

CPM DEVELOPMENT CORPORATION



July 10, 2026

Department of Ecology – Air Quality Program
Attn: Gary Huitsing, Environmental Engineer
PO Box 47600
Olympia, WA 98504-7600
gary.huitsing@ecy.wa.gov

Re: Comments for 2026 Draft Air Permit General Orders

Dear Mr. Huitsing,

After reviewing the draft general orders for asphalt plants, concrete plants and crushers proposed by Ecology, CPM Development Corp. (CRH) submits these comments and concerns we believe need to be addressed. CRH is a proponent of environmental stewardship and sustainable practices; however, the more restrictive general orders push toward a system that is not generally used for portable construction projects. Therefore, the new general orders provide minimal environmental benefit while increasing greenhouse gas emissions from construction projects and will create an unnecessary additional burden on the permittee. These comments are intended to support Ecology in refining the general orders to comply with regulations while maintaining workable standards for the construction industry.

General Comments

Ecology was clear on the public hearing that they believe the remedy for presumptive issues with the general order is to seek coverage under an NOC permit under the minor NSR program. The NOC permit is not well adapted to the needs of portable operations which represent a large portion of plants currently operating under general orders. The NOC permit takes too long to receive coverage; Ecology's website states that the average NOC permit takes 132 days to complete and receive a decision. The contractor's decision to seek coverage under an NOC permit, at a location which may only host a plant for a single limited duration project, will not be made until a bid has been awarded. The time needed to apply for an NOC permit and the restrictions of the general orders will result in pressure to utilize stationary sources further from construction projects. This jeopardizes state and industry decarbonization goals, increases costs which impact state budgets, and lengthens job completion time through extended hauls or production stoppages.

In calculations produced for a 2023 study for the Washington Aggregate and Concrete Association, the cost increase associated with hauling aggregates to support construction of one lane-mile of highway an extra 25 miles is \$190,000 (this cost has since increased ~50% due to fuel prices) and the increase in greenhouse gas emissions is 169.7 tons. A robust general order program should support an efficient state infrastructure program; the proposed general orders do not.

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Comments for Asphalt Plant General Order

1. Production Limits as a Hindrance to the Timely Completion of Projects

The reduced tonnage for yearly and daily production limits can hinder the ability to meet project requirements (2.a.i.). A 54% reduction in daily HMA production and a 47% reduction in annual HMA production is too restrictive. The construction materials industry often operates within condensed seasonal windows governed by weather constraints and project deadlines. Utilizing a rolling 12-month evaluation framework inadvertently captures segments of two distinct operational seasons, resulting in regulatory restrictions that misrepresent actual annual productivity. The daily limits will affect construction timelines and are not sufficient for production paving on state highway or airport projects.

CRH Proposed Change/Recommendation: CRH suggests that the new production limits are a and that the current limits are retained.

2. Property Line Setback Requirements Fail to Provide Sufficient Flexibility in Site Selection

The new minimum setback requirements (2.b.i.) don't account for plants setting up on project sites as dictated by WSDOT. Obtaining an individual permit for these is most likely to impact public projects.

While increasing the minimum distance from property boundaries and sensitive receptors reduce emissions by moving the portable further away, this leads to an increase in transportation and, consequentially, an increase in emissions and costs. This requirement limits the number of locations where an asphalt plant can be placed under a general order. For example, assuming that an asphalt plant has a footprint diameter of 100 ft and must be 150 ft from the property line, the smallest sized lot for a plant this size would be nearly 3 acres (125,600 ft²). This is not even considering the 325 ft distance from any sensitive receptor.

Furthermore, obtaining an NSR for a portable is unreasonable because they can take between 6 months and a year to be issued. An alternative would be to provide a previous source test. These constraints apply pressure on companies to utilize stationary plants operating under NOC permits which drive up costs such as transportation.

CRH Proposed Change/Recommendation: CRH recommends that the minimum distance from the property boundary to any emission unit be 150 feet for portable asphalt plants. This ensures that portables can be operated on project sites while also complying with environmental safety standards, lowering the time and costs that would otherwise be associated with obtaining an NOC.

3. Baghouse Emission Limits May Exclude Older Plants from Operating

Baghouse emission limits have been changed from tons/year to pounds/hour (2.c.). Annual limits from the previous general order allowed plants to meet the threshold by limiting production. However, these new limits potentially bar older plants from operation under the general order.

CRH Proposed Change/Recommendation: The hourly limits for baghouse emissions should be reverted to the annual limits as listed in the current general order to allow flexibility for older plants to operate while still protecting the environment.

