Louisa County Planning Commission meeting held December 14, 2024, these proffered conditions were submitted by email on February 5, 2024:

1. The subject property shall be subdivided into a maximum of 5 lots.
2. After the initial subdivision, the subject property and recorded lots may not be further subdivided for any purpose, including a family subdivision.

3. A 50 feet wide buffer shall be maintained along the southern property line adjoining Tax Map Parcels 73-18 and 73-23. The buffer shall remain undisturbed and allow for natural forest regrowth to occur.
4. No lot shall have direct access to U.S. Route 33 (Jefferson Highway)

Mr. Williams explained when this rezoning went before the Planning Commission, he requested the Planning Commission vote to forward a recommendation of denial to the Board, as he was opposed to the original request. He said the rezoning would allow the developer to further divide the property beyond what is allowed by-right, if approved by the Board. Mr. Williams said the County has been approving development of this kind for quite some time and the time to address uncontrolled residential growth is now. Mr. Williams noted that Mr. Giannasi is not the problem, he has brought the problem to light. Mr. Williams provided population statistics, explaining that Louisa County has grown over 7% since 2020, with a population that now exceeds 40,000. Mr. Williams noted there are nearly 11,000 unimproved parcels in the county that could potentially be used for residential growth, creating a strain on county resources, without proper development to offset these costs. Mr. Williams explained that Mr. Giannasi has amended his proffers to limit further division for any purpose, including family subdivision, and that is something he cannot dismiss.

Mr. Barlow said he will have to abstain from the vote, due to the potential of providing survey services for the proposed parcels. He briefly talked about uncontrolled residential growth and agreed with Mr. Williams that this issue must be addressed.

Questions and comments were address by the Board regarding:

Mr. Larry Giannasi, Managing Member and Agent, appeared before the Board to present the proposed rezoning plan to allow a subdivision of the subject property. He noted the intent is to divide the property into five (5) parcels for residential development. Mr. Giannasi explained this proposal has been reduced from its original request of seven (7) parcels, with the potential of twelve (12), and limiting the division rights so the recorded lots may not be further subdivided for any purpose. He provided the Board with the following revised proffered conditions:

1. The subject property shall be subdivided into a maximum of 5 lots.
2. After the initial subdivision, the subject property and recorded lots may not be further subdivided for any purpose, including a family subdivision.
3. No land disturbance on the subject property shall be permitted within fifty (50) feet of the shared boundary lines of the subject property and Tax Map Parcels 73-18 and 73-23. The undisturbed land within this area (the “buffer”) shall allow for natural forest regrowth to occur.
4. No lot shall have direct access to U.S. Route 33 (Jefferson Highway).

Chairman Adams opened the public hearing.

Ms. Virginia Robinson, Jackson District, spoke in opposition of the proposed rezoning request.

Mr. Brett Reynolds, Jackson District, spoke in opposition of the proposed rezoning request.

Ms. Alicia Reynolds, Jackson District, spoke in opposition of the proposed rezoning request.

Mr. Bruce Corsen, Jackson District, spoke in opposition of the original request, but stated he rather see five (5) homes, than the potential of twelve (12).

Ms. Vicky Harte, Louisa District, talked about impacts of residential development throughout the County.

On the motion of Mr. Barnes, seconded by Mr. Williams, which carried by a vote of 7-0, the Board voted to extend its meeting past 10:00 p.m.

With no one else wishing to speak, Chairman Adams closed the public hearing and brought it back to the Board for discussion.

Mr. Williams said he was a solid no on this request from the beginning, however, the amended proffer to limit further subdivision, including family subdivisions, intrigued him. He said because of that amendment, he will accept the proffers and motioned to approve the rezoning request, as amended.

Back and forth discussion ensued between the Board, staff, and Mr. Giannasi regarding proffer number 3.

On the motion of Mr. Williams, seconded by Mr. Barnes, which carried by a vote of 4-2-1, with Mr. Woodward and Mr. McCotter voting against, and Mr. Barlow abstaining, the Board voted to approve the request for rezoning of tax map parcel 73-6-4 with proffered conditions provided by the applicant to staff on February 5, 2024, and, as revised, to the Board of Supervisors on February 5, 2024, as follows:

1. The subject property shall be subdivided into a maximum of 5 lots.
2. After the initial subdivision, the subject property and recorded lots may not be further subdivided for any purpose, including a family subdivision.
3. No land disturbance on the subject property shall be permitted within fifty (50) feet of the shared boundary lines of the subject property and Tax Map Parcels 73-18 and 73-23. The undisturbed land within this area (the “buffer”) shall allow for natural forest regrowth to occur and will remain undisturbed, except for the removal of dead or diseased trees as approved in advance by the zoning administrator.
4. No lot shall have direct access to U.S. Route 33 (Jefferson Highway).

Resolution – To Approve/Deny CPA2024-01, Add a Public Facilities Section to the Adopted Comprehensive Plan (2040 Plan)

Mr. Coon explained, the purpose of this discussion is to present to the Board the necessity and benefits of adopting the public facilities section of the Louisa County Comprehensive Plan. This adoption allows the county to maintain the current quality of life and service standards amidst ongoing and future development. It aims to ensure that development impacts are adequately assessed and mitigated, supporting sustainable growth and preserving the community's well-being.

Members of the Board expressed the need to have more time to review over the proposed amendments.

Chairman Adams opened the public hearing. With no one wishing to speak, Chairman Adams closed the public hearing and brought it back to the Board for discussion.

On the motion of Mr. Williams, seconded by Mr. Barnes, which carried by a vote of 7-0, to defer action until next meeting (02/20/24).

Ordinance – Amending Louisa County Code Section 74-119 County Public Highways Designated for Golf Cart and Utility Vehicle Operations – To Add Seclusion Shores Subdivision

Mr. Josh Gillespie, explained, the Code of Virginia stipulates that golf carts and utility vehicles may not be operated on any public highway in Virginia except as specifically authorized by the governing body of the county, city or town in which said highway is located. Code of Virginia § 46.2-916.2 provides that no portion of the public highways may be designated for use by golf carts and utility vehicles unless the governing body of the county, city, or town in which that portion of the highway is located has reviewed and approved such highway usage.

The Board has (I) considered the speed, volume, and character of motor vehicle traffic using the highways in Seclusion Shores Subdivision (the "Subdivision") and (ii) determined that golf cart and utility vehicle operation on such highways is compatible with state and local transportation plans and consistent with the Commonwealth's Statewide Pedestrian Policy provided for in § 33.1-23.03:001 The Board has determined that use by golf carts and utility vehicles of the public highways in the Subdivision will not impede the safe and efficient flow of motor vehicle traffic. The posted speed limited on all public highways in the Subdivision is 25 miles per hour; and or less.

Chairman Adams opened the public hearing.

Ms. Vicky Harte, Louisa District, talked about golf cart usage on public highways.

With no one else wishing to speak, Chairman Adams closed the public hearing and brought it back to the Board for discussion.

On the motion of Mr. McCotter, seconded by Mr. Woodward, which carried by a vote of 7-0, the Board voted to approve the amendment to Louisa County Code Section § 74-119, to permit the operation of golf carts and utility vehicles, subject to certain terms and conditions, on public highways in Seclusion Shores Subdivision - Seclusion Shores Drive (Route 1100); Old Farm Hollow (Route 1134); and Elk Court (Route 1135).

Ordinance – Amending Louisa County Code Section 38-1 & 62-29 – Addressing Health, Safety, and Welfare Concerns Related to Litter as a Public Nuisance

Mr. Dale Mullen, Legal Counsel, explained, concerns have been raised about properties storing an excess amount of litter, debris, and abandoned vehicles, or other waste material on the exterior of their property creating a public nuisance. The Code of Virginia defines the term nuisance as “dangerous or unhealthy substance which escaped, spilled, been released or which have been allowed to accumulate in or on any place and all unsafe, dangerous, or unsanitary public or private buildings, walls, or structures which constitute a menace to the health and

safety of the occupants thereof or the public.” Va. Code § 15.2-900.

At the January 2, 2024, meeting held by the Louisa County Board of Supervisors, legal counsel provided the Board with a draft ordinance on litter as a public nuisance for consideration and it was the desire of the Board to have the Ag/Forestral and Rural Preservation Committee review the proposed language prior to consideration by the Board in February.

At the regular meeting of the Ag/Forestral and Rural Preservation Committee held January 17, 2024, the committee voted that the public necessity, convenience, general welfare, or good zoning practice compels the proposed ordinance to make a recommendation of approval to the Louisa County Board of Supervisors.

Questions were addressed about waste material and how that will impact agricultural/farming operations. Mr. Mullen said there are definitions in the existing local ordinance that would exempt out farm waste.

Further questions were addressed about residential use/waste on agricultural property and how this ordinance would be applied, or misapplied to agricultural use, which were answered by Mr. Goodwin and Mr. Mullen.

Mr. Barnes asked when the ordinance will go into effect. Mr. Goodwin said the ordinance reads that it will be ordained on this 5th day of February.

Chairman Adams opened the public hearing.

Ms. Vicky Harte, Louisa District, expressed her concerns with the proposed language and how the County will legally enforce the ordinance.

With no one else wishing to speak, Chairman Adams closed the public hearing and brought it back to the Board for discussion.

On the motion of Mr. Barnes, seconded by Mr. McCotter, which carried by a vote of 7-0, the Board voted to approve the amendment of Louisa County Code, Section 38-1 & 62-29 addressing health, safety, and welfare concerns related to litter as public nuisance.

ADJOURNMENT

On the motion of Mr. Barnes, seconded by Mr. Williams, which carried by a vote of 7-0, the Board voted to adjourn the February 5, 2024, meeting at 10:26 p.m.

BY ORDER OF:
DUANE A. ADAMS, CHAIRMAN
BOARD OF SUPERVISORS
LOUISA COUNTY, VIRGINIA



APPENDIX A

5th Pocket Skateparks

504 Bridle Drive

Langhorne, PA 19047

215-208-6070

info@5thpocketskateparks.com

To whom it may concern,

5th Pocket Skateparks designs and builds custom concrete skateparks for a wide range of clients, both public and private. We work hand in hand with our clients, guiding them through our design process to further understand project needs and create a design/plan that is custom to your location. Our approach to skatepark design is tailored to each project, taking into consideration all existing site conditions to ensure your skatepark integrates with the surrounding landscape and other park amenities. With our approach we design and build skatepark features that are unique to each community's vision. No two 5th Pocket parks are the same.

5th Pocket Skateparks is based outside of Philadelphia PA. We want all communities in the world to have access to creative and professional skatepark design/build services no matter what their budget is. We are not a company that is solely based on profits and we regularly donate our services to communities in need. 5th Pocket was born from volunteering, and giving back to the international skate community is a cornerstone of our mission.

Inside this proposal you will find estimates for the design and construction services we offer, previous concept designs and construction projects we have completed for similar scope projects, and an overview of our company's mission and experience. If you have any questions or concerns feel free to contact us personally.

Sincerely,
Jesse Clayton/Sloan Palder





APPENDIX A

5th Pocket Skateparks

504 Bridle Drive

Langhorne, PA

19047

215-208-6070

info@5thpocketskateparks.com

Design & Construction Proposal - DESIGN AND CONSTRUCTION SERVICES FOR THE DEVELOPMENT OF A SKATE PARK

Index:

1.0 - PROJECTED QUOTE

2.0 - DESIGN RENDERINGS

3.0 - COMPANY BACKGROUND

4.0 - COMPANY EXPERIENCE



Design & Construction Quote

5th Pocket Skateparks
 504 Bridle Drive
 Langhorne, PA 19047
 215-208-6070
 info@5thpocket skateparks.com



QUOTE #: -----

DATE
N/AVALID TO
N/A**Description:**

Below are rough prices based on specific line items that we've determined are applicable to the construction of a 8,000-10,000 sq ft skatepark.

	QTY.	RATE	TOTAL
CONSTRUCTION SERVICES PROVIDED (Non-Prevailing)			
Skatepark Construction	8,000-10,000 Sq. Ft	\$45/Sq. Ft.	\$360,000-
+Design			\$450,000
+Site Work			
+Labor			
+Materials			
CONSTRUCTION SERVICES PROVIDED (Prevailing)			
Skatepark Construction	8,000-10,000 Sq. Ft	\$60/Sq. Ft.	\$480,000-
+Design			\$600,000
+Site Work			
+Labor			
+Materials			





SKATEPARK DESIGN

Section 2.0





SKATEPARK DESIGN

Section 2.1



WHO WE ARE

Section 3.0



PHILADELPHIA'S ONLY SKATER OWNED AND OPERATED SKATEPARK DESIGN AND BUILD COMPANY:

5th Pocket Skateparks is a benefit corporation based in Langhorne, PA. We specialize in skatepark design and construction, as well as design consulting and construction management. We strive to offer an economical alternative to prefab parks while not compromising quality and creativity in skatepark design. Our unique designs will encourage progression in all styles and skill levels of skateboarding without creating a dangerous environment for beginners. We offer services regarding any step in the skatepark design/build process. Public or private, Fifth Pocket can provide all the services necessary to make the skate space you are looking for a reality. We are experienced in all aspects of skatepark development, with over ten years of experience in cast in place concrete. From installation of drainage systems and earthwork to complex multi radius concrete forms and vertical and horizontal radius shotcrete, 5th pocket skateparks provides turn key services with any and all fabrication in the skatepark process.





Lansdale Skatepark

Lansdale, PA - 2020

Project Reference:

Karl Lukens-Lansdale Borough Rec
Director (267) 246-8042
Klukens@lansdale.org

Finished in 2020, Lansdale Skatepark was designed/built with input from local skaters of all ages and skill levels. Since 2014 our team has been in close conversation with the local skatepark committee about this project when it was just a hope and a dream. Lansdale skatepark is a great example of what can be achieved through constant persistence and resilient motivation.

"Honestly there was a point throughout the years that I thought this park wouldn't ever get built. 5th Pocket always kept the fire burning and I am so grateful to be able to come here everyday!"

-CJ Harker, local skater.





Middletown Skatepark

Langhorne, PA - 2019

Project Reference:

Paul Kopera -Middletown Parks/Rec
(215) 262-5469
pkopera@middletownbucks.org

Finished in 2019, Middletown Skatepark was designed/built in place of an old defunct pre-fab skatepark we grew up skating at. Working closely with the township/locals we were able to provide a skatepark that fully addressed the needs of local skatepark goers. Ultimately, we were able to complete this project under budget and quicker than was proposed.

"The skatepark turned out greater than I could have ever imagined. Thank you 5th Pocket for everything you do! -Tom Barret, local skater.





Bernie Cooke Skatepark

Brick, NJ - 2018

Project Reference:

Tony Vlahos -General Contractor,
Precise Construction
(732) 616-4780
tony@pcinj.com

Constructed in 2018, Bernie Cooke skatepark was designed/built as a piece of an overall city park redevelopment project. This skatepark is a great example of what can be achieved when adding a diverse number of features which complement one another. Bernie Cooke offers a place for all skaters of any ability to learn and grow. By designing and building, we were able maximize the budget and overall footprint of the skatepark.

"Good job 5th Pocket Skateparks. This will be the best park in New Jersey." -Kevin Winters





5th Pocket Skateparks

(215) 208-6070

504 Bridle Dr. Langhorne, Pennsylvania

info@5thpocketskateparks.com

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****NEIGHBORHOOD ALERT****
Rezoning for TOXIC CONCRETE BATCHING PLANT
that affects Louisa and Fluvanna County residents

APPENDIX B

Dear Neighbor,

I am writing to alert you to a rezoning issue that is likely to negatively affect everyone in the community.

Essex Concrete Corporation (Essex) has submitted an application to Louisa County to rezone property at 3775 Three Notch Road from C-2 (General Commercial) to I-2 (Industrial General). This would permit medium to heavy industrial activity. The location is across from the Galilee Baptist Church and is near or adjoins farmlands where people reside.

No parcels in the Ferncliff Growth Area, including the Ferncliff Business Park, are zoned I-2. Approval to rezone any of these parcels to I-2 (Industry General) directly contravenes the Louisa County 2040 Comprehensive Plan, which allows only A-2 (Agriculture), C-2 (General Commercial), and I-1 (Industrial Limited) zoning.

The immediate purpose of this rezoning is to build a toxic concrete batching plant. Once rezoning is authorized, industries that use hazardous materials under the Louisa Code would be allowed, with necessary permits, to build factories as well with no input from the public.

