2008-0014

321-A-5
569 Riverside St.
Metal Recycling Facility
Prolerized New England

add to spreadsheet

FORM 4
SEMIVOLATILE METHOD BLANK SUMMARY

CLIENT SAMPLE ID

WG82235-BLANK

Lab Name: KATAHDIN ANALYTICAL SERVICES Lab Code: KAS

Project: RIVERSIDE SDG No.: SD5711

Lab File ID: CDI1158 Lab Sample ID: WG82235-1

Instrument ID: GC12 Date Extracted: 09/17/10

Matrix: (soil/water) WATER Date Analyzed: 09/21/10

Level:(low/med) LOW Time Analyzed: 1228

THIS METHOD BLANK APPLIES TO THE FOLLOWING SAMPLES, MS and MSD:

	CLIENT SAMPLE ID	LAB SAMPLE ID	LAB FILE ID	DATE ANALYZED	TIME ANALYZED
01	WG82235-LCS	WG82235-2	CDI1159	09/21/10	1334
02	WG82235-LCSD	WG82235-3	CDI1160	09/21/10	1440
03	MW-2	SD5711-1	CDI1161	09/21/10	1547
04	MW-3	SD5711-2	CDI1162	09/21/10	1653
05	MW-1	SD5711-3	CDI1163	09/21/10	1759
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COMMENTS:

FORM IVDRO

areas to the north and east of the Site, and two locations within the site near the western and southern borders (see comment above regarding terrain). The measurement locations depicted in Figure 2 are described below.

- Location CM1 was the continuous 12-hour measurement location, located along the northern border of the site and adjacent to the Lucas Tree property, approximately 240 feet from Riverside Street. It was chosen due to its close proximity to the nearest Residential Zoning area (there is an "R5" zone near Waldron Way). Location CM1 is considered to be very representative of the current background sound level. The primary noise source here was automobile and truck traffic along Riverside Street. There was some very intermittent pick-up truck activity on the Lucas Tree property.

- Location ST1 (Short-term 1) was also located on northern property line, but at a distance of approximately 700 feet from Riverside Street. The primary noise source here was still vehicle traffic along Riverside Street. However, due to the increased distance from the street, other sound sources such as birds and the occasional Lucas Tree truck were more audible at this location than at location CM1.

- Location ST2 was located along the edge of the terrain change area, as close as possible to the western property line. Riverside Street traffic was still the most prominent noise source, but steady noise from I-95 could also be heard, as well as a few high-altitude commercial planes flying overhead.

- Location ST3 was also along the border of the level, flat terrain but closer to the southern property line, along which there are several businesses. Riverside Street traffic was still the predominant noise source, but I-95 was much more audible than at any other location on the site.

- Location ST4 was along the Riverside Street property line, near the driveway to the existing house on the site. Sound levels here were louder than at all the other locations, due to close proximity to the street.

4.3 Measurement Methodology

Daytime sound level measurements were made for 30 minutes per location on Wednesday July 11, 2007, from approximately 10:00 a.m. to 3:00 p.m. In addition to the sampling data, one continuous programmable unattended sound level meter was placed at Location CM1. This monitor continuously measured and stored hourly sound level statistics for 12 consecutive hours, to determine the temporal variation of the background noise levels, and to confirm that the short-term sampling was indeed representative. The monitor ran from 6:00 a.m. until 6:00 p.m. on Wednesday July 11. Field personnel checked on the integrity of the continuous equipment intermittently throughout the 12-hour period. Noise sources at each location were observed and noted throughout the day.

before and after each measurement program. All calibration level changes were 0.5 dB or less thus validating the data precision.

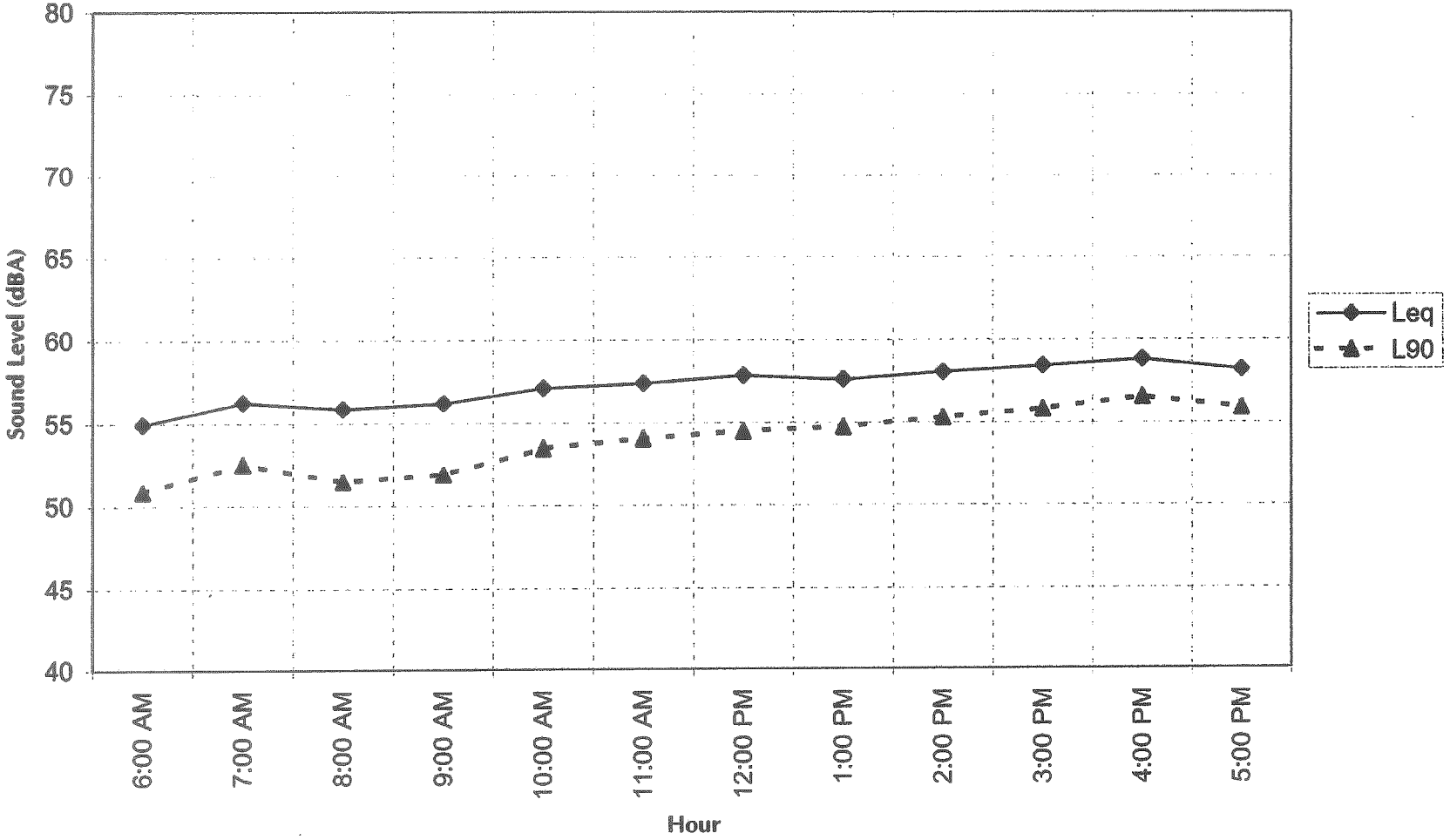
A Larson Davis model 812 sound level meter (serial number 0632) was used for the continuous monitoring. This meter meets Type 1 ANSI S1.4-1983 standards for sound level meters. The model 812 has been calibrated and certified as accurate to standards set by the National Institute of Standards and Technology by an independent laboratory within the past 12 months. Copies of the calibration certificates are also included in **Appendix D**. The model 812 has data logging capability and was programmed to log statistical data every minute for the following parameters: L_1, L_{10}, L_{50}, L_{90}, L_{max}, L_{min}, and L_{eq}.

4.5 Baseline Ambient Noise Levels

The existing short-term ambient baseline sound level measurements are summarized below and are presented in detail in Table 2. Detailed sound level data from the continuous measurement program can be found in Table 3 (Location CM1). Figure 3 depicts the hour by hour sound level measurements at Location CM1 for the 12-hour continuous measurement. The continuous sound level data confirm the short-term data as a reasonable representation of area sound levels. The sound level data shown in Figure 3 demonstrates that noise levels were fairly constant throughout the day, most likely due to the steady traffic pattern on Riverside Street. The sound levels at short-term Location 4 (ST4), which was very close to Riverside Street, were considerably higher than those at all the other locations.

- The short-term daytime L_{eq} (equivalent) measurements ranged from 50 to 72 dBA.
- The 12-hour continuous L_{eq} (equivalent) measurements ranged from 55 to 59 dBA at Location CM1. The arithmetically averaged ambient hourly sound level (L_{eq}) equaled 57 dBA for the entire period (6:00 a.m.- 6:00 p.m.). The arithmetically averaged hourly background sound level (L_{90}) equaled 54 dBA for the entire measurement period.

Figure 3: Hourly Sound Level Measurements at Location CM1
July 11, 2007



The resulting approximate octave-band sound power levels used in the CadnaA model are listed below in Table 5.

Table 5: Approximate Equipment Sound Power Levels

Equipment	L_{eq} (dBA)	Octave Bands (Hz)								
		31.5 L_{eq} (dB)	63 L_{eq} (dB)	125 L_{eq} (dB)	250 L_{eq} (dB)	500 L_{eq} (dB)	1000 L_{eq} (dB)	2000 L_{eq} (dB)	4000 L_{eq} (dB)	8000 L_{eq} (dB)
Komatsu Excavator Model PC300LC5	111	112	111	112	106	106	106	103	100	91
John Deere Loader Model 624H	97	94	103	104	97	95	92	88	80	71
Sierra 4200 Baler	109	107	110	103	99	104	105	102	97	93
Dump Truck Back-up Alarm	109	115	114	105	98	99	99	105	101	90

The model was run with standard meteorological conditions of 20 degrees C (68 degrees F), 50% relative humidity, and no wind. To be conservative, no ground attenuation credit was taken by the model. The maximum order of reflections was set to three in Cadna/A. The reflection type of the building wall was modeled as a smooth façade/reflective barrier. That calculates a loss of 1 dB for sound reflecting off of the building.

