From:	Richard T. Loewke, AICP
To:	Plowman, Lisa A.
Cc:	Andrea Ouse; "Darcey Rosenblatt"; "Inder Khalsa"; "Clive Moutray"; "Steve Bryan"; "Matt Fettig"
Subject:	RE: Questions
Date:	Wednesday, January 25, 2017 11:42:38 AM

Right. Here are a couple of examples. Please remember that the BBGFS is handled as a power, and the transport is typically in a tube (see details on Orcem Plans). Dick

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From: Plowman, Lisa A. [mailto:maplowman@rrmdesign.com]
Sent: Wednesday, January 25, 2017 9:41 AM
To: Richard T. Loewke, AICP <dick@loewke.com>
Cc: 'Ms. Andrea Ouse' <Andrea.Ouse@cityofvallejo.net>; 'Darcey Rosenblatt' <drosenblatt@dudek.com>; 'Inder Khalsa' <IKhalsa@rwglaw.com>; 'Clive Moutray' <cmoutray@ecocem.ie>; 'Steve Bryan' <steve@orcem.com>; 'Matt Fettig' <mfettig@vallejomarineterminal.com>
Subject: RE: Questions

Hi Dick,

Thank you for the clarification. It would be helpful if you could send a photo of the conveyor systems that will be used on-site. It sounds like there may be two different types depending on the form of the material that is being transported. For example, the conveyor system that transports the raw material from the ship to the storage areas is enclosed but may not be as airtight since the materials are would not become airborne. Whereas, the conveyor systems transporting powder-like materials would be fully enclosed in a pipeline.

There are a lot of comments on the DEIR that relate to fugitive dust and materials leaving the site and I want to make sure we describe everything as accurately as possible in the staff report and at the hearing.

Thanks for your assistance.

Lisa

LISA PLOWMAN

From: Richard T. Loewke, AICP [mailto:dick@loewke.com]
Sent: Wednesday, January 25, 2017 6:23 AM
To: Plowman, Lisa A. <maplowman@rrmdesign.com>
Cc: 'Ms. Andrea Ouse' <Andrea.Ouse@cityofvallejo.net>; 'Darcey Rosenblatt' <drosenblatt@dudek.com>; 'Inder Khalsa' <IKhalsa@rwglaw.com>; 'Clive Moutray' <cmoutray@ecocem.ie>; 'Steve Bryan' <steve@orcem.com>; 'Matt Fettig' <mfettig@vallejomarineterminal.com>
Subject: RE: Questions

Lisa,

You are essentially correct, and I see that some of the text in the documents confused “covered” with “enclosed”. I will attempt to clarify.

All of the revised plans submitted for the Orcem project in May 2015 were changed to call for use of a "*covered conveyor system*" for both Orcem Phases 1 and 2 to transport all raw materials from ships to the open and enclosed Orcem storage areas, as appropriate. The Project Description was amended at the same time for consistency. As documented in the Ramboll-Environ Air Quality Report, the raw materials transported from ship to Orcem storage facilities (GBFS and clinker) do not present any potential dust or containment issues (gypsum, limestone, pozzolan and portland cement are brought in via rail).

However, the Project Description also states that the finished GGBFS product (a powder) would be transported from the Mill to the Silos exclusively in "*enclosed conveyor systems*". The July 2015 Air Quality Report from Ramboll-Environ specifies how these materials are to be handled in much greater detail in order to "*fully contain fugitive dust*" (as is required by the BAAQMD). The Ramboll-Environ Report stipulates that truck and railcar filling, are all to take place "*in an enclosed area, isolated from the external environment with air discharged through bag filter to atmosphere…*". It also states that the finished GGBFS product, as well as clinker and cement products, are to be stored "*within enclosed storage facilities*" (due to possible contamination from rain), and that the finished product is to be "*transported by an enclosed air-slide conveyor to a bucket elevator which lifts the product and discharges it to the product Storage Silos*." From the Storage Silos, the finished product is then "*transported in enclosed conveyor systems into smaller Loading Silos of approximately 80 ton capacity for loading of tanker trucks and rail tankers*". Because some of the raw materials arriving via rail are in a powder state (gypsum, limestone, pozzolan and portland cement), the report stipulates that "*materials arriving via rail will be transferred by enclosed pipeline to the materials storage areas*."

