



**BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO**

406 Justice Drive, Lebanon, Ohio 45036

www.co.warren.oh.us

commissioners@co.warren.oh.us

**Telephone (513) 695-1250
(513) 261-1250
(513) 925-1250
(937) 425-1250
Facsimile (513) 695-2054**

***TOM ARISS
PAT ARNOLD SOUTH
DAVID G. YOUNG***

**BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO**

MINUTES: Regular Session – January 10, 2013

The Board met in regular session pursuant to adjournment of the January 8, 2013, meeting.

David G. Young - present

Pat Arnold South - present

Tom Ariss - present

Tina Davis, Clerk - present

Minutes of the January 8, 2013 meetings were read and approved.

- 13-0050 A resolution was adopted to enter into Lease Agreement with the Warren County Career Center. Vote: Unanimous
- 13-0051 A resolution was adopted to enter into a Temporary Entrance and Work Agreement with Daniel and Bobbi Wyatt for the Roachester-Osceola Bridge Rehabilitation Project. Vote: Unanimous
- 13-0052 A resolution was adopted to approve and authorize the President and/or Vice President of this Board to sign a Lien Subordination Agreement for Charles M. Gilliam and Mary F. Gilliam. Vote: Unanimous
- 13-0053 A resolution was adopted to approve and enter into a Software Maintenance Agreement with Unitronix Data Systems for the Abacus Software on behalf of the Warren County Department of Human Services. Vote: Unanimous
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DISCUSSIONS

On motion, upon unanimous call of the roll, the Board accepted and approved the consent agenda.

PUBLIC HEARING CONTINUATION SITE PLAN REVIEW APPLICATION OF SISTERS, LTD./PILOT-FLYING J IN TURTLECREEK TOWNSHIP

The continuation of the public hearing to consider the site plan review application of Sisters, Ltd./Pilot-Flying J in Turtlecreek Township was reconvened this 10th day of January 2013, in the Commissioners Meeting Room.

Commissioner Young requested the Clerk state when the notices to adjacent property owners were mailed as well as the date the sign was posted on the property.

Tina Davis, Clerk of Commissioners, stated notices were mailed on October 30, 2012 and November 29, 2012, and the sign was posted on the property on September 28, 2012.

Mike Yetter, Zoning Supervisor, identified the address of the property subject to the site plan review, the zoning classification which permits the land use subject the site plan review and that the applicant is prepared to provide the additional information requested by the Board at the initial hearing.

Commissioner Young read the following:

This is a Public Hearing for the Site Plan Review which must be conducted as a quasi-judicial administrative hearing. The hearing will be conducted based on the following ORDER and RULES:

- 1st: **APPLICANT** will be heard **first**. The COMMISSIONERS will allow APPLICANT to appear and be heard in person, or be represented by an attorney.
- 2nd: **PROPOSERS** will be heard **second**. The COMMISSIONERS will allow any PROPONENT who wishes to be heard in favor of the Site Plan to appear in person and testify as a witness.
- 3rd: **OPPOSERS** will be heard **third**. The COMMISSIONERS will allow any OPPONENT who wishes to be heard in opposition to the Site Plan to appear in person and testify as a witness. If an OPPONENT elects to testify in opposition to the Site Plan, the OPPONENT will be subject to cross-examination by the APPLICANT or APPLICANT'S attorney.
- 4th: **APPLICANT** may be heard **last**. APPLICANT will be afforded the opportunity to testify again and present any witness or documentary evidence the APPLICANT desires to refute evidence or testimony offered by an OPPONENT.

Rules for the Site Plan Review Hearing

1. APPLICANT, and any PROPONENT or OPPONENT that intends to testify as a witness during the Site Plan Review hearing must first swear or affirm an oath of truth that will be administered by the President of the Board of Commissioners, and state his or her name and address on the record, and whether you have been sworn or affirmed the oath, in order to testify.
2. APPLICANT shall be given a reasonable opportunity to present the APPLICANT'S case in support of the Site Plan. APPLICANT is entitled to offer and examine witnesses, and to present documentary evidence. APPLICANT may arrange to have a Court Reporter present at APPLICANT'S sole cost if APPLICANT so desires.
3. A PROPONENT or OPPONENT shall limit his or her comments to five minutes. The COMMISSIONERS may allow more time if a COMMISSIONER deems more time is justified. Responses to questions asked to a PROPONENT or OPPONENT by the COMMISSIONERS or in response to cross-examination by the APPLICANT or APPLICANT'S Attorney shall NOT count against the allotted five minutes.

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6. A PROPONENT or OPPONENT shall NOT direct any comments or questions to the Staff, or direct any comments or questions to the audience. It is not the purpose of the Site Plan Review hearing to answer questions about interpretation or meaning of the Zoning Code. However, the COMMISSIONERS will listen to all questions and if a COMMISSIONER deems a question relevant then a COMMISSIONER may answer or direct Staff to answer a question.
7. The COMMISSIONERS may ask questions to the APPLICANT, PROPONENT or OPPONENT at any time during the Site Plan Review hearing.
8. To be considered by the COMMISSIONERS, documentary evidence must be accepted and admitted into evidence by the COMMISSIONERS. The COMMISSIONERS will not accept documentary evidence unless the APPLICANT provides a complete copy of each document for the COMMISSIONERS. A PROPONENT or OPPONENT who intends to submit any documentary evidence must provide a complete copy of each document for both the APPLICANT and the COMMISSIONERS.
9. Documents including but not limited to letters, emails, or petitions where the author or signator of such a document does not testify under oath during the public hearing shall not be admitted into evidence for consideration by the COMMISSIONERS.

The BOCC will consider the testimony and evidence from the public hearing, the application and supporting information, as well any supplementary information requested by this Board, and apply the Review Criteria from Article I, Section 1.303.6; and, Article 3, Sections 3.206.2 (A) and 3.206.3 of the Warren County Rural Zoning Code to render our decision.

Commissioner Young then administrated the oath to those desiring to present testimony during the public hearing.

Lance Champion, Pilot-Flying J, reviewed the PowerPoint of their site plan review application reviewed the application and PowerPoint presentation presented at the previous public hearing.

Jamie Dobrozsi, Woolpert, Inc., presented the attached PowerPoint relative to the findings from the sound study that the Board of Commissioners requested from the applicant at the November 15, 2012, public hearing.

There were questions from the audience to Mr. Dobrozsi relative to the sound study.

Rachel Lot, area resident, questioned what decibel level a truck using an engine brake would be.

Mr. Dobrozsi stated he did not measure the engine brake.

Kent Kimble, area resident, had questions relative to OSHA sound regulations and how the study was conducted.

Jillora Summers, property owners, stated that the property is zoned the appropriate classification in order for the Flying J to locate here. She then stated that she understands that the area residents are upset but there is nothing they can do to change it.

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Laura Alesi, area resident, presented the attached PowerPoint in opposition to approval of the site plan review relative to environmental concerns.

Kim Heck, area resident, questioned the air quality study being presented which was discussed at the previous public hearing.

There was discussion relative to the Board of Commissioners not requesting the air quality study, only the sound study that was previously presented.

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There was discussion relative to the need for electrification in order to prevent trucks from being able to idle and cause additional air quality concerns for Warren County.

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Ellen Hall, area resident, stated she supports the Joint Economic Development District (JEDD) being located in the area. She then stated that this development does not fit the character of the JEDD. She stated her opinion that this is not a responsible development to locate within the

JEDD and stated in instances such as this that a private party transaction becomes a public interest when it has a negative impact on the entire area.

David Brown, area resident, questioned if the development would occur in this location without the JEDD providing sanitary sewers.

Jonathan Sams, Turtlecreek Township Trustee, stated that the Pilot- Flying J was prepared to locate this business on a septic system package plant and has made application with the Ohio EPA. He then explained that it is in the best interest relative to safety and the environment to provide sanitary sewer rather a septic system.

Dan Alesi, area resident, requested the Board to require the developer to follow the zoning laws exactly as written and do not cave to this development.

Commissioner Young complimented the area residents on their professional presentations and discussion. He stated his understanding that this situation will require a winner and a loser and they are required to follow the law. He stated that the Board of Commissioners take the citizens concerns to heart and understands their concerns.

Mike Grauwelman, area resident, stated his understanding that the property is zoned accurately and the proposed development is permitted within this zone classification. He questioned the character of the development as it is addressed in the site plan. He stated the majority of business in this area is agricultural and tourism. He then stated that this development does not fit the fabric of the community and urged the Board to deny the site plan review application.

Jerry Parker, area resident, stated that he has visited the Franklin Ohio truck stop and it is nasty and dirty. He stated his concern with this development being the same.

Linda Grimmer, area resident, stated her concern with the sound study and also stated her desire for the Board to request an air quality study to be completed prior to a decision on this application.

Dan Hautzinger, area resident, stated his concern relative to county roads adjacent to this development becoming bypasses in order to avoid traffic from the proposed truck stop.

Linda Grimm, area resident, concern with Flying J representative downplaying the concern with air quality and diesel soot from semi trucks.

Mr. Bill Mulligan, Pilot-Flying J, stated that his area is also the gateway to a nice community and it has two truck stops at the interstate exit. He stated that the proposed development is permitted in the current zone and they have presented a site plan that complies with the zoning code. He then confirmed that every document that he desires the Board to rely upon to make its decision has been provided to the Board for the record.

Commissioners Young then questioned Mr. Mulligan the following:

1. Has the Board denied you the opportunity to present your position, arguments and contentions? Mr. Mulligan stated no.
2. Has the Board denied you the right to offer and examine witnesses and present evidence in support into the record? Mr. Mulligan stated no.
3. Has the Board denied you the right to cross-examine witnesses in opposition? Mr. Mulligan stated no.
4. Has the Board denied you the opportunity to offer evidence to refute evidence or testimony offered in opposition? Mr. Mulligan stated no.
5. Has the Board refused or failed to compel any witnesses' appearance or evidence at your request? Mr. Mulligan stated no.
6. Does the Applicant have any such objections to raise on the record at this time? Mr. Mulligan stated no.

Bruce McGary, Assistant Prosecutor, then reviewed the criteria that the Board must consider when deciding the outcome of the site plan review application. He explained the formality of the Board is required by law and again explained to those present that the proposed use is permitted in the current zoning classification.

Helen Wolf, area resident, stated her desire for this matter to be put to a vote by the residents.

Mr. McGary explained that that process was a possibility when the property was originally zoned but not permitted by law in the site plan review process.

Upon discussion, upon unanimous call of the roll, the Board closed the public hearing.

Commissioner Young stated his opinion that these are area residents live next to a highway with an off ramp. He stated his opinion that property owner rights are paramount but stated that he is very troubled by approving this development. He then stated his opinion that this development does not fit in his scope of a master plan for the area. He stated concerns relative to safety, traffic, waste/spills, air quality and the character of the surrounding businesses and overall use.

Commissioner Ariss stated that the Board must following what the zoning code requests and stated all legal aspects of this application must be considered.

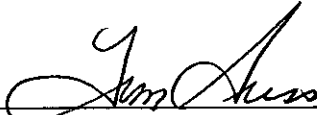
Commissioner South stated she has tried very hard to plan for the future and the need for the interchange to be used to the highest and best use. She stated that she has many questions and concerns to consider before rendering a decision on the application.

Mr. Yetter presented a revised resolution for the Board to consider and read aloud the seventeen proposed conditions as well as an added condition #18 that would require electricification at the parking area for the semi trucks.

Upon discussion, the Board stated they would render a decision relative to this site plan review application on January 24, 2013, at 5:30 p.m.

Upon motion the meeting was adjourned.

David G. Young, President

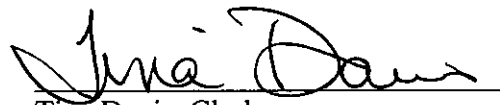


Tom Ariss



Pat Arnold South

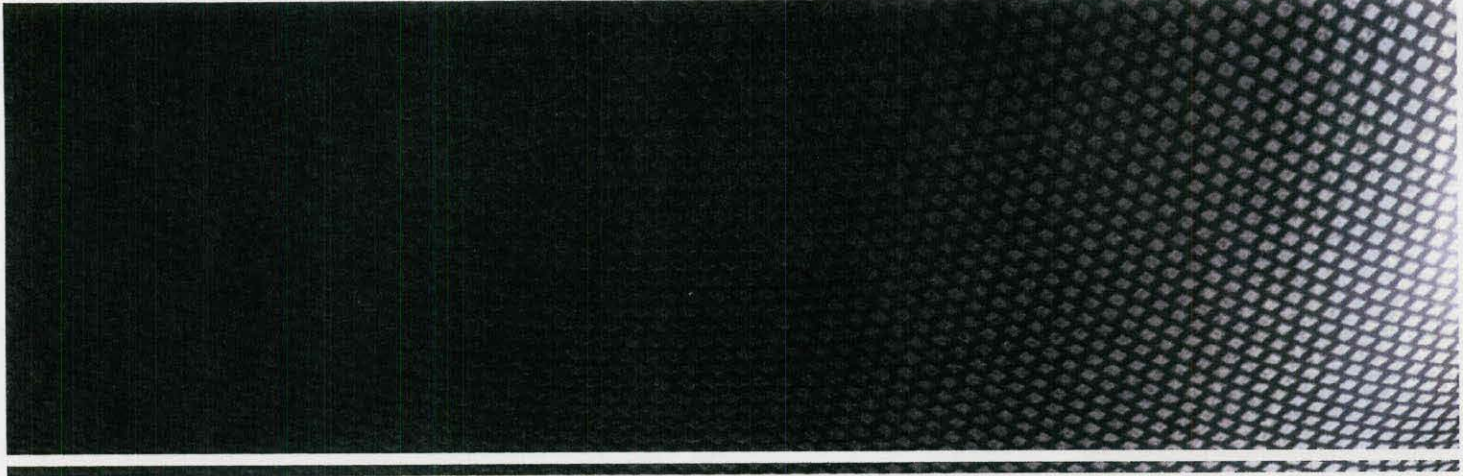
I hereby certify that the foregoing is a true and correct copy of the minutes of the meeting of the Board of County Commissioners held on January 10, 2013, in compliance with Section 121.22 O.R.C.



Tina Davis, Clerk
Board of County Commissioners
Warren County, Ohio



November 15, 2012
(January 10, 2013 continuation)
Site Plan Review
Meeting







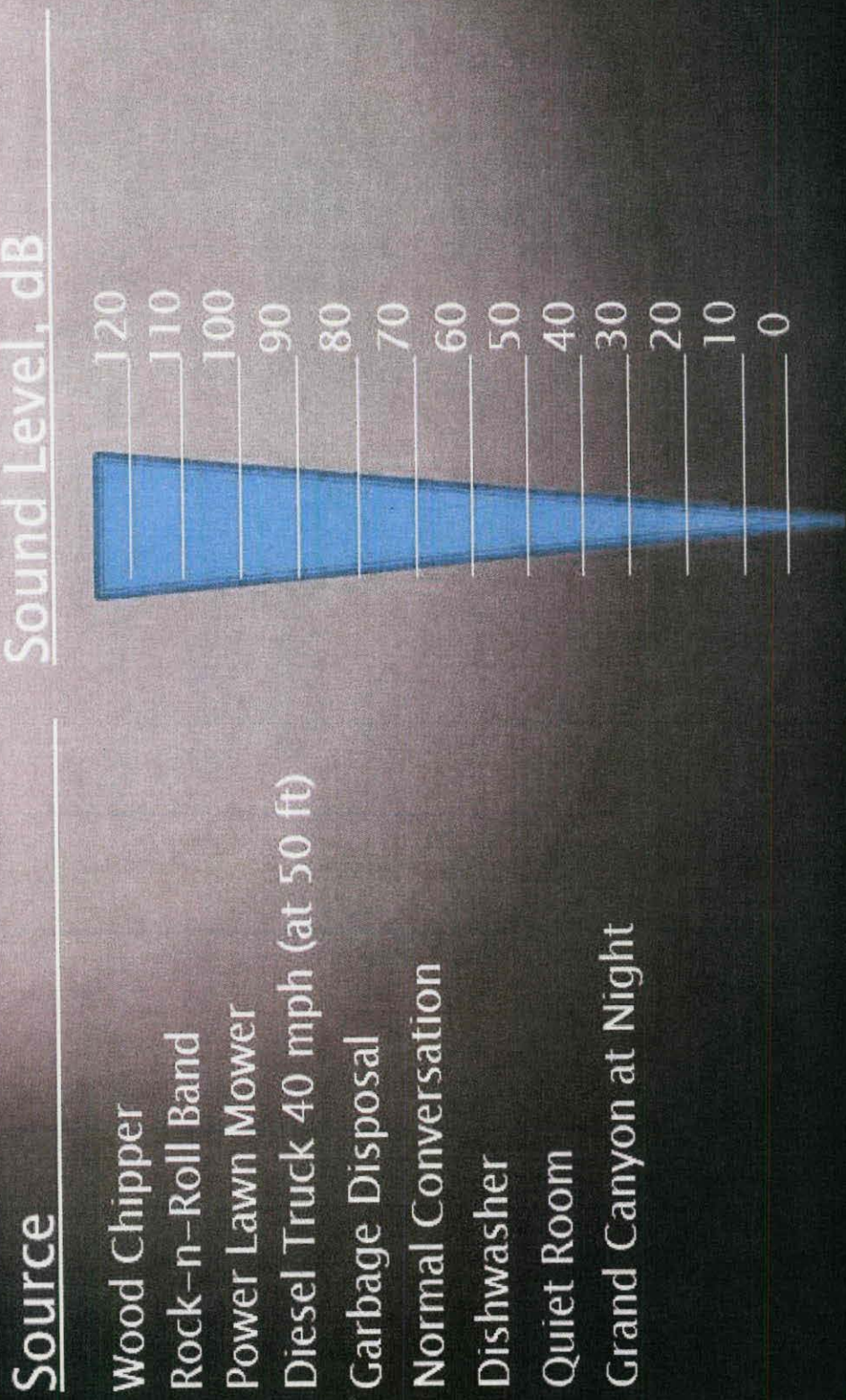
Making Life Better for America's Drivers

"For decades, professional drivers have stopped at Pilot Travel Centers and Flying J travel plazas to refuel, eat, shower and rest while they're on the road, **America relies on professional drivers; they are what keeps this country moving.** Professional drivers are hardworking, talented and inspiring individuals."

