321-A-5 2008-0014

569 Riverside St.

Metal Recycling Facility

Prolerized New England

add to Spreadsheet

of credit, accordingly, as the original letter of credit is reduced to correspond to completed construction. (The letter of credit will not be reduced to be less than the estimate to execute the landscaping plan.)

Thank you, Rick, for your ongoing assistance in this project. Please let me know if you have any further comments or desire to discuss these further. We look forward to your review of the plans, and to commencing construction very soon.

Very truly yours,

Hope Jacobsen pd

Hope C. Jacobsen

cc: Carl V. Beal, P.E.

CITY OF PORTLAND, MAINE
PLANNING BOARD

September 9, 2008

Mr. Carl Beal
Civil Consultants
PO Box 100
So. Berwick, ME 03908

RE: Prolerized New England Company, LLC., Vicinity of 568 Riverside Street

CBL: 321-A-001
Application ID: #2008-0014

Dear Mr. Beal:

On July 8, 2008, the Portland Planning Board considered the Prolerized New England Company, LLC metal recycling facility proposal in the vicinity of 568 Riverside Street. The Planning Board reviewed the proposal for conformance with the standards of the Site Plan Ordinance.

The Planning Board voted 6-0 (Lewis absent) **not to waive** the requirements of Chapter 25 that a sidewalk shall be constructed along the project street frontage.

The Planning Board voted 6-0 (Lewis absent)to waive the requirement of the Traffic Design Standards and Guidelines that a driveway shall not exceed 30 feet in width.

The Planning Board voted 6-0 (Lewis absent) to waive the requirements of the Traffic Design Standards and Guidelines that a parking aisle width shall not exceed 24 feet in width.

The Planning Board voted 6-0 (Lewis absent) to waive the requirements of the Traffic Design Standards and Guidelines regarding the minimum distance between driveways.

SITE PLAN REVIEW
The Planning Board voted 5 to 1 (Odokara absent; Lewis absent) that the plan is in conformance with the site plan standards of the Land Use Code subject to the following condition(s) of approval:

1. That the applicant shall satisfy all of the review comments in Tom Errico's memo of 6-27-08 which shall be submitted for review and approval by City staff. These comments include but are not limited to the submission of an annual monitoring program related to vehicle queuing and if problems are identified by the City, applicant be responsible for implementing a mitigation plan to be approved to the satisfaction of the City. Applicant shall submit an operations management plan that shall address actions to be taken if the vehicle queuing is approaching Riverside Street. Applicant shall also contribute $10,000 towards future transportation improvements at the Riverside/Warren Avenue intersection prior to the issuance of a certificate of occupancy.

2. That the landscape plan shall be revised and submitted for review and approved by the City Arborist.

3. That the site plan shall be revised and submitted for review and approval by Dan Goyette, Development Review Coordinator.

4. That the site plan shall be revised and submitted for review and approval by Marge Schmuckal (Zoning Administrator) reflecting mitigation measures so that she can determine whether the noise standards of the I-H zone have been addressed at the property line and that building elevations for the flat auto storage and non-ferrous storage buildings be submitted to confirm conformance with the I-H height requirement.

5. That the site plan shall be revised and submitted for review and approval by the Fire Department.

6. That an executed sewer easement across the Portland Water District property shall be submitted to City staff for review and approval.

7. That an operations procedures manual for the facility shall be submitted for City staff review and approval regarding the handling of waste products including lubricants and other chemicals.

8. That a drainage maintenance agreement shall be executed and submitted for City staff review and approval. The stormwater maintenance facilities shall be reviewed and approved by City staff including provision for water quality monitoring if necessary. The stormwater monitoring shall include an annual report to the City stating what further steps were taken with the plan including any repairs to the precast concrete that is integral to the stormwater maintenance program.

9. The lighting plan shall include a mechanism to reduce light during non-operating hours of the facility to the extent practicable.

10. That the performance guarantee shall be extended from one to three years for landscaping (only).

The approval is based on the submitted plans and the findings related to site plan review standards as contained in Planning Report #33-08 which is attached.

Please note the following provisions and requirements for all site plan approvals:

1. The above approvals do not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division.

2. A performance guarantee covering the site improvements as well as an inspection fee payment of 2.0% of the guarantee amount and seven (7) final sets of plans must be submitted to and approved by the Planning Division and Public Works prior to the release of a building permit, street opening permit or certificate of occupancy for site plans. If you need to make any modifications to the approved plans, you must submit a revised site plan application for staff review and approval.

3. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the expiration date.

4. Final sets of plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (*,dwg), release AutoCAD 2005 or greater.

5. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.

6. Prior to construction, a pre-construction meeting shall be held at the project site with the contractor, development review coordinator, Public Work's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.

7. If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)

Philip DiPierro, Development Review Coordinator, must be notified five (5) working days prior to date required for final site inspection. The Development Review Coordinator can be reached at 874-8632. Please make allowances for completion of site plan requirements determined to be incomplete or defective during the inspection. This is essential as all site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

If there are any questions, please contact Richard Knowland, Senior Planner, at 874-8725.

Sincerely,

MEA

Janice Tevanian

Janice Tevanian, Chair
Portland Planning Board

Attachments:
1. Tom Errico's Memo dated 6-27-08
2. Planning Board Report
3. Performance Guarantee Packet

Electronic Distribution:
Penny St. Louis Littell, Director of Planning and Urban Development
Alexander Jaegerman, Planning Division Director
Barbara Barhydt, Development Review Services Manager
Richard Knowland, Senior Planner
Philip DiPierro, Development Review Coordinator
Marge Schmuckal, Zoning Administrator
Jeanie Bourke, Inspections Division
Lisa Danforth, Administrative Assistant
Michael Bobinsky, Public Services Director
Kathi Earley, Public Works
Bill Clark, Public Works
Michael Farmer, Public Works
Jim Carmody, City Transportation Engineer
Jane Ward, Public Works
Captain Greg Cass, Fire Prevention
Jeff Tarling, City Arborist
Tom Errico, Wilbur Smith Consulting Engineers
Dan Goyette, Woodard & Curran
Assessor's Office
Approval Letter File
Hard Copy: Project File
Hope Jacobsen, Perkins Thompson, 1 Canal Plaza, Portland, ME 04101

May 20, 2010

Mr. Carl Beal
Civil Consultants
P.O. Box 100
South Berwick, Maine 03908

RE: Prolerized New England Company, LLC., Vicinity of 568 Riverside Street

Dear Mr. Beal:

This letter is to confirm that that the Portland Planning Authority has reviewed and approved certain revisions to the Prolerized New England Company site plan in the vicinity of 568 Riverside Street. The proposed revisions are described in a letter dated April 1, 2010 from Carl Beal of Civil Consultants to Richard Knowland, Senior Planner. The revisions include an adjustment in the location of the processing building, a reconfiguration of the screening berm and a reduction in bituminous pavement surface among other changes.

The revised site plan approval is subject to the following conditions:

1. All conditions of approval from the Planning Board approval of July 8, 2008 and Planning Authority approval letter dated November 12, 2009 shall still apply.
2. Prior to the installation of planting material on the Riverside Street side berm, the applicant shall contact the City Arborist and Planning Staff so that an inspection may take place to determine the effectiveness of the berm, the proposed building and the proposed landscaping to screen the scrap metal pile behind the processing building. This review by the City Arborist and Planning Staff may require the applicant to adjust the location of particular trees or add additional evergreen trees .
3. Power lines shall be underground.
4. A drainage easement benefiting the City shall be submitted for Corporation Counsel review and approval for the existing storm drain line that crosses the property near Riverside Street.
5. Applicant shall add floating absorbent/filter media in the loading dock catch basin to capture any leaks or spills. Maintenance of the catch basin shall be included in the operations and maintenance plan.

This approval is based upon the submitted site plan. If you need to make any modifications to the approved site plan, you must submit an amended site plan for staff review and approval.

Please note the following provisions and requirements for all site plan approvals:

1. The above approval does not constitute approval for building plans, which must be reviewed and approved the City of Portland's Inspection Division.

2. Where submission drawings are available in electronic form, final sets of plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (*dwg), release AutoCAD 2005 or greater.

3. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the expiration date.

4. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.

5. Prior to construction, a pre-construction meeting shall be held at the project site with the contractor, Planning Division's Development Review Coordinator, Public Work's representative and owner to review the construction schedule and critical aspects of the site work. At that time the site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.

6. If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)

The Development Review Coordinator must be notified five (5) working days prior to date required for final site inspection. The Development Review Coordinator can be reached at the Planning Division at 874-8632. Please make allowances for completion of site plan requirements determined to be incomplete or defective during the inspection. This is essential as all site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

If there are any questions, please contact Richard Knowland at 874-8725.

Sincerely,

AlexanderJaegerman
Director of Planning Division

Electronic Distribution:

Penny St. Louis Littell, Director of Planning and Urban Development
Alexander Jaegerman, Planning Division Director
Barbara Barhydt, Development Review Services Manager
Richard Knowland, Senior Planner
Philip DiPierro, Development Review Coordinator
Marge Schmuckal, Zoning Administrator
Gayle Guertin, Inspections Division
Lisa Danforth, Inspections Division
Lannie Dobson, Inspections Division
Michael Bobinsky, Public Services Director
Kathi Earley, Public Services
Bill Clark, Public Services
David Margolis-Pineo, Deputy City Engineer
Greg Vining, Public Services
John Low, Public Services
Jane Ward, Public Services
Keith Gautreau, Fire
Jeff Tarling, City Arborist
Tom Errico, Wilbur Smith Consulting Engineers
Dan Goyette, Woodard & Curran
Assessor's Office
Approval Letter File

Hope Jacobsen, Perkins Thompson, One Canal Plaza, PO Box 426, Portland, ME 04112

Hard Copy: Project File

November 12, 2009

Mr. Carl Beal
Civil Consultants
PO Box 100
South Berwick, ME 03908

RE: Prolerized New England Company, LLC, Vicinity of 568 Riverside Street

CBL: 321-A-001
Application ID: #2008-0014

Dear Mr. Beal:

On November 12, 2009, the Portland Planning Authority approved revisions to the Prolerized New England Company, LLC metal recycling facility site plan as shown on the approved plan dated Nov. 10, 2009 with the following conditions:

1. That up to six (6) additional evergreen plantings may be required if there are gaps in the screening plan as determined by the City Arborist and Planning Division upon an inspection of the site prior to the issuance of a Certificate of Occupancy.

The approved plan includes revisions to the configuration of the process building, berm area, non-ferrous storage building bins and landscaping.

The approval is based on the submitted site plan. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.

Please note the following provisions and requirements for all site plan approvals:

1. Where submission drawings are available in electronic form, the applicant shall submit any available electronic Autocad files (*.dwg), release 14 or greater, with seven (7) sets of the final plans.

2. A performance guarantee covering the site improvements as well as an inspection fee payment of 2.0% of the guarantee amount and 7 final sets of plans must be submitted to and approved by the Planning Division and Public Services Dept. prior to the release of the building permit. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.

3. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the expiration date.

4. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.

5. Prior to construction, a pre-construction meeting shall be held at the project site with the contractor, development review coordinator, Public Service's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.

6. If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)

The Development Review Coordinator must be notified five (5) working days prior to date required for final site inspection. The Development Review Coordinator can be reached at the Planning Division at 874-8632. Please make allowances for completion of site plan requirements determined to be incomplete or defective during the inspection. This is essential as all site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

If there are any questions, please contact Richard Knowland at 874-8725.

Sincerely,

Alexander Jaegerman
Planning Division Director

Electronic Distribution:
Penny St. Louis Littell, Director of Planning and Urban Development
Alexander Jaegerman, Planning Division Director
Barbara Barhydt, Development Review Services Manager
Richard Knowland, Planner/Senior Planner
Philip DiPierro, Development Review Coordinator
Marge Schmuckal, Zoning Administrator
Tammy Munson, Inspections Division Director
Gayle Guertin, Inspections Division
Lisa Danforth, Inspections Division
Lannie Dobson, Inspections Division
Michael Bobinsky, Public Services Director
Kathi Earley, Public Services
Bill Clark, Public Services
David Margolis-Pineo, Deputy City Engineer
Todd Merkle, Public Services
Greg Vining, Public Services
John Low, Public Services

Jane Ward, Public Services
Keith Gautreau, Fire
Jeff Tarling, City Arborist
Tom Errico, Wilbur Smith Consulting Engineers
Dan Goyette, Woodard & Curran
Assessor's Office
Approval Letter File
Hard Copy: Project File
Hope Jacobsen, Perkins Thompson, One Canal Plaza, PO Box 426, Portland, ME. 04112

From: "John Poliquin" <quest@maine.rr.com>
To: <rwk@portlandmaine.gov>
Date: 3/25/2008 12:53:06 PM
Subject: Riverside metal recycling facility

Mr. Richard Knowland

Senior Planner

City of Portland, Maine

Dr Mr. Knowland,

I am writing in response to notice from the City of Portland regarding a metal recycling facility being proposed for the area of 568 Riverside St. I run a small business on Rainmaker Drive, just behind 585 Riverside St. My business, Quest Martial Arts, has adults and children attending classes every day except Sunday.

I confess I know nothing about metal recycling nor about this facility specifically. My concerns, however, are as follows.

1) Noise pollution. If the plant creates noise in the surrounding area, this will be disturbing to my classes as well as my clients. Can you provide any information regarding noise output from the facility?

2) I am also concerned about smell. Needless to say, if the surrounding area is subjected to odor caused by the plant or its process, this will directly impact the willingness of customers to patronize my business.

3) Also, I am concerned about the visual aspects of the facility. Will there be inventory of metal or metal waste visible by surrounding businesses or passersby? Again, if such is the case, this would negatively impact my business. How large will this structure be and far off the road?

4) Additionally, any of the above situations, has the very real possibility of lowering the value of my property.

I am in hopes that the City of Portland will not allow a facility that does not appropriately control these environmental factors into this area of businesses and residences. Any information you can send me regarding these concerns would be greatly appreciated. Thank you.

those portions of the metal recycling facility used to receive, process or store any form of metal from ordinary view throughout the calendar year.

(c) *Natural or man-made screening.* Screening may be accomplished by use of the following natural or man-made screens provided those portions of the scrap metal recycling facility used to receive, process or store any form of metal are entirely screened from ordinary view.

(1) *Hills, gullies, or embankments.* Where man-made, such screens must be constructed to blend with the landscape with loaming and seeding or other treatment as may be necessary to establish a natural appearance; or

(2) Building or other installations; or

(3) A combination of the above.

If buildings or other installations are used, they are not subject to the 15 foot height limitation on fences or other types of screening.

For the purpose of this rule the phrase "entirely screened" shall not be interpreted to apply to piles of metal or other material that exceed 30 ft. on 5 days or less in a 30 consectuve day period unless the owner or operator applies for additional time and shows good cause for the request, or to openings used for entrances or exits to and from the facility or that are on abutting property.

Rule #7 Exemption from Specific Requirements:

The following requirements shall not apply to facilities existing on or before the effective date of this Ordinance.

(a) Rule 6, 100' setback requirement.

Rule #8 Annual Testing Requirements

The annual testing required under Section 31-6(d) of the Scrap Metal Recycling Facilities Ordinance shall conform to the following requirements.

(a) Groundwater samples shall be taken from the existing three on-site overburden monitoring wells on an annual basis in conformance with Rule #3(b)-(c).

(b) For those facilities that were required to undertake a remedial action plan after the initial waste baseline sampling, annual soil sampling shall be conducted in conformance with Rule #2(b)-(c), if the department demonstrates that the remedial action plan was not implemented in accordance with its terms. Said sampling shall be limited to those areas identified in either the initial waste baseline sampling plan or through further testing previously required by the department.

(c) After a facility can demonstrate for three consecutive years that the results of any sampling that it conducted are within the regulatory guidelines as outlined above, that facility shall be allowed to test once every three years for those substances the levels of which were below the regulatory guidelines.

If a remediation plan is implemented by an entity other than the owner or operator of the scrap metal recycling facility or voluntarily implemented by such owner or operator and the remediation lowers the previously existing baselines, the lower baselines or the state regulatory guidelines as incorporated, whichever are higher, shall be used for the purpose of future testing and remediation requirements.

For the purpose of this rule an "owner or operator" includes any prior owners or operators in which a controlling interest was held by the same individuals or legal entities, or any person or entity acting in their behalf.

Rule #4 Dismantling Motor Vehicles and Other Items Containing Waste:

The dismantling of items containing waste shall take place in a building with an impervious floor and appropriate equipment and containers to properly extract and store waste and recover any spilled or escaped waste in compliance with state and federal laws.

Upon receiving a motor vehicle, the battery shall be removed and located in such a ways as to ensure the battery's contents will not spill onto the ground.

When any engine lubricant, transmission fluid, brake fluid and/or engine coolant is removed from a vehicle, those fluids shall be drained into watertight containers which shall be kept covered and secured by containment in a storage building designed to contain spills. Any fluids from the motor vehicle shall be stored, recycled or disposed of according to all applicable federal and state laws. No discharge of any fluids from any motor vehicle shall be permitted into or onto the ground.

Rule #5 Storage and Handling of Waste:

Waste shall be stored and handled pursuant to and in compliance with state law and applicable regulations of the Maine Department of Environmental Protection and any amendments thereto.

Hazardous substances and hazardous waste, including PCBs, solvents, and degreasers, and mercury and special wastes, including petroleum-related products shall be received, handled, processed, stored and disposed of in accordance with State of Maine Hazardous Waste Management Rules (06-096 CMR 850, Chapter 850 and 851, January 23, 2001) and Solid Waste Management Regulations (06-096 CMR Chapter 400 et seq., September 1, 1999).

Rule #6 Setback Requirement; Visual Screening and Limitation on the Height of Piles of Metal or Other Material.

In no event shall the scrap metal recycling facility be located closer than 100 feet from a public road. The setback provision shall apply to temporary or permanent storage, weighing, or processing areas for any metal or material within the scrap metal recycling facility, but shall not apply to any driveways or administrative buildings, and shall not apply to the fences or screening which may be established to keep the facility screened from ordinary view, except such fences or screening must be outside the public road right-of-way. For the purposes of the Rules, the term "from a public road" shall mean from the far side of any immediately adjacent public road.

Visual impact standards can be met through buildings, plantings, fences, berms, setbacks, or other screening, or a combination thereof; however, the screening shall in no case exceed 15 feet in height and any piles of metal or other material shall not exceed 30 feet in height except as allowed by this Rule.

(a) *Fencing.* Fences shall be so located and of sufficient height to entirely screen those portions of the metal recycling facility or any piles of material within the facility used to receive, process or store any form of metal from ordinary view. The minimum height of any fence is six feet, although the actual height must be sufficient to accomplish the complete screening from ordinary view but in no case may the height of the fence exceed 15 feet. All fences shall be well constructed and maintained. All fences shall be uniform in appearance, erected in a workmanlike manner, and constructed of sound, undamaged material.

(b) *Plantings.* Screening may be accomplished through the planting and/or maintenance of trees, shrubs, or other vegetation of sufficient height, density and depth of planting or growth to entirely screen

Notwithstanding any other provision of the Scrap Metal Recycling Ordinance or these Rules, in the event that a scrap metal recycling facility is located on or has relocated to an existing industrial, commercial or retail site and the baseline test results for that site exceed certain parameters that either are consistent with a use known to exist at the site prior to the scrap metal recycling facility's operation on the site, or shown to have occurred prior to the scrap metal recycling facility's operation on the site, then no remediation plan for those parameters shall be required of the owner or operator of the scrap metal recycling facility so long as the previously existing baselines or the state regulatory guidelines as incorporated, whichever are higher, are not exceeded.

If a remediation plan is implemented by an entity other than the owner or operator of the scrap metal recycling facility or voluntarily implemented by such owner or operator and the remediation lowers the previously existing baselines, the lower baselines or the state regulatory guidelines as incorporated, whichever are higher, shall be used for the purpose of future testing and remediation requirements.

For the purpose of this rule an "owner or operator" includes any prior owners or operators in which a controlling interest was held by the same individuals or legal entities, or any person or entity acting in their behalf.

Rule #3 Groundwater Testing:

(a) Initial waste baseline testing shall consist of three on-site overburden monitoring wells installed by Geoprobe or conventional drilling methods. The location and the rationale for the location of the three monitoring wells shall be developed by a qualified environmental professional and submitted to the Department for review and approval as part of the application.

(b) The three monitoring wells shall be located so as to monitor groundwater emanating from the principle outdoor work areas, i.e., areas in which metals to be recycled are received, processed and stored. Ten-foot well screens in the monitoring wells shall be placed so as to intersect the groundwater table. Groundwater samples shall be taken from the three monitoring wells in according with MDEP Low-Flow Groundwater Sampling Guidance, June 1996.

(c) The water samples shall be analyzed for volatile organic compounds (EPA Method 8260), semi-volatile organic compounds (EPA Method 8270), PCBs (EPA Method 8082), the eight RCRA metals (EPA Methods 6010/7470), and nickel (Ni, zinc (Zn), copper (Cu), and antimony (Sb) (EPA Method 6010) diesel-range organics (MDEP Method 4.1.25), and gasoline-range organics (MDEP Method 4.2.17).