6.2 Sound Source and Sound Receiver Locations in CadnaA Model

Due to the close proximity of the Lucas Tree property, a few comments regarding the specific details of the CadnaA noise model are in order. The actual locations of the excavators, relative to the northern property line (Lucas Tree), shall determine whether the facility will operate at noise levels well within the City of Portland (and Maine DEP) noise regulations. To stay within the more conservative 70 dBA goal (Portland Moderate-Impact Industrial Zone), the loudest sound sources (the excavators) were modeled no closer than 85 feet from the Lucas Tree property boundary. That corresponds approximately to the distance from the edge of the materials sorting building to the northern property boundary.

The baler will operate inside the section of the sorting building closest to the northern property line. However, to be conservative (resulting in sound levels much louder than will actually be the case), the baler sound source within CadnaA was situated just outside the front of the building section in which the baler will be housed. Two excavators were placed behind the building, within an area where most of the recyclable materials will be sorted. A front loader, another excavator (which is also highly unlikely), and a truck back-up alarm were modeled in front of the building. These are all conservative assumptions, since more activity will probably occur behind the building than in front. These assumptions ensure a worst-case scenario for sound levels along the northern (Lucas Tree) and eastern (Riverside Street) property lines. Given the dimensions of this large equipment, all of the sources were modeled with their "acoustical centers" at approximately 10 feet above the ground.

6.3 Predicted Sound Level Results

The model output is shown in **Appendix E**, produced directly from Cadna/A with the results at the discrete receptors. The sound level results at the evaluation points are shown in Table 6. All equipment operation will meet the ME DEP and City of Portland daytime noise regulations, provided that excavator activity behind the building occurs at least 85 feet away from any property line (the Lucas Tree property line in particular).

06-096

Department of Environmental Protection

Maine Solid Waste Management Rules

CHAPTER 400

GENERAL PROVISIONS

Last Revised:
January 23, 2001

ZZZZ. PCBs. "PCBs" means Polychlorinated Biphenyls; a class of chlorinated aromatic hydrocarbons representing a mixture of specific biphenyl hydrocarbons which are thermally and chemically very stable.

Aa. PCDD. "PCDD", also known as "Dioxin", means polychlorinated dibenzo-p-dioxin.

Bb. PCDF. "PCDF", also known as "Furan" means polychlorinated dibenzofuran.

Cc. Person. "Person" means any individual; partnership; corporation; firm; federal, state or local government entity; or public or private organization of any character.

Dd. Pollution. See **"Contamination or Pollution"** of this section.

Ee. Pre-development ambient sound. "Pre-development ambient sound" means the ambient sound at a specified location in the vicinity of a proposed or existing solid waste facility prior to that proposed facility's construction and operation or prior to an existing facility's expansion.

Ff. Primary sand and gravel recharge area. "Primary sand and gravel recharge area" means the surface area directly overlying sand and gravel formations that provide direct replenishment of ground water in sand and gravel and fractured bedrock aquifers. The term does not include areas overlying formations that have been identified as unsaturated and are not contiguous with saturated formations.

Gg. Processing facility. "Processing facility" means any land area, structure, equipment, machine, device, system, or combination thereof, other than incinerators, which is operated to reduce the volume or change the chemical or physical characteristics of solid waste. Processing facilities include but are not limited to facilities which employ shredding, baling, mechanical and magnetic separation, and composting or other stabilization techniques to reduce or otherwise change the nature of solid waste.

Hh. Property boundary. "Property boundary" means the outermost perimeter of the parcel of real property on which a solid waste facility is located.

Ii. Protected Location. "Protected location" means:

(1) Any location within a parcel of land which, at the time a solid waste facility application is submitted, either contains or has local approval for the construction of a residence, residential subdivision, house of worship, academic school, college, library, hospital or nursing home;

(2) Any location within:

(a) A state park;

(b) Baxter State Park;

(c) A National park;

F. No Unreasonable Adverse Effect on Existing Uses and Scenic Character

(1) Standards. The solid waste facility may not unreasonably adversely affect existing uses and scenic character. Specifically, the facility may not:

(a) Present a bird hazard to aircraft;

(b) Have an unreasonable adverse effect on the preservation of historical sites;

(c) Unreasonably interfere with views from established public viewing areas;

(d) Generate excessive noise at the property boundary or at any protected location; or

(e) Unreasonably adversely affect existing uses of property neighboring the proposed solid waste facility.

(2) Noise Standards. The following noise standards shall apply to all solid waste facilities. Protected locations shall only include those locations defined in subsection 400.1 for which the hourly sound levels from the facility will be greater than 45 dBA.

(a) Sound Level Limits. The following hourly sound levels from routine operation of a solid waste facility must be less than or equal to;

(i) 75 dBA for daytime and nighttime hours at the facility property boundary;

(ii) 60 dBA for daytime hours and 50 dBA for nighttime hours at any protected location in an area for which the zoning, or, if unzoned, the existing use or use contemplated under a comprehensive plan, is not predominantly commercial or industrial; or

(iii) 70 dBA for daytime hours and 60 dBA for nighttime hours in an area for which the zoning, or if unzoned, the existing use or use contemplated under a comprehensive plan, is predominantly commercial or industrial.

(b) Alternative levels. If the applicant chooses to demonstrate by measurement that the daytime or nighttime pre-development ambient sound environment at any protected location exceeds the daytime or nighttime limits above, by at least 5 dBA, then the daytime or nighttime limits are 5 dBA more than the measured daytime or nighttime pre-development ambient hourly sound level at the location of the measurement for the corresponding time period.

(c) Existing Facilities. For any protected location near an existing solid waste facility, the hourly sound level limit for routine operation of the existing facility and all future expansions of that facility is the hourly sound level written above, or at the applicant's election, the existing hourly sound level from routine operation of the facility before any expansions plus 3 dBA.

(d) All equipment used in the construction of and maintenance activities at the solid waste facility must comply with applicable local and federal noise regulations, and include

(h) All food processing waste shall be stored within a completely enclosed structure and if not refrigerated shall be removed from the site in an enclosed container within forty-eight (48) hours of its generation. All enclosed and exterior food processing waste storage areas shall be cleaned and sanitized on a regular basis.

(i) Outdoor storage of refuse, debris or previously used materials awaiting reuse shall be either in an appropriate container or located within a designated, screened area.

(j) Any permitted outdoor storage of materials shall be done in such a manner as to prevent the breeding and harboring of insects or vermin, to prevent the transfer of such materials from the site by natural causes or forces and to contain fumes, dust, or other materials which constitute a fire hazard. This storage shall be accomplished within enclosed containers or by one (1) or more of the following methods: raising materials above ground, separating materials, preventing stagnant water, or by some other means. No outdoor storage shall be permitted between the front of any building on the site and the street, except for storage for plant and tree nurseries or lumber yards.
(Ord. No. 164-97, § 7, 1-6-97)

Sec. 14-252. Performance standards.

Uses in the I-M, I-Ma, and I-Mb zones shall meet the following standards:

(a) *Noise:*

1. *Definitions:*

a. Tonal sounds are defined as sound waves usually perceived as a hum or whine because their instantaneous sound pressure varies essentially as a simple sinusoidal function of time.

b. Impulse sounds are defined as sound events characterized by brief excursions of sound pressure, each with a duration of less than one (1) second.

section. Construction activities on a site abutting any residential use between the hours of 10:00 p.m. of one (1) day and 7:00 a.m. of the following day shall not exceed fifty (50) dBA.

b. The following uses and activities shall also be exempt from the requirements of subsection (d)3 of this section:

i. The noises of safety signals, warning devices, emergency pressure relief valves, and any other emergency devices.

ii. Traffic noise on public roads or noise created by airplanes and railroads.

iii. Noise created by refuse and solid waste collection, provided that the activity is conducted between 6:00 a.m. and 7:00 p.m.

iv. Emergency construction or repair work by public utilities, at any hour.

v. Noise created by any recreational activities which are permitted by law and for which a license or permit has been granted by the city, including but not limited to parades, sporting events, and fireworks displays.

(b) *Electromagnetic interference:* There shall be no electromagnetic interference that adversely affects the operation of any equipment other than that belonging to the creator of such interference, or that does not conform to the regulations of the Federal Communications Commission.

(c) *Vibrations:* Any use creating earthshaking vibrations shall be controlled in such a manner as to prevent transmission beyond lot lines of vibrations causing a displacement of .003 or greater on one (1) inch, as measured by a vibrograph or similar instrument at the property boundaries.

(a) *Required landscaping:* Where a front yard abuts an arterial or a major collector street, it shall be landscaped. Rear yards, side yards and the perimeter of any parking area for greater than fifteen (15) vehicles shall be landscaped if visible from a street, public open space or residential zone.

(b) *Noise:*

1. *Definitions:*

a. Tonal sounds are defined as sound waves usually perceived as a hum or whine because their instantaneous sound pressure varies essentially as a simple sinusoidal function of time.

b. Impulse sounds are defined as sound events characterized by brief excursions of sound pressure, each with a duration of less than one (1) second.

2. *Measurement:* Sound levels shall be measured with a sound level meter with a frequency weighting network manufactured according to standards prescribed by the American National Standards Institute (ANSI) or its successor body. Measurements shall be made at all major lot lines of the site, at a height of at least four (4) feet above the ground surface. In measuring sound levels under this section, sounds with a continuous duration of less than sixty (60) seconds shall be measured by the maximum reading on a sound level meter set to the A weighted scale and the fast meter response (L maxfast). Sounds with a continuous duration of sixty (60) seconds or more shall be measured on the basis of the energy average sound level over a period of sixty (60) seconds (LEQ_1).

3. *Maximum permissible sound levels:* The maximum permissible sound level of any continuous, regular or frequent source of sound produced by an activity

Larson Davis

A PCB Group Co.

Certificate of Calibration and Conformance

Certificate Number 2007-89718

Instrument Model 812, Serial Number 0632, was calibrated on 29JAN2007. The instrument meets factory specifications per Procedure D0001.8160, ANSI S1.4 1983, IEC 651-Type 1 1979, and IEC 804-Type 1 1985.