Jimmy Haslam, CEO of Pilot Flying J

We look forward to being part of your Community!

COMMON SOUND LEVELS



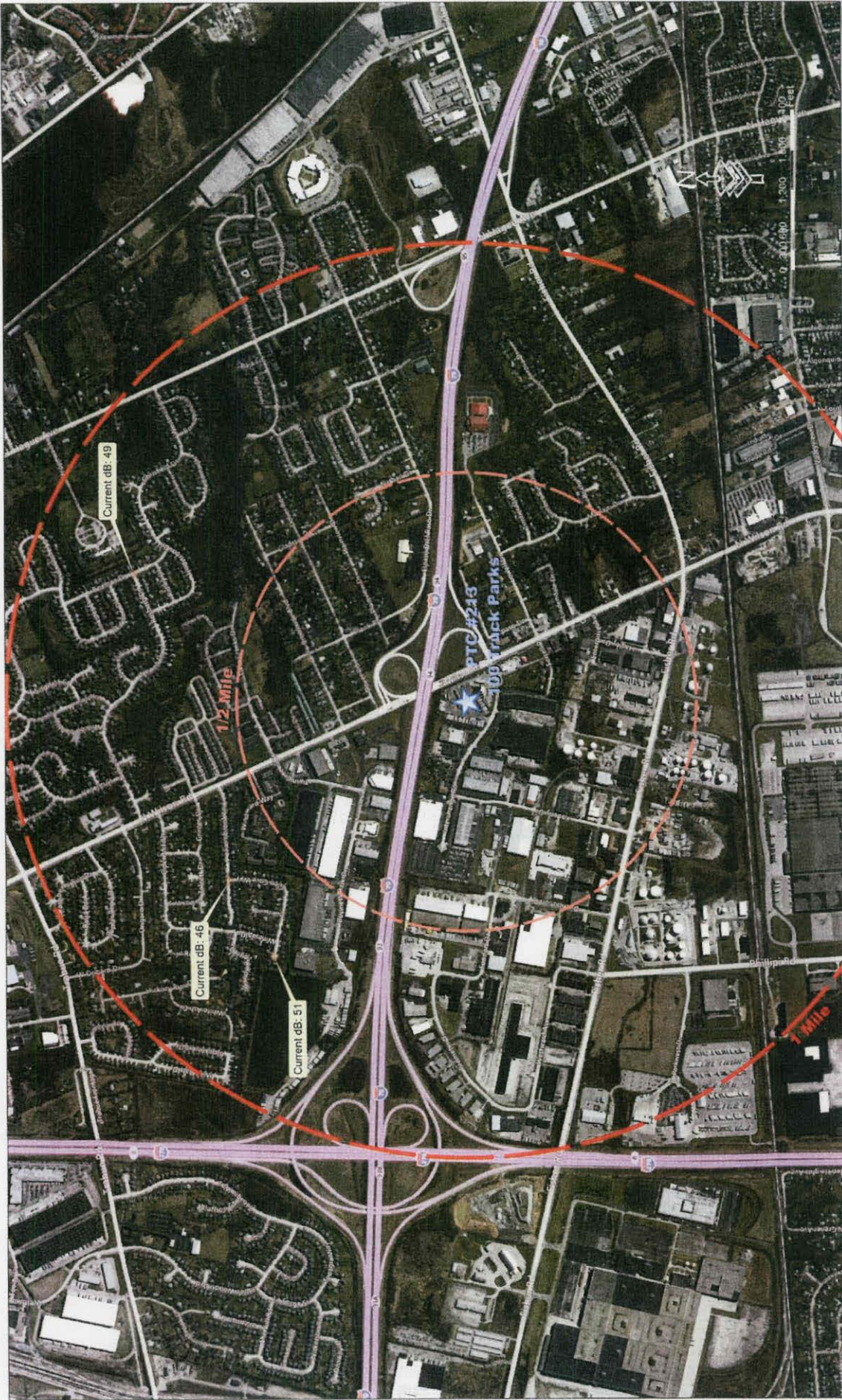
COMMON SOUND LEVELS

WHAT VARIABLES EFFECT SOUND LEVELS?

- WIND
- SEASONS
- GROUND COVER
- FREQUENCY
- FOILAGE

SOUND STUDY PROCESS

- ▶ **STEP 1 -** SOUND READINGS WERE TAKEN AT MULTIPLE RESIDENTIAL LOCATIONS AROUND THE PROPOSED SITE
- ▶ **STEP 2 -** NEW SOUND PROJECTION LEVELS WERE CALCULATED FOR THE SAME LOCATIONS AROUND THE PROPOSED SITE WHERE EXISTING LEVELS WERE DOCUMENTED IN STEP 1 (PTC SOUND = 78dB)
- ▶ **STEP 3 -** SOUND READINGS WERE TAKEN AT FOUR SIMILAR PILOT INSTALLATIONS AROUND THE STATE OF OHIO AT APPROXIMATELY THE SAME DISTANCE TO EXISTING RESIDENTIAL AREAS AROUND THE PROPOSED SITE
- ▶ **STEP 4 -** EXISTING SOUND LEVELS AND PROJECTED SOUND LEVELS FOR THE PROPOSED SITE AREA WERE COMPARED WITH SOUND LEVELS AT THE FOUR EXISTING SITES



EXISTING PILOT TRAVEL CENTER – COLUMBUS, OHIO





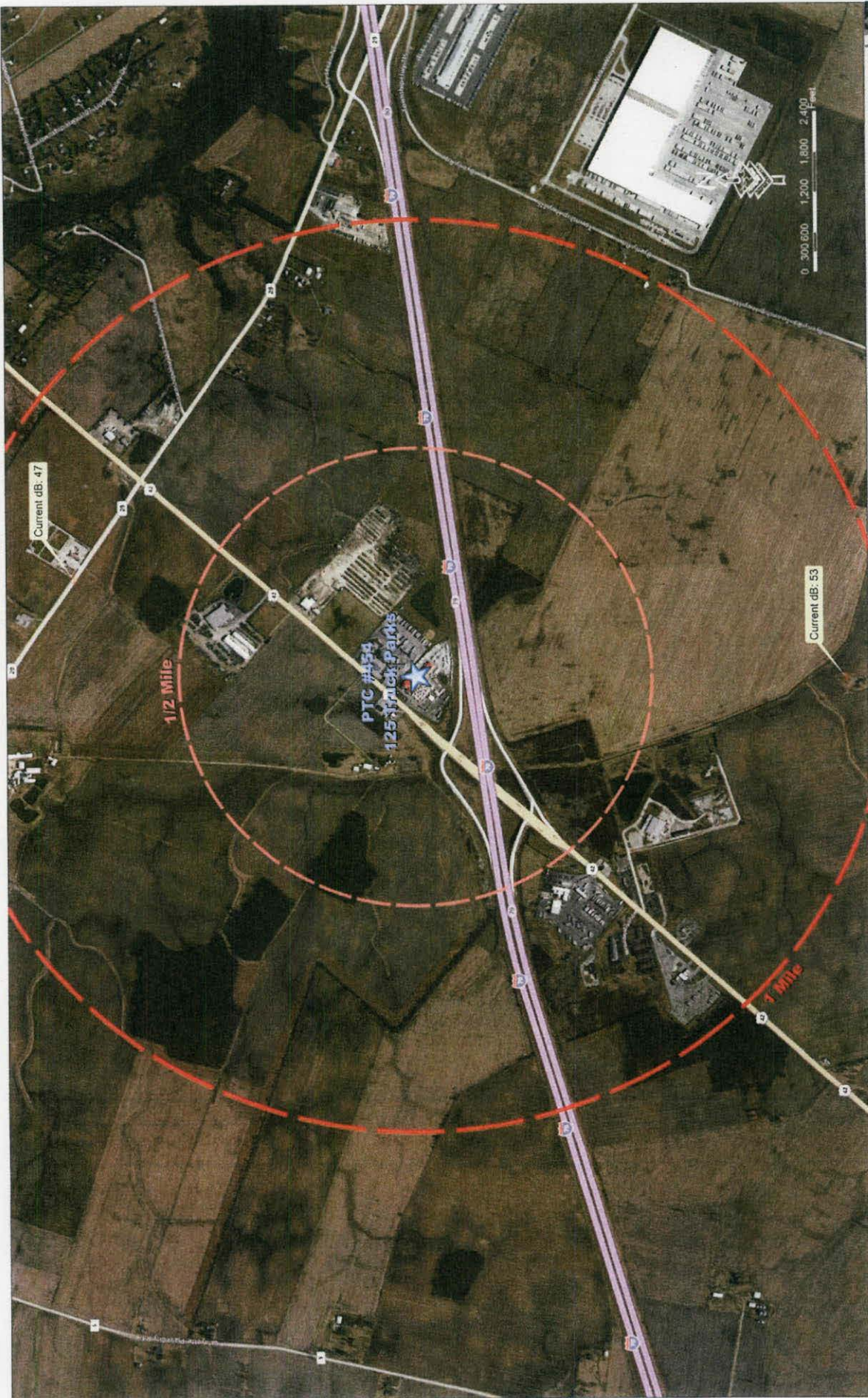
EXISTING PILOT TRAVEL CENTER – FINDLAY, OHIO





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EXISTING PILOT TRAVEL CENTER – LONDON, OHIO





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Bill Mulligan, Pilot- Flying J, questioned Mr. Kischill and presented more accurate EPA requirements that have been required since the facts Mr. Kuschill presented in his PowerPoint.

Ellen Hall, area resident, stated she supports the Joint Economic Development District (JEDD) being located in the area. She then stated that this development does not fit the character of the JEDD. She stated her opinion that this is not a responsible development to locate within the

JEDD and stated in instances such as this that a private party transaction becomes a public interest when it has a negative impact on the entire area.

David Brown, area resident, questioned if the development would occur in this location without the JEDD providing sanitary sewers.

Jonathan Sams, Turtlecreek Township Trustee, stated that the Pilot- Flying J was prepared to locate this business on a septic system package plant and has made application with the Ohio EPA. He then explained that it is in the best interest relative to safety and the environment to provide sanitary sewer rather a septic system.

Dan Alesi, area resident, requested the Board to require the developer to follow the zoning laws exactly as written and do not cave to this development.

Commissioner Young complimented the area residents on their professional presentations and discussion. He stated his understanding that this situation will require a winner and a loser and they are required to follow the law. He stated that the Board of Commissioners take the citizens concerns to heart and understands their concerns.

Mike Grauwelman, area resident, stated his understanding that the property is zoned accurately and the proposed development is permitted within this zone classification. He questioned the character of the development as it is addressed in the site plan. He stated the majority of business in this area is agricultural and tourism. He then stated that this development does not fit the fabric of the community and urged the Board to deny the site plan review application.

Jerry Parker, area resident, stated that he has visited the Franklin Ohio truck stop and it is nasty and dirty. He stated his concern with this development being the same.

Linda Grimmer, area resident, stated her concern with the sound study and also stated her desire for the Board to request an air quality study to be completed prior to a decision on this application.

Dan Hautzinger, area resident, stated his concern relative to county roads adjacent to this development becoming bypasses in order to avoid traffic from the proposed truck stop.

Linda Grimm, area resident, concern with Flying J representative downplaying the concern with air quality and diesel soot from semi trucks.

Mr. Bill Mulligan, Pilot-Flying J, stated that his area is also the gateway to a nice community and it has two truck stops at the interstate exit. He stated that the proposed development is permitted in the current zone and they have presented a site plan that complies with the zoning code. He then confirmed that every document that he desires the Board to rely upon to make its decision has been provided to the Board for the record.

Commissioners Young then questioned Mr. Mulligan the following:

1. Has the Board denied you the opportunity to present your position, arguments and contentions? Mr. Mulligan stated no.
2. Has the Board denied you the right to offer and examine witnesses and present evidence in support into the record? Mr. Mulligan stated no.
3. Has the Board denied you the right to cross-examine witnesses in opposition? Mr. Mulligan stated no.
4. Has the Board denied you the opportunity to offer evidence to refute evidence or testimony offered in opposition? Mr. Mulligan stated no.
5. Has the Board refused or failed to compel any witnesses' appearance or evidence at your request? Mr. Mulligan stated no.
6. Does the Applicant have any such objections to raise on the record at this time? Mr. Mulligan stated no.

Bruce McGary, Assistant Prosecutor, then reviewed the criteria that the Board must consider when deciding the outcome of the site plan review application. He explained the formality of the Board is required by law and again explained to those present that the proposed use is permitted in the current zoning classification.

Helen Wolf, area resident, stated her desire for this matter to be put to a vote by the residents.

Mr. McGary explained that that process was a possibility when the property was originally zoned but not permitted by law in the site plan review process.

Upon discussion, upon unanimous call of the roll, the Board closed the public hearing.

Commissioner Young stated his opinion that these are area residents live next to a highway with an off ramp. He stated his opinion that property owner rights are paramount but stated that he is very troubled by approving this development. He then stated his opinion that this development does not fit in his scope of a master plan for the area. He stated concerns relative to safety, traffic, waste/spills, air quality and the character of the surrounding businesses and overall use.

Commissioner Ariss stated that the Board must following what the zoning code requests and stated all legal aspects of this application must be considered.

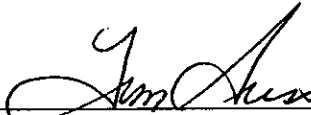
Commissioner South stated she has tried very hard to plan for the future and the need for the interchange to be used to the highest and best use. She stated that she has many questions and concerns to consider before rendering a decision on the application.

Mr. Yetter presented a revised resolution for the Board to consider and read aloud the seventeen proposed conditions as well as an added condition #18 that would require electricification at the parking area for the semi trucks.

Upon discussion, the Board stated they would render a decision relative to this site plan review application on January 24, 2013, at 5:30 p.m.

Upon motion the meeting was adjourned.

David G. Young, President

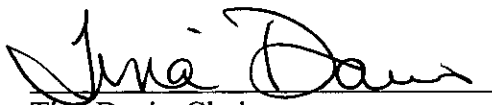


Tom Ariss



Pat Arnold South

I hereby certify that the foregoing is a true and correct copy of the minutes of the meeting of the Board of County Commissioners held on January 10, 2013, in compliance with Section 121.22 O.R.C.



