

WABASHA PLANNING COMMISSION

February 8, 2022 6:00 PM

This meeting will be held **VIRTUALLY ONLY**. To join please click the link below:

<https://us02web.zoom.us/j/81994249340>

MEETING AGENDA

- 1) Call to Order
- 2) Election of Officers
- 3) Approval of Minutes-
 - a) Minutes 12-14-2021
- 4) Changes or Additions to Agenda
- 5) Public Comment
- 6) Public Hearings
 - a) IUP Rochester Sand and Gravel Hot Mix Asphalt Plant -
- 7) Old Business
- 8) New Business
- 9) Board of Adjustment Business
- 10) Other Business
- 11) Next Regular Meeting Date - March, 8 2022
- 12) Adjourn

Planning Commission

2)

Meeting Date: 02/08/2022

SUBJECT: Election of Officers

DEPARTMENT: Administration

TITLE:

Election of Officers

PURPOSE:

The commission should make nominations for both Chair and Vice Chair of the Planning Commission for the year 2022.

Planning Commission

3) a)

Meeting Date: 02/08/2022

SUBJECT: Minutes 12-14-2021

DEPARTMENT: Administration

TITLE:

Minutes 12-14-2021

PURPOSE:

Attachments

PC 12-14-21

DRAFT

WABASHA PLANNING COMMISSION

December 14, 2021 6:00 PM

MEETING MINUTES

Commission Members: Tim Wallerich, Chair Sara Carrels, Vice Chair
 Scott Durand, Sharon Burke
 Ozzie Goodman Jeff Sulla
 Kris Kruse

Present: Scott Durand; Chair Tim Wallerich; Sharon Burke; Kris Kruse; Sara Carrels; Jeff Sulla; Ozzy Goodman

Also Present: Harry Davis, Contracted City Planner; Wendy Busch, Planning & Zoning Assistant; Caroline Gregerson, City Administrator

1) Call to Order

Chair Wallerich called the regularly scheduled Planning Commission meeting to order at 6:00 pm.

2) Approval of Minutes-

a) Minutes from 10-12-21

Motion made by Ozzy Goodman, seconded by Jeff Sulla to approve the minutes from October 12, 2021.

Vote: 5 - 0 Adopted - Unanimously

Other: Scott Durand (ABSENT)

Sara Carrels (ABSENT)

Commissioner Durand and Carrels joined the meeting after the motion for minutes.

3) Changes or Additions to Agenda

4) Public Comment

Public Comment was provided by Brenda Pearson 136 Bridge Ave. Owner of Turning Waters B & B. Brenda would like to see a fair playing field for all hotel, motel, b&b, and short term rentals in regard to lodging tax, how the property is tax (ie. homestead or not, business or residential) and how they are regulated.

5) Public Hearings

none

6) Old Business

none

7) New Business

a) Short Term Rental Discussion

Staff has been asked to initiate a discussion with the Planning Commission on Short Term Rental properties, and it's place within the zoning Ordinance. In the past the planning commission requested that the zoning ordinance be written to allow for the use of short term rental properties. This is different from a Bed and Breakfast, hotel or motel. City Planner Davis provided a memo outlining his experience with regulating them within other communities. City Administrator Gregerson indicated revenue is the main focus for this conversation. 95% of Lodging tax that comes into the City is forwarded to the Wabasha Kellogg Chamber of Commerce. The City only collects 5%. If the City is looking to regulate short term rentals, what would the cost be to issue, inspect and police the rental properties and would the cost outweigh the benefit. The commission provided discussion. Chair Wallerich would like to see this topic discussed at City Council as well as Port Authority for further direction. We will continue to have this topic on the agenda in the upcoming meetings.

8) Board of Adjustment Business

9) Other Business

a) Term Limits for 2021

Commissioner Burke has expressed interest in renewing for another term on Planning Commission. Commissioner Kruse will be in touch with Chair Wallerich and staff prior to the end of the year for her discussion.

10) Next Regular Meeting Date - January 11, 2022

11) Adjourn

Motion made by Scott Durand, seconded by Kris Kruse to adjourn at 6:54 pm

Vote: 7 - 0 Adopted - Unanimously

Respectfully submitted by: _____
Wendy Busch, Planning & Zoning Assistant

Adopted Date

Planning Commission

6) a)

Meeting Date: 02/08/2022

SUBJECT: IUP Rochester Sand and Gravel Hot Mix Asphalt Plant

DEPARTMENT: Administration

TITLE:

IUP Rochester Sand and Gravel Hot Mix Asphalt Plant -

PURPOSE:

Rochester Sand and Gravel has made application for an IUP to place a Hot Mix Asphalt plant at the Wabasha Sand and Gravel mix location for the upcoming highway project. This is a similar IUP application from the one that was recently approved. Attached find the complete application and staff report prepared by City Planner, Harry Davis.

Attachments

Application

Staff Report

City of Wabasha

APPLICATION FOR LAND DEVELOPMENT ACTIVITY

☐ Concept PUD ☐ Preliminary PUD ☐ Final PUD
☐ Preliminary Plat ☐ Final Plat ☐ Lawrence Boulevard Shore Improvement
☐ Site Plan Review ☐ Request for Zoning Amendment (map or text)
☒ Variance/Appeal ☒ CUP/IUP ☐ Other _____

Rochester Sand & Gravel a div. of Construction Co. (507) 288-7447

Applicant's Name

4105 E. RIVER ROAD NE - Rochester, MN 55906

Phone

brian.schumacher@rochsg.com

Mailing Address

e-mail address

WABASHA SAND & GRAVEL

Property Owner's Name (if different)

Property Owner's Mailing Address (if different)

Provide also contact information of Architects, Engineers, Contractors and/or other development professionals on separate page (s) along with a notation of their pertinent licenses

Description of Property: Parcel ID # (PIN) 27.00593.00 Current Zoning _____ Proposed Zoning _____

Name of Development: _____

Street Address: _____

Total Acreage: _____ Acreage To Be Developed: _____

Type of Water Supply: _____ Sewage Disposal: _____

Proposed Activity (include number/size of lots and/or buildings, type of use, public improvements proposed or need/hardship for Variance):

Placement of a Hot Mix Asphalt Plant for Local Highway Project (provide attached pages as needed)

Describe Any Development Constraints (wetlands, shoreland, floodplain, existing structures/uses, etc.):

_____ (provide attached pages as needed)

Any consultation fees charged for the review of this permit (Engineering, Legal or similar outside professionals) shall be the responsibility of the applicant and will be forwarded by the City to the applicant for payment. The City reserves the right to hold any and all final approvals or authorizations for proceeding on activities related to this application until such payments are made in full to the City of Wabasha.

