

Lane, Roger

From: Brandon Arndt <brandonjarndt@gmail.com>
Sent: Friday, December 18, 2020 4:11 PM
To: Bollig, Jerome; Lane, Roger; Kiefer, Timothy; Peters, Steven; Smith, Sarah; Doolan, Michele
Subject: ASPHALT PLANT

CAUTION: External Email - Beware of unknown links and attachments. Contact Helpdesk at 266-4440 if unsure

There are two articles written in 2018 with accounts to living in close proximity to asphalt plants. One is from a town in Texas with the other being in Arizona. Both towns had these plants built prior to zoning approval for residential housing.

In both cases, it was not until years later that people living in these areas were developing respiratory issues. Both speak about the odor emitted and the noise produced.

Brooklyn will be a community with an elementary school in close proximity. It will be a mere half mile between the new proposed plant and the adjacent neighborhood.

Therefore, the conditional use permit and its 8 standards of criteria are not met and this plant should not be passed so close to this community.

<https://www.dallasnews.com/news/environment/2019/07/03/frisco-officials-residents-go-after-asphalt-plant-with-complaint-history-urge-state-not-to-renew-permit/>

<https://www.azcentral.com/story/news/local/mesa/2018/07/11/smells-vulcan-asphalt-plant-bedevils-zoning-mesa-community-lehi-crossing/696689002/>

--

Brandon Arndt RN, BSN

Lane, Roger

From: kathleen prigge <Goodskillsmedia@litewire.net>
Sent: Monday, December 21, 2020 3:14 PM
To: Lane, Roger; Bollig, Jerome; Doolan, Michele; Smith, Sarah; Peters, Steven
Subject: FW: Are you attending CUP 2510 public hearing?

CAUTION: External Email - Beware of unknown links and attachments. Contact Helpdesk at 266-4440 if unsure

Are you planning to attend remote public hearing on Dec 22, 2020 at 6:30pm to hear objections to proposed asphalt plant? It's irresponsible to approve without considering overwhelming public concerns.

According to meeting minutes, Oregon Town Board approved permit at 12/8 Town Board meeting, with NO public comment. However, the board did appreciate Payne & Dolan presentation.

Due to potential for negative impacts to adjacent properties for uses already permitted, this requires special consideration from Town and County Zoning Boards. CUP 2510 permit application is deceptively misleading by **misidentifying land uses surrounding properties as predominately agriculture**, and omitting in application the nearby homes, schools, businesses that will be impacted. This is on ONE CORNFIELD! If committee members visited the site, it would be obvious.

Dane County land use ordinance allows an asphalt plant to operate within an INDUSTRIAL ZONE ONLY. Conditional Use Permits are only authorized if **compatible with neighboring land use**.

County/town decisions **must be supported by substantial evidence to approve this permit**. Site inspection, traffic, sound, groundwater, lighting, storm water, soils, and wetland studies are needed to **determine whether the land use is feasible in the location**.

Air quality permit and hazardous materials list missing from application and required to approve asphalt plant permit. Also requesting you provide:

- Comprehensive Plan for Town of Oregon and Town & Dane County Ordinances
- Primary document used by the town to evaluate request for rezoning within Town of Oregon

I've voted and paid taxes for 37 years in Town of Oregon and counting on you to perform due diligence we deserve. Enduring blowing sand from the quarry for 4 years is bad enough...breathing toxic asphalt fumes will kill us! **WOULD YOU LIKE TO LIVE DOWNWIND FROM AN ASPHALT PLANT?**

Respectfully,

Kathleen and Gene Prigge
417 Bramble Lane
Brooklyn WI 53521
608-225-8911

Lane, Roger

From: gmail <mcsmith762@gmail.com>
Sent: Monday, December 21, 2020 11:19 AM
To: Lane, Roger
Subject: Say No to asphalt plant in Brooklyn

CAUTION: External Email - Beware of unknown links and attachments. Contact Helpdesk at 266-4440 if unsure

This application should not be allowed. It is totally incompatible to have a hot asphalt plant this close to a neighborhood. There will be increased truck traffic through Brooklyn, increased noise, air pollution and the smell of tar and it WILL lower our property values. As someone who is approaching retirement age, I can't afford to lose money on my home if I'm forced to sell to move out of an area with tar fumes. Nobody will want to buy a house in this neighborhood, if this plant is approved.

Most of us have sump pumps in our basement to deal with water flowing through the rocky/gravel soil under our house—I'm sure the same substrate that is found in the quarry so it seems we should also have concerns with ground water contamination as there will always be some run-off from this sort of operation. Will we have contaminated water flowing into our basements bringing the smell into our homes? Has this issue been studied?

In summary, the proposed location is simply much too close to the neighborhood to be feasible. I don't think you would want this next to your home, so please don't approve this next to our homes.

Thank you for carefully considering this issue,
Michael and Carol Smith
Marcie Drive

Sent from [Mail](#) for Windows 10

Statement of Henry Spelter concerning the CUP application CUP-2020-02510

December 22, 2020

Asphalt plants emit hazardous air pollutants (HAP). The question is to how much?

