

Asphalt Specialties

EXG2009-00002

May 23, 2017

Board of County Commissioners

Department of Community and Economic Development

Case Manager: Chris LaRue

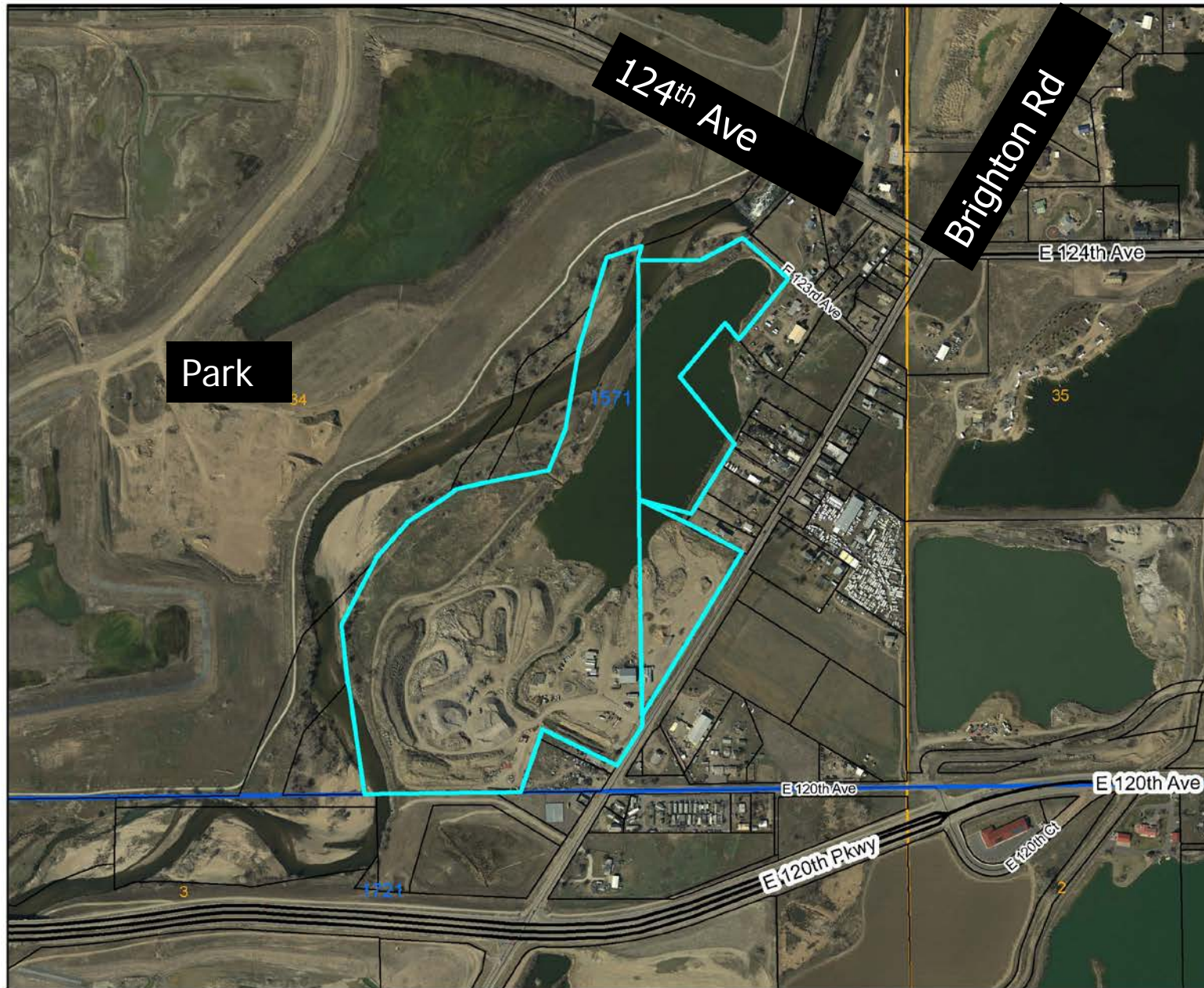


Request

- Staff is recommending no further action regarding the Certificate of Designation as the violations have been resolved