Instrument found to be in calibration as received: YES
Date Calibrated: 29JAN2007
Calibration due: 29JAN2008

Calibration Standards Used

MANUFACTURER	MODEL	SERIAL NUMBER	INTERVAL	CAL. DUE	TRACEABILITY NO.
Larson Davis	LDSigGn/2209	0277 / 0109	12 Months	05APR2007	2006-78756

Reference Standards are traceable to the National Institute of Standards and Technology (NIST)

Calibration Environmental Conditions

Temperature: 24 ° Centigrade

Relative Humidity: 19 %

Affirmations

This Certificate attests that this instrument has been calibrated under the stated conditions with Measurement and Test Equipment (M&TE) Standards traceable to the U.S. National Institute of Standards and Technology (NIST). All of the Measurement Standards have been calibrated to their manufacturers' specified accuracy / uncertainty. Evidence of traceability and accuracy is on file at Corporate Headquarters. An acceptable accuracy ratio between the Standard(s) and the item calibrated has been maintained. This instrument meets or exceeds the manufacturer's published specification unless noted.

This calibration complies with the requirements of ISO 17025 and ANSI Z540. The collective uncertainty of the Measurement Standard used does not exceed 25% of the applicable tolerance for each characteristic calibrated unless otherwise noted.

The results documented in this certificate relate only to the item(s) calibrated or tested. A one year calibration is recommended, however calibration interval assignment and adjustment are the responsibility of the end user. This certificate may not be reproduced, except in full, without the written approval of the issuer.

Tested with PRM828-1853
"AS RECEIVED" data same as shipped data.

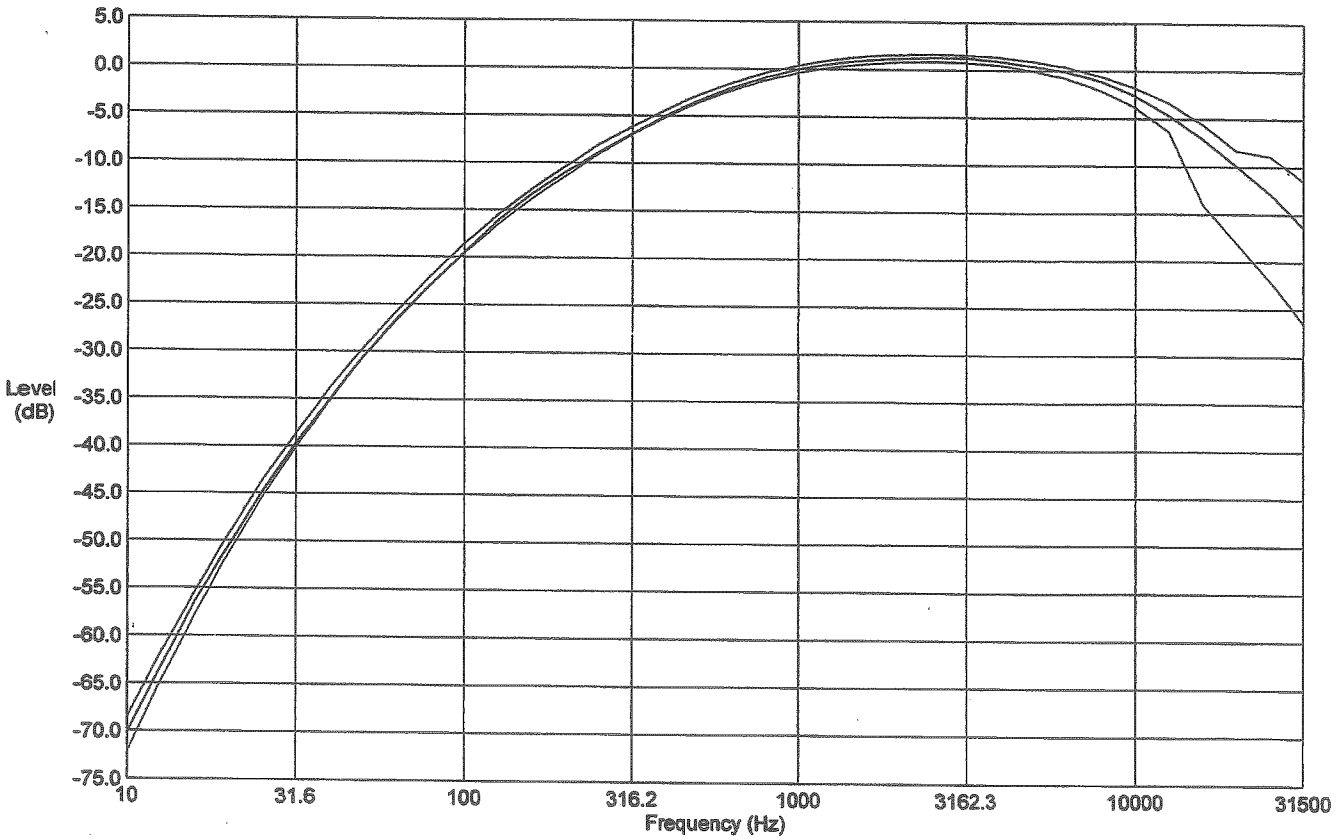
Signed: _____
Technician: Ron Harris

CORPORATE HEADQUARTERS
1681 West 820 North
Provo, Utah 84601-1341 USA
Toll Free: 888-258-3222
Tel: 801-375-0177
Fax: 801-375-0182
info@LarsonDavis.com
www.LarsonDavis.com

SALES OFFICE
3425 Walden Avenue
Depew, New York 14043-2495 USA
Toll Free: 888-258-3222
Tel: 716-926-8243
Fax: 716-926-8215
info@LarsonDavis.com
www.LarsonDavis.com

Sound Level Meter Model: 812 Serial Number: A0632
Certificate of A-Weight Electrical Conformance

This Type 1 Sound Level Meter (including attached PRM828 preamplifier and ADP005 18 pF input adapter) was calibrated with a reference 1kHz sine wave at a level of 114.0 dBSPL. The instrument's A-weighted response was then electrically tested using a 2.1 Vrms sinewave at exact frequencies as specified in IEC 60651 (2001-10) and ANSI S1.4-1983.



Freq (Hz)	Theor	Measured	Error	Tolerance
10.00	-70.4	-70.20	0.20	+1.8, -1.8
12.59	-63.4	-63.40	0.00	+1.5, -1.5
15.85	-56.7	-56.50	0.20	+1.2, -1.2
19.95	-50.5	-50.70	-0.20	+1.0, -1.0
25.12	-44.7	-45.00	-0.30	+0.9, -0.9
31.62	-39.4	-39.70	-0.30	+0.7, -0.7
39.81	-34.6	-35.10	-0.50	+0.7, -0.7
50.12	-30.2	-30.60	-0.40	+0.5, -0.5
63.10	-26.2	-26.50	-0.30	+0.5, -0.5
79.43	-22.5	-22.90	-0.40	+0.5, -0.5
100.00	-19.1	-19.50	-0.40	+0.5, -0.5
125.89	-16.1	-16.20	-0.10	+0.5, -0.5
158.49	-13.4	-13.40	0.00	+0.5, -0.5
199.53	-10.9	-11.00	-0.10	+0.5, -0.5
251.19	-8.6	-8.90	-0.30	+0.5, -0.5
316.23	-6.6	-6.90	-0.30	+0.4, -0.4
398.11	-4.8	-5.00	-0.20	+0.4, -0.4
501.19	-3.2	-3.40	-0.20	+0.4, -0.4
630.96	-1.9	-2.00	-0.10	+0.4, -0.4
794.33	-0.8	-0.90	-0.10	+0.4, -0.4
1000.00	0.0	0.00	0.00	+0.4, -0.4
1258.90	0.6	0.60	0.00	+0.4, -0.4
1584.90	1.0	1.00	0.00	+0.4, -0.4
1995.30	1.2	1.20	0.00	+0.4, -0.4
2511.90	1.3	1.30	0.00	+0.4, -0.4
3162.30	1.2	1.30	0.10	+0.4, -0.4
3981.10	1.0	1.00	0.00	+0.4, -0.4
5011.90	0.5	0.50	0.00	+0.5, -0.5
6309.60	-0.1	-0.10	0.00	+0.5, -0.7
7943.30	-1.1	-1.10	0.00	+0.5, -1.0
10000.00	-2.5	-2.60	-0.10	+0.7, -1.3
12589.00	-4.3	-4.60	-0.30	+1.0, -2.0
15849.00	-6.6	-7.10	-0.50	+1.0, -7.4
19953.00	-9.3	-9.90	-0.60	+1.0, -8.7
25119.00	-12.4	-12.80	-0.40	+3.5, -9.6
31623.00	-15.8	-16.40	-0.60	+4.3, -10.7

This instrument is in compliance with IEC 60651 (2001-10) 6.1 and 9.2.2, ANSI S1.4-1983 5.1 and 8.2.1, and IEC 60804 (2001-10) 5.1 for Type 1 sound level meters when used with a Larson Davis Type 1 microphone.

Technician: Ron Harris Test Date: 29JAN2007

Larson Davis

A PCB Group Co.

Certificate of Calibration and Conformance

Certificate Number 2007-89313

Instrument Model 828, Serial Number 1853, was calibrated on 26JAN2007. The instrument meets factory specifications per Procedure D0001.8135.

Instrument found to be in calibration as received: YES
Date Calibrated: 26JAN2007
Calibration due: 26JAN2008

Calibration Standards Used

MANUFACTURER	MODEL	SERIAL NUMBER	INTERVAL	CAL. DUE	TRACEABILITY NO.
Larson Davis	LDSigGn/2209	0277 / 0109	12 Months	05APR2007	2006-78756
Hewlett Packard	34401A	US36015216	12 Months	27APR2007	289108

Reference Standards are traceable to the National Institute of Standards and Technology (NIST)

Calibration Environmental Conditions

Temperature: 24 ° Centigrade

Relative Humidity: 18 %

Affirmations

This Certificate attests that this instrument has been calibrated under the stated conditions with Measurement and Test Equipment (M&TE) Standards traceable to the U.S. National Institute of Standards and Technology (NIST). All of the Measurement Standards have been calibrated to their manufacturers' specified accuracy / uncertainty. Evidence of traceability and accuracy is on file at Corporate Headquarters. An acceptable accuracy ratio between the Standard(s) and the item calibrated has been maintained. This instrument meets or exceeds the manufacturer's published specification unless noted.

This calibration complies with the requirements of ISO 17025 and ANSI Z540. The collective uncertainty of the Measurement Standard used does not exceed 25% of the applicable tolerance for each characteristic calibrated unless otherwise noted.

The results documented in this certificate relate only to the item(s) calibrated or tested. A one year calibration is recommended, however calibration interval assignment and adjustment are the responsibility of the end user. This certificate may not be reproduced, except in full, without the written approval of the issuer.

