

Buckingham County Planning Commission
August 22, 2016
Administration Building
7:00 PM
Introduction of Case 16-SUP236

OWNER/APPLICANT: Atlantic Coast Pipeline, LLC 120 S. Tredegar St. Richmond, VA 23219

PROPERTY INFORMATION – Tax Map Section 91, Lot 60 containing an approximate 68 acres , on S. James River Hwy (Rt. 56), in the James River Magisterial District.

ZONING DISTRICT – Agricultural District (A-1)

REQUEST –Special Use Permit – Atlantic Coast Pipeline (ACP) is asking the Planning Commission to recommend a Public Hearing date to hear the request for a Special Use Permit (SUP) for the purpose of installing and operating a natural gas compressor station.

BACKGROUND/ZONING INFORMATION: The property is located in the western portion of the County. The property is zoned Agriculture (A-1) and the Comprehensive plan list the area as agricultural and forestal. The Agriculture District (A-1) requires that utility generating, boosting, relaying etc. stations must obtain a SUP.

If the Commission wishes to set a public hearing for the Compressor Station SUP then please consider the following conditions for review and possible attachment to the SUP:

- 1) The compression of natural gas will occur through natural gas fueled turbines with no greater than 55,000 ISO horsepower rating. An increase in horsepower will require new permitting.
- 2) Except as otherwise outlined in Condition 16 below, the only use of the property shall be compression of natural gas and it's transfer underground. There shall be no other industrial uses on the subject property.
- 3) There shall be no abatement of local property taxes in association of this request.
- 4) During normal operating hours, the applicant is responsible for providing the first response to any emergency in relation to the compressor station. The applicant shall prepare, at its own cost, an Emergency Preparedness Plan to be submitted to the County for review and approval prior to implementation of operations.

- 5) During construction activities that produce noise between the hours of 9:00 p. m. and 7:00 a. m. shall not exceed a noise level of 60 dBA (decibels) at the property line.
- 6) Noise attenuation measures will be implemented to ensure that noise levels attributable to normal plant operations will be kept to an L90 reading of 55 dBA (decibels) or less at the property lines and less than 55 dBA at any adjacent existing building that is not on the subject property.
- 7) During construction dust shall be controlled with water and calcium chloride.
- 8) Exterior lighting will be directed downward and inward to the extent feasible in order to prevent any glare on adjacent properties. In addition, the facility will be designed to enable exterior lighting for work areas of the station to be switched off while not in use. Any lighting for surveillance will be at minimum foot-candles for visibility and shall be pointed in a down direction.
- 9) Site lighting shall not exceed 5 foot-candles in exterior working areas and 2 foot-candles in parking and non-working areas.
- 10) Light trespass shall be limited to and should not exceed 0.5 foot-candles at the property line. All exterior luminaries shall utilize full cut-off optics.
- 11) All driveways, parking areas, and access roads shall be maintained in a manner that will keep dust to a minimum so as not to adversely impact adjacent properties. Driveways and parking areas will have asphalt surface or better, exception may be applied if not feasible and dust can be controlled otherwise.
- 12) The compression station and accessory facilities shall be centrally located on the property to the greatest extent feasible and shall conform generally to the layout shown on the drawing submitted with the application.
- 13) A natural colored chain link fence or similar security device shall be placed around the facility at least seven (7) feet in height and will feature prominent "No Trespassing" signs.
- 14) There shall only be one (1) permanent detached sign for project identification purposes (exclusive of directional signs) which shall be a ground-mounted monument type sign with landscaping. Any lighting of

the sign shall be from above and shielded away from adjacent properties.