Rochester Sand & Gravel
Signatures: Brian Schumacher
Applicant

Wabasha Sand & Gravel
By Robert Johnson
Property Owner

1-12-22
Date

Office Use

Date Received: _____ Planner Initials: _____ Fee Paid: (amount) _____ (date) _____

Public Hearing Scheduled _____ (date) Hearing Advertised _____ (date) Notice Sent to Adjacent _____ (date)

Review By: _____ Planning Commission _____ Board of Adjustment _____ City Council _____



4105 East River Road NE
Rochester, MN 55906-3424

Phone 507-288-7447
www.rochsg.com

2/2/2022

Harry Davis, Planning Coordinator
City of Wabasha Planning & Zoning
900 Hiawatha Drive East
P.O. Box 268
Wabasha, MN 55981

Dear Harry,

Rochester Sand and Gravel is requesting a CUP/IUP for the placement of a portable hot mix asphalt plant at the following legal description: Part of Northeast Quarter and part of the Southeast Quarter of Section 31 And part of the Northwest Quarter and Part of the Southwest Quarter of Section 32, T111N, R10W, City of Wabasha, Wabasha County, Minnesota.

A portable drum-mix asphalt plant will be used to provide hot mix asphalt for TH 61 MNDOT project as well as any other local, county, and private projects. The normal plant operating hours are 5AM to 9PM, Monday through Saturday. All company plants are tested for air quality compliance and meet all requirements of the MPCA. Rochester Sand and Gravel provides portable sanitary facilities and dumpsters for solid waste disposal at each location. Both are serviced as needed for the duration of the project.

We anticipate this plant to be operational from mid-May to mid-August and any weather delays may affect this duration. Truck traffic will use County Road 30 (Bruegger Valley Rd) and Shields Avenue to enter and exit the plant site. We would like to request a major traffic generator waiver for the TH 61 project and other various projects to allow more than 60 heavy trips per day for up to 90 days.

I am available to answer any questions that you may have. I can be reached at (507)-288-7447.

Respectfully,

Matt Kasel, Project Manager – Rochester Sand and Gravel

City of Wabasha

APPLICATION FOR A MAJOR TRAFFIC GENERATOR WAIVER

Rochester Sand + Gravel

Applicant's Name

4105 East River Rd. NE Rochester, MN 55906

Mailing Address

Wabasha Sand + Gravel

Property Owner's Name (if different)

905 Church Ave. Wabasha, MN 55986

Property Owner's Mailing Address (if different)

Provide also contact information of Architects, Engineers, Contractors and/or other development professionals on separate page ('s) along with a notation of their pertinent licenses

(507) 288-7447

Phone

matt.kasel@rocksg.com

e-mail address

Description of Property: Parcel ID # (PIN) 27.00 593.00 Current Zoning _____

Project Name: TH 61- MNDOT

Property Address: _____

A detailed description and MAP of the proposed traffic or haul routes:

(provide attached pages as needed)

Average number of one-way vehicle trips per day: 300 (including heavy commercial)

Average number of one-way heavy commercial vehicle trips per day: 300

For Temporary Hauling Operations:

Total number of one-way trips to complete the project: 8,000

Total number of days to complete the project: 60 Paving Days

Days of the week hauling will occur: Monday- Saturday

Hours of daily operation: 6AM- 8PM

Total cubic yards of material to haul for the project: 89,000 Ton
TONS

Any other information that the City Engineer might request to make a determination on the Waiver Application.

Any consultation fees charged for the review of this permit (Engineering, Legal or similar outside professionals) shall be the responsibility of the applicant and will be forwarded by the City to the applicant for payment. The City reserves the right to hold any and all final approvals or authorizations for proceeding on activities related to this application until such payments are made in full to the City of Wabasha.

Signatures: Matt Kasel

Applicant

Property Owner

Date

2/2/22

Office Use

Date Received: _____ Planner Initials: _____ Fee Paid: (amount) _____ (date) _____

Public Hearing Scheduled _____ Hearing Advertised _____ Notice Sent to Adjacent _____
(date) (date) (date)

Review By: _____ Planning Commission _____ Board of Adjustment _____ City Council _____

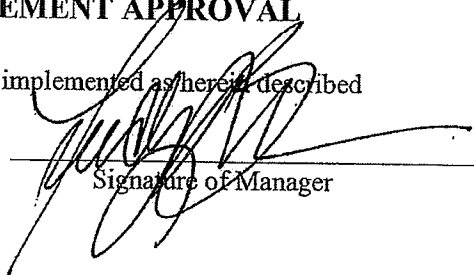
Spill Prevention Control & Countermeasure Plan

Rochester Sand & Gravel Asphalt Plant #18

MANAGEMENT APPROVAL

This plan will be implemented as hereinafter described

Fred Bauer
Printed Name of the Manager

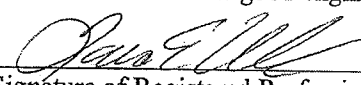

Signature of Manager

Date Signed: 3-1-2019

CERTIFICATION

I hereby certify that I have examined the facility, and being familiar with the provisions of 40 CFR, Part 112, attest that this SPCC plan has been prepared in accordance with good engineering practices.

Tara E. Wetzel
Printed Name of Registered Professional Engineer


Signature of Registered Professional Engineer

Date 3-1-19

Registration No. 33606-006

State Wisconsin



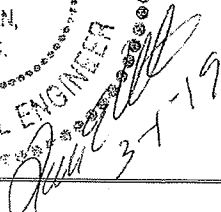

3-1-19

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HARM CRITERIA**

Part I - General Information

1.0 Facility Information

1.1 Name of Facility: Rochester Sand and Gravel Plant #18

1.2 Type of Facility: Portable Hot Mix Asphalt Plant

1.3 Location of Facility: Portable

1.4 Facility Phone Number: 507-226-3371

1.5 Name and Address of the Owner or Operator:

Rochester Sand and Gravel
P.O. Box 189
Onalaska, WI 54650
(608) 783-6411 phone
(608) 783-4311 fax

1.6 Designated person accountable for oil spill prevention at the facility:

Plant Foreman: Bob Gaustad
Work Phone: 507-226-3371
Cell Phone: 507-459-0474
Home Phone: 507-896-2538

2.0 Purpose

This plan complies with the requirements of 40 CFR Part 112, Subparts A and B (February 6th, 2018 Edition). Subpart C does not apply to this facility.

3.0 Tank Storage Information and Operations

3.1 Plant Description: Hot mix asphalt plants produce and provide hot mix asphalt to government projects (Federal, State, County and Local), commercial businesses and private landowners. The hot mix asphalt is primarily used to construct roads, parking lots and driveways.