"AS RECEIVED" data same as shipped data.

Signed: _____

Technician: Ron Harris

CORPORATE HEADQUARTERS
1681 West 820 North
Provo, Utah 84601-1341 USA
Toll Free: 888-258-3222
Tel: 801-375-0177
Fax: 801-375-0182
info@LarsonDavis.com
www.LarsonDavis.com

SALES OFFICE
3425 Walden Avenue
Depew, New York 14043-2495 USA
Toll Free: 888-258-3222
Tel: 716-926-8243
Fax: 716-926-8215
info@LarsonDavis.com
www.LarsonDavis.com

~ *Certificate of Calibration and Compliance* ~

Microphone Model: 377B02 Serial Number: 105123 Manufacturer: PCB

Calibration Environmental Conditions

Environmental test conditions as printed on microphone calibration chart.

Reference Equipment

Manufacturer	Model #	Serial #	PCB Control #	Cal Date	Due Date
Hewlett Packard	34401A	MY41045214	LD-001	3/15/06	3/15/07
Larson Davis	PRM915	113	TA-470	2/2/07	2/2/08
Larson Davis	PRM902	2699	TA-468	2/2/07	2/2/08
Larson Davis	PRM916	104	LD-015	2/2/07	2/2/08
Larson Davis	CAL250	4147	LD-018	11/10/06	11/10/07
Larson Davis	2201	115	TA-472	2/13/07	2/13/08
Larson Davis	2900	664	CA-520	11/15/05	11/15/07
Larson Davis	PRA951-4	222	LD-026	8/16/06	8/16/07
Larson Davis	PRM902	2892	LD-004	3/20/06	3/20/07
Larson Davis	PRM902	2891	LD-003	3/20/06	3/20/07
Larson Davis	2559LF	3035	LD-005	3/20/06	3/20/07
Bruel & Kjaer	4192	2493415	LD-028	7/19/06	7/19/07
Larson Davis	ADP005	1	LD-017	3/15/05	3/15/07
Fisher Scientific	02-400	51253176	CA-897	8/3/06	8/3/07

Frequency sweep performed with B&K UA0033 electrostatic actuator.

Condition of Unit

As Found: N/A

As Left: New unit in tolerance

Notes

1. Calibration of reference microphone is traceable through PTB.
2. This certificate shall not be reproduced, except in full, without written approval from PCB Piezotronics, Inc.
3. Calibration is performed in compliance with ISO 9001, ISO 10012-1, ANSI/NCSL Z540-1-1994 and ISO 17025.
4. See Manufacturer's Specification Sheet for a detailed listing of performance specifications.
5. Open circuit sensitivity is measured using the insertion voltage method following procedure AT603-5.
6. Measurement uncertainty (95% confidence level with coverage factor of 2) for sensitivity is +/-0.20 dB.
7. A one-year calibration is recommended, however calibration interval assignment and adjustment are the responsibility of the end user.
8. Unit calibrated per ACS-20.

Technician: Nancy Szeluga NS Date: March 13, 2007

ACCREDITED
Cert No. 1982.01

PCB PIEZOTRONICS
VIBRATION DIVISION
3425 Walden Avenue, Depew, New York, 14043
TEL: 888-684-0013 FAX: 716-685-3886 www.pcb.com

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.

Calibration Date: 02-Apr-07

Certificate No: 16135 - 1

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.

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

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:	3/1152208
Submitted by,		Company:	Epsilon Associates, Inc.

Test	Function		Tolerance Min	Tolerance Max		Measured values Before	Out	Measured values After	Out
,0.	Reading with 94.0dB SPL		93.5	94.5		94.0		94.0	
,1.	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	

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

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
ACCREDITED
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: ..✓.....

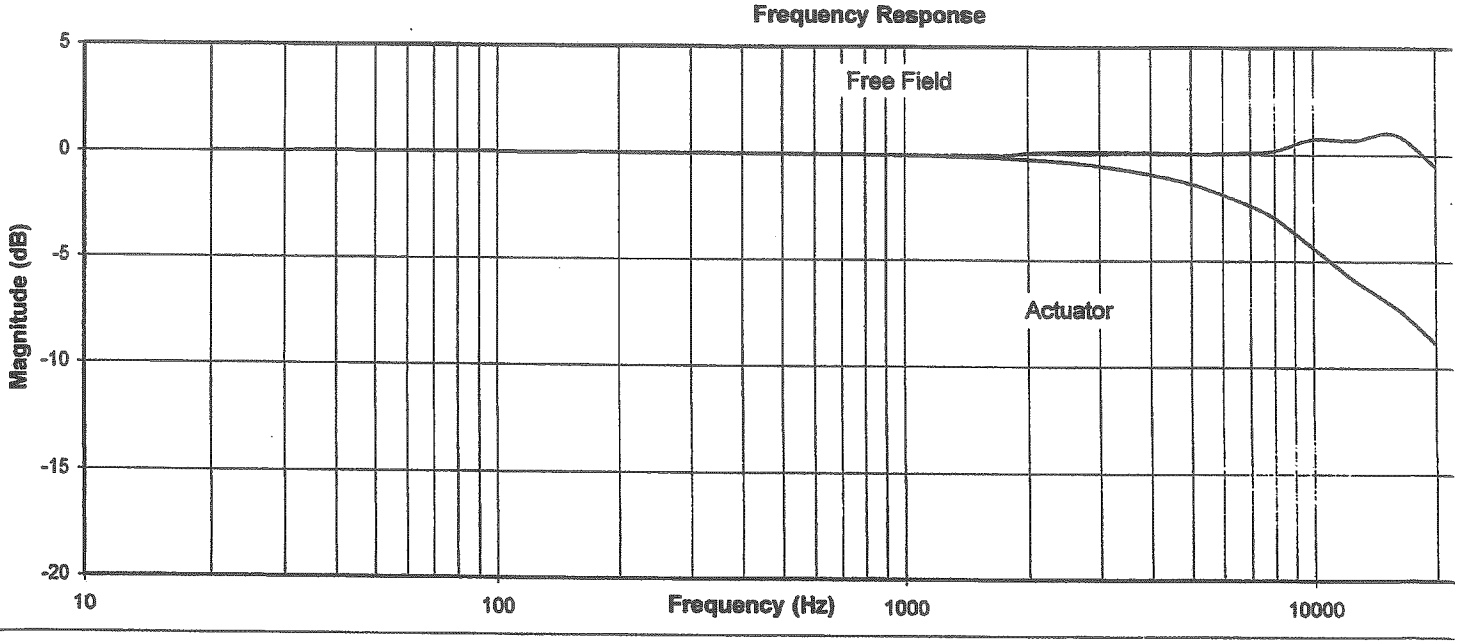
0 Volts Polarization voltage (External):		Ambient Temperature:	20.8	°C
-26.96	dB re.1V/Pascal	Ambient Humidity:	46.4	% RH
44.85	mV/Pascal	Ambient Pressure:	98.53	kPa
0.96	Ko (- dB re 50 mV/Pascal)	Calibration Date:	2-Apr-2007	3:40 PM
Sensitivity:	Pass	Re-calibration Due:	2-Apr-2008	
Freq. Response	Pass	Report Number:	16135 -3	
All tests:	Pass	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

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

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)

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)

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.

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.

- 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

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:

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.

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.

ATTACHMENT 3

SIGNAGE

Prolerized 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.

ATTACHMENT 5

SOLID WASTE PERMIT

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

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."*

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

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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.

- 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.

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)).

ABUTTER LIST
Schnitzer Northeast
Scrap Metal Recycling Facility
SITE LOCATION:
Riverside Street
Portland, Maine

February 15, 2008

PORTLAND TAX MAPS

MAP 311

311	A006	PORTER DRYWALL INC 655 RIVERSIDE ST PORTLAND ME 04103	653 RIVERSIDE STREET
311	A007	BRIAN S INGRAHAM 109 ELMWOOD AVE WESTBROOK ME 04092	613 RIVERSIDE STREET
311	A008	DANIEL M SKINNER HRW VET & YVONNE SKINNER JTS 619 RIVERSIDE ST PORTLAND ME 04103	619 RIVERSIDE STREET
311	A009	DANIEL M SKINNER, TRUSTEE 625 RIVERSIDE ST PORTLAND ME 04103	625 RIVERSIDE STREET
311	A011	MARK S LIBBY 639 RIVERSIDE ST PORTLAND ME 04102	639 RIVERSIDE STREET
311	A012	DAC LLC 31 WALDRON WAY PORTLAND ME 04103	31 WALDRON WAY
311	A013	JOHN W FAY 241 WOODVILLE RD FALMOUTH ME 04105	2 WALDON WAY
311 306	 B018	KELTON REAL ESTATE HOLDINGS, LLC 68 WALDRON WAY PORTLAND ME 04103	68 WALDRON WAY
311 311	A002 A007	BRIAN S INGRAHAM ET AL 109 ELMWOOD AVE WESTBROOK ME 04092	613 RIVERSIDE STREET

312 *306*	B008 *B008*	MARION E BROOKS PO BOX 927 JENSEN BEACH FL 34958	LEIGHTON AVENUE
312	B009	ELLEN MARY KNOWLES PO BOX 1307 STANDISH ME 04084	LEIGHTON AVENUE
312	B010	JOSEPH D PIRONE ET AL ONE PARTRIDGE CIRCLE PORTLAND ME 04102	543 RIVERSIDE STREET
312	B011	MAINELY INVESTMENTS 674 MAIN STREET GORHAM ME 04038	589 RIVERSIDE STREET

MAP 313

313 *312*	J001 *A006*	NORTHERN N E DISTRICT COUNCILS ASSEMBLIES OF GOD PO BOX 611 PORTLAND ME 04104	473 RIVERSIDE STREET
313 *312*	J004 *A007*	NORTHERN N E DISTRICT COUNCILS ASSEMBLIES OF GOD PO BOX 611 PORTLAND ME 04104	483 RIVERSIDE STREET
313	A001 A002 A003 A004 A005 A006 A007 A008 A009 A010	 EUGENE THERIO GEORGIA THERIO 457 RIVERSIDE ST PORTLAND ME 04103	469 RIVERSIDE STREET 457 RIVERSIDE STREET INGALL STREET RANKIN STREET