Tina Davis, Clerk
Board of County Commissioners
Warren County, Ohio



November 15, 2012
(January 10, 2013 continuation)

Site Plan Review
Meeting







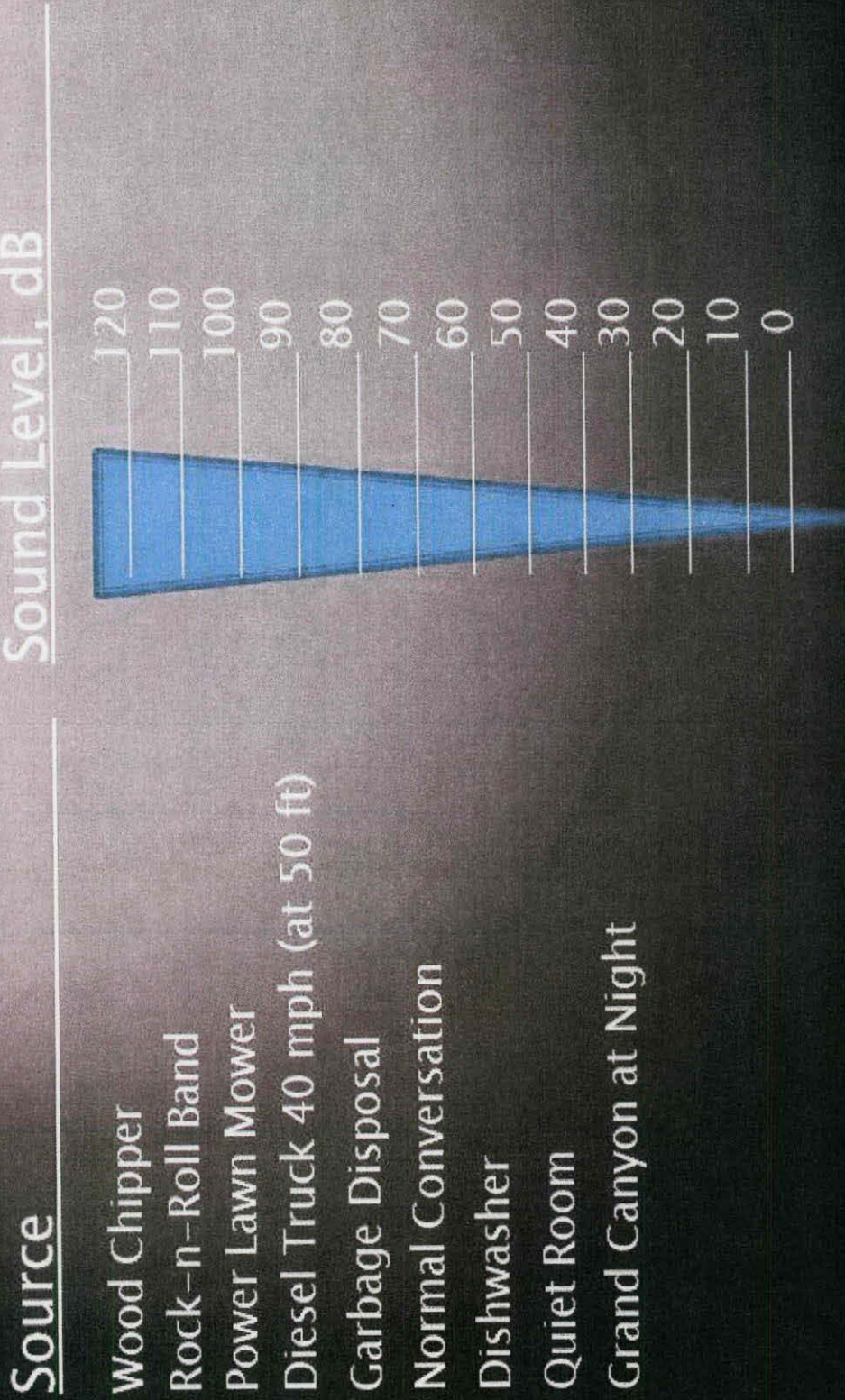
Making Life Better for America's Drivers

“For decades, professional drivers have stopped at Pilot Travel Centers and Flying J travel plazas to refuel, eat, shower and rest while they’re on the road, **America relies on professional drivers; they are what keeps this country moving.** Professional drivers are hardworking, talented and inspiring individuals.”

Jimmy Haslam, CEO of Pilot Flying J

We look forward to being part of your Community!

COMMON SOUND LEVELS



COMMON SOUND LEVELS

WHAT VARIABLES EFFECT SOUND LEVELS ?

- WIND
- SEASONS
- GROUND COVER
- FREQUENCY
- FOILAGE

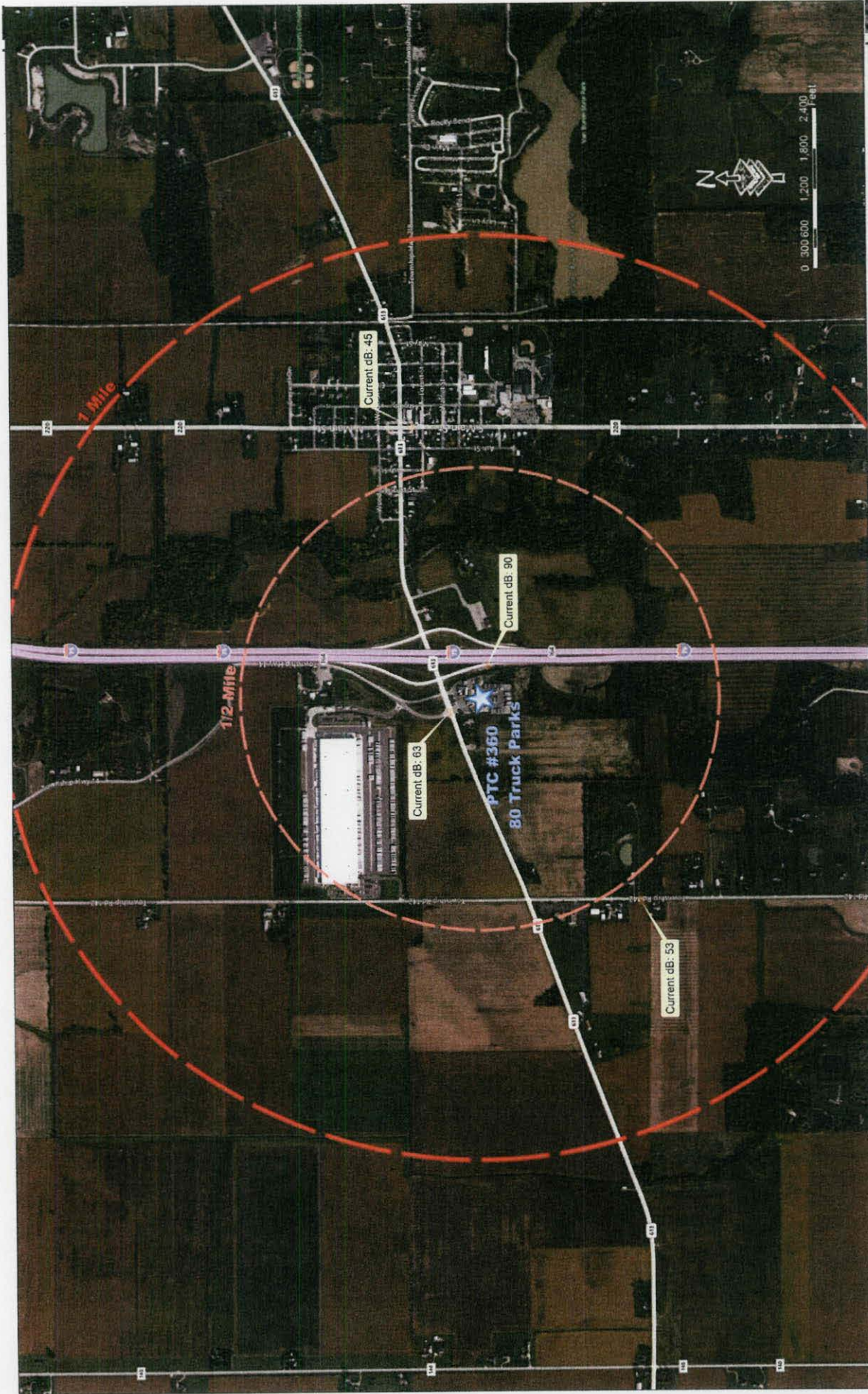
SOUND STUDY PROCESS

- ▶ **STEP 1 -** SOUND READINGS WERE TAKEN AT MULTIPLE RESIDENTIAL LOCATIONS AROUND THE PROPOSED SITE
- ▶ **STEP 2 -** NEW SOUND PROJECTION LEVELS WERE CALCULATED FOR THE SAME LOCATIONS AROUND THE PROPOSED SITE WHERE EXISTING LEVELS WERE DOCUMENTED IN STEP 1 (PTC SOUND = 78dB)
- ▶ **STEP 3 -** SOUND READINGS WERE TAKEN AT FOUR SIMILAR PILOT INSTALLATIONS AROUND THE STATE OF OHIO AT APPROXIMATELY THE SAME DISTANCE TO EXISTING RESIDENTIAL AREAS AROUND THE PROPOSED SITE
- ▶ **STEP 4 -** EXISTING SOUND LEVELS AND PROJECTED SOUND LEVELS FOR THE PROPOSED SITE AREA WERE COMPARED WITH SOUND LEVELS AT THE FOUR EXISTING SITES



EXISTING PILOT TRAVEL CENTER – COLUMBUS, OHIO





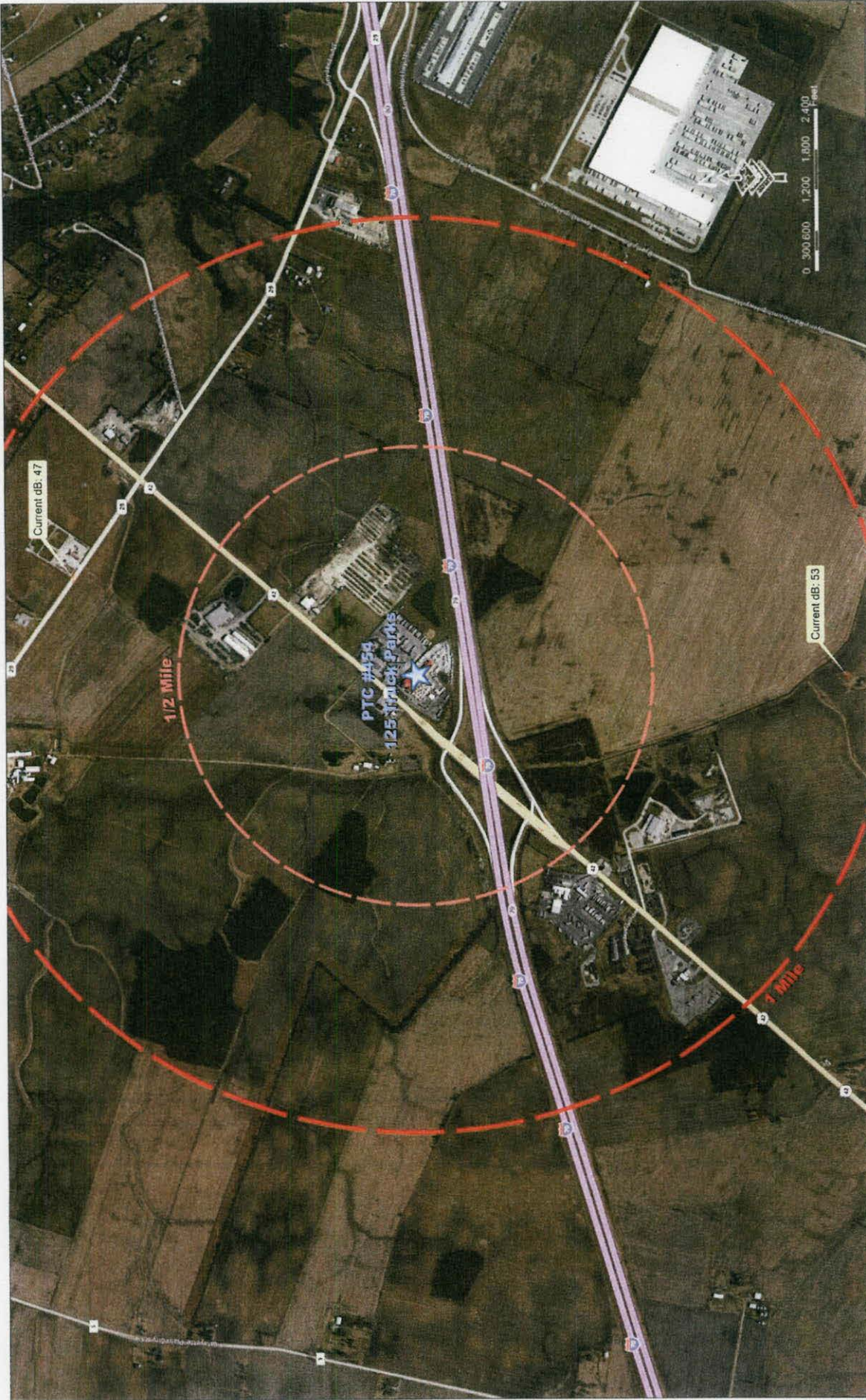
EXISTING PILOT TRAVEL CENTER – FINDLAY, OHIO





EXISTING PILOT TRAVEL CENTER – LODI, OHIO





EXISTING PILOT TRAVEL CENTER – LONDON, OHIO

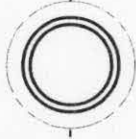




PROPOSED PILOT TRAVEL CENTER – WARREN COUNTY, OHIO



Flying J Truck Stop: Crime & Public Safety Data

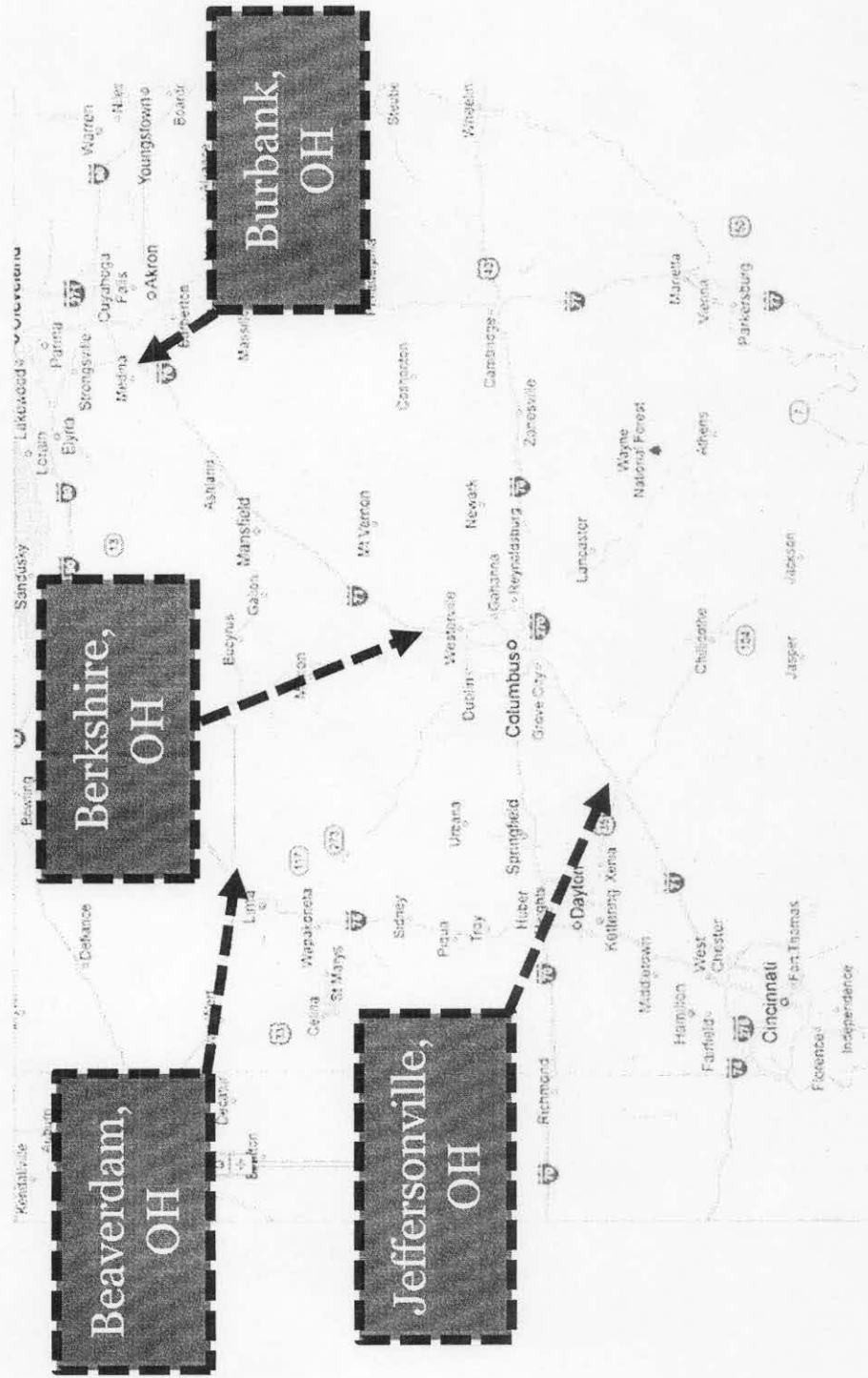
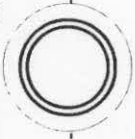


LOCAL OHIO SHERIFF CRIME DATA ON
EXISTING FLYING J TRUCK STOPS

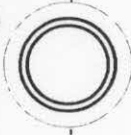
SOURCES:

ALLEN COUNTY SHERIFF'S OFFICE
FAYETTE COUNTY SHERIFF'S OFFICE
MEDINA COUNTY SHERIFF'S OFFICE
DELAWARE COUNTY SHERIFF'S OFFICE

Flying J Truck Stop Crime Sample



Summary Stats

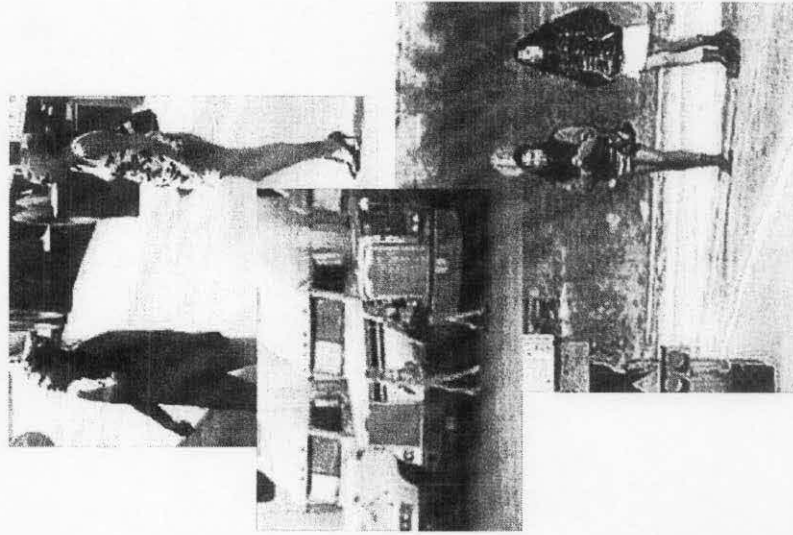
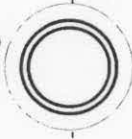


Total # of Calls to These Flying J/Pilot locations.