An asphalt plant consists of aggregate bins, rotary drying and mixing drum, conveyors, storage silo(s), control house, baghouse, and petroleum product storage tanks. Additionally, a front end loader is used to charge the bins, and haul trucks are necessary for bringing aggregate to the

facility and hauling hot mix asphalt away from the facility. For portable operations, diesel generators are used to provide power. Attachment # 1 is a diagram depicting the layout of the facility.

- 3.2 Tank Storage:** The bulk storage tanks listed below are constructed of materials compatible with the oil stored and storage conditions, such as temperature. In the event of an oil spill or tank rupture, the designated person accountable for oil spill prevention at the facility will be notified. The person in charge will inspect the dike, berm and trenches to insure oil containment. Once the spill is controlled, the clean-up process will commence.

The following table lists each tank at the facility along with the tank contents, tank size and containment description. The storage tank contents are either contained within a double walled tank, a dike (concrete, asphalt pavement or earthen), or may be remotely contained within the site drainage control system.

Tank #	Material Stored	Stationary or Portable Tank	Tank Size (gallons)	Secondary Containment	Heat Coils
16-1048	Asphalt Cement*	Portable	30,000	Within Site	Heat Transfer
16-1047	Used Oil & Diesel Fuel	Portable	Split tank 15,000/10,000	Double Walled	NA
Bulk Storage	Petroleum Lubricants	Portable	55 to 150	Within Site	NA

**Occasionally an additional Asphalt Cement tank, of equal size, will be used on plant site.*

- 3.3 Potential Pollution & Prevention Measures:** A potential spill may occur through one or more of the following failure mechanisms.

- 3.3.1 Tank Rupture:** The total quantities of potential product released due to rupture are listed on the table above. Should a rupture occur, the person in charge will inspect the dike, berm and trenches to insure oil containment. The plant loader will be utilized to insure and maintain berm integrity. (Tanks with double walls will contain the product within the outer shell.)
- 3.3.2 Valve or Pipe Failure:** For small unobstructed flows, the source of the spill should be stopped immediately by stopping the appropriate pump or closing the proper valve. Valve or pipe failures will be contained within a dike or within general site containment. The maximum rate of flow is approximately 200 to 300 gallons per minute.
- 3.3.3 Overfill:** During the unloading/loading process, overfill may occur. Prior to unloading, the plant foreman will stick the tank and calculate the available tank volume or use available tank gauges. The plant foreman or authorized personnel are to instruct the Transport Driver to unload.

In the event of an overfill, the product would run out the vent pipes and into the containment area. The maximum rate of flow is approximately 200 to 300 gallons per minute.

4.0 Spill Response

- 4.1 Spill Response:** Any employee who discovers a discharge of petroleum products should determine the source of the spill and contact the persons listed below. Designated personnel will determine the cause of the discharge, take action to clean up the spill and implement measures to prevent a recurrence. The Emergency Response Procedures listed in Attachment # 3 describe the appropriate procedures for responding to a spill. Rochester Sand and Gravel commits all available plant and road crew personnel and equipment to respond to potential spills at this facility. Active personnel may include manpower from any of the company divisions or hired contractors, as appropriate. In the event the release is beyond the response capabilities of on-site resources, the facility will utilize the resources of the Mathy Construction (608-783-6411), Baywest, Inc. (800-279-0456) or Veolia Environmental Services (800-688-4005). This facility is NOT required to maintain a Facility Response Plan per regulation 40 CFR Part 112 - Subpart D (see Attachment # 5).

Emergency Contact Personnel

Rochester Sand and Gravel Office (507) 288-7447

Contact Personnel:	Work Phone	Cell Phone	Home Phone
Chad Kelley	(507) 288-7447	507) 251-5709	(507) 356-2853
Brian Schumacher	(507) 288-7447	(507) 251-6253	(507) 951-2769
Fred Bauer	(507) 252-3468	(507) 251-1100	(563) 382-4410

Extreme Emergency: Contact Nearest Law Enforcement Officials

Regulating Contact Personnel

Minnesota Pollution Control Agency	(651) 296-6300
Iowa DNR	(515) 281-8941
Michigan DNR	(906) 346-8527
Wisconsin Spill Number	(800) 943-0003
Minnesota Spill Number	(800) 422-0798
Iowa Spill Number	(515) 725-8694
Michigan Spill Number	(800)-292-4706 or (517)-373-7660
Local Fire Department	911
Local Sheriff Department	911
County Emergency Government	911
EPA National Response Center*	(800) 424-8802 or (202) 267-2675

* EPA National Response Center will be contacted by an authorized Rochester Sand and Gravel Emergency Contact Person Only.

4.1.1 Information for Contacting the National Response Center: Notification to the National Response Center is required if a spill of any harmful quantity is discharged to a surface water body. This notification is required if a sheen is produced on any surface water body. Notification to the EPA Regional Administrator is required if a single spill is greater than 1,000 gallons or if two spills, greater than 42 gallons each, discharged into navigable waters within a 12-month period. The following information will need to be supplied to these entities during a reporting event.

- Location and phone number of the facility;
- Date and time of the discharge;
- Type of Material Discharged;
- Estimates of the total quantity discharged;
- Source of the discharge;
- Description of all affected media;
- Cause of the discharge;
- Any damages or injuries caused by the discharge;
- Corrective action used to stop, remove, and mitigate the effects of the discharge;
- Whether an evacuation may be needed;
- Names of individuals and/or organizations that have also been contacted.

4.2 Oil Spill Contingency Plan and Written Commitment of Resources: A Facility Response Plan is not required for this facility. (See attachment # 5.) This spill prevention plan incorporates appropriate spill prevention controls and practices to counteract potential petroleum discharges from entering navigable waters. In the unlikely event a spill occurs outside the scope of this plan, the Company will dedicate all necessary manpower, resources and equipment to control and remove any quantity of petroleum products spilled. If necessary, outside contractors will be utilized to supplement Company resources.

- 4.3 Recovered Material Reuse and Waste Disposal:** Contained, free product shall be pumped into transport and returned to storage. Upon approval of company officials, excavate and place impacted soil/aggregates on a contained, impervious surface for temporary storage or immediately transport to the nearest approved disposal/remediation site. (For solid asphalt cement and asphalt cement contaminated soils from small, incidental spills, place excavated product on the recycle pile for crushing and reuse.) All contaminated clean-up materials, such as used absorbents or boom, must be containerized and sealed in 55-gallon barrels, lined dumpsters or plastic garbage bags (double-bagged) for off-site disposal at an approved disposal/remediation site.

5.0 Inspections and Records

- 5.1 Inspection and Records:** While this facility is active, all storage tanks (except Liquid Propane tanks), pumping equipment and loading areas are visually inspected monthly and annually for leakage, equipment malfunctions, or damage and recorded on the Steel Tank Institute (STI) SP001 forms in Attachment #3. If visible imperfections are noted, the inspector will notify the designated person accountable for oil spill prevention at the facility.