(d) The criteria for evaluation of water samples shall be the Maine DHS Maximum Exposure Guidelines of January 20, 2000 ("MEGs") and the Procedural Guidelines for Establishing Action Levels and Remediation Goals for the Remediation of Oil-Contaminated Soil and Groundwater in Maine, March 13, 2000 (a/k/a "Decision Tree analysis").

(e) The City of Portland reserves the right to request split samples of groundwater taken as part of the licensing procedure. The split samples taken by the City of Portland shall be analyzed by an independent laboratory in order to provide corroboration of results.

In the event that the waste baseline groundwater sampling exceeds the Maximum Exposure Guidelines or the guidelines of the decision tree, the City may require additional sampling at the metal recycling facility and a plan for remediation of contaminated groundwater at the on-site locations.

Notwithstanding any other provision of the Scrap Metal Recycling Ordinance or these Rules in the event that a scrap metal recycling facility is located on or has relocated to another existing industrial, commercial, or retail site and the baseline test results for that site exceed of certain parameters that either are consistent with a use known to exist at that site prior to the scrap metal recycling facility's operation on the site, or are shown to have occurred prior to the scrap metal recycling facility's operation on the site, then no remediation plan for those parameters shall be required of the owner or operator of the scrap metal recycling facility so long as the previously existing baselines ore the state regulatory guidelines as incorporated, whichever are higher, are not exceeded.

Amendments to Scrap Metal Recycling Facilities Rules
Promulgated by the
Department of Planning and Development
Pursuant to the
Scrap Metal Recycling Facilities Ordinance

The following amendments to the scrap metal recycling facilities rules are promulgated pursuant to Section 31-10 of the Scrap Metal Facilities Ordinance and all terms, conditions and requirements in that ordinance are hereby incorporated by reference.

Rule #1 Baseline Testing:

(a) An environmental waste baseline sampling plan is required which shall include the location of soil sampling and groundwater sampling locations to establish waste baseline environmental conditions at the site.

(b) A minimum of three on-site surficial soil samples, on the upper six (6) inches and three Geoprobe-installed or conventionally-installed overburden monitoring wells are required for all sites.

(c) The Department shall review and approve the number and location of soil samples and monitoring wells after reviewing the waste baseline exploration and sampling plan in accordance with generally accepted environmental standards and after consulting with the applicant's environmental consultant, if necessary.

(d) Initial waste baseline evaluation of the scrap metal recycling facility requires a waste management compliance audit of the facility by a qualified professional and the results of the audit shall be submitted to the City of Portland for evaluation prior to issuance of the license for the facility.

Rule #2 Soil Testing:

(a) Initial waste baseline testing shall consist of five on-site soil samples collected according to a sampling plan developed by a qualified environmental professional and submitted to the Department for review and approval as part of the application.

(b) Of the five on-site samples three shall be taken from soils in the principle outdoor work areas, i.e., in which metals to be recycled are received, processed and stored. The two additional on-site samples shall be taken in areas that are down-gradient from the principal work areas and are adjacent to property boundaries at which metals to be recycled are received, processed or stored. The soil samples shall represent a composite of the upper six-inches of soil at the sampling location.

(c) The soil samples shall be analyzed for volatile organic compounds (EPA Method 8260), semi-volatile organic compounds (EPA Method 8270), PCBs (EPA Method 8082), the eight RCRA metals (EPA Methods 3010/6010), and nickel (Ni), zinc (Zn) and copper (Cu) (EPA Method 6010) diesel-range organics (MDEP Method 4.1.25), and gasoline-range organics (MDEP Method 4.2.17).

(d) The criteria for evaluation of soil samples shall be the Maine DEP Remedial Action Guidelines for Soils (RAGS) of May 20, 1997 (the "Remedial Action Guidelines".

(e) The City of Portland reserves the right to request split samples of soil taken as part of the licensing procedure. The split samples taken by the City of Portland shall be analyzed by an independent laboratory in order to provide corroboration of results.

In the event that the results of waste baseline soil sampling exceed the Remedial Action Guidelines, the City may require additional sampling at the metal recycling facility or off-site and/or a plan for remediation of contaminated soils at on-site or off-site locations.

Order 183-06/07
Postponed on 4/30/07
Passage: 6/18/07, 9-0

NICHOLAS M. MAVODONES (MAYOR)
KEVIN J. DONOGHUE (1)
DAVID A. MARSHALL (2)
DONNA J. CARR (3)
CHERYL A. LEEMAN (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

JAMES I. COHEN (5)
JAMES F. CLOUTIER (A/L)
JILL C. DUSON (A/L)
EDWARD J. SUSLOVIC (A/L)

ORDER APPROVING AMENDMENTS TO SCRAP METAL RECYCLING FACILTIES RULES

ORDERED, that the Portland City Council, pursuant to Section 31-10 of the Portland City Code, hereby amends the Scrap Metal Recycling Facilities Rules as Promulgated by the Department of Planning and Development, as indicated on the form attached hereto.

with the notice and hearing provisions found in 30-A M.R.S.A. § 3758(3).
(Ord. No. 255-03/04, 9-8-04; Ord. No. 286-05/06, 6-19-06)

Sec. 31-14. Transitional provision for calendar year 2005.

In calendar year 2005 only, the license required by this ordinance must be obtained on or before April 1, 2005. The submission requirements and application described in Sec. 31-7 must be filed on or before February 18, 2005.
(Ord. No. 134-04/05, 1-3-05, enacted as an emergency; Ord. No. 286-05/06, 6-19-06)

Sec. 31-15. Waiver.

Where the city council makes written findings of fact that there are special circumstances of a particular site proposed to become a scrap metal recycling facility, it may waive some or all of the submission requirements or the standards, unless otherwise indicated in the regulations, to permit a more practical and economical development, provided the public health, safety and welfare are protected and provided the waivers do not have the effect of nullifying the intent and purpose of the official map, the comprehensive plan, this chapter 31 and the regulations issued thereunder, and the land use code.
(Ord. No. 286-05/06, 6-19-06)

Sec. 31-11. Appeals.

(a) *Interpretation appeal.* An interpretation appeal may be taken by an applicant from an interpretation by the department of this ordinance or any rule promulgated hereunder to the board of appeals, but the board may only overturn the department's interpretation if it is clearly erroneous or without any basis in the record. The decision of the board of appeals on interpretation appeals is final and may not be appealed.

(b) *Appeals of license denial, suspension or revocation.* If the city council denies, suspends, or revokes a license, the applicant may appeal to the Maine Superior Court pursuant to Rule 80B of the Maine Rules of Civil Procedure.
(Ord. No. 255-03/04, 9-8-04; Ord. No. 286-05/06, 6-19-06)

Sec. 31-12. Enforcement.

(a) This ordinance shall be enforced by the department. An applicant or licensee shall cooperate fully with the department and allow such site inspections, record review and testing as the department deems necessary to assure compliance with this ordinance. The department shall give an applicant or licensee written notice of a site inspection, record review or testing at least five (5) business days before the site inspection, record review or testing takes place.

(b) This ordinance shall be liberally construed to accomplish its purpose of preventing environmental contamination, visual impairment and unnecessary noise. Whenever this ordinance references existing state or federal regulations, the department shall have the same authority as the Maine Department of Environmental Protection or the Federal Environmental Protection Agency as is conferred on those agencies by the relevant state or federal regulations.
(Ord. No. 255-03/04, 9-8-04; Ord. No. 286-05/06, 6-19-06)

Sec. 31-13. Penalties.

Any violation of this ordinance shall also be deemed a nuisance within the meaning of 17 M.R.S.A. § 2802, and any violator shall be subject to the penalties set forth in 30-A M.R.S.A. § 4452 and any other remedy available at law. Violation of any condition, restriction or limitation inserted in a license by the city council or imposed by this ordinance or the rules promulgated hereunder is cause for revocation or suspension of that license by the city council. The revocation process shall be conducted in accordance

recycling facilities ordinance and its prior license and that it submitted the results of such testing to the department.

(c) If the results of the prior required testing resulted in the city requiring that the applicant submit and implement a remedial action plan, then the applicant must submit evidence that it implemented the remedial action plan.

(d) If the city council finds that the standard of subsections (a), (b) and (c) above have been met, the city council shall issue a renewal of the license.

(e) If the applicant can demonstrate that its license has been issued and renewed for a term of three (3) consecutive operating years starting from the first day of operation, the subsequent renewal of that license, assuming that subsection (d) above has been met, shall be for a three (3) year term, with consecutive three (3) year terms for renewal being issued thereafter subject to the conditions in (1) below.

(1) *Environmental testing.* If environmental testing in three consecutive operating years starting from the first day of operation demonstrates that the facility meets the environmental standards of the ordinance and any rules promulgated hereunder then environmental testing shall be conducted once every three years. If the triennial testing demonstrates that the environmental standards have not been met then the applicant must conduct annual testing until such time as the testing shows compliance for three consecutive years.

Nothing in this subparagraph (1) shall prevent the city from conducting environmental testing at its own expense in any year in which the applicant is not required to test on reasonable notice to and with the consent of the license holder, which consent shall not be unreasonably withheld.

(Ord. No. 286-05/06, 6-19-06)

Sec. 31-10. Rulemaking authority.

The department shall have the authority to make any rules necessary to effect the purpose of this ordinance, including but not limited to, rules that remove or add substances or allowable limits for waste, as defined herein. The department shall follow the rulemaking procedure in chapter 12, section 12-105(b) and (b) (1) of the city code. Any proposed rules resulting from that process shall be brought to the City Council for final review and action.

(Ord. No. 255-03/04, 9-8-04; Ord. No. 286-05/06, 6-19-06)

(l) *Visual impact.* Metal or other material in a scrap metal recycling facility shall be located in such a way so as not to be in ordinary view.

(m) *Screening.* Screening may be accomplished by natural or man-made objects, planting or properly constructed fences, or any combination thereof, any of which must entirely screen the scrap metal recycling facility from ordinary view throughout the year. Screening shall be accomplished according to the standards prescribed by rules promulgated by the department.

(n) *Remedial action plan required.* A remedial action plan will be required of the applicant or a licensee whenever the department determines that, based upon testing data or other information it has received and verified that the applicant or licensee is not in compliance with the requirements of this ordinance or regulations promulgated hereunder. Within 30 days after the department's written request to do so, the licensee shall submit a remedial action plan and schedule to the department, for its review and approval that removes, remediates, or abates waste contamination or any other violation of this ordinance or the rules promulgated hereunder.

(o) *Implementation of remedial action plan.* Beginning thirty (30) days after the department's review and approval of the remedial action plan and schedule required by paragraph 31-8(n) of this article, implement the remedial action plan and schedule as modified and approved by the department.

(p) *Exemption from specific requirements.* The requirements in subparagraphs 8(c), (d), (i) and (j) above shall not apply to facilities existing on or before the effective date of this ordinance.

(Ord. No. 255-03/04, 9-8-04; Ord. No. 136-05/06, 12-19-05; Ord. No. 286-05/06, 6-19-06)

Sec. 31-9. Process and standards for renewal of a license.

(a) An application for a renewal of a license submitted pursuant to § 31-6(c) shall identify which information, if any, required on the original application pursuant to § 31-7, has been changed or modified since the last application was filed.

(b) The applicant shall submit evidence that it conducted any soil and groundwater testing required under the scrap metal

(c) *Aquifer location prohibited.* No scrap metal recycling facility shall be located over a sand and gravel aquifer or aquifer recharge areas as mapped by the Maine Geological Survey or by a licensed geologist.

(d) *Flood plain location prohibited.* No scrap metal recycling facility shall be located within a 100-year flood plain.

(e) *Dismantling motor vehicles.* All dismantling of motor vehicles shall e done in compliance with rules promulgated by the department.

(f) *Storage/handling of batteries and fluids from motor vehicles.* All batteries and fluids shall be handled as required by rules promulgated by the department.

(g) *Storage and handling of waste.* All waste shall be handled as required by rules promulgated by the department.

(h) *Noise impact.* To reduce the impact of noise, all mechanized sorting, baling or processing of metals shall be done after 7 a.m. and before 6 p.m. Mondays through Saturdays.

(i) *Setback from public areas.* No scrap metal recycling facility shall be located within 500 feet of any public park, public playground, and public bathing beach, school, places of worship or cemetery.

(j) *Setback from waterways and water supplies.* No scrap metal recycling facility shall be located within 100 feet of any waterbody, watercourse or wetland, or within 300 feet of a well that serves as a public or private water supply.

(k) *Road/property line setbacks.* No scrap metal recycling facility shall be located within 1,000 feet of the right-of-way of any highway incorporated in both the interstate system and primary system or within 600 feet of the right-of-way of any other highway or within 1,000 feet of an abutting property line except for a scrap metal recycling facility entirely screened from ordinary view from that public road or abutting property line at all times in accordance with the screening standards in the rules promulgated by the department.

testing shall comply with rules promulgated by the department.

(j) *Other information.*

1. The types of metal processed on the site;

2. The types of waste handled and the average volume per year per material;

3. A description of the protocol for handling waste and the destination to which that waste is sent;

4. An operations manual as described in chapter 402 of the Maine Department of Environmental Protection regulations;

5. Operational records as described in chapter 402 of the Maine Department of Environmental Protection regulations;

6. An annual report as described in chapter 402 of the Maine Department of Environmental Protection regulations.

(Ord. No. 255-03/04, 9-8-04; Ord. No. 286-05/06, 6-19-06)

Sec. 31-8. Performance standards.

The city council shall not issue a license to operate a scrap metal recycling facility unless the applicant can demonstrate that all of the following performance standards have been and will be met:

(a) *Operation.* The facility is operated so that it does not contaminate soil or groundwater or surface water to a level prohibited by state law or rules promulgated by the department, whichever is stricter.

(b) *Approval and Coordination with site plan review.* For facilities established after the effective date of this ordinance, the facility has received site plan approval by the planning board pursuant to the site review ordinance, and the operation of the facility is in compliance with the approved site plan.

For facilities established prior to the effective date of this ordinance, the facility has received site plan approval by the department and the operation of the facility is in compliance with the approved site plan.

(a) The property owner's name, address and telephone number and the name, address and telephone number of the person or entity who will operate the site. If the property is owned by more than one person or entity, the name, address and telephone number of each owner must be listed. If the property is owned in whole or in part by a corporation, the name, address and telephone number of the corporation's registered agent in Maine must be listed. The name, address and telephone number of the person or entity to whom the city should send official notices or correspondence must also be listed.

(b) The maximum storage height of any piles of metal or other material.

(c) The location of any areas on the site used for processing, preparing or storage of materials.

(d) The location of any sand and/or gravel aquifer and/or any sand and gravel aquifer recharge area as described on the Maine Geological Survey significant aquifer map for the Portland West Quadrangle (GSM Map No. 99-11) or as mapped by a State of Maine certified geologist or other competent professional.

(e) The location of any residences, schools, public parks, public playgrounds, public bathing beaches, places of worship, or cemeteries within 500 feet of the area where metal and/or materials will be stored or processed.

(f) The boundaries of the 100-year floodplain.

(g) A site plan that complies with chapter 14, section 525(b) of the city code and also includes such other information as required by the rules promulgated by the department.

(h) *Soil tests.* Results and data from soil sampling and testing will be required for licensing of scrap metal recycling facilities within the 90-day period prior to the end of the licensing period. Such testing shall comply with rules promulgated by the department.

(i) *Groundwater tests.* Results and data from groundwater sampling and testing will be required for licensing of scrap metal recycling facilities within the 90-day period prior to the expiration of the licensing period. Such

show levels of waste that exceed the limits of state law or the regulations promulgated hereunder, whichever are stricter, and the abutting property owner consents to such testing.

(e) The department shall collect annually, in advance from the applicant, a $515 fee for each license for a scrap metal recycling facility, plus all costs associated with posting or publishing notice of public hearing, plus all costs to conduct the inspecting or testing allowed by this ordinance and deemed necessary or appropriate by the department pursuant to its regulations and this ordinance.

The department shall charge an applicant's account for allowed costs and expenditures and to the extent an account has funds remaining after all costs have been paid, either credit or reimburse the balance to the applicant at the applicant's discretion.

The fee for a late application is $1,500.

The fee for any license that applies to more than a one-year period shall be $515 for each year or part thereof.

(f) An application for a scrap metal recycling facility license or a renewal of such license must be filed at least 90 days before October of the license year. If the department determines that an application is not complete, it shall not process the application but shall inform the applicant in writing of the deficiencies. Any delays related to the filing of an incomplete application shall not extend the deadlines established in this ordinance or rules promulgated hereunder unless such deadlines are waived by the department for good cause shown.

The department may determine in its sole discretion that the lateness of a filing or an incomplete application makes it impossible to complete the inspection and testing required or allowed by the ordinance prior to the renewal date of the license and may issue a written order to the owner and operator of the facility that it must cease operation on the date on which the current license expires and remain out of operation until the new license is issued.

(Ord. No. 255-03/04, 9-8-04; Ord. No. 247-05/06, 5-15-06; Ord. No. 286-05/06, 6-19-06)

Sec. 31-7. Submission requirements.

Any application for a scrap metal recycling facility license shall contain the following information and any additional information required by rules promulgated by the department:

or recycling shall be construed to not be in ordinary view from a public road or abutting property line when it is located more than 1000 feet from the abutting property lines or the applicant has constructed a screen between the storage area and the public road or property line in accordance with regulations promulgated by the department.

"Abutting property line" in this definition shall not include side or back property lines on or in any property zoned I-H unless the property abuts other property on which a residential use is permitted by the applicable zoning.

Public road: shall mean a road, street, highway, easement or way over which the public has a legal right to travel. The term shall not include roads that are part of the federal interstate highway system.

Waste: means *hazardous waste* as defined or identified in Chapter 850, *oily waste*, as defined or identified in Chapter 405, Sec. 6(c) (3), *special waste* as defined or identified in Chapter 405, Sec. 6, and *universal waste* as defined in Chapter 850, Sec. 3A (13) of the Regulations of the Maine Department of Environmental Protection and shall include any amendment to those regulations after the effective date of this ordinance or regulations promulgated hereunder.

Waterbody: is any lake, pond, or reservoir of standing water one acre or more in surface area, but not including any man-made waterbodies where the entire perimeter is owned by the same landowner.

Watercourse: is any river, stream or brook which acts as the drainage mechanism for watershed areas of 100 acres or more.

Wetland: is any land area of five or more acres characterized by wetland soils (Vassalboro, Togus, Rifle or Biddeford Fibrous or Mucky Peats; Ridgebury, Scantic or Limerick V.S.T.F. sandy loams or silts; or Saco soils); wetland vegetation (plum grass, cutgrass, carex, cattails, arrowheads, pickerel weeds, cranberries, wild rice, pond weeds, coontail, spatterdock, wild celery, water milfoil, water lilies, sphagnum moss, etc.); a high water table less than 6" from surface; or any land area mapped as wetlands by the Maine Department of Environmental Protection, the Maine Department of Conservation, or the Maine Department of Inland Fisheries and Wildlife.
(Ord. No. 255-03/04, 9-8-04; Ord. No. 286-05/06, 6-19-06; Ord. No. 7-06/07, 7-17-06)

Sec. 31-5. License Required.

or recycling shall be construed to not be in ordinary view from a public road or abutting property line when it is located more than 1000 feet from the abutting property lines or the applicant has constructed a screen between the storage area and the public road or property line in accordance with regulations promulgated by the department.

"Abutting property line" in this definition shall not include side or back property lines on or in any property zoned I-H unless the property abuts other property on which a residential use is permitted by the applicable zoning.

Public road: shall mean a road, street, highway, easement or way over which the public has a legal right to travel. The term shall not include roads that are part of the federal interstate highway system.

Waste: means *hazardous waste* as defined or identified in Chapter 850, *oily waste*, as defined or identified in Chapter 405, Sec. 6(c) (3), *special waste* as defined or identified in Chapter 405, Sec. 6, and *universal waste* as defined in Chapter 850, Sec. 3A (13) of the Regulations of the Maine Department of Environmental Protection and shall include any amendment to those regulations after the effective date of this ordinance or regulations promulgated hereunder.

Waterbody: is any lake, pond, or reservoir of standing water one acre or more in surface area, but not including any man-made waterbodies where the entire perimeter is owned by the same landowner.

Watercourse: is any river, stream or brook which acts as the drainage mechanism for watershed areas of 100 acres or more.

Wetland: is any land area of five or more acres characterized by wetland soils (Vassalboro, Togus, Rifle or Biddeford Fibrous or Mucky Peats; Ridgebury, Scantic or Limerick V.S.T.F. sandy loams or silts; or Saco soils); wetland vegetation (plum grass, cutgrass, carex, cattails, arrowheads, pickerel weeds, cranberries, wild rice, pond weeds, coontail, spatterdock, wild celery, water milfoil, water lilies, sphagnum moss, etc.); a high water table less than 6" from surface; or any land area mapped as wetlands by the Maine Department of Environmental Protection, the Maine Department of Conservation, or the Maine Department of Inland Fisheries and Wildlife.
(Ord. No. 255-03/04, 9-8-04; Ord. No. 286-05/06, 6-19-06; Ord. No. 7-06/07, 7-17-06)

Sec. 31-5. Licenses Required.

Chapter 31 SCRAP METAL RECYCLING FACILITIES

Sec. 31-1. Purpose.

The purpose of this ordinance is to protect the public's health, safety, and general welfare by controlling scrap metal recycling facilities.
(Ord. No. 255-03/04, 9-8-04)

Sec. 31-2. Authority.

This ordinance is enacted pursuant to the Home Rule Authority conferred on Maine municipalities by Art. VIII, Part Second., Sec.1 of the Maine Constitution and the Statutory Authority conferred by 30-A M.R.S.A. § 3001 and 30-A M.R.S.A. §§ 3751-3760.
(Ord. No. 255-03/04, 9-8-04)

Sec. 31-3. Applicability.

This ordinance shall apply to the licensing and renewal of licenses all scrap metal recycling facilities, as defined in this ordinance.
(Ord. No. 255-03/04, 9-8-04; Ord. No. 286-05/06, 6-19-06)

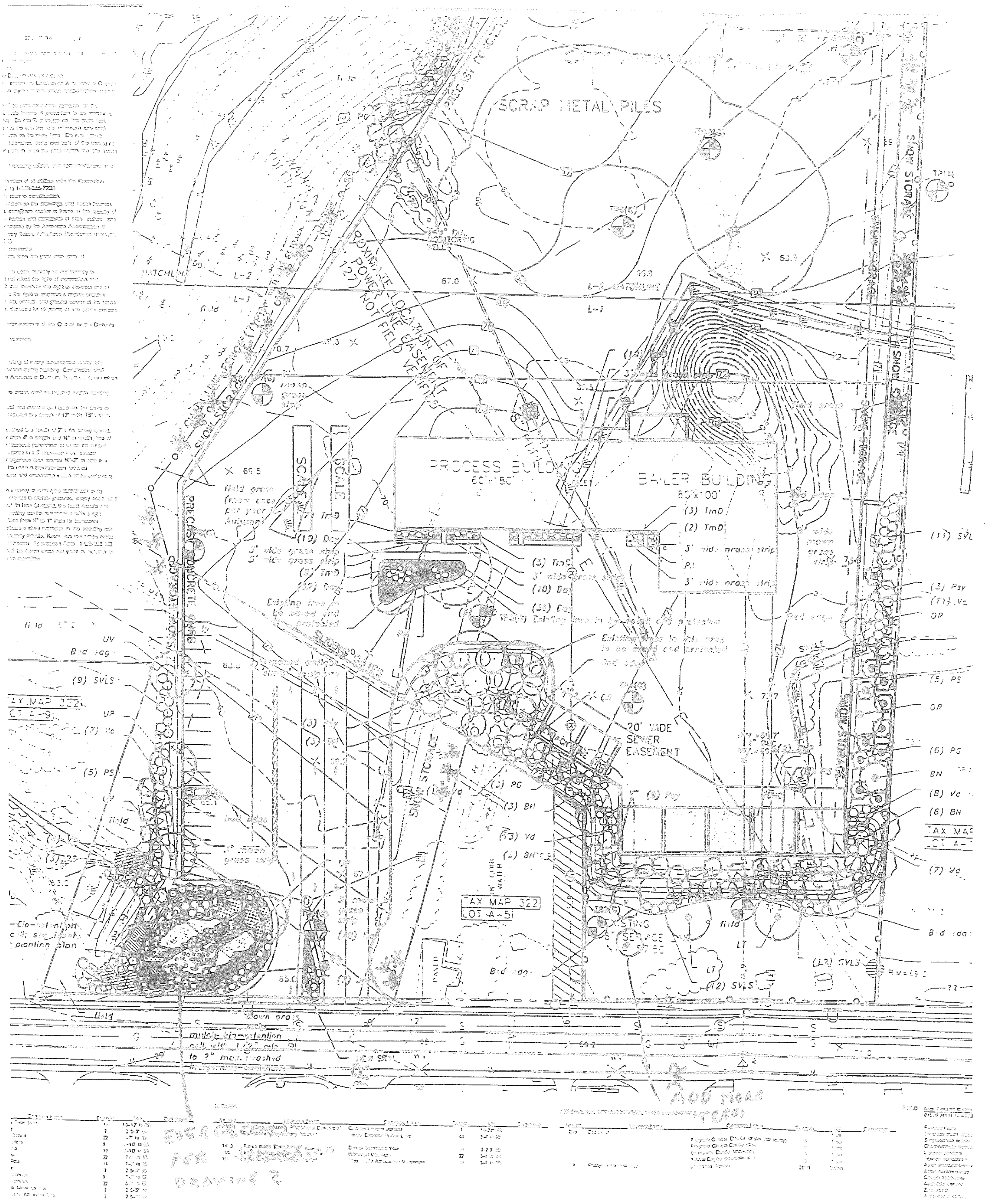
Sec. 31-4. Definitions.

Department: means the department of planning and development or its designee.

Scrap metal recycling facility: means an area used to receive, process, or store any form of metal that is already scrap for recycling or reuse and which handles, removes, or disposes of waste as part of the processing. The definition shall include the area within an automobile recycling facility as defined in 30-A M.R.S.A. § 3752 (1-A) within which vehicles are drained, dismantled, sorted or recycled. The definition shall not include a transfer station licensed by the State.

Motor vehicle: shall mean any self-propelled vehicle originally manufactured to include an engine of any kind which propels the vehicle across the ground on wheels, tracks or any combination thereof.

Ordinary view: means the unaided visual access from any point within six feet of ground level that a person has of a scrap metal recycling facility from the side that is furthest away from the facility of any immediately adjacent public road or 50 feet from an abutting property line. Recycled metal or metal awaiting processing



SHOW CROSS SECTION OF SITE FROM RIVERSIDE ST (FRONTAGE RD) TO SCRAP PILE WITH BUILDINGS AND OTHER FEATURES, SHOW HEIGHT AND DIMENSIONS

WOODARD &CURRAN

entrance.

- Snow storage locations will need to be reevaluated to eliminate runoff onto adjacent property.
- More information should be provided for the emergency access driveway to Riverside Street located on the eastern side of the property.
- The catch basin located within the driveway entrance will need to be moved.
- The applicant will be required to construct a 5 foot bituminous sidewalk with an 8 foot esplanade. A detail will need to be provided.

Please contact our office if you have any questions.

DRG/LJS
203943

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MEMORANDUM

TO: Barbara Barhydt

FROM: Dan Goyette, PE and Lauren Swett, EIT

DATE: March 7, 2008

RE: Prolerized New England

Woodard & Curran has reviewed the Site Plan Application for the scrap metal recycling facility proposed by Prolerized New England Company, LLC for a location at 568 Riverside Street, in Portland. The proposed project involves the construction of a building, as well as bituminous and concrete paved areas that will be part of the metal processing and recycling facility. The project also includes the construction of stormwater detention ponds and other associated landscaping improvements to the site.

Documents Reviewed

- Site Plan Application for Prolerized New England Company, LLC, Riverside Street, Portland, Maine, prepared by Civil Consultants, on behalf of Prolerized New England Company, LLC, dated February 2008.
- Engineering plan sheets C1-C9, L1, L2, ES, and EP, prepared by Civil Consultants, on behalf of Prolerized New England Company, LLC, dated February 14 2008.

Comments

- A demolition plan should be provided, as the existing plan indicates buildings, piping, gravel driveways, and other items that are not included on the proposed site plan.
- All catch basins should include casco traps. A separate detail should be included, and the location of the installed casco traps should be shown on the catch basin details.
- The proposed catch basin detail shows a square frame and grate. The City of Portland technical and design standards call for circle frames and grates.
- A number of details have not been provided. These need to be included to ensure that they are in conformance with City of Portland standards.
    - o Drain manhole
    - o Waterline components
    - o Gates
    - o Fencing
- Sewer and storm drain trench details need to be modified so that they are in conformance with City of Portland standards. Pipes should be backfilled with crushed stone, with a minimum of 12" above the pipe and 6" below.
- The site plans have been labeled with "reinforced concrete pavement," however it was noted that the rigid pavement detail does not include any reinforcement.
- The pavement thickness shown adjacent to curbing in the concrete curb detail is a different thickness than the pavement thickness in the bituminous pavement detail.
- It is recommended that cleanouts be installed on the underdrain in the bioretention basin.
- Rip rap apron sizing was provided in Exhibit 18, Appendix C as part of the stormwater management report. This sizing information is not consistent with the table provided with the rip rap apron detail.
- Details should be provided for curbing and tipdowns required for the construction of the site

Status: No further comment.

7. The traffic study uses data from August 2005 for estimating traffic levels from the project. The applicant should provide documentation on seasonal/yearly variation and why the August data is most appropriate.

   Status: The applicant shall submit documentation that supports conclusions for seasonal/yearly variation.

8. The applicant should plan on making a financial contribution towards future transportation improvements at the Riverside Street/Warren Avenue intersection.

   Status: City staff will provide the contribution amount in the future.

If you have any questions or comments, please contact me.

Best regards,

Thomas A. Errico, P.E.
Senior Transportation Engineer
Wilbur Smith Associates
59 Middle Street
Portland, Maine 04101
w: 207.871.1785 f: 207.871.5825
TErrico@WilburSmith.com
www.WilburSmith.com

Rick Knowland - Prolerized New England Company -

From: "Errico, Thomas A" <TERRICO@wilbursmith.com>
To: "Rick Knowland " <RWK@portlandmaine.gov>
Date: 4/14/2008 8:26 AM
Subject: Prolerized New England Company -
CC: "James Carmody" <JPC@portlandmaine.gov>, "Katherine Earley" <KAS@portlandmaine.gov>

Rick –

The following summarizes the status of my comments contained in my March 10, 2008 email, based upon the March 20, 2008 response packet from Civil Consultants.

1. Vehicle queuing at the entry is a significant concern and the applicant needs to provide detailed documentation on the expected queuing (worst-case scenario). Queuing currently occurs at the Bayside facility and therefore would be expected at the Riverside Street site. What is the breakdown of vehicle types entering the facility? The plan illustrates one entry lane for smaller trucks. Vehicle spillback onto Riverside Street must be avoided.

   Status: The applicant needs to provide information that details why significant vehicle queuing occurs at the existing Bayside site and how this condition will be remedied at the Riverside Street site. The City has witnessed backups onto Franklin Arterial and needs definitive data that will guarantee backups will not occur. One visual assessment at the existing Bayside site is not sufficient information for the City to approve the vehicle storage capacity.

2. The driveway curb cut on Riverside Street is approximately 60 feet wide (inclusive of the center island) and therefore does not meet City standards. I recognize the importance of maximizing the vehicle queuing space, but would prefer that the curb line width be narrower than what is proposed.

   Status: I continue to review this with other City staff.

3. The applicant shall provide an explanation on proposed internal site operations. For example, why are two exit lanes provided? How will employees access the site parking spaces if trucks are queued at the driveway entrance? What is the process for smaller delivery vehicles?

   Status: At this time I have no further comment. I continue to review on-site circulation and may have future comments.

4. The parking aisle, between the parking spaces and the exit lane is 28 feet. The City standard is 24 feet and therefore the applicant should provide a response as to why the extra width is necessary.

   Status: A waiver from the City standard is required. The applicant should clearly document the pros and cons of providing four additional feet of width. The response provided in the March 20, 2008 submittal is not sufficient.

5. The applicant should provide commentary on the proposed driveway and its ability to meet City access management standards.

   Status: The City standard for driveway separation is not met and the project will need a design standard waiver. The applicant should provide documentation that justifies a waiver.

6. The applicant should verify that all proposed landscaping will not obstruct sight distance for vehicles exiting the proposed driveway.

7. The traffic study uses data from August 2005 for estimating traffic levels from the project. The applicant should provide documentation on seasonal/yearly variation and why the August data is most appropriate.

8. The applicant should plan on making a financial contributions towards future transportation improvements at the Riverside Street/Warren Avenue intersection.

If you have any questions or comments, please contact me.

Best regards,

Thomas A. Errico, P.E.

Senior Transportation Engineer

Wilbur Smith Associates

59 Middle Street

Portland, Maine 04101

w: 207.871.1785 f: 207.871.5825

TErrico@WilburSmith.com

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CC: "James Carmody" <JPC@portlandmaine.gov>, "Katherine Earley" <KAS@portlandmaine.gov>

From: "Errico, Thomas A" <TERRICO@wilbursmith.com>
To: "Rick Knowland " <RWK@portlandmaine.gov>
Date: 3/10/2008 10:30:40 AM
Subject: Prolerized New England Company LLC

Rick -

I have reviewed the Site Plan Application dated February 2008 prepared by Civil Consultants and have the following initial comments.

1. Vehicle queuing at the entry is a significant concern and the applicant needs to provide detailed documentation on the expected queuing (worst-case scenario). Queuing currently occurs at the Bayside facility and therefore would be expected at the Riverside Street site. What is the breakdown of vehicle types entering the facility? The plan illustrates one entry lane for smaller trucks. Vehicle spillback onto Riverside Street must be avoided.

2. The driveway curb cut on Riverside Street is approximately 60 feet wide (inclusive of the center island) and therefore does not meet City standards. I recognize the importance of maximizing the vehicle queuing space, but would prefer that the curb line width be narrower than what is proposed.

3. The applicant shall provide an explanation on proposed internal site operations. For example, why are two exit lanes provided? How will employees access the site parking spaces if trucks are queued at the driveway entrance? What is the process for smaller delivery vehicles?

4. The parking aisle, between the parking spaces and the exit lane is 28 feet. The City standard is 24 feet and therefore the applicant should provide a response as to why the extra width is necessary.

5. The applicant should provide commentary on the proposed driveway and its ability to meet City access management standards.

6. The applicant should verify that all proposed landscaping will not obstruct sight distance for vehicles exiting the proposed driveway.

20. The chain link fence appears to be very close to the right-of-way The fence should be a minimum 10 feet from the street right-of-way. Please submit a catalog cut of the fence. What will the height of the fence be? Will barb wire be used? There are city regulations on barb wire which I will research. For the portion of the fence closest to the street we will recommend a black vinyl fence. Chain link fencing so close to a well traveled public street needs to be mitigated

21. Snow should be stored on the site such that melted snow flows into the storm water treatment system and not onto abutting properties. It does not appear this is addressed in all cases. It appears snow could be piled over a curb with resulting snow melt not contained within the curbed yard area.

22. We noticed the utility pole within the island by the driveway. There is some concern it could be vulnerable to large vehicles hitting it by accident.

23. Engineering review comments from Dan Goyette of dated March 7, 2008 are attached.

24. Traffic review comments from Tom Errico are expected shortly and will be forwarded to you accordingly.

25. Comments from Marge Schmuckal, Zoning Administrator, are summarized below.
The "nonferrous storage building" up front has 25 ft. side setbacks instead of the required 35 ft. side setbacks. All front and rear setbacks are being met.
There are two site plans that do not match: ES and C2. I would want a clarification as to which plan is correct. Most of the given plans match C2 for building locations and parking. ES has a different location for the flat auto storage building and shows 20 parking spaces instead of 19.
Applicant has not addressed the I-H noise requirements.
Building elevations need to be submitted.

26. I have met with Jeff Tarling (City Arborist). A number of his comments are summarized on the attached marked up site plan. Other comments are shown below. There are sections of the site plan where the planting material is not clearly labeled. There is some significant mature vegetation proposed to be protected near Riverside Street. Please label the size and species of trees you intend to save.

One of the streetscape sketches ("proposed sketch") prepared by Woodburn & Company shows a view from Riverside Street (Winter Green Solariums side). The sketch shows a number of evergreens in the vicinity of the bio-rention pond providing a significant screen for the site. But in reviewing the site plan there appear to be fewer of these trees shown on the plan.

27. Fire Dept comments from Capt. Greg Cass.
Please provide details for the storage use and handling of all flammable and combustible liquids. NFPA 30 is the code adopted by the State and City. Compliance for the tank installation will be required.
Provide details for the storage and use of all flammable gasses used for cutting and or welding operations.
Provide details for fire dept. access through-out the site, after hours access and access to the emergency gate.
Please complete the Fire Dept. Checklist. Please provide details of all proposed fire protection systems.
Is the proposed emergency access on the city property passable? Does it need to be improved? Who will maintain it?
The fire hydrant behind the building may need to be relocated to a more central location.
Provide info on how the cars are stripped.

28. The wetlands report recommends researching previous NRPA permits on the property. Has that been done? Could you clarify where you will be filling wetlands?

29. The report indicates that 0.22 acre of impervious surface of the site is not receiving water quality treatment. Where is this located on the site and why is it not being treated?

30. I've been to the site several times but can't recall the condition of the steep slopes along the perimeter of the site. For the most part it appeared vegetated and stable but there may be some gaps given it was filled land. Is it your intention to loam, seed and stabilize the slope where necessary?

31. Do you have a service capacity letter from the Portland Water District?

32. We haven't reviewed information relating to signage yet. We will review prior to the workshop.

Should you have any questions concerning this letter feel free to call me. This is a fairly long list but they are primarily technical details in nature. I expect Tom Errico's traffic review comments will be available shortly and they will be forwarded to you accordingly.

Sincerely,

Richard Knowland

Richard Knowland,
Senior Planner

cc: Alex Jaegerman, Director of Planning and Development
Barbara Barhydt, Development Review Manager
Marge Scmuckal, Zoning Administrator
Jeff Tarling, City Arborist

dumpster", I assume is a private commercial dumpster? What procedures do you have in place in case material falls off trucks within the public right-of-way in the vicinity of the site?

6. Portland Water District easement . . . It will need to be a condition of approval unless it is finalized.

7. How many cranes will be used on the site and what height will they be?

8. What will be the typical height of the large scrap metal pile? In scaling the footprint of the pile shown on the site plan, the scrap pile at its' closest point is about 470 feet from Riverside Street. Can we assume the scrap pile will typically be setback a minimum 470 feet from Riverside Street? A review of the site plan indicates that scrap material will be stored in the rear large scrap metal pile and within the storage bin buildings. Are there any other locations on the site or buildings accommodating scrap metal storage?

9. Do you have the right to install an invert (sheet C-4) on the City/TPL land or is this an existing invert?

10. You will need to request a waiver on the separation distance between project driveway and the Portland Water District driveway per Technical and Design Standards and Guidelines (see Sec. III (2)(a). The driveways are too close.

11. A maintenance agreement will need to be executed for the water quality unit.

12. Please describe the activities within the "flat auto storage building." Are cars crushed on site using equipment outside this building?

13. What type of equipment will be located within the facility? Please specify, cranes; car crusher; front end loader; tractor trailer; etc.

14. Location of nearest fire hydrant along the street.

15. Incorporate site plan notes on the plan.

16. Submit building elevations indicating exterior materials and height of all buildings proposed on the site.

17. It would be helpful if the Exhibits "table of contents" was moved to the first page before Exhibit 1.

18. Based on the project narrative it appears that an auto parts business is not part of this proposal for this site. Could you clarify this?

19. Was a stamped land survey submitted?

Planning and Development Department
Lee D. Urban, Director

Planning Division
Alexander Jaegerman, Director

March 7, 2008

Mr. Carl Beal
Civil Consultants
293 Main Street
P.O. Box 100
So. Berwick, ME 03908

RE: Prolerized New England Site Plan; 568 Riverside Street

Dear Carl,

The purpose of this letter is to summarize staff review comments on the proposed Prolerized New England metal recycling facility in the vicinity of 568 Riverside Street. These comments are intended to be as thorough and comprehensive as possible in preparation for the March 25th workshop. Should other staff comments arise, I will forward them to you accordingly.

1. Lighting . . . The photometric plan is difficult to read. Value numbers are illegible. Need to submit catalog cuts of the light fixtures. Indicate mounting height. Light fixtures should have a cut-off feature.

2. Application seems to indicate that only vendors will be delivering scrap metal to the site. Does that mean that scrap metal will not be accepted from the general public? Could someone drive (tow) their junk car to your site or would they need to go to a vendor?

3. Is there an agreement from the City or The Trust for Public Land for an emergency fire access shown on the plan? I am told by Capt. Cass that an emergency access is not required..

4. How many people will be employed at your facility?

5. Operations Manual . . . I haven't compared this with the City's Scrap Metal Facilities Ordinance requirements but does the Operations Manual track these requirements? In terms of the storage and handling of waste, including lubricants and chemicals from junk cars, please outline your procedures for dealing with matters. The term "municipal

Next Steps

1. Given the size and complexity of this project we are assuming a second workshop is warranted.

Attachments

1. Staff Comments and Submissions
   - 1-A Vicinity Map (to be distributed)
   - 1-B Letter from Richard Knowland, Senior Planner, dated March 7, 2008
   - 1-C Memos from Tom Errico, Traffic Review Engineer, dated March 10, 2008 and April 14, 2008
   - 1-D Memo from Dan Goyette, Development Review Engineer, dated March 7, 2008
   - 1-E Comment Sketch from Jeff Tarling, City Arborist
   - 1-F Scrap Metal Recycling Facilities Ordinance/Scrap Metal Recycling Facilities Rules
2. Applicant Submissions (white binder)
3. Written Public Comments

such as the storage and handling of waste by-products, including lubricants and chemicals from junk cars.

Although the City's Scrap Metal Recycling Facilities Ordinance and Scrap Metal Facilities Rules are not part of this review our goal is to make sure the site plan is designed to comply with these regulations. A copy of the ordinance and rules are shown as Attachment 1-F. To operate a scrap metal recycling facility must have a license which is approved by the City Council. A pre-requisite of a license is site plan review of the facility.

The scrap metal recycling facilities rules include provisions for soil testing; groundwater testing; handling procedures for waste from dismantling vehicles and other items containing waste; storage and handling of waste; and visual screening of stock piles, limitation on height of piles and setback of facilities from a public street.

Fire

Comments from Capt. Cass of the Fire Department are summarized on Attachment 1-B-4

Lighting

A revised photometric plan has been submitted which is much clearer to read than the original submission. See Exhibit 25 (EP) and "Responses" dated March 20, 2008. The proposed light is a full cut-off fixture. Ten pole mounted fixtures (25 foot pole) are proposed on the property with two fixtures mounted on the building. The wattage at 456 watts is high but in industrial areas light fixtures may exceed 250 watts according to the Technical and Design Standards and Guidelines.

Zoning

Marge Schmuckal, Zoning Administrator, has reviewed the plan. Her comments are shown on Attachment 1-B-3. Ms. Schmuckal indicates that the non-ferrous building storage building will need to meet the side yard setback of 35 feet. Noise requirements will be reviewed. Building elevations will need to be submitted. She also notes certain inconsistencies between plan sheets ES and C2 that need to be clarified.

Noise

A noise impact assessment study prepared by Epsilon Assoc. has been submitted. See Exhibit 19. Staff will have comments on this study relative to the I-H noise standards for the next workshop.

vegetation exists within the lower lying flood plain area. The primary visual impact would be from hikers using the trail along the river (a Portland Trail's trail) and some houses in a subdivision across the river in Westbrook. The additional landscaping recommended by Mr. Tarling helps address holes in the landscaping around the perimeter of the site.

Exhibit 16 includes a sketch view of the landscape from Riverside Street. This is the second sketch in the exhibit. The sketch includes a number of evergreen trees near the footprint of the bio-retention pond. For this to be accurate a number of trees will need to be added to the landscape plan.

A cross section of the site has been submitted indicating the site line from Riverside Street, Presumpscot River and a house in Westbrook. This provides a context for the relative visibility of the facilty and scrap pile from these locations. See "Responses" dated March 20, 2008.

Wetlands

The applicant has submitted a wetlands report prepared by Woodlot Alternatives. See Exhibit 11. The report identified 6 wetlands on the property. These wetlands are summarized below. The most significant wetlands are #5 and #6 which are associated with the Presumpscot River flood plain. Wetlands #1, #2, and #4 will be impacted by site development. The DEP has determined that #1 and #2 are non-jurisdictional. Therefore only wetland #4 (544 sq. ft.) will be impacted by the development. The small amount of wetland does not reach the threshold requiring NRPA permit.

Wetland #1...Small wetland swale and former garden pond associated with the nursery that was previously on-site.

Wetland #2...A construction ditch adjacent to an access drive on the property and the large fill pile.

Wetland #3...Series of small wetlands, created by construction of the erosion control berm at the base of the steep slope.

Wetland #4...Small area of wet meadow habitat south of the farm house.

Wetland #5...Stream-associated wetland that extends from Riverside Street to the Presumpscot River.

Wetland #6...Large wet meadow associated with the flood plain of the Presumpscot River.

Operational Procedures/Scrap Metal Recycling Facilities Rules

Exhibit 13 entitled "Process Design Information" outlines the metal handling process from trucks entering the front gate to the flow of material on the site. Operational procedures are important in protecting environmental quality. Staff has requested further information on these procedures

This has been addressed in a number of ways including building placement and landscape material.

Scrap metal storage takes place in the following locations. Outside storage is limited to the scrap metal pile which is located behind the primary building.

1. Non-ferrous storage building…storage bins with a roof structure …a landscaped berm screens the structure from Riverside St.
2. Large primary building…includes process operations and bailer building.
3. Flat auto storage building…located to the rear of the site
4. Scrap metal pile…Foot print is located behind primary building

The primary building of the site has been placed 270 feet from Riverside Street. It is 260 feet long and has a minimum height of 30 feet. One wing of the building has a total height of 36 feet or 50 feet to the peak. The designated scrap metal pile footprint is located directly behind the building. A scaling of the site plan indicates the pile is 260 feet long and is a minimum of 470 feet from Riverside Street. Per the City's scrap metal license provisions, scrap metal piles are limited to a height of 30 feet except for 5 days within a 30 day consecutive period. The profile of the building should provide an excellent screen of the pile from Riverside Street. The size of the site and the remoteness of the scrap pile from Riverside Street and adjoining properties provides an opportunity to mitigate potential visual impacts.

The site plan indicates that pockets of existing vegetation will be preserved near the Riverside Street side of the property. This vegetation includes large mature pine trees.

The site plan should be revised to clearly delineate the specific vegetation (including size and species) proposed to be saved. Comments from Jeff Tarling City Arborist are shown on Attachment 1-E-3 and Attachment 1-E.

The proposed landscaping plan is shown on Exhibit 25 (L1 and L2). Landscaping near Riverside Street is clustered by the bio-retention pond, a landscaped berm in front of the non-ferrous storage building, and landscaping directly adjacent to the primary building (including preservation of 2 mature trees). Jeff Tarling, City Arborist, is recommending additional material be planted as shown on Attachment 1-E.

The landscaping plan proposes new plantings around the perimeter of the facility. The side line screening is important in mitigating the site's visual impact as one approaches the site along Riverside Street and to address impacts of nearby properties. Mr. Tarling's recommendations include addressing some gaps in the side line landscaping plan as shown on Attachment 1-E.

The development occupies only 7.6 acres of the 12.9 acre site. The remainder of the site can be left as open area and existing vegetation preserved. This open area consists primarily of steep slopes and the flood plain of the Presumpscot River. Existing vegetation within this area will play an important role as a buffer from the project site. This vegetation can be seen along the southwesterly property line (UPS building at 470 Riverside Street) with mature pine trees near the property line. Between the developed area of the site and the Presumpscot River mature

Key features of the stormwater management plan include concrete curb around the perimeter of the development site; two detention basins; a bituminous and concrete work surface for the facility. The curb and surface material provides a containment system for the site so that potentially contaminated stormwater won't leave the site unless first treated in the detention basins. The stormwater will sheet flow into the detention basins. As an impervious surface, the concrete/asphalt also provides a barrier to prevent contaminates from entering the groundwater.

The design of the detention basins are shown on Exhibit 25 (C-8 and C-9). The larger of the two basins is located to the rear of the site and serves most of the developed site. It has a footprint of about 10,250 sq. ft. Initially stormwater flows into a concrete pretreatment swale and continues through oil absorbing booms before entering a concrete treatment tank. After this treatment process, water then flows into the detention basin. The detention basin is described as a wet pond and is designed to have a permanent pool elevation of 4 feet. Stormwater discharged from the basin flows into an existing swale that is part of the Presumpscott River floodplain

The second basin is located near Riverside Street and serves a smaller area of the site (employee parking area and Riverside Street entrance). Described as a bioretention pond, it is simpler in design and doesn't rely on all the concrete structures of the larger basin. Extensive vegetation is proposed within the basin. Contaminates are filtered by the vegetation and an 18 inch filter media. Filtered water than makes it way into an underdrain system and an outlet pipe which empties into an adjacent stream.

According to the submission 0.22 acres of impervious surface will not be treated accounting for 4% of the total impervious area.

Stormwater calculations have been submitted indicating post-development peak runoff rates will equal pre-development rates for all stormwater events. This is accomplished by the two detention basins on the site as described above.

The site plan indicates snow storage around the perimeter of the site. The snow storage areas are located between the yard curbing and a fence. If the snow is pushed beyond the curb, how will melting snow be contained on the site so it drains to the stormwater treatment system?

Engineering

Engineering related comments from Dan Goyette, Engineering Review Consultant, are shown on Attachment 1-D. Applicant has provided a response to these comments in the first section of the binder labeled "Responses" dated March 20, 2008.

Landscaping

Landscaping and screening are important elements of review. The site layout resembles many other industrial/warehouse uses in the Riverside Street area with a large metal building and an accompanying black top area. The primary visual issue is the screening of recycled materials.

The driveway is divided into an enter and exit lane with an island in the middle. The entrance to the driveway is in excess of 30 feet wide which quickly becomes 4 lanes of queuing into the site. The plan indicates that 3 of the lanes can accommodate up to 8 tractor trailers while the 4th could accommodate a lane of smaller vehicles. The exit lane accommodates one lane of vehicles. While it is commendable the applicant has provided for a significant amount of on-site queuing to avoid vehicles backing-up into Riverside Street, the proposed driveway width does not meet the City's technical and design standards by a wide margin. Comments from Tom Errico, Traffic Review Engineer, are shown on Attachment 1-C. To summarize, Mr. Errico requests further information on vehicle queuing and internal circulation; the driveway should be reduced in width; a commentary should be submitted on the proposed driveway and how it meets the City's access management standard; and a financial contribution towards the future traffic improvements at the Riverside St./Warren Ave. intersection will be required. After receiving an updated submission by the Applicant, Mr. Errico's recent comments are shown starting on 1-C-3.

The proposed driveway is within 25 feet of the Portland Water District sub-station driveway which doesn't meet the driveway separation standard of the technical and design standards. This is not expected to be an issue since the driveway has a limited function and doesn't generate public use. A waiver request to the technical and design standards will need to be considered.

The Applicant has requested a waiver from the requirement of constructing a sidewalk along the Riverside Street. When Riverside Street was rebuilt several yeas ago, MDOT funded and constructed a sidewalk only on the easterly side of the street. The property doesn't have a sidewalk along its street frontage although it does have curb. Staff is not recommending a waiver. The lack of funding for a sidewalk in the past or the lack of foresight is not a sufficient reason to support a waiver request now. With more development taking place along Riverside Street and Portland Trails planning a trail along the Presumpscot River, it is likely there will be more pedestrian activity taking place along Riverside Street in the future.

Stormwater

Stormwater management is a critical planning issue for this site. Of particular concern is the treatment of stormwater so that contaminants do not migrate into the flood plain of the Presumpscot River. Stormwater management information is shown on Exhibit 18.

Of the site's 12.9 acres, about 7.6 acres will be disturbed. The development will result in a net impervious area of 5.5 acres.

The entire site currently drains to the Presumpscot River via an on-site stream or through a wetlands adjacent to the northwest corner of the site. The stream and wetlands are part of the flood plain associated with the Presumpscot River. The stream begins along Riverside Street at two outlets of the City storm drain system. There are man-made wetlands on the site, along with a small (465 sq. ft.) isolated wetland in the area to be developed. A man-made sediment basin was previously constructed at the bottom of the existing fill slope, adjacent to the stream.

Like other properties near the Presumpscot River, the low lying area of the property is located in a flood plain area (Resource Protection Zone). The flood plain elevation is approximately 35 feet. This project has no development within 100 feet horizontal distance from this flood zone or below an elevation of 60 ft. The property does not have frontage along the river. At its closest point, the property line is about 180 feet from the Presumpscot River (but increases further along southwesterly property line) while the closest paved surface on the site is another 300 feet from the river.

Site Layout

The site layout is influenced by topography, operational needs of the proposed use and providing appropriate screening and buffering. While the property totals 12.9 acres, only about 7.6 acres of the site will be disturbed by construction. Impervious surface totals 5.5 acres. The property consists of a relatively flat area with steep slopes featured along the southerly and westerly sides of the site. Below the slopes are wetlands and flood plain associated with the Presumpscot River. Site improvements are focused within the flat areas of the site and away from the slopes. A Portland Water District easement crosses the front section of the site.

The project driveway has been situated on the southerly side of the Portland Water District parcel along Riverside Street. The driveway is very wide (60 feet inclusive of a center island) to allow for significant queuing so that vehicles lines don't extend into Riverside Street. The closest building to Riverside Street (100 feet) is a non-ferrous storage building. (The City scrap metal recycling facility license rules require that all buildings be a minimum 100 feet from a public road.)

The primary building (processing/bailer) on the site is an 18,800 sq. ft. building in the middle of the site. The building is set back a minimum 270 feet from Riverside Street. It is 260 feet long with a base of height of 30 feet. One wing of the building has a total height of 50 feet as measured to the roof peak. Weight scales are adjacent to the building. The building provides a significant screening function for the designated scrap metal piles which are located behind the building. The length of the pile footprint is the same as the building. The footprint of the scrap metal pile is a minimum 470 feet from Riverside Street. To the rear of the scrap metal pile is a 50 ft by 100 ft flat auto storage building and a stormwater detention and treatment pond.

Traffic/Circulation

A traffic report has been prepared by Gorrill-Palmer consultant. The report indicates the facility will generate 19 and 17 trip ends for the weekday AM and PM peak hours. The trip generation falls below the threshold for a Traffic Movement permit. The Applicant is projecting a 20% increase in traffic over their existing Somerset Street facility.

The Applicant is proposing a driveway from Riverside Street just south of the Portland Water District sub station driveway. The driveway is abnormally wide (60 feet inclusive of the center island) reflecting the Applicant's concern of avoiding vehicles queuing onto Riverside Street. This has been an ongoing problem at the existing Somerset Street facility because of its limited size.

Parcel: The 568 Riverside Street parcel is part of a larger parcel formerly owned by Lucas Tree. With the assistance of The Trust for Public Land (TPL), the City gained control of the 53.8 acre Lucas Tree site in 2006. The property is currently owned by TPL but the City of Portland has an agreement to purchase the property. The Lucas Tree site was purchased to provide a more appropriate industrial setting for metal recycling facilities and the Public Works complex. The relocation of scrap metal yards and Public Works are important measures to facilitate the revitalization of Bayside.

An oddity of the site is a small Portland Water District sub-station (separate lot) located in the middle of the project frontage along Riverside Street.

The Prolerized parcel (12.9 acres) is located on the far westerly end of the Lucas Tree site. Since creation of the Prolerized lot is the first division of the Lucas Tree site, there is no subdivision.

In December 2005, the City Council approved a zone change extending the existing I-H on the Lucas Tree site to the southerly end of the site for the Prolerized parcel.

Vicinity Uses: The proposed site is bounded on the west by the Presumpscot River; to the north by the Lucas Tree complex; to the south by Wintergreen Solarium sales, Bernie's Auto Repair, 508 Riverside Street (Restaurant Equipment of Maine), 470 Riverside Street (UPS and other businesses); and on the east by Riverside Street (across the street) with various businesses (Phoenix Welding, Six G's Business Park, Superior Roofing, Protection One, etc.) and some non-conforming residential uses (I-M).

In terms of zoning and land use, this area of Riverside Street clearly has an industrial/ commercial character. Zoning in the vicinity of the site is I-M industrial. At its closest point, the nearest residential zone (R-5) is about 1,400 feet from the site and includes Terrace Pond and Riverton public housing complexes. There are a few remaining non-conforming residences but the area is decidedly commercial and industrial. Across the Presumpscot River in Westbrook there are residential areas and vacant land. The closest residential street in Westbrook (Constitution Drive) is about 720 feet from the working area of the site. Along the Presumpscot River corridor, the low lying meadow is undeveloped and zoned RPZ.

Site Characteristics

The site is a mixture of woodlands, grass meadows, wetlands, and areas of made land with buildings and pavement. A stream is also located along the southern boundary of the site. The existing topography on the site varies; exceeding 2:1 slopes at some areas adjacent to the stream bank and between 2% to 8% over the remainder of the site. The existing single family residence will be removed from the site.

Findings

Zoning:	I-H Industrial High Impact RPZ Resource Protection Zone (flood plain area of an undeveloped portion of the site) Shoreland Zone (an undeveloped portion of the site)
Land Area:	12.9 Acres
Existing Uses:	Single family residence (vacant); former stockyard of Lucas Tree
Proposed Use:	Metal recycling facility…Described as a full service integrated ferrous and nonferrous processing/recycling center serving the Greater Portland area. Facility is expected to process 75,000 tons of metal per year. For further details, see white binder, project summary on first page.
Proposed Buildings:	18,800 sq. ft. (primary includes offices, processing and bailer) 5,000 sq. ft. (flat auto storage) 4,500 sq. ft. and 1,250 sq. ft. (non-ferrous storage)
Impervious Surface:	5.5 acres or 42.6 % of the site
Street Frontage:	437 ft.
Minimum Building Setback from Riverside Street.:	100 feet (non-ferrous building) 270 feet (primary building)
Parking Spaces:	20
Employees:	15

Shoreland/ Flood Plain: The lower portion of the site adjacent to the Presumpscot River is in a Shoreland Zone and a flood plain zone. The developed portion of the site is not located in these zones.

Development Permits:

City: This project is subject to site plan review. Although a portion of the site is located within a Shoreland Zone and Resource Protection Zone, no development activities are taking place within these areas. A Scrap Metal Recycling Facilities license will need to be obtained from the City Council. A prerequisite of a license is site plan approval.

State: This project is subject to a Solid Waste Processing Facility permit from the Maine DEP. Applicant has submitted the application and it is on file in the Planning Division. This review negates the need for a Site Location of Development permit.

Memorandum
Department of Planning and Development
Planning Division

To: Chair Tevanian and Members of the Portland Planning Board

From: Richard Knowland, Senior Planner

Date: Prepared on: May 9, 2008
Prepared for: May 13, 2008 Workshop

Re: **Prolerized New England Company; Proposed Metal Recycling Facility**
Vicinity of 568 Riverside Street
CBL: 321 A001001
Application #: 2008-0014

Introduction

A workshop has been scheduled to consider a proposal by Prolerized New England Company LLC for a metal recycling facility in the vicinity of 568 Riverside Street.

This is the initial workshop and is likely to be supplemented by at least one other workshop prior to a public hearing. The proposal is subject to site plan review.

A large white binder has been submitted as part of the application. References in the staff memo to "Exhibit" are individual exhibits within the binder. The site plan is shown on Exhibit 25 which is the last exhibit in the binder. The first section of the binder labeled "Responses" (dated March 20, 2008) includes responses to earlier staff comments.

132 notices were sent to area property owners. A notice was also sent to the City of Westbrook.

The applicant currently occupies the New England Metal Recycling (also known as the Finkleman Scrap Metal) site at 25 Somerset Street. Prolerized and the City have an agreement for Prolerized to purchase the 568 Riverside Street property and relocate their facilities to this site with the City purchasing 25 Somerset Street. This agreement is on file in the Planning Division.

4.0 EXISTING CONDITIONS

The proposed recycling facility will be located on a parcel of land bordered by Riverside Street to the east and businesses zoned for moderate-impact industrial use to the north and south. To the west, the parcel is bordered by land near the Presumpscot River. The City of Westbrook lies beyond the river. Figure 2 is an aerial photograph of the area showing noise measurement locations and an overlay of the proposed site footprint. Note the dashed blue line depicted near the western and southwestern property line. The line represents an elevation drop of approximately 25 to 30 feet and demarcates the portion of the site that consists of flat, level terrain on which equipment can be used.

The uneven terrain, especially the sudden drop in elevation beyond the dash blue line, would affect sound levels measured at the far western and southern property lines. Those areas, which are shielded from vehicle noise on Riverside Drive, do not represent typical noise conditions for this site. For that reason, sound levels were measured along the edge of the flat, level area, as close to the property lines as possible. The section describing noise measurement locations provides further details.

4.1 Baseline Noise Environment

An ambient noise level survey was conducted during the daytime hours to characterize the existing "baseline" acoustical environment in the vicinity of the site. Existing noise sources in the vicinity include: car, bus, and truck traffic on Riverside Street; distant traffic on I-95; branches and leaves rustling in the wind; airplane overflights; birds; and occasional activity (pick-up trucks) at the Lucas Tree facility along the northern border of the proposed site.

Broadband (A-weighted) sound level measurements were conducted for 12 consecutive hours at one (1) location from 6:00 a.m. to 6:00 p.m. on Wednesday, July 11, 2007. This continuous data were used to identify current patterns in the overall sound level throughout the day. Short-term (30-minute) octave-band measurements were made at four (4) other site locations throughout the day, to obtain a sampling of the ambient baseline noise environment. The microphones were located at a height of approximately five feet above the ground, at all locations.

4.2 Noise Measurement Locations

The selection of both the continuous and short-term sound monitoring locations was based upon a review of the current land use in the area and discussions with Civil Consultants. The four short-term noise-monitoring locations were selected in representative directions around the site. The sensitive receptors chosen for this study include the nearest residential

A copy of the relevant sections of the local noise regulation is included as Appendix B.

3.3 Comparison of State and Local Noise Regulations

Table 1 presents a comparison of the City of Portland and ME DEP noise regulations. The adjoining properties along Riverside Street are zoned for moderate-impact industrial use, so the 70 dBA standard should apply at the property lines of the proposed facility. If property-line noise levels due to facility operations stay below 70 dBA, no noise mitigation will be necessary.

Table 1: Comparison of Zoning District Noise Standards – City of Portland and ME DEP

Zoning District -- Receiver	City of Portland		ME DEP "Protected Locations"	
	Time Period	Maximum Property-Line Sound Level	Time Period	Maximum Sound Level
Residential	All Times	55 dBA (R-P Zones)	7 am – 7 pm	60 dBA
Commercial	7 am – 9 pm	65 dBA (B-4 Zone)	7 am – 7 pm	70 dBA
	7 am – 10 pm	60 dBA (B-5 Zone)		
Industrial	7 am – 10 pm	70 dBA (Moderate-Impact Zone)	7 am – 7 pm	70 dBA
	7 am – 10 pm	75 dBA (High-Impact Zone)		

The City of Portland does not regulate tonal sounds while the ME DEP does (ME DEP Solid Waste Management Rules, Chapter 400, section 4(F)(2)).

3.0 RELEVANT NOISE REGULATIONS AND CRITERIA

Noise is officially defined as "unwanted sound". The principal feature of this definition is that there must be sound energy and someone hearing it who considers it unwanted. Noise impact is judged on two bases: the extent to which governmental regulations or guidelines may be exceeded, and the extent to which it is estimated that people may be annoyed or otherwise adversely affected by the sound. Specific regulatory references are as follows.

3.1 Maine State Regulations

Maine regulates noise from solid waste facilities under Chapter 400, section F, "No Adverse Environmental Effect on Existing Uses and Scenic Character." The hourly equivalent sound level (L_{eq1Hr}) is limited to 75 dBA at the property line except for "protected" locations (residential or noise sensitive land use). For these "protected locations", hourly equivalent sound limits are as follows based on zoning. Daytime is defined as 7:00 a.m. to 7:00 p.m. while nighttime is defined as the remaining hours.

Commercial, Industrial	70 dBA (day)/60 dBA (night)
Residential, Other	60 dBA (day)/50 dBA (night)

Additional regulations apply to construction noise. The noise from trucks is exempt while operating on public ways, when they enter the facility to make a delivery or pickup, and when they are moving, starting, or stopping, but not when they are parked for over 60 minutes in the facility (Chapter 400, section F(2)(e)). Sound from warning signals and alarms are also exempt from the noise regulation. A copy of the noise rules from Chapter 400 is included as **Appendix A**.

3.2 Local Regulations

The City of Portland does have a quantifiable noise standard as part of the Code of Ordinances (Chapter 14, "Land Use"). Noise standards are based on the zoning of the site under consideration. The entire Riverside Street site is zoned as high-impact industrial (IH), and it is immediately bordered by a moderate-impact industrial zone (IM). Within the IH zone, the maximum permissible sound level shall not exceed 75 dBA at the property line between 7:00 a.m. and 10:00 p.m. (The IM zone maximum level is 70 dBA.) It is understood that this recycling facility will only operate during daytime hours (no earlier than 7:00 a.m.).

The City of Portland has clarified their noise regulation to mean that city noise regulations do not apply to trucks that are licensed and inspected by the State of Maine while they are moving (including while traveling within a site). However, once vehicles are parked, the City of Portland noise regulations apply to activities such as unloading the contents of the trucks.

- L_{50} is the median sound level, which is the sound level in dBA exceeded 50 percent of the time during the measurement period.

- L_{10} is the sound level in dBA exceeded only 10 percent of the time. It is close to the maximum level observed during the measurement period. The L_{10} is sometimes called the intrusive sound level because it is caused by occasional louder noises like those from passing motor vehicles.

- L_{eq}, the equivalent level, is the level of a hypothetical steady sound that would have the same energy (i.e., the same time-averaged mean square sound pressure) as the actual fluctuating sound observed. The equivalent level is designated L_{eq}; and is also A-weighted. The equivalent level represents the time average of the fluctuating sound pressure, but because sound is represented on a logarithmic scale and the averaging is done with linear mean square sound pressure values, the L_{eq} is most often determined by occasional loud, intrusive noises.

- The maximum sound level during a given time is designated as the L_{max}. The L_{max} are typically due to discrete, identifiable events such as an airplane overflight, car or truck passby, or a dog barking for example.

By using various noise metrics it is possible to separate prevailing, steady sounds (the L90) from occasional, louder sounds (L10 or Lmax) in the noise environment.

The spectra of noises are also stated in terms of octave band sound pressure levels, in dB, with the octave frequency bands being those established by standard. If noise control treatments are required for a source, it is essential to know something about the frequency spectrum of the noise of interest. Noise control treatments do not function like the human ear, so simple A-weighted levels are not useful for noise-control design. In the event that noise-control is necessary for this project, the estimates of noise levels due to equipment operation are also presented in terms of octave band sound pressure levels.

Epsilon
ASSOCIATES INC.

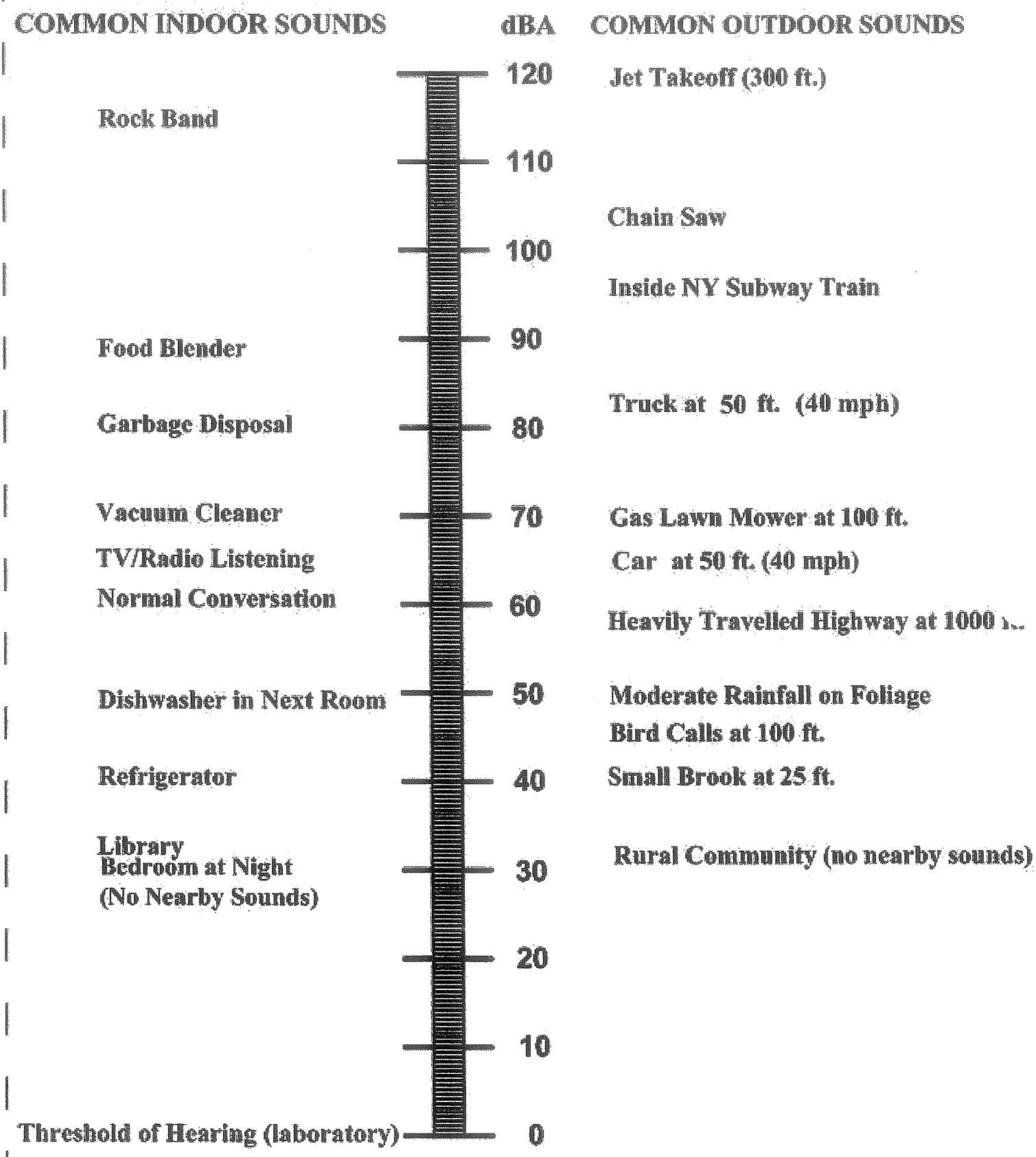

Figure 1
Typical Noise Levels from Our Environment

2.0 NOISE METRICS

There are several metrics with which sound (noise) levels are measured and quantified. All of them use the logarithmic decibel (dB) scale. The following information defines the noise measurement terminology used in this analysis.

The decibel scale is logarithmic, to accommodate the wide range of sound intensities found in the environment. A property of the decibel scale is that the sound pressure levels of two separate sounds are not directly additive. For example, if a sound of 50 dB is added to another sound of 50 dB, the total is only a 3-decibel increase (to 53 dB), not a doubling to 100 dB. Thus, every 3 dB change in sound levels represents a doubling/halving of sound energy. Related to this is the fact that a change in sound levels of less than 3 dB is imperceptible to the human ear.

Another property of decibels is that if one source of noise is 10 dB (or more) louder than another source, then the total sound level is simply the sound level of the higher source. For example, a source of sound at 60 dB plus another source of sound at 47 dB is 60 dB.

Sound level meters used to measure noise are standardized instruments. They contain "weighting networks" to adjust the frequency response of the instrument to approximate that of the human ear under various circumstances. The network used for community noise surveys is the A-weighting network. Sounds detected with the A-weighting network of the sound level meter are reported in decibels designated as "dBA." The A-weighted scale (dBA) most closely approximates how the human ear responds to sound at various frequencies: it emphasizes the middle frequency (i.e., middle pitched - around 1,000 Hertz - sounds), and de-emphasizes lower and higher frequency sounds. Figure 1 presents an example of some common indoor and outdoor activities, and their typical sound levels in our environment.

Because the sounds in the environment vary with time, they cannot simply be described with a single number. Two methods are used for describing variable sounds: the percentile exceedance levels (Ln) and the equivalent level (Leq). Both are derived from a large number of moment-to-moment A-weighted sound level measurements. Exceedance levels are values from the cumulative amplitude distribution of all of the sound levels observed during a measurement period. Exceedance levels are designated Ln, where n can have a value of 0 to 100 percent. Some common metrics reported in community noise monitoring studies are described below.

- L_{90} is the sound level in dBA exceeded 90 percent of the time during the measurement period. The L_{90} is close to the lowest sound level observed. It is essentially the same as the residual sound level, which is the sound level observed when there are no obvious nearby intermittent noise sources.

1.0 INTRODUCTION AND SUMMARY

An analysis of potential community noise impacts associated with the proposed Schnitzer Northeast metal recycling facility has been conducted. This analysis has been prepared to address the requirements of the Maine DEP noise regulations from Chapter 400 of the Maine DEP solid waste rules, because the proposed metal recycling facility is regulated as a processing facility under the Maine solid waste act and associated regulations, 38 M.R.S.A. § 3001 et seq. The facility is exempt from review under the Site Location of Development Act, 38 M.R.S.A. § 481 et seq., ("Site Law") and its associated regulations, including Chapter 375. See, 38 M.R.S.A. § 488(21) (stating that facilities regulated by the Maine DEP under 38 M.R.S.A. § 1310-N are exempt from review under the Site Law). The analysis also addresses the City of Portland Code of Ordinances, Chapter 14 "Land Use," section 14-267.

In this report, we discuss the potential noise levels in the surrounding community due to operation of recycling facility equipment. A sound level measurement program was conducted at potentially sensitive locations around the proposed site. The goal was to determine existing background sound levels during daytime hours. The existing levels were then compared with computer-modeled future sound levels due to the operation of equipment. The modeling results were compared with both existing conditions and regulatory standards. Community noise attributable to the recycling facility may arise from three primary sources.

- Excavators used to move materials
- Loader waste handlers for clearing and moving materials
- Back-up alarms from trucks on the site

The equipment expected to be used at the facility will operate at noise levels well within the City of Portland and Maine DEP noise regulations, and without substantial impact to the surrounding ambient noise environment.

A summary of recommended noise reduction measures is included in the last section of this report.

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Noise Impact Assessment Study

Prolerized New England Company, LLC
d/b/a Schnitzer Northeast Metal Recycling Facility
Portland, ME

Riverside Street
Portland, ME

Prepared for:

Civil Consultants
293 Main Street, PO Box 100
South Berwick, Maine 03908

Prepared by:

Epsilon Associates, Inc.
3 Clock Tower Place, Suite 250
Maynard, MA 01754

October 15, 2007

Riverside Street has been constructed with a sidewalk on the opposite (East) side of the street from the proposed facility. The industrial uses along Riverside Street do not generate a need for additional pedestrian infrastructure.

4. *"The reconstruction of the street is specifically identified and approved in the first or second year of the current Capital Improvement Program or has been funded through and earlier CIP or through other sources."*

   Not applicable.

5. *"The street has been constructed or reconstructed without sidewalks within the last 24 months."*

   Not applicable.

6. *"Strict adherence to the sidewalk requirement would result in the loss of significant site features related to landscaping or topography that are deemed to be of a greater public value."*

   Site design of the facility includes planting of new landscape buffers and construction of a Bio-Retention stormwater treatment basin along Riverside Street. Construction of a new sidewalk on this side of the street could create conflicts with these design elements, and result in a reduction of the improvements to Scenic Character associated with the landscape buffers and/or a reduction in stormwater quality leaving the site. In our opinion, these features provide greater public value than a sidewalk that is not needed.

Since the project will satisfy four of the six requirements specified in 14-506-b, we request that the Planning Board waive the sidewalk construction requirement for the Prolerized project.

Sincerely,
CIVIL CONSULTANTS

Carl V. Beal, P.E.
Senior Project Engineer

Cc: file, Hope Jacobsen
J:\aaa\2006\0676900\Submittals\City of Portland\Site App\20080204Waiver.doc

CIVIL
CONSULTANTS

Engineers
Planners
Surveyors
P.O. Box 100
293 Main Street
South Berwick
Maine
03908
207-384-2550

February 4, 2008

Portland Planning Board
c/o Department of Planning and Development
389 Congress Street
Portland, ME 04101

Re: Request for a waiver of Sidewalk Construction

To Whom It May Concern:

Prolerized New England Company, LLC (Prolerized) is submitting a Site Plan application for approval of a new scrap metal recycling facility on Riverside Street, Portland, Maine. This project will also include relocation of the existing New England Metal Recycling, LLC facility from its current Somerset Street location. Prolerized is requesting that the Planning Board grant a waiver from the sidewalk construction requirements in Sec. 14-498 of the Portland Land Use Ordinance. The following conditions are presented for consideration pursuant to 14-506-b:

1. *"There is no reasonable expectation for pedestrian usage coming from, going to and traversing the site."*

   This will be a scrap metal processing facility. All products coming to and leaving from the facility will be in trucks of varying sizes. The business will not generate any pedestrian trips.

2. *"There is no sidewalk in existence or expected within 1000 feet and the construction of sidewalks does not contribute to the development of a pedestrian oriented infrastructure."*

   Riverside Street has been constructed with a sidewalk on the opposite (East) side of the street from the proposed facility. There is no sidewalk on the West side of the street, from Forest Avenue to Warren Avenue. The industrial uses along Riverside Street do not generate a need for additional pedestrian infrastructure.

3. *"A safe alternative-walking route is reasonably and safely available, for example, by way of a sidewalk on the other side of the street that is lightly traveled."*

ATTACHMENT 6

SWPPP PLAN

Prolerized New England Company will provide a Stormwater Pollution Protection Plan (SWPP).

02/18/08

ATTACHMENT 7

SPCC PLAN

Polarized New England Company will provide a Spill Prevention Control and Countermeasure Plan.

02/18/08

ATTACHMENT 6

SOLID WASTE RULES

Prolerized New England Company will provide applicable Solid Waste Management Rules.

02/18/08

ATTACHMENT 5

SOLID WASTE PERMIT

Prolerized New England Company will provide MeDEP Solid Waste Permit upon receipt.

02/18/08

ATTACHMENT 4

SHREDDER INFEED SPECIFICATIONS

Prolerized New England Company will provide Shredder in-feed specifications.

02/18/08

ATTACHMENT 3

SIGNAGE

Polarized New England Company will prominently post signage at the facility to include:

- the hours of operation
- other limitations and conditions of access at each entrance to the solid material facility.

02/18/08

ATTACHMENT 2

EMERGENCY CONTACT

GENERAL MANAGER:

PAT MURPHY
207-212-2361

SUPERVISOR:

ALBERT HARRIS
207-212-2363

PORTLAND FIRE DEPARTMENT
207-874-8576
911 EMERGENCY

SAFETY OFFICE
JOSHUA SCOTT
603-344-0197

MAINE DEP OIL SPILL HOTLINE
1-800-482-0777

MAINE DEP HAZARDOUS WASTE HOTLINE
1-800-452-4664

MAINE MEDICAL CENTER
1- 877-339-3107, 1-207-662-0111

MERCY HOSPITAL
1-(800) 293-6583, (207) 879-3000

ATTACHMENT 1

Material Oil Collection. Material oil collected at a solid material facility must be stored in aboveground tanks that are secured to prevent the tanks from tipping over. Tanks must be protected from vehicular traffic by bollards or similar devices. Tanks must be constructed of steel or other non-porous material. They may not be located where any leaks could drain into sewers, floor drains, or storm water catch basins, and:

(1) If a tank is located outdoors, the tank must be watertight; either double-walled or have a secondary impervious containment system that has the capacity to hold a minimum of 110% of the contents of the tank. The tank and the secondary containment system must either be covered with a roof or provisions made for removing liquids which accumulate in the containment system.

(2) If a tank is located inside a building, it must have rigid piping, a funnel that is rigidly attached, and either be double-walled or have an alternate means of secondary containment that has the capacity to hold a minimum of 50% of the contents of the tank.

(3) Tanks must be located such that they can be readily inspected for evidence of leaks.

(4) Tanks must be maintained in good condition with no severe rusting, no apparent structural defects or deterioration, and no visible leaks.

(5) Tanks must be clearly labeled or marked with the words "Used Oil".

(6) Tanks must be installed in accordance with applicable state and local ordinances.

(7) Tanks must be kept locked at all times except when used oil is being added or removed.

(8) The operator shall supervise the addition of any used oil to the tank, and shall inspect by sight or scent any oil added to the tank.

7.0 RECORDKEEPING AND REPORTING

7.1 Recordkeeping

A copy of the authorization page of the permit bearing the permit number and the authorization signature shall be prominently displayed at the scalehouse office.

A copy of the permit, including a complete copy of the last approved operations manual of record shall be maintained at the facility office.

An operating record for each calendar year is maintained by the facility. The operating record contains the following information:

- Identification of the facility by name, location, and permit number
- Identification of permittee
- Identification of facility operators
- Material receipt documentation
- Materials generated documentation
- Inspection, Maintenance & Repair Records
- Accidents, Violations, Remedial and Emergency Event Response Action Records
- Environmental Monitoring Records
- Contact with Material Management District
- A copy of the most recent annual report submitted to MEDEP
- As-built engineering drawings of the facility.

The operating records are maintained at the facility for the active life of the facility, and will be available to the MEDEP for inspection and/or copies provided, at the request of the MEDEP.

7.2 Reporting

Notification shall be provided to MEDEP in writing within 30 calendar days of any change in the facility address, telephone number, and/or contact persons.

Prolerized New England shall report all changes in operational and/or ownership control in accordance with applicable Maine DEP regulations.

Prolerized New England shall notify the MEDES in writing prior to conducting activities, which are not specifically authorized in the permit.

The facility files an annual facility report in accordance with MEDEP Chapter 400, section 3(E). The annual report must include a comprehensive review and report of activities at and affecting the transfer station or storage site during the previous year.

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6.0 EMPLOYEE TRAINING PROGRAM

6.1 Operators Requirements

The facility shall be staffed with persons qualified by reason of education, experience and performance history to operate the facility in accordance with all applicable requirements of the solid material rules and the permit.

6.2 New Employees

Prolerized New England's orientation and training program for new employees includes:

- Hazard Communication;
- Introduction to Prolerized New England Operating Plan;
- Introduction to Prolerized New England SPCC Plan;
- Introduction to Prolerized New England SWPP Plan;

6.3 Refresher

Annual refresher of Prolerized New England's programs is scheduled every year and attended by all employees. The refresher includes review of the following:

- Hazard Communication;
- Changes in regulations and requirements;
- Operating Plan;
- SPCC Plan; and
- SWPP Plan.

6.4 Weekly Meetings

The Plant Manager conducts weekly meetings to discuses safety issues, facility plans (SPCC, SWPPP, etc.), and inform employees of any changes to the facility's plans. A record of each meeting's agenda and attendance is kept at the office.

- Facility name, location by street and municipality, and permit number;
- Permittee name, mailing address and telephone number;
- Identification of all persons involved in the incident or situation, including name, title and affiliation;
- A description of the incident or situation, including:
- The date and time the incident or situation occurred;
- The quantity and types of materials and material(s) involved in the incident or situation and in the clean-up activities;
- Measures employed to contain releases caused by the incident or situation; and
- An assessment of actual or potential hazards to the environment, safety and human health related to the incident; and
- Measures the permittee has or intends to apply to reduce, eliminate, and prevent a recurrence of the incident or situation.

5.2.1 Nuisance Situation

Complaints made by abutters or other third parties which involve operating conditions or practices having the potential to adversely effect human health, safety or the environment or which involve a recurring or persistent nuisance situation shall be reported to the MEDEP, in writing.

5.2.2 Oil Spill

If an oil spill occurs during normal working hours, verbal notification shall be made directly to the MEDEP, if the reporting party is unable to contact the MEDEP, notification shall be made to the Portland Police Department.

The written notification shall be made as described above (Section 5.2).

Please refer to Attachment 2 for Emergency Phone Numbers

5.0 CONTINGENCY PLAN

5.1 Emergency Scenarios – Immediate Actions

Immediate actions to follow by any responsible party, in an event of emergency are detailed bellow.

5.1.1 Fire & Explosion

- Assess the situation and evaluate fire, health and safety hazards;
- Take any action necessary to prevent risk to employees.
- If necessary, activate fire alarm;
- If necessary, notify the Portland Fire Department.

5.1.2 Injury

- Assess the situation and evaluate health and safety hazards;
- Take any action necessary to prevent additional risk to employees; (shut off machines, etc.)
- If trained, administer first aid and make efforts to stabilize the condition;
- Notify the Portland Fire Department or evacuate to the nearest emergency room;

5.1.3 Spill Response Procedure (As described in the SPCC)

In an event of a spill or oil discharge the following procedure will be followed immediately by facility personnel:

- Assess the situation and evaluate fire, health and safety hazards;
- Stop the discharge;
- Notify the facility manager Pat Murphy 1-207-212-2361
- Contain and remove all discharged oil and oil-contaminated debris;
- Small spills (less than 50 gallons) that are readily cleaned-up with the on-site spill kits, spill response will likely be handled by Prolerized New England personnel;
- Larger spills, that require additional equipment (vacuum truck, excavator, roll-offs, booms, etc.), and spills that reach surface water, will be handled by an emergency response contractor. The emergency response contractor for Prolerized New England Portland is ENPRO Services 207-878-3031;
- Stockpile and/or dispose of discharged oil and oil-contaminated materials in accordance with all applicable local, state and federal rules;
- Monitor and mitigate fire, health and safety hazards and call the Fire Department and/or the Portland Police as necessary;
- Take any action necessary to prevent environmental damage from the discharge; and
- Investigate to determine the possible presence of free product.

5.2 Incidents Notification

- Incidents involving injuries and other health and safety issues are reported according to OSHA requirement.
- All incidents or situations at the facility which involve an imminent and substantial risk to human health, safety or the environment and/or which constitute a violation of the solid material rules or the facility permit or are otherwise required to be reported shall be reported to the MEDEP.
- An oral report should be made as soon as practicable.
- A written report shell be submitted within 5 working days of the time the facility operator becomes aware of the incident or situation and include information as:

vendor will be contacted to pick it up. DEP will be contacted as appropriate.

The emergency response contractor for Prolerized New England Company LLC-Portland is **ENPRO Services 207-878-3031.** They will pick up and properly dispose of any special waste materials collected at the facility.

b) All incoming waste material is inspected by personnel as it is unloaded from vendor vehicles, so surveillance equipment is not necessary.
c) All incoming materials are inspected by personnel, so random inspections do not apply to this facility.
d) Temporary storage for any Special and Hazardous Waste will be located within the interior of the building structure in appropriate containers.

2. General Administration
   a) The Facility Safety Officer and Facility Manager will be **Pat Murphy and his phone number is 1-207-212-2361.**
   b) **Emergency procedures are described in Section 5 of this Operating Plan and contact numbers are included in Attachment 2.**

3. Notification
   Notification procedures are described in Section 5 of this Plan.

4.11 Training

Prolerized New England will provide training for new employees and annual refresher training for detection of special and hazardous wastes at the facility and proper procedures for handling the waste. Training is described in Section 6 of the plan.

- Owner of an AST system is required to perform a monthly inventory inspection. The accuracy of the inventory shall be reconciled by comparing product measurements with shipments, deliveries, and internal transfers. The owner shall investigate and resolve the cause of any significant loss in inventory, such as any unexplained difference of 2.0 percent or more throughout the month.
- If an unexplained physical loss of oil is evident following the investigation, the owner shall notify the MEDEP. The records of all inspections should be kept on site and be available for review.
- At the Prolerized New England Portland facility, SPCC related training has been incorporated as a component of the overall facility Hazard Communication Training Program. Also, spill prevention briefings for operating personnel on the operation and maintenance of equipment in order to prevent the discharges of oil and applicable pollution control laws, rules and regulations are scheduled every six-months and are part of weekly safety meetings.
- All new employees receive SPCC related training, as described above, and a six-month review will be provided.

4.10 Potential or Anticipated Hazards or Nuisance

Two potential sources for nuisance are noise and vibrations from day to day operations including heavy equipment operations and traffic. It is Prolerized New England LLC's policy to minimize the potential for nuisance by operating only during regularly established hours.

4.11 Hazardous and Special Waste Handling and Exclusion Plan

Prolerized New England will accept metal products for recycling as permitted by order by the Maine Department of Environmental Protection. Prolerized New England will comply with all applicable Federal and State laws regarding the detection, identification, handling, storage, transportation and disposal of special, biomedical and hazardous wastes.

1. Description of wastes to be received

- Automobiles and other vehicles; may accept 4 tires per car
- Industrial light iron including steel sorted from municipal solid material
- White goods
- Heavy steel scrap
- Aluminum and other non-ferrous metal
- All other ferrous and non ferrous recyclable materials not mentioned specifically above

2. Detection
   a) Upon arrival to the facility all materials are examined by trained Prolerized New England Company LLC personnel while unloading. Unauthorized material such as special, biomedical, and hazardous wastes is not allowed to be unloaded. If unauthorized material is found after it had been unloaded and the vendor is gone, that material will be segregated, placed on impervious or lined surface and the

- ❖ Effort will be made to keep the exterior yards, parking areas, roadways and storage areas orderly and free of materials that could add pollutants to storm water.

- A Pollution Prevention Committee ("PPC") should be nominated. The PPC will consist of representatives from all work shifts and groups responsible for storage, production, shipping, safety and maintenance activities at the facility. The PPC will meet at least quarterly to discuss progress and compliance with the Storm Water Pollution Prevention Plan.
- Safety training for all new employees will involve key elements relating to storm water management including: careful handling of materials, familiarity with Material Safety Data Sheets, and related hazard communications.
- A member of the PPC will act as a site monitor, inspecting the facility on a quarterly basis. The intent of this program is to document conditions relating to the quality of storm water runoff that may be present at the site. The site monitor will fill out a standard inspection report form, addressing each of the drainage areas and features of the drainage system.

4.9 Spills

A Spill Prevention, Control and Countermeasure (SPCC) plan was developed to address federal (CFR part 112) and state requirements for oil storage at the facility.

Key features of the plan are:

- Oil at the facility will be stored in aboveground storage tanks (AST) and small containers. Attachment 1 details procedures to be taken for the storage of Used Oil.
- To our knowledge, no discharge of oil into or upon the navigable waters of the United States or adjoining shorelines in quantities that may be harmful to the public health and welfare have occurred at this facility within the last three years.
- Should a spill event occur in the future, a spill incident report will be attached to the SPCC Plan. The report will include a written description of the spill, corrective action taken and plans for preventing recurrence.
- Potential risks of oil contamination from on-site activities include leaks from ASTs, fueling activities, the operation of processing equipment including heavy machinery, and the storage of chemicals such as motor oil, hydraulic fluid and diesel fuel.
- Because the entire working area of the facility is designed to drain into a Stormwater Treatment System, a spill is unlikely to reach surface waters. However, the Stormwater Treatment System is designed to treat all runoff from any storm up to a 25-year storm rainfall amount of 5.4 inches. During a heavy rainfall event that exceeds 5.4 inches it is possible that a small amount of oil could flow out of the Wet Pond and into wetlands at the Northern border of the property. However, most of the oils should be captured in the Oil/Water separator structure during the early portion of the storm prior to when the pond surface peaks later.
- Spill Response and Notification Procedure - See section 5.2
- SPCC inspections at this facility will be performed on a monthly basis, in conjunction with other inspection programs. Record of the inspections, signed by the appropriate supervisor or inspector are part of the SPCC Plan and maintained in Prolerized New England's Portland office for a period of three years.
- A list of concerns for all the areas subject to SPCC inspections and a worksheet are provided in the SPCC.

4.7 Windblown Litter

The metal that the facility processes is heavy and does not have the potential to become windblown. A very small quantity of papers, labels, small pieces brought in with the metal material have the ability to become windblown. However, since dust controls such as sweeping are implemented and much of the facility is surrounded with a fence and due to the large area surrounding the operational these materials are not likely to leave the property. All office material that is capable of being recycled is collected for recycling. All other material is deposited in a covered municipal solid material dumpster located at the office.

4.8 Leachate

The following is a summary of the Stormwater Pollution Protection Plan ("SWPPP") findings and recommendations:

- The facility and all facility activities are located on an elevation with surrounding lands are of an equal or lower elevation. The vast majority of the operating site is composed of impermeable surfaces that do not allow the infiltration of storm water during storm events. When runoff is created, it flows over the impermeable surface to a silt drainage control channel, proceeds to oil water separator, continues on to receive additional treatment in a Wet Pond with a gravel filter outlet, flows through existing manmade swales that contain wetland vegetation to uptake nutrients, and finally discharges into the stream and associated wetlands on the South side of the property.
- Potential risks of storm water contamination from on-site activities include the storage and processing of exposed metals, the operation of processing equipment including heavy machinery and the storage of chemicals such as motor oil, hydraulic fluid and diesel fuel.
- Pollution Prevention Measures to be taken in all areas include:
  - Proper storage of material, products, fuel, chemicals, and equipment.
  - Discharges from paved areas should be inspected to ensure that significant erosion does not occur to surrounding soils.
  - Conduct periodic inspections to identify any leaking fluids (e.g. motor oil, hydraulic fluid, brake fluid etc.) and immediately address the cause of any leaks.
  - Spill clean up materials will be available in a designated area with proper instruction for use.
  - Care will be taken to avoid spills during delivery or transfer of materials.
  - Schedule frequent cleaning of accumulated fluids and particulate residue around all scrap processing equipment.
  - Schedule regular cleanings of the Oil/Water separator structure to remove accumulated oils and grit.
  - The Wet Pond gravel filter outlet shall be inspected every 6 months. The gravel filter material shall be removed and replaced when the water level in the Wet Pond submerges the filter bench for more than 72 hours after a storm event.
  - A designated attendant will observe all fluid transfer activities (new material delivery and material fluid pick up) by outside vendors.

4.0 FACILITY MAINTENANCE, INSPECTION & MONITORING PLAN

4.1 Spontaneous Combustion

Spontaneous combustion is not likely to occur.

Inventory is examined daily by Prolerized New England's personnel and by the security staff after the facility is closed for visual signs of fire (smoke, flames etc.). Acceptance policies and screening of incoming material for any materials that are not recyclable minimize the acceptance and or inventory of flammable or combustible materials. Flammables, such as oils and greases that are normally used in the routine maintenance of equipment are stored in a secure location away from the piles (in the garage area). All employees have Hazard Communication training and a fire hose is located near the stock piles. In the event that fire that can not be handled by Prolerized New England's personnel, the Portland fire department will be called and is adequately equipped to assist.

4.2 Fire Hazards

Fire hazards exist in the following areas, due to the presence of papers, fuels, heat and human activities:

- Garage (material oil storage, burner, routine chemicals used in vehicle maintenance)
- Scale house

All of these locations are equipped with fire extinguishers. Fire extinguishers are inspected on a regular basis and all employees have Hazard Communication training, which addresses potential fire hazards and procedures for preventing fires.

4.3 Vector Production

There is no storage or handling of food, biological material, organic material and other vector carrying sources. Solid material generated on site is disposed at a municipal dumpster located outside the office.

4.4 Generation of Methane, Hazardous and/or Explosive Gas

Not applicable. None of the materials accepted or generated by the facility has the potential to generate these gases.

4.5 Odors

The current process does not produce any significant odors. In the event Prolerized New England receives an odor complaint personnel will report the complaint to the department as soon as possible.

4.6 Dust

Most of the operation area is paved with concrete and/or impervious surface to minimize generation of dust from the operating surface. Impervious areas will be maintained on a regular basis when conditions exist that are likely to produce dust.

3.5 Storage of Material

Metal products are inspected on arrival and segregated into commodities such as ferrous; light iron, Aluminum, etc. Metals are stored on the impervious surface or in bins placed on the impervious surface. Non ferrous materials such as copper, aluminum, brass, etc. may be stored in a building. All metal materials are stored so they remain suitable for intended use. No material is stored on soils or non impervious surface. Storage is less than two years.

3.6 Quantity & Destination of Product

Metal Products

The majority of the incoming material leaves the facility as metal products. The quantity of metal shipped off-site and its destination are recorded and maintained at Prolerized New England Portland office.

3.7 Storage Time and Capacity Limits Documentation

Prolerized New England keeps a backlog of about one-week's worth of production on site. Production rate usually equals incoming material added each day. No material is stored for more than two years.

Methods and Procedures for Managing Material
Incoming material, see Section 3.4. Outgoing material, see Section 3.4.

3.8 QA/QC Procedures for Processed Material Visual examination by trained Prolerized New England, LLC's personnel. See Section 3.3.

3.8.1 QA/QC Procedures for Processed Material

3.8.1.1 Metal Products

Metal product is graded by Prolerized New England's personnel prior to its shipment, for different commodities. Materials are transloaded to the Prolerized New England central processing plant in Everett, Massachusetts. The operating capacity of the equipment in Everett determines the majority of quality acceptance and quality control procedures.

3.8.2 Bypass Material

As described in Section 3.3, Prolerized New England's acceptance and rejection procedures eliminate the production of bypass material at the facility. Material, which can not be processed in the Everett, MA shredder or by using other equipment, is not accepted.

3.0 ROUTINE OPERATIONS PLAN

3.1 Operating Hours

The facility operates between the hours of 6:00 am and 6:00 pm, Monday through Friday, and 6 am until 12 Saturday.

The facility accepts deliveries between the hours of 7:00 am and 4:00 pm, Monday through Friday, unless special arrangements have been made in advance with the Facility Operator.

3.2 Access & On-Site Traffic Control

Unauthorized entry to and unauthorized use of the facility is prohibited by restricting access to the facility and restricting the activities of the general public while within the facility.

Public access to the facility is via the entrance on Riverside Street. The driveway is secured by a locked gate when the Facility Operator is not present. When the gate is open, all traffic must stop at the office/scalehouse building, so that all entry to the facility is monitored.

Access to the facility by other means is restricted by natural site features along the southern and western boundary and by fencing along the northern boundary.

Weather resistant signs providing information regarding the access restriction are posted around the perimeter of the site. See Attachment 3 for Minimum Required Sign Information.

3.3 Material Acceptance & Rejection Procedures

Upon arrival to the facility all materials are examined by trained Prolerized New England Company LLC (Prolerized New England) personnel while unloading. Unauthorized material is not allowed to be unloaded. If unauthorized material is found after it had been unloaded and the vendor is gone, that material will be segregated, placed on impervious or lined surface and the vendor will be contacted to pick it up.

3.4 Quantity & Source of Incoming Material Documentation

Incoming material to the facility is weighed at the scalehouse upon entry to the facility. After the material is unloaded and accepted by Prolerized New England LLC personnel, a shipment slip is signed and approved for payment.

Records of incoming material content, and weight as well as the customer name are maintained at Prolerized New England's Portland office.

2.0 AUTHORIZED AND PROHIBITED MATERIAL

2.1 Authorized Material

The following items are authorized for processing at the facility:

- Automobiles and other vehicles; may accept 4 tires per car
- Industrial light iron including steel sorted from municipal solid material
- White goods
- Heavy steel scrap
- Aluminum and other non-ferrous metal
- All other ferrous and non ferrous recyclable materials not mentioned specifically above

2.2 Prohibited Material

The following items are prohibited for processing at the facility:

- Hazardous material;
- Sludge and septage material;
- Asbestos material;
- Contained gaseous material;
- Infectious material;
- Explosives;

(see Attachment 4, Operation specification and procedures)

1.0 FACILITY IDENTIFICATION

Facility Name:	Prolerized New England Company LLC
Address:	Prolerized New England Company LLC 568 Riverside Street Portland, Maine (603)749-3314
Facility Operator/ Permittee:	Prolerized New England Company LLC c/o Prolerized New England Co. 69 Rover Street Everett, MA 02149 (617) 389-8300
Property Owner:	Schnitzer Steel Northeast Prolerized New England Company 69 Rover Street Everett, MA 02149 617-389-8300
Permit Number:	**To Be Determined**
Facility Type:	Commercial Metal Recycling
Facility Capacity:	75,000 tons
Service Area:	Unlimited service area

ATTACHMENTS

Attachment 1 - Oil Storage

Attachment 2- Emergency Phone Numbers

Attachment 3 - Minimum Required Sign Information

Attachment 4 - Shredder Infeed Specifications

Attachment 5 - Copy of Facility Solid Waste Permit (upon receipt)

Attachment 6 - Applicable Solid Waste Management Rules

Attachment 7 - Spill Prevention Control and Countermeasure Plan (SPCC)

Attachment 8 - Stormwater Pollution Protection Plan (SWPP)

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02/18/08

OPERATIONS MANUAL

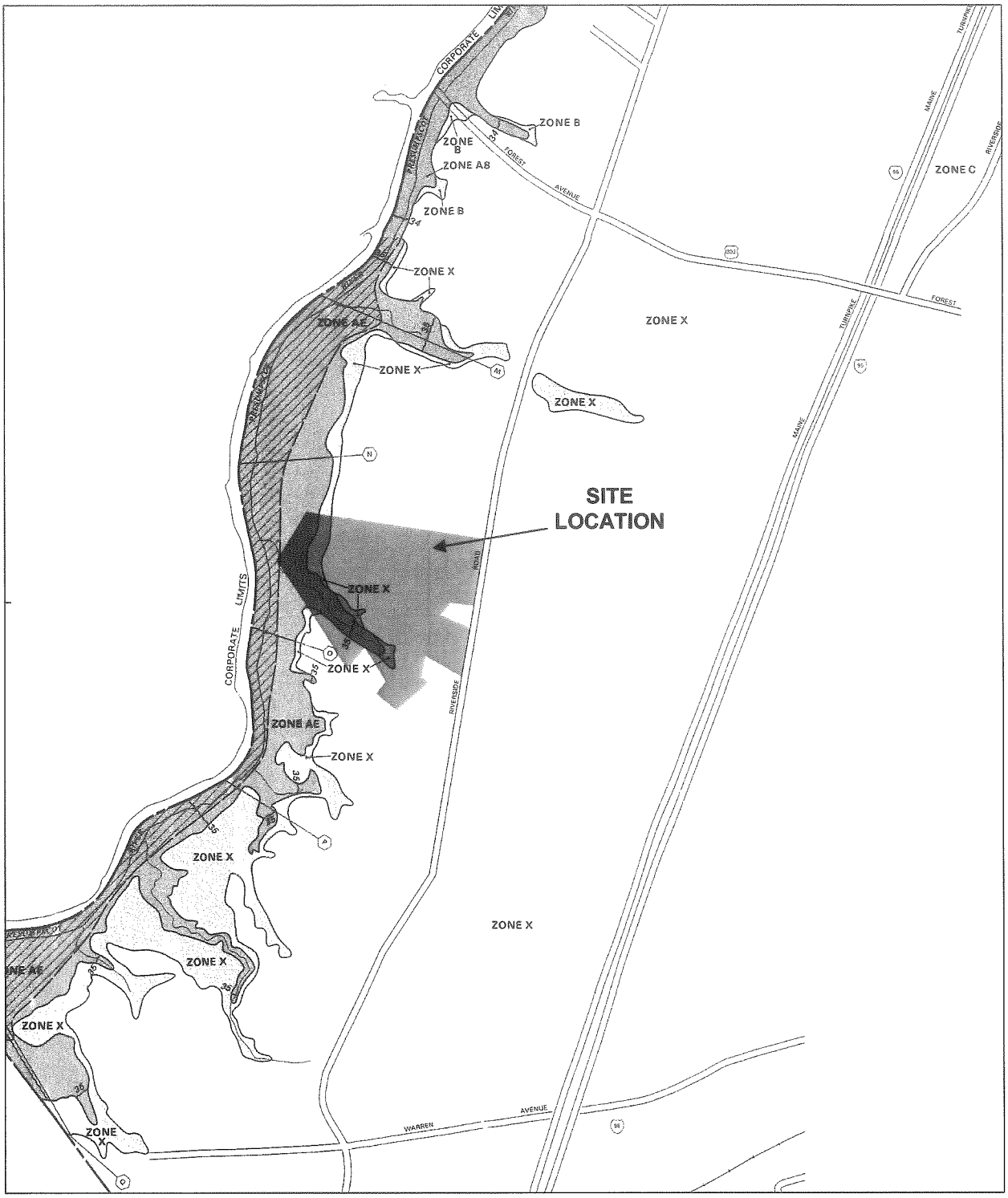
Prolerized New England Company LLC

d/b/a Schnitzer Northeast- Portland

Riverside Street, Portland, ME

Prepared For:

Prolerized New England Company
69 Rover Street
Everett, MA
(617) 389-8300



PORTION OF PORTLAND FLOOD MAP *Panel 1B 6C*		*PREPARED FOR:*	*Prolerized New England LLC* *d/b/a Schnitzer Northeast* *Scrap Metal Recycling Facility* *Riverside Street, Portland, Maine*
JOB NO: 06-769.00	*Scale: reduced*	*DATE: September 2007*	

J:\aaa\2006\0676900\FLOODmap.doc

CIVIL CONSULTANTS
P.O. Box 100 South Berwick, Maine 03908 207-384-2550

LEGEND

SPECIAL FLOOD HAZARD AREAS INUNDATED BY 100-YEAR FLOOD

ZONE A No base flood elevations determined.

ZONE AE Base flood elevations determined.

ZONE AH Flood depths of 1 to 3 feet (usually areas of ponding); base flood elevations determined.

ZONE AO Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding; velocities also determined.

ZONE A99 To be protected from 100-year flood by Federal flood protection system under construction; no base flood elevations determined.

ZONE V Coastal flood with velocity hazard (wave action); no base flood elevations determined.

ZONE VE Coastal flood with velocity hazard (wave action); base flood elevations determined.

FLOODWAY AREAS IN ZONE AE

OTHER FLOOD AREAS

ZONE X Areas of 500-year flood; areas of 100-year flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 100-year flood.

OTHER AREAS

ZONE X Areas determined to be outside 500-year floodplain.

ZONE D Areas in which flood hazards are undetermined.

UNDEVELOPED COASTAL BARRIERS†

Identified 1983

Identified 1990 or Later

Otherwise Protected Areas Identified 1991 or Later

†Coastal barrier areas are normally located within or adjacent to special flood hazard areas.

Floodplain Boundary

Floodway Boundary

Zone D Boundary

Boundary Dividing Special Flood Hazard Zones, and Boundary Dividing Areas of Different Coastal Base Flood Elevations Within

302

APPROXIMATE SCALE

400 0 400 FEET

NATIONAL FLOOD INSURANCE PROGRAM

FIRM

FLOOD INSURANCE RATE MAP

CITY OF
PORTLAND,
MAINE
CUMBERLAND COUNTY

PANEL 6 OF 17
(SEE MAP INDEX FOR PANELS NOT PRINTED)

COMMUNITY-PANEL NUMBER
230051 0006 C

MAP REVISED:
DECEMBER 8, 1998

Federal Emergency Management Agency

Flooding

A small portion of the Proletized New England Company LLC (Proletized) parcel is located within the 100-year flood zone along the Presumpscot River. This zone is depicted on Portland Flood Map Panel 1B, 6C. This flood zone is also depicted on the project drawings at existing contour elevation 34, which runs along the wetlands adjacent to the river and tributary stream along the southern boundary of the parcel.

All proposed development of the new facility will be on the existing plateau that is thirty feet (30') above this flood elevation and more than one hundred feet horizontal away from the flood zone.

J:\aaa\2006\0576900\Submittals\20080219FloodZoneEx21.doc

GRID-NAD83-MSPCS WEST ZONE

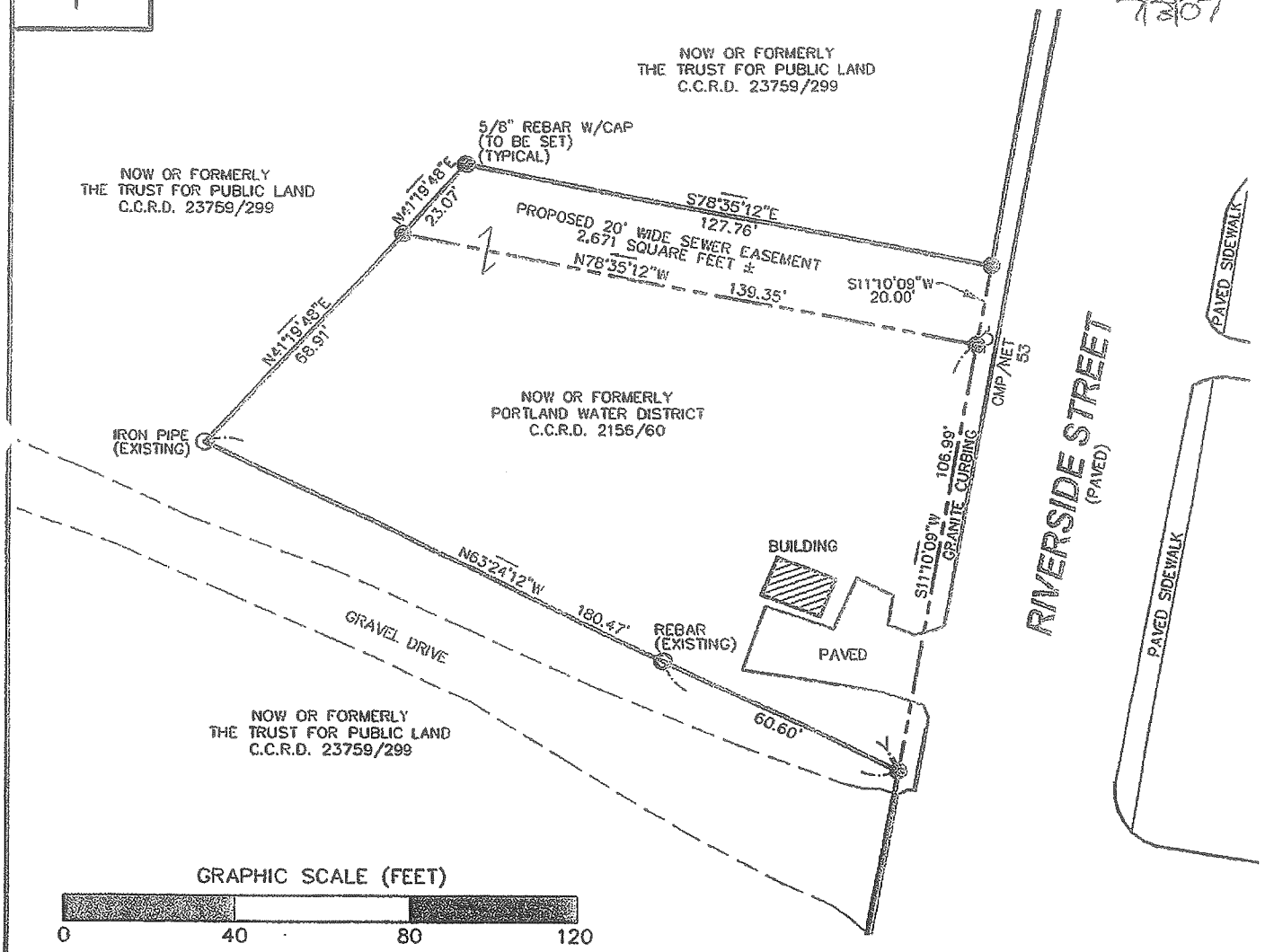
PLAN REFERENCES:

1. "STANDARD BOUNDARY SURVEY OF LUCAS TREE COMPANY SITE, RIVERSIDE STREET, PORTLAND, MAINE", DATED FEBRUARY 16, 2005, LAST REVISED APRIL 11, 2006, PREPARED BY CITY OF PORTLAND, MAINE PUBLIC WORKS DEPARTMENT ENGINEERING SECTION.
2. "TOPOGRAPHIC PLAN OF LUCAS TREE COMPANY SITE, RIVERSIDE STREET, PORTLAND, MAINE", DATED DECEMBER 16, 2005, LAST REVISED FEBRUARY 24, 2006, PREPARED BY CITY OF PORTLAND, MAINE PUBLIC WORKS DEPARTMENT ENGINEERING SECTION.

NOTES:

1. THIS PLAN HAS BEEN PREPARED TO DEPICT THE LOCATION OF A PROPOSED 20-FOOT WIDE SEWER EASEMENT ACROSS LAND OF THE PORTLAND WATER DISTRICT TO BENEFIT LAND OF THE TRUST FOR PUBLIC LAND.
2. NORTH AS DEPICTED HEREON IS BASED ON REFERENCE PLAN 1 (GRID NORTH MSPCS WEST ZONE).
3. BOUNDARY INFORMATION DEPICTED HEREON IS BASED SOLELY ON REFERENCE PLAN 1. CIVIL CONSULTANTS HAS NOT PERFORMED AN INDEPENDENT BOUNDARY SURVEY.
4. PLANIMETRIC DETAIL DEPICTED HEREON IS BASED ON A COMBINATION OF REFERENCE PLANS 1 AND 2 AND FIELD LOCATION BY CIVIL CONSULTANTS.

STATE OF MAINE
MICHAEL P. PEVERETT
2362
PROFESSIONAL
LAND SURVEYOR
7/3/07



GRAPHIC SCALE (FEET)

0 40 80 120

SKETCH PLAN OF PROPOSED SEWER EASEMENT
LAND OF PORTLAND WATER DISTRICT
RIVERSIDE STREET, CITY OF PORTLAND, CUMBERLAND COUNTY, MAINE

PREPARED FOR: SCHNITZER STEEL INDUSTRIES, INC.
25-39 SOMERSET STREET
PORTLAND, ME 04101

JOB NO. 06-769.00	DWN. BY: MPP	CIVIL CONSULTANTS P.O. BOX 100 293 MAIN STREET SOUTH BERWICK MAINE 03908	SKETCH
DATE: 7/3/07	SCALE" 1" = 40'		1/1

J:\aaa\2006\0676900\SCHNITZER-STEEL\dwg\SEWER-EASEMENT.dwg 7/3/2007 2:52:12 PM EDT
SOFTDESK PROJECT: J:\AAA\2006\0676900\SCHNITZER

PROPOSED SEWER EASEMENT
PORTLAND WATER DISTRICT TO THE TRUST FOR PUBLIC LAND

The hereinafter-described parcel of land, located in the City of Portland, Cumberland County, State of Maine, situated on the westerly side of Riverside Street, being a portion of lands of the Portland Water District, described in a deed recorded in volume 2156, page 60 of the Cumberland County Registry of Deeds and being more particularly described as follows:

[Bearings in the following description are based on Grid North Maine State Plane Coordinate System West Zone NAD83].

Beginning at the southwesterly corner of the herein described tract, being also a point in the easterly line of land of The Trust For Public Land, described in a deed recorded in volume 23759, page 299 of the Cumberland County Registry of Deeds, said point of beginning being located a tie course of N 41°19'48" E, 68.91 feet, from an existing iron pipe at the southwesterly corner of the land of the grantor, said point of beginning being marked by a 5/8" diameter rebar with plastic identification cap marked "CIVIL CONSULT PLS 2362" to be set;

thence N 41°19'48" E, by said land of The Trust For Public Land, 23.07 feet, to a 5/8" diameter rebar with plastic identification cap marked "CIVIL CONSULT PLS 2362" to be set;

thence S 78°35'12" E, by said land of The Trust For Public Land, 127.76 feet, to a 5/8" diameter rebar with plastic identification cap marked "CIVIL CONSULT PLS 2362" to be set in the westerly sideline of Riverside Street;

thence S 11°10'09" W, by westerly sideline of Riverside Street, 20.00 feet, to a 5/8" diameter rebar with plastic identification cap marked "CIVIL CONSULT PLS 2362" to be set;

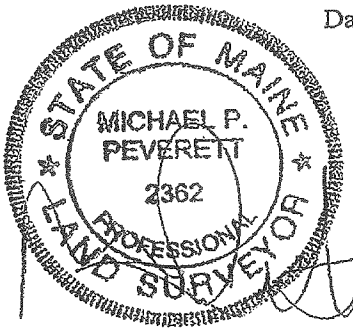
thence N 78°35'12" W, 139.35 feet, to the POINT OF BEGINNING containing 2,671 square feet.

The above described easement is depicted on a sketch entitled "SKETCH PLAN OF PROPOSED SEWER EASEMENT, LAND OF PORTLAND WATER DISTRICT, RIVERSIDE STREET, CITY OF PORTLAND, CUMBERLAND COUNTY, MAINE, PREPARED FOR: SCHNITZER STEEL INDUSTRIES, INC., 25-39 SOMERSET STREET, PORTLAND, ME 04101", dated July 3, 2007, prepared by CIVIL CONSULTANTS.

This description has been prepared by CIVIL CONSULTANTS based on a plan entitled "STANDARD BOUNDARY SURVEY OF LUCAS TREE COMPANY SITE, RIVERSIDE STREET, PORTLAND, MAINE", dated February 16, 2005, last revised April 11, 2006, prepared by the City of Portland, Maine Public Works Department Engineering Section. CIVIL CONSULTANTS has not performed an independent boundary survey.

Prepared by Michael P. Peverett, Maine PLS #2362

Date: July 3, 2007



7/3/07

J:\aaa\2006\0676900\LEGAL-DESCRIPTIONS\SEWER-EMENT.DOC

CIVIL
CONSULTANTS
P.O. Box 100 South Berwick, Maine 03908 207-384-2550

Receiver		Land Use	Limiting Value		rel. Axis			Lr w/o Noise Control		dL req.		Lr w/ Noise Control		Exceeding		passive NC
Name	ID		Day	Night	Station	Distance	Height	Day	Night	Day	Night	Day	Night	Day	Night	
			dB(A)	dB(A)	m	m	m	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)	dB(A)
A - Northeast Corner			0	0				60.6	60.6	60.6	60.6	0.0	0.0	-	-	-
B - Westernmost			0	0				55.9	55.9	55.9	55.9	0.0	0.0	-	-	-
C			0	0				55.8	55.8	55.8	55.8	0.0	0.0	-	-	-
D	RST		0	0				65.6	65.6	65.6	65.6	0.0	0.0	-	-	-
E - R5 Zone Line	RST		0	0				52.6	52.6	52.6	52.6	0.0	0.0	-	-	-
F	RST		0	0				64.4	64.4	64.4	64.4	0.0	0.0	-	-	-

0676900

PORTLAND MAINE

Strengthening a Remarkable City, Building a Community for Life • *www.portlandmaine.gov*

30 July 2007

Public Works Department
Michael J. Bobinsky, Director

RECEIVED
AUG 0 1 2007
CIVIL CONSULTANTS

Mr. Carl V. Beal, P.E.
Senior Project Engineer,
Civil Consultants,
P.O. Box 100,
South Berwick, Maine 03908

RE: The Capacity to Handle Wastewater Flows, from Schnitzer Northeast, a Proposed Scrap Metal Recycling Facility, at 568 Riverside Street.

Dear Mr. Beal:

The existing twelve-inch diameter sewer pipe located in Riverside Street has adequate capacity to **transport,** while The Portland Water District sewage treatment facilities, located off Marginal Way, have adequate capacity to **treat** the total increase in wastewater flows of **225 GPD**, from the proposed building project.

Anticipated Wastewater Flows from the Proposed Building Project:	
15 Proposed Employees @ 15 GPD/Employee	= 225 GPD
Total Proposed Increase in Wastewater Flows for this Project	= **225 GPD**

The City combined sewer overflow (C.S.O.) abatement consent agreement (with the U.S.E.P.A., and with the Maine D.E.P.) requires C.S.O. abatement, as well as storm water mitigation, in order to offset any increase in sanitary flows, from all projects.

If the City can be of further assistance, please call 874-8832.

Sincerely,
CITY OF PORTLAND

Frank Brancely

Frank J Brancely, B.A., M.A.
Senior Engineering Technician

FJB

cc: Alexander Q. Jaegerman, Director, Planning Division, Department of Planning, and Urban Development, City of Portland
Rick Knowland, Senior Planner, Department of Planning, and Urban Development, City of Portland
David Margolis-Pineo, Deputy City Engineer, City of Portland
Michael Farmer, P.E., Project Engineer, City of Portland
Bradley A. Roland, P.E., Environmental Projects Engineer, City of Portland
Stephen K. Harris, Assistant Engineer, City of Portland
Jane Ward, Administrative Assistant, City of Portland
Desk file

O:\Engshare\FJB\Capacity Letters\Riverside Street 568
C:\Frank's\Capacity Letters\Riverside Street 568

Portland Water District
FROM SEBAGO LAKE TO CASCO BAY

June 6, 2007

Schnitzer Northeast
PO Box 0048
69 Rover Street
Everett, MA 02149

Attn: John Ghiringhelli

Re: Schnitzer Steel Facility – Riverside Street

Dear Mr. Ghiringhelli:

This letter is to confirm that Portland Water District staff intends to seek approval of its Board of Trustees at their July 23, 2007 meeting to grant Schnitzer Northeast an easement across its property (Tax Map 322, Block A Lot 5) located at Riverside Street for a sewer service line. This easement is proposed to be granted at no cost and is in exchange for the corrective easement deed for our Falmouth Feeder transmission main across Schnitzer land which was found to be located outside of the deeded easement area.

If you have any questions or need anything further, do not hesitate to call me at 774-5961 ext. 3057.

Sincerely yours,

PORTLAND WATER DISTRICT

Norman V. Twaddel

Norman V. Twaddel
Right of Way Agent

225 DOUGLASS STREET P.O. BOX 3553 PORTLAND, MAINE 04104-3553
PHONE: 207.774.5961 FAX: 207.761.8329 WEB: WWW.PWD.ORG

West Caldwell Calibration Laboratories Inc.

1575 State Route 96, Victor NY 14564

Tel. (585) 586-3900 FAX (585) 586-4327

Calibration Data Record

for

CEL Microphone **Model No.: CEL250** **Serial No.: 6259**

I. D. No.: XXXX

Company : Epsilon Associates Inc.

Frequency Response (Reference = 0 dB @ 250Hz)

Frequency [Hz]	Actuator [dB]	Free Field (dB)	Frequency [Hz]	Actuator [dB]	Free Field (dB)
20.00	0.01	0.01	631.00	-0.02	-0.02
25.10	0.01	0.01	794.30	-0.04	-0.04
31.60	0.02	0.02	1000.00	-0.06	-0.06
39.80	0.03	0.03	1258.90	-0.10	-0.10
50.10	0.03	0.03	1584.90	-0.16	-0.14
63.10	0.03	0.03	1995.30	-0.25	0.04
79.40	0.03	0.03	2511.90	-0.39	0.11
100.00	0.05	0.05	3162.30	-0.61	0.09
125.90	0.00	0.00	3981.10	-0.93	0.07
158.50	0.03	0.03	5011.90	-1.38	0.02
199.50	0.02	0.02	6309.60	-2.04	0.06
251.20	0.00	0.00	7943.30	-2.93	0.17
316.20	0.01	0.01	10000.00	-4.37	0.73
398.10	0.00	0.00	12589.30	-5.88	0.67
501.20	-0.01	-0.01	15848.90	-7.11	0.99
			19952.60	-8.81	-0.51

Instruments used for calibration:				Date of Cal.	Traceablity No.	Re-cal. Due Date
Brüel & Kjær	4134	S/N	1222616	12-Jan-2007	822/274345-07	12-Jan-2008
HP	33120A	S/N	S3604371	28-Aug-2006	,70913002	28-Aug-2007
Brüel & Kjær	2636	S/N	1324082	5-Apr-2006	822/272213-05	5-Apr-2007
HP	34401A	S/N	US360641	28-Aug-2006	,70913002	28-Aug-2007
Brüel & Kjær	2669	S/N	2148476	9-May-2006	822/272213-05	9-May-2007
Brüel & Kjær	4228	S/N	1742061	12-Sep-2006	822/272213-05	12-Sep-2007
HP	34401A	S/N	US361024	28-Aug-2006	,70913002	28-Aug-2007

Cal. Date: 2-Apr-2007 3:40 PM **Tested by: Felix Christopher**

Calibrated on WCCL system type 9700

Rev. 3.0 Nov. 12, 2003 Doc. # 1038 CEL250CEL

West Caldwell Calibration Laboratories, Inc.
uncompromised calibration
1575 State Route 96, Victor NY 14564

ISO 9001:2000 Registered Company

Calibration Traceable to N.I.S.T.

ACCREDITATION ISO/IEC 17025

1533.01

REPORT OF CALIBRATION

for

CEL Microphone Model No.: CEL250 Serial No.: 6259

Company : Epsilon Associates Inc. I. D. No.: XXXX

Calibration results: Before data: .... After data: ....

Open Circuit Sensitivity @ 250 Hz and pressure of 98.533 kPa Before & after data same: ...X.....

0 Volts Polarization voltage (External):

-26.96 dB re.1V/Pascal

44.85 mV/Pascal

0.96 Ko (- dB re 50 mV/Pascal)

Sensitivity: Pass

Freq. Response Pass

All tests: Pass

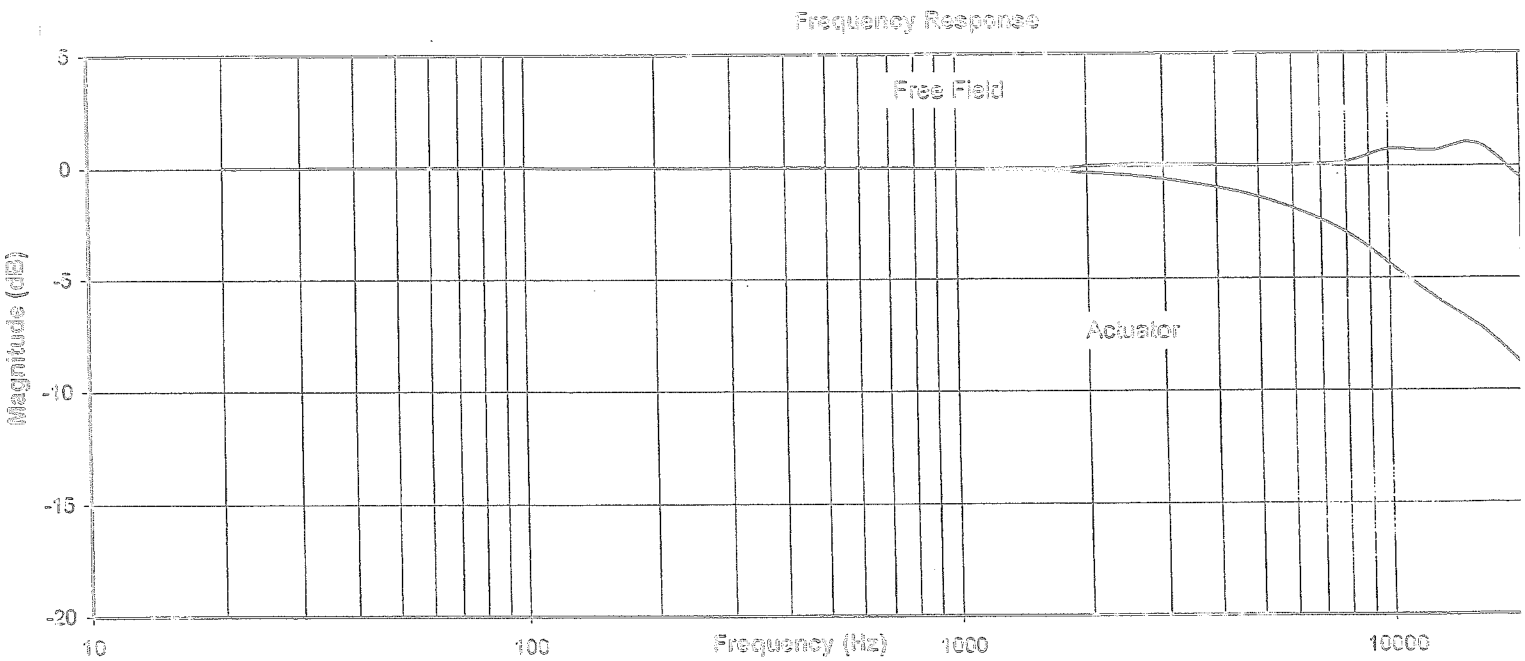
Ambient Temperature:	20.8	°C
Ambient Humidity:	46.4	% RH
Ambient Pressure:	98.53	kPa
Calibration Date:	2-Apr-2007	3:40 PM
Re-calibration Due:	2-Apr-2008	
Report Number:	16135 -3	
Control Number:	16135	

The above listed instrument meets or exceeds the tested manufacturer's specifications.

This Calibration is traceable through NIST test numbers: 822/274345-07

The expanded uncertainty of calibration: 0.18dB at 95% confidence level with a coverage factor of k=2.

The lower curve is the pressure response recorded with electrostatic actuator.



The above listed instrument was checked using calibration procedure documented in West Caldwell Calibration Laboratories Inc. procedure : Rev. 3.0 Nov. 12, 2003 Doc. # 1038 CEL250CEL

Calibration was performed by West Caldwell Calibration Laboratories Inc. under Operating Procedures intended to implement the requirements of ISO10012-1, IEC Guide 25, ANSI/NCSL Z540-1, (MIL-STD-45662A) and ISO 9001:2000, ISO 17025

Measurements performed by: ....

Felix Christopher

Calibrated on WCCL system type 9700

West Caldwell Calibration Laboratories Inc.

Certificate of Calibration

for

MICROPHONE

Manufactured by:	CEL INSTRUMENTS
Model No:	CEL-250
Serial No:	6259
Calibration Recall No:	16135

Submitted By:

Customer:	RICHARD LAMPETER
Company:	EPSILON ASSOCIATES, INC
Address:	3 CLOCK TOWER PLACE, SUITE 250
	MAYNARD MA 01754

The subject instrument was calibrated to the indicated specification using standards traceable to the National Institute of Standards and Technology or to accepted values of natural physical constants. This document certifies that the instrument met the following specification upon its return to the submitter.

West Caldwell Calibration Laboratories Procedure No. CEL-250 CEL I

Upon receipt for Calibration, the instrument was found to be:

Within (X) see attached Report of Calibration.

the tolerance of the indicated specification.

West Caldwell Calibration Laboratories' calibration control system meets the requirements, ISO 10012-1 MIL-STD-45662A, ANSI/NCSL Z540-1, IEC Guide 25, ISO 9001:2000 and ISO 17025.

Note: With this Certificate, Report of Calibration is included.

Calibration Date: 02-Apr-07

Certificate No: 16135 - 3

Approved by:

Felix Christopher
Quality Manager

West Caldwell Calibration Laboratories, Inc.
uncompromised calibration
1575 State Route 96, Victor, NY 14564, U.S.A.

ISO 9001:2000
Registered Company

Calibration Traceable
To N. I. S. T.

ACCREDITATION ISO/IEC 17025
ACCREDITED
1633.01

Phone: (585) 586-3900 Fax.: (585) 586-4327

Test Function

1/3 Octave Filter

Filter Hz	85.0 to 93.5	93.5 to 94.5	85.0 to 93.5	Out
20	90.1	93.7	87.9	
25	91.1	93.8	87.1	
31.5	89.3	93.9	89.5	
40	90.3	93.9	88.1	
50	91.2	94.0	87.2	
63	89.4	93.9	89.5	
80	90.4	94.0	88.1	
100	91.3	94.0	87.2	
125	89.5	94.0	89.5	
160	90.4	94.0	88.1	
200	91.3	94.0	87.2	
250	89.5	94.0	89.5	
315	90.4	94.0	88.1	
400	91.3	94.0	87.2	
500	89.5	93.9	89.5	
630	90.4	94.0	88.1	
800	91.2	94.0	87.3	
1K	89.5	94.0	89.5	
1.25K	90.4	94.0	88.1	
1.6K	91.2	94.0	87.2	
2K	89.4	93.9	89.5	
2.5k	90.4	94.0	88.1	
3.15k	91.2	94.0	87.2	
4k	89.4	93.9	89.5	
5k	90.3	93.9	88.1	
6.3k	91.2	93.9	87.2	
8k	89.4	93.9	89.4	
10k	90.3	93.9	88.0	
12.5k	91.2	93.8	87.0	
16k	89.2	93.7	89.2	
20k	90.1	93.6	87.6	

Test Function

1/1 Octvae Filter

Filter Hz	88.8 to 91.8	93.5 to 94.5	88.8 to 91.8	Out
31.5	90.4	93.9	91.1	
63	90.6	94.0	91.2	
125	90.7	94.0	91.2	
250	90.7	94.0	91.2	
500	90.7	94.0	91.2	
1K	90.6	94.0	91.2	
2K	90.6	94.0	91.2	
4k	90.6	94.0	91.1	
8k	90.6	93.9	91.0	
16k	90.5	93.8	90.7	

Measurements performed by:

Calibration Date: 2-Apr-07

Stephen Johnson

Test	Function	Tolerance Min	Tolerance Max		Measured values Before	Out	After	Out
,2	Frequency Response			(Hz)				
	A Weighting	0.0	90.4	16000	85.2		85.2	
		83.7	92.7	12500	84.5		84.5	
		89.9	94.4	8000	94.4		94.4	
		94.0	96.0	4000	95.5		95.5	
		94.2	96.2	2000	95.3		95.3	
		93.0	95.0	1000	94.0		94.0	
		89.8	91.8	500	90.7		90.7	
		84.4	86.4	250	85.3		85.3	
		76.9	78.9	125	77.8		77.8	
		66.8	68.8	63	67.7		67.7	
		53.1	56.1	31.5	54.3		54.3	
	C Weighting	0.0	88.5	16000	83.3		83.3	
		81.8	90.8	12500	82.6		82.6	
		88.0	92.5	8000	92.5		92.5	
		92.2	94.2	4000	93.7		93.7	
		92.8	94.8	2000	94.0		94.0	
		93.0	95.0	1000	94.0		94.0	
		93.0	95.0	500	94.0		94.0	
		93.0	95.0	250	93.9		93.9	
		92.8	94.8	125	93.8		93.8	
		92.2	94.2	63	93.1		93.1	
		89.5	92.5	31.5	90.8		90.8	
	Lin.	0.0	97.0	16000	91.8		91.8	
		88.0	97.0	12500	88.8		88.8	
		91.0	95.5	8000	95.5		95.5	
		93.0	95.0	4000	94.5		94.5	
		93.0	95.0	2000	94.1		94.1	
		93.0	95.0	1000	94.0		94.0	
		93.0	95.0	500	93.9		93.9	
		93.0	95.0	250	93.9		93.9	
		93.0	95.0	125	93.9		93.9	
		93.0	95.0	63	93.9		93.9	
		92.5	95.5	31.5	93.8		93.8	
,3	Inherent noise level				Pass		Pass	
,4	Crest Factor	dB	dB					
		89.5	90.5	Fast	89.8		89.8	
		89.5	90.5	Slow	89.9		89.9	
,5	Time Constant	dB	dB					
		88.0	89.5	Fast	89.0		89.0	
		84.0	88.0	Slow	86.0		86.0	
	Functions							
	SPL	93.5	94.5		94.0		94.0	
	Leq	93.5	94.5		93.9		93.9	
	Max	93.5	94.5		94.0		94.0	
	Min	93.5	94.5		94.0		94.0	
	SEL	103.4	104.4		103.9		103.9	
	Peak	96.0	98.0		97.0		97.0	

West Caldwell Calibration Laboratories Inc.
1575 State Route 96, Victor NY 14564
Tel (585) 586-3900 FAX (585) 586-4327

Calibration Data Record

for

Manufacturer: Cel Instruments

Sound Level Analyser	Model No: CEL-593.C1	S/N:	3/0162197
Microphone	Model No: 250	S/N:	6259
Preamplifier	Model No: CEL -527	S/N:	3/152208
Submitted by,		Company:	Epsilon Associates, Inc.

Test	Function		Tolerance Min	Tolerance Max		Measured values Before	Out	After	Out
10.	Reading with 94.0dB SPL		93.5	94.5		94.0		94.0	
11.	Linearity accuracy								
		Range	69.5	70.5	70	70.0		70.0	
		70 to 130	79.5	80.5	80	80.0		80.0	
			89.5	90.5	90	90.0		90.0	
			99.5	100.5	100	100.0		100.0	
			109.5	110.5	110	110.0		110.0	
			119.5	120.5	120	120.0		120.0	
			129.5	130.5	130	130.0		130.0	
		Range	49.5	50.5	50	50.0		50.0	
		40 to 100	59.5	60.5	60	59.9		59.9	
			69.5	70.5	70	70.0		70.0	
			79.5	80.5	80	80.0		80.0	
			89.5	90.5	90	90.0		90.0	
			99.5	100.5	100	100.0		100.0	
			109.5	110.5	110	109.9		109.9	
		Range	19.5	20.5	20	20.5		20.5	
		10 to 70	29.5	30.5	30	30.0		30.0	
			39.5	40.5	40	39.9		39.9	
			49.5	50.5	50	49.9		49.9	
			59.5	60.5	60	59.9		59.9	
			69.5	70.5	70	69.9		69.9	
	Attenuator accuracy								
		Range							
		70 to 130	129.5	130.5		130.0		130.0	
		60 to 120	119.5	120.5		120.0		120.0	
		50 to 110	109.5	110.5		110.0		110.0	
		40 to 100	99.5	100.5		100.0		100.0	
		30 to 90	89.5	90.5		89.9		89.9	
		20 to 80	79.5	80.5		79.9		79.9	
		10 to 70	69.5	70.5		69.9		69.9	

West Caldwell Calibration Laboratories, Inc.
uncompromised calibration
1575 State Route 96, Victor NY 14564

ISO 9001:2000
Registered Company

Calibration Traceable
to N.I.S.T.

ACCREDITED
ISO/IEC 25
1533.01

REPORT OF CALIBRATION

for

Cel Instruments Sound Analyzer & Preamplifier

Model No.: CEL-593.C1 / CEL-527 **Serial No.: 3/0162197 / 3/1152208**

Company : Epsilon Associates, Inc **I. D. No: XXXX**

Calibration results:

Before data: ..... **After data:** .....
Before & after data same: ✓

All tested parameters: Pass

For details see "Calibration Data Record"

Laboratory Environment:

Ambient Temperature:	20.8	°C
Ambient Humidity:	46.4	% RH
Ambient Pressure:	98.533	kPa
Calibration Date:	2-Apr-2007	2:16 PM
Re-calibration Due:	2-Apr-2008	
Report Number:	16135	-1
Control Number:	16135	

The above listed instrument meets or exceeds the tested manufacturer's specifications.

This Calibration is traceable through NIST test numbers listed below.

The expanded uncertainty of calibration: 0.18dB at 95% confidence level with a coverage factor of k=2.

The above listed instrument was checked using calibration procedure documented in West Caldwell Calibration Laboratories Inc. procedure : **Rev. 3.0 Nov. 12, 2003 Doc. # 1038 CEL593.C1CEL**

Calibration was performed by West Caldwell Calibration Laboratories Inc. under Operating Procedures intended to implement the requirements of ISO10012-1, IEC Guide 25, ANSI/NCSL Z540-1, (MIL-STD-45662A) and ISO 9001:2000, ISO 17025

NIST Traceable Instruments:			Date of Cal.	Traceablity No.	Re-cal. Due Date
HP	34401A	S/N 3146A223	28-Aug-2006	,70913002	28-Aug-2007
HP	34401A	S/N 3146A585	28-Aug-2006	,70913002	28-Aug-2007
HP	33120A	S/N US360458	28-Aug-2006	,70913002	28-Aug-2007
Brüel & Kjær	4231	S/N 2308998	8-Aug-2006	822/270654-04	8-Aug-2007
Brüel & Kjær	4226	S/N 2220624	8-May-2006	822/272213-05	8-May-2007

Cal. Date: 2-Apr-2007 2:16 PM

Measurements performed by: .....
Stephen Johnson

Calibrated on WCCL system type 9700

West Caldwell Calibration Laboratories Inc.

Certificate of Calibration

for

SOUND ANALYZER & PREAMPLIFIER

Manufactured by:	CEL INSTRUMENTS
Model No:	CEL-593.C1-CEL-527
Serial No:	3/0162197-3/1152208
Calibration Recall No:	16135

Submitted By:

Customer:	RICHARD LAMPETER
Company:	EPSILON ASSOCIATES, INC
Address:	3 CLOCK TOWER PLACE, SUITE 250
	MAYNARD MA 01754

The subject instrument was calibrated to the indicated specification using standards traceable to the National Institute of Standards and Technology or to accepted values of natural physical constants. This document certifies that the instrument met the following specification upon its return to the submitter.

West Caldwell Calibration Laboratories Procedure No. CEL-593.C CEL I

Upon receipt for Calibration, the instrument was found to be:

Within (X) see attached Report of Calibration.

the tolerance of the indicated specification.

West Caldwell Calibration Laboratories' calibration control system meets the requirements, ISO 10012-1 MIL-STD-45662A, ANSI/NCSL Z540-1, IEC Guide 25, ISO 9001:2000 and ISO 17025.

Note: With this Certificate, Report of Calibration is included.

Approved by:

Calibration Date: 02-Apr-07

Certificate No: 16135 - 1

Felix Christopher
Quality Manager

West Caldwell Calibration Laboratories, Inc.
uncompromised calibration
1575 State Route 96, Victor, NY 14564, U.S.A.

ISO 9001:2000
Registered Company

Calibration Traceable
To N. I. S. T.

Phone: (585) 924-3900 Fax: (585) 586-4327

~ Calibration Report ~

Microphone Model: 377B02 Serial Number: 105123 Description: 1/2" Free-Field Microphone

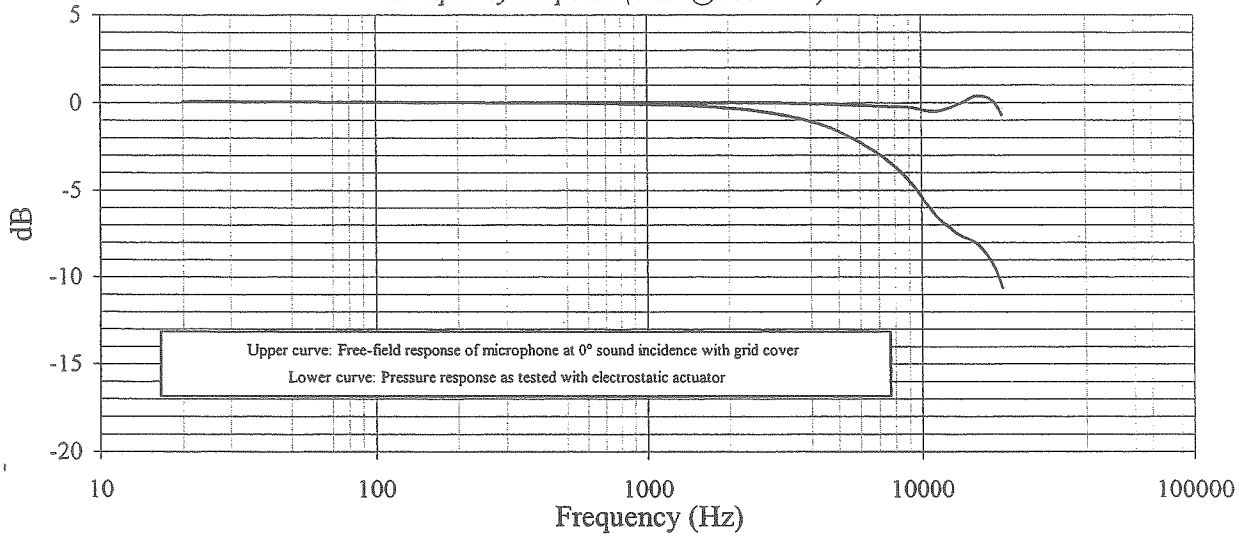
Calibration Data

Open Circuit Sensitivity @ 251.2 Hz: 51.73 mV/Pa
-25.73 dB re 1V/Pa

Polarization Voltage, External: 0 V
Capacitance: 11.9 pF

Temperature: 71 °F (22°C) Ambient Pressure: 988 mbar Relative Humidity: 37 %

Frequency Response (0 dB @ 251.2 Hz)



Freq (Hz)	Lower (dB)	Upper (dB)	Freq (Hz)	Lower (dB)	Upper (dB)	Freq (Hz)	Lower (dB)	Upper (dB)	Freq (Hz)	Lower (dB)	Upper (dB)
20.0	0.06	0.06	1584.9	-0.21	0.00	6683.4	-2.71	-0.19	-	-	-
25.1	0.07	0.07	1678.8	-0.23	0.00	7079.5	-2.98	-0.20	-	-	-
31.6	0.06	0.06	1778.3	-0.25	0.00	7498.9	-3.29	-0.22	-	-	-
39.8	0.06	0.06	1883.7	-0.28	0.00	7943.3	-3.61	-0.22	-	-	-
50.1	0.05	0.05	1995.3	-0.31	0.00	8414.0	-3.97	-0.24	-	-	-
63.1	0.04	0.04	2113.5	-0.34	0.00	8912.5	-4.38	-0.27	-	-	-
79.4	0.04	0.04	2238.7	-0.37	0.00	9440.6	-4.83	-0.31	-	-	-
100.0	0.03	0.03	2371.4	-0.41	0.00	10000.0	-5.36	-0.41	-	-	-
125.9	0.02	0.02	2511.9	-0.46	0.00	10592.5	-5.89	-0.49	-	-	-
158.5	0.01	0.01	2660.7	-0.51	0.00	11220.2	-6.36	-0.50	-	-	-
199.5	0.01	0.01	2818.4	-0.57	-0.01	11885.0	-6.78	-0.46	-	-	-
251.2	0.00	0.00	2985.4	-0.63	-0.01	12589.3	-7.10	-0.33	-	-	-
316.2	-0.01	0.00	3162.3	-0.70	-0.02	13335.2	-7.40	-0.21	-	-	-
398.1	-0.02	-0.02	3349.7	-0.78	-0.04	14125.4	-7.63	-0.04	-	-	-
501.2	-0.03	0.01	3548.1	-0.87	-0.05	14962.4	-7.80	0.17	-	-	-
631.0	-0.05	-0.01	3758.4	-0.96	-0.06	15848.9	-8.00	0.35	-	-	-
794.3	-0.07	0.02	3981.1	-1.07	-0.07	16788.0	-8.38	0.34	-	-	-
1000.0	-0.10	0.02	4217.0	-1.18	-0.07	17782.8	-8.85	0.26	-	-	-
1059.3	-0.11	0.02	4466.8	-1.31	-0.08	18836.5	-9.57	-0.06	-	-	-
1122.0	-0.12	0.02	4731.5	-1.46	-0.09	19952.6	-10.65	-0.72	-	-	-
1188.5	-0.13	0.02	5011.9	-1.64	-0.11	-	-	-	-	-	-
1258.9	-0.14	0.02	5308.8	-1.84	-0.14	-	-	-	-	-	-
1333.5	-0.16	0.02	5623.4	-2.03	-0.15	-	-	-	-	-	-
1412.5	-0.17	0.02	5956.6	-2.23	-0.16	-	-	-	-	-	-
1496.2	-0.19	0.01	6309.6	-2.46	-0.17	-	-	-	-	-	-

Technician: Nancy Szeluga Date: March 13, 2007

ACCREDITED
Cert. No. 1862.01

PCB PIEZOTRONICS
VIBRATION DIVISION
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