

THURSTON COUNTY CP-11 RECYCLED ASPHALT POLICY

PLANNING COMMISSION – AUGUST 5, 2020



CP-11 Recycled Asphalt Policy (RAP)

WHAT IS THE REQUEST

- Lakeside Industries submitted an application in 2016 for a Comprehensive Plan Amendment.
- Request is to amend Policy E.5 of the Nisqually Subarea Plan, which currently prohibits asphalt recycling based on water quality concerns.
- Item is CP-11 on the 2020/2021 Official Comprehensive Plan Docket.

WHAT THE REQUEST DOESN'T DO

- No decisions regarding individual site permit applications will be made under this policy review.

CURRENT POLICY E.5 AND REQUEST

POLICY E.5

- Allow accessory activities to be considered inside the mined out portion of the gravel pit through the site plan review process. Examples of allowable accessory uses would include concrete pipe and/or septic tank construction and the recycling of used concrete and asphalt pavement. The reprocessing of imported mineral materials shall not be the primary accessory use. ~~and the reprocessing of asphalt shall not be allowed due to water quality concerns.~~ These activities shall be discontinued once reclamation of the pit is completed in accordance with the WDNR standards.



REGULATIONS

CURRENT COUNTY REGULATIONS

- Asphalt recycling is allowed as an accessory use in Thurston County outside of the Nisqually Subarea. Operations must meet county regulations. The most relevant are:
 - Thurston County Environmental Health Code
 - Chapter 17.10 – State Environmental Policy Act
 - Chapter 17.20 – Mineral Extraction and Asphalt Production
 - Title 20 – Zoning
 - Title 24 – Critical Areas

CURRENT COUNTY CODE - ZONING REGULATIONS

- TCC 20.54 – Special Use Permit Chapter
 - Lists in which zones special uses can locate.
 - A few uses in the Special Use Chapter directly address asphalt: asphalt plants; solid waste disposal facility; recycling processing center.
 - Asphalt recycling could occur as an accessory use to principal uses like asphalt plants, mineral extraction, or recycling processing centers.

WHERE IS ASPHALT RECYCLING CURRENTLY ALLOWED

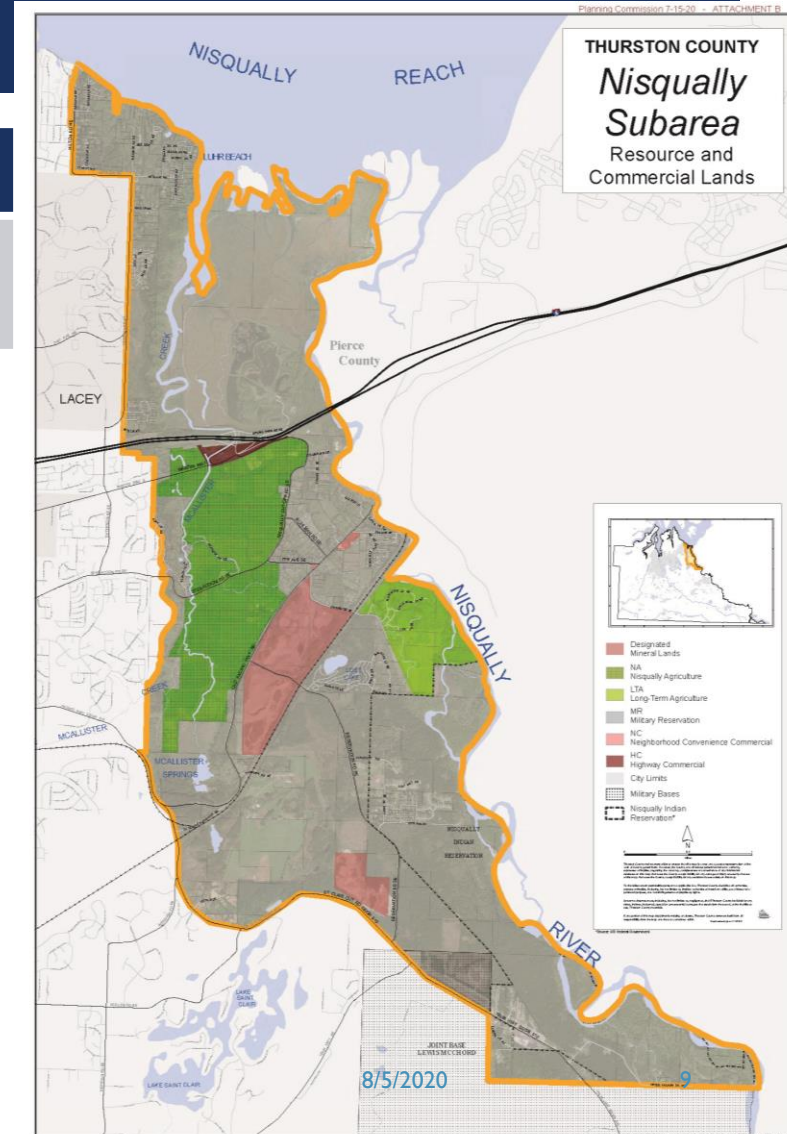
	R 1/20	R 1/10	RR 1/5	RRR 1/5	RL 1/2	RL 1/1	RL 2/1	LI	RRI	MR
Asphalt Production (outside a gravel mine)				X				X	X	X
Asphalt Production (within a gravel mine)		X	X	X				X	X	X
Recycling processing centers	X	X	X	X					X	
Solid Waste Disposal Facilities	X	X	X	X	X	X	X	X	X	