Visible oil leaks, which result in a loss of oil from tanks seams, gaskets and bolts sufficiently large to cause the accumulation of oil in dike areas, will be promptly corrected. All aboveground valves and pipelines are examined monthly and annually by the inspector at which time the general condition of the items, such as flange joints, expansion joints, valve glands and bodies, catch pans, pipeline supports, and metal surfaces should be assessed for possible leakage.

Completed monthly and annual STI SP001 inspection forms are kept in the same office as the SPCC plan or maintained electronically. Records are maintained for a period of five years.

- 5.1.1 Written Inspection Procedures:** A written inspection procedure must be incorporated in the SPCC plan. Rochester Sand and Gravel has adopted the STI SP001 inspection procedure for this facility while this facility is active.

6.0 Personnel, Training and Discharge Prevention Procedures

- 6.1 Personnel, Training and Discharge Prevention Procedures:** Personnel are instructed in the operation and maintenance of equipment to prevent oil discharges and applicable pollution control laws, rules and regulations.

Rochester Sand and Gravel is committed to ensuring that the contents of this spill prevention and countermeasure plan are implemented and maintained by well trained, educated, and competent employees. Management will strive to ensure that all employees have a genuine understanding of the spill prevention and countermeasure control plan and the goals in which it

was implemented to achieve. Instructions are given to personnel at the time they are assigned the task of making required inspections or maintenance tasks.

The assigned company representative will conduct periodic briefings with plant personnel and be available via the telephone to consult and assist the employees when problems arise and/or revisions to the SPCC plan are needed. Annually during plant foreman meeting, safety day or environmental audit, the plant foremen are instructed on the general requirements of the SPCC plan, including spill response, inspections and record keeping.

Additionally, the plant foreman discusses the SPCC plan during the weekly plant safety meeting held at each plant site. Topics include, content of the SPCC plan, revisions recently implemented, comments from other plants, and other pertinent SPCC topics. New employees are instructed in the SPCC purpose and protocol before being authorized to participate in plant operations.

7.0 Security

- 7.1 The facility handling, processing or storing of oil is securely locked in a closed position when in non-operating mode.
- 7.2 Any valves which permit direct outward flow of a tank's contents are locked closed when in non-operating or standby status.
- 7.3 Starter controls on all oil pumps in non-operating or standby status are locked in the "off" position and located at a site accessible only to authorized personnel.
- 7.4 Loading/unloading connections of oil pipelines or facility piping are securely capped or blank-flanged when not in service or when in standby service for an extended time.
- 7.5 Security lighting is provided to ensure adequate security for operations, spill detection and prevention of vandalism.

8.0 Facility Tank Car and Tank Truck Loading/Unloading Rack:

- 8.1 **Loading/Unloading Containment:** Where appropriate, drainage from loading or unloading a tank truck will flow towards a containment area, such as a spill diversion or retention pond. The procedure is for the driver to stay with the truck during the product transfer to ensure that the appropriate pumps are shut down if a spill occurs.
- 8.2 **Disconnect Transfer Lines:** The tanker wheels are restrained (i.e. wood blocks, earthen berm, air brakes) from movement during the product transfer process. The driver must ensure the pumps are turned off prior to disconnect from the tank.

8.3 *Inspection:* Drains and outlets on tank trucks are checked for leakage before loading/unloading or departure.

Part II - Design and Operating Information Onshore Facility **(Excluding Production)**

1.0 Facility Drainage

1.1 Diked Drainage: Drainage from diked storage areas is controlled as follows:

1.1.1 Drainage from diked storage areas will be released by manually operated valves, manually operated pumps, or removing non-valved berm walls while attended by plant personnel. Prior to opening the valves or starting the pumps for water removal, the accumulated water in the diked area must be examined to ensure that no oil will be discharged into the waterway. If necessary, adsorbent material will be used to remove oil sheen from the water surface. Inspection of the runoff rainwater insures compliance with applicable water quality standards and will not cause a harmful discharge. Adequate records will be kept of such events, including time of discharge, estimated quantity and quality of discharge. (Complete the Facility Discharge of Containment Water - Attachment # 4.) Once the release of water from the diked area is completed, the discharge valve will be secured in the closed position or the non-valved berm wall will be reconstructed.

1.1.2 In the event of an oil spill, the product shall be pumped into transports and returned to storage.

1.1.3 The dike area will be maintained in an oil free condition.

1.1.4 Normal rainfall is retained in the diked areas. Removal of precipitation is usually by evaporation.

1.2 Undiked Drainage: Drainage from undiked areas is controlled as follows (include description of ponds, lagoons, or catch basins and methods of retaining and returning oil to the facility):

1.2.1 Drainage from undiked areas will flow into ponds, lagoons, or catch basins. Drainage from the ponds, lagoons or catch basins will be inspected, documented and released the same as drainage from diked areas.

1.3 Drainage Supervision: The procedure for supervising the drainage of rain water from secondary containment into a storm drain or open watercourse is as follows:

- 1.3.1** Prior to discharge of water from the containment basin, a qualified individual will inspect the water to determine if any evidence of pollutants exist. If an oil sheen is visible, the sheen will be removed from the water surface using adsorbent material. Silt and sediments will be allowed to settle to the bottom before the portable pump is activated. The responsible person will monitor the discharge and record daily estimates of water volume. If at anytime oil sheen is evident, the pumps will immediately be turned off and sheen will be removed with adsorbent material. The qualified individual will complete the SPCC Plan Attachment # 4 (Facility Discharge of Containment Water) each time water is drained from the containment area.

2.0 Bulk Storage Tanks

- 2.1 Tank Materials:** The bulk storage tanks listed in Part I, section 3.2 are constructed of materials compatible with the oil stored and storage conditions such as temperature and pressure.

2.2 Containment:

- 2.2.1 Double walled tanks:** Many tanks are constructed with double walls to allow for containment of the product within the outer shell should a rupture or leak occur.
- 2.2.2 Product Type:** Due to the nature of asphalt cement, double walled tanks are not utilized for this product because spilled product is handled more efficiently if allowed to cool and harden to a solid state. Once in a solid state, the produce is rolled and recycled.
- 2.2.3 Spill Containment:** The plant may employ various types of spill containment, such as spill diversion ponds, retention ponds (lined or unlined), curbing, sumps, remote impoundment or general site containment for the tank storage where appropriate.

- 2.3 Plant Effluent:** Water is only discharged manually from the dike by opening manual valves, setting up portable pumps or removing non-valved berm walls.