Please let me know if this does not fully answer your questions. Dick

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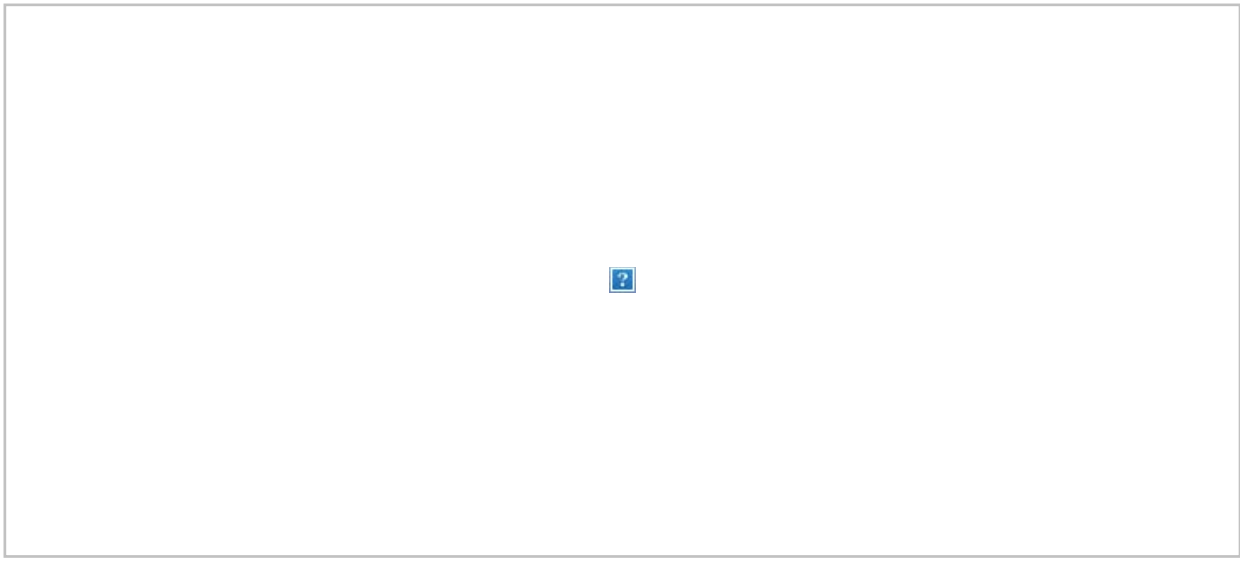
From: Plowman, Lisa A. [mailto:maplowman@rrmdesign.com]
Sent: Monday, January 23, 2017 5:30 PM
To: Richard T. Loewke, AICP <dick@loewke.com>
Cc: Ms. Andrea Ouse (Andrea.Ouse@cityofvallejo.net) <Andrea.Ouse@cityofvallejo.net>; Darcey Rosenblatt (drosenblatt@dudek.com) <drosenblatt@dudek.com>; Inder Khalsa (IKhalsa@rwglaw.com) <IKhalsa@rwglaw.com>
Subject: RE: Questions

Hi Dick –

Thank you for the clarification regarding the stockpiles. Your email raised another question, the plans I received on June 3, 2015 show a covered conveyor system (see below). These are also the plans included in the DEIR. Also, the project description that we've all been working with describes a covered conveyor system that would transport raw materials from the terminal to the storage areas with one exception. I found a reference to an enclosed conveyor system that would transport raw materials from the ships to the storage areas on page 2-17 of the DEIR and 2-16 of the attached document. Can you please clarify if enclosed and covered mean the same thing in this context? If not, please clarify what type of conveyor system (covered or enclosed) is proposed from the marine terminal to the raw material storage areas. The DEIR clearly states that the finished product (which has the potential to become airborne) is transported via an enclosed conveyor system from the mill to the storage silos and then eventually to trucks and rail cars.

I want to make sure we are consistent in how the conveyor system is described in the staff report.

