

# PUBLIC INFORMATION SESSION

## Draft Air Quality Permit for Fort Myer Construction Corporation – Plant 1

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March 6, 2024, 5:30 PM



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# Fort Myer Construction Corp. - Plant 1 Overview

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- 2001 5<sup>th</sup> Street NE, in Eckington
- Bisected by the Metropolitan Branch Trail (MBT)
- A batch-type, hot mix asphalt plant, also capable of producing cold mix asphalt.
- Has a materials yard where recycled asphalt pavement (RAP) is crushed and reused.



# Why are we here?

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Fort Myer Construction Corporation (FMCC) has requested an air quality permit to operate the facility.

- FMCC Plant 1 currently operates under an extended facility-wide Title V major source permit.
- FMCC has requested a facility-wide “synthetic minor” operating permit that would limit emissions below major source thresholds for all pollutants.
- On Friday, February 16, 2024, DOEE issued a draft permit to address this application.
- This draft permit is available for public review and comment until Monday, March 18, 2024.

# What is an Air Quality Permit?

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An air quality permit is:

- An approval to emit a limited amount of air pollution from a facility or piece of equipment.
- Issued to the owner or operator of the facility or equipment.
- Approval is conditional upon the owner or operator complying with all applicable air quality laws and regulations.
- Applicable laws and regulations are laid out in the permit.

# Characteristics of an Air Quality Permit

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Permits must be “Enforceable as a Practical Matter”.

Air quality permits lay out all applicable regulatory requirements in the document, including:

- Emission Limits
- Operational Limits
- Monitoring and Record Keeping Requirements
- Reporting and Notification Requirements

# Goal of Air Quality Permitting Program

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- ▶ Issue permits that:
  - ▶ Protect public health and the environment;
    - ▶ We look at environmental injustice and take into account when a community is already overburdened.
    - ▶ In these cases, more stringent, but still achievable, limits are commonly established, usually through negotiation with the applicant.
  - ▶ Contain all applicable air quality regulatory and legal requirements; and
  - ▶ Include compliance methods that the facility can reasonably comply with.

# Limitations on DOEE Authority

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- ▶ DOEE generally must approve a permit if facility demonstrates will be able to comply with all air quality regulations.
- ▶ DOEE cannot deny a permit based on public opposition, only if the proposed project/operation will not comply with laws or regulations.
- ▶ DOEE cannot incorporate/enforce non-air quality regulations in an air quality permit.

# How Does the Draft FMCC Permit Differ from the Existing Permit?

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- ▶ **Operational limits** to ensure that the facility's emissions will remain below all major source thresholds

Limit Type	Previous Permit Limit	New Draft Permit Limit
Annual asphalt production	1,752,000 tons per year	240,000 tons per year
Hourly asphalt production	200 tons per hour	120 tons per hour
Crusher/screener daily operation limit	10 hours per day	10 hours per day
Crusher/screener hourly throughput	150 tons per hour	150 tons per hour

# How Does the Draft FMCC Permit Differ from the Existing Permit?

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**More stringent emissions limits** to reduce the impact of the facility's pollutant emissions on the neighborhood

A reduction of the filterable particulate matter emission limit from the main plant stack from 40 pounds per hour to 3.5 pounds per hour.

A new total (filterable plus condensable) particulate matter emission limit from the main plant stack of 5.9 pounds per hour.

A more stringent oxides of nitrogen (NO<sub>x</sub>) emission limit of 6.4 pounds per hour.

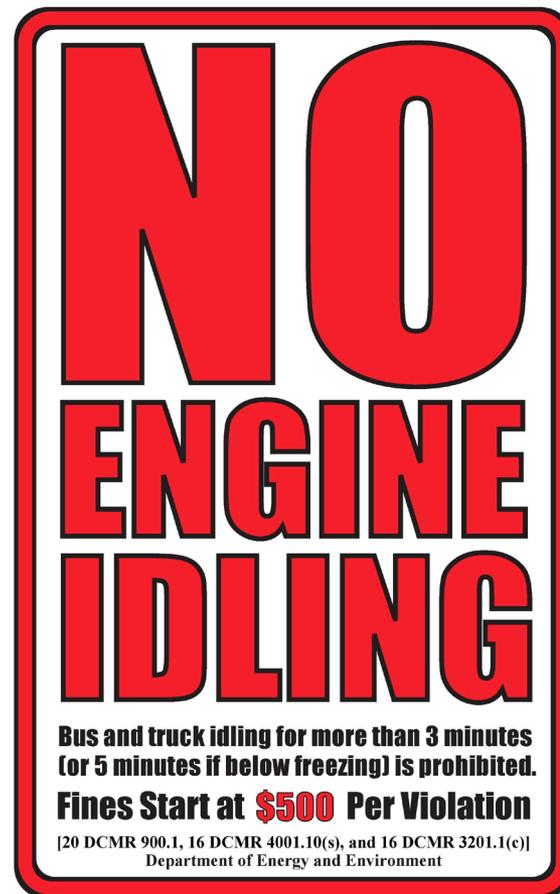
A more stringent visible emissions standard has been included in the permit to reflect updated District regulations.