2.4 Tank Inspections:

- 2.4.1 Integrity testing:** Each aboveground container must be tested or inspected for integrity on a regular schedule or whenever material repairs are made. Examples of integrity tests for aboveground tanks include, but are not limited to: visual inspection, hydrostatic testing, radiographic testing, ultrasonic testing, acoustic emissions testing, or other systems of non-destructive testing. The subsequent table lists the industry standard for integrity testing, the inspections criteria, and the inspector qualifications for each of the tanks at the facility.

All regulated tanks are integrity tested according to API 653 standards, STI SP001 standards, or equivalent method utilizing the specified inspector qualifications. Formal inspection records, including comparison records, are kept electronically within data base systems and are kept for the life of the tank.

Tank #	Industry Standard	Tank Type	Inspection Schedule	Inspector Qualifications	Formal Inspection Dates
All Portable Tanks	STI SP001 (1)	AST	P	P= owner inspector qualified	N/A
Barrels/Totes	STI SP001 (1)	Portable AST	P	P= owner inspector qualified	N/A

*STI = Steel Tank Institute

*P= Periodic Visual Inspection

2.4.2 Periodic Visual Inspections: Periodic tank inspections are conducted monthly and annually utilizing the STI SP001 inspection forms located in Attachment # 3, while the facility is active. If visible imperfections are noted during the inspection, the inspector will notify the designated person accountable for oil spill prevention at the facility. Any repairs needed are completed in a timely manner.

2.5 Product Heating Methods: Asphalt cement or process fuel is heated by one of two methods: internal heating coils or direct fire.

2.5.1 Internal Heating Coils: Some of the tanks are equipped with internal heating coils, which contain heat transfer oil. The heat transfer oil is heated and circulated internally through the tank in a closed loop system. If the line would develop a leak, heat transfer oil would drain into the tank. A limit switch would shut down the system when low oil is detected in the heat transfer oil reservoir. The heat transfer oil is monitored by the plant foremen, if an excessive low oil reservoir is detected, the tank is emptied and repairs are made to the heating system.

2.5.2 Direct Fire: Some of the tanks are equipped with direct fire heating system. Over time, the heat tubes may corrode causing the contents of the tank to discharge. The most likely location of the corrosion is at the inlet location of the heating tubes. An inspection of the heating tube inlet is periodically performed monitor for leaks. If a leak is evident, the tank is emptied and repairs are made.

2.6 Monitoring Liquid Levels: Tank levels are measured each operating day via tank gauges or sticking of the tank. Prior to and during tank filling, inventory levels for the tank are monitored and reviewed to insure overfilling will not occur. The tanker driver must be present during the loading/unloading process to monitor gauges and/or the overall filling of the tank.

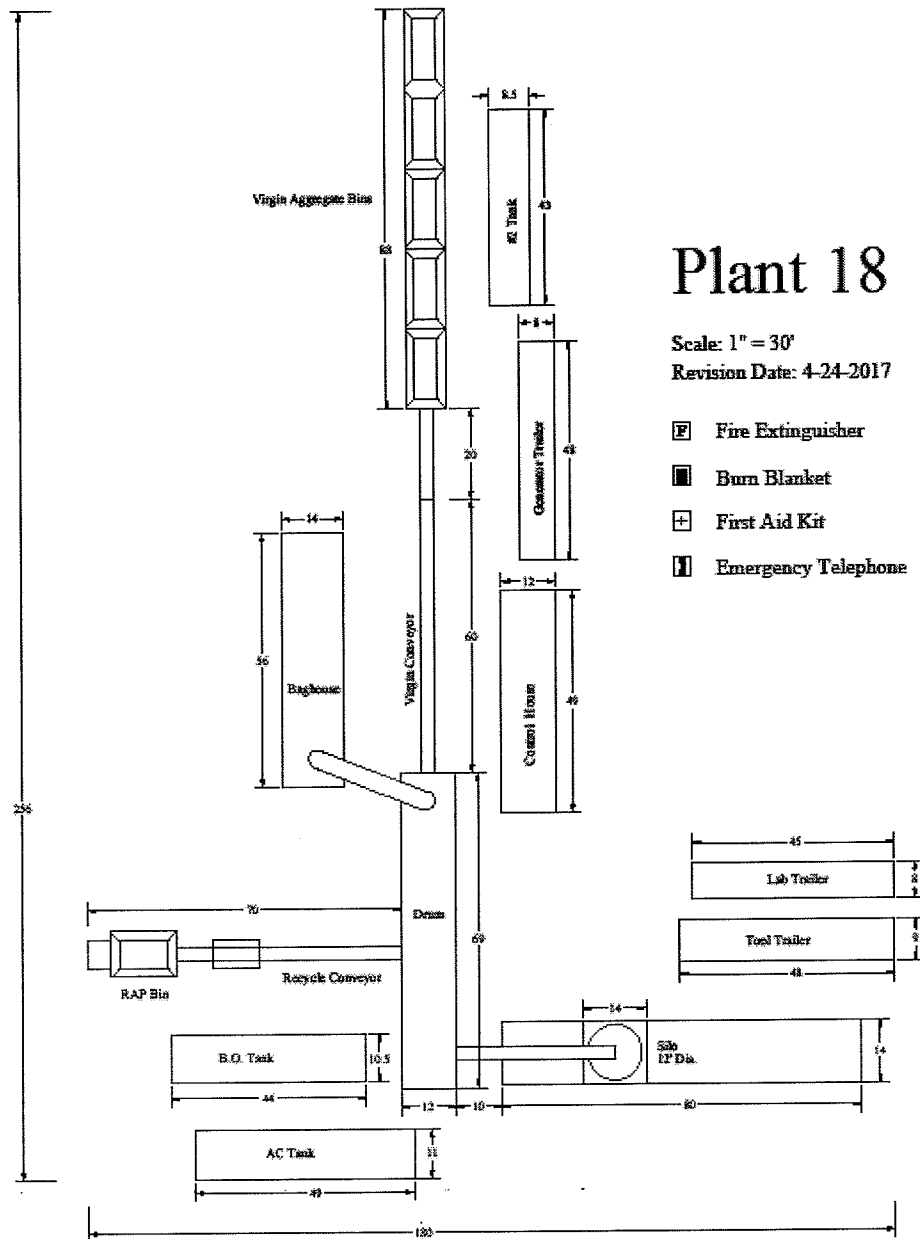
2.7 Corrective Action for Leaks: Any loss of oil from a container, including but not limited to seams, gaskets, piping, pumps, valves, rivets, and bolts, will be promptly corrected. Any accumulation of oil in diked areas will be promptly removed.