**** Negative effects of this toxic concrete batching plant will affect residents of Louisa County AND Fluvanna County. Yet, to our knowledge, the Fluvanna County government has not participated in this process. ****

Louisa County has been less than transparent about the rezoning. No community meeting has been held on this application, and no notice was published in *The Central Virginian*. The only published notice was in the *Richmond Times*. The only written notice was mailed to a small number of adjacent landowners. This notice was sent on Thursday, January 4, 2024, one week prior to the January 11th Louisa County Planning Commission hearing at which the rezoning was on the agenda.

At the January 11th hearing, the Planning Commission recommended to the Board of Supervisors ("BOS") to deny the rezoning application. The Planning Commission apparently had concerns about the hours and days of operation and the industrial plant's intended use of well water. For those who were not able to attend the Planning Commission meeting, a video can be viewed at: <https://www.youtube.com/watch?v=DAm7IFHgLgc>

The Planning Commission's recommendation of denial does NOT mean that the Board of Supervisors will deny the proposal. Without community involvement there is every chance that the Board will approve the rezoning and the toxic cement batching plant.

If this happens, our community will have to suffer through the air and water pollution, noise, potential depletion of well water, and heavier traffic that could lead to more fatalities at the intersection of Courthouse Road and Route 250.

In addition, farmers who rely on the water from Venable Creek could have their livelihoods devastated.

Further details as to how this could affect you are set forth below:

Concrete batching plants are a major source of air pollution due to the emission of particulate matter, nitrogen oxides, and volatile organic compounds. These plants also consume large amounts of water and generate waste that can contribute to water pollution.

The Essex concrete batching plant would use water from our water aquifer. Their application requests permission to use well water.

How much water does a cement batching plant use?

According to Essex representatives, their plant will use 4,000 gallons of water per day; however, upon further questioning by the Planning Commission, they admitted that they would use more than that, but did not provide an amount. To give you an idea of how much more water a concrete batching plant can use, batching 700 cubic yards of concrete would require 20,000 gallons of water per day. In addition, 1,500 gallons of water per minute would circulate through aggregate washers and another 650 gallons per minute would be required along wet belts.

What type of air pollution does a cement batching plant produce?

The cement industry is the third largest source of industrial air pollution such as sulfur dioxide, nitrogen oxides and carbon monoxide. The manufacturing process of cement also causes dust pollution which may reduce visibility and quality of air. According to OSHA, exposure to cement dust can irritate the eyes, nose, throat and the upper respiratory system. Epidemiology studies reveal an association between prolonged exposure to cement batching plant emissions and the risk of cardiovascular and respiratory diseases, especially in children, pregnant women, the elderly and those already afflicted with respiratory diseases. Skin contact can result in moderate irritation to thickening/cracking of skin to severe skin damage from chemical burns. Silica exposure can lead to lung injuries including silicosis and lung cancer.

Will the particulate matter affect me if my home is miles away?

PM₁₀ (big) particles can stay in the air for minutes or hours while PM_{2.5} (small) particles can stay in the air for days or weeks. And travel distance? PM₁₀ particles can travel as little as 100 yards or as much as 30 miles. PM_{2.5} particles go even farther – many hundreds of miles. To give some perspective, **Moss-Nuckols Elementary School is 2.4 miles away from the proposed plant location, and farmlands where people reside directly border the cement batching plant property.**

What type of water pollution does a cement batching plant produce?

Contaminants from cement batching plants can pollute water and cause adverse effects on human and animal wellbeing, according to the Centers for Disease Control and Prevention. Attempts to water down the dust end up creating a thick slurry that tracks all over the community. Air pollution caused by these plants can lead to respiratory problems, and the resulting water pollution can harm aquatic life and contaminate drinking water sources.

An EPA brochure entitled “Stormwater Best Practices: Concrete Washout” states that **concrete washout water from batching plants contains toxic metals and is caustic and corrosive with a pH near 12. In comparison, Drano liquid drain cleaner has a pH of 13.5.** This will devastate nearby aquatic wildlife that requires 6.5 to 9 pH for freshwater. (Note that the property in question contains established wetlands, as does the adjoining property to the west of it.) Wet concrete and washout water can cause skin irritation and eye damage. If the washout water is dumped on the ground, it can run off the construction site to adjoining roads and enter roadside storm drains, which discharge to surface waters such as rivers, lakes, or estuaries. Leaking washout water will likely follow similar paths to nearby surface waters. **Rainfall can cause uncovered concrete washout containers to overflow. Rainwater can also transport washout water to surface waters. (As per photos presented by Essex’s attorney at the last Planning Commission meeting, Essex’s concrete washout containers are NOT covered.)** Rainwater polluted with concrete washout water can percolate down through the soil and alter the soil chemistry, inhibit plant growth, and contaminate the groundwater. Its high pH can increase the toxicity of other substances in the surface waters and soils.

How will this affect farmers in the area?

Cement dust deposits on soil increase the heavy metal levels, pH, electrical conductivity, and bulk density of the soil, while decreasing the water-holding capacity, as well as the moisture, organic carbon, and total nitrogen contents of the soil. Cement industry-derived pollutants appear to play multiple roles in stimulating abiotic stress responses in plants. Cement dust deposition on agricultural fields can affect soils, photosynthesis, transpiration and respiration of plants.

How much traffic would this concrete batching plant generate?

APPENDIX B

The increased traffic from this plant will pose a much higher risk of accidents at the crossroads of Rt. 250 and Courthouse Road, which is already a dangerous intersection. According to Mr. Williams, Essex's attorney, there will be about 37.88 truck trips per workday (within approximately an 8-hour period). When full, concrete trucks weigh about 33 tons (13.5 tons if empty). Each trip is a round trip, so $37.88 \times 2 = 75.56$. Therefore, in an 8-hour workday (Monday through Friday and sometimes on Saturdays) this means waves of **at least 9 to 10 trucks moving in one direction or the other intermittently all day**. This is a recipe for traffic fatalities.

NOTE: This number of trips apparently does not include the additional third-party contractor trucks that carry out the toxic sludge to undisclosed locations. Mr. Williams stated he did not know the locations of those dump sites and did not address whether at those dump sites that toxic sludge would seep into the groundwater and who would be affected.

How noisy are cement batching plants?

A concrete batching plant has a variety of very noisy components, including mixers, cement batchers, aggregate batchers, radial stackers, etc. This can be a nuisance to nearby residents and can also have negative impacts on wildlife in the area. Cement batching plants emit noise that is way above the World Health organization (WHO) guidelines for community noise level.

Studies show a correlation between exposure to high noise levels and increased risk of ischemic heart disease, hypertension, sleep disturbances, cognitive impairments among children, hearing loss and mental instability.

What did Essex's attorney state regarding the noise at the Planning Commission meeting?

Essex's attorney, Mr. Williams, stated that a concrete batching plant produces 83 decibels at 50 feet. By comparison, a diesel train at 45 mph at 100 ft produces 83 decibels.

We cannot emphasize enough how important it is for everyone to show up and make their voices heard at the Louisa County Board of Supervisors' Meeting on Monday, February 5, 2024 at 6:00 pm in the Public Meeting Room, Main Floor, Louisa County Office Building, 1 Woolfolk Ave. in Louisa. The agenda for the BOS meeting can be viewed at: <https://louisacova.portal.civicclerk.com/event/713/files/1674>

You can find contact information for members of the Louisa County Board of Supervisors using the following weblink: <https://www.louisacounty.gov/462/Board-of-Supervisors> To voice your concerns to the Fluvanna County Board of Supervisors, their contact information can be found at: <https://www.fluvannacounty.org/bos/custom-contact-page/board-supervisors-contact-information>

After the recommended denial of the initial application, Essex submitted a revised application on January 18, 2024. The updated application may be viewed at: https://louweb.louisa.org/LCDocs/_REZ/2023-07/Application.pdf

If you would like to be a part of this effort in more ways than just attending the BOS meeting, please e-mail FerncliffCommunity@gmail.com. We need people who are willing to write letters to the editor, put up posters, and help in other ways as the need arises. Please also spread the word to your friends and neighbors.

Thank you.

Your neighbor,



Heidi Shalloway

Ferncliff Community's Objections to Rezoning Parcels 67-2-B and 67-2-C (partially) from C-2, General commercial, to I-2, Industrial general

Rezoning request: By KFP1, LLC, to rezone these two parcels 67-2-B and 67-2-C (in part) from C-2, General commercial (GAOD), to I-2, Industrial general (GAOD), in order to accommodate lessee Essex Concrete Corporation's batching plant, a medium industry. *BOS Packet pp. 81 and 89. Louisa Ord. Code § 86-13, Definitions, Industry, medium.*

Planning Commission action: Recommended denial by Board of Supervisors by a vote of 7-0 at hearing on Jan. 11, 2024. *BOS Packet, p. 86.*

Planning Staff Action: On Jan. 25, 2024, the staff reversed its position a 5th time to recommend approval by the BOS on the sole basis of "guiding principles of the 2040 Plan by 'broadening the tax base'" without any supporting data. *BOS Packet pp. 87 and 83.*

No consideration was given to the depressing effect on other Ferncliff Area Growth property values by the inherent nuisance factors of noise and dust from a concrete batching plant or increased traffic on the US 250 corridor and through the dangerous intersection at US 250 and Va. 208. No consideration was given to the proximity of competing concrete batching plants, Allied Concrete and Rockingham Redi-Mix, both within 12 minutes of Ferncliff, or the admitted portability of Essex's proposed plant in the event of non-profitability. Livefeed of Jan. 11 hearing, <https://louisacova.portal.civicclerk.com/event/35/media>, minutes 1:36:39 et seq.

2040 Comprehensive Plan: Properties of existing occupants in the Ferncliff Growth Area (GAOD), are zoned A-2, Agriculture (farms and low-density residential); C-2, General commercial (neighborhood); and I-1, Industrial limited. The Ferncliff Business Park has no industrial zoning except I-1, Industrial limited. There is no I-2 zoning in the Ferncliff Growth Area. *GIS Map section 67. BOS Packet pp. 81-82, 84, exhs. A and D.*

On the present and future land use maps in the 2040 Comprehensive Plan, these parcels are in a designated "mixed use" area. *Comp Plan 2040, p. 26 and Ferncliff Focus p. 1; also, BOS packet p. 83.* All industrial uses are excluded from "mixed use" areas except I-1, "light industry" [Industrial limited]. ("Mixed-Use: ... Excluded land uses include heavy and medium industrial activities.") *Comp. Plan 2040, p. 17.* The proposed rezoning for I-2, Industrial general, is not

compatible with residential and neighborhood commercial service establishments, which are among the predominant neighboring establishments. *Louisa Ord. Code § 86-481.*

Noise: The applicant's attorney represented at the Jan. 11 Planning Commission hearing that the plant would emit sound of 83 dB. Livefeed of Jan. 11 hearing, <https://louisacova.portal.civicclerk.com/event/35/media>, minutes 1:36:29 et seq. This exceeds the maximum permitted noise levels in any zone, day or night, and is incompatible with the zoning of neighboring properties. *Louisa Code § 51-3 (12):*

District	Daytime Level	Nighttime Level
A-1, A-2	65dB	55dB
R-1, R-2	65dB	55dB
RD, MHP	65dB	55dB
C-1, C-2	70dB	60dB
TOD	65dB	60dB
IND	75dB	65dB

Hours of Operation: At the Jan. 11, 2024 Planning Commission hearing, the applicant was asked to proffer a limitation of hours of operation and declined to do so. *BOS Packet p.86.* Its subsequent proffer on this subject merely stated that it would not operate on Sundays. *BOS Packet pp. 87 and 98, para. 5.* Typically, concrete batching plants begin operating at 6:30 AM to accommodate construction scheduling.

Dust : Concrete batching plants' dust control systems do not capture the fugitive dust that is an inescapable byproduct of concrete batching. Applicant's testimony at the Jan. 11, 2024 hearing did not address fugitive dust. Livefeed of Jan. 11 hearing, <https://louisacova.portal.civicclerk.com/event/35/media>, seriatim.

Facilities: Application states that the lessee plans to use an individual well and septic tank. BOS Packet p. 91, para. 7(E). These facilities are not sited on the applicant's preliminary site plan, as required by Louisa County application checklist. BOS Packet p. 88; unnumbered p. 97.

Applicant on behalf of lessee Essex proffered use of Louisa County water in response to Planning Commission and Staff feedback. BOS Packet pp. 98-101.

Streams and ground water: Venable Creek, a James River tributary, protected by the Clean Water Act of 1972, as amended, flows almost the entire length of parcel 67-2-C and southward through actively farmed properties in both Louisa and Fluvanna Counties. Its contamination by cement slurry would potentially threaten ground waters, crops, and the watering of a beef herd. *BOS Packet p. 97; and US Army Corps of Engineers Report on adjacent parcel 67-2-D , no. NAO-221-00859, dated 5/10/2021* (first page attached) and GIS Map Parcel 67-2-D. Venable Creek frequently floods downstream farms, most recently on Jan. 9, 2024, when the Louisa County offices closed early and schools closed the next day due to flooding.

Stormwater Management Basin: The applicant's proposed uncovered retention pond for concrete washout water is located less than 50 feet from Venable Creek. *BOS Packet unnumbered p. 97.* Washout water is caustic and has a pH of 12, which is deadly to all plant and animal life. If either the creek or the basin overflows during a rainstorm, the concrete washout will permeate the groundwater and contaminate the waters of Venable Creek and downstream properties. *EPA Stormwater Best Practices Management "Concrete Washout" bulletin EPA 833-F-11-00, Feb. 2012, https://www.epa.gov/sites/default/files/2015-11/documents/concretewashout_0.pdf, p.1; GIS Map section 67, Venable Creek.*

Attachment

US Army Corps of Engineers Report on adjacent parcel 67-2-D , no. NAO-221-00859, dated 5/10/2021, p.1.

2/4/2024 11:17 AM rcb

Minimum Measure

Construction Site Stormwater Runoff Control

Subcategory

Good Housekeeping/Materials Management

Description of Concrete Washout at Construction Sites

Concrete and its ingredients

Concrete is a mixture of cement, water, and aggregate material. Portland cement is made by heating a mixture of limestone and clay containing oxides of calcium, aluminum, silicon and other metals in a kiln and then pulverizing the resulting clinker. The fine aggregate particles are usually sand. Coarse aggregate is generally gravel or crushed stone. When cement is mixed with water, a chemical reaction called hydration occurs, which produces glue that binds the aggregates together to make concrete.

Concrete washout

After concrete is poured at a construction site, the chutes of ready mixed concrete trucks and hoppers of concrete pump trucks must be washed out to remove the remaining concrete before it hardens. Equipment such as wheelbarrows and hand tools also need to be washed down. At the end of each work day, the drums of concrete trucks must be washed out. This is customarily done at the ready mixed batch plants, which are usually off-site facilities, however large or rural construction projects may have on-site batch plants. Cementitious (having the properties of cement) washwater and solids also come from using such construction materials as mortar, plaster, stucco, and grout.

Construction workers should handle wet concrete and washout water with care because it may cause skin irritation and eye damage. If the washwater is dumped on the ground (Fig. 1), it can run off the construction site to adjoining roads and enter roadside storm drains, which discharge to surface waters such as rivers, lakes, or estuaries. The red arrow in Figure 2 points to a ready mixed truck chute that's being washed out into a roll-off bin, which isn't watertight. Leaking washwater, shown in the foreground, will likely follow similar



Figure 1. Chute washwater being dumped on the ground

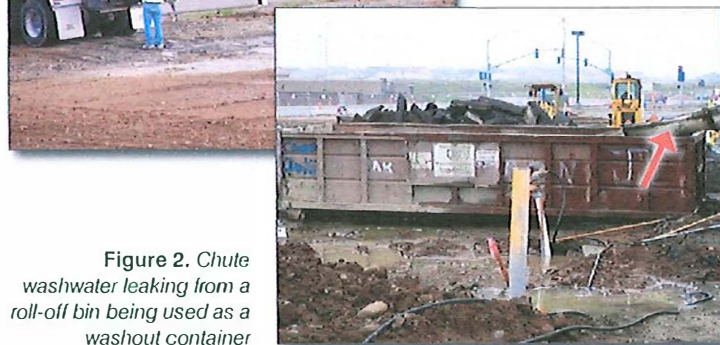


Figure 2. Chute washwater leaking from a roll-off bin being used as a washout container

paths to nearby surface waters. Rainfall may cause concrete washout containers that are uncovered to overflow and also transport the washwater to surface waters. Rainwater polluted with concrete washwater can percolate down through the soil and alter the soil chemistry, inhibit plant growth, and contaminate the groundwater. Its high pH can increase the toxicity of other substances in the surface waters and soils. Figures 1 and 2 illustrate the need for better washout management practices.

