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September 11, 2013

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**VIA HAND DELIVERY AND ELECTRONIC MAIL**

Ms. Mary Ann Tsai  
Staff Coordinator - Zoning Evaluation Division  
Fairfax County Department of Planning and Zoning  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035

**SEA 80-L/V-061-2, Furnace Associates, Inc.  
Furnace Road Construction Demolition and Debris Landfill**

Dear Mary Ann:

The following items are submitted for the above-referenced application for review at "Senior Staffing" on September 19th:

1. Application Form amending SEA 80-L/V-061-2 ("SEA-2") to request Category 3 and Category 5 active recreation as alternative "end" uses;
2. Amended application fee in the amount of \$1,637.50;
3. Revised Applicant's Statement dated September 11, 2013 (4 copies);
4. Revised SEA Plat (10 full-sized copies) dated September 11, 2013 and consisting of 46 sheets, with 7 11" x 17" reductions (filed under separate cover by The BC Consultants);
5. Autoturn analyses dates September 11, 2013, as requested by VDOT and FCDOT (filed under separate cover by The BC Consultants);
6. Summary matrix responding to each staff issue in comment memoranda received to date (Attachment 1);
7. Separate letter responding to the Park Authority staff comment memorandum dated August 1, 2013 (Attachment 2); and

8. Chronology of staff review of this SEA Application since its filing on April 2, 2013 (Attachment 3).

This letter further provides: (A) a summary of the major changes made in this re-submission; (B) an overview of the benefits of extending the useful life of this CDD landfill to 2040, as proposed; and (C) a description of some of the implications associated with closing this landfill January 1, 2019 and implementing a transfer station system.

**(A) SUMMARY OF MAJOR CHANGES ON THIS SUBMISSION**

Furnace Associates, Inc. (the "Applicant" or "Furnace") has made important changes to the proposed SEA Plat and Application package, as summarized below.

**Private Active Recreation "End" Use.** Enclosed is an Amendment to the pending SEA Application adding Category 3 and/or Category 5 private active recreation "end" uses, as requested by staff. These uses, consisting of either a private golf driving range and/or a model airplane field, or similar private club or benefit association uses, would be installed by the particular lessee(s) either: (a) subsequent to cessation of the "interim" Green Energy Program or (b) upon release of the Applicant by DEQ from post-closure monitoring and maintenance of the landfill, whichever is the later to occur. The lessee would be responsible for controlled access and all liability arising out of that access and use of the closed landfill property. SEA-2 Plat Sheet 44 depicts these proposed active recreation uses.

**Cash Contribution in lieu of 17-acre park dedication and improvements.** In addition to the \$15 million contribution that the Applicant has committed for Lorton community needs (see page 5 of the "Statement of Justification" filed April 2, 2013), the Applicant will commit to an additional \$3.2 million contribution as requested in the Park Authority memorandum dated August 1, 2013, for the development of athletic facilities within the Lorton area.

**Private, controlled-access Observation Point.** As shown on Plat Sheet 7, an "Observation Point" would be installed by the Applicant during Phase 1 in the general location of the three, pilot wind turbines and be open for visitors when the three turbines begin operation. Outdoor style, wooden bench seating would be provided for up to approximately 20 visitors, with a lectern at the head of benches to provide for speakers. Tourist style telescopes (on posts) would be provided at the east and west flanks of the "Point" area. Actual location of each telescope could vary from edge of seating area to ridges of the elevation in which case, stone dust type trails would lead to the telescopes. Information signs describing the "Green Energy Triangle," history of the area, and local attractions would be provided. This initial Observation Point would exist from the end of Phase 1 until the beginning of Phase 5.

At the beginning of Phase 5, when the three pilot wind turbines are removed (to permit filling and capping of the southern area), the Observation Point structure and its related features would be relocated northward with the understanding that its exact location likely will need to be adjusted as Phase 5 landfill operations and capping proceed toward closure. An Observation Point and shuttle service would remain in operation through the duration of the post-closure period (2050). Please note that, for public safety, during Phase 5 operations there would have to be a gap or transition period (not to exceed 18 months) during which no Observation Point will be available due to filling, settling and capping of the 40-acre top platform. The Observation Point would continue through approximately 2050 and cease to exist upon release by DEQ. A dustless surface waiver has been requested to provide access to this use, both for the initial gravel access road during Phases 1-4 and the subsequent gravel access proposed to be provided in Phase 5 through the post closure period.

As depicted on Plat Sheets 6-13 and on Sheet 2 of the Generalized Development Plan Amendment ("GDPA") filed in PCA 2000-MV-034 (the "PCA") (and described in the plat notes), access to this Observation Point would be controlled by the property owner solely via shuttle and with the requirement that each visitor execute a liability waiver and release. Consequently, parking on the landfill for this accessory use would be minimal. Visitors would park at the solar farm located on the property owner's adjacent I-6 zoned land (see the PCA). Section 11-102 of the Zoning Ordinance allows offsite parking on a contiguous site under the same ownership, subject to compliance with certain conditions as may be approved by the Board of Supervisors ("Board").