MAP 320

320	A002	410 RIVERSIDE ST LLC 70 INGERSOLL DRIVE PORTLAND ME 04103	410 RIVERSIDE STREET
320	A003	MAINE TURNPIKE AUTHORITY 430 RIVERSIDE ST PORTLAND ME 04103	420 RIVERSIDE STREET
320	A005	CROCKETT RIVERSIDE LLC 39 GRAYSTONE LN PORTLAND ME 04103	460 RIVERSIDE STREET

322 323	A003 ***LOCUS*** A003	THE TRUST FOR PUBLIC LAND 33 UNION ST 4TH FL BOSTON MA 02108	RIVERSIDE STREET
322 323	A004 ***LOCUS*** A003	THE TRUST FOR PUBLIC LAND 33 UNION ST 4TH FL BOSTON MA 02108	RIVERSIDE STREET
322	A005	PORTLAND WATER DISTRICT 225 DOUGLASS ST PORTLAND ME 04102	574 RIVERSIDE STREET
322 321	A003 A004	PENDE ASSOCIATES INC 42 SOUTH ST YARMOUTH ME 04096	470 RIVERSIDE STREET

MAP 323

323	A006	MERLEN R GOUGH 660 RIVERSIDE ST PORTLAND ME 04103	660 RIVERSIDE STREET
323	A003	THE TRUST FOR PUBLIC LAND 33 UNION ST 4TH FL BOSTON MA 02108	RIVERSIDE STREET
323	A005	THE TRUST FOR PUBLIC LAND 33 UNION ST 4TH FL BOSTON MA 02108	

MAP 324

324	A002 CARD 1	TERRACE POND LLC 1 CITY CENTER PORTLAND ME 04101	723 RIVERSIDE STREET
324	B001	WASTE MANAGEMENT OF MAINE INC PO BOX 1450 CHICAGO IL 60690	2012 FOREST AVENUE

MAP 327

327	B002 A002 CARD 2	TERRACE POND LLC 1 CITY CENTER PORTLAND ME 04101	723 RIVERSIDE STREET
327	B012	PORTLAND HOUSING AUTHORITY 14 BAXTER BLVD PORTLAND ME 04101	17 RIVERTON DRIVE

52	144	JOHN D COLUCCI JR ANNE M COLUCCI 61 CONSTITUTION DR WESTBROOK ME 04092
52	145	ANTHONY F DIRENZO 59 CONSTITUTION DR WESTBROOK ME 04092
52	146	HENRY F ALCANTARA JR JUDITH A ALCANTARA 57 CONSTITUTION DR WESTBROOK ME 04092
52	147	PARKS, PAMELA J. 55 CONSTITUTION DR WESTBROOK ME 04092
52	148	SHEILA A HANSON 51 CONSTITUTION DR WESTBROOK ME 04092
52	149	M BENJAMIN CARTER STEPHANIE M CARTER 49 CONSTITUTION DR WESTBROOK ME 04092
52	150	JUDENE B DYER 4 PIONEER RD WESTBROOK ME 04092
52	151	BRIAN J MORRISON SHERRY L MORRISON 6 PIONEER RD WESTBROOK ME 04092
52	157	JOSEPH E THOMAS JR CATHY A THOMAS 3 PIONEER RD WESTBROOK ME 04092
52	158	WAYNE R ST PETER 45 CONSTITUTION DR WESTBROOK ME 04092
52	159	JUANITA A SYLVIA 43 CONSTITUTION DR WESTBROOK ME 04092
52	202A	CITY OF WESTBROOK 2 YORK ST WESTBROOK ME 04092
52	204	CITY OF WESTBROOK 2 YORK ST WESTBROOK ME 04092

Planning _____
PPD_____
Zone_____
Taxes _____
Fire_____

City Clerk's Office
389 Congress Street
Portland, Maine 04101
(207)-874-8557

License fee: $500.00 plus costs
Fee After October 1: $1500.00
Application fee: $30.00 new $20.00 renewal
Total Due: _____
License Expires 12/31_____

SCRAP METAL RECYCLING FACILITIES PERMIT APPLICATION
CHAPTER 31, PORTLAND CITY CODE §31-1 et. seq.

Please check one: (Corporation/ LLC/ Non-profit org. X) (Sole Proprietor ____) (Partnership ____)

Property Owner's Name: The Trust for Public Land Phone: 617-367-6200

Property Owner's Address: 33 Union Street, 4th Floor, Boston, MA Zip 02108
*If the property is owned by more than one entity please supplement above information on an additional sheet of paper.

Business Name: Prolerized New England LLC Phone: _____

Location Address: 568 Riverside Street, Portland Zip_____

Mailing Address: PO Box 0048 69 Rover Street Everett, MA Zip 02149

Contact Person: Dave Murphy Phone: 207-212-2360

Manager of Business _____ Home Phone #_____

Does the issuance of this license benefit any City employee? ____Yes X No
If yes, please list name(s) of employee(s) and City Department(s):

Have applicant, partners, associates, or corporate officers ever been arrested, indicted, convicted or court martialed for any violation of law? NO If yes, please explain: _____

Have any of the applicants, including the corporation if applicable, ever held a business license with the City of Portland?
X Yes _____No. If yes, please list business name(s) and location(s):
NEMR LLC 25-39 Somerset Street
Is any principal officer under the age of 18? _____Yes _____No

Please list items or general type of items for sale, if any: _____

SOLE PROPRIETOR / PARTNERSHIP INFORMATION: (if corporation, leave blank)
Name of Owner(s): _____ Date of Birth _____ Residence Zip Code _____
Name of Owner(s): _____ Date of Birth _____ Residence Zip Code _____
Name of Owner(s): _____ Date of Birth _____ Residence Zip Code _____

CORPORATE / LLC / NON-PROFIT ORGANIZATION APPLICANTS: (if sole proprietor, leave blank)

Corporation Name: Prolerized New England LLC

Corporation Mailing Address: P.O. Box 0048, 69 Rover Street, Everett, MA Zip 02149

Contact Person: Dave Murphy Phone Number: 207-212-2360

areas to the north and east of the Site, and two locations within the site near the western and southern borders (see comment above regarding terrain). The measurement locations depicted in Figure 2 are described below.

- Location CM1 was the continuous 12-hour measurement location, located along the northern border of the site and adjacent to the Lucas Tree property, approximately 240 feet from Riverside Street. It was chosen due to its close proximity to the nearest Residential Zoning area (there is an "R5" zone near Waldron Way). Location CM1 is considered to be very representative of the current background sound level. The primary noise source here was automobile and truck traffic along Riverside Street. There was some very intermittent pick-up truck activity on the Lucas Tree property.

- Location ST1 (Short-term 1) was also located on northern property line, but at a distance of approximately 700 feet from Riverside Street. The primary noise source here was still vehicle traffic along Riverside Street. However, due to the increased distance from the street, other sound sources such as birds and the occasional Lucas Tree truck were more audible at this location than at location CM1.

- Location ST2 was located along the edge of the terrain change area, as close as possible to the western property line. Riverside Street traffic was still the most prominent noise source, but steady noise from I-95 could also be heard, as well as a few high-altitude commercial planes flying overhead.

- Location ST3 was also along the border of the level, flat terrain but closer to the southern property line, along which there are several businesses. Riverside Street traffic was still the predominant noise source, but I-95 was much more audible than at any other location on the site.

- Location ST4 was along the Riverside Street property line, near the driveway to the existing house on the site. Sound levels here were louder than at all the other locations, due to close proximity to the street.

4.3 Measurement Methodology

Daytime sound level measurements were made for 30 minutes per location on Wednesday July 11, 2007, from approximately 10:00 a.m. to 3:00 p.m. In addition to the sampling data, one continuous programmable unattended sound level meter was placed at Location CM1. This monitor continuously measured and stored hourly sound level statistics for 12 consecutive hours, to determine the temporal variation of the background noise levels, and to confirm that the short-term sampling was indeed representative. The monitor ran from 6:00 a.m. until 6:00 p.m. on Wednesday July 11. Field personnel checked on the integrity of the continuous equipment intermittently throughout the 12-hour period. Noise sources at each location were observed and noted throughout the day.

before and after each measurement program. All calibration level changes were 0.5 dB or less thus validating the data precision.

A Larson Davis model 812 sound level meter (serial number 0632) was used for the continuous monitoring. This meter meets Type 1 ANSI S1.4-1983 standards for sound level meters. The model 812 has been calibrated and certified as accurate to standards set by the National Institute of Standards and Technology by an independent laboratory within the past 12 months. Copies of the calibration certificates are also included in **Appendix D**. The model 812 has data logging capability and was programmed to log statistical data every minute for the following parameters: L_1, L_{10}, L_{50}, L_{90}, L_{max}, L_{min}, and L_{eq}.

4.5 Baseline Ambient Noise Levels

The existing short-term ambient baseline sound level measurements are summarized below and are presented in detail in Table 2. Detailed sound level data from the continuous measurement program can be found in Table 3 (Location CM1). Figure 3 depicts the hour by hour sound level measurements at Location CM1 for the 12-hour continuous measurement. The continuous sound level data confirm the short-term data as a reasonable representation of area sound levels. The sound level data shown in Figure 3 demonstrates that noise levels were fairly constant throughout the day, most likely due to the steady traffic pattern on Riverside Street. The sound levels at short-term Location 4 (ST4), which was very close to Riverside Street, were considerably higher than those at all the other locations.

- The short-term daytime L_{eq} (equivalent) measurements ranged from 50 to 72 dBA.
- The 12-hour continuous L_{eq} (equivalent) measurements ranged from 55 to 59 dBA at Location CM1. The arithmetically averaged ambient hourly sound level (L_{eq}) equaled 57 dBA for the entire period (6:00 a.m.- 6:00 p.m.). The arithmetically averaged hourly background sound level (L_{90}) equaled 54 dBA for the entire measurement period.

Table 3: Location CM1 Continuous 12-Hour Sound Measurement Data

Hour	L_{EQ1} Hr (dBA)	L_{90} (dBA)
6:00	55	51
7:00	56	53
8:00	56	52
9:00	56	52
10:00	57	54
11:00	57	54
12:00	58	54
13:00	58	55
14:00	58	55
15:00	58	56
16:00	59	57
17:00	58	56

5.0 REFERENCE SOUND LEVEL DATA

The key potential sources of operational noise at the proposed facility will be heavy equipment such as excavators and loaders. Reference sound level data for operation of such equipment was collected by Epsilon Associates in 2005 at an existing metal recycling facility. That data were used to estimate impacts at the nearest lot boundaries and residences for the proposed Riverside Street facility. Although these sound sources will operate intermittently and at different times, a worst-case assumption was used where all equipment would operate continuously and simultaneously. Reference sound level data for all equipment were measured at 50 feet and are summarized below in Table 4.

