



CITY OF ARLINGTON NOTICE OF DECISION

Seattle Galvanizing Small Parts and Storage Site Plan Review – Special Use Permit

The City of Arlington has issued a Notice of Decision for a Site Plan Review, Special Use Permit, as required by Arlington Municipal Code. The following project has been **APPROVED**, in accordance with the hearing exhibits and conditions listed in the attached Hearing Examiner Decision.

Project Name: Seattle Galvanizing Small Parts and Storage

Proponent: Mina Investment Holdings

Project Number: PLN #1145

Description of Proposal: The applicant is proposing to create a small parts hot-dip galvanizing line within an existing 39,058 square foot principal building. The proposed use will also utilize a 2,945 square foot storage building with a loading dock. Hot-dip galvanizing is the process of dipping fabricated steel into a kettle or vat containing molten zinc. The project site is approximately 2.5 acres and zoned as General Industrial within the Cascade Industrial Center. Onsite improvements include upgrades to the interior of the existing building, 73 parking spaces (70 standard and 3 ADA), paving the parking lot area, and landscaping around the perimeter of the lot. New stormwater treatment and infiltration facilities are proposed for the improvements.

Though “processing” is listed as a permitted use in the General Industrial zone under AMC 20.40.140, the municipal code does not specifically define the galvanizing process. The galvanizing process has the potential to produce hazardous waste into the environment, therefore, the city will process the permit utilizing section AMC 20.40.030.

AMC 20.40.030 states whenever the Tables of Permissible Uses provides that a use is permissible with a zoning permit, a special use permit shall nevertheless be required if the community and economic development director finds that the proposed use would have an extraordinary impact on neighboring properties or the public. In making this determination, the community and economic development director shall consider, among other factors, whether the use is proposed for an undeveloped or previously developed lot, whether the proposed use constitutes a change from one principal use classification to another, whether the use is proposed for a site that poses peculiar traffic or other hazards or difficulties, and whether the proposed use is substantially unique or is likely to have impacts that differ substantially from those presented by other uses that are permissible in the zoning district in question. The community and economic development director has determined that a Special Use Permit shall be obtained for this project per the process in AMC 20.16 and the criteria in AMC Title 20.

Per AMC 20.16.225 A Special Use Permit decision is made by the community and economic development director unless an interested party requests a hearing before the hearing examiner by the close of the comment period of the notice of application filed. A hearing was requested during the comment period of the notice of application public comment period and a public hearing shall be held.

Location: 18520 67th Avenue NE

Hearing Examiner Decision: Approved, with Conditions

Notice of Decision Date: July 22, 2024

End of Appeal Period: August 12, 2024

Special Use Permit Site Plan Review Expiration Date: July 22, 2026

Appeals: A Party of Record may file an appeal of this decision within twenty-one (21) calendar days from issuance of this Notice of Decision to the Snohomish County Superior Court at 3000 Rockefeller Avenue M/S 502, Everett, WA 98201, pursuant the Land Use Petition Act, Chapter 36.70 RCW, and the City of Arlington Community and Development Department at 18204 59th Avenue NE, Arlington, WA, 98223 by close of business day on **Monday, August 12, 2024.**

Staff Contact: Amy Rusko, Planning Manager, arusko@arlingtonwa.gov

**BEFORE THE HEARING EXAMINER
FOR THE CITY OF ARLINGTON**

In the Matter of the Application of)	No. PLN#1145
)	
Hadi Mirzai, Mina Investment Holdings,)	Seattle Galvanizing Small Parts
)	and Storage SUP
)	
)	FINDINGS, CONCLUSIONS,
<u>For a Special Use Permit</u>)	AND DECISION

SUMMARY OF DECISION

The request for a special use permit to allow for the operation of a small parts hot-dip galvanizing facility within an existing 39,058 square foot building, with an associated 2,945 square foot storage building and loading dock, on an approximately 2.5-acre property located in the Cascade Industrial Center, at 18520 67th Avenue NE, is **APPROVED**. Conditions are necessary to mitigate specific impacts of the proposed use.

SUMMARY OF RECORD

Hearing Date:

The Hearing Examiner held an open record hearing on the request on July 9, 2024.

Testimony:

The following individuals presented testimony under oath at the open record hearing:

Amy Rusko, City Planning Manager
Adam Clark, Project Architect
David Harmsen, Project Civil Engineer
Hadi Mirzai, Applicant
Philip Lane
Kathy Ladines
Ken Hunkins
Virginia Abes
Catherine Patterson
Kathleen Yeadon
Janine Armstrong
Scott Tomkins
Bonnie Rasmussen

Attorney Duana Koloušková represented the Applicant at the hearing.

*Findings, Conclusions, and Decision
City of Arlington Hearing Examiner
Seattle Galvanizing Small Parts and Storage SUP
No. PLN#1145*

Exhibits:

A list of the exhibits admitted into the record is provided as Appendix A, attached to this decision.

The Hearing Examiner enters the following findings and conclusions based upon the testimony and exhibits admitted at the open record hearing:

FINDINGS

Application and Notice

1. Hadi Mirzai, Mina Investment Holdings, (Applicant) requests approval of a special use permit (SUP) to allow for the operation of a small parts hot-dip galvanizing facility within an existing 39,058 square foot building, with an associated 2,945 square foot storage building and loading dock, on an approximately 2.5-acre property in the Cascade Industrial Center. As described in further detail below, the hot-dip galvanizing process generally entails dipping fabricated steel products into a kettle or vat containing molten zinc to provide corrosion protection. The galvanizing facility is proposed to be located entirely within the interior of the existing 39,058 square foot building, with no outdoor operations proposed as part of the project. The Applicant also proposes to locate the storage of all materials processed at the facility within the primary building or associated storage building. In addition to interior building upgrades to facilitate the proposed use, site improvements associated with the project would include paving to provide drive aisles and a parking lot with 73 parking spaces, landscaping, and stormwater management features to address runoff from new impervious surfaces. The approximately 2.5-acre subject property is located at 18520 67th Avenue NE.¹ *Exhibit 1, Staff Report, pages 1 through 4; Exhibits 2 through 8; Exhibit 16.*
2. The City of Arlington (City) determined that the application was complete on December 8, 2023. On or around December 21, 2023, the City provided notice of the application by mailing or emailing notice to property owners within 500 feet of the site and to reviewing departments and agencies; publishing notice in *The Herald*; and posting notice on-site, at designated City locations, and on the City website, with a comment deadline of January 4, 2024. On or around June 18, 2024, the City provided notice of the open record hearing associated with the application in the same manner, with a written comment deadline of July 8, 2024. *Exhibit 1, Staff Report, pages 2, 5, and 6; Exhibits 20 through 25.*
3. The City received a comment on the proposal from the Washington State Department of Archaeology and Historic Preservation (DAHP), dated January 4, 2024, which noted that project area is within the previously recorded boundaries of a pre-contact period

¹ The property is identified by tax identification number 31052200102000. *Exhibit 1, Staff Report, page 3.* A legal description of the property is identified in the Staff Report and application materials. *Exhibit 1, Staff Report, page 3; Exhibit 10.*

archaeological site and recommended that a professional archaeological survey be conducted prior to ground disturbing activities. Following its review of an archaeological survey report prepared for the proposed project, DAHP provided an additional comment, dated May 30, 2024, noting that it agreed with the report's conclusions and recommendations and that a permit from DAHP would be required prior to ground disturbing activities at the site. As detailed below, the SEPA mitigated determination of nonsignificance (MDNS) issued for the proposal addresses DAHP's comment regarding the requirement for an excavation permit. The City also received a comment from the Stillaguamish Tribe of Indians that concurred with the inclusion of a mitigation measure of the MDNS requiring an excavation permit from DAHP. *Exhibit 1, Staff Report, page 22; Exhibit 22; Exhibit 26; Exhibit 27.*

4. In addition to the agency and tribe comments described above, the City received nearly 200 comments on the proposal from members of the public. A vast majority of the comments submitted from members of the public raised concerns about the public health and environmental impacts of fume emissions from the zinc galvanizing process, particularly due to the proposed location of the facility in relation to adjacent residential development to the east. Many of these comments noted specific concerns about emissions impacts at the local elementary school. Numerous public comments on the proposal also raised concerns about the possibility of soil and water contamination, additional noise and traffic from the proposed development, and the impact that the development would have on property values. *Exhibit 1, Staff Report, pages 6 and 21 through 27; Exhibits 28 through 210; Exhibits 213 through 219; Exhibits 222 through 230.*

State Environmental Policy Act

5. The City acted as lead agency and analyzed the environmental impacts of the proposal under the State Environmental Policy Act (SEPA), chapter 43.21C Revised Code of Washington. The City reviewed the Applicant's environmental checklist and other information on file and determined that, with mitigation measures, the proposal would not have a probable significant adverse impact on the environment. Accordingly, the City issued an MDNS for the proposal on June 6, 2024. On June 11, 2024, the City provided notice of the MDNS by mailing or emailing notice to property owners within 500 feet of the site and to reviewing departments and agencies; publishing notice in *The Herald*; and posting notice on-site, at designated City locations, and on the City website, with a comment and appeal deadline of June 25, 2024. As described above, the City received a comment from the Stillaguamish Tribe of Indians during the MDNS comment period, as well as from several members of the public. *Exhibit 1, Staff Report, pages 6, 21, and 22; Exhibit 13; Exhibit 22; Exhibit 27; Exhibits 29 through 210.*
6. The MDNS was not appealed and includes the following mitigation measures:
 - **(B)(1) Earth:** In order to mitigate potential earth impacts, the applicant shall implement Best Management Practices per Department of Ecology

for Stormwater Pollution Prevention and TESC Controls to prevent erosion during and after construction. A Certified Erosion and Sediment Control Lead is required to monitor the site.

- **(B)(2) Air:** In order to mitigate potential air impacts during construction, the applicant shall implement dust control measures to reduce fugitive dust emissions during construction. A Construction Management Plan shall be submitted to the City prior to commencement of construction to ensure these measures. Construction equipment emissions shall comply with all State and Federal regulations for emissions.

