

July 10, 2026

Submitted via Ecology Comment Portal

Washington State Department of Ecology
Air Quality Program
P.O. Box 47600
Olympia, WA 98504-7600

Attention: Gary Huitsing

RE: Draft General Order Revisions for Rock Crushers (26AQ-GO-01), Hot Mix Asphalt Plants (26AQ-GO-02), and Concrete Batch Plants (26AQ-GO-03)

Dear Mr. Huitsing:

Heidelberg Materials appreciates the opportunity to comment on the Washington Department of Ecology's proposed revisions to the General Orders for rock crushers, hot mix asphalt plants, and concrete batch plants.

Heidelberg Materials operates aggregate, asphalt, and concrete facilities throughout Washington and is committed to maintaining compliance with applicable air quality requirements while supplying essential construction materials for public and private infrastructure projects. While we support Ecology's goal of maintaining consistency with current air quality standards, several proposed revisions could significantly reduce operational flexibility for facilities that have a long history of compliant operation under existing permits. Below are detailed comments.

Daily Production Limits

Heidelberg Materials is concerned that the proposed daily production limits are unnecessarily restrictive and do not reflect how construction-material facilities operate in practice.

Production demand is often driven by weather conditions, project schedules, and limited construction windows. Facilities frequently need to increase production for short periods to support paving projects, concrete placements, highway work, utility projects, and emergency repairs while remaining well within annual production limits.

Existing facilities are already subject to annual throughput limits, emissions limitations, and pollution-control requirements. Ecology has not demonstrated why new daily production restrictions are necessary for facilities with established compliance records.

Accordingly, Heidelberg Materials recommends retaining annual production limits as the primary throughput limitation. If daily limits are retained, Ecology should ensure that the supporting modeling assumes compliance with all required dust-control measures rather than reduced control efficiencies.

Clarification of "Single Location" Provisions

The draft language addressing operations at a "single location" is ambiguous and may be interpreted to apply production limits collectively to multiple facilities operating at the same site, including equipment covered under different General Orders.

Heidelberg Materials requests that Ecology clarify how production limits are intended to apply where multiple permitted operations are co-located to avoid inconsistent interpretation and implementation.

General Order Eligibility and Setbacks

The proposed setback requirements raise concerns because they may exclude existing or future facilities from General Order eligibility despite long histories of compliant operation.

The proposed distances appear to function as siting restrictions rather than emission-based eligibility criteria. Facilities could become ineligible based solely on proximity to receptors, even where they have demonstrated compliance with permit conditions and air quality requirements.

Heidelberg Materials encourages Ecology to reconsider the proposed setbacks and place greater emphasis on demonstrated compliance history and actual emissions performance.

RAP and Crumb Rubber Restrictions

Heidelberg Materials is concerned with the proposed limitation of recycled asphalt pavement (RAP) to 30 percent and the exclusion of crumb-rubber-modified asphalt from General Order eligibility.

Many facilities have successfully incorporated RAP at levels above 30 percent while maintaining compliance with applicable permit requirements. These materials support resource conservation and sustainable construction practices.

Rather than imposing categorical restrictions, Ecology should allow facilities to demonstrate compliance through emissions evaluations, testing, or other technically supported methods.

Odor Requirements

The proposed odor condition introduces uncertainty because compliance is based on subjective determinations of what constitutes an unreasonable interference with neighboring properties.

Heidelberg Materials requests additional clarification regarding how Ecology intends to evaluate compliance and what objective criteria will be used during inspections and complaint investigations.

Equipment Replacement Flexibility

Routine replacement of major equipment is a normal part of facility maintenance and often results in improved reliability and environmental performance.

Heidelberg Materials encourages Ecology to include clear provisions confirming that like-for-like replacement of equipment does not require facilities to obtain new General Order coverage or become subject to more restrictive requirements, provided there is no material increase in emissions or production capacity.

Rolling Twelve-Month Limits

The proposed rolling twelve-month production limits create challenges for industries that operate seasonally.

Construction activity often occurs during concentrated periods of favorable weather. Rolling limits can effectively capture production from two peak construction seasons and reduce operational flexibility even when annual production levels remain relatively consistent.

Calendar-year limits would provide a more predictable and practical compliance framework for both permittees and regulators.

Need for Clear and Objective Permit Language

Several provisions within the draft General Orders rely on terms that are not clearly defined, including "credible evidence" and "change in operation."

Heidelberg Materials requests that Ecology provide clear definitions and objective criteria for these provisions to promote consistent implementation and enforcement across the state.

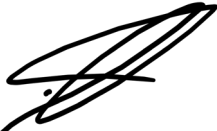
Conclusion

Heidelberg Materials respectfully requests that Ecology:

- Remove the proposed daily production limits and continue relying on annual production limits;
- Clarify the proposed "single location" provisions;
- Reevaluate the proposed setback requirements;
- Reconsider the proposed RAP and crumb-rubber restrictions;
- Clarify the proposed odor condition;
- Provide flexibility for like-for-like equipment replacements; and
- Consider calendar-year production limits in place of rolling twelve-month limits.

We appreciate Ecology's consideration of these comments and look forward to continued engagement as the General Orders are finalized.

Sincerely,



Luke Pischedda

VP GM Materials Pacific Northwest

Heidelberg Materials

luke.pischedda@heidelbergmaterials.com