- TCC 20.03.040 - “An ‘accessory use’ means a use or building which is clearly subordinate to and customarily found in association with a principal use.”
- There are other possible principal uses, like Mineral Extraction

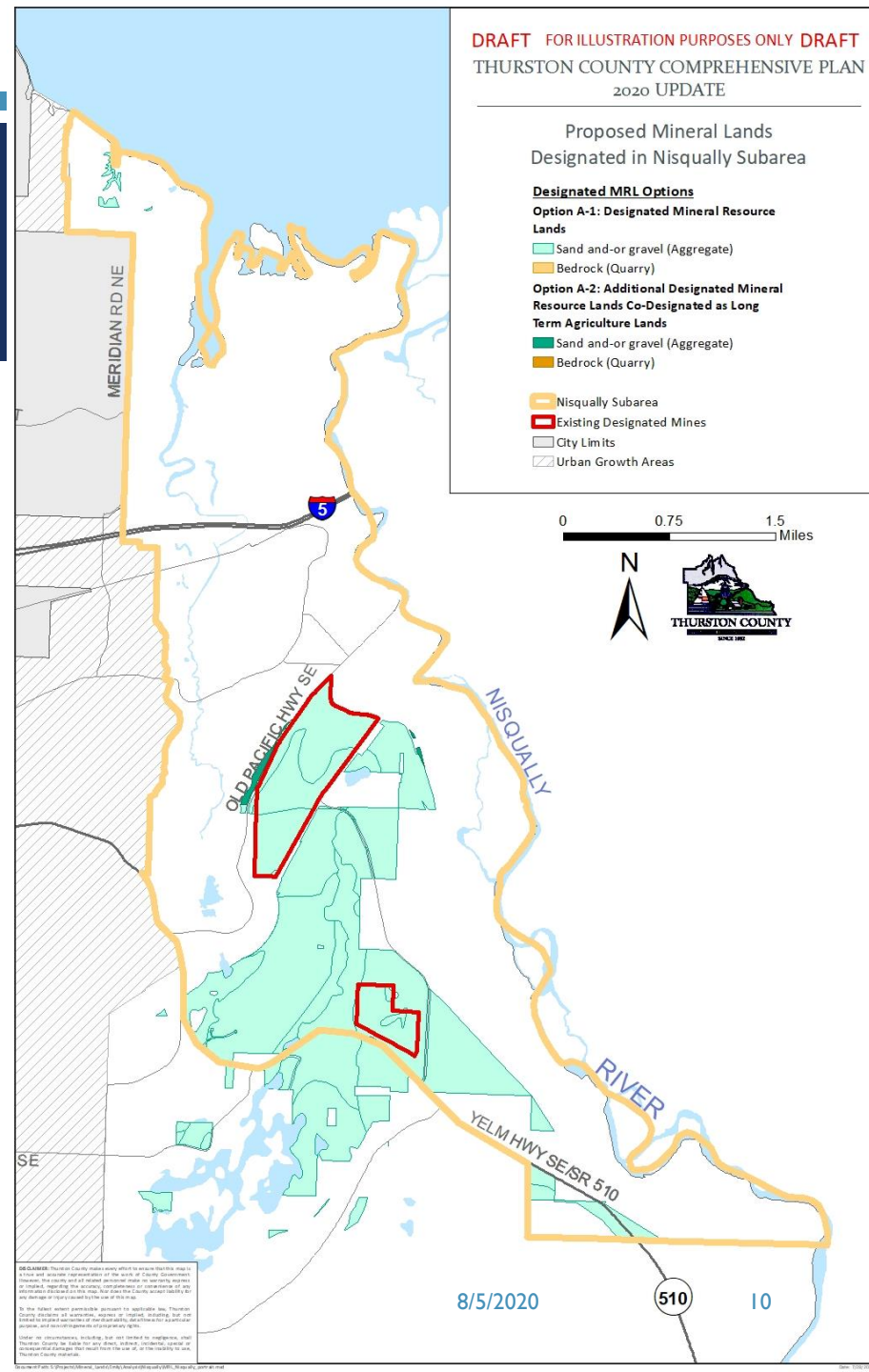
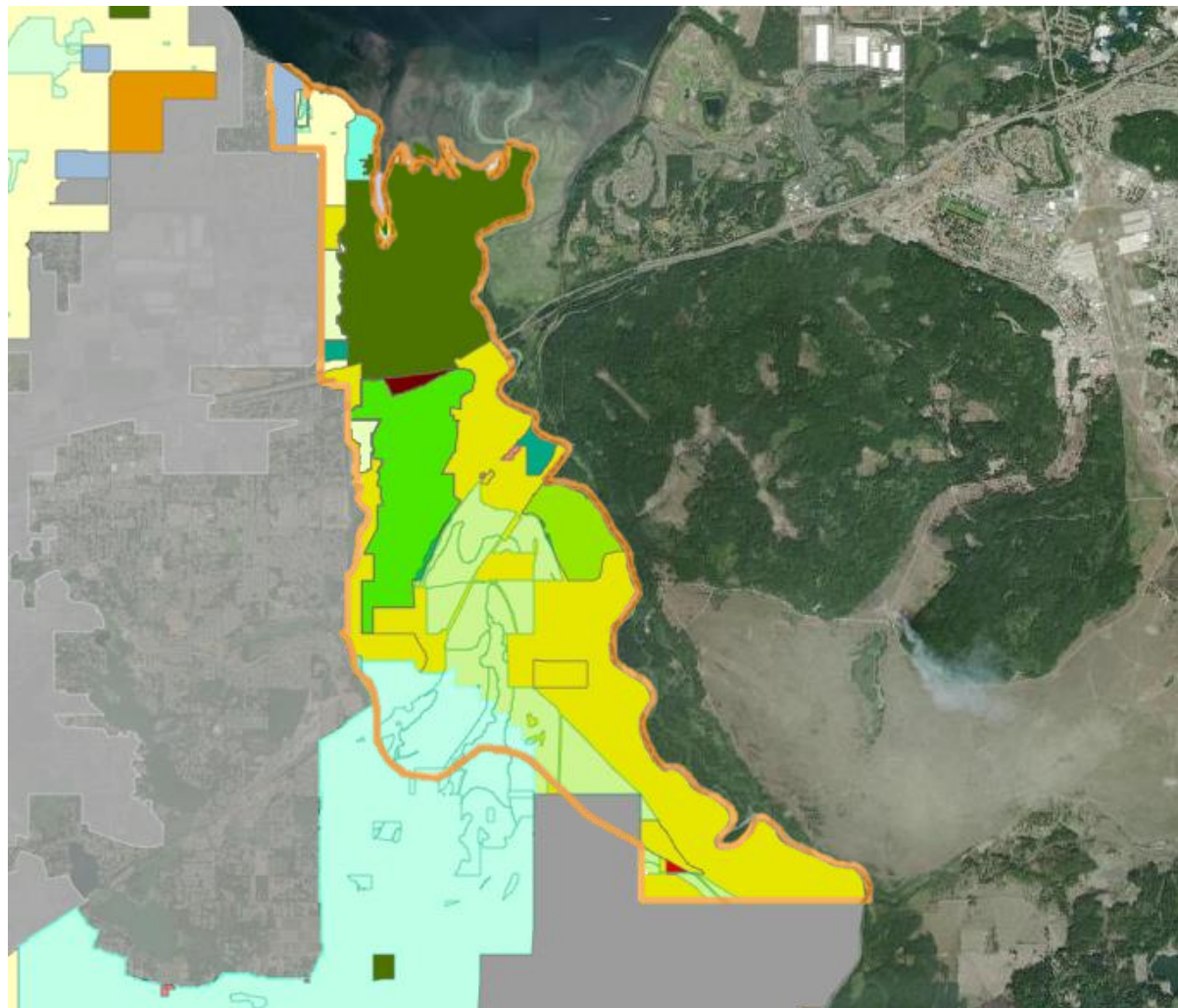
WHERE COULD ASPHALT RECYCLING OCCUR IF POLICY E.5 WERE AMENDED?