Environmental and Human Health Impacts

Concrete washout water (or washwater) is a slurry containing toxic metals. It's also caustic and corrosive, having a pH near 12. In comparison, Drano liquid drain cleaner has a pH of 13.5. Caustic washwater can harm fish gills and eyes and interfere with reproduction. The safe pH ranges for aquatic life habitats are 6.5 – 9 for freshwater and 6.5 – 8.5 for saltwater.

Best Management Practice Objectives

The best management practice objectives for concrete washout are to (a) collect and retain all the concrete washout water and solids in leak proof containers, so that this caustic material does not reach the soil surface and then migrate to surface waters or into the ground water, and (b) recycle 100 percent of the collected concrete washout water and solids. Another

LOUISA COUNTY HEARING BOARD OF SUPERVISORS , FEBRUARY 5, 2024 AT 6:00 PM

GOODAFTERNOON BOARD MEMBERS, NEIGHBOURS AND GUESTS:

MY NAME IS SOPHIE HACKEN AND I RESIDE IN REEDY CREEK III

WE ARE PRESENTING YOU OUR PETITION SIGNERS WHO ALL OPPOSE THE REZONING AND
CEMENT BATCH PLANT CONSTRUCTION

HERE IS THE PAPERWORK OF IT WITH ABOUT 35 SIGNATURES, IT IS THE MOST DEMOCRATIC
WAY TO REMIND AUTHORITIES OF THEIR DUTIES AND FAILURES. UNFORTUNATELY WE HAD A
TIME DISADVANTAGE; LATE NOTIFICATION AND REEDY CREEK POA CHANGE OF CHAIRS.

INTRO: IN A MEETING OF JANUARY 11, THIS YEAR THE PLANNING COMMISSION DECLINED THE
REZONING PROPOSAL ON GROUNDS OF NOISE, AIR, WATER AND CO2 POLLUTION FROM HEAVY
CEMENT TRUCKS CONSTANTLY USING LOCAL ROADS ,UNCLEAR OPERATING HOURS. 6 DAYS A
WEEK CONTINUOUSLY.

I WAS NEVER INFORMED OR READ ABOUT IT UNTIL A NEIGHBOUR ALERTED ME RECENTLY,SO I
DOUBT THAT MANY PEOPLE KNEW ABOUT THIS DEVELOPMENT.

LOUISA COUNTY AS BEEN LESS THAN TRANSPARENT ABOUT ALL INFORMATION CONNECTED TO
THIS REZONING CHANGE IN THE FERNCLIFF GROWTH AREA FOR AGRICULTURE, COMMERCIAL
AND LIGHT INDUSTRIAL ZONES TO PUSH FOR MEDIUM/HEAVY INDUSTRIAL ZONING THAT WAS
ORIGINALLY NOT MEANT TO BE THERE. POSSIBLY OPENING THE DOOR FOR COMPANIES LIKE
ESSEX CONCRETE CORP. TO START THEIR BUSINESS ADDING TO THE STRESS. HOWEVER, THERE
ARE MORE APPROPRIATE INDUSTRIAL PARKS NEARBY ZIONS CROSSROADS A FEW MILES AWAY
TO NAME ONE.

WHAT IS THE LOUISA COUNTY 2040 COMPREHENSIVE PLAN? IS IT AN ESTABLISHED PLAN THAT
SHOULD GUARANTEE THE PRESENT ZONING UNTIL THE YEAR 2040? (PLEASE EXPLAIN) THEN
THIS ACTION BY YOU, IF APPROVED, WILL CONTRAVENE IT.

WHY HERE? YOU MIGHT ASK, WELL IT IS COMMON KNOWLEDGE THAT THE COUNTY LIKES TO
INCREASE ITS TAX INCOME THRU GROWTH AND SOME INFLUENCE FROM ESSEX CONCRETE
CANNOT BE RULED OUT. THEY MUST LIKE THE READILY AVAILABLE I-64 HIGHWAY, WATER AND
LOW POPULATION DENSITY INCLUDING FARMERS, FACILITATING A QUICK RULING WITH LITTLE
NOTIFICATION OR OPPOSITION. WE ARE TALKING ABOUT LONG TERM EFFECTS FOR THE
COMMUNITY WITHIN 3-5 MILES CIRCUMFERENCE. YOU CANNOT IGNORE THAT FACT.

THE ENVIRONMENTAL DAMAGE FOR YEARS TO COME HAS AN INCREMENTAL EFFECT IN THE

APPENDIX B

AIR, (TOXIC PARTICLES BLOWING AND SPREADING), SILICON SPILLS, OVERUSE OF AVAILABLE WATER AND DISCHARGED CONTAMINATED WATER AS WELL AS THREATENING OUR INGROUND AQUIFER AND HOME WELLS. NOT TO MENTION THE NEGATIVE EFFECT ON VULNERABLE CHILDREN AND ADULTS WITH HEART AND LUNG ISSUES. (MOSS NUCKELS ELEMENTARY SCHOOL AND BAPTIST CHURCH), INCLUDING THE SURVIVAL OF INSECTS, PLANTS AND BIRDS WHEN THEY SIT ON DUSTED PLANT LEAVES, BRANCHES AND CONTAMINATED SURFACE AREAS.

KPF1, LLC, THE OWNER OF THREE PARCELS IN FERNCLIFF (ESSEX CONCRETE LESSEE OF OWNER) DID NOT INCLUDE ENVIRONMENTAL ISSUES AND DISCUSSIONS, ACCORDING TO A RECENT REPORT. ONCE ALLOWED AND ESTABLISHED THESE INDUSTRIES MUST APPLY FOR REQUIRED PERMITS, AND DO MONITORING BY EPA AND OTHERS ON THEIR PROPERTIES WHICH I PERSONALLY AM NOT CONVINCED OF UNLESS L.C. ENFORCES IT.

NOBODY CAN SET THE CLOCK BACK ON THIS.

REMEMBER THIS CONCRETE BATCH INDUSTRY RANKS THIRD HIGHEST POLLUTOR IN THE NATION. I HAVE A FOLDER WITH STUDIES DONE ON THIS AND EXPLANATIONS WITH REFERENCES YOU MAY WANT TO LOOK AT OR COPY.

- R.M.A., RESOURCE MANAGEMENT ASSOCIATES ARTIKEL ON THE "ENVIRONMENTAL IMPACT OF CONCRETE BATCHING PLANTS AND HOW TO MINIMIZE IT"

- DEPT. OF ENVIRONMENTAL PROTECTION, CHAPTER 164 "GENERAL PERMIT FOR CONCRETE BATCH PLANTS"

- SCIENCE DIRECT, JOURNAL OF CLEANER PRODUCTION, VOL.231, PAGES 856-871, SEPT.2019

- RICE UNIVERSITY KINDER INSTITUTE FOR URBAN RESEARCH, NEWSLETTER AUGUST 19,2020

"IT'S HARD TO BREATHE WITH A CONCRETE PLANT IN YOUR BACKYARD" BY ALLYN WEST.

WHEN ALL THIS IS SAID AND DONE, THE RESULT COULD BE THAT PEOPLE MIGHT WANT TO MOVE OUT RATHER THAN MOVE INTO THIS AREA WHO ORIGINALLY CAME HERE TO ENJOY THE QUIET NATURE AND CLEAN SURROUNDINGS.

WE APPEAL TO YOUR OBJECTIVE COMMON SENSE AND MORAL OBLIGATION THAT ENDANGERING HUNDREDS, MAY BE THOUSAND PEOPLE IS NOT THE RIGHT THING TO DO. I BELIEVE THAT YOUR DECISION WILL BE MADE IN 45 DAYS OR EARLIER, WILL WE BE INFORMED?

YOU WILL CARRY THE BURDEN OF RESPONSABILITY INCLUDING YOUR SUCCESSORS ON THE BOARD FOR THIS DEVELOPMENT IN OUR COMMUNITY.

THANK YOU FOR YOUR TIME AND ATTENTION

Good evening Members of the Board of Supervisors of Louisa County:

I am Mike Breen, a 'come here' 17 years ago when I retired and my wife and I built our 'dream' home in the Reedy Creek Subdivision in South Central Louisa County within a mile of I-64 Exit 143 and less than 2 miles from the Ferncliff intersection.

In retiring at age 58, I decided to give back to the community vs. launching into another career. I became a very active nonprofits volunteer starting with finishing homes built by Habitat, assisting in installations of handicap ramps for the Housing Foundation, supporting Santa Council, serving 3 years on the LC Resource Council Board of Directors, picking up donations of

food and toiletries and delivering these items to the needy including our public schools, also serving on the BoD of Orange/Louisa Rebuilding Together.

in Feb 2012, I started a year long unpaid and uncompensated volunteer role as a case manager tasked with meeting homeowners whose homes and/or wells were damaged by the earthquake on Aug 23, 2011. I learned a new phrase 'the new normal' from FEMA and VDEM field inspectors and from VOAD volunteers.

I have also served 5 one year terms as a member of the Reedy Creek POA that serves the 147 lot owners in our subdivision. Throughout my 17 years living in county, I have gotten to meet, to know, to respect, and to trust our elected leaders and the administrative personnel staffing the Office of Planning and the Office of Community Development.

My take is that LC has grown from a motto coined in 2007 of "Keep Louisa Green" to one that welcomes controlled and responsible growth of housing, recreational services, schools, and infrastructure. I, too, have evolved from the "Keep Louisa Green" mantra of the farming and forestry interests dominant in 2007 to a more modern personal assessment that LC welcomes controlled and responsible growth in the building of housing and expansion of trade and commerce.

I credit this positive growth curve to Dale Edelman, a former county attorney and executive, who in about 2009/2010 initiated a strategic planning process in concert with the then members of the BoS. Dale challenged his staffers to find census and other public data, identify best practices, create metrics to measure and evaluate that data, and present findings and recommendations to elected officials and to the public on

how to make LC attractive and environmentally friendly and sustainable. Lo and behold, that data was critical to helping the county's leaders to rebuild after the losses to housing, schools and infrastructure from the earthquake.

I recall Dale making public presentations about flow. Hmmm. Flow of what?

Flow of water. Flow of sewage. Flow of 'traffic' physically via roads as well as electronic data and communications.

Flow of population and the environmental impacts of density. All are critical elements in successful strategic planning.

APPENDIX B₁

Dale, working with veteran long term BoS members Willie Gentry and Fitz Barnes as well as other BoS members, shared a strategic vision to capitalize economically on growing the I-64 interchanges 136, 143, 148, 152 and 159 that were physically sited within or close to the southern border of LC.

The continuing success of Zion Crossroads residentially and commercially proved Dale's vision to be spot on. This exit to date has become the economic engine enriching county coffers with new revenues. It is a magnet for the expansion of residences in Spring Creek, Stonegate, and behind Lowes.

The proposal to pump waters from the James River via pipeline was proffered to Fluvanna County politicians and they said no. The pumping station sits idle at Ferncliff next to the property for which an application to rezone from commercial to heavy industrial has been submitted for your purview, judicious review, and vote. The nine technical reps from your own Office of Planning have made their unanimous recommendation to you based on the data they collected and meticulously reviewed.

I conclude my remarks with an appeal to each of you individually to consider the 'what if' of the property in question being built in your district.

Each morning, I look forward to the beauty of the sun and clear blue skies.

Each evening, I look up to the night sky and see the moon and stars in the firmament. Glorious! During the day, I can work yard projects without the need for me to wear a mask or air purifying device. Glorious! I drink fresh water drawn by well pump buried 350 feet deep from the huge aquifer that sits beneath Exit 143. My septic waste is collected, processed, filtered via an expensive engineered 3-tank septic system that requires compliance with VA-DEQ by being under an AOSS contract every day.

My neighbors' kids, MNES school kids, and my own grandkids know that they can play outdoors in our yards in Reedy Creek without fear of particulates floating through the air and into their lungs.

Even our canines, cats, song birds, hawks,
deer, fox, bear, coy wolves, and brown
wood rats can scurry about the land
without risk of inhaling particulates from
the air or settled on ground.

APPENDIX B 6

Our farmers of field crops and acres of fine
forests enjoy having clear air to maximize
photosynthesis from the sun to promote
vegetative growth.

A lot of good souls and their very
livelihoods depend on being able to
breathe crystal clear air. Yes, we do have
air and noise pollution from the exhausts
and tires of trucks, RVs, and cars that
travel I-64.

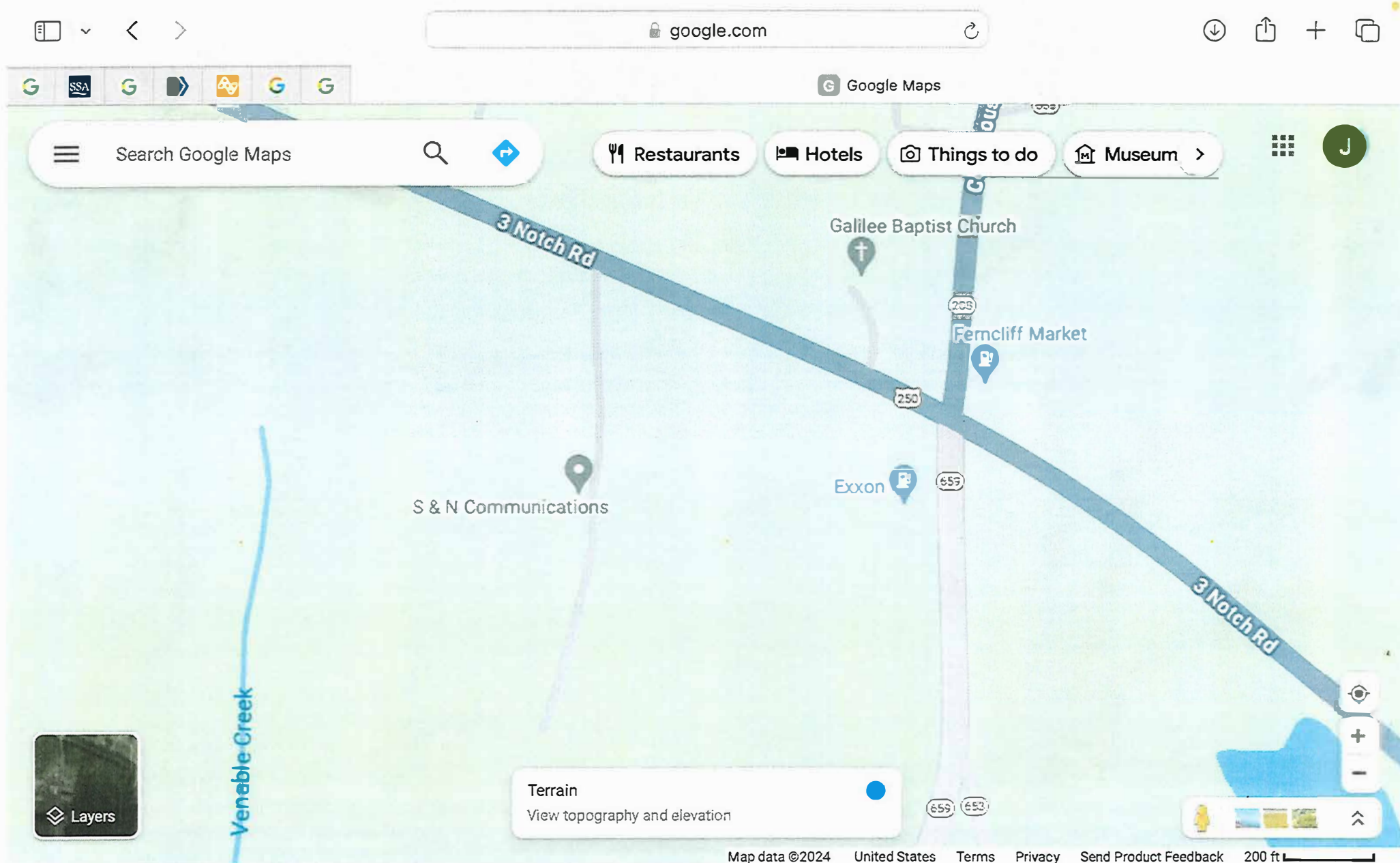
Please keep Louisa County clean!