To mitigate potential air pollution and impacts once operational, the applicant shall submit the correct information to and comply with all Puget Sound Clean Air requirements. The applicant shall comply with the manufacturer's requirements and recommendations of the proposed baghouse to ensure adequate emission control during the galvanizing process. This requires the building to remain fully enclosed, with no doors allowed to be open during the galvanizing process.

- **(B)(3)(a)(b) Surface Water and Ground Water:** In order to mitigate potential impacts to ground water the applicant shall employ best design practices meeting the current Department of Ecology's Stormwater Management Manual for Western Washington.
- **(B)(3)(c) Water Runoff:** In order to mitigate potential impacts to water runoff the applicant shall follow the current edition of the Department of Ecology's Stormwater Management Manual for Western Washington and Best Management Practices used to protect groundwater. The operation is required to remain fully enclosed so no fume emissions from the galvanizing kettle shall be present outside to enter surface waters.
- **(B)(4)(b) Plants:** The applicant shall comply with the current codes to ensure screening and parking lot shading on the site. The landscape plans show 91 trees to be planted on the site.
- **(B)(6)(c) Energy and Natural Resources:** In order to conserve energy, the applicant has proposed to recover heat from the galvanizing kettle exhaust to heat other processing tanks and also utilize appropriate insulation to minimize overall tank heating.
- **(B)(7)(a) Environmental Health:** The applicant shall comply with current codes to reduce or control environmental health hazards. A spill prevention plan shall be in place according to local, State and Federal policies. The chemicals used for the galvanizing process include Hydrochloric Acid, Zinc Ammonium Chloride, Caustic Soda, and Zinc. These chemicals shall be stored according to the requirements of the International Building Code and International Fire Code. The project proposes to provide restricted access areas, signage, personnel training, seismic designed secondary spill containment, emergency contingency

plans, proper materials of construction, adequate ventilation, and proper operations and maintenance activities

- **(B)(7)(b)(2) Noise:** City of Arlington noise standards found in AMC 9.20.060 shall be complied with. Specifically, in section 9.20.060(8) noises resulting from any construction or development activity or the operation of heavy equipment from 7:00pm to 7:00am Monday through Saturday and all day on Sunday shall be prohibited. The project will generate short term noise associated with construction activities. Construction hours will conform to City requirements. Noise from operations and vehicle/truck traffic will be generated during business hours at project completion. The galvanizing facility proposes to operate 24 hours a day and 7 days a week. Residential homes are located just east of this project, the city will monitor potential noise complaints and the hours of operation for the facility may be required to be reduced or limited.
- **(B)(11)(a) Light and Glare:** To mitigate potential light pollution, the applicant will be required to install light fixtures that are down shielded. The property is located within the Arlington Airport Protection District – Subdistrict C – that is comprised of the Federal Aviation Regulations (FAR) parts 77 Imaginary surfaces.
- **(B)(8)(i) Land and Shoreline Use:** The number of employees listed in the checklist is ten (10). If changes to the employee count at the site occur, then additional regulations may need to be considered. The site was designed around the numbers provided by the applicant, however, there are inconsistencies throughout the documents provided regarding the number of employees on the site.
- **(B)(10)(c) Aesthetics:** The proposed use utilizes an existing building on the site. If there are changes to the building footprint or exterior of the building, then a design review permit is required by the city.
- **(B)(13) Historic and Cultural Preservation:** During the notice of application period for the proposed project the Department of Archaeology and Historic Preservation requested an archaeological survey to be completed prior to ground disturbing activities. The applicant shall comply with the conditions of the archaeological survey and obtain an excavation permit through the Department of Archaeology and Historic Preservation prior to ground disturbance on the site. The applicant shall also notify the Stillaguamish Tribe of Indians prior to all ground disturbance on the site.
- **(B)(14)(f) Transportation:** Trip generation has been calculated by Kimley-Horn and Associates, Inc per a Traffic Impact Analysis, completed in August 2023, with 5 PM Peak Hour Trips. The report references the existing building constructed in 1979 is not required to pay City of Arlington traffic impact fees. The City of Arlington enacted a

Cascade Industrial Center Traffic Impact Fee per Ordinance 2021-002 that does apply to the proposed use.

- The applicant is required to pay Cascade Industrial Center Traffic Impact Fees in the amount of \$29,206.95 (\$5,841.39 x 5 PM Peak Hour Trips).

The number of employees and hours of operation have been listed inconsistently throughout the permit documents. For this reason, the City reserves the right to monitor and require a re-evaluation of the Traffic Impact Analysis based on actual use of the site within 1 year after Certificate of Occupancy has been issued.

- **(B)(16)(a) Utilities:** The applicant shall connect to the City of Arlington water and wastewater systems, extend utility lines as necessary and pay water and sewer connection fees. All improvements shall be installed during the Site Civil Construction phase of the project. All utilities shall be installed underground.

Comprehensive Plan and Zoning

7. The subject property and adjacent properties to the north, south, and west are designated “General Industrial” under the City Comprehensive Plan. Properties to the east, across 67th Avenue NE, are designated “Residential Low Capacity.” The purpose of the General Industrial designation is to “provide a setting for industrial-type uses that may utilize indoor and outdoor space; emit dust/smell, noise, or glare; or depends on major thoroughfares and rail lines for shipment as part of their normal operations.” *City Comprehensive Plan, sec. 5.4.* The General Industrial designation “consists primarily of an urban industrial fabric with small to large format industrial operations. It is generally characterized as an active employment center where low rise buildings are situated toward the interior of lots and building setbacks are variable. Parking is accommodated on-site.” *Comprehensive Plan, sec. 5.4.* “Industrial operations include manufacturing, processing, creating, repairing, renovating, painting, cleaning and assembling of goods, merchandise, or equipment.” *Comprehensive Plan, sec. 5.4.* City staff determined that, with recommended conditions, the proposed use would be consistent with the City Comprehensive Plan. *Exhibit 1, Staff Report, pages 3 and 28.*
8. The subject property and adjacent properties to the north, south, and west are located in the City’s “General Industrial” (GI) zoning district. Properties to the east, across 67th Avenue NE, are located in the “Residential Low Capacity” (RLC) zoning district and are developed with single-family residences. Arlington Municipal Code (AMC) 20.36.030 describes the City’s manufacturing districts as follows:

The general industrial (GI) and light industrial (LI) districts are hereby established primarily to accommodate enterprises engaged in the manufacturing, processing, creating, repairing, renovating, painting, cleaning, or assembling of goods, merchandise, or equipment. The performance standards set forth in Chapter 20.44 place limitations on the

characteristics of uses located in these districts. The light industrial district is distinguished from the general industrial district in that the light industrial district is intended to be a cleaner, more business park-like area, whereas the general industrial district allows more resource-based manufacturing [and] has a greater tolerance of the nuisances that typically accompany such manufacturing. Furthermore, the limitations in the light industrial district are more restrictive than those in the general industrial district.

City staff reviewed the Applicant's preliminary site plans and proposal to utilize existing structures on the lot for the proposed use and determined that it would comply with the density and dimensional standards applicable to the GI zoning district, including standards related to minimum lot size, minimum lot width, minimum structural setbacks, maximum building height, and maximum lot coverage. *Exhibit 1, Staff Report, pages 3 through 5, 10, and 15; Exhibit 5.*

9. Industrial processing operations conducted entirely within a fully enclosed building and primarily consisting of business not done with walk-in trade are allowed in the GI zone with a zoning or special use permit. *AMC 20.40.140*. In general, such uses require only a zoning permit when, as here, the total area to be developed is less than four acres in size. *See AMC 20.40.020(c)*. *AMC 20.40.030*, however, provides the City Community and Economic Development Director with authority to require a special use permit for such uses when the Director "finds that the proposed use would have an extraordinary impact on neighboring properties or the general public." Here, the Director determined that the proposed galvanizing processing use would require approval of a SUP due to the potential negative impacts to the environment and to provide for additional analysis of the galvanizing process. *Exhibit 1, Staff Report, pages 2 and 11*

Existing Site and Proposed Use

10. The approximately 2.5-acre property is rectangular in shape and is generally flat but is situated as much as 12 to 13 feet below the adjacent street grade along 67th Avenue NE, with a retaining wall providing the grade separation between the site and the street. The site is currently developed with a vacant 39,058 square foot building, which the Applicant proposes to utilize for the galvanizing facility, as well as an associated 2,945 square foot storage building with a loading dock. The property is bordered by, and accessed from, 67th Avenue NE to the east and is bordered by Burlington Northern railroad tracks to the west. As noted above, properties to the east of 67th Avenue NE are developed with single-family residences. Other adjacent developments surrounding the site consist of industrial uses, including a cannabis manufacturing facility to the north, a trucking business to the south, and a lumber processing business to the west. *Exhibit 1, Staff Report, pages 2 through 5; Exhibit 11; Exhibit 17.*

Performance Standards

11. Uses within the GI zoning district are subject to the performance standards of chapter 20.44 AMC, including performance standards related to noise, vibration, odors, smoke and air pollution, disposal of liquid and hazardous wastes, water consumption, electrical disturbance or interference, lighting, and site and building maintenance. *AMC 20.44.210 through AMC 20.44.290*. City staff reviewed information submitted by the Applicant and determined that, with recommended conditions, the proposal would meet these standards. Specifically, the Applicant asserts the following regarding the proposal's compliance with the performance standards of chapter 20.44 AMC:
- Noise – The facility will generate noise levels well below city thresholds.
 - Vibration – No vibrations will be generated by facility operations.
 - The [Puget Sound Clean Air Agency (PSCAA)] is the governing agency for air quality and air pollution in Washington State.
 - Odors – Odors are not anticipated but it is understood that all people have different reactions to odors. This will be addressed as part of the PSCAA review.
 - Smoke and Air Pollution – Smoke will not be generated. Air pollution will be addressed as part of the PSCAA review.
 - Disposal of Liquid Hazardous Wastes – This is addressed in the Galvanizing Facility Overview that was submitted with the original submittal. The majority of liquids are recycled within the production line.
 - Water Consumption – This use is minimal and is addressed in the Galvanizing Facility Overview that was submitted with the original submittal.
 - Electrical Disturbance or Interference – There are no electrical uses associated with the process other than lighting.
 - Lighting – Lighting of the site will be the same as any other project in the city. All lighting will be shielded and directed within the property boundaries.
 - Site and Building Maintenance – The owner will keep the site and building maintained in keeping with jurisdictional requirements.