# How Does the Draft FMCC Permit Differ from the Existing Permit?

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## ▶ Engine Idling Procedures

- ▶ FMCC will be required to post signs at the facility in both English and Spanish.
- ▶ FMCC will be required to train their own drivers and conduct outreach to trucking companies that they contract with, to inform them of the District's engine idling restrictions.



# How Does the Draft FMCC Permit Differ from the Existing Permit?

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## ▶ Dust Controls

- ▶ FMCC will be required to operate a wet sweeper broom truck to sweep up dust at the facility at least twice per day when facility operates.
- ▶ FMCC will be required to maintain and operate water sprinklers throughout the facility, as necessary, to keep dust down.

# How Does the Draft FMCC Permit Differ from the Existing Permit?

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## ▶ Odor Controls

- ▶ FMCC will be required to install “blue smoke condensers” on two of their liquid asphalt tanks to minimize odors and volatile organic compound (VOC) emissions when filling the tanks.
- ▶ FMCC will be required to use odor neutralizers in their asphalt binders to minimize odors from plant operations.

**Note:** FMCC has also submitted an Odor Control Plan (OCP) in response to new regulations from DOEE. This OCP is under review and, once approved, it can be reopened when DOEE determines it is necessary.

# How Does the Draft FMCC Permit Differ from the Existing Permit?

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## ▶ Other Changes

- ▶ Particulate matter testing frequency from the main exhaust point has been increased to annually (from twice during a 5-year permit term).
- ▶ Particulate matter testing is required for both coarse and fine particulate matter (previously only required for coarse).
- ▶ Exceptions to zero percent visible emissions standard narrowed per updated regulation.

# Requests Not Addressed

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- ▶ On May 17, 2022, the Eckington Civic Association submitted requests to DOEE. Many of these were addressed, but the following were not:

ECA Comment	Explanation
Daily operating hour limits (8am-3pm)/no weekends or holidays	This does not work for facility operations. Asphalt must be mixed shortly before use.
Limited or no operations on poor air quality days.	This may need to be done through regulation. We are still investigating.
Keep truck traffic off local streets as prohibited by DDOT.	Air permits cannot require this.
Require ongoing quarterly meetings between FMCC, Eckington residents, and DOEE to discuss community concerns.	Air permits cannot require this, but DOEE has encouraged FMCC to do its own outreach. DOEE will continue to respond to residents' concerns.

# Documents Available for Comment

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- ▶ Published on website:
  - Draft permit
  - Technical support memorandum
- ▶ Also available by request:
  - Application
  - Any other documents relied upon to make preliminary determination.

# Public Hearing

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- ▶ A public hearing has been scheduled for Monday, March 18, 2024, at 5:30 PM.
- ▶ The hearing will be held in a hybrid (virtual and in-person) format.
- ▶ Information on how to attend the hearing can be found on DOEE's website at:
  - ▶ <https://doee.dc.gov/node/1707821>

# Public Hearing Format

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- ▶ All are welcome to testify. DOEE suggests that persons wishing to testify provide their name and any affiliation to Stephen Ours ([stephen.ours@dc.gov](mailto:stephen.ours@dc.gov)) in advance of the hearing.
- ▶ The hearing will be recorded, but those testifying are encouraged to submit paper or electronic copies of any written statements.
- ▶ Each person testifying will be given up to 5 minutes to testify.
- ▶ The hearing is intended to take testimony. It is not a question-and-answer session.

# Submitting Comments

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- ▶ Comments can be submitted by:
  - Email
  - Postal Mail/Delivery Service
  - Verbal Testimony at Public Hearing
  
- ▶ The public notice provides instructions on how to submit comment and request hearings.

# Effective Comments

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- ▶ Effective comments are:
  - Air-quality related
  - Show familiarity with proposal and draft permit
  - Specific
  - Include suggestions as to how the issue of concern can be resolved

# Effective Comments

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- ▶ Effective comments are not:
  - General dissatisfaction with the existence of a facility or piece of equipment.
  - Non-air quality issues (traffic, noise, aesthetics).
  - Large numbers of identical form comments.

# Public Information Session: Draft Air Quality Permit for Fort Myer Construction Corporation – Plant 1

Questions?