• Beaverdam	2,431
• Berkshire	2,232
• Jeffersonville	1,150
• Burbank	547*

*Does not include calls for Medina & Lodi PD

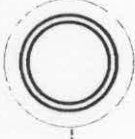
Crime Analysis : Flying J Beaverdam



- Total Calls – 2,431
 - 592 Prostitution Complaints (25%)
 - 517 Motor Vehicle Crashes (21%)
 - 417 Serious Crimes (Theft, Drugs, Criminal Damage, Menacing, etc)

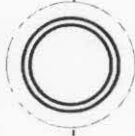
Note: Beaverdam data was provided in a excel worksheet which allowed detailed data parsing.

Report: Domestic Sex Trafficking In Ohio



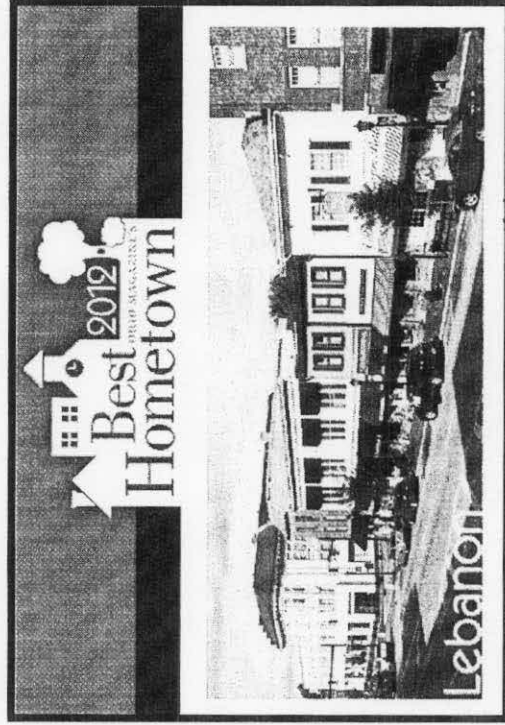
- Report Commissioned by Mike Dewine's Human Trafficking Commission in August, 2012
- 37% of Trafficked Victims reported working in Truckstops.

Pilot Travel Center in Burns Harbor, IN



- Local Police unable to handle volume of calls
- Pilot agreed to provide security/better traffic control in trade for 25 more parking spaces.
- Pilot did not live up to agreement, and . . .
- Burns Harbor filed an injunction.
- Pilot finally agreed to 16 hours a day private security.

Do Truck Stops Make Good Neighbors?



Nightmare at the Truck Stop

By Alex Tresniowski

Hundreds of Girls Are Being Forced to Work as Prostitutes at Truck Stops Across the Country. How Is This Happening?

A hotbed for crime

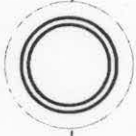
Police: Truck stops can be hub for criminal activity

Home > Hunterdon County Democrat > Top news

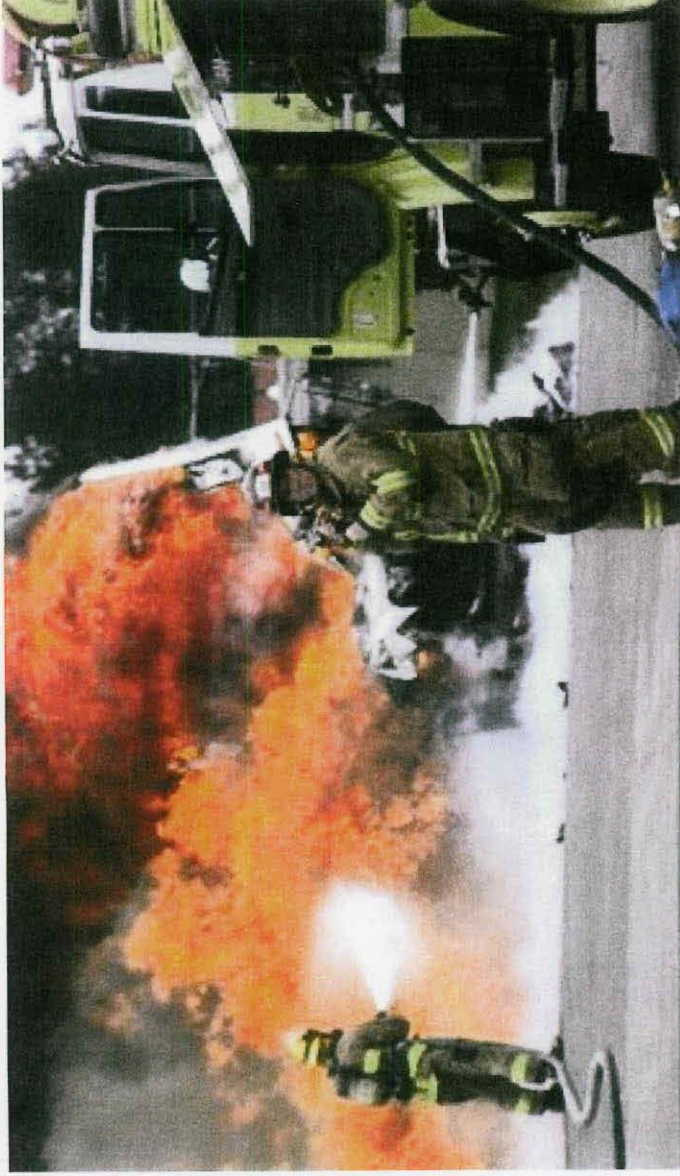
Bloomsbury has highest crime rate but it's blamed on the truck stop

Published: Wednesday, November 24, 2010, 3:54 PM

Updated: Friday, November 26, 2010, 10:46 AM



How can approval of a Truck Stop that is likely to bring unprecedented crime and prostitution into the middle of 1,736 homes be in the public interest?



Environmental Concerns of a Flying J Truck Stop in Lebanon

January 10, 2013

Why we don't want a truck stop in Lebanon...

- Loss of property value to 1,700 surrounding homes and commercial properties
- Traffic Concerns/Tax Burden
- Not consistent with JEDD "Gateway to Lebanon"
- Potential Environmental Hazard
- Safety/security of residents
 - Crime
 - Drugs
- Pollution
 - Noise
 - Air Quality

Scope of environmental hazard at proposed truck stop

Tank Capacities from Site Plan**

- ⑫ TANK #1 AND TANK #2. 25,000 GALLON (2) CHAMBER UNDERGROUND DOUBLE WALL FIBERGLASS TANK. TANK #1, PRODUCT #1 -16,000 GALLONS REGULAR UNLEADED GASOLINE. TANK #2, PRODUCT #2 -9,000 SUPER UNLEADED GASOLINE. FURNISHED BY OWNER, INSTALLED BY CONTRACTOR. (SEE PP DRAWINGS FOR MORE INFORMATION).
- ⑬ TANK #3, 4, & 5, PRODUCT #3. NEW 20,000 GALLON, 10'-0"φ X 37'-8 3/4" LONG, DOUBLE-WALL FIBERGLASS UNDERGROUND DIESEL TANK. FURNISHED BY OWNER, INSTALLED BY CONTRACTOR. SEE PP DRAWINGS FOR MORE INFORMATION. (TYP (3) PLACES).
- ⑭ TANK #6. PRODUCT #4. NEW 20,000 GALLON, 10'-0"φ X 37'-8 3/4" LONG, DOUBLE-WALL FIBERGLASS UNDERGROUND BIO-DIESEL TANK. FURNISHED BY OWNER, INSTALLED BY CONTRACTOR. (SEE PP DRAWINGS FOR MORE INFORMATION).
- ⑮ TANK #7. PRODUCT #5. 8,000 GALLON, 8'-0"φ X 26'-0 1/2" LONG, DOUBLE-WALL FIBERGLASS UNDERGROUND DIESEL EXHAUST FLUID (DEF) TANK. FURNISHED BY OWNER, INSTALLED BY CONTRACTOR. SEE PP DRAWINGS FOR MORE INFORMATION. (TYP (1) PLACE).
- ⑯ 4,000 GALLON, 6'-0"φ X 21'-11" LONG, SINGLE-WALL FIBERGLASS UNDERGROUND OIL/ WATER SEPARATOR, FURNISHED BY OWNER, INSTALLED BY CONTRACTOR.
- ⑰ CLEAN OUT FOR OIL/WATER SEPARATOR FURNISHED AND INSTALLED BY CONTRACTOR.

What this Site Plan Says:

25,000 Gallons Gasoline
20,000 Gallons Diesel
20,000 Gallons Bio-Diesel
8,000 Gallons Diesel Exhaust Fluid
4,000 Gallons Oil/Water Separator

80,000 of Fuel/Hazardous Waste Capacity Underground

+ RV Dumping ③④ RV DUMP. SEE CIVIL PLANS FOR DETAILS.

** Not all the proposed tanks listed are "NEW"

Flying J Scope

- 2000 Cars-Trucks a day
- 20,000 gallons of fuel/day
- 140,000 gallons/week
- Tankers continually filling underground tanks
- Increased traffic of hazardous trucks

Main causes of environmental hazards at a truck stop

Human Error

- Lack of training
- Fill up overflow
- Failure to inspect
- Tampering with safety systems

Location Hazards

- Potholes
- Tornados
- Tank failures
- Disregard for public safety by not informing authorities

Truck/RV Accidents

- Driver fatigue
- Poor signage
- Heavy load imbalance
- Lack of knowledge by “temporary” RV users

The EPA classifies spilled fuel as hazardous waste

Impact of a spill

1700 Homes located within 2.5 mile radius

Little Miami Contamination

Soil Contamination

Water Table Contamination

Reporting a Spill

- An article published in *USA Today* pointed out that nearly half of the serious hazardous materials spills in transportation go unreported to the government due to the cost of the cleanup.
 - Using federal records as a source, the article reported that from 2006 through 2008, hazmat carriers failed to report 1,199 “serious” accidents, while the number that were reported totaled 1,403.

Example of a Spill

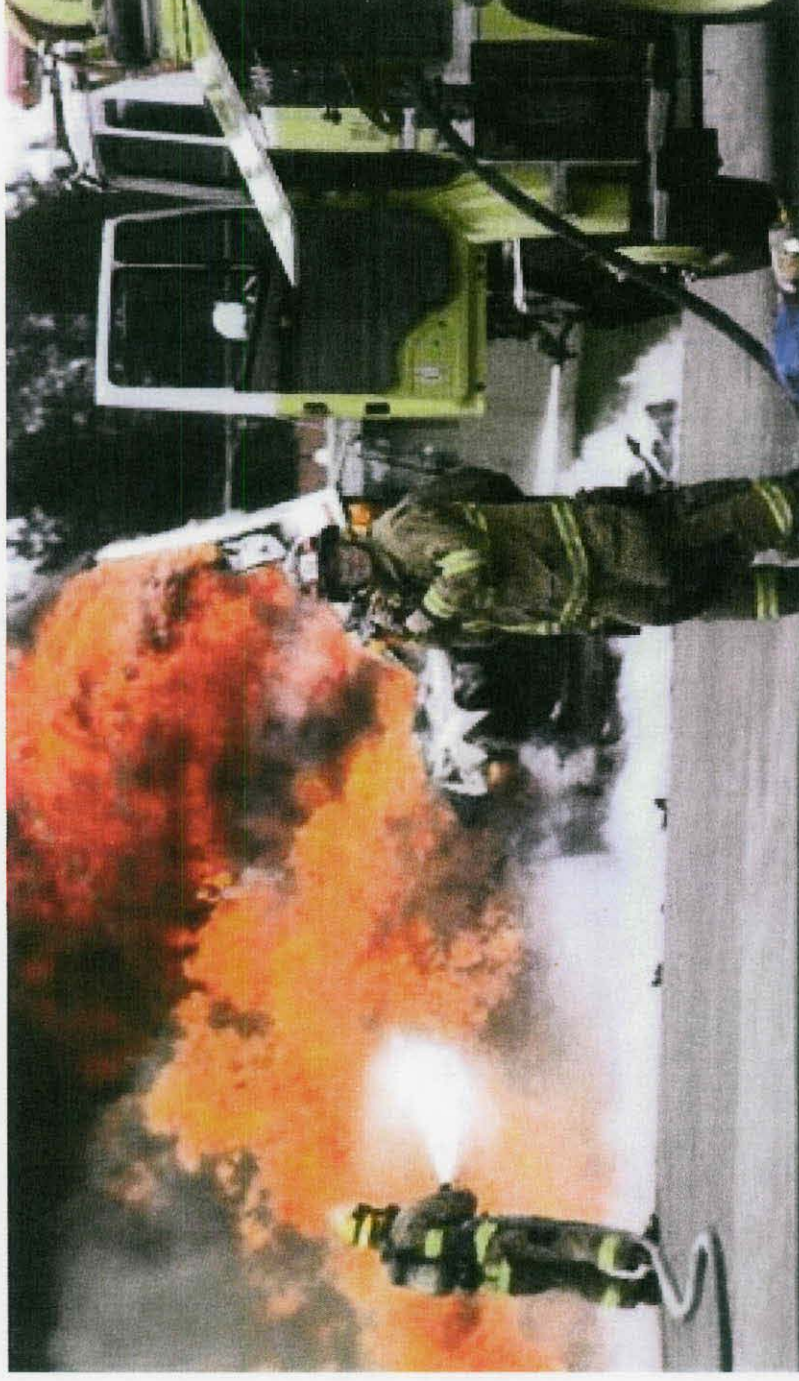
Flying J

Knoxville, Tennessee

- Knoxville, Tennessee – Location of Corporate Headquarters
- Fuel spill noticed by employee at Cumberland Avenue Store (unknown how long it had been there)
- Called AbTech to replace fuel spill system
- Findings: filter system caught 8-9 gallons of run off
- Filter a “success”
- Is this system being installed in Lebanon?
- *What would happen if no one called?*
- *Do they always report?*
- *Is self-reporting reliable?*

http://www.abtechindustries.com/applications/docs/Abtech_PilotTravelCenter.pdf

Multiple incidents at Flying J truck stops



Example: West Plains, (Spokane) WA
April 6, 2012



10/26/2011

1/11/2013



Springville, Utah January 13, 2011

2011<http://www.uvu.edu/marketing/newsroom/pdf/2011-news/jan-2011/pdh-2011-01-13-b-003-Julie-Pierce-Trading-part2.pdf>

1/11/2013

Putnam County,

WV

Oct-Dec 2011

- Discharge of fuel into water stream –
- Operating an oil/water separator without a permit- Violation

1/11/2013

Promoting a healthy environment.