	R I/10	RR I/5	RRR I/5	LI	RRI	MR
Asphalt Production (within a gravel mine)	X	X	X	X	X	X

- Example: Asphalt Recycling as an accessory use to Asphalt Production (within a gravel mine)
- Policy E.5 limits accessory uses to the mined out portion of pits.
- Three zones exist in the Nisqually Subarea: MR, RRR I/5, and RR I/5.
 - RRR I/5 – roughly 250 acres
 - RR I/5 – roughly 4,450 acres
 - MR – tribal trust lands, not included
- Two active designated mine pits (total 410 acres)



PROPOSED MINERAL LANDS DESIGNATION



OTHER COUNTY REGULATIONS

- Critical Areas regulations (Title 24)
 - Regulates steep slopes, flood zones, CARAs, habitat, wetlands and more
 - Accessory uses generally treated the same as the principal or special use in terms of CAO conformance and permitting
- Mineral Extraction Code (TCC 17.20)
 - Applies to special use permits for mineral extraction, asphalt plants, and their accessory uses
 - Includes regulations for spill prevention, fuel and hazardous materials, drainage and stormwater control, was and process water, noise, hours of operation, groundwater monitoring and hydrogeological conditions, and more.
- Thurston County Environmental Health Code (Article V)
 - Facilities that handle recycled asphalt need a solid waste permit