Table 4: Measured Equipment Sound Levels (at 50 feet)

Equipment	L_{eq} (dBA)	Octave Bands (Hz)								
		31.5 L_{eq} (dB)	63 L_{eq} (dB)	125 L_{eq} (dB)	250 L_{eq} (dB)	500 L_{eq} (dB)	1000 L_{eq} (dB)	2000 L_{eq} (dB)	4000 L_{eq} (dB)	8000 L_{eq} (dB)
Komatsu Excavator Model PC300LC5	79	80	79	80	74	74	75	72	68	59
John Deere Loader Model 624H	69	66	75	76	69	67	64	60	52	43
Sierra 4200 Baler	77	75	78	71	67	73	73	70	65	62
Dump Truck Back-up Alarm	77	83	83	73	67	67	68	74	70	58

The CadnaA (Computer Aided Noise Abatement) model calculates sound levels based on the sound power levels of the sources. The sound power output of a source is the total amount of energy radiated into the atmosphere, designated in units of Watts. Sound power data for this equipment was not available, so approximate sound power levels were calculated using the measured sound levels listed above. The following equation was used to approximate the sound power level of the equipment, assuming hemi-spherical spreading over hard ground:

$$L_w = L_p + 20\text{Log}_{10}(r) + 8$$

where:

L_w = approximate sound power level
L_p = measured sound pressure level at 50 feet (15.24 meters)
r = distance from measurement microphone to acoustical center of source
8 dB = increase in sound level, accounting for decrease in distance

The model was run with standard meteorological conditions of 20 degrees C (68 degrees F), 50% relative humidity, and no wind. To be conservative, no ground attenuation credit was taken by the model. The maximum order of reflections was set to three in Cadna/A. The reflection type of the building wall was modeled as a smooth façade/reflective barrier. That calculates a loss of 1 dB for sound reflecting off of the building.

6.2 Sound Source and Sound Receiver Locations in CadnaA Model

Due to the close proximity of the Lucas Tree property, a few comments regarding the specific details of the CadnaA noise model are in order. The actual locations of the excavators, relative to the northern property line (Lucas Tree), shall determine whether the facility will operate at noise levels well within the City of Portland (and Maine DEP) noise regulations. To stay within the more conservative 70 dBA goal (Portland Moderate-Impact Industrial Zone), the loudest sound sources (the excavators) were modeled no closer than 85 feet from the Lucas Tree property boundary. That corresponds approximately to the distance from the edge of the materials sorting building to the northern property boundary.

The baler will operate inside the section of the sorting building closest to the northern property line. However, to be conservative (resulting in sound levels much louder than will actually be the case), the baler sound source within CadnaA was situated just outside the front of the building section in which the baler will be housed. Two excavators were placed behind the building, within an area where most of the recyclable materials will be sorted. A front loader, another excavator (which is also highly unlikely), and a truck back-up alarm were modeled in front of the building. These are all conservative assumptions, since more activity will probably occur behind the building than in front. These assumptions ensure a worst-case scenario for sound levels along the northern (Lucas Tree) and eastern (Riverside Street) property lines. Given the dimensions of this large equipment, all of the sources were modeled with their "acoustical centers" at approximately 10 feet above the ground.

6.3 Predicted Sound Level Results

The model output is shown in **Appendix E**, produced directly from Cadna/A with the results at the discrete receptors. The sound level results at the evaluation points are shown in Table 6. All equipment operation will meet the ME DEP and City of Portland daytime noise regulations, provided that excavator activity behind the building occurs at least 85 feet away from any property line (the Lucas Tree property line in particular).

06-096

Department of Environmental Protection

Maine Solid Waste Management Rules

CHAPTER 400

GENERAL PROVISIONS

Last Revised:
January 23, 2001

ZZZZ. PCBs. "PCBs" means Polychlorinated Biphenyls; a class of chlorinated aromatic hydrocarbons representing a mixture of specific biphenyl hydrocarbons which are thermally and chemically very stable.

Aa. PCDD. "PCDD", also known as "Dioxin", means polychlorinated dibenzo-p-dioxin.

Bb. PCDF. "PCDF", also known as "Furan" means polychlorinated dibenzofuran.

Cc. Person. "Person" means any individual; partnership; corporation; firm; federal, state or local government entity; or public or private organization of any character.

Dd. Pollution. See **"Contamination or Pollution"** of this section.

Ee. Pre-development ambient sound. "Pre-development ambient sound" means the ambient sound at a specified location in the vicinity of a proposed or existing solid waste facility prior to that proposed facility's construction and operation or prior to an existing facility's expansion.

Ff. Primary sand and gravel recharge area. "Primary sand and gravel recharge area" means the surface area directly overlying sand and gravel formations that provide direct replenishment of ground water in sand and gravel and fractured bedrock aquifers. The term does not include areas overlying formations that have been identified as unsaturated and are not contiguous with saturated formations.

Gg. Processing facility. "Processing facility" means any land area, structure, equipment, machine, device, system, or combination thereof, other than incinerators, which is operated to reduce the volume or change the chemical or physical characteristics of solid waste. Processing facilities include but are not limited to facilities which employ shredding, baling, mechanical and magnetic separation, and composting or other stabilization techniques to reduce or otherwise change the nature of solid waste.

Hh. Property boundary. "Property boundary" means the outermost perimeter of the parcel of real property on which a solid waste facility is located.

Ii. Protected Location. "Protected location" means:

(1) Any location within a parcel of land which, at the time a solid waste facility application is submitted, either contains or has local approval for the construction of a residence, residential subdivision, house of worship, academic school, college, library, hospital or nursing home;

(2) Any location within:

(a) A state park;

(b) Baxter State Park;

(c) A National park;

F. No Unreasonable Adverse Effect on Existing Uses and Scenic Character

(1) Standards. The solid waste facility may not unreasonably adversely affect existing uses and scenic character. Specifically, the facility may not:

(a) Present a bird hazard to aircraft;

(b) Have an unreasonable adverse effect on the preservation of historical sites;

(c) Unreasonably interfere with views from established public viewing areas;

(d) Generate excessive noise at the property boundary or at any protected location; or

(e) Unreasonably adversely affect existing uses of property neighboring the proposed solid waste facility.

(2) Noise Standards. The following noise standards shall apply to all solid waste facilities. Protected locations shall only include those locations defined in subsection 400.1 for which the hourly sound levels from the facility will be greater than 45 dBA.

(a) Sound Level Limits. The following hourly sound levels from routine operation of a solid waste facility must be less than or equal to;

(i) 75 dBA for daytime and nighttime hours at the facility property boundary;

(ii) 60 dBA for daytime hours and 50 dBA for nighttime hours at any protected location in an area for which the zoning, or, if unzoned, the existing use or use contemplated under a comprehensive plan, is not predominantly commercial or industrial; or

(iii) 70 dBA for daytime hours and 60 dBA for nighttime hours in an area for which the zoning, or if unzoned, the existing use or use contemplated under a comprehensive plan, is predominantly commercial or industrial.

(b) Alternative levels. If the applicant chooses to demonstrate by measurement that the daytime or nighttime pre-development ambient sound environment at any protected location exceeds the daytime or nighttime limits above, by at least 5 dBA, then the daytime or nighttime limits are 5 dBA more than the measured daytime or nighttime pre-development ambient hourly sound level at the location of the measurement for the corresponding time period.

(c) Existing Facilities. For any protected location near an existing solid waste facility, the hourly sound level limit for routine operation of the existing facility and all future expansions of that facility is the hourly sound level written above, or at the applicant's election, the existing hourly sound level from routine operation of the facility before any expansions plus 3 dBA.

(d) All equipment used in the construction of and maintenance activities at the solid waste facility must comply with applicable local and federal noise regulations, and include

(h) All food processing waste shall be stored within a completely enclosed structure and if not refrigerated shall be removed from the site in an enclosed container within forty-eight (48) hours of its generation. All enclosed and exterior food processing waste storage areas shall be cleaned and sanitized on a regular basis.

(i) Outdoor storage of refuse, debris or previously used materials awaiting reuse shall be either in an appropriate container or located within a designated, screened area.

(j) Any permitted outdoor storage of materials shall be done in such a manner as to prevent the breeding and harboring of insects or vermin, to prevent the transfer of such materials from the site by natural causes or forces and to contain fumes, dust, or other materials which constitute a fire hazard. This storage shall be accomplished within enclosed containers or by one (1) or more of the following methods: raising materials above ground, separating materials, preventing stagnant water, or by some other means. No outdoor storage shall be permitted between the front of any building on the site and the street, except for storage for plant and tree nurseries or lumber yards.
(Ord. No. 164-97, § 7, 1-6-97)

Sec. 14-252. Performance standards.

Uses in the I-M, I-Ma, and I-Mb zones shall meet the following standards:

(a) *Noise:*

1. *Definitions:*

a. Tonal sounds are defined as sound waves usually perceived as a hum or whine because their instantaneous sound pressure varies essentially as a simple sinusoidal function of time.

b. Impulse sounds are defined as sound events characterized by brief excursions of sound pressure, each with a duration of less than one (1) second.

section. Construction activities on a site abutting any residential use between the hours of 10:00 p.m. of one (1) day and 7:00 a.m. of the following day shall not exceed fifty (50) dBA.

b. The following uses and activities shall also be exempt from the requirements of subsection (d)3 of this section:

i. The noises of safety signals, warning devices, emergency pressure relief valves, and any other emergency devices.

ii. Traffic noise on public roads or noise created by airplanes and railroads.

iii. Noise created by refuse and solid waste collection, provided that the activity is conducted between 6:00 a.m. and 7:00 p.m.

iv. Emergency construction or repair work by public utilities, at any hour.

v. Noise created by any recreational activities which are permitted by law and for which a license or permit has been granted by the city, including but not limited to parades, sporting events, and fireworks displays.

(b) *Electromagnetic interference:* There shall be no electromagnetic interference that adversely affects the operation of any equipment other than that belonging to the creator of such interference, or that does not conform to the regulations of the Federal Communications Commission.

(c) *Vibrations:* Any use creating earthshaking vibrations shall be controlled in such a manner as to prevent transmission beyond lot lines of vibrations causing a displacement of .003 or greater on one (1) inch, as measured by a vibrograph or similar instrument at the property boundaries.