Thanks,
Lisa



LISA PLOWMAN

From: Richard T. Loewke, AICP [mailto:dick@loewke.com]
Sent: Monday, January 23, 2017 1:04 PM
To: Plowman, Lisa A. <maplowman@rrmdesign.com>
Cc: 'Andrea Ouse' <Andrea.Ouse@cityofvallejo.net>; IKhalsa@rwglaw.com; 'Darcey Rosenblatt' <drosenblatt@dudek.com>; 'Clive Moutray' <cmoutray@ecocem.ie>; 'Steve Bryan' <steve@orcem.com>; 'Matt Fettig' <mfettig@vallejomarineterminal.com>; 'Sean Marciniak' <sean.marciniak@msrlegal.com>; 'Wilson Wendt' <wilson.wendt@msrlegal.com>; mike@loewke.com
Subject: RE: Questions

Lisa,

As indicated on page 41 of the Orcem Application, "*the GBFS stockpile will be different during Phase 1 and Phase 2*". The Application states that in Phase 1 (when the Mill is operating at a limited capacity of 500,000 MT annually) the GBFS stockpile will have a "*maximum height of 26 feet*". In Phase 2 (when the Mill is operating at its maximum capacity of 900,000 MT annually), the GBFS stockpile is raised to its maximum height of 15 meters (49.3 feet as shown on amended Sheet 5387M3P2-216 from May 2015). This applies to both Mode 1 and Mode 3. In Mode 2 (should it ever occur), no GBFS is imported, so the GBFS stockpile is not needed.

The southerly most stockpile area is called the Open Materials Storage Area (where gypsum and other insert materials are stockpiled). Here, the stockpile height is a consistent 5 meters, or 16.4' in height (in all three modes).

Orcem's original Application plans were updated in January 2014, and revised in May 2015 to reflect use of a fully enclosed conveyor system between the Terminal and the Orcem Material Storage Areas. On May 23-24, 2015 I sent you several emails (and attached plans) which explained that in Mode 1, no clinker was to be stored on the site, so the Covered Materials Storage Building was not included for Mode 1 operations (in its place was an additional open materials storage area with the same stockpile heights of 8 meters in Phase 1 and 15 meters in Phase 2). In Modes 2 and 3 the Closed Materials Storage Building is added.

Your question pertaining to the "*8 meter or 26 foot high stockpile in the southernmost storage area*", possibly stems from a mislabeling of section sheet M3P2-353 (Section F-F). This southernmost storage area is to be used for gypsum and other insert materials, as shown on plan sheet M3P2-216 (see attached blow-up), and is clearly labeled as having a maximum materials height of 5 meters. Please note on this plan sheet where Section F-F is taken. In the Section F-F cross section (sheet M3P2-353 – see attached blow-up), the Open Materials Storage Area (in the foreground) is consistently dimensioned as having a

height of 16'-5" (5 meters), but the drawing mid-labels this a "Slag Stockpile B", and drawn the top of the stockpile above the 5 meter limit identified in the plan view. We are sorry for the confusion here, and hope that this explanation helps.

Dick

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From: Plowman, Lisa A. [mailto:maplowman@rrmdesign.com]
Sent: Sunday, January 22, 2017 2:24 PM
To: Richard T. Loewke, AICP <dick@loewke.com>
Cc: 'Andrea Ouse' <Andrea.Ouse@cityofvallejo.net>; IKhalsa@rwglaw.com; 'Darcey Rosenblatt' <drosenblatt@dudek.com>; 'Clive Moutray' <cmoutray@ecocem.ie>; 'Steve Bryan' <steve@orcem.com>; 'Matt Fettig' <mfettig@vallejomarineterminal.com>; 'Sean Marciniak' <sean.marciniak@msrlegal.com>; 'Wilson Wendt' <wilson.wendt@msrlegal.com>; mike@loewke.com
Subject: RE: Questions

Hi Dick,

It may help to have the sheet numbers I am referring to. Please see Mode 3/Phase 2 site plan or sheet 5387-M3P2-216 and Mode 3/Phase 2 sections sheet 5387-M3P2-353 (section F-F).

To clarify, please provide the correct stockpile heights in the different modes and phases.

Thanks,
Lisa

LISA PLOWMAN

From: Plowman, Lisa A.
Sent: Sunday, January 22, 2017 1:52 PM
To: 'Richard T. Loewke, AICP' <dick@loewke.com>
Cc: 'Andrea Ouse' <Andrea.Ouse@cityofvallejo.net>; IKhalsa@rwglaw.com; 'Darcey Rosenblatt' <drosenblatt@dudek.com>; 'Clive Moutray' <cmoutray@ecocem.ie>; 'Steve Bryan' <steve@orcem.com>; 'Matt Fettig' <mfettig@vallejomarineterminal.com>; 'Sean Marciniak' <sean.marciniak@msrlegal.com>; 'Wilson Wendt' <wilson.wendt@msrlegal.com>; mike@loewke.com
Subject: RE: Questions

Thanks, Dick.