3.0 Facility Transfer Operations, Pumping and Facility Process

- 3.1 Corrosion Protection:** All piping is aboveground.
- 3.2 Terminal Connections:** Any product pipeline not in service for extended periods of time is blank-flanged, capped, or plugged. The same procedure is used for pipeline or tanks considered permanently out of service.
- 3.3 Pipe Supports:** Pipe supports are designed to minimize abrasion and corrosion and allow for expansion and contraction.
- 3.4 Valve and Pipe Inspection:** Pipe is visually checked for distortion and leaks monthly and annually during the monthly and annual tank inspection. The inspection includes assessing the general condition of items, such as flange joints, expansion joints, valve glands and bodies, catch pans, pipeline supports, locking of the valves, and metal surfaces. No buried pipelines exist.
- 3.5 Prevention of Aboveground Pipe Damage:** All piping is located in the center of the plant facility where vehicle traffic is denied.

Attachment # 1

Facility Map



Attachment # 2

Emergency Response Procedures

If a spill occurs:

1. Take immediate action to isolate and control the release, as long as response action does not jeopardize the health and/or safety of responders or the public. Mobilize accessible resources and stabilize the situation. Barriers, aggregate/earthen materials and/or adsorbent materials should be used, if necessary, to prevent discharge from reaching storm water conveyance systems or off-site areas.
2. Consult Safety Data Sheets (SDS), when necessary, to evaluate health hazards and fire potential. Contact local fire responders if potential for ignition is a concern.
3. Report any spill to authorized Company officials. Company officials will notify the County Emergency Management, Department of Natural Resources (DNR) personnel, and EPA National Response Center for reportable spills. Company officials that are available for 24-hour response are listed in Part I, Section 4.0 of the Spill Control and Countermeasure (SPCC) plan. If contact with a company official is not possible, report the spill immediately to the nearest law enforcement or DNR official.
4. Continue spill mitigation procedures. Isolate and contain petroleum products through berming, application of absorbent aggregate, petroleum adsorbent padding, or diversion to containment area. Confirm possible control of leak or spill source as soon as practicable.
5. Notify Company officials as soon as the situation is stabilized. Upon approval of the Company or DNR officials, excavate and place impacted soil/aggregates on a contained, impervious surface for temporary storage or immediately transport to the nearest approved remediation site. (For solid asphalt cement and asphalt cement contaminated soils, place excavated product on the recycle pile for crushing and reuse.) All contaminated clean-up materials, such as used absorbents or boom, must be containerized and sealed in 55-gallon barrels, lined dumpsters or plastic garbage bags (double-bagged) for off-site disposal at an approved remediation site. Cleanup should be done under the direction of supervising DNR official or responsible Company official.
6. Document all details of the spill incident and retain records at the site for inspection. All records shall be maintained for a period of 5 years.

Attachment # 3

Monthly and Annual Inspection Forms

Monthly Tank Inspection

ITEM		STATUS	COMMENTS / DATE CORRECTED
Tank and Piping			
1	Is tank exterior (roof, shell, heads, bottom, connections, fittings, valves, etc.) free of visible leaks? <i>Note: If "No", identify tank and describe leak and actions taken.</i>	☐ Yes ☐ No	
2	Is the tank liquid level gauge legible and in good working condition?	☐ Yes ☐ No ☐ N/A	
3	Is the area around the tank (concrete surfaces, ground, containment, etc.) free of visible signs of leakage?	☐ Yes ☐ No	
4	Is the primary tank free of water or has another preventative measure been taken? NOTE: Refer to paragraphs 6.10 and 6.11 of the standard for alternatives for Category 1 tanks. N/A is only appropriate for these alternatives.	☐ Yes ☐ No ☐ N/A	
5	For double-wall or double bottom tanks or CE-ASTs, is interstitial monitoring equipment (where applicable) in good working condition?	☐ Yes ☐ No ☐ N/A	
6	For double-wall tanks or double bottom tanks or CE-ASTs, is interstice free of liquid? Remove the liquid if it is found. If tank product is found, investigate possible leak.	☐ Yes ☐ No ☐ N/A	
Equipment on tank			
7	If overfill equipment has a "test" button, does it activate the audible horn or light to confirm operation? If battery operated, replace battery if needed.	☐ Yes ☐ No ☐ N/A	
8	Is overfill prevention equipment in good working condition? If it is equipped with a mechanical test mechanism, actuate the mechanism to confirm operation.	☐ Yes ☐ No ☐ N/A	
9	Is the spill container (spill bucket) empty, free of visible leaks and in good working condition?	☐ Yes ☐ No ☐ N/A	
10	Are piping connections to the tank (valves, fittings, pumps, etc.) free of visible leaks? <i>Note: If "No", identify location and describe leak.</i>	☐ Yes ☐ No	
11	Do the ladders/platforms/walkways appear to be secure with no sign of severe corrosion or damage?	☐ Yes ☐ No ☐ N/A	

Containment (Diking/Impounding)			
12	Is the containment free of excess liquid, debris, cracks, corrosion, erosion, fire hazards and other integrity issues?	☐ Yes ☐ No ☐ N/A	
13	Are dike drain valves closed and in good working condition?	☐ Yes ☐ No ☐ N/A	
14	Are containment egress pathways clear and any gates/doors operable?	☐ Yes ☐ No ☐ N/A	
Concrete Exterior AST (CE-AST)			
15	Inspect all sides for cracks in concrete. Are there any cracks in the concrete exterior larger than 1/16"?	☐ Yes ☐ No ☐ N/A	
16	Inspect concrete exterior body of the tank for cleanliness, need of coating, or rusting where applicable. Tank exterior in acceptable condition?	☐ Yes ☐ No ☐ N/A	
17	Visual inspect all tank top openings including nipples, manways, tank top overfill containers, and leak detection tubes. Is the sealant between all tank top openings and concrete intact and in good condition?	☐ Yes ☐ No ☐ N/A	
Other Conditions			
18	Is the system free of any other conditions that need to be addressed for continued safe operation?	☐ Yes ☐ No	

Annual Tank Inspection

ITEM	STATUS	COMMENTS / DATE CORRECTED
Tank Foundation/Supports		
1	Free of tank settlement or foundation washout?	☐ Yes ☐ No
2	Concrete pad or ring wall free of cracking and spalling?	☐ Yes ☐ No ☐ N/A
3	Tank supports in satisfactory condition?	☐ Yes ☐ No ☐ N/A
4	Is water able to drain away from tank if tank is resting on a foundation or on the ground?	☐ Yes ☐ No ☐ N/A
5	Is the grounding strap between the tank and foundation/supports in good condition?	☐ Yes ☐ No ☐ N/A
Tank Shell, Heads and Roof		
6	Free of visible signs of coating failure?	☐ Yes ☐ No
7	Free of noticeable distortions, buckling, denting, or bulging?	☐ Yes ☐ No
8	Free of standing water on roof?	☐ Yes ☐ No ☐ N/A
9	Are all labels and tags intact and legible?	☐ Yes ☐ No
Tank Manways, Piping, and Equipment		
10	Flanged connection bolts tight and fully engaged with no sign of wear or corrosion?	☐ Yes ☐ No ☐ N/A