The Applicant would commit to two established times for tours each week, and also allow a limited number of tours to be scheduled on demand with ample notice. Both the regular and on-demand tours would require a minimum and maximum number of visitors to go forward, and the frequency of regularly scheduled tours may be reduced to reflect actual demand. Scheduled day(s)/hours would enable the property owner to allow visitors during the landfill's less busy operational timeframes. Applicant will implement a pre-registration system to better organize the groups in terms of numbers, special needs, obtaining executed waivers and releases, etc.

**Addition of plat sheets with blow-ups showing greater detail of entrances, the exit and berm access system.** In response to VDOT and FCDOT questions and given the unusual scale of a 250-acre plat, the Applicant has added new sheets showing enlargements of entrance and exit points and better clarifying circulation across the five phases of operation. It is important to keep in mind, however, that this is an active, operating landfill with internal circulation constantly being adjusted, sometimes on an hourly or daily basis, due to many

factors such as filling locations, type of loads and weather. This particular special exception use is unusual in that the public does not drive on the site and internal circulation must be adapted to provide access to ever-changing landfill operational areas.

**Landscaping changes.** The Applicant has experienced an enormous problem ensuring survivability of the 14,344 shrubs and 109,397 native grasses and ground cover plugs committed to in the SEA-80-L/V-061 ("SEA-1") approval. This previous commitment to the massive number of shrubs and grass plugs has proven to be impractical, costly and serves no purpose. The previous landscape plan reflected a public park "end use" where plantings ostensibly would be viewed close up by users on public trails. Given the Park Authority's rejection of the dedication, the landfill will not be accessed by the public, except for the small, private tours proposed above. Animals continuously eat the shrubs, and the ones which do survive become overgrown when the grass plugs mature. Therefore, the Applicant proposes to substitute hundreds of trees in place of the shrubs, at a significant additional cost that will achieve much more effective survivability and visual impact.

**B. COUNTY BENEFITS IN EXTENDING USEFUL LIFE OF THE LANDFILL TO 2040 AND ESTABLISHING A GREEN ENERGY PILOT PROGRAM**

The July 12, 2013 letter to Ms. Gardner provides an extensive analysis of public benefits (see especially pages 7 and 8) to be derived from this requested extension. Long-term CDD disposal capacity is critical, an essential underpinning for achievement of the economic development and revitalization goals of the County. The Public Facilities Element of the Comprehensive Plan calls for "...an efficient, cost effective and environmentally sound comprehensive solid waste management system that meets the current and future needs of the County." (Objective 34). This landfill satisfies a unique, critical County demand which necessarily will increase acutely with recent redevelopment approvals in Tysons, Route 1, Springfield, and other areas. The 2004 Solid Waste Management Plan (i) identifies an enormous shortfall of 18 to 21 million tons of CDD disposal capacity through 2025 – the end of its study period – even before the Tysons, Springfield, BRAC, Bailey's and other revitalization plans were adopted; and (ii) recommends that the projected shortfall be addressed through continued use/expansion of local landfills and/or encouraging a regional approach to CDD disposal. One of the two other CDD landfills in the County has effectively closed, and the capacity of the other is practically exhausted. Other public benefits include the extended ability and capacity to accept: dredge soils from lakes and stormwater management facilities; LEED volumes in accordance with the Comprehensive Plan and redevelopment proffer requirements; and debris from emergency disaster situations.

Few, if any, parcels in Fairfax County can create the elevated platform with sufficient size and height to generate wind speeds, establish large solar panel arrays and have methane and geothermal properties to create a feasible green energy pilot project. This would be the only landfill in the United States with all four renewable energy sources co-located. This Applicant's ability to create a sufficiently large platform and install three wind turbines within Phase 1, create a ten-acre platform for solar panels on the landfill's southern end in Phase 4, and create the 40-acre platform in Phase 5, affords the public a unique opportunity to generate sustainable renewable energy and to create a pilot project to be able to measure its feasibility. With approval of SEA-2, the Applicant would convert its I-6 zoned land from "mixed waste reclamation" use to a three-acre solar farm, as set forth in the PCA.