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4. RAP Limitations are not Consistent with Industry Standards

The percentage of RAP used is limited to 30% under the draft (2.b.x), which is not consistent with the common industry standard.

CRH Proposed Change/Recommendation: CRH proposes that the percentage of Recycled Asphalt Pavement (RAP) used in the asphalt cement mix under this approval is limited to 30% or to the percentage of RAP used during the most recent source test demonstrating compliance under this General Order of Approval, whichever is higher (1.10).

Comments for Concrete Plant General Order

1. Property Line Setback Requirements Fail to Provide Sufficient Flexibility in Site Selection

The new minimum setback requirements (2.b.ii) don't account for plants setting up on project sites as dictated by WSDOT. Obtaining an individual permit for these is most likely to impact public projects which operate on short timelines after a bid is awarded.

While increasing the minimum distance from property boundaries and sensitive receptors reduce modelled emissions by moving the portable further away, this leads to an increase in transportation and, consequentially, an increase in emissions and costs. This requirement limits the number of locations where a concrete plant can be placed. The minimum site size, as calculated above, is approximately 3 acres, with much larger distances required for sensitive receptors (including vaguely defined "occupied commercial buildings").

Furthermore, obtaining an NOC for a portable is unreasonable because they can take between 6 months and a year to be issued. These constraints apply pressure on companies to utilize stationary plants operating under NOC permits which drive up costs such as transportation.

CRH Proposed Change/Recommendation: CRH recommends that the minimum distance from the property boundary to any emission unit be 150 feet for portable concrete plants. This ensures that portables can be operated on project sites while also complying with environmental safety standards, lowering the time and costs that would otherwise be associated with obtaining an NOC.

2. Clarification on the SEPA Review

2.b.xiii: "SEPA review must be conducted for each site where the concrete batch plant will be operated and environmental impacts of concrete batch processing at the site must be analyzed as part of that review." The draft is unclear about whether a new SEPA review is required for a site if a SEPA review has been previously conducted.

CRH Proposed Change/Recommendation: A clarification should be included that states that a SEPA review is necessary only if there is new activity to a site.

3. Insufficient Reason to Include Odor Restriction

The mention of odor language in the concrete general order draft is perplexing because concrete plants do not generally produce odors of any kind (7.h.).

CRH Proposed Change/Recommendation: The odor restriction should be removed from the concrete general order.

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Comments for Crusher General Order

1. Property Line Setback Requirements Fail to Provide Sufficient Flexibility in Site Selection

The new minimum setback requirements (2.b.i.) don't account for plants setting up on project sites as dictated by WSDOT. Obtaining an individual permit for these is most likely to impact public projects. Ecology did not consult with WSDOT prior to including these changes.

While increasing the minimum distance from property boundaries and sensitive receptors reduce emissions by moving the portable further away, this leads to an increase in transportation and, consequentially, an increase in emissions and costs. This requirement limits the number of locations that an asphalt plant can be placed. The minimum site size, as calculated above, is approximately 3 acres, with much larger distances required for sensitive receptors.

Furthermore, obtaining an NSR for a portable is unreasonable because they can take between 6 months and a year to be issued. These constraints apply pressure on companies to utilize stationary plants operating under NOC permits which drive up costs such as transportation.

CRH Proposed Change/Recommendation: CRH recommends that the minimum distance from the property boundary to any emission unit be 150 feet for portable crushers. This ensures that portables can be operated on project sites while also complying with environmental safety standards, lowering the time and costs that would otherwise be associated with obtaining an NOC.

2. Clarification on the SEPA Review

2.b.v: "SEPA review must be conducted for each site where the concrete batch plant will be operated and environmental impacts of concrete batch processing at the site must be analyzed as part of that review." The draft is unclear about whether a new SEPA review is required for a site if a SEPA review has been previously conducted.

CRH Proposed Change/Recommendation: A clarification should be included that states that a SEPA review is necessary only if there is new activity to a site.

Conclusion

The Air Permit General Order Drafts are too restrictive, too expensive, and do not fully consider the jobs that a portable typically serves. The draft documents institute numerous conditions that come with great cost and little benefit that jeopardize business operations and state construction projects timelines, budgets, and sustainability goals.

CRH requests that the comments in this letter are thoughtfully considered and welcomes opportunities to work with Ecology in drafting general orders that foster a healthy environment where businesses and communities can thrive.

Sincerely,
CPM Development Corp.

Garrett Sullivan
Sr. Environmental Specialist