12



west virginia department of environmental protection

Division of Water and Waste Management
601 5th Street SE
Charleston, WV 25304
Phone: (304) 926-0195
Fax: (304) 926-0463

Earl Ray Tomblin, Governor
Randy C. Huffman, Cabinet Secretary
www.dep.wv.gov

CONSENT ORDER ISSUED UNDER THE WATER POLLUTION CONTROL ACT WEST VIRGINIA CODE, CHAPTER 22, ARTICLE 11

TO: Joey Cupp
Pilot Travel Centers LLC
5508 Lonas Road
Knoxville, TN 37909

DATE: October 15, 2012
ORDER NO.: 7665

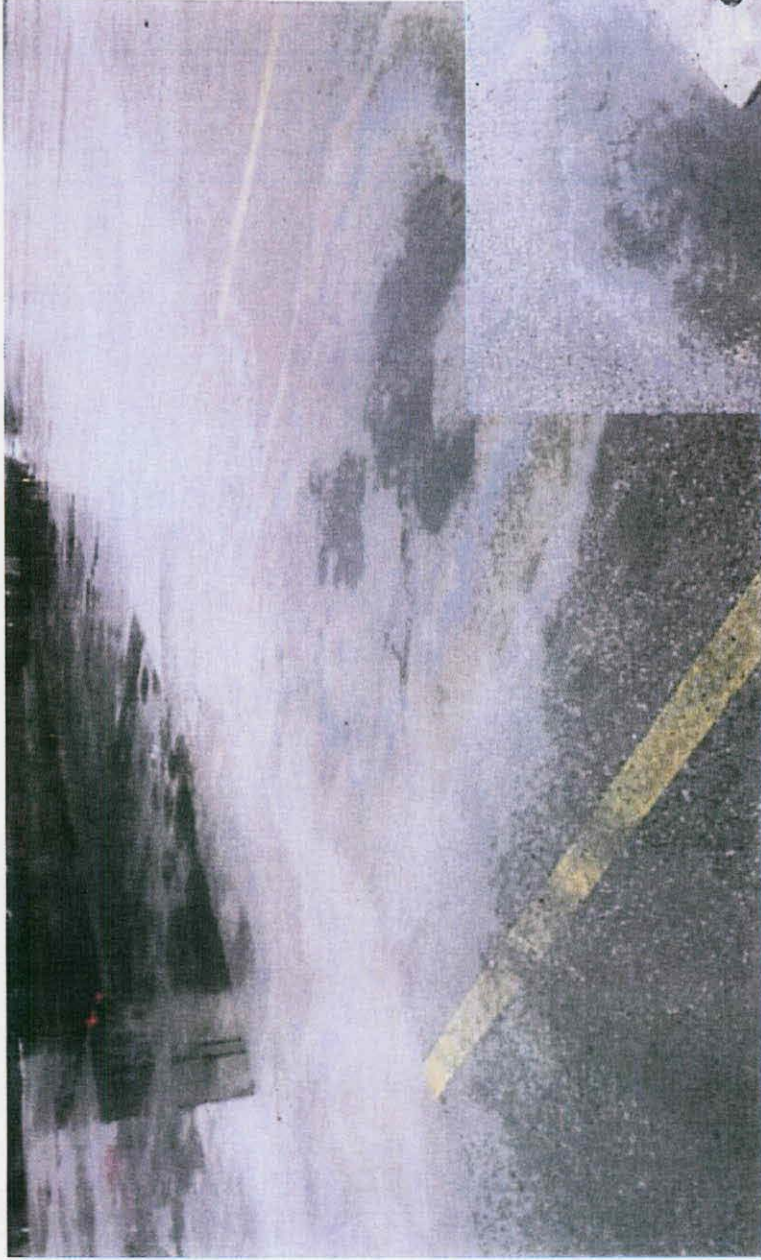
INTRODUCTION

This Consent Order is issued by the Director of the Division of Water and Waste Management (hereinafter "Director"), under the authority of West Virginia Code, Chapter 22, Article 11, Section 1 et seq. to Pilot Travel Centers LLC (hereinafter "Pilot").

FINDINGS OF FACT

In support of this Order, the Director hereby finds the following:

1. Pilot operates a travel center located in Putnam County, West Virginia.
2. On October 24, 2011, West Virginia Department of Environmental Protection (WVDEP) personnel responded to an emergency fuel spill on site and determined that this facility was operating an oil/water separator without a WV/NPDES Permit, a violation of WV State Code 22-11-8.
3. WVDEP personnel observed discharge of diesel fuel and/or oil from this facility's parking lot on the following dates: October 24, October 25, October 26, October 27, October 28, and December 13, 2011. Because drop inlets were elevated, none of the spillage entered the oil/water separator, which only receives flow from the fueling bays. All other drop inlets are routed directly to a roadside ditch which flows to waters of the State. Diesel fuel and/or oil emanating from culverts draining the Pilot parking lot were observed in the receiving stream. Creating conditions not allowable in waters of the State is a violation of WV Legislative Rule 47CSR2 Section 3.2.a.



Drop inlet leads directly to receiving stream without treatment, 12-13-11

Putnam County, WV Oil Spillage 10-28-2011

1/11/2013



Carneys Point, NJ May 8, 2012

Bloomsbury, NJ July, 2012



- Tanker Hit resulting in spillage
- Hazmat called



Burns Harbor, IN October 2, 2012

Hartford County, MD

October 9, 2012

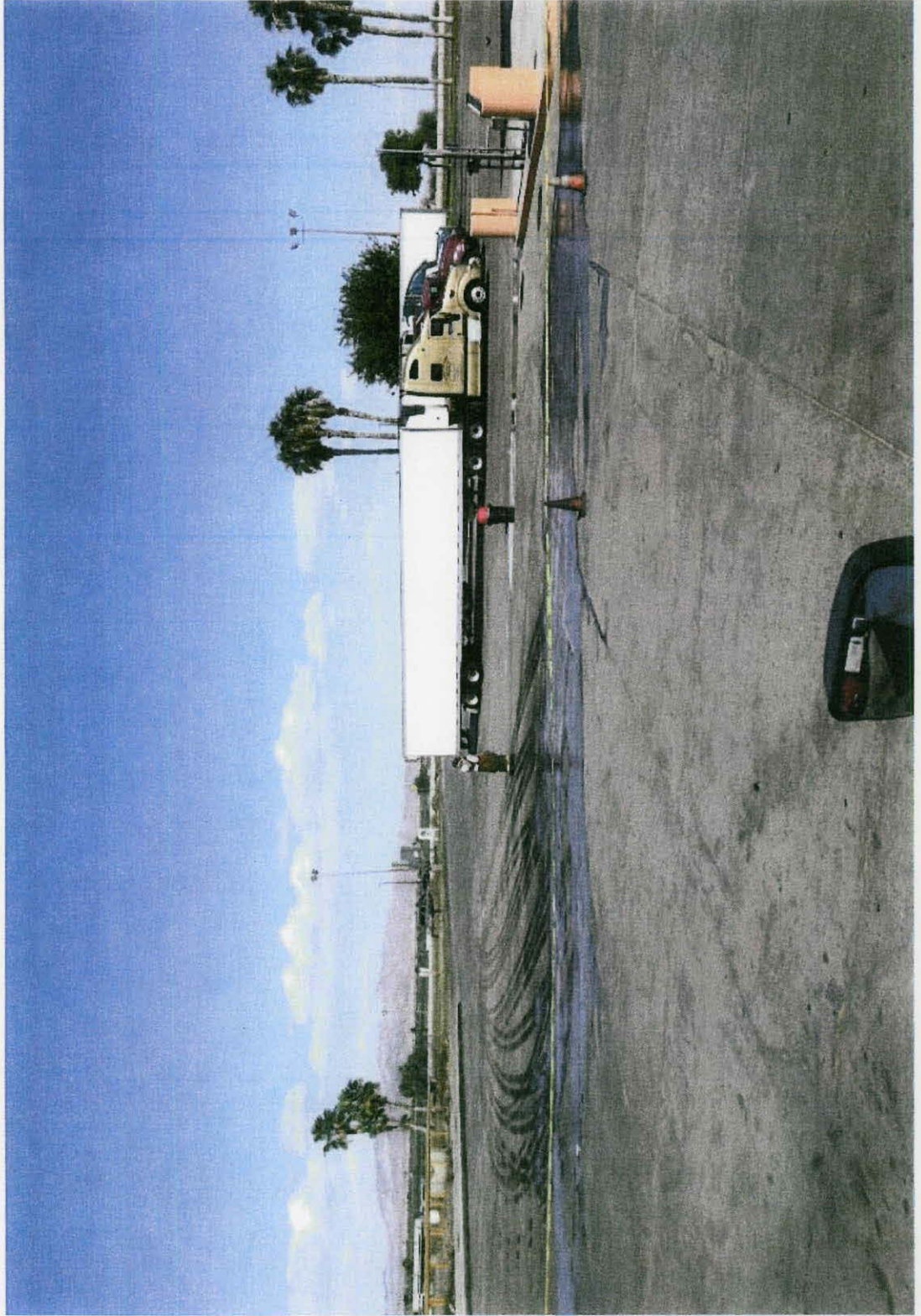
3,500 Gallons released into water system





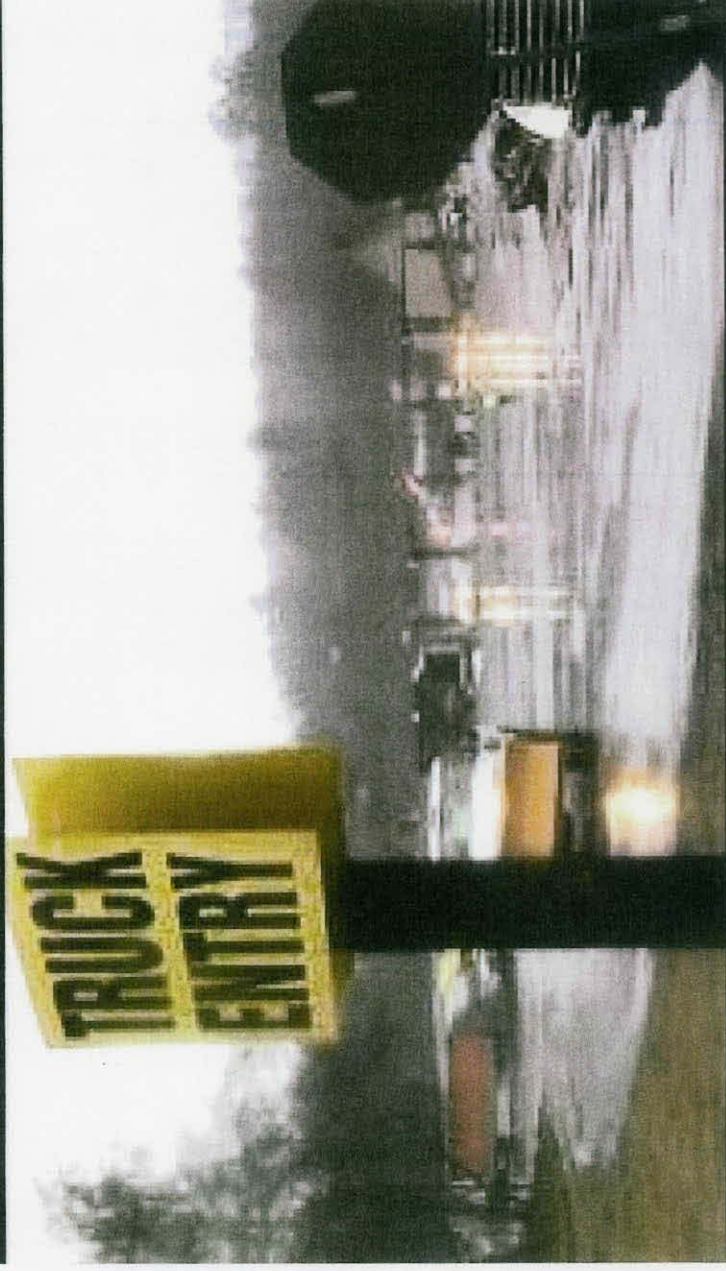
Ehrenberg, AZ November 12, 2012

Arizona 11/2012

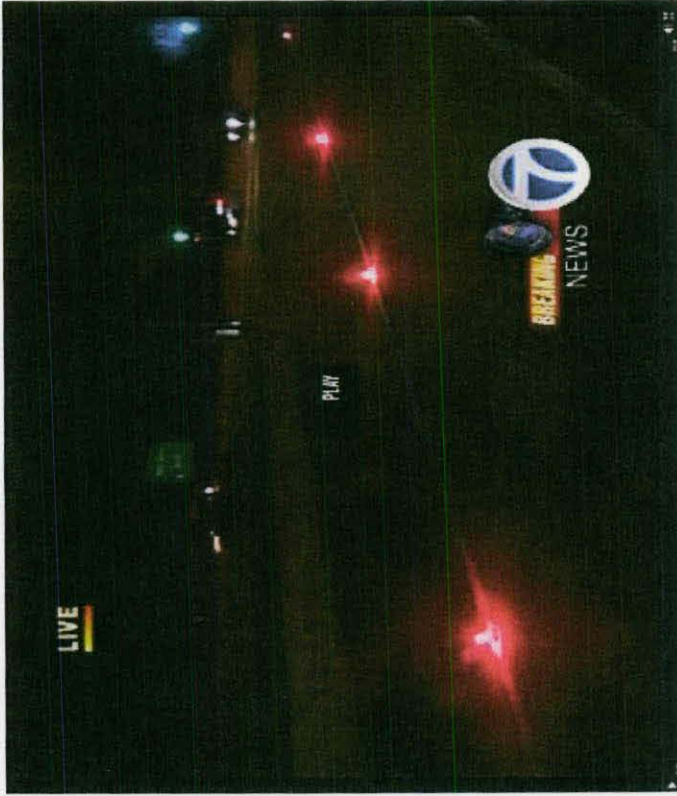


Sturbridge, MA December 21,

2012



- Hundreds of gallons of **phosphoric acid** spilled from a truck and into the parking lot and a nearby pond.



Albuquerque, NM December 30, 2012

- Police said a tractor-trailer leaving a Flying J truck stop leaked fuel on 98th Street over Interstate 40. Police and fire crews shut down 98th Street between Avalon Road and the westbound on-ramp of I-40 to clean up the mess.
- Police said the semitrailer had left before officers arrived.

<http://www.koat.com/news/new-mexico/albuquerque/fuel-spill-shut-down-nw-albuquerque-roadway/-/9153728/17948714/-/3g3csz/-/index.html#ixzz2H8p3Or1I>

Snapshot of Pilot Flying J

Violations, EPA Penalties, Hazmat, Accidents, Spills, Contamination

City, State	Date	Action	Incident
Arizona - Ehrenberg	November 12, 2012	EPA/Fire/Hazmat	Fuel Spill
Arkansas - West Memphis,	12/22/2002	Lawsuit	Faulty Equipment - Lawsuit Filed
California - Fullerton	8/2006	Five district attorneys from California filed jointly a complaint against Flying J for alleged failure to properly train employees, alleged failure to inspect underground storage tanks, alleged disabling of leak sensors and thereby endangering the public health of several communities.	840 Gallons of Fuel released into water stream. Cover up. 50 Violations
Colorado - Denver		U.S. Environmental Protection Agency fined Flying J for polluting drinking water for the town of Denver, CO. The Proposed Order and Penalty Complaint stated under par. 15: "The wells penetrate underground sources of drinking water (USDWs) including, but not limited to groundwater in the Green River Formation from ground surface to approximately 2804 feet below surface."	Oil/Fuel leaked into water table
Delaware	October 12, 2012	Hazmat, EPA, 100+ gallons seeped into Susquehanna River	7,800 Gallons spill from truck accident. 4,200 unaccounted for
Idaho	May 11, 2009	Fire/First Responders	Fuel Spill/Fire
Illinois - LaSalle	January 3, 2010		Malfunction- Spillage
Indiana - Burns Harbor	October 2, 2012	Hazmat	Fuel Spill
Indiana - Lebanon	4/2008	EPA Fine \$32,000	100 Gallons spilled
Indiana - Lowell	December 2, 2008	Respiratory injuries, First Responders	Sodium Hydrosulfite spill
Iowa - Urbandale	October 16, 2007	Iowa Department of Natural Resources	150 Gallons - Ruptured Fuel Tank- Entered water supply
Iowa - De Moines	March 2007	Hazmat, EPA, \$140,000 fines	Diesel spill into watershed
Maryland - Hartford County	October 9, 2012	EPA, First Responders, Fire & Rescue Under Investigation	3,500 gallons spilled into watershed by Flying J truck accident
Maryland - Hartford County	February 22, 2000	Finally passed all tests February 2009 after contaminating local wells, water table	300 gallon spill
Massachusetts - Sturbridge	July 23, 2002	EPA, First Responders, Hazmat	100 gallon spill
Massachusetts - Sturbridge	December 21, 2012		Hundreds of gallons of phosphoric acid spilled from the truck and into the parking lot and a nearby pond.
Michigan - Pembroke	August 20, 2009	EPA/Hazmat Teams	240 Gallons leaked then caught on Fire
Minnesota			Spill - Fatality due to pothole
Michigan - Warrenton	4/09-5/12	Non-Compliance on tanks	
Montana - Bellgrade	June 1, 2011	EPA/Hazmat	1200 Gallons Spilled
Montana - Rocker	May 3, 2007	EPA/Hazmat	40 Gallons spilled
Nebraska - North Platte	May 5, 2011	Hazmat	Diesel Spill
Nebraska - Gretna	4/09-5/12	EPA Noncompliance 6 quarters over 3 years	
Nevada - Wells	2007	Extensive testing, EPA	power off due to undetermined spill
New Jersey - Bloomsbury	July 12, 2012	Hazmat, Fire, First Responders	Tanker Accident/ spill
New Jersey - Carneys Point	May 8, 2012	Fire, First Responders/Hazmat	Hazardous Material Spill
New Jersey - Perryville	November 12, 2012	Hazmat, First Responders	100 Gallons diesel leaked
New Mexico - Albuquerque	December 30, 2012	Police, Fire, First Responders	Fuel Leak by truck from Flying J onto Interstate
New York - Carfu	August 20 2009	Hazmat	240 Gallon leaked equipment failure

Pilot Flying J Violations, continued...