Tank Equipment			
11	Normal and emergency vents free of obstructions?	☐ Yes ☐ No	
12	Normal vent on tanks storing gasoline equipped with pressure/vacuum vent?	☐ Yes ☐ No ☐ N/A	
13	Are flame arrestors free of corrosion and are air passages free of blockage?	☐ Yes ☐ No ☐ N/A	
14	Is the emergency vent in good working condition and functional, as required by manufacturer? Consult manufacturer's requirements. Verify that components are moving freely (including long-bolt manways).	☐ Yes ☐ No ☐ N/A	
15	Is interstitial leak detection equipment in good condition? Are windows on sight gauges clear? Are wire connections intact? If equipment has a test function, does it activate to confirm operation?	☐ Yes ☐ No ☐ N/A	
16	Are all valves free of leaks, corrosion and other damage? Follow manufacturers' instructions for regular maintenance of these items. Check the following and verify (as applicable): ☐ Anti-siphon valve ☐ Check valve ☐ Gate valve ☐ Pressure regulator valve ☐ Expansion relief valve ☐ Solenoid valve ☐ Fire valve ☐ Shear valve	☐ Yes ☐ No ☐ N/A ☐ Yes ☐ No ☐ N/A ☐ Yes ☐ No ☐ N/A ☐ Yes ☐ No ☐ N/A ☐ Yes ☐ No ☐ N/A ☐ Yes ☐ No ☐ N/A ☐ Yes ☐ No ☐ N/A	
17	Are strainers and filters clean and in good condition?	☐ Yes ☐ No ☐ N/A	

Insulated Tanks			
18	Free of missing insulation? Insulation free of visible signs of damage? Insulation adequately protected from water intrusion?	☐ Yes ☐ No ☐ N/A	
19	Insulation free of noticeable areas of moisture?	☐ Yes ☐ No ☐ N/A	
20	Insulation free of mold?	☐ Yes ☐ No ☐ N/A	
21	Free of visible signs of coating failure?	☐ Yes ☐ No ☐ N/A	
Tank / Piping Release Detection			
22	Is inventory control being performed and documented if required?	☐ Yes ☐ No ☐ N/A	
23	Is release detection being performed and documented if required?	☐ Yes ☐ No ☐ N/A	
Other Equipment			
24	Are electrical wiring and boxes in good condition?	☐ Yes ☐ No ☐ N/A	
25	Has the cathodic protection system on the tank been tested as required by the designing engineer?	☐ Yes ☐ No ☐ N/A	

Additional Comments:

Attachment # 4

Facility Discharge of Containment Water

Plant/Site Name: _____

Site Location: _____

Date: _____ **Time:** _____ AM or PM (circle one)

Approximate Quantity: _____

Oil Sheen Present: ☐ **yes** ☐ **no**

Pumped: ☐ **yes** ☐ **no**

Pumping Contractor (if applicable): _____

Disposal Location: _____

Responsible Party Signature: _____

Attachment # 5

CERTIFICATION OF THE APPLICABILITY OF THE SUBSTANTIAL HARM CRITERIA

Facility Name: Rochester Sand and Gravel. – Plant #18

Facility Address: Portable

1. Does the facility transfer oil over water to or from vessels and does the facility have a total oil storage capacity greater than or equal to 42,000 gallons? Yes _____ No x
2. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and does the facility lack secondary containment that is sufficiently large to contain the capacity of the largest aboveground oil storage tank plus sufficient freeboard to allow for precipitation within any aboveground oil storage tank area? Yes _____ No x
3. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and is the facility located at a distance (as calculated using the appropriate formula) such that a discharge from the facility could cause injury to fish and wildlife and sensitive environments? Yes _____ No x
4. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and is the facility located at a distance such that a discharge from the facility would shut down a public drinking water intake? Yes _____ No x
5. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and has the facility experienced a reportable oil spill in an amount greater than or equal to 10,000 gallons within the last 5 years? Yes _____ No x

Certification

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document, and that based on my inquiry of those individuals responsible for obtaining this information, I believe that the submitted information is true, accurate and complete.

Tara E. Wetzel

Signature

Tara Wetzel

Name (please type or print)

Environmental Manager

Title

March 1, 2019

Date

Rochester Sand and Gravel

SPCC Regulation Compliance Matrix

SPCC Regulatory Requirement	SPCC Regulation Location	Location in Plan
Plan Certification	40 CFR 112.3	Cover Page
General Requirements		
Facility Diagram	40 CFR 112.7(a)(3)	Attachment # 1
Oil Storage & Capacity	40 CFR 112.7(a)(3)(i)	Part I, Section 3.2
Discharge Prevention Measures	40 CFR 112.7(a)(3)(ii)	Part I, Section 3.3
Discharge Drainage Control	40 CFR 112.7(a)(3)(iii)	Part I, Section 3.3 & Part II, Section 2.0
Countermeasures Procedures	40 CFR 112.7(a)(3)(iv)	Part I, Section 4.0
Method of Disposing Recovered Materials	40 CFR 112.7(a)(3)(v)	Part I, Section 4.3 & Attachment # 2
Contact List and Telephone Numbers	40 CFR 112.7(a)(3)(vi)	Part I, Section 4.1
Reporting Requirements	40 CFR 112.7(a)(4)	Part I, Section 4.1.1
Spill Response	40 CFR 112.7(a)(5)	Part I, Section 4.1 & Attachment # 2
Spill Prediction	40 CFR 112.7(b)	Part I, Section 3.2 & Attachment # 1 (as appropriate)
Containment / Diversionary Structures	40 CFR 112.7(c)	Part I, Section 3.3 & Part II, Section 2
Uncontained Area	40 CFR 112.7(d)	Part I, Section 4.1 & Part II, Section 1.2 & Part 2.2
Inspections, Tests and Records	40 CFR 112.7(e)	Part I, Section 5.0
Personnel, Training & Discharge Prevention Procedures	40 CFR 112.7(f)	Part I, Section 6.0
Security	40 CFR 112.7(g)	Part I, Section 7.0
Facility Tank Car & Tank Truck Loading/Unloading Rack	40 CFR 112.7(h)	Part I, Section 8.0
Field-Constructed Aboveground Container Repair, Alteration & Reconstruction	40 CFR 112.7(i)	Does not apply to this facility.
Facility Drainage	40 CFR 112.8(b)	Part II, Section 1.0
Bulk Storage Tanks	40 CFR 112.8(c)	Part II, Section 2.0
Facility Transfer Operations, Pumping & Facility Process	40 CFR 112.8(d)	Part II, Section 3.0

N
1 inch = 250 feet



New
Limit.