Mike Breen
540.223.3788
131 Carter Lane
Louisa, VA. 23093

Sent from my iPad



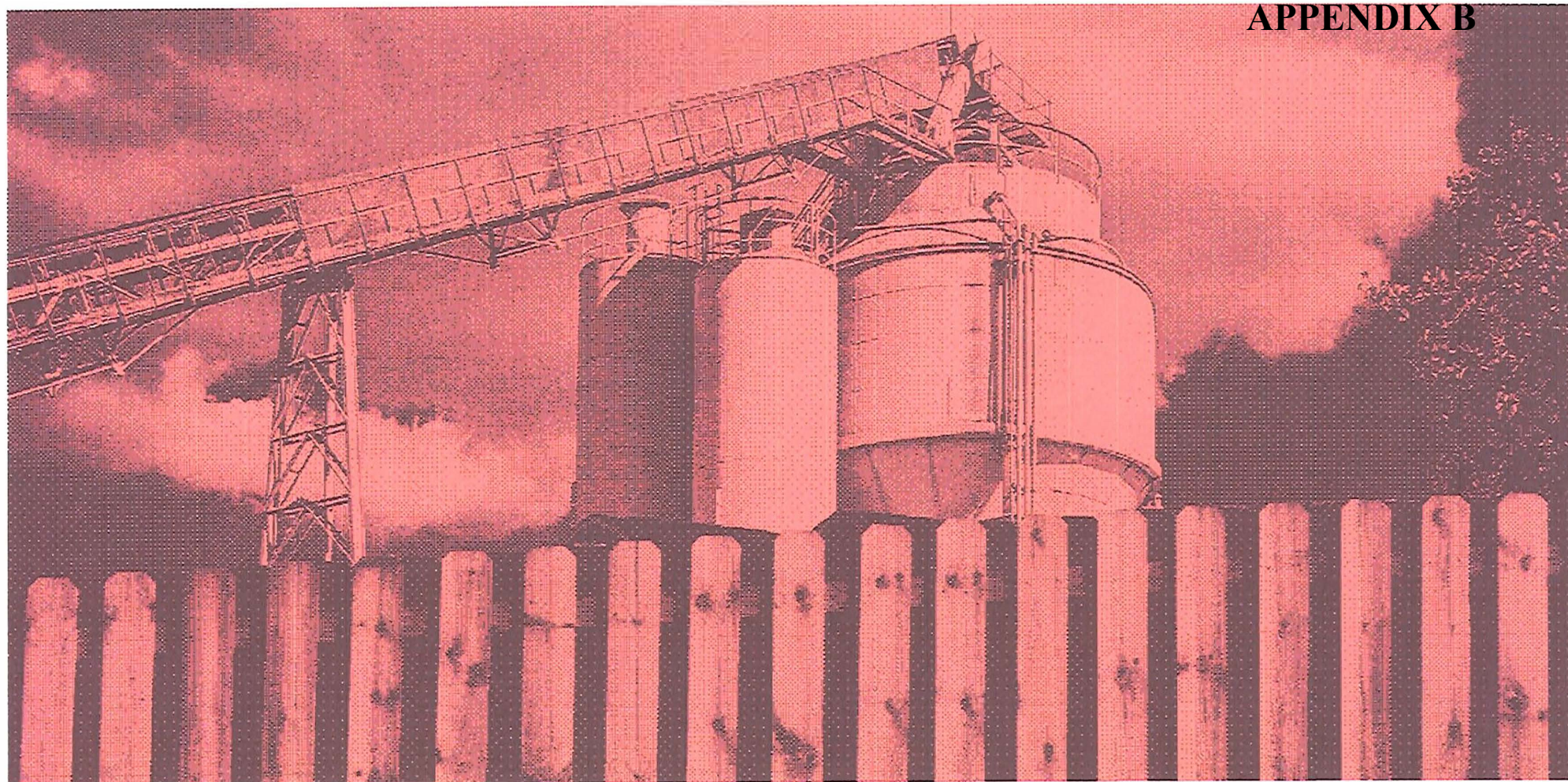
APPENDIX B















Chapter 164: GENERAL PERMIT FOR CONCRETE BATCH PLANTS

SUMMARY: This Chapter regulates air emissions from Concrete Batch Plants that are subject to State air emissions standards. Owners and operators of Concrete Batch Plants may obtain specific regulatory coverage under this General Permit regulation in lieu of an individual air emission license if their facility qualifies as a minor source of air emissions. A Concrete Batch Plant General Permit Number (GPN) for each unit may be obtained by submitting an application with Notification of Intent to Comply (NOITC) attesting to their formal agreement to abide by all conditions of this Chapter. Generator sets and small boilers and hot water heaters do not require a separate GPN but are subject to the provisions of the General Permit when associated with the operations of a concrete batch plant. If construction, modification or operation of a concrete batch plant would not comply with all conditions of this regulation, the owner must apply for and obtain an air emission license pursuant to 06-096 CMR Ch. Ch. 115 before beginning the actual construction, modification, or operation of the air emissions source.

1. Applicability

- A. This regulation applies statewide.
- B. This regulation supersedes *Rules Concerning the Processing of Applications and Other Administrative Matters*, 06-096 CMR Ch. Ch. 2, where applicable.
- C. This regulation applies to all Concrete Batch Plants (CBP) unless the CBP is or would be required to be covered under a separate state air emission license pursuant to 06-096 CMR Ch. 115.
- D. This regulation applies to a facility which is considered a minor source of air emissions pursuant to Department regulation 06-096 CMR Ch. 100, *Definitions*; that is not defined as a Part 70 source and is not subject to 06-096 CMR Ch. 137, *Emission Statements*. This regulation does not exempt a minor source from any applicable state or federal requirements including, but not limited to, those pursuant to 06-096 CMR Ch. 143, *New Source Performance Standards* or 06-096 CMR Ch. 144, *National Emission Standards for Hazardous Air Pollutants*.
- E. **Exclusions.** A source is not eligible for a Concrete Batch Plant General Permit if:
 - (1) It is determined that the source cannot comply with the terms and conditions of this regulation;
 - (2) The Department has reasonable cause to believe that the application contains fraud or misrepresentation;
 - (3) The person applying for the General Permit failed to disclose a material fact required by the application or the regulations of which the applicant had, or should have had knowledge at the time the application was submitted;

- (4) The owner or operator owes any past due fees or civil penalties to the Department from previous air related licenses, permits or consent agreements;
- (5) The power plant engine has a maximum heat input equal to or greater than 5.0 MMBtu/hr or 700 hp;
- (6) The power plant engine cannot meet the definition of a portable non-road engine. Concrete Batch Plants with a power plant engine(s) subject to *National Emission Standards for Hazardous Air Pollutants (NESHAP) for Stationary Reciprocating Internal Combustion Engines*, 40 CFR Part 63, Subpart ZZZZ shall obtain an air emission license pursuant to 06-096 CMR Ch. 115;
- (7) The associated boilers, hot water heaters, and power plant engines have a total maximum heat input capacity equal to or greater than 10.0 MMBtu/hr;
- (8) The aggregate of all stationary fuel burning equipment at a facility, including all concrete batch plants and power plant engines or other equipment under control of the owner or operator, fires more than 65,000 gallons of diesel, #2, #4, or #6 fuel oil, or equivalent natural gas/propane (combined) in a calendar year; or
- (9) The Department has reasonable cause to believe that emissions from the proposed, modified, or relocated source will violate the control strategy or interfere with attainment or maintenance of a national standard in Maine or in a neighboring state.

2. Definitions. The following terms, as used in this Chapter, have the following meanings:

- A. Authorized Official.** "Authorized Official" means any duly authorized person given permission by an owner/operator to conduct business with the Department on their behalf.
- B. Facility.** "Facility" means the aggregate of all the non-temporary pollutant-emitting activities which are located on one or more contiguous or adjacent properties and are under the control of the same person (or persons under common control).
- C. Concrete Batch Plant.** "Concrete Batch Plant (CBP)" means a facility manufacturing concrete from any combination of cement, cement supplement, fine aggregate, coarse aggregate and water. The CBP includes associated aggregate bins, weigh hoppers and cement storage silos.
- D. Operator.** "Operator" means any person has direct control or supervision over a regulated source (Concrete Batch Plant and/or power plant engine and/or boiler or hot water heater) and who has a registered agreement to operate such equipment in accordance with the conditions of this regulation. The operator may also be the owner of the equipment.
- E. Owner.** "Owner" means any person who legally owns a regulated source (Concrete Batch Plant, and/or power plant engine and/or boiler or hot water heater) and who receives a General Permit for that regulated source under the terms of this regulation. The owner may also be the operator of the equipment.
- F. Performance Test.** "Performance Test" means a certified visible emissions observation performed per EPA Method 9. The duration of the Method 9 observation shall be 30 minutes

(five 6-minute averages). Compliance with the applicable fugitive emission limits shall be based on an average of the five 6-minute averages.

- G. Portable Non-Road Engine.** "Portable Non-Road Engine" means an internal combustion engine which is portable or transportable, meaning designed to be and capable of being carried or moved from one location to another. Indicia of transportability include, but are not limited to, wheels, skids, carrying handles, dolly, trailer, or platform. This definition does NOT include engines which remain or will remain at a location for more than 12 consecutive months or a shorter period of time for an engine located at a seasonal source. A location is any single site at a building, structure, facility, or installation. Any engine that replaces an engine at a location and that is intended to perform the same or similar function as the engine replaced will be included in calculating the consecutive time period.

An engine located at a seasonal source is an engine that remains at a seasonal source during the full annual operating period of the seasonal source. A seasonal source is a stationary source that remains in a single location on a permanent basis (i.e., at least two years) and that operates at that single location approximately three months (or more) each year.

- H. Portable Plant.** "Portable Plant" means any Concrete Batch Plant that is mounted on any chassis or skids and may be moved by the application of a lifting or pulling force.
- I. Power Plant Engine.** "Power Plant Engine" means any internal combustion engine whose function is to power a concrete batch plant including gen-sets, direct drive engines, and engines used to power hydraulic drives.
- J. Safe Access.** "Safe Access" means reasonable access to the regulated facility which complies with safety requirements of all local, state, or federal regulating authorities as well as the written safety standard operating procedures for that facility.
- K. Stationary Plant.** "Stationary Plant" means any Concrete Batch Plant that cannot meet the definition of "Portable Plant."
- L. Temporary Equipment.** "Temporary Equipment" means any pollutant-emitting equipment or devices which are operated at a particular site for less than four (4) consecutive weeks in a calendar year.

3. Terms and Conditions for Concrete Batch Plant (CBP) General Permit Applications

- A. Registration of Owner and Operator.** Prior to the operation of a CBP, the owner shall either obtain an air emission license per the requirements of 06-096 CMR Ch. 115 or register the equipment with the Department and receive a General Permit Number (GPN). If the Owner elects to register the equipment under this rule (instead of obtaining a license under 06-096 CMR Ch. 115), the Operator must also submit the Notice of Intent to Comply (NOTIC) per Section 3(D) of this rule prior to operation of the equipment. The owner and operator may be the same.
- B. Required General Permit (GP) Application Form and Additional Information.** The application for a GP shall include an application form prescribed by the Department and any other additional information required by the Department, unless otherwise specified by this Chapter. The applicant may not omit information needed to determine the applicability of this

rule. The application form and the additional required information shall include, but is not limited to, the following elements:

- (1) Identifying information, including contact information for the Owner;
- (2) The manufacturer, model, date(s) of manufacture and installation and maximum processing rate of the Concrete Batch Plant, whether the Concrete Batch Plant is portable, information on the source of the power supply, and any other equipment on-site;
- (3) A unique identifier, such as a serial number associated with the GPN;
- (4) Any other information that may be necessary to implement and enforce any federal or state air emissions control requirements applicable to the source;
- (5) If required by the Department, proposed monitoring, testing, record keeping and reporting protocols, and results of previously performed performance tests; and
- (6) A certification statement as set forth in Section 3(F).

C. Equipment Identification Label. The Department will assign a unique General Permit Number (GPN) to each Concrete Batch Plant for which an application has been submitted. The Concrete Batch Plant unit associated with the GPN shall be clearly marked (engraved, stenciled, etched, or otherwise permanently affixed) with one of the following:

- (1) The current GPN number; or
- (2) A serial number or other unique equipment number that is also listed in the GPN application and which can easily be cross referenced.

D. Notice of Intent to Comply. The operator shall submit, on a form designated by the Department, a Notice of Intent to Comply (NOITC). The NOITC shall be submitted to the Department at least two business days prior to commencing operation of the equipment. A copy of the NOITC shall also be sent to the municipality where the equipment will be relocated, except in the case of an unorganized territory where notification will be made to the respective county commissioners. Once the NOITC is submitted, the operator is bound by the conditions of this regulation and shall comply with all applicable conditions until such time as the operator informs the Department, in writing, that they no longer intend to operate the listed equipment or the owner or operator applies for and obtains an air emission license pursuant to 06-096 CMR Ch. 115.

E. Required NOITC Information. The NOITC shall be in a form prescribed by the Department. The NOITC information shall include, but is not limited to, the following elements:

- (1) The GPN or manufacturer's serial number that is permanently marked on the unit if the NOITC is submitted separately from the GP application form;
- (2) Identifying information, including the CBP location along with contact information for the operator and plant operator responsible for the unit;

- (3) A statement that the operator intends to comply with and operate the listed equipment according to the terms and conditions set forth in this chapter;
- (4) Any other information that may be necessary to implement and enforce all requirements applicable to the source pursuant to federal or state air emission control regulations; and
- (5) A compliance certification statement as set forth in Subsection 3 (F).

F. Certification. All General Permit applications and NOITC certification forms submitted to the Department in accordance with this chapter shall contain a certification of truth, accuracy, and completeness with the signature and printed name of either the responsible official pursuant to 06-096 CMR Ch. 100, *Definitions*, or an authorized official, as defined in this chapter. Signatures of authorized officials must be accompanied with a signed statement from the responsible official giving them the authority to sign on their behalf. The signatory sheet for the owner shall make the following certification:

"I certify under penalty of law that I have personally examined the information submitted in the document and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate, and complete. I authorize the Department to enter the property that is the subject of this application, at reasonable hours, including buildings, structures or conveyances on the property, to determine the accuracy of any information provided herein. I am aware there are significant civil and criminal penalties for submitting false information, including the possibility of fine and imprisonment."

The signatory sheet for the operator (NOITC form) shall include the certification in the paragraph above, in addition to the following certification:

"I certify that the equipment listed in this application shall be operated in compliance with the terms and conditions of 06-096 CMR Ch. 164, *General Permit for Concrete Batch Plants* and any other applicable state or federal air emission control regulations."

In the event of becoming aware that incorrect information was submitted, the responsible/authorized official must provide the Department with the supplementary facts or corrected information.

G. Public Notice of Intent to File. No application notification is required for the processing of a GP application or NOITC.

H. Fees. The owner/operator shall pay an annual fee to the Department per 38 MRSA §353-A(4). The first year's fee is due with the GP application form. Payment of the annual air emission general permit fee is required for continuous activation of the general permit. A general permit shall be deactivated if the permit fee is not paid within 60 days of the annual fee due date shown on the invoice. If a permit is deactivated, the owner/operator must reapply for and obtain a new general permit before resuming operation of the CBP and associated equipment.

- I. **Application Submittal.** An application for a GP shall be filed with the Department of Environmental Protection, Bureau of Air Quality, 17 State House Station, Augusta, ME 04333-0017.
- J. **Source obligation.** Neither a GP nor submittal of an NOITC shall relieve any owner or operator of a source from the responsibility to comply fully with any other requirements applicable to the source.
- K. **Public access to information and confidentiality.** All information and data submitted to the Department shall be subject to the provisions of the *Freedom of Access Law*, Title 1 MRSA §401 *et seq.*, as amended. Documents which the applicant believes may not be subject to disclosure under the *Freedom of Access Law* should be clearly marked as "claimed confidential" at the time of submission. Such a claim of confidentiality does not itself protect the documents from disclosure, but alerts the Department to the applicant's position that the documents may not be subject to disclosure. Public records include, but are not limited to, the following:
 - (1) Information concerning the nature and extent of the emissions of any regulated pollutant by a source; and
 - (2) Information submitted by the source with respect to the economic, environmental and energy impacts of various control options used in determining control technology requirements.

