

LUCK STONE CORPORATION**SPA 81-S-064-10****APPLICANT'S PROPOSED DEVELOPMENT CONDITIONS**

~~July 26, 2019~~ May 27, 2020

1. This approval is granted to Luck Stone Corporation (the "Applicant") only and is not transferable without further action of this Board, and is for the location indicated on the application, 15717 Lee Highway (210.25 acres), and is not transferable to other land. Other by-right, Special Exception and Special Permit uses may be permitted on the property without a Special Permit amendment, if such uses do not affect this Special Permit use.
2. This Special Permit is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special permit plat (the "SPA Plat") titled "Luck Stone Corporation / Fairfax Plant Special Permit Amendment Plat SPA 81-S-064-10," prepared by Patton Harris Rust and Associates, P.C., dated January 18, 2008, originally signed January 21, 2008, and resealed and signed on September 28, 2019 by christopher consultants, ltd., and approved with this application, as qualified by these development conditions.
3. A copy of this Special Permit and the Non-Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. All landscaping and screening shall be provided as depicted on Sheets 2, 3, and 4 of the SPA Plat.
5. Invasive species shall be maintained and treated in accordance with the Invasive Species Management Plan as depicted on Sheet 4C of the SPA Plat.
6. The existing siltation pond located adjacent to the stockpiling operation on the south side of Lee Highway shall be designed to release runoff from the site in accordance with Best Management Practice (BMP) standards as determined by LDS. The agreements reflected in the letter of September 25, 1992, and LDS approved modifications thereof, may be used to fulfill this requirement as may be acceptable to LDS.
7. The sales, loading and hauling of crushed stone shall be permitted 24 hours per day for not more than 100 nights per year, Monday through Saturday. All activities between the hours of 6:00 p.m. and 7:00 a.m. associated with this use shall be confined to the south side of Lee Highway.
8. Strobe lights, broadband sound devices, and other audible alert systems shall be used in place of back-up beepers on loaders during nighttime operating hours.
9. To accommodate the planned widening of Lee Highway, right-of-way shall be conveyed to the Board of Supervisors in a manner which provides a minimum uniform width of 112 feet along the site's entire frontage of Lee Highway. This right-of-way shall be dedicated in fee simple at such time as a road project requiring the right-of-way is designed and

funded the Virginia Department of Transportation (VDOT) or Fairfax County. Based on final design of future improvements to Lee Highway or the design and /or implementation of public improvements on adjoining property to the west, the requirement for right-of-way dedication may be increased as may be shown to be necessary by the Department of Transportation in an amount not to exceed 158 feet.

10. There shall be no access to the northern section of the quarry from Route 29 ~~for any traffic, with the exception of vehicles actively participating in the reclamation of the northern section of the quarry.~~ All other access to the northern section of the quarry, including access for excavation and/or parking of vehicles for on-site and/or off-site vehicles, shall be by the tunnel under Route 29, Lee Highway. ~~Such access to the northern section of the quarry shall not be permitted until the Applicant has constructed the necessary traffic improvements, as required by VDOT, to facilitate eastbound trucks turning into the northern section of the quarry as depicted on the SPA Plat.~~
11. The Applicant shall screen the recyclable concrete coming to the site from mud, dirt, trash and other construction debris. No loads shall be accepted if found to be contaminated with the aforementioned material.
12. Stockpiling and recycling of concrete on this site shall be approved for spent concrete obtained only from customers of the quarry and hauled by the same vehicles which deliver stone products to the customer.
13. In order to ensure protection of the EQC, in the north pit, the limits of excavation shall not extend beyond the boundary of the EQC as delineated in accordance with the criteria contained in the Comprehensive Plan. Further, there shall be no clearing and grading and no structures located within the area designated as an EQC. Grass located between the pond in the EQC and the picnic pavilion shall not be mowed, except for the area for boat and fishing access.
14. Berms shall be 20 feet in height with the exception of the berm constructed to the south of Lee Highway which shall be allowed to remain at its present height in order to allow the adjacent property to retain its view of the Bull Run Mountains.
15. The design of the berm along the northern lot line of Tax Map #64-1 ((1)) 1 shall be maintained so as to permit uninterrupted flow from drainage areas off- site to the existing pond on site.
16. In accordance with the provisions of Sect. 8-103 of the Zoning Ordinance, a bond of \$2,000 per acre for the 134 unrestored acres shall be maintained for the duration of this mining operation. Upon amendment or renewal of this application any agreements or performance guarantees shall be subject to review and approval by the Bonds and Agreements Branch, DPWES.
17. Blasting vibrations shall be limited to a maximum resultant particle velocity of 1.5 inches per second in the earth at any occupied structure not on quarry property. Within these limits the operator shall continue to diligently oversee all loading and blasting so as to minimize to the extent possible any justifiable complaints of residents.