TRUCK HAUL ROUTE

PLANT SITE

WABASHA SAND &
GRAVEL PIT

SITE PLAN

ROCHESTER SAND &
GRAVEL ASPHALT
PLANT SITE

WABASHA SAND & GRAVEL
905 CHURCH AVENUE
WABASHA, MINNESOTA 55981



Memorandum

Office of the City Planner

To: Wabasha Planning Commission
From: Harry Davis, AICP
Date: February 2, 2022
Subject: IUP application – Rochester Sand & Gravel

MEETING DATE: February 8, 2022

I. REQUEST:

- 1) **Applicant:** Rochester Sand & Gravel
- 2) **Owner:** Robert Kohner (Wabasha Sand & Gravel)
- 3) **Location:** 1005 Shields Avenue

II. Staff Report

Zoning Summary

An Interim Use Permit has been requested by Rochester Sand & Gravel to use Wabasha's Sand & Gravel site at 1005 Shields Avenue as a heavy industrial, portable hot mix asphalt plant between the months of May and November of 2019.

Zone: Industrial (I) and within the ERA (Emergency Response Area)

Land Use: Industrial
Min. Lot Size: 21,780 SF (8.5 Acres)
Min. Lot Width: 90 feet (+500 feet)
Min. Lot Frontage: 60 feet (500+ feet)
Setbacks: 10 feet (Front)
10 feet (Side & Rear)
Accessory: None proposed
Parking: 1 stall per employee plus 1 space per vehicle stored on site
8-10 employees and/or compliance reviewers could be on-site

Details of the request:

- In 2019, the applicant submitted a nearly-identical request for an IUP to setup a hot-mix plant that will support local roadway projects. The IUP was approved with conditions as Resolution 19-01.
- This new, proposed plant will be operational from April to November depending on weather delays.



- Parking details
 - 8-10 employees = 10 parking stalls, which can be located within the 8.5 acres.
 - All company vehicles can also be parked within the 8.5 acres site.
- Truck Route/Accesses– two accesses are shown on the Site Plan. The trucks are proposed to come in on Bruegger Valley Road, travel through the Wabasha Sand & Gravel site on a truck haul route and exit onto Shield’s Avenue and then travel along Highway 61 as needed to deliver the asphalt on Highway 61.
- Truck traffic - A Major Traffic Generator Waiver – was submitted on February 2nd and will be reviewed by the City Engineer, Street & Utility Commission, and City Council prior to starting the project. All conditions from the approval of the waiver shall apply to this IUP. Approval by the Streets & Utilities Commission is likely to include the following condition: “The City of Wabasha can temporarily suspend trucks due to safety concerns”.
- ERA Overlay Zone – The project is within the Emergency Response Area Zone. A SPCC Plan (Spill Prevention, Control, & Countermeasure Plan) will be in-place for this project. All MPCA permits, regulations and inspections will be followed.
- Lighting – security lighting will be installed near the plant and will comply with the Wabasha lighting standards as found in Section 310, Subd 8.
- Signage – No signage is proposed



Hours of Operation – 5:00 a.m. to 9:00 p.m. Monday through Saturday.

Surrounding Property Uses: Kohner’s active mining operation is located north and west of the proposed portable hot mix asphalt plant. Highway 61 is located east of the site, and Dairy Queen and Jim Roemer’s storage and offices are located south of the site along Shields Avenue.

Neighborhood Notification: All property owners within 350' feet of this property were notified within ten days of the public hearing and published in the paper that a public hearing would be held on February 8, 2022 for this interim use permit request.

Recommended Conditions:

- 1) When the portable hot mix asphalt plant is removed from the site, the Interim Use Permit (IUP) will be withdrawn from the site. The proposed deadline for the completion of the MnDOT project is November 2022. (Staff)
- 2) All conditions from the Major Traffic Generator Waiver shall apply to this IUP. Failure to receive a Major Traffic Generator Waiver shall make this IUP null and void.
- 3) A driveway permit must be obtained from Wabasha County to access the site from County Road 30 (Bruegger Valley Road).

III. PLANNING COMMISSION ACTION:

Following are sample resolutions for both approval and denial which may be used by the Planning Commission in their decision.

Sample resolution for approval

Resolution _____
IUP for a Heavy Industrial Facility

WHEREAS, the property addressed 1005 Shields Avenue is zoned Industrial; and

WHEREAS, the site has a land use of Industrial as does all of the property on the west side of Highway 61 along Shields Avenue, North Drive, and Industrial Court.

WHEREAS, The Planning Commission provides the following findings:

- a) Rochester Sand & Gravel has owned and operated their business for 10+ years and has been contracted by the MnDOT to complete a resurfacing project in 2022.
- b) The close proximity of the proposed asphalt plant to MnDOT's resurfacing project will significantly reduce the necessary truck traffic to complete the project to residents of Wabasha.
- c) Conditions placed in this CUP will protect the health, safety & general welfare of the community and neighbors use and enjoyment of property and their property values.
- d) The purpose of the Industrial zone is to allow for industrial development of land for uses with direct access to Highway 61 that are not adjacent to incompatible uses.
- e) The operation will be tested for air quality compliance and meet all the requirements from the MPCA.
- f) The proposed use is consistent with the City comprehensive land use plan.
- g) Ingress and egress is provided off Highway 61 from Brugger Valley Road and Shields Avenue.
- h) The site does not need city sewer and water service.

NOW THEREFORE, IT IS HEREBY RESOLVED, the Planning Commission approves the Interim Use Permit for a heavy industrial use at 1005 Shields Avenue allowing for the construction of a portable hot mix asphalt plant as indicated in the letter dated February 2, 2022 and application submitted January 12, 2022, with conditions:

- 1) When the portable hot mix asphalt plant is removed from the site, the Interim Use Permit (IUP) will be withdrawn from the site. The proposed deadline for the completion of the MnDOT project is November 2022. (Staff)
- 2) All conditions from the Major Traffic Generator Waiver shall apply to this IUP. Failure to receive a Major Traffic Generator Waiver shall make this IUP null and void.
- 3) A driveway permit must be obtained from Wabasha County to access the site from County Road 30 (Bruegger Valley Road).

Sample resolution for denial:

Resolution _____
IUP for a Heavy Industrial Use

WHEREAS, the property addressed 1005 Shields Avenue is zoned Industrial (I); and

WHEREAS, an Interim Use Permit is required for a Heavy Industrial use; and

WHEREAS, The Planning Commission provides the following findings: **[insert findings as deemed appropriate]**

- _____

NOW THEREFORE, IT IS HEREBY RESOLVED, the *Planning* Commission denies the Interim Use Permit for a heavy industrial use as requested in the application dated January 12, 2022.