The EPA defines a “Major source” as one that emits, or has the potential to emit, any single HAP at a rate of 10 tons per year (tpy) or more, or 25 tpy or more of any combination of HAPs.

For such a major source, control standards, referred to as maximum achievable control technology (MACT) standards, are applied that reflect the highest degree of emission reductions achievable.

An operator must determine the level of emissions it is going to be a source of and, if “major”, then must consider the application of measures to collect, capture, or treat HAPs released from its process.

To provide an ample margin of safety to protect public health and prevent an adverse environmental effect, the application should contain an analysis of how much HAPs it will emit under different conceivable scenarios.

Since the operation of the plant in this application will be situational, the baseline HAP analysis should be the maximum emissions under continuous year-round use and then worked back to the most probable usage as determined from the company’s records.

The application contains no such analysis. The Town of Oregon therefore had no factual basis for determining whether the applicant will be a major emitter of HAPs nor whether it conforms to EPA standards. The application should therefore be denied in its present form until this omission is remedied.

The application describes the process and offers general assurance that it utilizes “the latest technologies to minimize impacts on neighbors.” However, it contains no description of its testing, monitoring, and reporting regarding its HAP containment obligations nor how the public can access such data. The application is opaque and needs to provide information regarding contacts within the company, the DNR and the EPA the public can access.

The application asks for the permit to be in effect “for the duration of 15 years”. Given the proximity to residences and a school, this period should be shorter to give the community opportunity to object to longer term operation if it is determined in actuality to pose a health risk. I propose an initial 2-year duration for the permit

The application lists a “Land Resources Manager” as the company contact person. However, it is unclear if the responsibilities include the individual to be a spokesman for the firm whose job description includes a requirement to answer public inquires. The application is deficient in not listing the name, title and contact information of the individual who is specifically the company

spokesman. I base this on past contact experience wherein after leaving my name, number, and request to talk to the individual, the call was never returned.

Lane, Roger

From: j tesch <jerry_tesch@hotmail.com>
Sent: Monday, December 21, 2020 9:02 PM
To: Lane, Roger
Subject: Fw: opposition to the proposed Hot Asphalt plant

CAUTION: External Email - Beware of unknown links and attachments. Contact Helpdesk at 266-4440 if unsure

It is probably too late. I had inadvertently sent this to the wrong email

From: j tesch
Sent: Tuesday, December 15, 2020 3:32 PM
To: roger.lane@countyofdane.com <roger.lane@countyofdane.com>
Subject: opposition to the proposed Hot Asphalt plant

Mr. Lane,

Having never responded to a proposal of this nature, I would appreciate your patience with my response.

As stated in the subject line I am strongly opposed to another business in direct proximity to the home we recently purchased on Bramble Lane. We purchased this property in the country as a retirement investment, opting to move out of the city for the benefits a country setting provides, simple things like quiet and clean air. We did not anticipate the possibility of a plant in near proximity that would produce a known carcinogen like benzene.

Property values aside, we are deeply concerned over the quality of air we breathe and simply do not want this business or any other business that affects the air, waterways or land positioned anywhere near this area.

One question Mr. Lane, would you want this plant located in your backyard?

Thank you for your time and interest.

Regards,
Jerry Tesch
Bramble Lane
480 434-8078

Lane, Roger

From: Molly Thoma <m6thoma@gmail.com>
Sent: Monday, December 21, 2020 6:09 PM
To: Lane, Roger
Subject: hot mix asphalt plant-temporary?!

CAUTION: External Email - Beware of unknown links and attachments. Contact Helpdesk at 266-4440 if unsure

Hi Roger.

I am Molly May Thoma, homeowner at 350 Pagelow Lane, and did not get a notice of the public hearing about this proposal until today, when a neighbor gave it to me.

1. Why was I not notified of this earlier?

2. Though asphalt is needed for roads, there are many issues and problems with the proposed location of this plant.

-there is a school nearby, close to any fumes, health hazards, noise, excess truck traffic

-my understanding is that: asphalt fumes, according to the Occupational Safety and Health Administration, can cause “headaches, skin rashes, fatigue, reduced appetite, throat and eye irritation and coughing.” In addition, OSHA studies have linked asphalt fumes to “lung, stomach and skin cancers.”

-it is directly adjacent to the town of Brooklyn

-the increase in truck traffic will be an issue once school buses and more normal traffic returns to MM.

-the hours are beyond what noise levels are allowed or acceptable in this area

-pollutants such as benzene, formaldehyde, arsenic, bitumen, PNAs and other toxic cancer causing carcinogens have been associated with hot mix asphalt plants

-depending on what type of hot mix plant will potentially be established, the US Environmental Protection Agency (EPA) estimates that a typical hot 'batch' mix asphalt plant emits over 74,000 lb/year of

pollutants into the air and environment, and a typical 'drum' mix asphalt plant emits about 83,000 lb/yr of pollutants into the air and environment

There are other less destructive areas for this plant to be located. As this is the first I've seen of this, what other locations have been considered?

Thank you, Molly