New York -Pembrook	June 1, 2012			Unknown quantity diesel leaked
Ohio - Hubbard	May 25, 2010	Many cars were damaged due to the negligence		Wrong fuel put into tanks Gas/diesel
Ohio - Perrysville	February 8, 1999	Lawsuit Filed		100 gallon spill - truck accident
South Carolina - Blacksburg	December 10, 2010			2,500 Gallons Diesel released. Drinking water contaminated
South Dakota - Fargo	May 9, 2003	Fuel may have been released when employees pumped rain water out of the recovery wells, which are designed to detect contamination. Rain carried the fuel to the Red River, subsequently forcing the shutdown of the Fargo and Moorhead water plants for two weeks.		
Tennessee - Knoxville	May, 2010	Internal Case Study reports		AbTech was advised by Pilot of a gasoline spill -
Texas	February 2002	Lawsuit filed against plumber (Flying J v. Meta, Inc. Flying J negligent due to human error and water line being too close to diesel lines. Commission on Environmental Quality reports that indicated Flying J had prior environmental remediation performed at that location for hydrocarbon contamination		25 Gallons Diesel Leaked
Texas, New Braunfels	April 30, 2012	Hazmat, First Responders		Truck punctured asphalt caused leak
Orange, Texas	August 20, 2008	Hazardous Responder		Diesel Spill/ Truck Accident
Waco, Texas	February 2008			
Utah - Ogden	May 30, 1990			30 gallons spill
Utah-Springville	January 13, 2011	Hazmat- City trying to determine who pays for cost of cleanup (approx. \$9,000)		100 Gallons Diesel Spill
Washington - West Plains, (Spokane)	April 6, 2012	Fire Department, Hazmat, First Responders		Fuel Spill
West Virginia - Putnam County	Oct-Dec 2011	Violation of the West Virginia Water Pollution Code		Repeated violations/spills over 3 months into water supply
Wyoming - Cheyenne	April 2010	EPA		Cited for violation of drinking water regulations

It's not just trucks, there are RVs, too



**Not just Fuel spills at the Flying J... human waste
dump!**

Conclusions

- 80,000 gallons underground poses significant environmental hazard to water and soil
- Undetermined decrease in property values of 1,700 surrounding homes
- Flying J history of violations with tanks
- Concerns about RV dumping human waste/pumping fuel

Zoning Requests:

- Uphold the JEDD as a “Gateway” to Lebanon
- Protect the Little Miami Aquifer
- Ask for better traffic, environmental, signage studies from *reputable* parties
 - Not Flying J Representatives
 - Independent Studies
- Insist on Idle Air to protect air quality
- *Guarantee* no crime or environmental hazards will impact our children

Appendix/ Supporting Documentation

From an “RV Insider” talking about fueling at Flying J

- “You will need a pair of leather gloves to pump fuel at the truck pumps.”
- “The nozzles are usually dirty. Buy a few cheap pairs of gloves, use them until you start getting residual diesel odors on your hands (through the gloves), and toss them.”
- “You may want to change into a pair of old shoes at the truck pumps, too. Those diesel islands get lots of spills throughout the daily use from lots of trucks. You don’t want to track the residual diesel fuel onto your carpet.”

US EPA Recent Citations Pilot/Flying J

Report a General Error Data Dictionary

Enforcement Case Report

For Public Release - Unrestricted Dissemination. Report Generated on 01/09/13
 US Environmental Protection Agency - Office of Enforcement and Compliance Assurance

Case Number: 03-2010-0372
 Case Name: PILOT TRAVEL CENTERS LLC
 Case Type: Administrative - Formal
 Case Status: Final Order Issued
 Regional Docket Number: RCRA-03-2010-0372FC
 Relief Sought: Penalty
 Enforcement Outcome: Final Order With Penalty

Result of Voluntary Disclosure? No
 Multi-media Case? No
 Enforcement Type: RCRA 9006 AO For Comp And/Or Pen (UST) - UST Expedited Sett
 Violations: No Data

Penalties:

*EPA settles the vast majority of its enforcement actions and almost all of these cases are settled without an admission of liability. The agreement to pay a penalty as part of a settlement does not necessarily reflect an admission of liability for environmental violations by the company.

Total Federal Penalty* Assessed or Agreed To (not necessarily an admission of liability)	Total State/Local Penalty Assessed	Total SEP Cost	Total Compliance Action Cost	Total Cost Recovery
\$270			\$1,894	

Case Summary:

FACILITY FAILED TO HAVE OVERFILL ON THEIR SUPER GASOLINE UST. A BALLFLOAT HAD BEEN INSTALLED ON THE TANK BUT IT WAS DISCOVERED DURING EPA'S INSPECTIONS THAT THE BALL HAD FALLEN OUT OF THE CAGE. A NEW FLOAT WAS INSTALLED ON 7/21/10.

Laws and Sections:

Law	Sections	Programs	Title	Part	Section
RCRA	9003	Underground Storage Tanks - Subtitle I - Regulatory Petroleum	40 CFR	280	20(C)(1)(i)

Program Links:

FRS Number	110041881363	ICIS	1800057748	Program ID
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Citations:

Recent Citations cont.

Enforcement Case Report

For Public Release - Unrestricted Dissemination. Report Generated on 01/09/13
 US Environmental Protection Agency - Office of Enforcement and Compliance Assurance

Case Number: 03-2011-0105
 Case Name: PILOT TRAVEL CENTER, LLC
 Case Type: Administrative - Formal
 Case Status: Final Order Issued
 Regional Docket Number: RCRA-03-2011-0105FC
 Relief Sought: Penalty
 Enforcement Outcome: Final Order With Penalty

Result of Voluntary Disclosure? No
 Multi-media Case? No
 RCRA 9006 AO For Comp And/Or Pen (UST) - UST Expedited Settlement
 Enforcement Type: No Data
 Violations: No Data

Penalties:

*EPA settles the vast majority of its enforcement actions and almost all of these cases are settled without an admission of liability. The agreement to pay a penalty as part of a settlement does not necessarily reflect an admission of liability for environmental violations by the company.

Total Federal Penalty Assessed or Agreed To (not necessarily an admission of liability)	Total State/Local Penalty Assessed	Total SEP Cost	Total Compliance Action Cost	Total Cost Recovery
\$210			\$3,240	

Case Summary:

THE FACILITY FAILED TO PROVIDE SPILL PREVENTION EQUIPMENT FOR THE FILL PORT AT THE PREMIUM GASOLINE TANK. A SPILL BUCKET WAS INSTALLED WHICH BROUGHT THE FACILITY INTO COMPLIANCE.

Laws and Sections:

Law	Sections	Programs	Title	Part	Section
RCRA	9003	Underground Storage Tanks - Subtitle I - Regulatory Petroleum	46 CFR	260	20(C)(1)(i)

Program Links:

FRS Number	ICIS	Program	Program ID
110042340268		Program	2200009808

Facilities:

FRS Number	Facility Name	Address	City Name	State	Zip	SIC Codes	NAIC Codes
110042340268	PILOT TRAVEL CENTER #001	5886 NITTANY VALLEY DRIVE	MILL HALL	PA	17751	4141	447110

<http://www.epa-echo.gov/cgi-bin/get1cReport.cgi?IDNumber=03-2011-0105&tool=eici>

Zoning Requests: Again

- Uphold the JEDD as a “Gateway” to Lebanon
- Protect the Little Miami Aquifer
- Ask for better traffic, environmental, signage studies from *reputable parties*
- Insist on Idle Air to protect air quality
- *Guarantee* no crime or environmental hazards will impact our children

Do what is in the best interest of our town!

Unhealthy for sensitive groups

AIR QUALITY

Combine trips

SMOG ALERT!

Warren County Air Quality – Among the State's Worst

- Consistently among the worst 10 counties in Ohio in terms of air quality
- Forced until recently to participate with 13 other Ohio counties in an E-Check program
- Affected 2 million people in Ohio, Kentucky, and Indiana

Year	Rank AQI 90th
2005	6
2006	7
2007	2
2008	7
2009	11
2010	15
2011	8

Source: EPA AQI Report

Warren County Air Quality – Among the Nation’s Worst

- Out of 277 metropolitan areas

People at Risk In 25 U.S. Cities Most Polluted by Year-Round Particle Pollution (Annual PM_{2.5})

2012 Rank ¹	Metropolitan Statistical Areas
1	Bakersfield-Delano, CA
2	Hanford-Corcoran, CA
3	Los Angeles-Long Beach-Riverside, CA
4	Visalia-Porterville, CA
5	Fresno-Madera, CA
6	Pittsburgh-New Castle, PA
7	Phoenix-Mesa-Glendale, AZ
8	Cincinnati-Middletown-Wilmington, OH-KY-IN
9	Louisville-Jefferson County-Elizabethtown-Scottsburg, KY-IN
10	Philadelphia-Camden-Vineland, PA-NJ-DE-MD
10	St. Louis-St. Charles-Farmington, MO-IL

People at Risk In 25 Most Ozone-Polluted Cities

2012 Rank ¹	Metropolitan Statistical Areas
15	New York-Newark-Bridgeport, NY-NJ-CT-PA
16	Chico, CA
16	Philadelphia-Camden-Vineland, PA-NJ-DE-MD
18	Charlotte-Gastonia-Salisbury, NC-SC
19	Phoenix-Mesa-Glendale, AZ
20	Pittsburgh-New Castle, PA
21	Birmingham-Hoover-Cullman, AL
21	Cincinnati-Middletown-Wilmington, OH-KY-IN
23	Stockton, CA
24	Baton Rouge-Pierre Part, LA
25	Atlanta-Sandy Springs-Gainesville, GA-AL

- Also ranked 39th for 24-hour particle pollution

Emissions and Health

The U.S. Environmental Protection Agency (EPA) has identified 21 chemicals in bus and truck exhaust that are known or suspected to cause cancer or other serious health effects

- Particulate matter
 - Diesel exhaust contains significant amounts of fine particulate matter
 - Over 90 percent of particulate emissions are highly respirable and carry toxins deep into the lung.
- Sulfur oxides (SOx)
- Nitrogen oxides (NOx) [precursor to ozone]
- Carbon monoxide (CO)

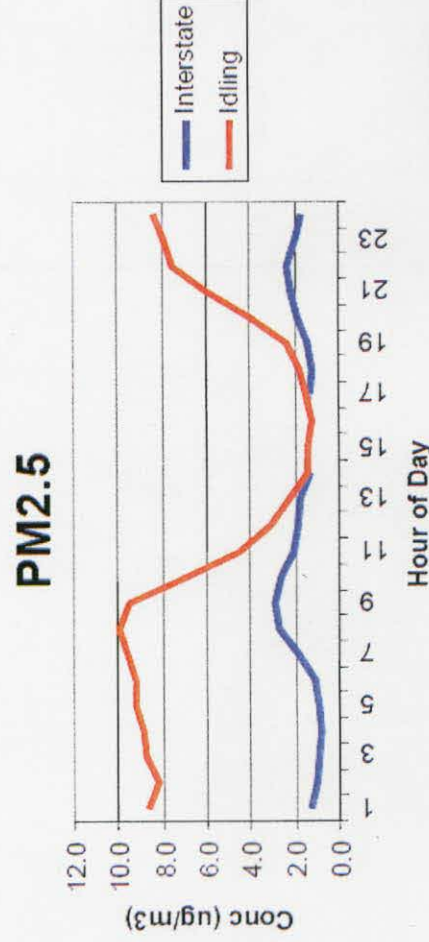
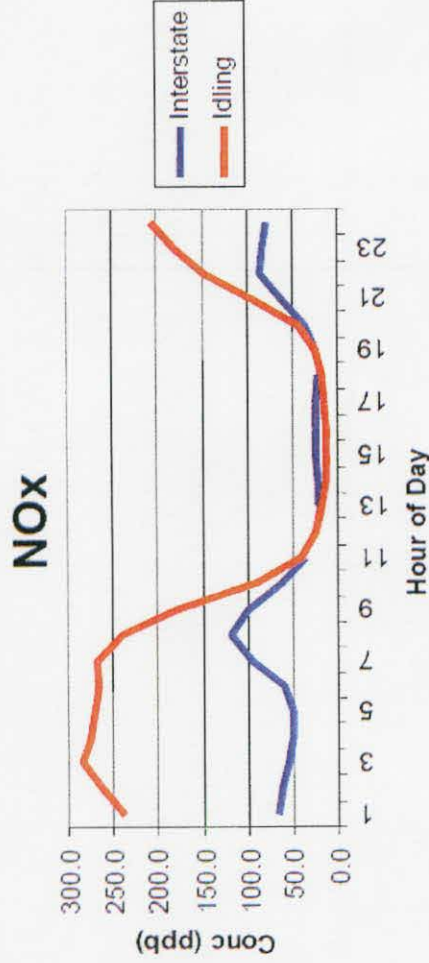
Adverse health symptoms have been observed even at low levels of atmospheric pollution

- Lung cancer
- Cardiovascular disease
- Asthma attacks
- Chronic bronchitis
- Allergies
- Impaired immune system function
- Shortness of breath

National Annual Diesel Fine Particle Health Impacts	
Annual Cases in the U.S., 2010	
Premature Deaths	21,000
Lung Cancer Deaths	3,000
Hospital Admissions	15,000
Emergency Room Visits for Asthma	15,000
Non-fatal Heart Attacks	27,000
Asthma Attacks	410,000
Chronic Bronchitis	12,000
Work Loss Days	2,400,000
Restricted Activity Days	14,000,000

Idling Trucks at Truckstops are Largest NOx and PM2.5 Contributor to Roadside Air Quality (Interstate Off Ramp)

- Combination of data used to determine contribution of idling trucks to air quality at ramp site near roadway
 - NOx, PM Monitoring
 - Meteorological Data
 - EPA's MOBILE 6.2 Emission Factors
- Despite >20,000 Trucks per day traveling interstate near interchange...
 - 100s of Idling trucks dominate the NOx and PM2.5 right next to the interstate
 - Traffic on interstate free-flowing for this study



10 Managed by UTE Battelle for the Department of Environmental Quality



Hot Spot” of High Pollutant Levels Formed by Idling Trucks at Truck Stops Near Roadway

- Truckstops form “Hot Spots” of poor air quality
 - NOx, PM, MSATs elevated
- Boundary of “Hot Spot” difficult to define
 - Dependent on number of factors
- Recent health risk studies link higher risk to residency near roadways
- Further studies of “Hot Spots” warranted
 - Health impacts of 2007/10 technology introduction



Who's at Risk?

For ozone and fine particulate matter, in particular, there does not appear to be a threshold pollution level below which one can be assured of being at no risk

Southwest Ohio Air Quality Agency

- Children are more susceptible than healthy adults because their respiratory systems are still developing and they breathe at a faster rate
- People with existing heart or lung disease, asthma, or other respiratory problems
- The elderly are also at risk

THE ENQUIRER

SATURDAY, DECEMBER 15, 2012

EPA to tighten standards for soot pollution in air

By Matthew Daly
Associated Press

WASHINGTON — In its first major regulation since the election, the Obama administration on Friday imposed a new air quality standard that reduces by 20 percent the maximum amount of soot released into the air from smokestacks, diesel trucks and other sources of pollution.

Environmental Protection Agency Administrator Lisa Jackson said the new standard will save thousands of lives each year and reduce the burden of illness in communities across the country, as people "benefit from the simple fact of being able to breathe cleaner air."

As a mother of two sons who have battled asthma, Jackson said she was

pleased that "more mothers like me will be able to rest a little easier knowing their children, and their children's children, will have cleaner air to breathe for decades to come."