Request

- BOCC considered this case on 3/14/17:
 - Continued to allow time to discuss remedies to the outstanding violations.
- BoCC again considered this case on 4/4/17:
 - Staff & permittee requested another continuance to allow final resolution
- BOCC considered again on 4/18/17:
 - public notice & post corrective action plan to website



LEGEND

- ★ Special Zoning Conditions
 - 3 Section Numbers
 - Railroad
 - Major Water
 - Zoning Line
 - Sections
- Zoning Districts**
- A-1
 - A-2
 - A-3
 - R-E
 - R-1-A
 - R-1-C
 - R-2
 - R-3
 - R-4
 - M-H
 - C-0
 - C-1
 - C-2
 - C-3
 - C-4
 - C-5
 - I-1
 - I-2
 - I-3
 - CO
 - PL
 - AV
 - DIA
 - P-U-D
 - P-U-D(P)
 - Airport Noise Overlay

Asphalt Specialties

Aerial Map

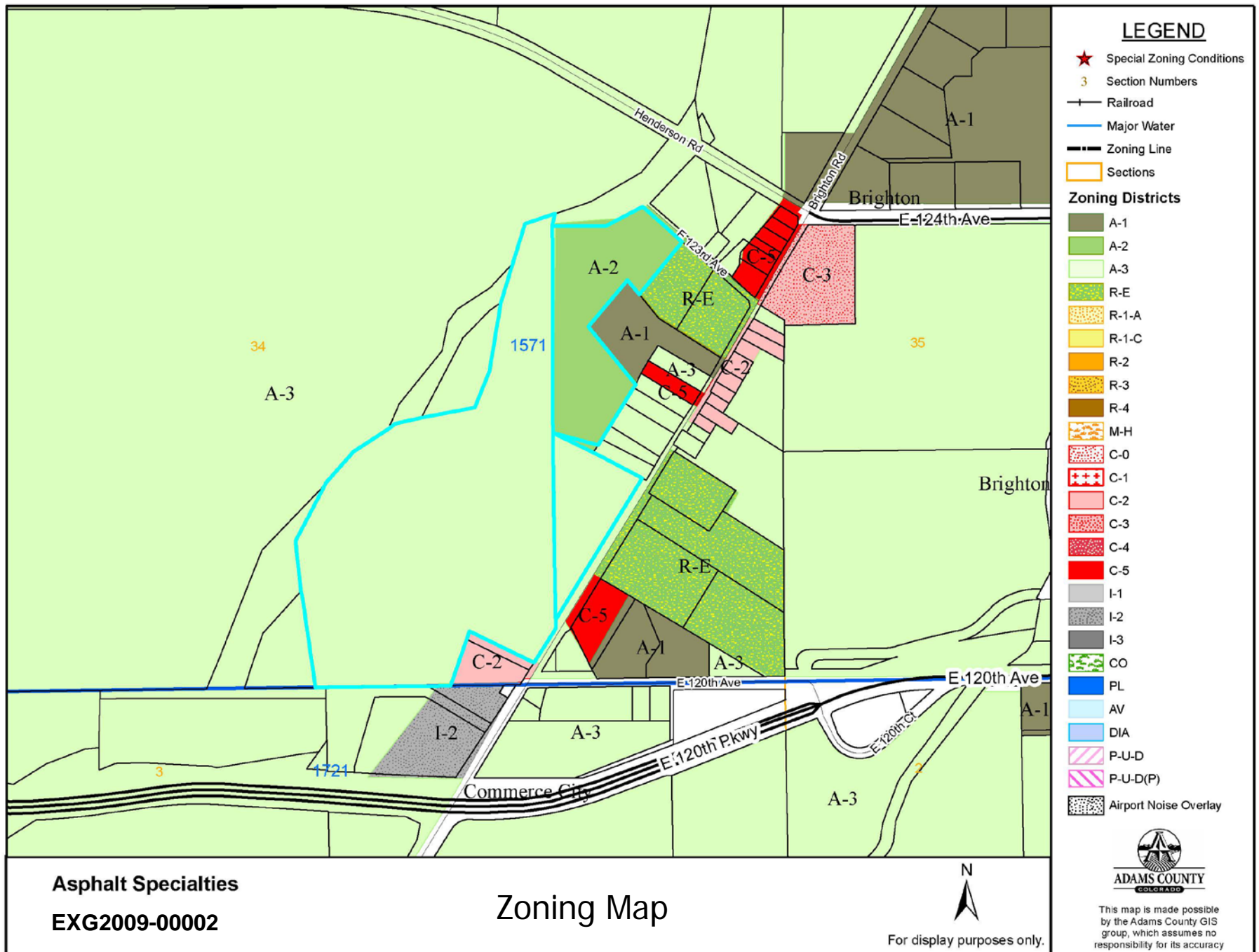
EXG2009-00002

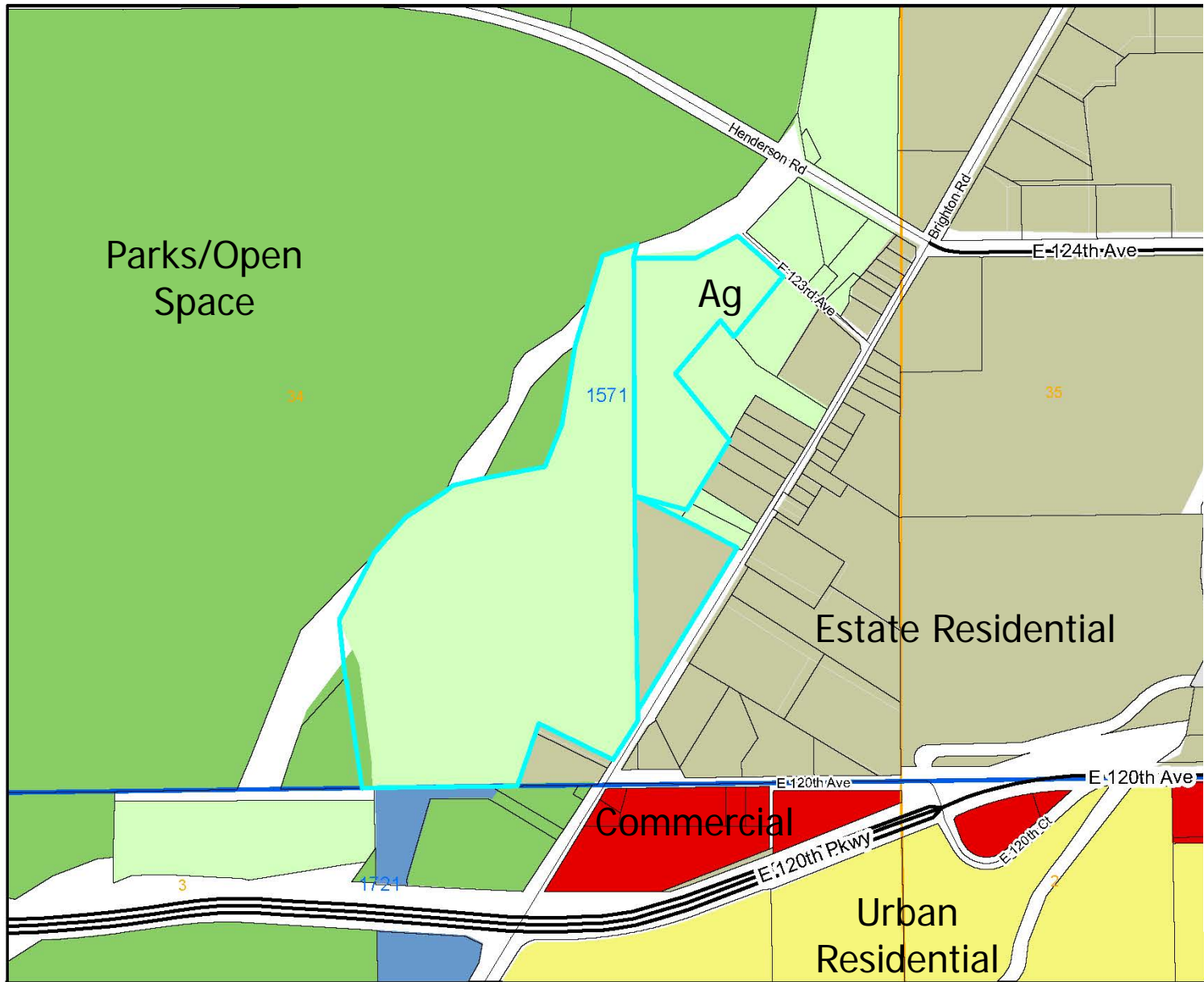


For display purposes only.