4. Concrete Batch Plant General Permit Requirements for Owners

- A. Employees and authorized representatives of the Department shall be allowed safe access to the owner's business premises during business hours, or any time during which any emissions units are in operation, and at such other times as the Department deems necessary for the purpose of performing tests, collecting samples, conducting inspections, or examining and copying records relating to emissions (Title 38 MRSA §347-C). Prior to entrance to the owner's property, the Department shall notify the owner and the plant operator, or designee, who shall provide safe access that complies with safety requirements of all local, state, and federal regulating authorities as well as all written safety standard operating procedures for that facility.
- B. The owner shall pay the annual air emissions general permit fee to the Department, pursuant to Title 38 M.R.S.A §353-A, 10. Failure to pay this annual fee within the stated timeframe is sufficient grounds for revocation of the GP.
- C. The General Permit does not convey any property rights of any sort, or any exclusive privilege.
- D. The owner shall comply with all applicable terms and conditions of this general permit. The filing of an appeal, the notification of planned changes or anticipated noncompliance, or the filing of an application for an air emission license issued under the authority of 06-096 CMR Ch. 115 shall not stay any condition of this general permit.
- E. The owner shall not use as a defense in an enforcement action that the disruption, cessation, or reduction of operations would have been necessary in order to maintain compliance with the conditions of the general permit. Notwithstanding any other provisions in the State

Implementation Plan approved by the EPA or Section 114(a) of the CAA, any credible evidence may be used for the purpose of establishing whether a person has violated or is in violation of any statute or regulation.

- F. Upon written request from the Department, the owner shall establish and maintain records, make reports, install, use and maintain monitoring equipment, sample emissions (in accordance with methods, at locations, at intervals, and in such a manner as the Department shall prescribe), and provide other information as the Department may reasonably require to determine compliance status.

5. Concrete Batch Plant General Permit Requirements for Operators

A. General Conditions

- (1) Employees and authorized representatives of the Department shall be allowed safe access to the business premises during business hours, any time during which any emissions units are in operation, and at such other times as the Department deems necessary for the purpose of performing tests, collecting samples, conducting inspections, or examining and copying records relating to emissions (Title 38 MRSA §347-C). Prior to entrance to the property, the Department shall notify the operator and the operator, or a designee, shall provide safe access that complies with safety requirements of all local, state, and federal regulating authorities as well as all written safety standard operating procedures for that facility.
- (2) The operator shall establish and maintain a continuing program of best management practices for suppression of fugitive particulate matter during any period of construction, reconstruction, or operation which may result in fugitive dust and shall submit a description to the Department upon request.
- (3) The General Permit does not convey any property rights of any sort, or any exclusive privilege.
- (4) The operator shall maintain and operate as necessary all emission units and air pollution systems required by the general permit in a manner consistent with good air pollution control practice for minimizing emissions.
- (5) The operator shall maintain sufficient records to accurately document compliance with emission standards and general permit conditions and shall maintain such records for a minimum of six (6) years. The records shall be submitted to the Department upon written request.
- (6) The operator shall comply with all applicable terms and conditions of this general permit. The filing of an appeal, the notification of planned changes or anticipated noncompliance, or the filing of an application for an air emission license issued under the authority of 06-096 CMR Ch. 115 shall not stay any condition of this General Permit.
- (7) The operator shall not use as a defense in an enforcement action that the disruption, cessation, or reduction of operations would have been necessary in order to maintain compliance with the conditions of the General Permit. Notwithstanding any other provisions in the *State Implementation Plan* approved by the EPA or Section 114(a) of

the CAA, any credible evidence may be used for the purpose of establishing whether a person has violated or is in violation of any statute or regulation.

- (8) The operator shall keep a copy of the NOITC and manufacturer's operating instructions at the site where the facility operates and shall provide the documentation to Department representatives upon request.
- (9) The operator shall train all equipment operator(s) to be thoroughly familiar with the terms and conditions of this general permit.
- (10) ***

B. Concrete Batch Plant Emissions Control and Maintenance Requirements

- (1) The operator shall establish and maintain a continuing program of best management practices for suppression of fugitive particulate matter during any period of construction, reconstruction, or operation which may result in fugitive dust, and shall submit a description of the program to the Department upon request.
- (2) The operator shall maintain and operate as necessary all emission units and air pollution systems required by the General Permit in a manner consistent with good air pollution control practice for minimizing emissions.
- (3) ***
- (4) ***
- (5) The operator shall maintain control equipment for particulate control on the Concrete Batch Plant and associated material handling systems, bag house filtration systems and cement silos and operate them as necessary to limit visible emissions to the applicable opacity standards listed in 06-096 CMR Ch. 101 and in this subsection.
- (6) The operator shall maintain a log detailing the maintenance on particulate matter control equipment. The operator shall perform monthly inspections of control equipment. Records of the date of each inspection and any corrective action required will be included in the maintenance log. The maintenance log shall be kept on-site at the Concrete Batch Plant location.
- (7) The operator shall maintain a log detailing and quantifying the hours of operation on a daily basis for the Concrete Batch Plant. The operator shall record the date and location of all bag failures as well as all routine maintenance. The operation log shall be kept on-site at the Concrete Batch Plant location.

C. Concrete Batch Plant Record Keeping, Testing and Reporting Requirements

- (1) The operator shall maintain sufficient records to accurately document compliance with emission standards and General Permit conditions and shall maintain such records for a minimum of six (6) years. The records shall be submitted to the Department upon written request.

- (2) In accordance with the Department's air emission compliance test protocol and 40 CFR Part 60 *** ***, the operator shall:
 - (a) perform testing to demonstrate compliance with the applicable emission standards under circumstances representative of the facility's normal process and operating conditions:
 - (i) within sixty (60) calendar days of receipt of a notification to test from the Department or EPA, if visible emissions, equipment operating parameters, staff inspection, air monitoring or other cause indicate to the Department that equipment may be operating out of compliance with emission standards or license conditions; or
 - (ii) pursuant to any other requirement of this general permit to perform testing.
 - (b) make any accommodations necessary to allow emission testing using the EPA Method 9 visual test; and
 - (c) submit a written report to the Department within thirty (30) days from date of any test completion.
- (3) If the results of a test performed under circumstances representative of the facility's normal process and operating conditions indicate emissions in excess of the applicable standards, then:
 - (a) within thirty (30) days following receipt of such test results, the operator shall re-test the non-complying emission source under circumstances representative of the facility's normal process and operating conditions and in accordance with the Department's air emission compliance test protocol and 40 CFR Part 60 *** ***,
 - (b) the days of violation shall be presumed to include the date of test and each and every day of operation thereafter until compliance is demonstrated under normal and representative process and operating conditions*** ***, and
 - (c) the operator may, upon obtaining an air emission license under the authority of 06-096 CMR Ch. 115 and following the successful demonstration of compliance at alternative load conditions, operate under such alternative load conditions on an interim basis in accordance with the air emission license prior to a demonstration of compliance under normal and representative process and operating conditions.
- (4) The operator shall maintain records of malfunctions, failures, downtime, fuel use and fuel sulfur content and any other similar change in operation of air pollution control systems or the emissions unit itself that would affect emissions and that is not consistent with the terms and conditions of this general permit. The operator shall notify the Department within two (2) days or the next state government working day, whichever is later, of such occasions where such changes result in an increase of emissions. The operator shall report all excess emissions in the units of the applicable emission limitation.

- (5) Upon written request from the Department, the operator shall establish and maintain records, make reports, install, use and maintain monitoring equipment, and sample emissions in accordance with prescribed methods, at locations, intervals, and in a manner the Department shall prescribe; and provide other information as the Department may reasonably require in order to make a determination of the permit compliance status.

D. Equipment Relocation

- (1) The operator shall notify the Bureau of Air Quality by a written notification prior to relocation of a portable concrete batch plant. It is preferred for the notice of the relocation to be submitted through the Department's on-line e-notice at:

www.maine.gov/dep/air/compliance/forms/relocation

Written notice may also be sent by fax (207-287-7641) or by mail to the address below:

Attn: Relocation Notice
Maine DEP
Bureau of Air Quality
17 State House Station
Augusta, ME 04333-0017

The notification shall include the address of the equipment's new location and the GPN pertaining to the relocated equipment.

- (2) Written notification shall also be made to the municipality where the equipment will be relocated, except in the case of an unorganized territory where notification will be made to the respective county commissioners.

E. ***

F. Associated Power Plant Engine GP Eligibility and Emission Control Requirements

- (1) Each power plant engine shall not equal or exceed a maximum heat input of 5.0 MMBtu/hr.
- (2) Power plant engines shall fire only fuel with a sulfur content not to exceed 15 ppm.
- (3) Each power plant engine with a maximum heat input greater than 3.0 MMBtu/hr shall not exceed 0.12 lb/MMBtu of total particulate emissions.
- (4) Fuel used by the facility, including any fuel fired in any stationary units such as power plant engines, boilers, and hot water heaters, shall not exceed 65,000 gallons per calendar year of diesel fuel, #2 fuel oil, #4 fuel oil, #6 fuel oil, and the equivalent amount of natural gas/propane, combined.
- (5) ***
- (6) The operator shall not operate any power plant engine as a dispatchable load generator to provide power to ISO New England or any other electricity system operation.

- (7) Operators shall operate and maintain each power plant engine in accordance with the manufacturer's written instructions. Operators may only change settings as approved by the manufacturer.
- (8) If the power plant engine is equipped with a diesel particulate filter, the operator shall keep records of all corrective action taken after the back pressure monitor has notified the operator that the high back pressure limit is approached.

G. Associated Boilers and Hot Water Heaters

- (1) The total maximum heat input capacity of associated boilers and hot water heaters shall not equal or exceed a maximum heat input of 10.0 MMBtu/hr.
 - (2) Each boiler and hot water heater with a maximum heat input greater than 3.0 MMBtu/hr shall not exceed 0.12 lb/MMBtu of total particulate emissions.
 - (3) Fuel fired in boilers and hot water heaters associated with the Concrete Batch Plant shall be included in the facility fuel use limit of 65,000 gallons per calendar year of diesel fuel, #2 fuel oil, #4 fuel oil, #6 fuel oil, and the equivalent amount of natural gas/propane, combined.
 - (4) ***
- 6. Severability.** Each part of this Chapter is severable, and in the event that any part of this Chapter is held to be invalid, the remainder of the Chapter shall continue in full force and effect.

AUTHORITY: 38 M.R.S.A. §585-A

EFFECTIVE DATE:

May 6, 2012 – filing 2012-135

AMENDED:

April 27, 2014 – filing 2014-084

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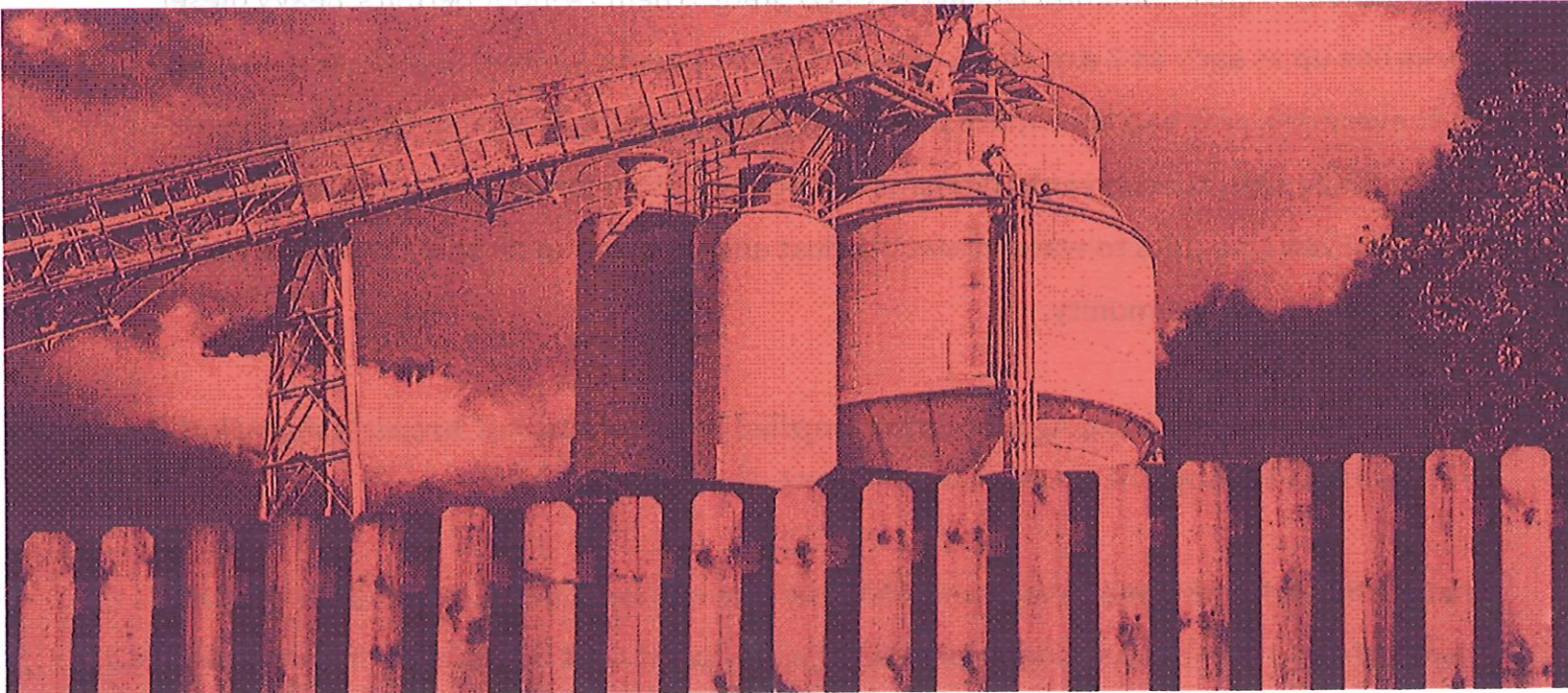
It's hard to breathe with a concrete plant in your backyard

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NIMBY opposition alone isn't enough to counter the harmful effects of air pollutants emitted by concrete batch plants located in underserved and over-polluted communities in

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Harris County, which is home to more of these facilities than any county in Texas. Too often, much of the pollution and many of the polluters largely go unchecked by the state.

“Literally,” state Rep. Armando Walle says, “you can’t breathe.”

The residents the Houston Democrat has represented since 2008 in House District 140, which includes the city and parts of unincorporated Harris County between Loop 610, Beltway 8, Highway 290 and the Eastex Freeway, tell him that the dust that blows from concrete batch plants covers their roofs, their cars, their barbecue pits. They can’t go outside. They can’t have friends over.

The dust, they tell him, is everywhere.

That dust, a kind of air pollution called particulate matter that can penetrate deep into the lungs, is just one part of the problem that concrete batch plants present. Because the Texas Commission on Environmental Quality (TCEQ) grants them 24-hour permits, heavy diesel trucks line up as early as 2 a.m. to idle noisily on local streets, waiting to pick up as many as 150 loads every day, emitting even more pollutants like black carbon and nitrogen dioxide. These trucks, Walle says, tear up yards, drainage ditches and other infrastructure governments have to repair. Even attempts to water down the dust end up creating an ugly muddy slurry that tracks all over the community.

Environmental Protection Agency data compiled by the Houston Chronicle show that there are at least 188 plants in Harris County alone, the most in Texas.

That’s why, earlier this year, Walle and 280 residents showed up at a meeting to demand answers from a company seeking a permit for a new plant near hundreds of homes in Aldine. It was heated, Walle says, until the owner slipped TCEQ a note to withdraw the request in the

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middle of the meeting. That came just one week after a company seeking a permit for a new plant next door to a couple's home and a park in Acres Homes agreed, after years of residents' pressure, to build it somewhere else.

Keeping these plants out were wins for the health of these communities. But there are already eight concrete batch plants in Aldine. On the other side of I-45, in District B, which includes Acres Homes, there are more than a dozen. Environmental Protection Agency data compiled by the Houston Chronicle show that there are at least 188 plants in Harris County alone, the most in Texas.

And there are more in Texas than any other state. Though they produce one of the ubiquitous materials of cities, the concrete we pour for everything from sidewalks to stormwater pipes to skyscrapers, the unique combination of Houston's lack of zoning, the region's relentless outward growth and an overly permissive state environmental agency means that too many concrete batch plants are making it too hard to breathe.

What happens at concrete batch plants?

Behind the fences, mountains of sand and rock and aggregate are loaded around the clock into the drums of the trucks. That, says Corey Williams, research and policy director for Air Alliance Houston, is the largest source of the dusty, gritty pollution that Walle has heard so much about.

It's like when you forget to change the vacuum cleaner bag at home — except, in Texas, no one's coming to remind you.

That's also the only place, Williams says, where the plants are required to control the pollution. A vacuum system is supposed to suck the dust into a baghouse, which is supposed to filter out the particulate matter.