18. Blasting shall be regulated as follows:

Millisecond delay caps or the equivalent shall be used in all blasting operations, with no blast to exceed 15,000 pounds. No single millisecond delay charge shall be loaded in excess of 850 pounds. Blasting within 400 feet of any non-company owned residence shall conform to the standard blasting operation procedure as approved with this use permit.

In addition to the above referenced blasting procedures, blasts 200 feet or closer to the Trans Continental Pipeline shall be subject to the following additional provisions:

Trans Continental shall be notified prior to any blast occurring at a point 200 feet or closer to the pipeline.

Each such notice shall be given at least twenty-four hours prior to the blast and shall be provided to individual(s) as designated by Trans Continental.

Any blast within 200 feet of the pipeline shall adhere to the following minimum delays.

- 17 milliseconds between decks in a hole.
- 25 milliseconds between holes.

The following information shall be forwarded to Trans Continental following each blast that occurs within 200 feet of the pipeline:

- A diagram or pattern of the shop;
- Maximum pounds per delay of explosives in the shop;
- Depth of the holes in the shop;
- Type of explosive used;
- Type of delays used;
- Seismography reading and location;
- Blasting records for the entire site shall be made available to the County.

20. Signs shall be permitted in accordance with Article 12 of the Zoning Ordinance.
21. Earth vibration produced by the quarry from sources other than blasting shall not exceed 0.05 inches per second at any occupied structure not on quarry property.
22. The Zoning Inspections Branch of the Zoning Administration Division, Department of Planning and Zoning, shall be notified at least four hours prior to each blast to allow unscheduled monitoring. The Fairfax County Department of Public Safety Communications shall be notified prior to 8:00 am each day a blast is scheduled.
23. Airborne noises produced by the quarry from sources other than blasting shall not exceed the following at any occupied structure not on quarry property: 10 decibels above the background in residential areas and 16 decibels in commercial or industrial areas. to the Applicant will investigate and document any noise complaint within one business day.

24. Roads or other areas subject to traffic within the confines of the quarry shall be watered as often as necessary to control dust.
25. All present dust control equipment including the wet suppression system shall continue to be maintained and operated. The Applicant will investigate and document any dust complaint within one business day. The Applicant will provide the Zoning Inspections Branch a copy of any violations related to the state and federal air quality permits.
26. No drilling or crushing shall be performed other than during the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday.
27. Blasting shall be limited to a maximum of five blasts per week with a maximum of two blasts per day, between the hours of 10:00 a.m. and 4:00 p.m., Monday through Friday, only. All reasonable measures shall be taken to minimize adverse effects of blasting upon any privately owned occupied dwellings.
28. All explosives, blasting agents, and associated materials shall be handled and stored in accordance with standards and regulations established by the Fairfax County Fire Marshal, the Virginia Department of Mines, Minerals, and Energy, and other appropriate agencies.
29. There shall be no work performed other than sales of materials or maintenance activities of facilities and equipment on Saturday between the hours of 7:00 a.m. and 6:00 p.m., except as qualified by Condition #7. There shall be no work on Sundays.
30. In the event any feasible equipment or means of controlling dust during blasting activities becomes available to the industry, the quarry operators shall install and use this equipment as soon as reasonably possible.
31. Discipline of personnel and supervision during blasting and loading shall be diligently exercised to prevent flyrock. Flyrock is defined as any dirt, stone, fragmented rock, or other material that is displaced from the blast area in an uncontrolled or unplanned manner by the effects of a blast. All reasonable precautions shall be taken to prevent flyrock from leaving the blast area. In the event of an occurrence of flyrock leaving the blast area, causing injuries, or damaging any structures, equipment, or property, such an occurrence shall be investigated and any reasonable additional measures shall be taken to correct the cause of the flyrock.
32. Public roads in the immediate vicinity of the blast are to be closed to all traffic during the blast when blasting within 600 horizontal feet of a public road. For all other blasts, public roads may be blocked for blasting when best blasting practices deem necessary.
33. The Zoning Administrator or designated agent shall annually inspect the premises to determine that the quarry is being operated in compliance with all conditions and restrictions.
34. Fencing shall be provided around the site to secure the site from unauthorized entry. Existing fencing and that shown on the Special Permit Plat may be used to fulfill this

requirement. Magazines used for the storage of explosives, blasting agents, or associated materials shall be enclosed within a secure fenced perimeter and properly marked to indicate restricted access and the hazards within.