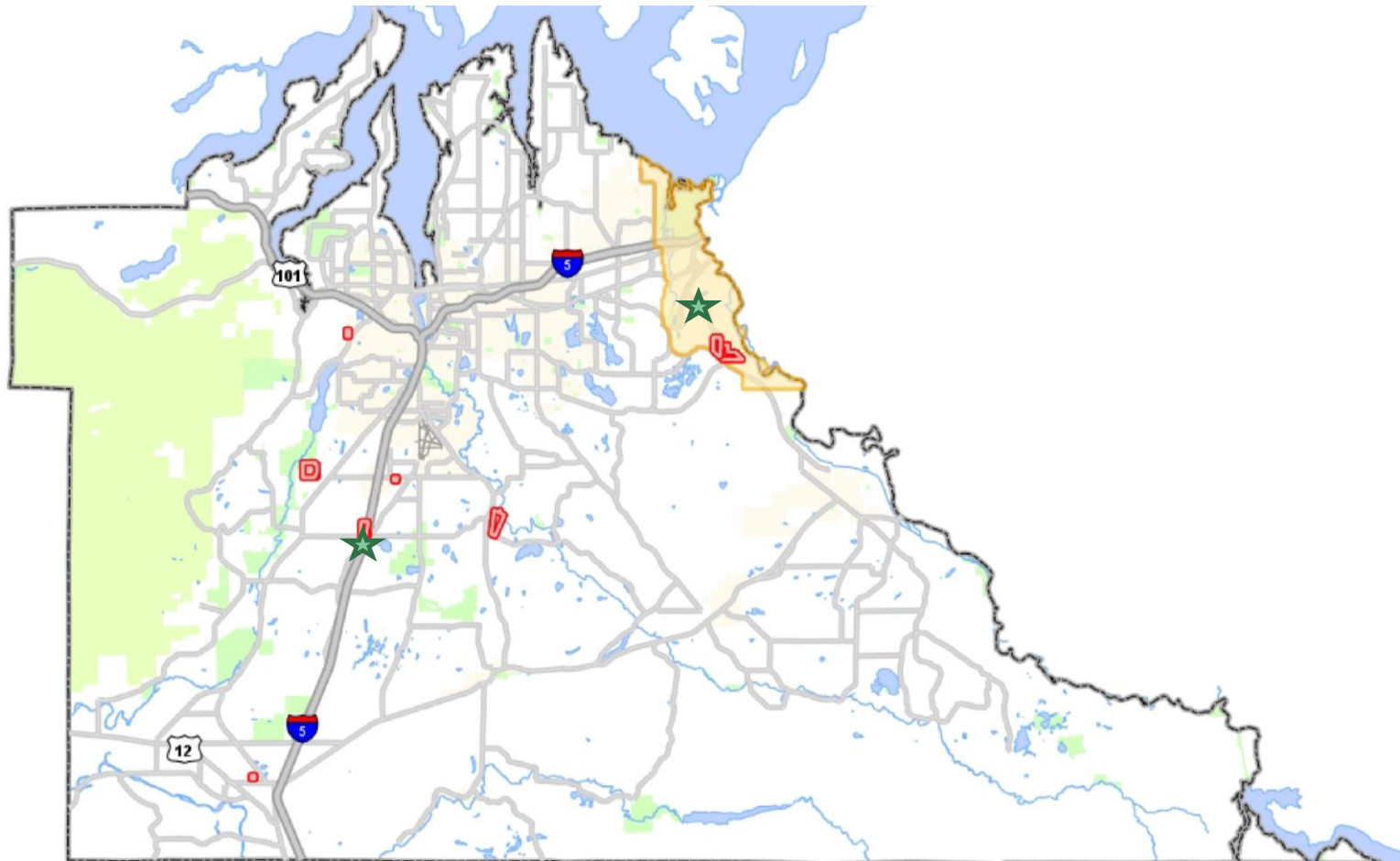
WASHINGTON STATE DEPARTMENT OF ECOLOGY

- Stormwater General Permit
 - Limits the amount of pollution from stormwater that drains into lakes, rivers, and marine waters.
 - The permits are guided by both the federal water pollution permit program and state laws.
 - Monitoring and reporting used to ensure compliance with discharge limits.



EXISTING FACILITIES

EXISTING FACILITIES THAT HANDLE RAP IN THURSTON COUNTY



■ Nisqually Subarea



■ Facilities that actively handle RAP



■ Asphalt Production Facilities



RELEVANT POLICIES

RELEVANT POLICIES

- Nisqually Subarea Plan
- Thurston County Comprehensive Plan
- Thurston County Solid Waste Management Plan
- Washington State Solid and Hazardous Waste Plan

RELEVANT POLICIES

■ **Nisqually Subarea Plan policies**

- Protection of rural lands, resource lands, and agricultural/pastoral character
- Protection of water resources
- Recognize existing resource uses