The problem, Williams explains, is that baghouses have to be maintained and cleaned regularly. When they're not, or when that's done improperly, they end up making even more of a mess. It's like when you forget to change the vacuum cleaner bag at home — except, in Texas, no one's coming to remind you.

TCEQ, Williams says, rarely returns to plants once permits are granted to inspect the baghouses and other operations. Companies are expected to clean up after themselves. "Nobody's checking," Williams says, "unless somebody from the community is vocal and makes complaints about emissions."

But, without air monitors, residents might not know about those emissions. It's dusty, but they might not know that they're breathing one of the deadliest kinds of air pollution. Particulate matter is linked to serious health conditions, including reduced lung development in children, higher rates of asthma, bronchitis, heart disease and cancer. The most recent data, compiled from a range of sources, including satellite imagery, show that, in 2015 alone, particulate matter was linked to 5,200 premature deaths in Houston.

Volatile organic compounds (VOCs) are also a problem at concrete batch plants, says Dr. Latrice Babin, director of Harris County Pollution Control. VOCs can irritate the eyes and respiratory system and cause shortness of breath, headaches, fatigue, skin problems and impair the memory. Higher concentrations of VOCs can damage the liver, kidney and brain, according to Babin.

Particulate matter is linked to serious health conditions, including reduced lung development in children, higher rates of asthma, bronchitis, heart disease and cancer.

"Living near these facilities, you are exposed to higher levels of harmful pollution," says Fern Uennatornwarangoon, air quality policy manager with Environmental Defense Fund (EDF). Even inside a community, the pollution from a concrete batch plant can be comparable with the pollution along a congested freeway.

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The findings of new research from EDF, which drove 32,000 miles in 22 Houston neighborhoods with air monitors mounted on Google Street View cars “confirm communities’ lived experience. They’ve always known where these problematic facilities are,” Uennatornwarangoon says. In Houston, almost one-third of the concrete batch plants in the city are located a short walk from a school or day care.

The health impacts of this pollution are profound, and they are disproportionately borne. Because land has been cheapened by redlining, disinvestment, restrictive covenants and environmental racism, polluters concentrate unevenly across the region, often intentionally in communities of color and low wealth, compounding other issues and creating entrenched disparities, almost all of which are being exacerbated by the coronavirus pandemic. Those who are exposed the most to pollution are the least responsible for it.

Fifth Ward, on the other side of the freeway from Acres Homes, has four concrete batch plants and 10 metal recyclers — and has higher rates of COPD, coronary heart disease and stroke than the city average. Asthma rates edge close to 11%, compared with 7% in River Oaks — where there are stormwater pipes and sidewalks and skyscrapers, but not a single concrete batch plant.

What can be done?

As residents in Aldine and Acres Homes prove, relentless community organizing can keep new concrete batch plants out — if the community knows when one’s coming in. TCEQ requires companies to post signs at proposed sites and print notices in a local newspaper to get their permits, but that’s “the bare minimum,” Williams says. The state is burdening the communities threatened by these plants to protect themselves. Unless you drove by or scoured the fine print, you’d never know.

Dr. Bakeyah Nelson, Air Alliance Houston’s executive director, has said that permits should also consider the context of the site and the cumulative impacts of exposure to many sources of pollution. The permit, she said, shouldn’t be based only on what is supposed to happen

inside the fence.

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What's needed most going forward is a reevaluation of the entire permitting process. "The issue is lax enforcement from the state, and I think it's by design," Walle says. "I can't remember the last time TCEQ rejected a permit."

He says he has filed bill after bill in recent legislative sessions to require more protections. Right now, for example, plants are required to maintain a buffer zone only of 440 yards from the nearest school, home or church. He thinks that should be increased. He thinks TCEQ should conduct more inspections. He thinks the agency should scrutinize permits more closely. He thinks the state should be more creative, he says, and give local health agencies and pollution control more authority.

In Houston, almost one-third of the concrete batch plants in the city are located a short walk from a school or day care.

He'd like to see TCEQ have the budget to hire more full-time employees who can focus on this particular problem, he says.

The bills, he says, go nowhere. "Industry kills them."

But pollution is killing Texans. It's inconvenient for industry and those in power to listen to people in communities like Aldine and Acres Homes, but that's who we need to listen to, and work together, so everyone can breathe clean air.

"Do you want to live next to a concrete batch plant?" Walle says he has asked the owners of companies who are seeking permits that, right now, don't always lead to plants that are good for the health of the community. "I'm not saying they're bad people," he says. "I'm saying, 'Be better neighbors.'"

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Allyn West is a senior communications specialist for the Environmental Defense Fund. You can follow him on Twitter @allynwest. This article first appeared on the One Breath Partnership website.

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Other resources for you are:

- 1) Gamzen: *The Environmental Impact of Concrete Batching Plants and how to minimize it.* Resource Management Associates (RMA), Tel: 1888-RMA-0230, Email: info@rmagreen
- 2) Dept. of Environmental Protection, Chapter 164: General Permit for Concrete Batch Plants
- 3) Science Direct - *Journal of Cleaner Production*, Volume 231, 10 September 2019, pages 856-871.
An Overview of Environmental Sustainability in cement and steel production
(www.sciencedirect.com/science/article/abs/pii/S0959652619317871)
- 4) Rice University Kinder Institute for Urban Research. Newsletter, August 19, 2020
Urban Edge "Its hard to breathe with a concrete plant in your backyard" by Allyn West ,communications specialist for The Environmental Defense Fund

You should be able to find some general info. at EPA website, Wikipedia, etc.

Sophie Hacken





Review

An overview of environmental sustainability in cement and steel production

P.V. Nidheesh , M. Suresh Kumar

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Abstract

Eco-friendly industrial production is essential to save our environment. The present article reviews the sustainability aspects for steel and cement industries, as both are highly demanding. Carbon dioxide emissions from the steel industry can be reduced effectively by carbon sequestration methods. The generation of by-products from steel can be used as raw materials in manufacturing of paints, cement fertilizers etc. The major challenge in cement production is higher input of raw material and fuel in clinker production. These problems can be rectified by adopting suitable co-processing method. Energy requirement can be reduced by using blended cement with highly efficient clinker cooler, dryer, separators, calciner, pre-calciner and waste heat recovery system.

Introduction

Increasing demand of products compel industries to manufacture products at a large scale. This leads to environmental disturbance through the improper disposal of solid waste, emission of flue gases directly into the air. Due to this draining of wastewater directly into water bodies harm the health of humans as well as other organisms. Only during the 1990s industrial sectors, including the building sector, started to recognise the environmental impacts of their activities (Andrade and Bragança, 2011). It is a big challenge for the industries to properly manage its by-products and waste for the sake of better environment.

The only solution to the aforementioned problems can be met through a sustainable development. The

word “sustainable” is a Latin word, which was first used in publication of the Bruntland report “Our Common Future” in 1987 (Andrade and Bragança, 2011). Sustainability can be elaborated with its own word to sustain either with time, efficiency, durability, less pollution, cost effectiveness etc. A broader idea of sustainability can be approached with the spectacles of environment. This deals with ecological stability of human settlement as a fundamental need and public service risks through investments in ecosystem services. There is a growing concern about the endurance, productivity and economic diversity of the natural environment. Environmental aspects should be treated as economic assets, also called as natural and social capital. It must encompass on social equity, liability, social capital, health equity, social support, community development, human rights, etc. on context with technical as well as scientifically convincing approach (Andrade and Bragança, 2011, Sala et al., 2015). Public policies have been made to meet the objectives outlined by the Rio de Janeiro conference, in 1992 (Andrade and Bragança, 2011) for sustainability.

The review focuses on the approach through sustainability in steel and cement production whose global demand is ever growing. Both industries belong to the group of heavy industries in which the products are manufactured on a mass scale. For development of a country, steel and cement are used in large quantities for construction purposes and with fast pace of growth of cities the need for these two vital commodities will be even more. Various gas emissions and energy consumptions are the major environmental concerns with steel and cement production. Steel with high recycling potential need sustainable management practices in place. On the other hand, in cement industries recycling possibilities are nil but by lowering the energy consumption as well as using alternative fuel sources which lead to less emission can help the industry to be on the path of sustainability. Further carbon dioxide can be captured and stored with various mechanisms within the plant for the reduction of greenhouse gases in the environment (Rodrigues and Joeke, 2011, Schneider et al., 2011).

Section snippets

Methodology

The present literature review focuses on sustainable production of cement and steel. Research articles published in peer-reviewed journals on this topic were searched in the database ‘Web of Science’. Unfortunately, title searches on “sustainable cement production” and “sustainable steel production” were listed only in 12 and 5 articles, respectively. The topic search on the above topics in Web of Science listed more than 700 articles and most of them were found not directly related to the...

Need for sustainable cement production

The annual concrete production in the world is quite high and it is estimated that the average concrete production per human per year is around one ton (Lippiatt and Ahmad, 2004). Cement, is one of the main components of concrete and around 10–12% by volume of concrete is occupied by cement (Van Oss and Padovani, 2002). The superior hydraulicity property of cement is an added advantage of this material over other binding material and is preferred for all construction works. This property of...

Discussions

Sustainable production of steel and cement possess a huge environmental challenge. But this challenge is achievable by continuous improvements in the process focusing to reduce the environmental emissions. For example, variety of pollutants are emitting during the cement production and their concentration per kg of cement is provided in Table 7. This higher atmospheric emission of pollutants will cause several environmental impacts including resource depletion, atmospheric impacts and toxicity...

Conclusions

The large-scale manufacturing of cement and steel play a crucial role and directly link to the development in a country. The mass production leads to serious environmental deterioration. So sustainable production policy should be promoted in these fields. Optimizing the existing techniques, replacing the older and inefficient technologies with new and efficient technologies, interconnecting various industries for exchange of resources are the three basic strategies for adopting sustainability...

Acknowledgments

Authors are thankful to the Director, CSIR-NEERI, Nagpur, India for providing encouragement, and kind permission for publishing the article....

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Renew. Sustain. Energy Rev. (2013)

E.A. Asamany *et al.*

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J. Clean. Prod. (2013)

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Show abstract

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CO₂-activated graphite felt as an effective substrate to promote hydrogen peroxide synthesis and enhance the electro-Fenton activity of graphite/Fe₃O₄ composites in situ fabricated from acid mine drainage

2024, Journal of Water Process Engineering

Show abstract ✓

Evolution behavior and kinetic analysis of vacuum-extruded iron-rich dust briquette in blast furnace

2023, Journal of Cleaner Production

Show abstract ✓

Solidification of heavy metals in municipal solid waste incineration washed fly ash by asphalt mixture

2023, Chemosphere

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Mitigation of alkali-silica reaction in blast-furnace slag-based alkaline activated material through incorporation of alum water treatment residue

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The Environmental Impact of Concrete Batching Plants and How to Minimize It

by alilsgar sabuwala | Mar 10, 2023 | Concrete Batching Plant



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The Environmental Impact of Concrete Batching Plants and How to Minimize It

Concrete batching plants are essential in the construction industry as they provide the necessary ingredients for creating high-quality concrete. However, these plants can also have a significant impact on the environment, leading to concerns about sustainability and public health. It is crucial to minimize this impact by implementing best practices and alternative materials and processes. In this article, we will explore the environmental impact of concrete batching plants and strategies for minimizing it to promote sustainability.

Understanding the Environmental Impact of Concrete Batching Plants

Concrete batching plants are a major source of air pollution due to the emission of particulate matter, nitrogen oxides, and volatile organic compounds. These plants also consume large amounts of water and generate waste that can contribute to water pollution. Additionally, the noise generated by these plants can be disruptive to nearby communities.

The environmental concerns associated with concrete batching plants can have significant impacts on both the environment and human health. Air pollution can lead to respiratory problems, while water pollution can harm aquatic life and contaminate drinking water sources. Excessive noise can also lead to hearing damage and disrupt sleep patterns, affecting the well-being of nearby communities. It is crucial to address these concerns to minimize the impact of concrete batching plants on the environment and promote sustainable operations.

Strategies for Minimizing the Environmental Impact of Concrete Batching Plants

A. Proper Site Selection and Planning

To minimize the environmental impact of a concrete batching plant, it's crucial to choose the right location and plan the plant layout correctly. The site should be away from residential areas, water sources, and sensitive ecosystems to minimize the impact on the environment and human health.

B. Managing and Minimizing Air Pollution

Air pollution is a significant concern associated with concrete batching plants. The operation of the plant releases dust, particulate matter, and other pollutants into the air. To minimize air pollution, the plant should be equipped with dust collectors, and the site should be kept clean to prevent the buildup of dust. It's also essential to minimize vehicle traffic on-site and use electric-powered equipment instead of diesel-powered ones.

C. Managing and Minimizing Water Pollution

Water pollution is another significant concern associated with concrete batching plants. The operation of the plant can release contaminants into the soil and water sources, leading to pollution. Proper stormwater management and controlling runoff are crucial to minimize water pollution. The plant should be equipped with proper drainage systems, and wastewater should be treated before being released into the environment.

D. Noise Control

Noise pollution is a significant concern associated with concrete batching plants, especially in residential areas. To minimize noise pollution, the plant should be located away from residential areas, and noise barriers should be installed around the site. The plant should also use equipment with noise-reducing features, and operations should be scheduled during non-peak hours to minimize noise disturbances.

In summary, minimizing the environmental impact of a concrete batching plant is crucial to promote sustainability. Proper site selection and planning, managing and minimizing air and water pollution, and noise control are essential strategies for minimizing the impact of the plant on the environment and human health.

Alternative Materials and Processes for Minimizing Environmental Impact

A. Alternative Materials

1. Discuss the benefits of using alternative materials such as recycled concrete, fly ash, and slag cement.
2. Explain how these materials can reduce environmental impact by minimizing waste and emissions associated with traditional materials.
3. Provide guidance on incorporating these materials into the batching process.

B. Alternative Processes

1. Discuss alternative processes such as carbon capture and storage and using renewable energy sources.
2. Explain how these processes can reduce greenhouse gas emissions associated with concrete batching.
3. Provide guidance on implementing these processes and technologies in the batching plant.

C. The Importance of Innovation and Collaboration

1. Discuss the importance of continued innovation in finding new and better ways to minimize environmental impact.
2. Emphasize the need for collaboration between industry, government, and other stakeholders to promote sustainability in the concrete industry.

By adopting alternative materials and processes, concrete batching plants can significantly reduce their environmental impact and contribute to a more sustainable future.

Conclusion

In conclusion, the environmental impact of concrete batching plants is a significant concern for the sustainability of our planet and public health. This article has discussed the common environmental concerns associated with concrete batching plants, such as air pollution, water pollution, and noise pollution, and how these concerns can impact the environment and human health.

To minimize the environmental impact of concrete batching plants, proper site selection and planning, as well as best practices for managing and minimizing air, water, and noise pollution,

should be implemented. Additionally, alternative materials and processes, such as using recycled materials and reducing cement content, can be utilized to minimize the environmental impact of concrete batching.

It is important to prioritize the implementation of strategies to minimize the environmental impact of concrete batching plants to promote sustainability and public health. We can all play a role in reducing the environmental impact by choosing sustainable building practices and supporting companies that prioritize sustainability in their operations.

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GAMZEN



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Skid Steer Attachment
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Top 5 Environmental Compliance Issues at Concrete Plants

Written By: [Doug Ruhlin](#) | Apr 28, 2011

Time to Read 8 Minutes



Learn the Big 5 environmental

in

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compliance items a concrete plant should be on top of.

When it comes to running a concrete plant, regardless of the kind or location, staying on top of environmental regulations isn't usually a top priority. With an emphasis on selling product, keeping trucks moving, and making sure your staff is safe in the yard & on the road, "environmental" issues often simply aren't a top priority.

Unfortunately, this means many concrete plants across the country can easily find themselves in a precarious position - being out of compliance with environmental regulations, which can have a very real, and very detrimental impact on your operation.

While you might not want to or need to become an expert on everything environmental, here's a quick intro into what we consider the BIG 5 when it comes to environmental regulatory compliance at a concrete plant within the United States.

Concrete Plant Environmental Experts

First off, before we dive into things you might be wondering who are we and why should you listen to us. Here's a quick primer - since 1992, we've been actively involved in the concrete, asphalt, recycling, and mining/quarrying industries across the United States. We've been on-site at small mom & pop plants, to sprawling quarries. We've also been extremely involved in trade groups such as NAPA, NRMCA, NSSGA, and more state associations than we can name, providing services to committees, advocacy, and training subgroups within these associations.