This map is made possible by the Adams County GIS group, which assumes no responsibility for its accuracy.





Asphalt Specialties
EXG2009-00002

Comprehensive Plan



For display purposes only.



ADAMS COUNTY
COLORADO

This map is made possible
by the Adams County GIS
group, which assumes no
responsibility for its accuracy

Background

- December 6, 2010:
 - BoCC approved a CD for an inert landfill
 - 19 Conditions
 - Cover operational aspects – hours, expiration, safety
 - CD expires on 12/6/17

Background

- 2/8/17: Inspection with County Staff, Tri-County Health, & CDPHE
 - CD violations to Conditions #s 3, 9, 11, 14, & 16
- Per Section 1-02-01-02-09 :
 - BoCC may revoke or suspend a permit if a permit holder or operator fails to abide by the terms, requirements or conditions of the permit.

Background

- 3/28/17: Inspection with County Staff, Tri-County Health, & CDPHE
 - Wind monitoring installed
 - Non-inert material & rebar not observed
 - CDPHE issued no further action letter
- 4/17/17: Inspection with County Staff
 - Non-inert material & rebar
 - Berm in place & seeded
- 4/18/17: Applicant removed storage of items

Condition # 3 (Complete)

- All conditions imposed by CDPHE are conditions in the CD
 - CDPHE violation on 2/15/17
 - **Violations:**
 - Acceptance of non-inert material
 - Failure to monitor wind speeds to determine closure
 - **March 28, 2017**
 - **CDPHE issued a no further action letter: wind monitoring & accepting non-inert materials resolved.**

Condition # 9 (Complete)

- Facility shall close during high winds (exceed 35 mph or sustained 25mph)
 - **Violation:** No wind monitoring devices on 2/8/17.
 - Wind gusts exceeding 40 mph
 - Staff onsite unaware of restriction
 - **March 28, 2017 inspection: wind monitoring in place.**

Condition # 11 (Complete)

- **All applicable standards in the Solid & Hazardous Waste Disposal section shall apply**
- **Violations:**
 - Outdoor storage & activities require screening
 - Screening for public right-of-ways
 - No screen fencing present
- **April 17, 2017 Inspection**
 - Berm constructed & seeded





WARNING
UNAUTHORIZED
VEHICLE
PROHIBITED
DUMPING
PERMISSION

Special Event, Fair, etc.
All vehicles must be registered
and have a valid driver's license
and insurance. All vehicles must
be parked in the designated area
and must not obstruct traffic.

WARNING
UNAUTHORIZED
VEHICLE
PROHIBITED
DUMPING
PERMISSION



Condition # 14 (Complete)

- **Authorized personnel trained to recognize non-inert material during filling / Screen each fill load / Dispose of non-inert material**
 - Inert defined by statute
 - Facility allowed: earth, sand, gravel, rock, concrete, asphalt, top soil, & masonry
 - During site inspection **violations** found:
 - uninspected trucks hauled materials
 - **Corrective Action plan reviewed & approved.**

Condition # 16 (Complete)

- All materials must be inert as defined in the Development Standards & by CDPHE.
 - **Violation:** Non-inert material uses as fill
 - **March 28, 2017 & April 17, 2017 inspections**
 - No visible rebar





Other considerations (Complete)

- Pending violation for recycling
 - No screening
- Items stored on site not related to CD
 - Truck trailers, road signs, other equipment
 - Require CUP
 - **Inspection April 17, 2017 – still being removed**
 - **April 18, 2017**
 - Applicant confirmed items removed
 - Remaining trailers are for CD







Remedies

1. By June 6, 2017 all visible non-inert materials to be removed (**complete**).
2. By June 6 install on site wind monitoring (**complete**).
3. By June 6 repair or replace fencing, or construct an earthen berm (**complete**).
4. By June 6 remove outdoor storage materials not associated with CD (**complete**).

Remedies

5. Submit & have approved corrective action plan – to include dust mitigation, air quality, training of staff, hours of operation, & screening (complete).
6. Reinstatement hearing before BoCC on 6/6/17.
7. Reinstatement hearing can be requested to be sooner by the applicant if the conditions are completed.
8. All operations shall cease – expect those required to correct violations.

Recommendation

- Staff is recommending no further action regarding the CD issued through Case # EXG2009-00002