■ **Thurston County Comprehensive Plan**

- Maintain balance between human uses and the environment
- Protect water quality and quantity
- Scale industrial uses appropriately to the area its in; resource uses (agriculture, timber, mining) more appropriate to rural areas
- Strengthen and diversify the economic base
- Promote waste reduction, reuse, and recycling

RELEVANT POLICIES

- **Thurston County Solid Waste Management Plan**
 - Promote construction and demolition recycling facilities in the region and in Thurston County
 - Collaborate to explore options to increase recovery of construction and demolition materials
- **State of Washington Solid and Hazardous Waste Plan**
 - Advance reusing materials to reduce construction and demolition waste
 - Map recycling, construction and demolition infrastructure, assess market options and share information



OTHER CONSIDERATIONS

ECONOMIC CONSIDERATIONS

- Recycled Asphalt can:
 - Lower the cost of construction projects, compared to using raw materials.
 - Can improve commercial viability of operations by lowering asphalt production costs.
 - Be favorable in the bid process.
 - Doesn't result in more production, unless an operator is not already meeting their maximum volume limit.

BEST MANAGEMENT PRACTICES

- According to NAPA, 2015, best management practices for exposure minimization include:
 - Cover the stockpile with a shelter or building
 - Use conical stockpiles to naturally shed rain or snow
 - Place stockpile on a paved surface
 - Minimize use of heavy equipment on top of stockpiles to avoid compaction
 - RAP and millings should be limited to 30 feet high
- One of the options includes BMP requirement to store stockpile under cover to minimize exposure.



OPTIONS

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Option 1:

No Change of Policy E.5. Continue to prohibit RAP in Nisqually Subarea.

Option 2:

Adopt the applicant's proposed amendment of Policy E.5, removing the prohibition on asphalt recycling as an accessory use in the Nisqually Subarea.

Option 3:

Adopt the applicant's proposed amendment, with additional amendments that would require Best Management Practices to be employed.

NEXT STEPS

- Discussion and Follow Up Questions?
- At the Commission's discretion:
 - Request a Public Hearing on Comprehensive Plan Amendment Docket Item #11 – Recycled Asphalt Policy for September 2, 2020 at 7 PM or as soon thereafter as the matter may be heard.



Questions?

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OPTION 2 TEXT

Policy E.5

Allow accessory activities to be considered inside the mined out portion of the gravel pit through the site plan review process. Examples of allowable accessory uses would include concrete pipe and/or septic tank construction and the recycling of used concrete and asphalt pavement. The reprocessing of imported mineral materials shall not be the primary accessory use. ~~and the reprocessing of asphalt shall not be allowed due to water quality concerns.~~ These activities shall be discontinued once reclamation of the pit is completed in accordance with the WDNR standards.

OPTION 3 TEXT

Policy E.5

Allow accessory activities to be considered inside the mined out portion of the gravel pit through the site plan review process. Examples of allowable accessory uses would include concrete pipe and/or septic tank construction and the recycling of used concrete and asphalt pavement. Operators shall employ best management practices for covered storage of recycled asphalt to ensure minimal environmental harm and impact due to leachate. Best management practices will be determined through the site-level permit review process, but may include tarping, storage sheds, or other methods. The reprocessing of imported mineral materials shall not be the primary accessory use. ~~and the reprocessing of asphalt shall not be allowed due to water quality concerns.~~ These activities shall be discontinued once reclamation of the pit is completed in accordance with the WDNR standards.

OPTION 3 ASSOCIATED CODE CHANGE

20.54.070 – Use – Specific Standards.

...

3.1 Asphalt Production. Asphalt plants (hot mix or batch plants) are subject to the following provisions:

...

1. For operations that process and store Recycled Asphalt Pavement (RAP) within the Nisqually Subarea, operators shall employ best management practices to mitigate leachate by providing covered storage of processed/recycled asphalt stockpiles. Specific practices will be determined through the site-level permit review process, but may include tarping, storage sheds, or other methods.