On top of that, we've helped with everything from local approvals to federal regulations. We've seen it all, and done it all. And we are also the primary instructors of NRMCA's Environmental Short Course every year.

We get your industry, and we know the regulations. Ok, let's touch on the big 5!



1 - Concrete Plants & NPDES Stormwater Permits

By and large, the concrete industry has figured out how to handle process water. We usually find our clients aren't having an issue with it so much as with stormwater.

Specifically, we find that facilities struggle to stay in compliance with their **NPDES stormwater permits**, oftentimes resulting in violations, including fines.

We initially recommend to every client out there a relatively simple concept: **best management practices**. I'm referring to basic housekeeping. Sweeping your facility, getting trash off the ground (give your employees some garbage cans and tell them to stop littering, including cigarette butts), cleaning up oil spills or leaks, etc. Also, make sure you're conducting your monthly inspections to keep an eye on your facility. Make sure the person or people taking your

samples have been through **stormwater training**.

Of course, this all is assuming your facility has a stormwater permit. If you don't, you could be in some serious trouble. Your concrete facility absolutely needs to have a stormwater permit (with very few exceptions). Across the US, virtually every state has specifically discussed (within regulations) the need for concrete plants, especially ready-mix concrete plants, to have and operate under an NPDES stormwater permit.



2 - SPCC Plans for Oil/Petroleum at Concrete Plants

This is a simple but often overlooked regulatory requirement since it's administered by the USEPA which does a pretty poor job of educating on and enforcing this regulation.

Concrete plants either need one or don't, and you can tell quickly if you count up all the above-ground oil tanks on site, 55 gallons and above. Add up all the

storage potential you have (including empty tanks, the EPA counts empty tanks & drums as full so if they're empty and unused, get them offsite)! If you have over 1,320 gallons, you need an **SPCC Plan**. If you have underground tanks in excess of 42,000 gallons, then you need one as well.

SPCC Plans are simple. They're an emergency book to discuss the oil you have on-site, how you handle, inspect, and take care of your tanks, and what you would do in case of an accident, or emergency. You have to do monthly inspections, and receive annual **SPCC training**, and that's pretty much it.

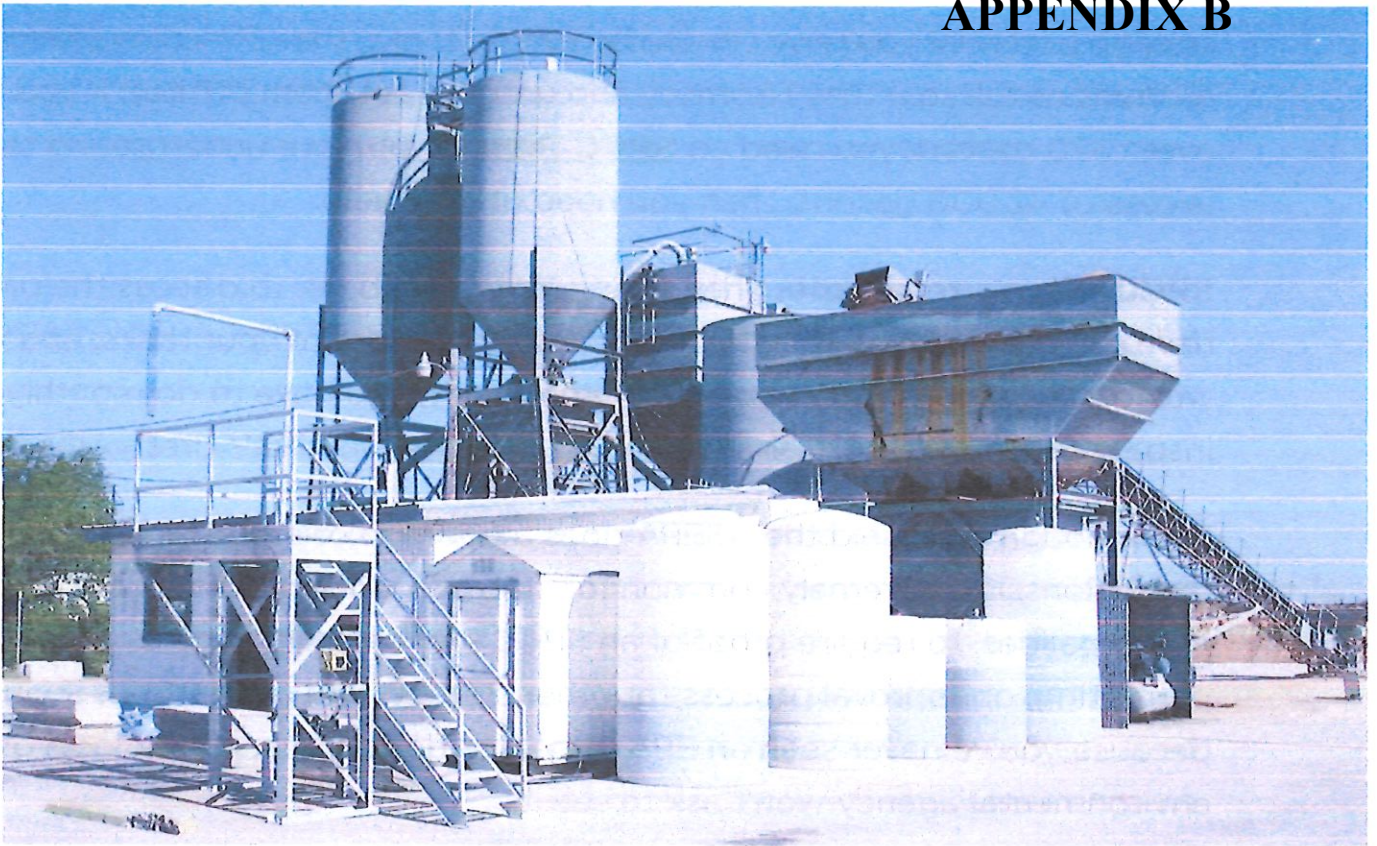
Even though I just said the USEPA does a poor job of enforcing these regulations, it's extremely common for states, counties, or even local municipalities, to require proof of an SPCC Plan as part of the planning, permitting, or approval process for other state & local regulations. So just because you've never seen an EPA inspector doesn't mean your local or state environmental agency won't ask to see it.

3 - Concrete Plants Usually Need Air Permits

Here's one of the more complex regulations to stay on top of since it's confusing and changes so much from state to state. Virtually every concrete plant, the equipment on-site, and other various processes/activities will need to have some type of **Air Quality Permit** covering them.

Air permits can cover everything from construction activities before the plant even begins to operate, to things like conveyors, bag houses, engines, the list goes on and on. Unlike stormwater permitting which is similar as you look across the country, air permits change drastically, making staying in compliance with them a very tricky thing to do.

Unlike SPCC Plans and NPDES stormwater permits, air permits are generally easier to maintain, it's obtaining them initially which can be a real chore.



4 - Almost EVERY Concrete Plant Should be Doing Tier II Reporting

The best thing about the concrete industry is you get to meet a lot of great people. I've met some folks who are really down-to-earth, giving, and wonderful people to work with. I've come to realize a lot of my contacts at concrete plants really give back whenever they can, including volunteer firefighting for some, which makes this point even easier to understand.

Your facility stores chemicals, oils, and other materials needed for making concrete. Imagine your facility was on fire, and the fire department showed up. They see a dozen tanks, and they don't know what's in them. They're unmarked, so firefighters aren't taking any chances. Would you?

Tier II Reporting (also called Community Right-to-Know, CRTK, or EPCERA Reporting) is basically letting your local government, including town, city, county, and sometimes state, know what you store onsite. The goal is to let emergency responders, as well as your neighbors and community, know what



BONUS - Concrete Plants & Forward Thinking Environmental Planning

Staying in compliance is like wearing a seatbelt - it's the bare minimum you're asked to do. For some companies and plants, that's enough, and all you might want to, or need to do to keep making money. However, don't expect a trophy for just participating and playing by the rules!

Conversely, many within the concrete industry (and construction materials at large) are embracing "greener" practices in order to keep themselves ahead of the competition. Whether it's **sustainable practices, Environmental Management Systems** (such as **ISO 14001** or **NRCMA's Green-Star** (which we helped to write BTW)), or even just staying ahead of new concepts like Environmental Justice, many concrete plants are leaving the competition in the

kind of materials are at your facility, to avoid any accidents or problems should something awful happen at your facility.

Tier II Reporting isn't pie-in-the-sky reporting for no reason - It's to keep your employees, surrounding neighbors, and emergency personnel (who may be your employees) safe from the unknown. If you're not doing Tier II Reporting, the violations are stiff, and you'll be in some serious trouble. Not to mention you could really cause some harm to people in case of an emergency - who wants to have to carry that burden??

5 - TRI Reporting for Concrete Plant Releases

TRI stands for Toxic Release Inventory. Surely a concrete plant doesn't release toxins, right? Well sort of. I'm going to assume your operation has an air permit, which allows your facility to discharge a small amount of air pollution (in the form of cement dust from your silos). Well, it's no secret that cement contains some pretty nasty stuff in it, like lead and mercury, even if only in very, very small amounts. The problem is, if you're a large facility, using a lot of cement, over the course of a year a lot of pollution is being released.

The USEPA has a program, called **TRI Reporting**, in which facilities just tell them how much they estimated they released over the course of 1 year. There's no limits, permits, etc. It's just reporting.

The issue is if you should be reporting, and you're not, the EPA's violations are astounding. **I'm talking in the 7 to 8-figure range, easily.** We've personally worked with some companies that initially faced fines in the tens of millions of dollars for not reporting at several facilities for several years.

(cement) dust and striking out with some really interesting and forward-thinking ideas. This goes doubly so for those within certain markets (think the Bay Area of California for example) where the "green" movement isn't just a nice idea, it's built into every new and existing project.

If you think going green sounds like a great idea, I encourage you to start with a rock-solid, thorough review of your operations to make sure your foundation is just that - rock-solid! Start off with an environmental audit. Hire some outside help, someone who is impartial, understands your industry, and can deliver a transparent, factual report about where your operations stand, good bad or ugly! Using the results of an environmental audit can help your concrete plant chart a course moving forward, ensuring you aren't missing anything before you start building an environmental program.

So again while this might not be for everyone, for those who are looking to stay ahead of the pack, moving your operations into a greener direction can lead to more green in the bank account!

Get Environmental Consulting Help at Your Concrete Plant

Obviously, each concrete facility is going to have its own environmental issues and problems, but I find these to be universally common at most concrete plants I've visited over the years. If you find that these five are hard to deal with, need to get into compliance, or want to get started with some audits to figure out where you stand, reach out.

To learn more about environmental issues at concrete plants, either [click here to contact us](#), call us anytime at [888-RMA-0230](tel:888-RMA-0230), or send us an email at info@rmagreen.com to talk.

Tags: [SPCC Plans](#), [TRI Reporting](#), [Environmental Compliance](#), [Stormwater Permits](#), [Tier II Reporting](#)

Need a hand? Let's talk.

First name*

Last name*

Email*

Phone number*

How can we help?*

Submit

Keep Reading



SPCC Plans

7 mins to read

Are precast concrete plant environmental regulations the same as other types of concrete plants?

Learn how precast concrete plants deal with environmental regulations compared to ready mix operations. Environmental regulations can differ wildly from facility to facility, from industry to...

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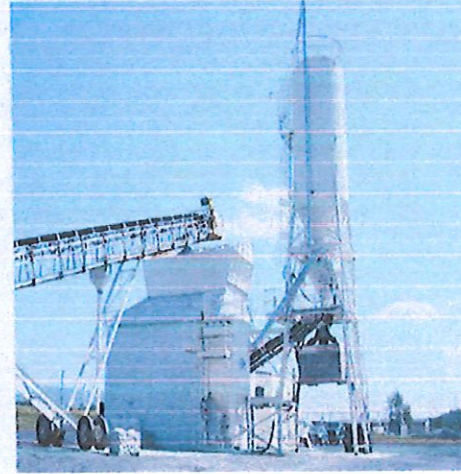
Environmental Compliance

8 mins to read

Why you need an environmental expert at your concrete plant, and not just the "local guy".

Why ready-mixed & precast concrete plant experts are more useful than "the local guy". A fairly common problem I've seen over the last 25+ years when I've been helping folks at their concrete plant...

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Sustainability

4 mins to read

Concrete Environmental Issues & The Ideal Concrete Plant

About a month ago, I was talking to a precast producer about his new environmental management system, and how it was impacting his operation. He said his costs had dropped slightly, his regulators...

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Looking for something? I can point you in the right direction. Check me out to learn more!

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**Rezoning for TOXIC CONCRETE BATCHING PLANT
that affects Louisa and Fluvanna County residents**

Dear Neighbor,

I am writing to alert you to a rezoning issue that is likely to negatively affect everyone in the community.

Essex Concrete Corporation (Essex) has submitted an application to Louisa County to rezone property at 3775 Three Notch Road from C-2 (General Commercial) to I-2 (Industrial General). This would permit medium to heavy industrial activity. The location is across from the Galilee Baptist Church and is near or adjoins farmlands where people reside.

No parcels in the Ferncliff Growth Area, including the Ferncliff Business Park, are zoned I-2. Approval to rezone any of these parcels to I-2 (Industry General) directly contravenes the Louisa County 2040 Comprehensive Plan, which allows only A-2 (Agriculture), C-2 (General Commercial), and I-1 (Industrial Limited) zoning.

The immediate purpose of this rezoning is to build a toxic concrete batching plant. Once rezoning is authorized, industries that use hazardous materials under the Louisa Code would be allowed, with necessary permits, to build factories as well with no input from the public.

**** Negative effects of this toxic concrete batching plant will affect residents of Louisa County AND Fluvanna County. Yet, to our knowledge, the Fluvanna County government has not participated in this process. ****

Louisa County has been less than transparent about the rezoning. No community meeting has been held on this application, and no notice was published in *The Central Virginian*. The only published notice was in the *Richmond Times*. The only written notice was mailed to a small number of adjacent landowners. This notice was sent on Thursday, January 4, 2024, one week prior to the January 11th Louisa County Planning Commission hearing at which the rezoning was on the agenda.

At the January 11th hearing, the Planning Commission recommended to the Board of Supervisors ("BOS") to deny the rezoning application. The Planning Commission apparently had concerns about the hours and days of operation and the industrial plant's intended use of well water. For those who were not able to attend the Planning Commission meeting, a video can be viewed at: <https://www.youtube.com/watch?v=DAm7IFHgLGc>

The Planning Commission's recommendation of denial does NOT mean that the Board of Supervisors will deny the proposal. Without community involvement there is every chance that the Board will approve the rezoning and the toxic cement batching plant.

If this happens, our community will have to suffer through the air and water pollution, noise, potential depletion of well water, and heavier traffic that could lead to more fatalities at the intersection of Courthouse Road and Route 250.

In addition, farmers who rely on the water from Venable Creek could have their livelihoods devastated.

Further details as to how this could affect you are set forth below:

Concrete batching plants are a major source of air pollution due to the emission of particulate matter, nitrogen oxides, and volatile organic compounds. These plants also consume large amounts of water and generate waste that can contribute to water pollution.

The Essex concrete batching plant would use water from our water aquifer. Their application requests permission to use well water.

How much water does a cement batching plant use?

According to Essex representatives, their plant will use 4,000 gallons of water per day; however, upon further questioning by the Planning Commission, they admitted that they would use more than that, but did not provide an amount. To give you an idea of how much more water a concrete batching plant can use, batching 700 cubic yards of concrete would require 20,000 gallons of water per day. In addition, 1,500 gallons of water per minute would circulate through aggregate washers and another 650 gallons per minute would be required along wet belts.

What type of air pollution does a cement batching plant produce?

The cement industry is the third largest source of industrial air pollution such as sulfur dioxide, nitrogen oxides and carbon monoxide. The manufacturing process of cement also causes dust pollution which may reduce visibility and quality of air. According to OSHA, exposure to cement dust can irritate the eyes, nose, throat and the upper respiratory system. Epidemiology studies reveal an association between prolonged exposure to cement batching plant emissions and the risk of cardiovascular and respiratory diseases, especially in children, pregnant women, the elderly and those already afflicted with respiratory diseases. Skin contact can result in moderate irritation to thickening/cracking of skin to severe skin damage from chemical burns. Silica exposure can lead to lung injuries including silicosis and lung cancer.

Will the particulate matter affect me if my home is miles away?