Exhibit 1, Staff Report, pages 13 and 14.

12. The Applicant submitted a Galvanizing Facility Overview in support of its assertion that the proposed use would meet the performance standards of chapter 20.44 AMC. As pertinent to those standards, the overview provides the following information about the proposed galvanizing facility process:
- Spin galvanizing is a hot-dip process that utilizes a centrifuge anchored to a galvanizing kettle (or a spinner located above it) for immersing small to medium scale components in molten zinc. A tightly bonded alloy coating forms on the steel, providing long-term, durable protection from the devastating effects of corrosion, while the centrifuge or spinner removes

excess molten zinc to ensure coating uniformity, quality fit, and precise functionality.

- The three main steps in the hot-dip galvanizing process are surface preparation, galvanizing, and post-treatment [which involves the following steps:]
 - Caustic Cleaning – Material is immersed in a heated caustic solution to remove grease, dirt, oil, and water-based paints. This process will also remove any contaminants that cannot be removed by normal chemical cleaners (i.e., welding slag, splatter, lacquer, and oil-based paints).
 - Caustic Rinse – Material is immersed in fresh water to remove any excess chemicals.
 - Acid Pickling – Material is immersed in a diluted Hydrochloric Acid solution to remove all rust, mill scale, and any other surface contaminant.
 - Acid Rinse – Material is immersed in fresh water to remove any excess acid and iron salts.
 - Fluxing – Material is immersed in a heated aqueous Zinc-Ammonium Chloride solution. This process will remove any remaining impurities, moisture, and oxide film from the steel. Flux acts as a bonding agent to the molten zinc.
 - Drying – Material is placed in a holding area for a certain amount of time. This will ensure the Flux is air-dried and best prepared before entering the molten Zinc.
 - Galvanizing – Material is immersed in molten Zinc mixture. Molten Zinc is heated to 840°F. Material will be removed from the Zinc mixture when the coating thickness meets and exceeds relevant [American Society for Testing and Materials (ASTM)] standards.
 - Material is inspected for any imperfections and is tested by American Galvanizer Association certified inspectors to ensure compliance with ASTM standards.
- Baghouse dust collectors are fabric filter air-material separators employed for particulate removal from manufacturing and other industrial operations to keep dust and solid particulates from entering the workplace or being released into the atmosphere. In effect, baghouses are industrial-scale fabric filter systems used as air pollution control devices.
- Baghouses utilize fabric filter bags or pleated filters arranged in rows and mounted vertically in a sheet metal housing. They are designed to receive dusty gas from fugitive or process sources, capture the particulates, and exhaust clean air. Typically, via an induced draft blower, the dusty gas stream is drawn into the baghouse through a duct system. The gas stream then passes through the filters while particles remain on the filter media

surface, thus separating the particulates from the air. Over time, as the dust begins to build up and form a filter cake on the filter surface, various cleaning systems are used to remove the dust from the filters.

- Baghouse dust collectors are regarded as highly effective systems that are capable of achieving up to 99.9% efficiency. Depending on the design and fabric filter, baghouse filters remove and can withstand or capture abrasive particles, acid gasses, filter explosive dust, mists, fumes, and fine powders. They can collect difficult-to-capture air pollutants and airborne toxic materials found in dust and welding fumes, and particulate residue.
- The following materials are used or produced in the galvanizing process and either recycled or reused back in the galvanizing process or sold to another industry as a raw material ingredient:
 - Metal scrap – Chain/Wire/Steel (fixtures)
 - Process Rinse Waters – caustic, acid, quench
 - Ferrous sulfate heptahydrate
 - Ferrous chloride solution
 - Hot-dip galvanizing skimmings
 - Hot-dip galvanizing dross
- Hot-dip galvanizers incorporate waste minimization practices at their facilities to reduce the amount of both raw material use (i.e. acid, water, ammonium chloride, etc.) and byproducts that needs to be disposed by implementing reuse practices as well as finding other industries that can use these materials. Some materials are directly reused in the hot-dip galvanizing process such as using rinse solutions as make-up water in the process tanks. Other materials are often sold to other industries that can use the material as part of their process. Hot-dip galvanizing skimmings and bottom dross should not be considered as wastes but material that can be sold and directly used as a feedstock in another process.
- The baghouse being used for the operation is designed by Western Technologies and built by Donaldson Filtration Solutions.
- Western Technologies recommended using a 10,000 [cubic feet per minute (C.F.M)] motor, however, per [a 2022 study], a 6,000 C.F.M motor would have been more than sufficient. Seattle Galvanizing Company decided to go the extra mile and purchase a 15,900 C.F.M motor to ensure the capture of a higher percentage of emissions. This will exceed the professional required standards.

Exhibit 4.

13. As discussed earlier in this decision, a vast majority of public comments on the proposal raised concerns about the public health and environmental impacts of fume emissions from the galvanizing process described above, particularly due to the proposed location of the facility in relation to adjacent residential development to the east. City staff ultimately determined that the proposed use could “potentially eliminate impacts on

others if the processing is conducted entirely within a fully enclosed building to allow the baghouse to operate correctly.” *Exhibit 1, Staff Report, page 5.*

As noted above, chapter 20.44 AMC contains performance standards applicable to the proposed use in the GI zone. Regarding performance standards related to air pollution, AMC 20.44.240 specifically provides:

- (a) Any use that emits any “air contaminant” as defined in Regulations 1, 2, or 3 of the Puget Sound Clean Air Agency shall comply with applicable state standards concerning air pollution, as set forth in Regulations 1, 2, or 3 of the Puget Sound Clean Air Agency.
- (b) No zoning, special use, or conditional use permit may be issued with respect to any development covered by Subsection (a) until the Puget Sound Clean Air Agency has certified to the permit-issuing authority that the appropriate state permits have been received by the developer, or that the developer will be eligible to receive such permits and that the development is otherwise in compliance with applicable air pollution laws.

These performance standard provisions recognize Puget Sound Clean Air Agency (PSCAA) as the agency with regulatory authority over air pollutant emissions in the city and require that proposed uses involving the emission of air contaminants be subject to permit review and approval by the PSCAA. The Applicant submitted an application for PSCAA approval of the project and provided to the City a draft final permit approval from the PSCAA for the project. The draft final permit approval contains several recommended conditions to ensure that the project would comply with applicable air emission regulations. These recommended conditions of project approval from PSCAA are listed in Appendix B, attached to this decision. *Exhibit 1, Staff Report, pages 5, 13, and 21 through 27; Exhibit 14; Exhibit 221.*

Access, Parking, and Traffic

- 14. Access to the proposed facility would be provided by an existing driveway connecting to 67th Avenue NE to the east, which is also currently utilized for access to the adjacent industrial property to the north. City staff reviewed the Applicant’s complete streets checklist and proposed site plan and determined that the proposed site improvements would not obscure sight from the access intersection, in compliance with the sight visibility requirements of AMC 20.48.042, and that the existing access driveway complies with the lot access, street entrance, and street intersection requirements of AMC 20.56.030, AMC 20.56.050, and AMC 20.56.120. *Exhibit 1, Staff Report, pages 15 and 16; Exhibit 5; Exhibit 12.*
- 15. The proposed use would require the provision of one off-street parking space per 600 square feet of gross floor area. *AMC 20.72.010; AMC Table 20.72-1.* The existing buildings on the property contain 42,003 square feet of gross floor area, and the

Applicant would therefore be required to provide a minimum of 70 parking spaces on-site. Under AMC 20.72.064, the Applicant would also be required to provide three additional ADA-compliant accessible parking spaces, with at least one accessible parking space sized to accommodate van dimensions. The Applicant proposes to provide 70 standard parking spaces and 3 accessible parking spaces, consistent with these parking requirements. City staff reviewed the Applicant's site plan and determined that the proposed parking area and drive aisles would meet the dimensional and surface standards of AMC 20.72.030, AMC 20.72.040, and AMC 20.72.060. The Applicant also proposes to provide electric vehicle (EV) charging stations for six standard parking spaces and one accessible parking space, consistent with the EV infrastructure requirements of AMC 20.44.098. In addition, the Applicant would provide eight bicycle parking stalls, consistent with the requirements of AMC 20.72.110. *Exhibit 1, Staff Report, pages 11, 12, 18, and 19; Exhibit 5.*

16. Kimley-Horn and Associates, Inc., prepared a traffic impact analysis (TIA) on behalf of the Applicant, dated August 31, 2023, which determined that the proposed use would generate 38 average daily trips, with 5 PM peak-hour trips. The TIA and the Applicant's legal counsel, Attorney Duana Koloušková, assert that the imposition of traffic impact fees under AMC 20.90.040 would not be required because, although the existing building on the property has not been used for some years, the proposed use would not increase service demands above that of the previously approved use of the property. Although the City expressed some disagreement with that assessment, it ultimately agreed not to impose general traffic impact fees for the proposed use. The City determined, however, that the Applicant would still be required to pay traffic impact fees applicable to development projects within the Cascade Industrial Center under AMC 20.90.045, which would require the Applicant to pay \$5,841.39 per PM peak-hour trip, for a total of \$29,206.95. *Exhibit 1, Staff Report, page 20; Exhibit 18; Exhibit 19.*

Stormwater

17. The Applicant would be required to manage stormwater on-site in compliance with the requirements of the most current edition of the Washington State Department of Ecology Stormwater Management Manual for Western Washington. *AMC 13.28.060; AMC 13.28.070.* Harmsen, LLC, prepared a preliminary stormwater drainage plan for the proposal on behalf of the Applicant, dated November 29, 2023. All stormwater runoff would be fully infiltrated on-site. Stormwater runoff from roof areas would continue to be directed to an infiltration trench along the eastern property line. Runoff from new impervious areas of the paved parking lot and drive aisles would be directed to infiltration facilities under the parking lot to the north and southwest of the building, which would provide enhanced water quality treatment before fully infiltrating on-site. The Applicant's final stormwater management system design would be reviewed for compliance with applicable requirements at the site civil permit stage. *Exhibit 1, Staff Report, pages 2 and 21; Exhibit 16.*

Landscaping

18. AMC 20.76.020 requires development projects within the city to provide sufficient screening from neighboring properties. Under AMC 20.76.030, this screening requirement may be presumptively satisfied by providing landscaping in accordance with AMC Table 20.7-1. Pursuant to AMC Table 20.7-1, the proposed use would require Type B landscaping along the property's frontage with 67th Avenue NE and Type A landscaping along all side and rear property lines. City staff reviewed the Applicant's landscaping plans and determined that the project would satisfy this screening requirement. The property owner would be required to maintain the landscaping, as well as existing street trees along the property's frontage with 67th Avenue NE, for the life of the project. *AMC 20.76.140. Exhibit 1, Staff Report, pages 18 and 19; Exhibit 7.*

Utilities and Services

19. The City would provide water and sewer services to the property. The City provided the Applicant with a water and sewer availability letter on January 25, 2024, indicating that that the City presently has sufficient water and sanitary sewer to service the project. Compliance with requirements for utility service infrastructure and lighting would be reviewed upon submission of site civil construction drawings. *Exhibit 1, Staff Report, pages 9 through 11; Exhibit 7.*

Additional Considerations

20. The property is located with Airport Protection Subdistrict C, and an "aviation easement" approved by the Arlington Municipal Airport would be required to be recorded prior to final occupancy of the building. *AMC 20.38.090.* The proposal does not currently require design review because the Applicant proposes to utilize the existing building for its operations, with no changes to the exterior façade proposed. Design review would be required for any future exterior changes to the building. *Chapter 20.46 AMC.*

Special Use Permit

21. As noted above, the Applicant requests an SUP to allow for the operation of a small parts hot-dip galvanizing facility within an existing building. City staff reviewed the application materials and determined that, with conditions, the criteria for a SUP would be satisfied, noting:
- The requested permit review is within the City's jurisdiction per the zoning map and permissible use table.
 - The application was deemed complete on December 8, 2023.
 - The project, if completed as proposed, would comply with the elements of Title 20 AMC, for operations conducted entirely within an enclosed building.
 - The proposal would comply with SEPA through the MDNS decision issued on June 6, 2024.

- The proposal would comply with the Arlington Municipal Code, Comprehensive Plan, and Transportation Plan for the subject site to be used for the proposed industrial operations conducted entirely within an enclosed building.
- The project, if completed as proposed and under proper operating procedures, would not materially endanger public health and safety for operations conducted entirely within an enclosed building. Operating from within an enclosed building allows the baghouse to operate correctly and efficiently to minimize impacts.
- The project, if completed as proposed and under proper operating procedures, would not materially harm adjoining or abutting property if operations are conducted entirely within an enclosed building. Operating from within an enclosed building allows the baghouse to operate correctly and efficiently to minimize impacts.
- The project, if completed as proposed, would be compatible within the area in which it is located for operations conducted entirely within an enclosed building. The Applicant proposes to use the existing building on-suite that was constructed in 1979. There are no proposed changes to the design of the existing building with this application. If design changes are proposed in the future then the Applicant would be required to submit for a design review permit.

Exhibit 1, Staff Report, pages 28 and 29.

Testimony

22. City Planning Manager Amy Rusko testified generally about the proposal and how, with conditions, it would comply with the City Comprehensive Plan, applicable development regulations, and the specific criteria for approval for an SUP. She provided a description of the proposal, the existing conditions of the property, and the surrounding development, consistent with the findings above. Ms. Rusko noted that the proposed galvanizing facility would be located entirely within the enclosed existing building on-site, with interior building upgrades that would be reviewed through the building permit process and associated site improvements that would include paving of the entire parking lot around the building to provide drive aisles and 70 standard and 3 additional ADA-compliant accessible parking spaces, perimeter landscaping, and new stormwater and infiltration facilities along the western side of the property.

Ms. Rusko explained that the Cascade Industrial Center is subject to a previously approved planned action SEPA determination but that the proposed use was not included within the planned action, and therefore, a separate SEPA analysis was conducted for the proposal. She noted that the City issued an MDNS for the proposal, which was not appealed. Ms. Rusko detailed how the City provided notice of the application and associated public hearing consistent with the requirements of the municipal code. She stressed that concerns about impacts from fumes created through the zinc galvanizing process, as well as about stormwater runoff, would be addressed through the proper use of a baghouse within the fully enclosed building. In this regard, Ms. Rusko noted that no chemicals used in the galvanizing process would be discharged to the sanitary sewer

system or stored or released outside of the building on-site, and, therefore, would not enter the on-site stormwater management facilities. She also stressed that the Puget Sound Clean Air Agency is the agency charged with regulating emissions to ensure compliance with applicable air quality standards and that the City does not have authority to regulate or enforce air quality standards. Ms. Rusko stated that the City would not impose general traffic impact fees for the proposal but that the imposition of traffic impact fees specific to development within the Cascade Industrial Center was included as a mitigation measure of the MDNS, which was not appealed. *Testimony of Amy Rusko.*

23. Attorney Duana Koloušková represented the Applicant at the hearing and introduced members of the Applicant team attending the hearing. She stated that the Applicant generally agrees with City staff's analysis of the proposal as provided in the staff report and Ms. Rusko's testimony, noting some disagreement with the City as to the required traffic impact fees, but acknowledging that the issue has been resolved through the mitigation measures imposed with the MDNS. Attorney Koloušková asserted that PSCAA is the permitting authority for air emissions within the city under chapter 173-400 Washington Administrative Code (WAC) and that PSCAA would continue to monitor air emissions leaving the building and within the processing facility for the life of the project. She stressed that there is an opportunity for public comments as part of the PSCAA permitting process under WAC 173-100-171, for which concerns about the air emission impacts of the proposal would be more appropriately addressed. Attorney Koloušková stated that a final permit decision from PSCAA was pending while the MDNS appeal period was in effect, which has since expired with no appeals filed, and, therefore, it is likely that PSCAA would soon issue its final permit decision. She noted that another galvanizing facility has been successfully operating in the city for several years without issue. Attorney Koloušková also noted that the draft final permit approval from PSCAA contains findings that the anticipated emissions from the proposed facility would be below, or significantly below, applicable regulatory thresholds. She stated that interested members of the public would be able to request PSCAA monitoring records of the facility operations through the PSCAA website. *Statements and Arguments of Attorney Koloušková.*
24. Project Architect Adam Clark testified that City staff provided an accurate overview of the proposal and the site improvements that would be associated with the proposal. He explained that any air leaving the building would be filtered through the baghouse, which would be continuously monitored by PSCAA. *Testimony of Adam Clark.*
25. Project Civil Engineer David Harmsen testified that enhanced stormwater quality treatment measures would be employed through the use of a pre-manufactured Biopod filtration system. He explained that the system would provide some controls for dissolved metals, including an average removal of 97 percent of dissolved zinc at effluent levels and, therefore, would address any failure of the site containment system that could lead to zinc entering stormwater runoff. *Testimony of David Harmsen.*

26. Philip Lane expressed concerns about possible leaks or exposure that could impact public health and safety. He suggested that there are not enough systems in place to quickly respond to possible leaks or exposure. *Testimony of Philip Lane.*
27. Kathy Ladines expressed concerns about hazardous chemicals that could spill or leak. She suggested that the SEPA checklist contains errors in the calculations of emissions and notes that there are multiple bodies of water nearby and wildlife species that are not noted in the SEPA checklist. She further suggests that the Puget Sound Clean Air Agency application (Exhibit 14) contains discrepancies in the amount of chemicals that would be released and that it does not adequately plan for safe disposal or dispersion of chemicals. *Testimony of Kathy Ladines.*
28. Ken Hunkins expressed concerns that the proposed location for the galvanizing facility is very close to dense residential development, including apartment buildings, and inquired about whether there were other, more suitable locations for the proposed facility. He additionally noted concerns that the Applicant has not provided sufficient detail about the decontamination process. *Testimony of Ken Hunkins.*
29. Virginia Abes expressed concerns about what would happen in the future with the chemicals used in the galvanizing process. She noted that there could be effects to humans, animals, and trees in Arlington and in other nearby cities. *Testimony of Virginia Abes.*
30. Catherine Patterson testified that she is a resident of the neighboring Glen Eagle community and was not notified about the proposal. Additionally, she commented that the proposed project would be located across the street from a well-used trail, a pond, and the location where her grandchildren and other children wait for the bus. She asserted that this project would harm the residents of Glen Eagle, many of whom are senior citizens and suggested that there are other, more appropriate areas for this development. *Testimony of Catherine Patterson.*
31. Kathleen Yeadon testified that she agreed with previous commenters and expressed concerns about possible air or water contamination, especially over the long term. *Testimony of Kathleen Yeadon.*
32. Janine Armstrong expressed concerns that the zoning regulations for the subject property do not allow for the proposed hot-dip galvanizing use and asserted that any filtration system used during the process would allow for some emission of toxic fumes. She also expressed concerns about impacts to wetlands and wildlife. She suggested that the proposed project be located further away from residential development. *Testimony of Janine Armstrong.*

33. Scott Tomkins agreed with previous commenters and expressed concerns with locating the proposed project close to residential development, including a school bus stop. He inquired about whether the EPA was involved and suggested alternative locations for the project. *Testimony of Scott Tomkins.*
34. Bonnie Rasmussen testified about her personal experience with cancer and her concerns that this project would increase cancer risk and force her to have to move from the area. *Testimony of Bonnie Rasmussen.*
35. In response to concerns raised by members of the public at the hearing, Applicant Hadi Mirzai, President of Seattle Galvanizing, testified that the tanks utilized for the galvanizing process would be within a secondary containment system, which would be monitored daily by the operator's environmental safety team. He noted that these internal protective monitoring measures would be in addition to oversight by PSCAA, and he stressed that the measures are designed to address potential issues before they become a major problem. He noted that the operator has not had any system failure issues during its 10-year history in the city. *Testimony of Hadi Mirzai.*
36. Project Architect Adam Clark provided additional details about the secondary containment system, noting that the tanks containing chemicals utilized for the galvanizing process would all be located within a secondary, in-ground concrete tank, which would contain any potential chemical spills and, therefore, prevent any chemicals from exiting the building. Mr. Clark also responded to concerns about the pond between Woodland Way and 67th Avenue NE not being included in the SEPA environmental checklist, noting that the nearby pond is a stormwater pond related to the Glen Eagle development's stormwater infrastructure and is not the type of water body that is required to be listed in the SEPA environmental checklist. *Testimony of Adam Clark.*
37. Project Civil Engineer David Harmsen confirmed that the standard for stormwater treatment for this type of project is at an enhanced level, and he noted that worst-case scenarios are addressed by the containment system within the building and not in the design for stormwater treatment. *Testimony of David Harmsen*
38. Attorney Koloušková reiterated that the Puget Sound Clean Air Agency draft final permit approval shows that emissions would be within regulatory limits and that the PSCAA permit process provides an opportunity for the public to provide comments about the proposal. In response to questions from the Hearing Examiner about ongoing public engagement, Attorney Koloušková stated that the facility operator does not have a system for publishing the inspection and monitoring reports that would be required to be submitted to PSCAA, but she noted that PSCAA has strong standards for ensuring clean air standards. She further stated that the facility operator has a web presence with information on how neighboring residents could contact the company in the event that

they observe any issues with the facility operations, stressing that the operator desires to be a good neighbor to area residents. *Statements and Arguments of Attorney Koloušková.*

39. Planning Manager Amy Rusko noted that the project would require additional permitting from the City, including a civil permit, which would entail review of the Applicant's final stormwater management system design for compliance with the most recent version of the Washington State Department of Ecology (DOE) Stormwater Management Manual for Western Washington and would require approval of a general stormwater permit through DOE. In this regard, she explained that the City had requested that the Applicant include enhanced stormwater treatment measures in its drainage design as a precautionary measure. Ms. Rusko stated that the Applicant would also be required to obtain a building permit, which is a process that would include review of proposed interior building improvements for compliance with requirements of the International Building Code and the International Fire Code, including requirements addressing chemical spill prevention measures. She explained that the City provided notice of the application and associated public hearing in accordance with the requirements of the municipal code. Ms. Rusko also explained that the City does not solicit specific development proposals and that the City's responsibility is to analyze permit applications to determine whether specific development proposals meet code requirements. She also stressed that the City does not have regulatory authority over air quality and that it directs air-quality complaints to PSCAA. Ms. Rusko demonstrated how complaints could be submitted on the PSCAA website. She noted that the other Seattle Galvanizing plant in the city is an open-air facility located near residential development and a wildlife area and that it has never had a system failure. *Testimony of Amy Rusko.*

Staff Recommendation

40. City staff, having determined that, with conditions, the proposed development would comply with the City Comprehensive Plan and all applicable development regulations, recommends approval of the Applicant's request for a SUP, with conditions. *Exhibit 1, Staff Report, pages 28 through 34.*

CONCLUSIONS

Jurisdiction

The Hearing Examiner is granted the authority to hear and decide the applications for a special use permit when a hearing is requested, which occurred here during the notice of application public comment period. *Revised Code of Washington (RCW) 36.70.970; AMC 20.12.230; AMC 20.16.225; Exhibit 28.*

Criteria for Review

Subject to Subsection (d) [of AMC 20.16.225], the designated decision-maker shall issue the requested permit unless it concludes, based upon the information submitted at a hearing if there is a hearing or by signed letter if there is not, that:

- (1) The requested permit is not within its jurisdiction according to the Table of Permissible Uses, or
- (2) The application is incomplete, or
- (3) If completed as proposed in the application, the development will not comply with one or more requirements of this title (not including those the applicant is not required to comply with under the circumstances specified in Chapter 20.32, (Nonconforming Situations), or
- (4) The proposed project has not complied with SEPA, or
- (5) The proposed project is not in conformance with the comprehensive plan, transportation plan, or other adopted plans, regulations, or policies.

AMC 20.16.225(c).

Even if the permit-issuing authority finds that the application complies with all other provisions of this title, it may still deny the permit if it concludes, based upon the information submitted at the hearing, that if completed as proposed, the development, more probably than not:

- (1) Will materially endanger the public health or safety, or
- (2) Will materially harm adjoining or abutting property,
- (3) In terms of design and use will not be compatible with the area in which it is located.

AMC 20.16.225(d).

AMC 20.16.225(e) provides in relevant part that the Hearing Examiner shall not consider whether the proposed use should be a permissible use when it has been identified as such for the applicable zoning district, since this has already been addressed by City Council through their previous actions of adopting the Comprehensive Plan and land use code.

The criteria for review adopted by the Arlington City Council are designed to implement the requirement of chapter 36.70B RCW to enact the Growth Management Act. In particular, RCW 36.70B.040 mandates that local jurisdictions review proposed development to ensure consistency with City development regulations, considering the type of land use, the level of development, infrastructure, and the characteristics of development. *RCW 36.70B.040.*

Conclusions Based on Findings

With conditions, the proposal would satisfy the requirements for approval of a special use permit under the municipal code. The City provided reasonable notice of the application and opportunity to comment on the proposal. Comments on the proposal from the Washington State Department of Archaeology and Historic Preservation (DAHP) and the Stillaguamish Tribe of Indians regarding the site's likelihood of containing cultural resources were addressed by an archaeological survey of the site, which was reviewed and approved by DAHP, and by a requirement in the SEPA MDNS issued for the project, which would require that the Applicant obtain an excavation permit from DAHP and notify the Stillaguamish Tribe of Indians prior to any ground disturbing activities on the site.

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The City also received nearly 200 comments on the proposal from members of the public opposing the project. A vast majority of the public comments expressed concerns about the public health and environmental impacts of fume emissions from the galvanizing process, with several other comments raising concerns about the potential for soil and water contamination and the project's potential noise and traffic impacts, as well as impacts to property values in the area. In addressing these concerns, it must be noted that community displeasure, alone, cannot form the basis for a permit denial. *Kenart & Assocs. v. Skagit Cy.*, 37 Wn. App. 295, 303, 680 P.2d 439, *review denied*, 101 Wn.2d 1021 (1984). Rather, the Hearing Examiner must review the proposal for compliance with governing regulations.

Here, the City reviewed the Applicant's environmental checklist and other information on file and determined that, with mitigation measures, the project would not have a probable significant adverse impact on the environment. The City therefore issued an MDNS, which was not appealed, and the Hearing Examiner lacks authority to revisit this determination. The MDNS contains several mitigation measures addressing the project's potential impacts related to air quality, surface and ground water, noise, and traffic. Specifically, the MDNS would require that the Applicant complies with all requirements of the Puget Sound Clean Air Agency (PSCAA), properly utilize the baghouse providing emission controls, ensures that the facility building remains fully enclosed during the galvanization process, adheres to the stormwater management requirements of the most recent DOE Stormwater Management Manual for Western Washington, adheres to the City's noise regulations, and pays Cascade Industrial Center traffic impacts fees for the 5 PM peak-hour trips that would be generated from the project.

In addition to the mitigation measures described above, City staff has recommended additional conditions that address some of the concerns about the project's impacts that were raised by members of the public, which the Hearing Examiner adopts as conditions of permit approval. For example, these conditions reiterate the mitigation measure requiring that the Applicant perform all processing and manufacturing from within an enclosed building to ensure proper operation of the baghouse, and they require that the Applicant comply with all permit requirements from other government agencies with jurisdiction, including PSCAA. As recognized in the municipal code, AMC 20.44.240, PSCAA is the agency with regulatory authority over air emissions in the city, and the City does not have authority to regulate or enforce air quality standards. The Hearing Examiner has determined that he must defer to the expertise and authority of PSCAA in regulating the project's air emissions to ensure compliance with applicable air quality standards. As noted at the hearing, PSCAA's permit review process provides an opportunity for public comment. Although the Hearing Examiner considered whether additional conditions would be appropriate to ensure that area residents remain informed about PSCAA's monitoring of the facility's operations and have an avenue for reporting potential violations of air quality standards, the hearing also revealed that the PSCAA website (psccleanair.gov) provides a process for requesting record and filing complaints. In addition, the Hearing Examiner takes judicial notice that the municipal code provides a citizen complaint

process for reporting violations that are within the City's jurisdictional authority. *AMC 11.01.050.*

The Comprehensive Plan designates the subject property as "General Industrial," and City staff determined that the project, as conditioned, would be consistent with the Comprehensive Plan. The subject property is within the GI zone, which allows industrial processing operations conducted entirely within an enclosed building with either a zoning permit or a special use permit. As discussed in the findings, the proposal would generally require approval of only a zoning permit due to the total area of the development, but the City Community and Economic Development Director, in their discretion, determined that an SUP would be required due to the potential negative impacts to the environments and to provide for additional analysis of the galvanizing process. City staff reviewed the Applicant's preliminary site plans and proposal to utilize existing structures on the lot for the proposed use and determined that it would comply with the density and dimensional standards applicable to the GI zoning district, including standards related to minimum lot size, minimum lot width, minimum structural setbacks, maximum building height, and maximum lot coverage. The Hearing Examiner has also reviewed the Applicant's preliminary site plans and concurs with City staff's assessment.

The Hearing Examiner recognizes that the industrial zoned properties within the Cascade Industrial Center along 67th Avenue NE, including the subject property, are located adjacent to existing residential development to the east and that numerous members of the public expressed concerns about the proposal's location close to residential development. In reviewing an application for compliance with applicable permit criteria, however, the Hearing Examiner's analysis entails whether the proposal, as conditioned, would meet the requirements of the underlying zoning district, and neither the Hearing Examiner nor City staff has the authority to require that an Applicant relocate a proposed development to a different location within the zoning district established by the City. In this regard, AMC 20.16.225(e) specifically prohibits consideration of whether a proposed use should be allowed within a zoning district when the zoning code otherwise permits the use. As noted above, the proposed galvanizing facility is allowed in the GI zoning district with an SUP.

The Hearing Examiner has reviewed the Applicant's project plans and materials and has determined that, with the conditions imposed herein, the project would comply with the performance standards for uses within the GI zone, which are designed to mitigate impacts related to noise, vibration, air quality (through adherence with PSCAA requirements), odors, disposal of liquid hazardous wastes, water consumption, electrical disturbance, lighting, and site and building maintenance. The project would be required to adhere to City noise standards, no vibrations are expected to be generated from the galvanizing process, no electrical uses would be associated with the proposed use apart from typical site lighting, and the Applicant would be required to obtain permits for the proposed tenant improvements to the existing building. As discussed above, air quality standards would be addressed through the PSCAA permitting and oversight process. Chemicals used in the galvanizing process would be contained within primary and secondary containment systems designed to prevent chemicals from exiting the facility and

entering the on-site stormwater system, which would include enhanced water quality treatment measures that would provide some controls for dissolved metals in the unlikely event that the containment systems fail.

City staff reviewed the Applicant's preliminary site plans and determined that the project would comply with applicable City standards related to access, parking, and landscaping. The Hearing Examiner concurs with this determination. Compliance with requirements for utility service infrastructure and lighting would be reviewed upon submission of site civil construction drawings. An avigation easement approved by the Arlington Municipal Airport would be required to be recorded prior to final occupancy of the building. Design review is not required because the Applicant does not propose any exterior renovations to the existing building on the property, but it would be required for any future exterior changes to the building. The Hearing Examiner determines that the conditions detailed below, including conditions requiring that the Applicant comply with the permit conditions of the PSCAA and adhere to the mitigation measures of the MDNS, would ensure that the proposal would not materially endanger the public health or safety, or harm adjoining abutting properties, and would be compatible with the area in terms of design. *Findings 1 – 40.*

DECISION

Based upon the preceding findings and conclusions, the request for a special use permit to allow for the operation of a small parts hot-dip galvanizing facility within an existing 39,058 square foot building, with an associated 2,945 square foot storage building and loading dock, on an approximately 2.5-acre property located in the Cascade Industrial Center, at 18520 67th Avenue NE, is **APPROVED**, subject to the following conditions:

Special Use Permit:

1. All development shall be in substantial conformance with the approved Site Plans and Landscape Plans received on May 16, 2024, subject to any conditions or modifications that may be required as part of the permit review.
2. The Applicant shall meet all local, state, or federal code requirements. Please refer to the Arlington Municipal Code for a complete list of code requirements for your project type.
3. The Applicant shall comply with all permits and conditions thereof from the City of Arlington and other government agencies with jurisdiction.
4. The Applicant shall perform all processing and manufacturing from within an enclosed building and follow proper operating procedures, in order for the baghouse to operate correctly and minimize the impact on the surrounding area.

SEPA MDNS Conditions:

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5. **(B)(1) Earth:** In order to mitigate potential earth impacts, the Applicant shall implement Best Management Practices per Department of Ecology for Stormwater Pollution Prevention and TESC Controls to prevent erosion during and after construction. A Certified Erosion and Sediment Control Lead is required to monitor the site.
6. **(B)(2) Air:** In order to mitigate potential air impacts during construction, the Applicant shall implement dust control measures to reduce fugitive dust emissions during construction. A Construction Management Plan shall be submitted to the City prior to commencement of construction to ensure these measures. Construction equipment emissions shall comply with all State and Federal regulations for emissions.

To mitigate potential air pollution and impacts once operational, the Applicant shall submit the correct information to and comply with all Puget Sound Clean Air requirements. The Applicant shall comply with the manufacturer's requirements and recommendations of the proposed baghouse to ensure adequate emission control during the galvanizing process. This requires the building to remain fully enclosed, with no doors allowed to be open during the galvanizing process.

7. **(B)(3)(a)(b) Surface Water and Ground Water:** In order to mitigate potential impacts to ground water the Applicant shall employ best design practices meeting the current Department of Ecology's Stormwater Management Manual for Western Washington.
8. **(B)(3)(c) Water Runoff:** In order to mitigate potential impacts to water runoff the Applicant shall follow the current edition of the Department of Ecology's Stormwater Management Manual for Western Washington and Best Management Practices used to protect groundwater. The operation is required to remain fully enclosed so no fume emissions from the galvanizing kettle shall be present outside to enter surface waters.
9. **(B)(4)(b) Plants:** The Applicant shall comply with the current codes to ensure screening and parking lot shading on the site. The landscape plans show 91 trees to be planted on the site.
10. **(B)(6)(c) Energy and Natural Resources:** In order to conserve energy, the Applicant has proposed to recover heat from the galvanizing kettle exhaust to heat other processing tanks and also utilize appropriate insulation to minimize overall tank heating.
11. **(B)(7)(a) Environmental Health:** The Applicant shall comply with current codes to reduce or control environmental health hazards. A spill prevention plan shall be in place according to local, State and Federal policies. The chemicals used for the galvanizing process include Hydrochloric Acid, Zinc Ammonium Chloride, Caustic Soda, and Zinc. These chemicals shall be stored according to the requirements of the International Building Code and International Fire Code. The project proposes to provide restricted access areas, signage, personnel training, seismic designed secondary spill containment,

emergency contingency plans, proper materials of construction, adequate ventilation, and proper operations and maintenance activities.

12. **(B)(7)(b)(2) Noise:** City of Arlington noise standards found in AMC 9.20.060 shall be complied with. Specifically, in section 9.20.060(8) noises resulting from any construction or development activity or the operation of heavy equipment from 7:00pm to 7:00am Monday through Saturday and all day on Sunday shall be prohibited. The project will generate short term noise associated with construction activities. Construction hours will conform to City requirements.

Noise from operations and vehicle/truck traffic will be generated during business hours at project completion. The galvanizing facility proposes to operate 24 hours a day and 7 days a week. Residential homes are located just east of this project, the City will monitor potential noise complaints, and the hours of operation for the facility may be required to be reduced or limited.

13. **(B)(11)(a) Light and Glare:** To mitigate potential light pollution, the Applicant will be required to install light fixtures that are down shielded. The property is located within the Arlington Airport Protection District – Subdistrict C – that is comprised of the Federal Aviation Regulations (FAR) parts 77 Imaginary surfaces.
14. **(B)(8)(i) Land and Shoreline Use:** The number of employees listed in the checklist is ten (10). If changes to the employee count at the site occur, then additional regulations may need to be considered. The site was designed around the numbers provided by the Applicant; however, there are inconsistencies throughout the documents provided regarding the number of employees on the site.
15. **(B)(10)(c) Aesthetics:** The proposed use utilizes an existing building on the site. If there are changes to the building footprint or exterior of the building, then a design review permit is required by the City.
16. **(B)(13) Historic and Cultural Preservation:** During the notice of application period for the proposed project the Department of Archaeology and Historic Preservation requested an archaeological survey to be completed prior to ground disturbing activities. The Applicant shall comply with the conditions of the archaeological survey and obtain an excavation permit through the Department of Archaeology and Historic Preservation prior to ground disturbance on the site. The Applicant shall also notify the Stillaguamish Tribe of Indians prior to all ground disturbance on the site.
17. **(B)(14)(f) Transportation:** Trip generation has been calculated by Kimley-Horn and Associates, Inc., per a Traffic Impact Analysis, completed in August 2023, with 5 PM Peak Hour Trips. The report references the existing building constructed in 1979 is not required to pay City of Arlington traffic impact fees. The City of Arlington enacted a

Cascade Industrial Center Traffic Impact Fee per Ordinance 2021-002 that does apply to the proposed use.

The Applicant is required to pay Cascade Industrial Center Traffic Impact Fees in the amount of \$29,206.95 (\$5,841.39 x 5 PM Peak Hour Trips).

The number of employees and hours of operation have been listed inconsistently throughout the permit documents. For this reason, the City reserves the right to monitor and require a re-evaluation of the Traffic Impact Analysis based on actual use of the site within 1 year after Certificate of Occupancy has been issued.

18. **(B)(16)(a) Utilities:** The Applicant shall connect to the City of Arlington water and wastewater systems, extend utility lines as necessary, and pay water and sewer connection fees. All improvements shall be installed during the Site Civil Construction phase of the project. All utilities shall be installed underground.

Civil Permit:

19. A Site Civil construction permit shall be applied for and approved prior to any land disturbance on the subject property.
20. The project is subject to submit a Right-of-Way Permit for all work with public rights-of-way.
21. Prior to any construction activities, the Applicant shall file and receive approval of site civil construction plans, which comply with all requirements of the Arlington Municipal Code, International Building Code(s), International Fire Code and Public Works Construction Standards and Specifications. Said plans shall address all site improvements.
22. The Applicant shall comply with chapter 13.28 AMC, Stormwater Management, and the most current City-adopted edition of the Department of Ecology Stormwater Management Manual for Western Washington.
23. The Applicant shall construct all existing, extended, and new electrical power lines (not to include transformers or enclosures containing electrical equipment including but not limited to, switches, meters, or capacitors which may be pad mounted), telephone, gas distribution, cable television, and other communication and utility lines in or adjacent to any land use or building permit approved after the effective date of this chapter underground in accordance with the specifications and policies of the respective utility service providers and located in accordance with the administrative guideline entitled "Public Works Construction Standards and Specification." Even in the event the distribution line originates from a point opposite any public roadway from the new

construction, the service lines shall be placed beneath said roadway by means of boring or surface excavation across said roadway.

Building:

24. A building permit application shall be reviewed and approved prior to any building construction on the site.
25. All building permits shall meet the most current edition of the International Building Code.

Other:

26. All contractors working on the site are required to obtain a Washington State Business License and a City of Arlington Endorsement.
27. The Applicant has not proposed or identified outside storage on the proposed site plan and, therefore, outside storage is not allowed to occur on the site. Outdoor storage is required to be approved with a permit application and is subject to the regulations of AMC 20.44.066.

DECIDED this 22nd day of July 2024.

A handwritten signature in black ink, appearing to read 'Peregrin Sorter', written over a horizontal line.

PEREGRIN K. SORTER
Hearing Examiner
Laminar Law, PLLC

Appendix A

Exhibits:

The following exhibits were admitted into the record:

1. Staff Report
2. Special Use Permit Application, dated September 22, 2023
3. Applicant Project Narrative, dated February 13, 2024
4. Seattle Galvanizing Company - Spin Line Galvanizing Process Overview
5. Site Plan (Sheet A1.1)
6. Floor Plan (Sheet A2.1)
7. Landscape Plan (Sheet L1.1)
8. Preliminary Civil Plans (Sheet P1)
9. Water and Sewer Availability Request, approved January 25, 2024
10. Property Legal Description
11. Vicinity Map
12. Complete Streets Checklist
13. SEPA Environmental Checklist
14. Notice of Construction Application for Order of Approval, submitted to Puget Sound Clean Air Agency January 10, 2024
15. Unanticipated Discovery Plan
16. Preliminary Stormwater Drainage Plan, Harmsen, LLC, dated November 29, 2023
17. Geotechnical Report, PanGEO, Inc., dated November 27, 2023
18. Traffic Mitigation Memorandum, Kimley-Horn and Associates, Inc., dated August 31, 2023
19. Traffic Analysis Letter from Attorney Duana Koloušková to Marc Hayes, dated February 13, 2024
20. Public Notice Mailing Labels, Vicinity Map, and Mailing List
21. Notice of Public Hearing, published June 18, 2024, with Affidavit of Posting, dated June 18, 2024
22. Notice of SEPA Mitigated Determination of Nonsignificance (MDNS), published June 11, 2024
23. Notice of Application, published December 21, 2023, with Affidavit of Posting, dated December 21, 2023
24. Notice of Complete Application Letter, dated December 8, 2023
25. Notice of Incomplete Application Letter, dated November 8, 2023
26. Comment from Washington State Department of Archaeology and Historic Preservation (DAHP), dated May 30, 2024, with correspondence email strings and comment letter, dated January 4, 2024
27. Comment from Stillaguamish Tribe of Indians, dated June 11, 2024, with email string
28. Comment from Don Backstrom, dated January 1, 2024
29. Comment from Habib Arang, dated June 17, 2024
30. Comment from H.R. Malloy, dated June 18, 2024

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31. Comment from John Swizer, dated June 18, 2024
32. Comment from Salley Hoy, dated June 18, 2024
33. Comment from Elizabeth Viney, dated June 18, 2024
34. Comment from Georgina Jones, dated June 18, 2024
35. Comment from Ken Root, dated June 18, 2024
36. Comment from Janis Kimball, dated June 18, 2024
37. Comment from Lorraine Cebollero, dated June 18, 2024
38. Comment from Philip Lane, dated June 18, 2024
39. Comment from Janine M. Armstrong, dated June 18, 2024
40. Comment from Herman Vanloo, dated June 18, 2024
41. Comment from Julie David, dated June 19, 2024
42. Comment from Linda Beecher, dated June 19, 2024
43. Comment from Mark DuBois, dated June 19, 2024
44. Comment from Jacqueline Burkhalter, dated June 19, 2024
45. Comment from Elisabeth and Marc Rosson, dated June 19, 2024
46. Comment from Christian Wigington, dated June 19, 2024
47. Comment from Glenda Blakey, dated June 19, 2024
48. Comment from Erin Casey, dated June 19, 2024
49. Comment from Rayna Allinger, dated June 20, 2024
50. Comment from Karri Norberg, dated June 20, 2024
51. Comment from Leanna Lopez, dated June 20, 2024
52. Comment from Dianne Hascall, dated June 21, 2024
53. Comment from Catherine Patterson, dated June 21, 2024
54. Comment from Stacey Calvert, dated June 21, 2024
55. Comment from Henry Cho, dated June 21, 2024
56. Comment from Wayne Pollard, dated June 21, 2024
57. Comment from Cynthia Cloutier, dated June 21, 2024
58. Comment from Jenn O'Toole, dated June 21, 2024
59. Comment from Cody Fagan, dated June 21, 2024
60. Comment from Michael Ross, dated June 22, 2024
61. Comment from Michael and Lisabeth Martonick, dated June 22, 2024
62. Comment from Dana Stoeckel, dated June 22, 2024
63. Comment from Roy Matson, dated June 22, 2024
64. Comment from David Brown, dated June 22, 2024
65. Comment from Richard Lothamer, dated June 22, 2024
66. Comment from Jenna DeWitte, dated June 22, 2024
67. Comment from Westley Hunter, dated June 22, 2024
68. Comment from John Weber, dated June 22, 2024
69. Comment from Audrey and Larry Conner, dated June 22, 2024
70. Comment from Sarah Torres, dated June 22, 2024
71. Comment from Danielle and Tom Sowinski, dated June 22, 2024
72. Comment from Joe Montellano, dated June 22, 2024
73. Comment from William Cutler, dated June 22, 2024

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74. Comment from Lindee Lorig, dated June 22, 2024
75. Comment from Ksenia Cutler, dated June 22, 2024
76. Comment from Denis Egorov, dated June 22, 2024
77. Comment from Kristina Egorova, dated June 22, 2024
78. Comment from Sandi Bordsen, dated June 23, 2024
79. Comment from Emily Heart, dated June 23, 2024
80. Comment from Camille Pickett, dated June 23, 2024
81. Comment from Alan D. Goldberg, dated June 23, 2024
82. Comment from Judy Ness, dated June 23, 2024
83. Comment from Paul Bordsen, dated June 23, 2024
84. Comment from Tara and John Atkinson, dated June 23, 2024
85. Comment from Crystal Williams, dated June 23, 2024
86. Comment from Donald and Anita Coats, dated June 23, 2024
87. Comment from Greg and Toni Southard, dated June 23, 2024
88. Comment from Marc Stankey, dated June 23, 2024
89. Comment from Connie Martinis, dated June 23, 2024
90. Comment from Elisabeth Bacigalupi, dated June 23, 2024
91. Comment from Tammy Olson, dated June 23, 2024
92. Comment from Kiley Busby, dated June 23, 2024
93. Comment from Clarence Downard, dated June 23, 2024
94. Comment from Gary Gibbs, dated June 23, 2024
95. Comment from K. Burow, dated June 23, 2024
96. Comment from Adena Doran, dated June 23, 2024
97. Comment from Kyla Gray, dated June 23, 2024
98. Comment from Lisa Peters, dated June 23, 2024
99. Comment from Helen Downard, dated June 23, 2024
100. Comment from Amy Taylor, dated June 23, 2024
101. Comment from Frank Losos, dated June 23, 2024
102. Comment from Michael Domanowski, dated June 23, 2024
103. Comment from Debbie Orr, dated June 23, 2024
104. Comment from Lynzee Schweigert, dated June 23, 2024
105. Comment from Debra Bodda, dated June 23, 2024
106. Comment from Gary Whitley, dated June 23, 2024
107. Comment from Sandra Matthews, dated June 24, 2024
108. Comment from Michael Wolf, dated June 24, 2024
109. Comment from Brian and Laurie McEachron, dated June 24, 2024
110. Comment from Nover Abes, dated June 24, 2024
111. Comment from Francine Walbon, dated June 24, 2024
112. Comment from Carlos and Kari Braulio, dated June 24, 2024
113. Comment from Magnolia Estates resident, dated June 24, 2024
114. Comment from Kegan, dated June 24, 2024
115. Comment from CarlieAnn Raff, dated June 24, 2024
116. Comment from Thresa Reiff, dated June 24, 2024

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117. Comment from Nicole Egholm, dated June 24, 2024
118. Comment from Katelynne Perry, dated June 24, 2024
119. Comment from John Daut, dated June 24, 2024
120. Comment from Ann Minks, dated June 24, 2024
121. Comment from Beverly Lothamer, dated June 24, 2024
122. Comment from Kandi Knott, dated June 24, 2024
123. Comment from Linda Ferguson, dated June 24, 2024
124. Comment from Barb and Rob Bowles, dated June 24, 2024
125. Comment from Karla Marsh, dated June 24, 2024
126. Comment from Jeff and Lois Shumski, dated June 24, 2024
127. Comment from Nikole Crutcher, dated June 24, 2024
128. Comment from George and Cheryl Nemeth, dated June 24, 2024
129. Comment from Andrea Misitano, dated June 24, 2024
130. Comment from Kelsey Pierce, dated June 24, 2024
131. Comment from Noël Turk, dated June 24, 2024
132. Comment from 14254180053, dated June 24, 2024
133. Comment from Denise Trautmann, dated June 24, 2024
134. Comment from Andie Boyle, dated June 24, 2024
135. Comment from Aaron and Dazzle Thompson, dated June 24, 2024
136. Comment from Steve and Ginny Madison, dated June 24, 2024
137. Comment from Kitty Sue Smith, dated June 24, 2024
138. Comment from Keith and Nola Russell, dated June 24, 2024
139. Comment from Mr. and Mrs. Robert MacNeal, dated June 24, 2024
140. Comment from Leonard, dated June 24, 2024
141. Comment from Travis Marsh, dated June 24, 2024
142. Comment from Hilary MacTaggart, dated June 24, 2024
143. Comment from Scott and Muriel Tomkins, dated June 24, 2024
144. Comment from Simona Devries, dated June 24, 2024
145. Comment from Marsha Elliot, dated June 24, 2024
146. Comment from Tami Rystom, dated June 24, 2024
147. Comment from Steve Maisch and Holly Sloan-Buchanan, dated June 24, 2024
148. Comment from Todd Powell, dated June 24, 2024
149. Comment from Andrea Powell, dated June 24, 2024
150. Comment from Kathy Ladines, dated June 24, 2024
151. Comment from Elizabeth Lenander, dated June 24, 2024
152. Comment from Ryan Olsen, dated June 24, 2024
153. Comment from Pay Vaughn, dated June 24, 2024
154. Comment from Dennis Hutton, dated June 24, 2024
155. Comment from Susan Cotton, dated June 24, 2024
156. Comment from Morgen Phillips, dated June 24, 2024
157. Comment from Jeorge Lopez, dated June 24, 2024
158. Comment from Concerned Citizen, dated June 24, 2024
159. Comment from Leanna Lopez, dated June 24, 2024

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160. Comment from Jerry and Laurie Wilson, dated June 24, 2024
161. Comment from Elizabeth Vincenzi, dated June 24, 2024
162. Comment from Matt, dated June 24, 2024
163. Comment from Blake Peterson, dated June 24, 2024
164. Comment from Shalee Abram, dated June 24, 2024
165. Comment from Sara Troup, dated June 24, 2024
166. Comment from Sue Carmody, dated June 24, 2024
167. Comment from Jack Miller, dated June 24, 2024
168. Comment from Edward Beam, dated June 25, 2024
169. Comment from Katrina Sperry, dated June 25, 2024
170. Comment from Richard Edgerton, dated June 25, 2024
171. Comment from Michael Boyko, dated June 25, 2024
172. Comment from Ken and Cherese Sutton, dated June 25, 2024
173. Comment from Kathy Yeadon, dated June 25, 2024
174. Comment from Theresa Fournier, dated June 25, 2024
175. Comment from Jessica Preder, dated June 25, 2024
176. Comment from George Schweigert, dated June 25, 2024
177. Comment from Jordin Kate, dated June 25, 2024
178. Comment from Jordan Katana Kurtz, dated June 25, 2024
179. Comment from Christina Adamson, dated June 25, 2024
180. Comment from Sondra Brunkhorst, dated June 25, 2024
181. Comment from Karan Bush, dated June 25, 2024
182. Comment from Gordon Snyder, dated June 25, 2024
183. Comment from Robert Kircher, dated June 25, 2024
184. Comment from Jim Brunkhorst, dated June 25, 2024
185. Comment from Heidi Valverde, dated June 25, 2024
186. Comment from Kimberly Brown, dated June 25, 2024
187. Comment from Lewis Linville, dated June 25, 2024
188. Comment from Karen Varnell, dated June 25, 2024
189. Comment from George Weicker, dated June 25, 2024
190. Comment from Diane Mason, dated June 25, 2024
191. Comment from Michelle Basford, dated June 25, 2024
192. Comment from Bruce Yeadon, dated June 25, 2024
193. Comment from John Jury, dated June 25, 2024
194. Comment from Josh Miller, dated June 25, 2024
195. Comment from Chris Anderson, dated June 25, 2024
196. Comment from Teresa and Cory Suit, dated June 25, 2024
197. Comment from Elaine Hellwig, dated June 25, 2024
198. Comment from Taylor Kasony, dated June 25, 2024
199. Comment from David Thomas, dated June 25, 2024
200. Comment from Magali Jaenz, dated June 25, 2024
201. Comment from Kasondra Gilbert, dated June 25, 2024
202. Comment from Sandra Olson, dated June 25, 2024

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- 203. Comment from Michelle Tornetta, dated June 25, 2024
- 204. Comment from Lorraine Koch, dated June 25, 2024
- 205. Comment from Natalie Hollifield, dated June 25, 2024
- 206. Comment from Dave and Karen McKellar, dated June 25, 2024
- 207. Comment from Jack McCord, dated June 25, 2024
- 208. Comment from Rex Martin, dated June 25, 2024
- 209. Comment from Eyleen McCluskey-Shouman, dated June 25, 2024
- 210. Comment from Jessica Guerrier, dated June 25, 2024
- 211. City Response to Exhibits 47-153
- 212. City Response to Exhibits 154-210
- 213. Comment from Shawna Wilder, dated June 25, 2024
- 214. Comment from Renae Russell, dated June 25, 2024
- 215. Comment from Stephen Lawrence Foster, dated June 26, 2024
- 216. Comment from Rod Pierce, dated June 26, 2024
- 217. Comment from Larry Lane, dated June 26, 2024
- 218. Comment from Michael Burdett, dated June 28, 2024
- 219. Comment from Cindy Nicholson, dated June 28, 2024
- 220. City Response to Exhibits 213-219
- 221. Puget Sound Clean Air Agency draft Final Permit Approval
- 222. Comment from Stephen Lawrence Foster, dated July 2, 2024
- 223. Comment from Jennifer Treppa, dated July 3, 2024
- 224. Comment from Raven Arroway-Healing, dated July 3, 2024
- 225. Comment from Kathryn Ladines, dated July 5, 2024
- 226. Comment from Nicholas Gouette, dated July 4, 2024
- 227. Comment from Keith Russell, dated July 7, 2024
- 228. Comment from Keith Russell, dated July 8, 2024
- 229. Comment from Ken Hunkins, dated July 8, 2024
- 230. Comment from Reyse Tabares, on behalf of Representative Clyde Shavers, dated July 8, 2024
- 231. Outside Storage Recommended Condition

Appendix B

Recommended Conditions Contained in the Draft PSCAA Final Permit Approval Document (Exhibit 221)

Standard Conditions:

1. Approval is hereby granted as provided in Article 6 of Regulation I of the Puget Sound Clean Air Agency to the Applicant to install or establish the equipment, device, or process described hereon at the installation address in accordance with the plans and specifications on file in the Engineering Division of the Puget Sound Clean Air Agency.
2. This approval does not relieve the Applicant or owner of any requirement of any other governmental agency.

Specific Conditions:

3. The galvanizing hot dip kettle must at all times route kettle exhaust through an offset flanged slotted hood the length of the kettle with minimum fan setting corresponding to at least 10,000 scfm exhaust flow. Exhaust from the hood must be ducted continuously and vented to the dust collector.
4. All parts galvanized within the hot dip kettle must be fully contained within the kettle.
5. Flux solution may not be introduced directly into the hot dip kettle.
6. HCl pickling tanks must not contain HCl in greater than 12%
7. There shall be no visible emissions from the dust collector's exhaust stack except for uncombined water vapor.
8. There shall be no visible emissions beyond the galvanizing kettle building except for uncombined water vapor.
9. Total PM Emissions from the galvanizing hot dip kettle dust collector exhaust must not exceed 0.003 gr/dscf, as measured by EPA Method 5 and PSCAA 540. Compliance with this condition shall be demonstrated through filtration performance data. Maintenance and replacement procedures for the filters must be incorporated into the Operations and Maintenance (O&M) plan required by Agency Regulation I, Section 5.09(b).
10. Once each week during which the galvanizing hot dip kettle is operated, the owner or operator shall observe the galvanizing building perimeter during hot dip kettle operation for visible emissions. Once each week during operation of the galvanizing hot dip kettle,

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the owner or operator shall observe the dust collector's exhaust stack for visible emissions. If visible emissions are observed from either outside of the galvanizing building or the dust collector's exhaust stack, the owner operator shall stop operation of the galvanizing process, determine the cause of the problem including estimating the mean static pressure inside the hood, and take corrective actions. Galvanizing operations may not be resumed until the cause of the visible emissions has been determined and the problem corrected.

11. The hood and ducting system to the dust collector must be maintained free of holes, cracks, and any other structural deficiency that would reduce the capture and collection efficiency of the system. The owner or operator must at minimum conduct inspections every calendar year of the enclosure and ducting system to the dust collector for structural deficiencies. An inspection log must be kept to record any structural deficiency or corrective action taken by the owner or operator to correct the deficiency. Log records must include descriptions of observations, the date of the inspections and the date of corrective actions.
12. The dust collector must be equipped with an operable pressure gauge to indicate the pressure drop across the bags or filters. The operating pressure drop range shall be established based on manufacturer's recommendations, specifications or instruction, or good air pollution control practices to minimize emissions. The established pressure drop range minimum and maximum values must be clearly marked on or nearby the gauge and documented in the facility O&M plan. Pressure gauge components must be calibrated in accordance with manufacturer instructions and operating manuals. The owner or operator must keep a written copy of manufacturer instructions and operating manuals onsite.
13. The dust collector must always be operated within the established pressure drop range across the exhaust filter bank. Compliance demonstration with this requirement must at a minimum include weekly pressure drop inspections, on days that the hot dip kettle is in operation. If at any time the pressure drop deviates from the established pressure drop range, galvanizing operations shall discontinue after finishing the dip in progress. Galvanizing operations may not resume until the cause of the pressure drop deviation has been determined and the problem corrected. An inspection log must be kept to record any pressure drop deviation from the established pressure drop range and the corrective action taken by the owner or operator to correct the deviation. Log records must include the observed readings, descriptions of corrective actions, the date of the inspections, and the date of corrective actions.
14. Records to be maintained by this Order of Approval shall be kept onsite for at least two years from the date of generation, and made available to Puget Sound Clean Air Agency personnel upon request.

15. The owner or operator shall keep records of all inspections, monitoring, observations, readings and corrective actions as required by this Order of Approval. These records must include at least the following information:
- a. Log records of enclosure and ducting system inspections required under Condition No. 11.
 - b. Log records of dust collector pressure drop inspections required under Condition No. 13.
 - c. Visible emissions observations required under Condition No. 10.
 - d. Any corrective actions conducted.