(a) *Required landscaping:* Where a front yard abuts an arterial or a major collector street, it shall be landscaped. Rear yards, side yards and the perimeter of any parking area for greater than fifteen (15) vehicles shall be landscaped if visible from a street, public open space or residential zone.

(b) *Noise:*

1. *Definitions:*

a. Tonal sounds are defined as sound waves usually perceived as a hum or whine because their instantaneous sound pressure varies essentially as a simple sinusoidal function of time.

b. Impulse sounds are defined as sound events characterized by brief excursions of sound pressure, each with a duration of less than one (1) second.

2. *Measurement:* Sound levels shall be measured with a sound level meter with a frequency weighting network manufactured according to standards prescribed by the American National Standards Institute (ANSI) or its successor body. Measurements shall be made at all major lot lines of the site, at a height of at least four (4) feet above the ground surface. In measuring sound levels under this section, sounds with a continuous duration of less than sixty (60) seconds shall be measured by the maximum reading on a sound level meter set to the A weighted scale and the fast meter response (L maxfast). Sounds with a continuous duration of sixty (60) seconds or more shall be measured on the basis of the energy average sound level over a period of sixty (60) seconds (LEQ_1).

3. *Maximum permissible sound levels:* The maximum permissible sound level of any continuous, regular or frequent source of sound produced by an activity

Station: PORTLAND PORTLAND INTERNATIONAL JETPORT Latitude: 43.64222 Longitude: -70.30444 Elevation: 22 m or 72 feet

Decoded Surface Observations for July 11, 2007

The weather observed at PORTLAND, ME (KPWM) at 05:51 AM EDT was:
The skies were unobserved.
The weather reported was fog.
Temperature: 61F (16C) Dewpoint: 61F (16C) Relative Humidity: 100%
Winds from the ESE(110 degs) at 5 mph.
Pressure: 1011.9 millibars. Altimeter:29.88 inches of mercury.
The prevailing visibility was .25 miles.

The weather observed at PORTLAND, ME (KPWM) at 06:51 AM EDT was:
The skies were unobserved.
The weather reported was fog.
Temperature: 61F (16C) Dewpoint: 61F (16C) Relative Humidity: 100%
Winds from the CLM(CLM degs) at 0 mph.
Pressure: 1011.7 millibars. Altimeter:29.88 inches of mercury.
The prevailing visibility was .12 miles.

The weather observed at PORTLAND, ME (KPWM) at 07:51 AM EDT was:
The skies were unobserved.
The weather reported was fog.
Temperature: 62F (17C) Dewpoint: 61F (16C) Relative Humidity: 96%
Winds from the CLM(CLM degs) at 0 mph.
Pressure: 1011.6 millibars. Altimeter:29.88 inches of mercury.
The prevailing visibility was 0 miles.
The maximum temperature in the past 6 hours was 62F.
The minimum temperature in the past 6 hours was 60F.

The weather observed at PORTLAND, ME (KPWM) at 08:51 AM EDT was:
The skies were cloudy.
The weather reported was fog.
Temperature: 63F (17C) Dewpoint: 63F (17C) Relative Humidity: 100%
Winds from the CLM(CLM degs) at 0 mph.
Pressure: 1011.6 millibars. Altimeter:29.87 inches of mercury.
The prevailing visibility was .5 miles.
There has been 0.01 inches of precipitation in the past hour.

The weather observed at PORTLAND, ME (KPWM) at 09:51 AM EDT was:
The skies were cloudy.
The weather reported was fog.
Temperature: 66F (19C) Dewpoint: 66F (19C) Relative Humidity: 100%
Winds from the CLM(CLM degs) at 0 mph.
Pressure: 1011.3 millibars. Altimeter:29.87 inches of mercury.
The prevailing visibility was 3 miles.

The weather observed at PORTLAND, ME (KPWM) at 10:51 AM EDT was:
The skies were cloudy.
The weather reported was fog.
Temperature: 68F (20C) Dewpoint: 67F (19C) Relative Humidity: 96%
Winds were not reported.
Pressure: 1011.0 millibars. Altimeter:29.86 inches of mercury.
The prevailing visibility was 4 miles.
There has been 0.01 inches of precipitation in the past 6 hours.

The weather observed at PORTLAND, ME (KPWM) at 11:51 AM EDT was:
The skies were cloudy.
The weather reported was fog.

Larson Davis

A PCB Group Co.

Certificate of Calibration and Conformance

Certificate Number 2007-89718

Instrument Model 812, Serial Number 0632, was calibrated on 29JAN2007. The instrument meets factory specifications per Procedure D0001.8160, ANSI S1.4 1983, IEC 651-Type 1 1979, and IEC 804-Type 1 1985.

Instrument found to be in calibration as received: YES
Date Calibrated: 29JAN2007
Calibration due: 29JAN2008

Calibration Standards Used

MANUFACTURER	MODEL	SERIAL NUMBER	INTERVAL	CAL. DUE	TRACEABILITY NO.
Larson Davis	LDSigGn/2209	0277 / 0109	12 Months	05APR2007	2006-78756

Reference Standards are traceable to the National Institute of Standards and Technology (NIST)

Calibration Environmental Conditions

Temperature: 24 ° Centigrade

Relative Humidity: 19 %

Affirmations

This Certificate attests that this instrument has been calibrated under the stated conditions with Measurement and Test Equipment (M&TE) Standards traceable to the U.S. National Institute of Standards and Technology (NIST). All of the Measurement Standards have been calibrated to their manufacturers' specified accuracy / uncertainty. Evidence of traceability and accuracy is on file at Corporate Headquarters. An acceptable accuracy ratio between the Standard(s) and the item calibrated has been maintained. This instrument meets or exceeds the manufacturer's published specification unless noted.

This calibration complies with the requirements of ISO 17025 and ANSI Z540. The collective uncertainty of the Measurement Standard used does not exceed 25% of the applicable tolerance for each characteristic calibrated unless otherwise noted.

The results documented in this certificate relate only to the item(s) calibrated or tested. A one year calibration is recommended, however calibration interval assignment and adjustment are the responsibility of the end user. This certificate may not be reproduced, except in full, without the written approval of the issuer.

Tested with PRM828-1853
"AS RECEIVED" data same as shipped data.

Signed: _____

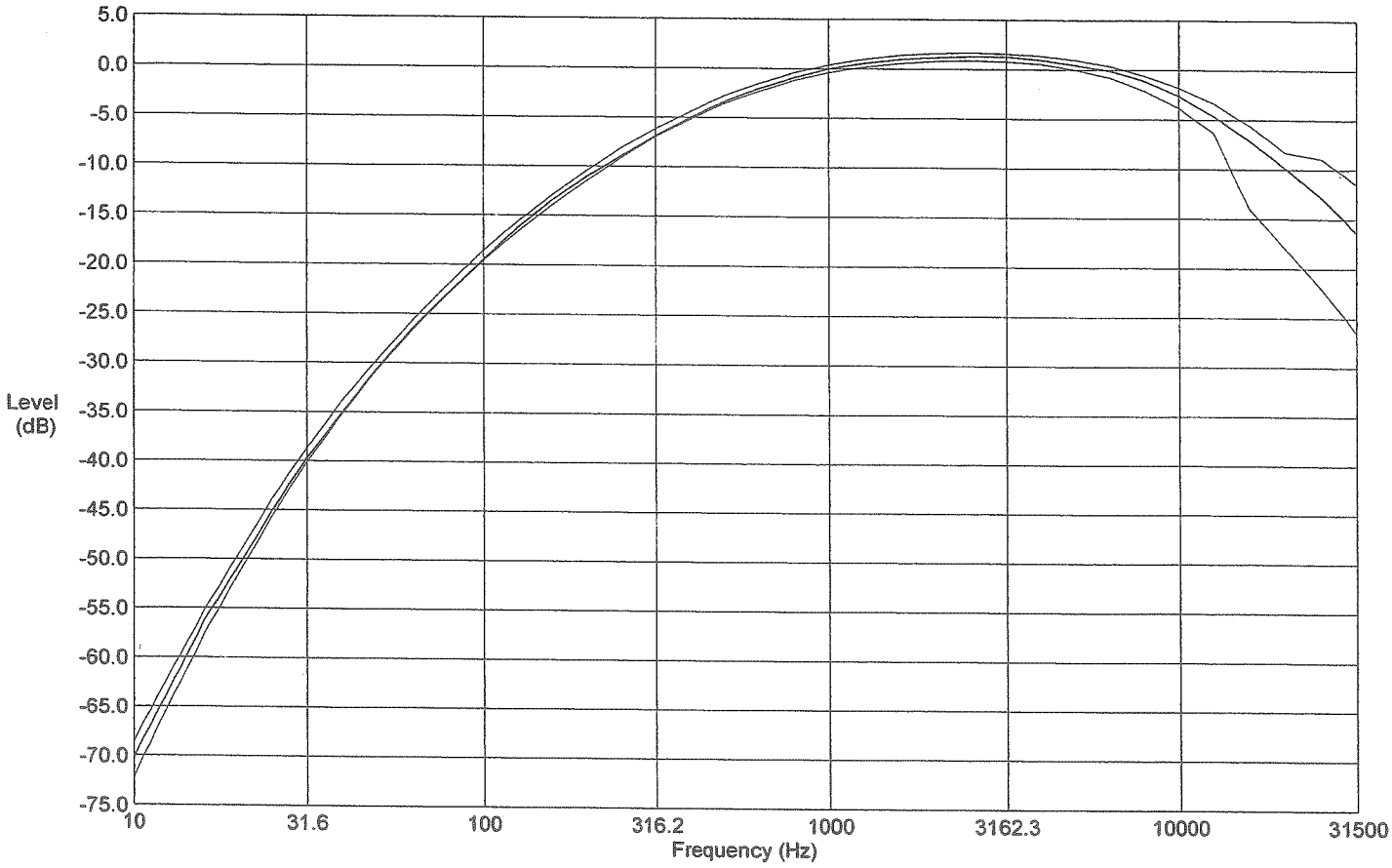
Technician: Ron Harris

CORPORATE HEADQUARTERS
1681 West 820 North
Provo, Utah 84601-1341 USA
Toll Free: 888-258-3222
Tel: 801-375-0177
Fax: 801-375-0182
info@LarsonDavis.com
www.LarsonDavis.com

SALES OFFICE
3425 Walden Avenue
Depew, New York 14043-2495 USA
Toll Free: 888-258-3222
Tel: 716-926-8243
Fax: 716-926-8215
info@LarsonDavis.com
www.LarsonDavis.com

Sound Level Meter Model: 812 Serial Number: A0632
Certificate of A-Weight Electrical Conformance

This Type 1 Sound Level Meter (including attached PRM828 preamplifier and ADP005 18 pF input adapter) was calibrated with a reference 1kHz sine wave at a level of 114.0 dBSPL. The instrument's A-weighted response was then electrically tested using a 2.1 Vrms sinewave at exact frequencies as specified in IEC 60651 (2001-10) and ANSI S1.4-1983.