35. Water quality monitoring reports shall be provided by the Applicant on an annual basis to the Department of Planning and Zoning. Parameters to monitor shall be the following: water flow, sediment transport, dissolved oxygen (DO), pH, temperature, nutrients and alkalinity.
36. The existing entrance and exit shall be labeled as one-way to ensure safe circulation on the site.
37. The water/oil separator system shall be a totally closed system. There shall be no discharges of water, oil or other waste from the facility. Sludge materials which are removed in the cleaning of the facility shall be disposed of in accordance with applicable local, state and federal requirements.
38. The Applicant shall ensure that the siltation pond located on the south side of Route 29, Lee Highway, is functioning in accordance with Best Management Practices (BMPs) standards, as determined by LDS.
39. The emergency spill response and containment plan developed by the Applicant to address accidental spills of any hazardous substances stored on the premises shall be submitted to and approved by the Fairfax County Fire and Rescue Department and the Fairfax County Health Department.
40. Special Permit Amendment SPA 81-S-064-10 is granted for a period of five years from the date of approval, with annual review by the Zoning Administrator or designee in accordance with Section 8-104 of the Zoning Ordinance.
41. The Applicant shall forward all seismographic records to the Zoning Enforcement Branch and the Fire Marshal for review on a quarterly basis. These reports shall also include the following information pertaining to blasts:
 - A. Date of blast
 - B. Time of blast
 - C. Pounds of explosives per delay
 - D. Total pounds of explosives per blast
 - E. Ground vibration levels
 - F. Air blast in decibels
42. The Applicant shall forward any and all blasting - or explosive-related complaints to the Fire Marshal within one business day of receipt, except those complaints claiming damage. Complaints claiming damage shall be reported to the Fire Marshal immediately upon receipt. The Fire Marshal shall investigate all complaints and forward all verified, legitimate complaints to the Zoning Inspections Branch. This includes complaints from any citizen, local, state, or federal agency whether located in Fairfax County or not, but only those referring to operations conducted within Fairfax County. In addition, the Applicant shall instruct complainants to contact the Zoning Inspections Branch and the Fire Marshal to submit their complaint directly as well.

43. The Applicant shall notify the Zoning Inspections Branch and the Fire Marshal immediately upon discovering a violation of any blasting- or explosive-related condition of this special use permit, including but not limited to ground vibrations or air blast above the levels set forth in the special use permit.
44. Irrespective of the quarterly seismograph results submittals referenced in Condition 41, the Applicant shall provide the results from seismograph monitoring, which includes the date and time of each blast, within seven days of receipt of such request by the Zoning Administrator or the Fire Marshal.
45. When a conflict exists between these conditions and other regulations by local, state or federal authorities regarding the quarry operations the stricter condition shall apply.
46. The peak overpressure from any blast shall be limited to 0.0092 psi (130 dB) at any privately owned occupied structure not on quarry property.
47. The Applicant and its agents or contractors shall acquire any and all applicable fire prevention code permits, as provided by the Fire Marshal, for blasting- or explosive-related operations that occur within Fairfax County.
48. The Applicant shall use the best readily available standard industry-accepted technology and standard industry practices applicable to quarry operations in blast design and blasting operations to ensure accuracy in drilling, loading, timing, and detonating blasts to maintain the lowest effective powder factor and pounds of explosive per delay to produce the desired blast effects.
49. The Applicant shall use the best readily available standard industry-accepted technology and standard industry practices applicable to quarry operations to reduce the creation and effects of air blast and ground vibrations, particularly vibration peak particle velocity and frequency.
50. The Applicant shall maintain accurate drilling, blasting, and seismographic records on-site and readily available for Zoning Inspections Branch and the Fire Marshal's review for a period of five years.
51. The Applicant will appoint an internal coordinator to address issues of neighborhood concern, and shall provide the coordinator's name and contact information (including email and phone number) to the registered agents/presidents of nearby homeowner associations (e.g., Virginia Run, Stonebridge at Bull Run Winery, Gate Post Estates, Stuart's Crossing, etc.) and to the office of the Sully District Supervisor, to whom any written concerns may be submitted. The internal coordinator will offer to meet with neighboring citizens and homeowner's association groups on an annual basis to discuss concerns regarding traffic management, maintenance of vegetation, noise, dust and debris, and other matters of mutual concern.
52. The Applicant will investigate any specific traffic complaints and will post a sign at the quarry exit in English and in Spanish instructing drivers to obey all posted

speeds and laws. The Applicant shall post signage at the site exit which states that, except for local deliveries, trucks are to refrain from using Bull Run Post Office Road (Route 621).

53. The Applicant shall adhere to the Reclamation Fill Plan dated July 26, 2019, prepared by ECS Mid-Atlantic, LLC and Hodges, Harbin, Newberry & Tribble, Inc., and incorporated as Exhibit A to these conditions. The Reclamation Fill Plan may be updated and amended as necessary, without a Special Permit Amendment, if such changes are approved by DPWES and LDS. Pursuant to the Reclamation Fill Plan, the Applicant will retain all screening, testing, sampling, and monitoring records, as well as delivery schedules, and will either provide such records to the County as requested.