One more question. The site plan indicates that the stockpiles would be 15 meters and 5 meters high or approximately 49 feet and 16 feet in all three Modes, but there are sections in Mode 3 that show an 8 meter or 26 foot high stockpile in the southernmost storage area. Can you please clarify the height of the storage piles in each mode.

Thanks,
Lisa

LISA PLOWMAN

From: Richard T. Loewke, AICP [mailto:dick@loewke.com]
Sent: Friday, January 20, 2017 10:22 AM
To: Plowman, Lisa A. <maplowman@rrmdesign.com>
Cc: 'Andrea Ouse' <Andrea.Ouse@cityofvallejo.net>; IKhalsa@rwglaw.com; 'Darcey Rosenblatt' <drosenblatt@dudek.com>; 'Clive Moutray' <cmoutray@ecocem.ie>; 'Steve Bryan' <steve@orcem.com>; 'Matt Fettig' <mfettig@vallejomarineterminal.com>; 'Sean Marciniak' <sean.marciniak@msrlegal.com>; 'Wilson Wendt' <wilson.wendt@msrlegal.com>; mike@loewke.com
Subject: RE: Questions

Lisa,

The supplemental clarifications you have asked for are noted below in red. Dick

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From: Plowman, Lisa A. [mailto:maplowman@rrmdesign.com]
Sent: Thursday, January 19, 2017 4:17 PM
To: Richard T. Loewke, AICP <dick@loewke.com>
Cc: 'Andrea Ouse' <Andrea.Ouse@cityofvallejo.net>; IKhalsa@rwglaw.com; 'Darcey Rosenblatt' <drosenblatt@dudek.com>
Subject: RE: Questions

Hi Dick,

Thank you for the additional information. I did send a follow-up email with the correction about the portland cement import, it was an editing error and Dudek corrected it in the FEIR. It accurately states that it could be imported by Orcem.

I had reviewed the Orcem plan that showed fencing, but the fencing material was not clear so I appreciate the clarification. Also, the plan notes that a detailed landscape plan would be submitted to the City, but I have not seen the plan and as I recall you indicated that a plan would be provided at a future date after discretionary approval. But, I wanted to confirm that a detailed landscape plan was not submitted with the application. Please confirm my understanding.

Orcem's detailed landscape plans will be submitted for review and approval by the City, following approval of the Major Use Permit, but prior to issuance of construction permits.

Can you also confirm the height of VMTs chain-link fence that will secure the site?

As documented in the photos which are part of the original VMT Application, the existing fence appears to be a 6-foot tall standard chain link with approximately 1 additional foot of barbed wire (three strands) above (see C-11 & 12 and attached additional photo). VMT has stated in their application that a fence similar to the existing fence would be extended to complete the security enclosure where is has been damaged or is otherwise missing (but to US Government specifications).

Please be advised that the conclusions of the EJA and the FEIR are stable and the consultants are putting the finishing touches on the documents. They will be ready for release along with the staff report three weeks in advance of the hearing.

Lisa, this is troubling, as it seems to suggest that the staff has the FEIR and EJA in completed form, but is not making them available to the applicants, as called for in the Reimbursement Agreements, until your staff report is complete. This conflicts with, limits, and potentially complicates our critical (and contractually guaranteed) role in ensuring that these documents are complete and accurate prior to formulation of any staff recommendation or any consideration of the projects by the Commission. Again, I ask that the documents be made available to us and our legal counsel now, before you continue to make judgements about the applications on the basis of the administrative draft versions of the documents (which, with all due respect to you and Dudek, may be critically flawed). Dick