PM₁₀ (big) particles can stay in the air for minutes or hours while PM_{2.5} (small) particles can stay in the air for days or weeks. And travel distance? PM₁₀ particles can travel as little as 100 yards or as much as 30 miles. PM_{2.5} particles go even farther – many hundreds of miles. To give some perspective, Moss-Nuckols Elementary School is 2.4 miles away from the proposed plant location, and farmlands where people reside directly border the cement batching plant property.

What type of water pollution does a cement batching plant produce?

Contaminants from cement batching plants can pollute water and cause adverse effects on human and animal wellbeing, according to the Centers for Disease Control and Prevention. Attempts to water down the dust end up creating a thick slurry that tracks all over the community. Air pollution caused by these plants can lead to respiratory problems, and the resulting water pollution can harm aquatic life and contaminate drinking water sources.

An EPA brochure entitled “Stormwater Best Practices: Concrete Washout” states that **concrete washout water from batching plants contains toxic metals and is caustic and corrosive with a pH near 12. In comparison, Drano liquid drain cleaner has a pH of 13.5.** This will devastate nearby aquatic wildlife that requires 6.5 to 9 pH for freshwater. (Note that the property in question contains established wetlands, as does the adjoining property to the west of it.) Wet concrete and washout water can cause skin irritation and eye damage. If the washout water is dumped on the ground, it can run off the construction site to adjoining roads and enter roadside storm drains, which discharge to surface waters such as rivers, lakes, or estuaries. Leaking washout water will likely follow similar paths to nearby surface waters. **Rainfall can cause uncovered concrete washout containers to overflow. Rainwater can also transport washout water to surface waters. (As per photos presented by Essex’s attorney at the last Planning Commission meeting, Essex’s concrete washout containers are NOT covered.)** Rainwater polluted with concrete washout water can percolate down through the soil and alter the soil chemistry, inhibit plant growth, and contaminate the groundwater. Its high pH can increase the toxicity of other substances in the surface waters and soils.

How will this affect farmers in the area?

Cement dust deposits on soil increase the heavy metal levels, pH, electrical conductivity, and bulk density of the soil, while decreasing the water-holding capacity, as well as the moisture, organic carbon, and total nitrogen contents of the soil. Cement industry-derived pollutants appear to play multiple roles in stimulating abiotic stress responses in plants. Cement dust deposition on agricultural fields can affect soils, photosynthesis, transpiration and respiration of plants.

APPENDIX C

URGENT PETITION FOR REEDY CREEK HOME OWNERS

MOST OF US DON'T KNOW THAT A MEETING WILL TAKE PLACE IN LOUISA COUNTY OFFICE ON MONDAY, FEBRUARY 5, AT 6:00 PM TO APPROVE REZONING AND BUILDING **A TOXIC CONCRETE BATCHING PLANT IN FERNCLIFF**, 3775 THREE NOTCH ROAD. THIS IS THE THIRD MOST POLLUTTING INDUSTRY IN THE WORLD!

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YOUR HOME SALE VALUE MAY DECREASE BECAUSE OF THIS.

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ANY QUESTIONS YOU MAY HAVE, PLEASE REFER TO MIKE BREEN OR SOPHIE HACKEN, OR TO YOUR POA REPRESENTATIVE.

YOUR SIGNATURE AGAINST

Randy K Leyshon

SPELLED NAME: RANDY LEYSHON

DATE: 2-5-24

.....
LOUISA, JANUARY 29, 2024

COMMENTS:

URGENT PETITION FOR REEDY CREEK HOME OWNERS

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YOUR SIGNATURE AGAINST

SPELLED NAME:

DATE:

2/5/24

JOHN FAGUE

LOUISA, JANUARY 29, 2024



COMMENTS:

URGENT PETITION FOR REEDY CREEK HOME OWNERS

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YOUR SIGNATURE AGAINST

SPELLED NAME:

DATE:

Feb 5, 2024

Christine Saunders


LOUISA, JANUARY 29, 2024

COMMENTS:

URGENT PETITION FOR REEDY CREEK HOME OWNERS

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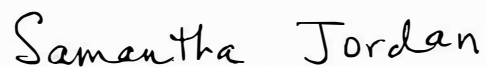
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YOUR SIGNATURE AGAINST

SPELLED NAME:

DATE:





LOUISA, JANUARY 29, 2024

COMMENTS:

No concrete plant

APPENDIX C

URGENT PETITION FOR REEDY CREEK HOME OWNERS

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YOUR SIGNATURE AGAINST

DATE:

2/3/24

B. Villanneva

SPELLED NAME:

B. VILLANNEVA

*Reedy Creek Rd.
Louisa, VA*

23093

LOUISA, JANUARY 29, 2024

COMMENTS:

URGENT PETITION FOR REEDY CREEK HOME OWNERS

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YOUR SIGNATURE AGAINST
DATE:

SPELLED NAME:

2-3-2024

WILLEM HACKEN

LOUISA, JANUARY 29, 2024

W Hacken

COMMENTS:

URGENT PETITION FOR REEDY CREEK HOME OWNERS

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YOUR SIGNATURE AGAINST

SPELLED NAME:

DATE: 2/3/2024



Sophie Hacken

LOUISA, JANUARY 29, 2024

COMMENTS:

Hope to be at the hearing on the 5th!

URGENT PETITION FOR REEDY CREEK HOME OWNERS

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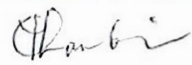
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YOUR SIGNATURE AGAINST

DATE: FEB. 2, 2024

SPELLED NAME:


THERESE LAMBIO

LOUISA, JANUARY 29, 2024

COMMENTS:

URGENT PETITION FOR REEDY CREEK HOME OWNERS

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YOUR SIGNATURE AGAINST

DATE: FEB 2, 2024

SPELLED NAME:

Antonio Lambio Jr.
ANTONIO LAMBIO JR

LOUISA, JANUARY 29, 2024

COMMENTS:

URGENT PETITION FOR REEDY CREEK HOME OWNERS

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YOUR SIGNATURE AGAINST

DATE:

2/1/24

Kim Beekman-Dew
[Signature]

SPELLED NAME:

Kim Beekman-Dew

Dale Dew

LOUISA, JANUARY 29, 2024

COMMENTS:

URGENT PETITION FOR REEDY CREEK HOME OWNERS

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YOUR SIGNATURE AGAINST

SPELLED NAME:

DATE: 2/1/24

William L. Jackson

WILLIAM L. JACKSON

LOUISA, JANUARY 29, 2024

COMMENTS:

84 CARTER LANE

URGENT PETITION FOR REEDY CREEK HOME OWNERS

MOST OF US DON'T KNOW THAT A MEETING WILL TAKE PLACE IN LOUISA COUNTY OFFICE ON MONDAY, FEBRUARY 5, AT 6:00 PM TO APPROVE REZONING AND BUILDING **A TOXIC CONCRETE BATCHING PLANT IN FERNCLIFF**, 3775 THREE NOTCH ROAD. THIS IS THE THIRD MOST POLLUTTING INDUSTRY IN THE WORLD!

CONSEQUENCES FOR OUR AQUIFER AND GROUNDWATER INCLUDE POLLUTION OF GROUND WATER , DEPLETION OF OUR AQUIFIR (IMAGINE WAKING UP TO AN EMPTY WELL!)AS WELL AS SILICON AIR DUST POLLUTION THAT WILL REACH US. ALL FAUNA AND FLORA WILL BE AFFECTED EVENTUALLY. (SEE ATTACHED PAPER)

YOUR HOME SALE VALUE MAY DECREASE BECAUSE OF THIS.

AN AREA CIRCUMFERENCE OF 5 MILES WILL BE DIRECTLY AFFECTED (INCL. MOLS NUCKELS ELEMENTARY), **THE ONLY WAY TO STOP THEM IS TO ATTEND THIS MEETING AND ALSO SIGN THIS PETITION BEFORE FEB. 3 TO VOTE AGAINST SUCH A PLANT**, AND PUT IT IN YOUR LOWER MAILBOX SO WE CAN COLLECT THEM, OR GIVE IT TO YOUR POA REPRESENTATIVE.

ANY QUESTIONS YOU MAY HAVE, PLEASE REFER TO MIKE BREEN OR SOPHIE HACKEN, OR TO YOUR POA REPRESENTATIVE.

YOUR SIGNATURE AGAINST
DATE: 2-3-2024

SPELLED NAME:
Pacito Amaya Orellana
Francisca Jimenez

LOUISA, JANUARY 29, 2024

COMMENTS: Please protect our children, land, and air quality. Concrete batching plants processes will be detrimental to our health through the risks to our water sources, air, and land. We won't be able to safely grow crops or have our children play outside. Eventually, the effects could result in lung health issues, cancer or other health risks that are preventable through putting a stop to the rezoning and building of this plant.

URGENT PETITION FOR REEDY CREEK HOME OWNERS

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YOUR SIGNATURE AGAINST

SPELLED NAME:

DATE:

2-1-24

Don + Sandy Patrick

LOUISA, JANUARY 29, 2024

COMMENTS:

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YOUR SIGNATURE AGAINST

SPELLED NAME: Rhonda Baker

DATE: 2/3/2024

.....

LOUISA, JANUARY 29, 2024

COMMENTS:

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YOUR SIGNATURE AGAINST

SPELLED NAME:

DATE: 2/01/2024

Jacqueline Regan

Jacqueline Regan

LOUISA, JANUARY 29, 2024

COMMENTS:

URGENT PETITION FOR REEDY CREEK HOME OWNERS

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YOUR SIGNATURE AGAINST

SPELLED NAME:

DATE:



LOUISA, JANUARY 29, 2024

Michael J. Breen

131 Carter Lane

Louisa, VA 23093

COMMENTS:

URGENT PETITION FOR REEDY CREEK HOME OWNERS

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YOUR SIGNATURE AGAINST

SPELLED NAME:

DATE:

Justin Coleman 2/1/24

Justin Coleman
Carter Lane
Louisa, VA

LOUISA, JANUARY 29, 2024

COMMENTS:

23093

URGENT PETITION FOR REEDY CREEK HOME OWNERS

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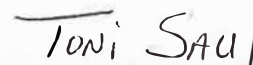
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YOUR SIGNATURE AGAINST

SPELLED NAME:

DATE: 1/31/24 



LOUISA, JANUARY 29, 2024

COMMENTS:

URGENT PETITION FOR REEDY CREEK HOME OWNERS

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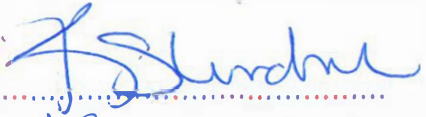
YOUR SIGNATURE AGAINST

SPELLED NAME:

DATE:


.....

LOUISA, JANUARY 29, 2024


.....
Raven S. Lindner

COMMENTS:

URGENT PETITION FOR REEDY CREEK HOME OWNERS

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YOUR SIGNATURE AGAINST

SPELLED NAME:

DATE:



Lavahn G. Hob

LOUISA, JANUARY 29, 2024

COMMENTS:

URGENT PETITION FOR REEDY CREEK HOME OWNERS

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YOUR SIGNATURE AGAINST

DATE:

Deborah N Boyer
George Boyer

SPELLED NAME:

Deborah N. Boyer
GEORGE BOYER

LOUISA, JANUARY 29, 2024

COMMENTS:

URGENT PETITION FOR REEDY CREEK HOME OWNERS

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YOUR SIGNATURE AGAINST

SPELLED NAME:

DATE:

2/2/24

Donald W. Smith

Donald W. Smith

LOUISA, JANUARY 29, 2024

COMMENTS:

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YOUR SIGNATURE AGAINST
DATE:



SPELLED NAME:

MARY PHELPS

2-2-24

LOUISA, JANUARY 29, 2024

COMMENTS:

URGENT PETITION FOR REEDY CREEK HOME OWNERS

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YOUR SIGNATURE AGAINST

SPELLED NAME:

DATE: *Feb. 1, 2024*

.....*Linda Waddell*.....

LINDA WADDELL

LOUISA, JANUARY 29, 2024

COMMENTS:

APPENDIX C

URGENT PETITION FOR REEDY CREEK HOME OWNERS

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YOUR SIGNATURE AGAINST

SPELLED NAME:

DATE:

2/1/24 Jamie A. Creasy CREASY

LOUISA, JANUARY 29, 2024

COMMENTS:

URGENT PETITION FOR REEDY CREEK HOME OWNERS

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YOUR SIGNATURE AGAINST

SPELLED NAME:

DATE: 2/3/2024



Joyce C. Jones

LOUISA, JANUARY 29, 2024

COMMENTS:

URGENT PETITION FOR REEDY CREEK HOME OWNERS

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YOUR SIGNATURE AGAINST:

DATE: 2/3/24



SPELLED NAME:

Rodney Wardell

.....

LOUISA, JANUARY 29, 2024

COMMENTS:

APPENDIX C

URGENT PETITION FOR REEDY CREEK HOME OWNERS

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YOUR SIGNATURE AGAINST

DATE:


1 Feb 2024

SPELLED NAME:

Wellington J. Jimenez

LOUISA, JANUARY 29, 2024

COMMENTS: I DISAPPROVE Rezoning

I DISAPPROVE the building of the plant.

URGENT PETITION FOR REEDY CREEK HOME OWNERS

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AN AREA CIRCUMFERENCE OF 5 MILES WILL BE DIRECTLY AFFECTED (INCL. MOLS NUCKELS ELEMENTARY), **THE ONLY WAY TO STOP THEM IS TO ATTEND THIS MEETING AND ALSO SIGN THIS PETITION BEFORE FEB. 3 TO VOTE AGAINST SUCH A PLANT**, AND PUT IT IN YOUR LOWER MAILBOX SO WE CAN COLLECT THEM, OR GIVE IT TO YOUR POA REPRESENTATIVE.

ANY QUESTIONS YOU MAY HAVE, PLEASE REFER TO MIKE BREEN OR SOPHIE HACKEN, OR TO YOUR POA REPRESENTATIVE.

Linda H. Parker
YOUR SIGNATURE AGAINST

DATE: *1-3 2024*

SPELLED NAME:

Linda H. PARKER

.....
LOUISA, JANUARY 29, 2024

COMMENTS:

URGENT PETITION FOR REEDY CREEK HOME OWNERS

MOST OF US DON'T KNOW THAT A MEETING WILL TAKE PLACE IN LOUISA COUNTY OFFICE ON MONDAY, FEBRUARY 5, AT 6:00 PM TO APPROVE REZONING AND BUILDING **A TOXIC CONCRETE BATCHING PLANT IN FERNCLIFF, 3775 THREE NOTCH ROAD. THIS IS THE THIRD MOST POLLUTTING INDUSTRY IN THE WORLD!**

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YOUR SIGNATURE AGAINST

SPELLED NAME:

DATE:

2/2/24

Gary Grossman

GARY GROSSMAN

LOUISA, JANUARY 29, 2024

COMMENTS:

URGENT PETITION FOR REEDY CREEK HOME OWNERS

MOST OF US DON'T KNOW THAT A MEETING WILL TAKE PLACE IN LOUISA COUNTY OFFICE ON MONDAY, FEBRUARY 5, AT 6:00 PM TO APPROVE REZONING AND BUILDING **A TOXIC CONCRETE BATCHING PLANT IN FERNCLIFF**, 3775 THREE NOTCH ROAD. THIS IS THE THIRD MOST POLLUTTING INDUSTRY IN THE WORLD!

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YOUR SIGNATURE AGAINST



SPELLED NAME: Daniel R Mayes

DATE: 2-1-2024

.....

LOUISA, JANUARY 29, 2024

COMMENTS: In no way shape or form do we
Approve of this! We Vote NO! NO! NO!

URGENT PETITION FOR REEDY CREEK HOME OWNERS

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YOUR SIGNATURE AGAINST

SPELLED NAME:

DATE

Robert C Ryan 2-2-2024

ROBERT C RYAN

LOUISA, JANUARY 29, 2024

COMMENTS:

URGENT PETITION FOR REEDY CREEK HOME OWNERS

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YOUR SIGNATURE AGAINST

SPELLED NAME:

DATE:

2/1/24





LOUISA, JANUARY 29, 2024

COMMENTS:

URGENT PETITION FOR REEDY CREEK HOME OWNERS

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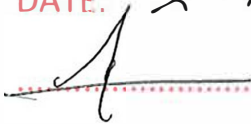
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YOUR SIGNATURE AGAINST

SPELLED NAME: *Anselmo Plaúdo*

DATE:

2-1-24



LOUISA, JANUARY 29, 2024

COMMENTS: