MARYLAND DEPARTMENT OF THE ENVIRONMENT

**AIR AND RADIATION MANAGEMENT ADMINISTRATION**

**FINAL DETERMINATION CONCERNING A PERMIT-TO-CONSTRUCT APPLICATION SUBMITTED BY BARDON, INC. DBA AGGREGATE INDUSTRIES AT SHERIFF ROAD FOR THE INSTALLATION OF A RECLAIMED ASPHALT PAVEMENT (RAP) CRUSHING, SCREENING AND FRACTIONATION PLANT**

## I. INTRODUCTION

The Maryland Department of the Environment (the "Department") received an application from Bardon, Inc. dba Aggregate Industries at Sheriff Road (Aggregate Industries @Sheriff Road) on January 5, 2015 with amendments received on January 9, 2015 and August 6, 2015 for a Permit to Construct for the installation of a RAP crushing, screening, and fractionation plant. The facility will be located at 5850 Sheriff Road, Capitol Heights, MD 20743.

On April 15, 2015, an informational meeting was held at the Prince George’s Ballroom located at 2411 Pinebrook Avenue, Landover, MD 20743 to provide interested parties opportunities to discuss with the Company and MDE the permit application and the proposed installation.

After reviewing the application and other pertinent information, the Department made a tentative determination to issue a permit-to-construct that would authorize construction of the RAP crushing, screening, and fractionation plant as proposed in the Company’s applications. The Department’s tentative determination and draft permit with draft conditions were made available for public review at the Fairmount Heights Branch of the Prince George’s County Memorial Library System located at 5904 Kolb Street, Fairmount Heights, MD 20743 and at MDE headquarters located at 1800 Washington Boulevard in Baltimore, Maryland 21230. A Notice of the Tentative Determination, Public Hearing, and Opportunity to Submit Written Comments was first published in The Washington Times on October 8, 2015 and again on October 15, 2015.

On October 26, 2015, a public hearing was held at the Prince George’s Ballroom located at 2411 Pinebrook Avenue, Landover, MD 20743 to provide interested parties an opportunity to comment on the Department’s tentative determination and draft permit conditions, and/or to present other pertinent concerns about the proposed installation.

In response to citizen concerns expressed at the first hearing, a second hearing was scheduled. A Notice of the Tentative Determination, Public Hearing, and Opportunity to Submit Written Comments was published in The New Prince George’s Post on November 12, 2015 and again on November 19, 2015.

The second public hearing was held on December 10, 2015, at the Prince George’s Ballroom located at 2411 Pinebrook Avenue, Landover, MD 20743 to provide interested parties an additional opportunity to comment on the Department’s tentative determination and draft permit conditions, and/or to present other pertinent concerns about the proposed installation.

## II. COMMENTS RECEIVED AND THE DEPARTMENT’S RESPONSE

The public comment period on the application initially expired on November 9, 2015, but was extended until January 8, 2016 following public request for a one-time, 60-day extension. The comments received at the public hearing, and those submitted in writing during the public comment period, expressed concerns about the impact of the proposed new installation on the surrounding community. The Department’s responses to the comments are attached.

## III. DEPARTMENT’S FINAL DETERMINATION

The Department has reviewed the application and the comments received and has determined that the proposed installation of a RAP crushing, screening, and fractionation plant would not cause violations of any applicable air pollution control regulations.

The Department has made a final determination to issue the permit-to-construct. A copy of the final permit to construct conditions is included in the public docket.