Thanks,
Lisa

LISA PLOWMAN

From: Richard T. Loewke, AICP [mailto:dick@loewke.com]
Sent: Wednesday, January 18, 2017 10:29 PM
To: Plowman, Lisa A. <maplowman@rrmdesign.com>
Cc: 'Andrea Ouse' <Andrea.Ouse@cityofvallejo.net>; IKhalsa@rwglaw.com; 'Darcey Rosenblatt' <drosenblatt@dudek.com>; 'Clive Moutray' <cmoutray@ecocem.ie>; 'Steve Bryan' <steve@orcem.com>; 'Matt Fettig' <mfettig@vallejomarineterminal.com>; 'Sean Marciniak' <sean.marciniak@msrlegal.com>; 'Wilson Wendt' <wilson.wendt@msrlegal.com>
Subject: RE: Questions
Importance: High

Lisa and Andrea,

I have prepared the responses (below in red) to your questions, as raised in Lisa's emails of 1/14/17 and 1/17/17, to assist you in ultimately providing accurate information in the Staff's report. I am, however, concerned, both from the scope of these questions and the reference to preparing a staff report ahead of completion and release of the Final EIR and EJA, that Staff may be completing its report and recommendations without first having ensured that the FEIR and EJA are complete and technically accurate. As referenced in Miller Starr Regalia's letters of 10/03/16 and Tuesday of this week (1/17/17), it is of critical importance pursuant to our contractual Reimbursement Agreement and CEQA, that the FEIR and EJA both be verified as being complete and accurate, prior to formulating any judgement or recommendation on approval or denial of the VMT and Orcem Applications. We are, of course, interested in reviewing the documents, and helping to identify any critical flaws or omissions, prior to the Staff recommendation and prior to formulation of opinions by decision makers.

Dick Loewke

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From: Plowman, Lisa A. [mailto:maplowman@rrmdesign.com]
Sent: Saturday, January 14, 2017 2:11 PM
To: Richard T. Loewke, AICP <dick@loewke.com>
Cc: Ms. Andrea Ouse (Andrea.Ouse@cityofvallejo.net) <Andrea.Ouse@cityofvallejo.net>; Inder Khalsa (IKhalsa@rwglaw.com) <IKhalsa@rwglaw.com>; Darcey Rosenblatt (drosenblatt@dudek.com) <drosenblatt@dudek.com>
Subject: Questions

Hi Dick,

We are in the process of putting the finishing touches on the staff report and we have a few questions we'd like VMT and Orcem to answer. Please see below:

1. Can Orcem quantify the reduction in CO2e when green cement is processed rather than Portland cement?

   Orcem's on-site milling process is primarily focused on "Mode 1" operation, involving the drying and grinding of GBFS and other additives to produce GGBFS. As stated in Ramboll-Environ's Air Quality Report, production of this "green cement" product results in an average percentage savings, when compared to portland cement production, of greater than 90%, or approximately 577,000 MTs of carbon dioxide equivalent (CO_2E) each year. As noted in the Orcem Application, processing of GGBFS also results in the elimination of all SO_2 and mercury compounds associated with the manufacture of ordinary portland cement. Beyond this, the processing of recycled GBFS into the GGBFS green cement material produces a stronger product which has a number of environmental advantages, while also avoiding the quarrying of an estimated average of 1.6 tons of natural resources such as limestone, clay and shale, which are used in the manufacture of ordinary portland cement.

   The Mode 2 operations, should they occur (Orcem has already testified that it intends to operate into the foreseeable future using primarily Mode 1), would involve the grinding of clinker material (and additives) to produce portland cement. In Mode 3, GGBFS is milled on-site, and conventional portland cement is imported, to meet industry specification needs. Thus, the enormous net CO_2E reductions associated with Mode 1 operation would not be realized if the plant operates in Mode 2; however, on-site CO_2E emissions would be reduced in Mode 2 due to the much lower level of natural gas usage in drying the raw GBFS material (used in Mode 1). In Mode 3, there would be again be reduced on-site CO_2E emissions (depending on how much cement is imported and used to offset GGBFS production), as well as substantial global net CO_2E reductions (based on volume of GGBFS produced on-site).

2. The list of materials that will be imported into the VMT facility excludes Portland cement, but Mode 3 for Orcem states that Portland cement would be imported. Can you explain the inconsistency?

   Your stated assumption is incorrect. As identified in our written communication of January 10, 2016 (attached), and explained in subsequently communications, portland cement is among the list of materials which Orcem expects to import through the VMT Terminal (I hope the Final EIR is not mistaken on this point). As indicated in Table 5 of the Orcem Application, up to 120,000 MT of portland cement may be imported, principally by rail (but potentially by vessel). Thus, it is possible that when Orcem needs to operate in Mode 3, it will import the requisite portland cement through the Terminal and make it available to customers with the ground GGBFS to meet industry specifications.

3. When Portland cement is imported what form is it in? What is done to it at the facility? Is the process similar to how GGBFS is created in the mill?

   See answers above. Portland cement is a finished product which would be imported only when Orcem operates in Mode 3. The portland cement would be handled, stored and transported in closed containers/packaging in the exact same manner as the GGBFS power.

4. We've gone back and forth about the difference between the raw materials imported to the site and the maximum material volumes. The EIR states that 760,000 MT of raw materials are imported in Phase 2 and also says that the maximum material volume is 900,000 MT for Phase 2. Please explain why these numbers are different.

   Your stated assumptions are partially correct (and again, I hope the Final EIR has not misstated this). As stated in Table 5 of the Orcem Application, up to a maximum of 760,000 MT of raw, recycled GBFS (or clinker depending on which Mode) is imported, and ground in the Mill with the other specified additives to yield a maximum Phase 2 finished product output of 900,000 MT.

5. We'd like to include some photos of materials and equipment in the staff report in order to help the PC and public better understand the project. Can you please provide photos of the following: 40,000 MT geared ships, 70,000 MT

self discharging ship, and the raw materials being imported for Orcem (gypsum, limestone, GBFS, clinker, pozzolan)? I can find photos, but I want to make sure they are accurate.

Attached please see PowerPoint with images of both typical vessels to visit the Terminal, and raw materials imported for Orcem's use in producing the GGBFS product.

6. What are the secondary by products from the production of GGBFS?

None. The GBFS material is ground, and extra moisture (water) is released as it evaporates; the other materials are then added, yielding BBGFS.

7. Please confirm the proposed fencing material to be used on-site by VMT and Orcem.

As stated in the VMT Application, new chain link fencing material is to be used to extend the existing chain link fencing to complete the perimeter security. By Federal law, this perimeter security fencing must be approved by the Department of Homeland Security through the US Coast Guard, and may include additional features such as razor wire; the final design will be submitted to the City as well for review prior to installation. The Orcem Site Boundary Fence (as shown in the detailed plans) consists of a precast masonry wall adjoining the Open Raw Materials Storage Area, along with a landscaped planter area elsewhere, which includes either a chain link or other decorative fence which is subject to review and approval by the City (see Sheet M3P2-216).

8. The EIR states that the wharf would be dredged to 38 feet below MLLW to allow for deep draft vessels. Do you know what the depth at the wharf is currently?

This is as stated on page 24 of the VMT Application (DEIR Appendix B). The McLaren Engineering Group analysis and drawings provide additional details of the existing mudline and water depth in the vicinity of the proposed Terminal, and also provide estimates of the quantity of dredged material required to achieve the 38-foot depth adjoining the Terminal (See DEIR Figure 2-8 reproduced from McLaren's analysis and 12/19/14 diagram - attached).

9. What happens to the stockpiles of raw materials (gypsum, limestone, pozzolan, GBFS) during a storm event?

The GBFS material is already "wet", is inert, and is not subject to erosion or release of any discharge when rained on. As noted in the Orcem Application and shown on Orcem's plans, the GBFS storage area is equipped with sprinklers to keep the material in a damp condition, as needed. Clinker and portland cement are only stored in a closed building (Building 8), and the GGBFS is stored in the closed Storage Silos. The Raw Material Storage Area (#9 on plans and listed in Application) is where the gypsum, pozzolan and limestone materials are to be stored; these materials are also inert, and not subject to erosion or release of any discharge when rained on (as documented in the Ramboll-Environ and AWN Reports). The Storm Water Control Plan addresses collection, pre-treatment, and discharge of storm waters from the open portions of the site in greater detail; it shows existing water depths adjoining the existing wharf (and proposed Terminal) of between approximately 26 and 36 feet.

10. Do you have a graphic/diagram that depicts the milling process?

Yes. Please see Figure 4 of the Orcem Application on page 44 (DEIR Appendix C). See also the full plan set for additional details of mill and conveyor systems.

Please let me know if you have any questions.

Thanks,

Lisa

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