This type of pilot green energy project has been envisioned by the Board in Lorton for several years. In its October 16, 2012 Motion the Board enthusiastically and unanimously endorsed the Chairman's "Private Sector Green Energy Task Force" ("Task Force") recommendations with the purpose of "*stimulating a transformational energy project*" and creating "*with the private sector, pilot projects to demonstrate the use of local alternative energy sources for small and large scale development.*" The February 5, 2013 Staff Report to the Board Environmental Committee, prepared in response to the October 16, 2012 Board Motion, recommended development of the Green Energy Triangle in Lorton. In addition, the Applicant's proposal further manifests the County Executive's FY 2014 report to the Board which specifically cites the Green Energy Triangle as "*leading to a re-branding of the Lorton area, changing its identity from being a site of the County's waste and debris disposal facilities to becoming a tangible expression of the County's renewable commitment*". EQAC's 2012 "Annual Report on the Environment" endorsed the Task Force's recommendations as ". . . a transformational vision . . ." and specifically endorsed the proposal to use landfill gas to provide electricity to the Lorton Arts Workhouse. The "Green Energy Program" proposed in this SEA Application is a direct result of years of work by the Task Force and the Board Environmental Committee. This paragraph is intended to be a mere summary of the most important of many Comprehensive Plan and Board policies cited at greater length throughout our July 12, 2013 letter to Ms. Gardner.

Additional benefits offered with this SEA-2 application include: provision of a limited-access Observation Point beginning in Phase 1; methane in amounts sufficient to produce 2 million KW hours of electricity annually to the County (sufficient to totally supply facilities such as the Lorton Arts Workhouse and/or supplement gas needs for facilities such as DPW Noman Cole Pollution Control facility), a \$5.5 million equivalent energy cost avoided by the County over 22 years; \$15 million for local County/community needs (\$750,000 annually over 20 years); revenue from Energy Park wind and solar electrical sales shared with the County;

provision of an Education Center on renewable energy at Lorton Arts Workhouse; a platform on top of the landfill to provide for potential expanded Green Energy Park that could accommodate 12 wind turbines and a 40-acre solar farm; an improved landfill landscape plan which substantially increases tree cover on the east slope, enhances tree cover on other areas, and creates a more natural, random appearance on the east and north slopes; no taxpayer funding required for new CDD disposal infrastructure to replace this landfill in 2018, and a delay in such capital investment of approximately 20 years in addressing the need for CDD transfer stations and their inherent major environmental impacts; and the opportunity to establish active recreation as an "end" use.

**C. IMPLICATIONS FOR THE COUNTY NOT EXTENDING LANDFILL LIFE AND IMPLEMENTING TRANSFER STATIONS**

Without extended operation of the Lorton CDD Landfill as requested in this SEA Application, no CDD capacity will remain in Northern Virginia after 2018. An absolutely critical need and issue for Fairfax County in the absence of this CDD landfill is how it will meet the significant unmet CDD disposal demand in the County in five years. A new landfill would have to be created, or multiple transfer stations implemented to transport CDD out of the County. Transfer stations are neither convenient, cost effective, nor environmentally sound. In its own procurement documents, the County Solid Waste Management Division recommends additional private disposal capacity and cites distance as an important cost factor in accepting bids.

Without approval of this expanded capacity at the Lorton Landfill, Furnace will need to continue with its already entitled mixed waste reclamation use on the adjacent I-6 zoned parcel, which would receive a substantial percentage of the trucks currently entering the landfill. Additional truck trips would be required to transport the sorted waste out to sites where it could be reused or, in the case of residual waste, disposed. If the County were to open a new CDD transfer station, it likely would do so at its I-95 closed landfill complex. It also is likely that the County would open an additional CDD transfer operation at its I-66 waste facility, effectively, by volume, resulting in a third new waste disposal facility. Creation of the two County facilities would require substantial public funding, as the CDD and MSW waste streams could not be commingled. The increased volume at Furnace's mixed waste reclamation use and the new transfer stations would result in a significant increase in truck traffic as all tons handled by these facilities must be shipped out (unlike a landfill) to end-users or downstream processors. Increased truck traffic associated with transfer stations would (i) conflict with numerous County policies calling for reduced traffic congestion and a reduced carbon footprint; (ii) create additional wear and tear on County roads; (iii) increase

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safety risks; and (iv) add more vehicles to already crowded roads. In addition, these new transfer facilities would require additional handling of the waste and residuals and would increase the cost of CDD disposal, thereby increasing the cost of all construction projects in the County.

We hope you find this summary useful in preparation for Staffing. Furnace Associates gladly will arrange a tour for those who were unable to visit the landfill on June 18. My client and I feel strongly that only by viewing and experiencing the unique nature of this use and its green energy potential can this SEA-2 application be fully understood and fairly evaluated.

Very truly yours,



Francis A. McDermott

Enclosures

cc: Mr. Fred Selden, Planning Director  
Ms. Barbara Berlin, ZED Division Director  
Ms. Marianne Gardner, Planning Division Director  
Mr. William Mayland, RZ/SE Branch Chief  
Ms. Virginia Ruffner, Application Acceptance Branch, ZED  
Mr. Gary Hewes, Furnace Associates  
Mr. Conrad Mehan, Furnace Associates