- 15) Fencing and all structures shall have a minimum setback of 100 feet from all property lines.
- 16) Existing trees along the northwestern property line and along the front of the property (as noted on the site layout submitted with the application) shall be maintained as a buffer for the life of the station. East of the station access road and east of the existing Transco lines there shall be trees planted and maintained after construction to provide a buffer and block visibility from the highway and adjacent properties.
- 17) Main Buildings and structures above the tree height shall be a neutral earth tone color (example: muted browns, greens, grays).
- 18) Silencers shall be used during blowdowns.
- 19) The Virginia Department of Transportation shall approve access to the proposed facility and the applicant will provide all required improvements.
- 20) A traffic management plan shall be submitted as part of the overall site development plan. Review and approval by VDOT of the traffic management plan will ensure that temporary construction entrances and access roads are provided appropriately; that “wide load” deliveries are scheduled during off-peak times, and that access routes to and from the site are planned to minimize conflicts.
- 21) All necessary permits shall be acquired from all applicable regulatory bodies of the state and federal government and copies of such permits shall be provided to the County upon request. The applicant shall maintain periodic reports as required by permits and these reports shall be provided to the County upon request.
- 22) This facility shall utilize Best Available Control Technology (BACT) in accordance with the most current DEQ air permit; to include but not be limited to Selective Catalytic Reduction (SCR) for the reduction of Nitrogen Oxides (NOx) emissions and Oxidation Catalyst (OC) for the reduction of Carbon Monoxide (CO) and Volatile Organic Compounds (VOCs) emissions.
- 23) Prior to site plan approval, the applicant must demonstrate that all wetland requirements, if any, have been achieved to the satisfaction of the U. S. Army Corps of Engineers.

- 24) At such time as the facility shall not be used for gas compression, the applicant or its assignee shall remove all personal property, fixtures, buildings and other structures, and leave the site in a reasonably comparable condition to that which existed prior to construction of the facility; provided that the applicant or its assignee at its option may, except for any underground fuel storage tanks, abandon any below ground utility infrastructure facilities, foundations and pavings in place.
- 25) The applicant shall operate in accordance with all permits, laws, rules and regulations of Federal, State and local law, including this special use permit.
- 26) If violation of the any state or federal permit are reported to the local government by the applicable regulatory agency, the Board of Supervisors, and/or the County Administrator, may request the applicant to provide, at the applicant's sole expense, the services of an appropriate firm to review the nature of the violation, if any, and the remedy, if any. This firm shall be selected by and report solely to the county.
- 27) That any infraction of this permit's conditions could lead to a stop order and discontinuation of the special use permit, if it be the wishes of the Planning Commission or Board of Supervisors.
- 28) Upon start-up a report will be prepared and provided to the County showing operational factors associated with the compressor station that includes the name(s) and contact information for on-site supervisors, and verification of current, valid state and federal licenses and permits. The County will be promptly notified of any changes, normally within five business days.
- 29) Any complaints or inquiries by the Board of Supervisors, County Administrator, or Zoning Administrator will be responded to promptly. In the event the applicant is notified of any violation of applicable federal, state, or local laws, regulations, or permit conditions, the applicant shall notify the Zoning Administrator in writing within two business days of receiving such notice and within a reasonable period of time fully inform the Zoning Administrator of the steps being taken to correct and/or remediate the violation. Authorized county personnel or their authorized agents will be permitted to inspect the facility without prior notice to ensure that all physical structures and plant operations comply with local regulations.

- 30) Nothing in this approval shall be deemed to obligate the County to acquire any interest in property, to construct, maintain or operate any facility or to grant any permits or approvals except as may be directly related hereto.
- 31) The applicant shall certify to the County annually that it is in compliance with all conditions of this special use permit.
- 32) In the event that any one or more of the conditions is declared void for any reason whatever. Such decision shall not affect the remaining portion of the permit, which shall remain in full force and effect, and for this purpose the provisions of this are hereby declared to be severable.

What are the wishes of the Planning Commission?

Set a hearing date and time?
September 26th?

CASE: 16SUP236
ACP COMPRESSOR STATION

Application attachments bound separately are as follows:

- Boundary Survey for Atlantic Coast Pipeline, LLC
Variety Shade Landowners of VA. Inc. Property
By: I3 Engineering and Consulting, LLC
Dated: 5/19/16 with no revisions (one page)

- Preliminary Site Drawings
By: Timmons Group and Basic Systems, Inc.
Dated 7/6/2016 with Rev. a (seven pages)
 - Cover Sheet
 - Property Boundary Map
 - Existing Conditions
 - Erosion & Sediment Plan Phase 1
 - Erosion & Sediment Plan Phase 2
 - Site Layout Plan
 - Grading Plan & Drainage Plan