Announcement of the new standard met a court deadline in a lawsuit by 11 states and public health groups. The new annual standard is 12 micrograms per cubic meter of air, down from the current 15 micrograms per cubic meter.

The new soot standard has been highly anticipated by environmental and business groups, who have battled over whether it will protect public health or cause job losses.

Soot, or fine particulate matter, is made up of microscopic particles released from smokestacks, diesel trucks, wood-burning stoves and other sources.

Flying J Putting Everybody at Risk

- Some simple math ...

Stall Occupancy	75%
Occupied Idling Hours/Day	65%
Single Stall Idling Hours/Day	24
Number of Truck Stalls	11.7
Hours Idling/Day	94
Gallons/Hour Used Idling	1,100
Gallons/Day Idling	1
Miles/Gallon Class 8 Trucks	1,100
Equivalent Miles	8.7
	9,568

The emissions represent over 9,500 miles of travel.

They will take place in a 10 acre area, near hundreds of residences and thousands of people.

EVERY DAY.

Putting Children at Risk

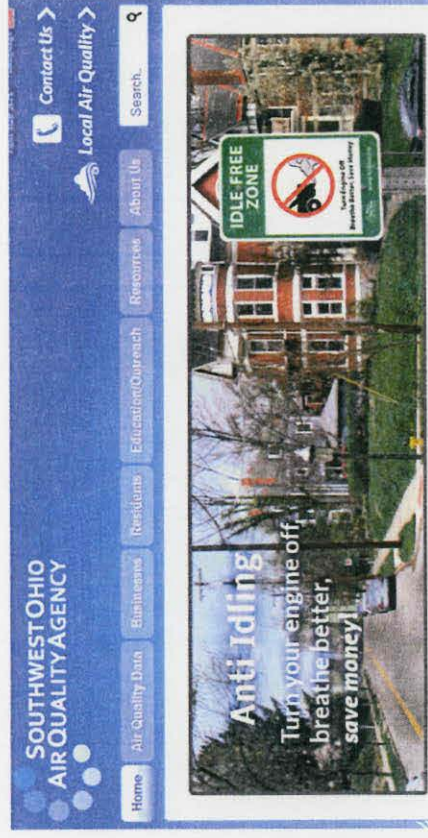


Situation Summary

- Warren County's air is among the most unhealthy in the nation due to ozone and particulates (soot)
 - Failure to substantially improve (not just maintain) air quality will result in "nonattainment" and imposition of EPA restrictions, potentially including reintroduction of E-Check
- Idling diesel engines emit substantive amounts of NOx (a precursor to ozone) and soot
- Soot in particular is shown to negatively affect health
 - "There does not appear to be a threshold pollution level (for particulates) below which one can be assured of being at no risk"
- There is a county park approximately 300 yards away
- There are about 1,700 residences in a 2.5 mile radius

What Can Be Done?

- Require electrification of the Flying J and require its use
 - Aligns with industry direction
 - Aligns with federal EPA and state programs (e.g. Georgia Truck Stop Electrification (TSE) & Green Corridors program)
 - Note: Pilot Flying J is a representative for Shorepower, an electrification vendor
- Eliminate the drive through at Wendy's
 - Aligns with the anti-idling program of the Southwest Ohio Air Quality Agency
 - Helps address the Commissioner's concern over stacking



We will petition for a hearing with the EPA to understand air quality impacts

THE FLYING J

An economic “silver bullet” or just a bullet?

HOME > NEWS

Updated: 10:08 a.m. Tuesday, Oct. 16, 2012 | Posted: 10:22 p.m. Sunday, Oct. 14, 2012

\$9 million travel plaza planned at I-71 interchange

COMMENT (4) Email 3 Share 2 Tweet 1 ShareThis 39

By Lawrence Budd
Staff Writer

A 10-acre, \$9 million Flying J Travel Center likely will be the first sign of a 380-acre economic development district being formed around the Interstate 71 interchange southeast of Lebanon.

The travel center would cover 10.9 of 382 acres in the proposed district. Local officials and land owners hope to draw manufacturing, corporate headquarters or office campuses in addition to restaurants, hotels and other developments typically found around a Flying J Travel Center.

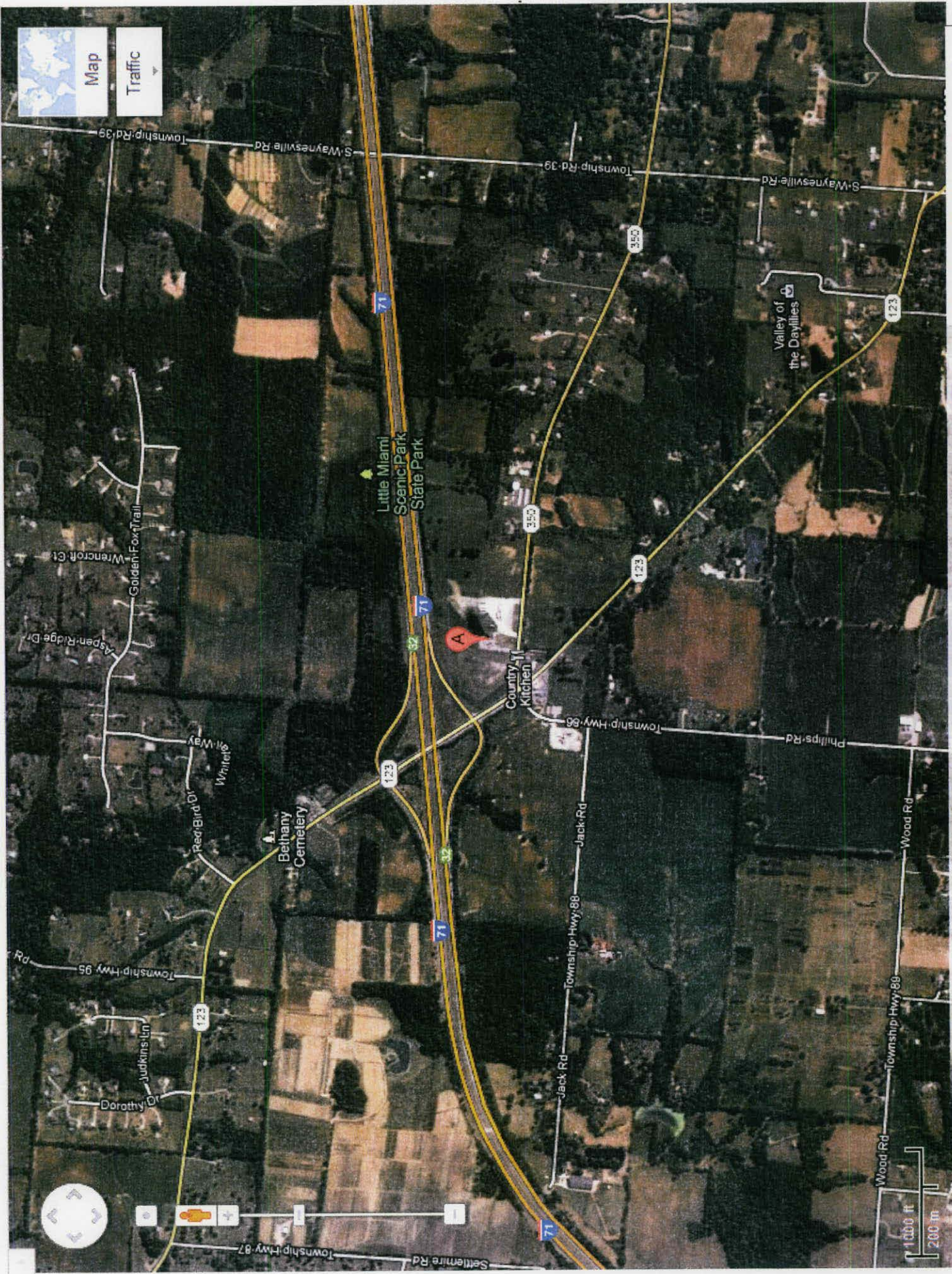
"Once you get a Flying J in there, hold onto your hat. More is coming," said Jonathan Samms, a Turtlecreek Twp. trustee.

Approach to Analysis

- Downloaded the list of Flying Js and Pilots from their site
- Focusing on Ohio, obtained Google satellite photographs of the area around each location
- Attempted to categorize what appeared on each satellite photograph
 - This is qualitative, but given more time, it can be quantified

The Photographs

- All screen grabs taken at “1,000’ resolution”
- Each represents an area of about $1\frac{3}{4}$ by $2\frac{1}{4}$ miles
- A good resolution to get a “flavor” of the community
- In almost all cases, what exists within 1,000’ exists past 1,000’
- ZIP code order



What Do Others Look Like?

- How much business?
- What kinds of businesses?
- What kind of neighborhoods?

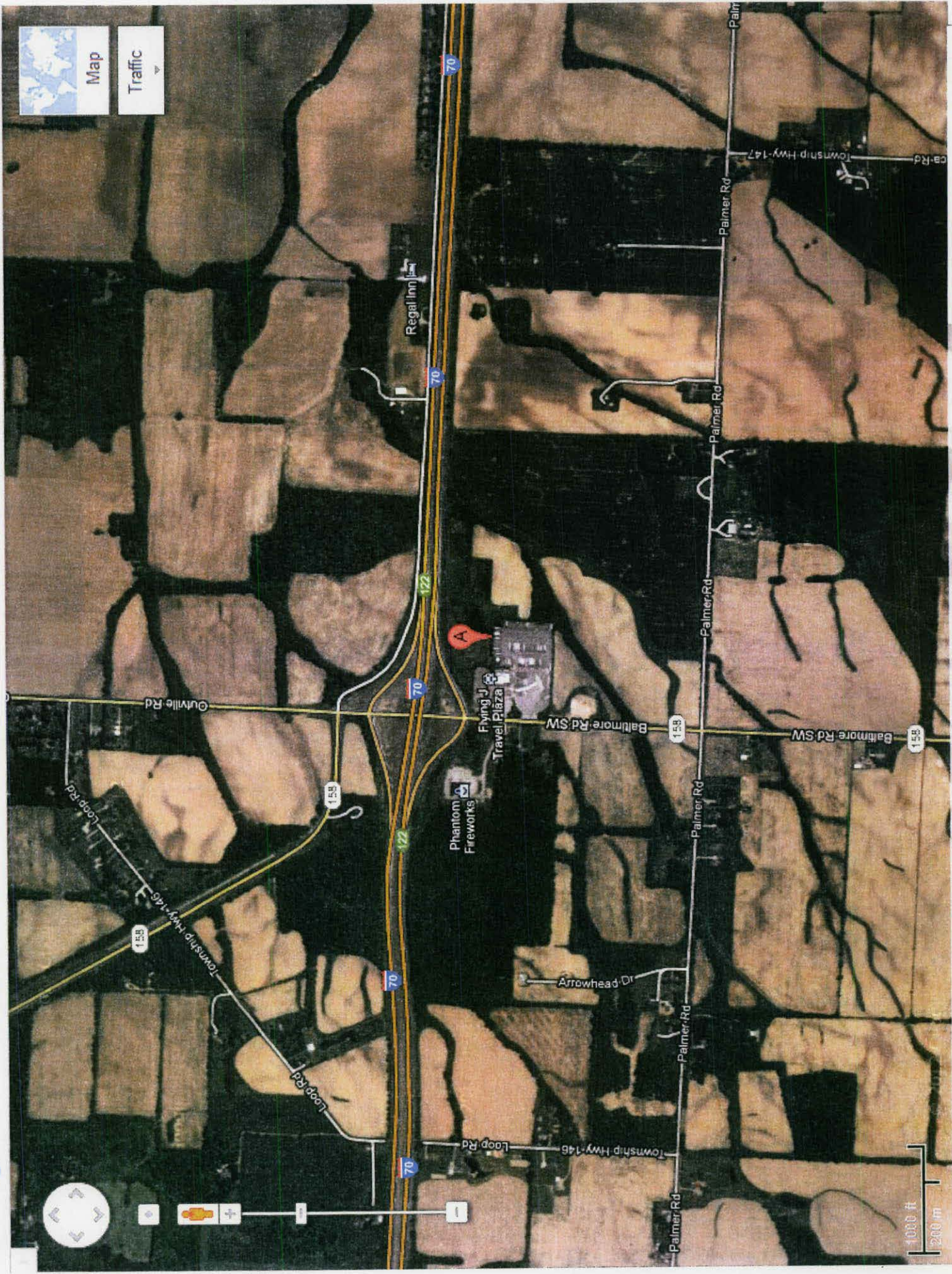


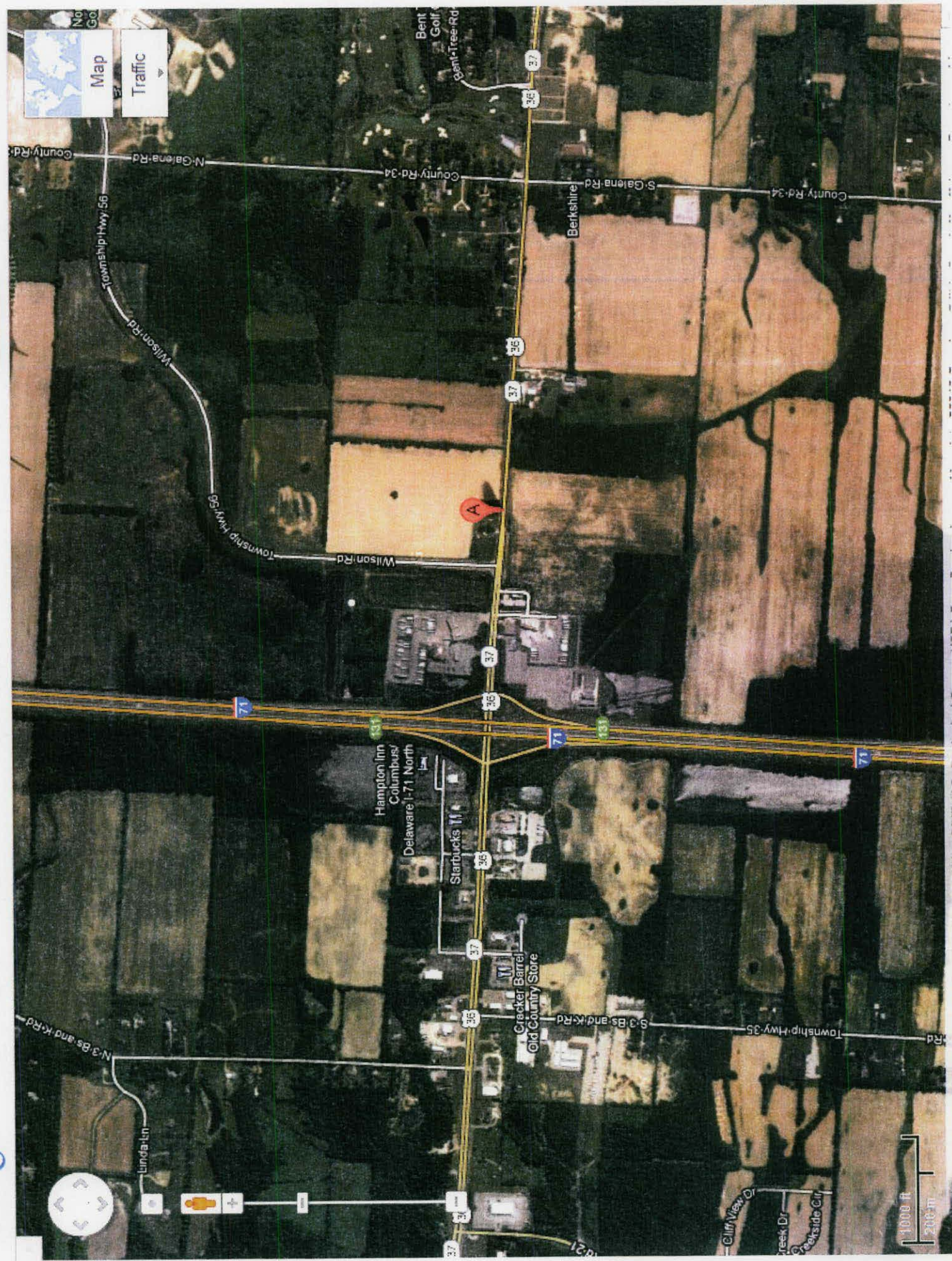
Map Traffic

Navigation controls: compass, street view, zoom in (+), zoom out (-), and a scale bar.

What Did We See?

- Not a good start ...
 - Another truck stop
 - A Red Roof Inn
 - Almost nothing else
- The one redeeming value ...
 - The headquarters of MPW Industrial services
 - “MPW offers industrial cleaning, water purification, facility management and labor support services to clients throughout North America.”





Map Traffic

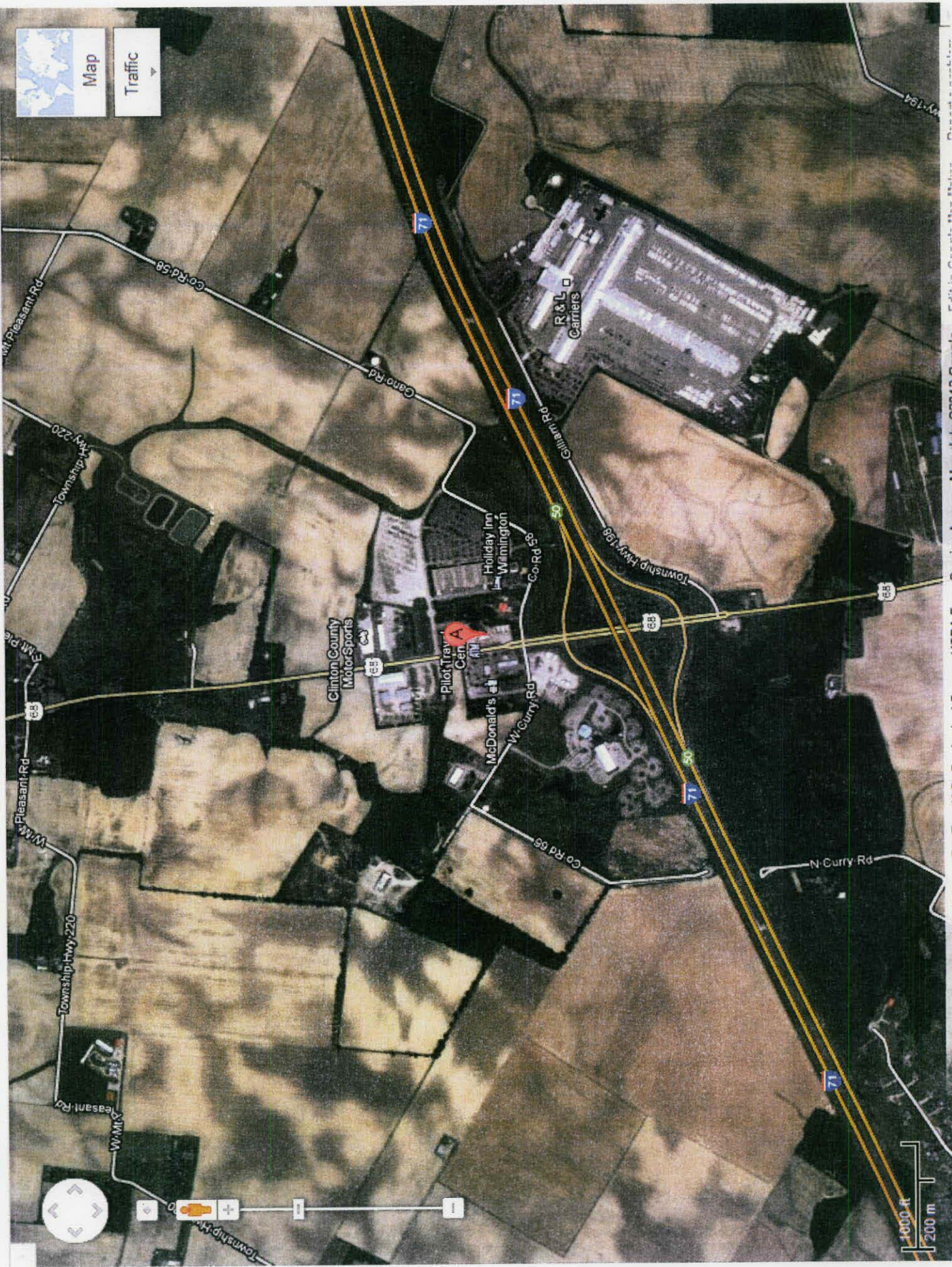






Map

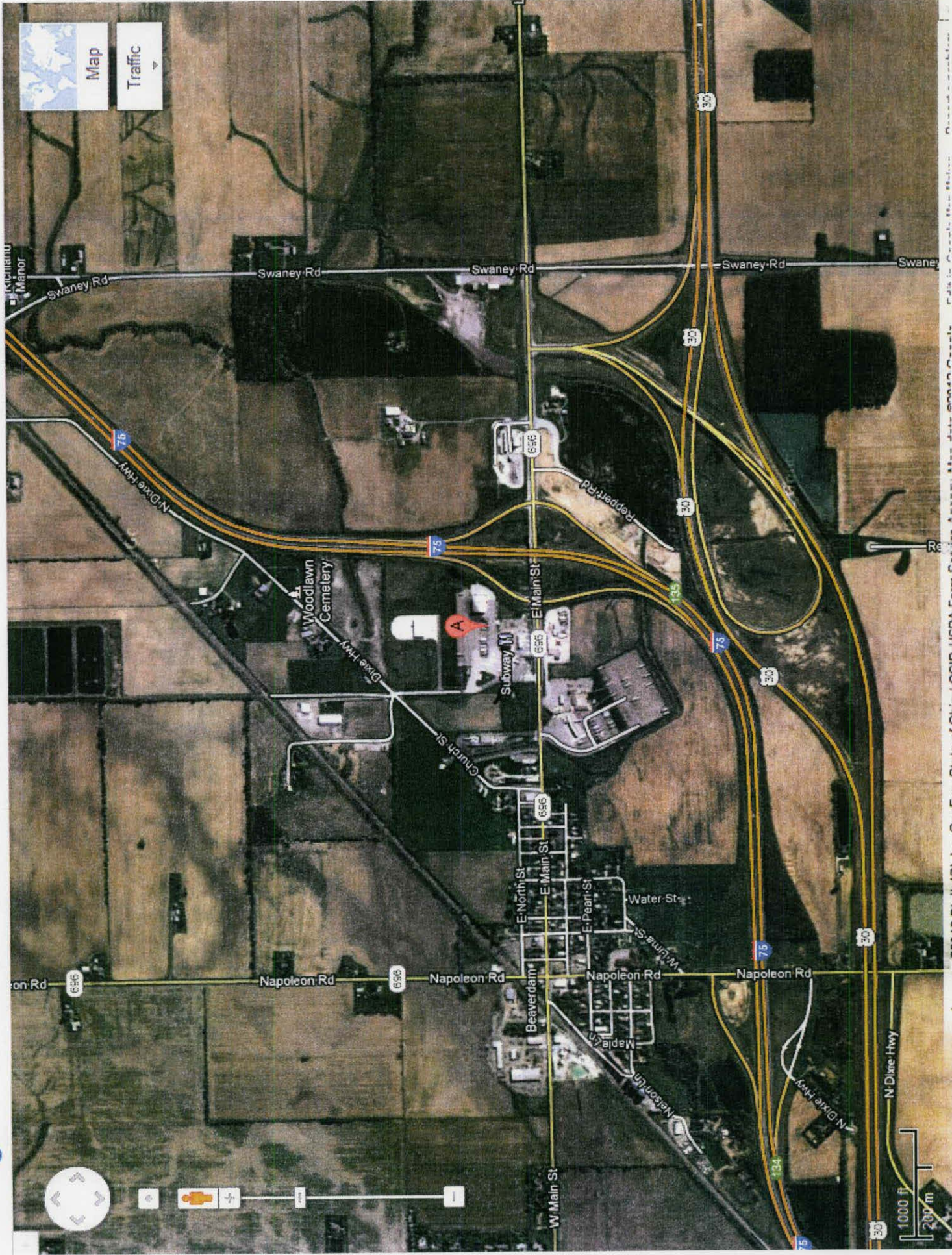
Traffic



Navigation controls: a circular compass with directional arrows, a person icon, a zoom-in (+) button, a zoom-out (-) button, and a street view pegman icon.







Map

Traffic

Richardson Manor

Swaney Rd

Swaney Rd

Swaney Rd

Swaney Rd

Swaney Rd

Dike Hwy

Woodlawn Cemetery

Church St

Subway M

E Main St

E Main St

E North St

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E Pearl St

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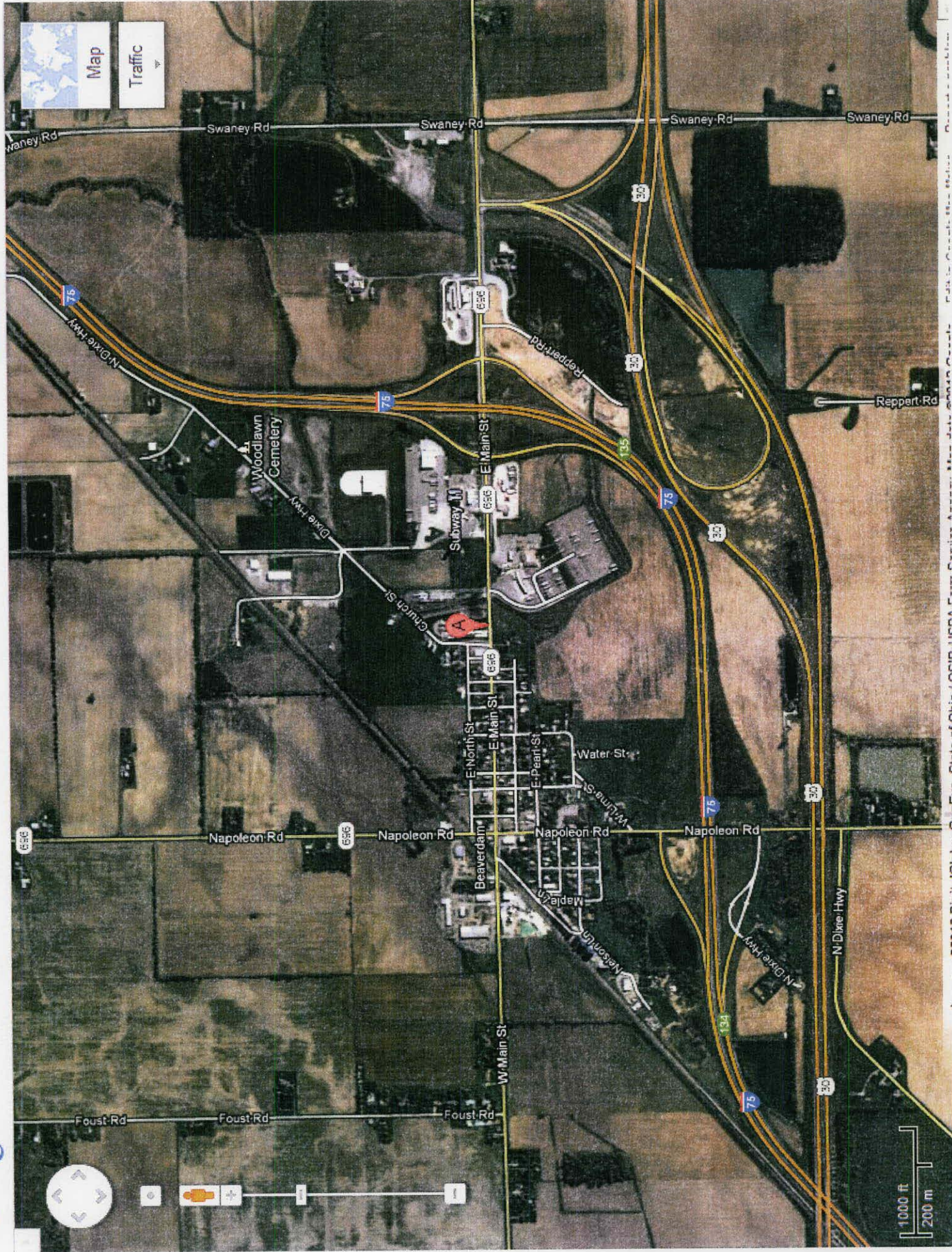
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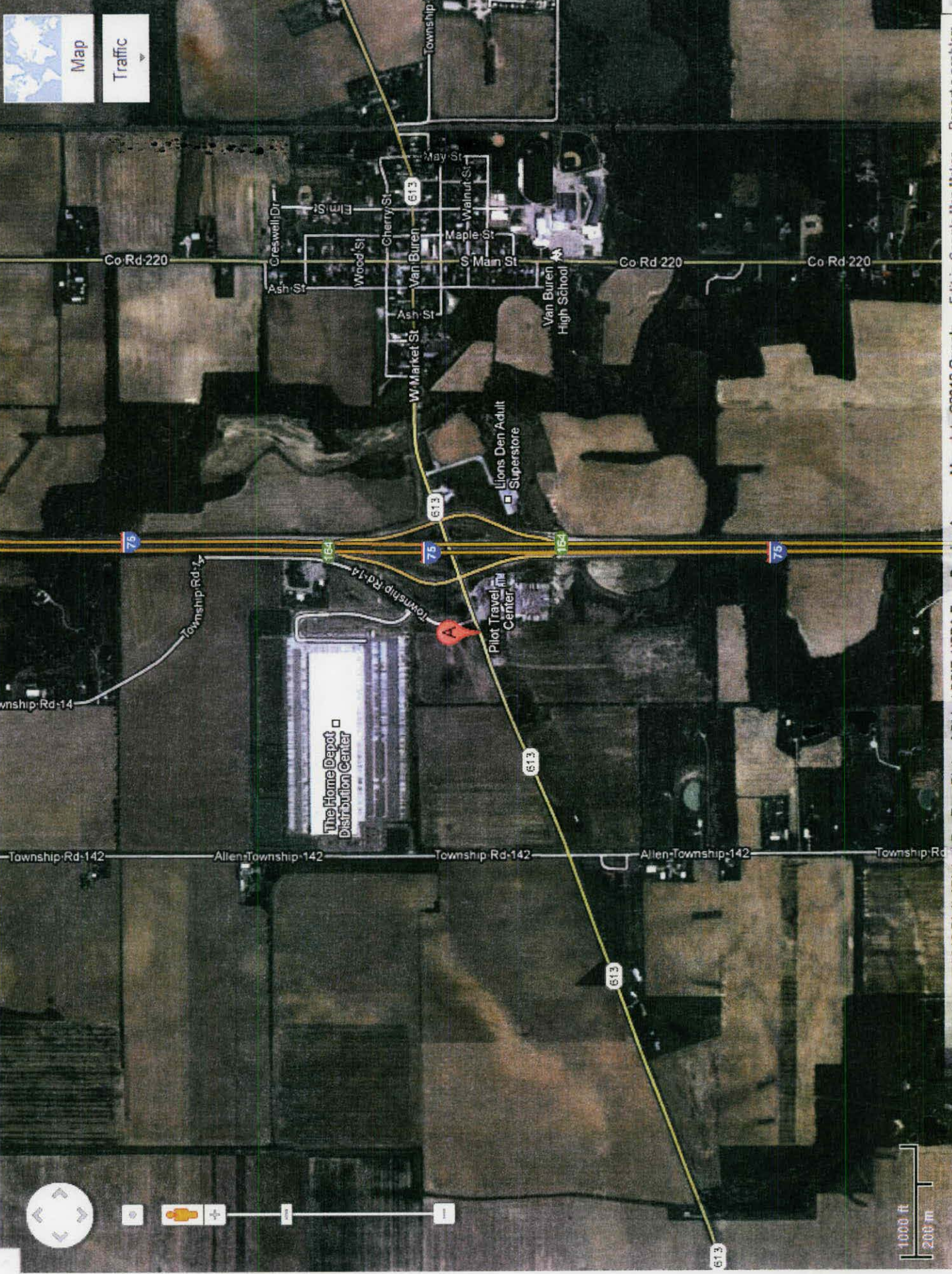
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Map

Traffic



What did we See?

- Manufacturing
 - Some, but anything large looks like it predated the truck stop
- Corporate Headquarters
 - Very few
- Offices
 - No evidence
- Restaurants
 - Fast food and in you're lucky, a Cracker Barrel

What are “other typical businesses?”

- Other truck stops
- Economy hotels
- Industrial (e.g. small fabrication, truck repair)
- Boys with toys
 - Farm equipment
 - Harley Davidson dealerships
 - Adult entertainment

Will a Flying J Spur Economic Development?

- NO!
- If anything, it will create a “dead zone”

***Think about it – would Seapine
Software, Cintas, Sinclair College,
or any other business we want to
attract, want to be near:***

***“Customer number ‘x’, your
shower is ready?”***

So What Are We Getting?

Air Quality Worse

Noise More

Jobs Net of maybe 30*, mostly minimum wage, and the prospect of only more minimum wage jobs

Traffic Worse and no improvements at I-71 & SR-123

Demand on Sherriff/Fire Up

Demand on other EMS Up

Sewer Expense (to Lebanon) Substantive

Likelihood of other Development Lower than we started with

Likelihood of Desirable Development Way lower than we started with

This is **NOT** Progress

* Existing gas stations likely to close, as well as the canoe rentals