Freq (Hz)	Theor	Measured	Error	Tolerance
10.00	-70.4	-70.20	0.20	+1.8, -1.8
12.59	-63.4	-63.40	0.00	+1.5, -1.5
15.85	-56.7	-56.50	0.20	+1.2, -1.2
19.95	-50.5	-50.70	-0.20	+1.0, -1.0
25.12	-44.7	-45.00	-0.30	+0.9, -0.9
31.62	-39.4	-39.70	-0.30	+0.7, -0.7
39.81	-34.6	-35.10	-0.50	+0.7, -0.7
50.12	-30.2	-30.60	-0.40	+0.5, -0.5
63.10	-26.2	-26.50	-0.30	+0.5, -0.5
79.43	-22.5	-22.90	-0.40	+0.5, -0.5
100.00	-19.1	-19.50	-0.40	+0.5, -0.5
125.89	-16.1	-16.20	-0.10	+0.5, -0.5
158.49	-13.4	-13.40	0.00	+0.5, -0.5
199.53	-10.9	-11.00	-0.10	+0.5, -0.5
251.19	-8.6	-8.90	-0.30	+0.5, -0.5
316.23	-6.6	-6.90	-0.30	+0.4, -0.4
398.11	-4.8	-5.00	-0.20	+0.4, -0.4
501.19	-3.2	-3.40	-0.20	+0.4, -0.4
630.96	-1.9	-2.00	-0.10	+0.4, -0.4
794.33	-0.8	-0.90	-0.10	+0.4, -0.4
1000.00	0.0	0.00	0.00	+0.4, -0.4
1258.90	0.6	0.60	0.00	+0.4, -0.4
1584.90	1.0	1.00	0.00	+0.4, -0.4
1995.30	1.2	1.20	0.00	+0.4, -0.4
2511.90	1.3	1.30	0.00	+0.4, -0.4
3162.30	1.2	1.30	0.10	+0.4, -0.4
3981.10	1.0	1.00	0.00	+0.4, -0.4
5011.90	0.5	0.50	0.00	+0.5, -0.5
6309.60	-0.1	-0.10	0.00	+0.5, -0.7
7943.30	-1.1	-1.10	0.00	+0.5, -1.0
10000.00	-2.5	-2.60	-0.10	+0.7, -1.3
12589.00	-4.3	-4.60	-0.30	+1.0, -2.0
15849.00	-6.6	-7.10	-0.50	+1.0, -7.4
19953.00	-9.3	-9.90	-0.60	+1.0, -8.7
25119.00	-12.4	-12.80	-0.40	+3.5, -9.6
31623.00	-15.8	-16.40	-0.60	+4.3, -10.7

This instrument is in compliance with IEC 60651 (2001-10) 6.1 and 9.2.2, ANSI S1.4-1983 5.1 and 8.2.1, and IEC 60804 (2001-10) 5.1 for Type 1 sound level meters when used with a Larson Davis Type 1 microphone.

Technician: Ron Harris Test Date: 29JAN2007

Larson Davis

A PCB Group Co.

Certificate of Calibration and Conformance

Certificate Number 2007-89313

Instrument Model 828, Serial Number 1853, was calibrated on 26JAN2007. The instrument meets factory specifications per Procedure D0001.8135.

Instrument found to be in calibration as received: YES
Date Calibrated: 26JAN2007
Calibration due: 26JAN2008

Calibration Standards Used

MANUFACTURER	MODEL	SERIAL NUMBER	INTERVAL	CAL. DUE	TRACEABILITY NO.
Larson Davis	LDSigGn/2209	0277 / 0109	12 Months	05APR2007	2006-78756
Hewlett Packard	34401A	US36015216	12 Months	27APR2007	289108

Reference Standards are traceable to the National Institute of Standards and Technology (NIST)

Calibration Environmental Conditions

Temperature: 24 ° Centigrade

Relative Humidity: 18 %

Affirmations

This Certificate attests that this instrument has been calibrated under the stated conditions with Measurement and Test Equipment (M&TE) Standards traceable to the U.S. National Institute of Standards and Technology (NIST). All of the Measurement Standards have been calibrated to their manufacturers' specified accuracy / uncertainty. Evidence of traceability and accuracy is on file at Corporate Headquarters. An acceptable accuracy ratio between the Standard(s) and the item calibrated has been maintained. This instrument meets or exceeds the manufacturer's published specification unless noted.

This calibration complies with the requirements of ISO 17025 and ANSI Z540. The collective uncertainty of the Measurement Standard used does not exceed 25% of the applicable tolerance for each characteristic calibrated unless otherwise noted.

The results documented in this certificate relate only to the item(s) calibrated or tested. A one year calibration is recommended, however calibration interval assignment and adjustment are the responsibility of the end user. This certificate may not be reproduced, except in full, without the written approval of the issuer.

"AS RECEIVED" data same as shipped data.

Signed: _____

Technician: Ron Harris

CORPORATE HEADQUARTERS
1681 West 820 North
Provo, Utah 84601-1341 USA
ll Free: 888-258-3222
el: 801-375-0177
Fax: 801-375-0182
info@LarsonDavis.com
www.LarsonDavis.com

SALES OFFICE
3425 Walden Avenue
Depew, New York 14043-2495 USA
Toll Free: 888-258-3222
Tel: 716-926-8243
Fax: 716-926-8215
info@LarsonDavis.com
www.LarsonDavis.com

TECHNICAL NARRATIVE

Organics Analysis

The samples of work order SD5924 were analyzed in accordance with "Test Methods for Evaluating Solid Wastes: Physical/Chemical Methods." SW-846, 2nd edition, 1982 (revised 1984), 3rd edition, 1986, and Updates I, II, IIA, III, IIIA, and IIIB 1996, 1998 & 2004, Office of Solid Waste and Emergency Response, U.S. EPA, and/or for the specific methods listed below or on the Report of Analysis.

8270C Analysis

Sample SD5924-2 had a low recovery for one acid surrogate, which was outside the laboratory established acceptance limits. The sample was not reextracted since the deviation is within the allowable exceedances according to EPA guidelines, which is one acid and/or base surrogate with a minimal recovery of 10%.

There were no other protocol deviations or observations that were noted by the organics laboratory staff.

MAINE HISTORIC PRESERVATION COMMISSION
55 CAPITOL STREET
65 STATE HOUSE STATION
AUGUSTA, MAINE
04333

JOHN ELIAS BALDACCI
GOVERNOR

EARLE G. SHETTLEWORTH, JR.
DIRECTOR

February 15, 2008

Mr. Carl V. Beal
Civil Consultants, Inc.
P. O. Box 100
South Berwick, ME 03908

RE: proposed scrap metal recycling facility, Riverside Street, Portland (MHPC 3070-06)

Dear Mr. Beal:

My staff archaeologist, Dr. Arthur Spiess, has reviewed the "walkover" or "Phase 0" archaeological survey report for this project by Dr. Nathan Hamilton and R. W. Gillespie Associates, dated September 13, 2007. (Despite the September 2007 date, we received the report from R. W. Gillespie in today's mail.) The report is acceptable as written, and we agree with the conclusions in the report.

I find that there will be no historic or archaeological properties affected by the proposed subdivision.

Sincerely,

Kirk Mahney
Deputy State Historic Preservation Officer

PHONE: (207) 287-2132

FAX: (207) 287-2335

Appendix B: Field Data Sheets

Groundwater Monitoring, September 2010
Prolerized New England Company
568 Riverside Street
Portland, Maine

Prepared for:

Prolerized New England Company
Portland, Maine

Prepared by:

Acadia Environmental Technology
48 Free Street
Portland, Maine 04101

Katahdin
ANALYTICAL SERVICES

PREPARATION BLANK REPORT

Sample ID: PBWAK08IMW1 **Batch ID** AK08IMW1

Element Name	Result	Units	Flag	PQL	File
ALUMINUM	0.013	mg/L	J	0.0600	JAK10B
ANTIMONY	0.000008	mg/L	U	0.000200	JAK10B
ARSENIC	0.0008	mg/L	J	0.0010	JAK10B
BARIUM	0.00008	mg/L	J	0.00040	JAK10B
BERYLLIUM	0.000004	mg/L	U	0.000200	JAK10B
BORON	0.0008	mg/L	J	0.0040	JAK10B
CADMIUM	0.000006	mg/L	U	0.000200	JAK10B
CALCIUM	0.02	mg/L	J	0.020	JAK10B
CHROMIUM	0.0001	mg/L	U	0.0006	JAK10B
COBALT	0.00004	mg/L	J	0.000200	JAK10B
COPPER	0.00008	mg/L	J	0.00060	JAK10B
IRON	0.006	mg/L	J	0.020	JAK10B
LEAD	0.00012	mg/L	J	0.000200	JAK10B
MAGNESIUM	0.028	mg/L	H	0.0200	JAK10B
MANGANESE	0.0003	mg/L	J	0.00040	JAK10B
MOLYBDENUM	0.00003	mg/L	J	0.00100	JAK10B
NICKEL	0.00006	mg/L	J	0.00040	JAK10B
POTASSIUM	0.005	mg/L	U	0.200	JAK10B
SELENIUM	0.0002	mg/L	U	0.0010	JAK10B
SILICON	0.070	mg/L	J	0.100	JAK10B
SILVER	0.00001	mg/L	U	0.00020	JAK10B
SODIUM	0.01	mg/L	J	0.200	JAK10B
STRONTIUM	0.00004	mg/L	J	0.00100	JAK10B
THALLIUM	0.000084	mg/L	J	0.000200	JAK10B
TIN	0.00007	mg/L	J	0.00100	JAK10B
URANIUM	0.000001	mg/L	U	0.000200	JAK10B
VANADIUM	0.0002	mg/L	U	0.0010	JAK10B
ZINC	0.0008	mg/L	J	0.0020	JAK10B

U The analyte was not detected in the sample at a level greater than the instrument detection limit.

J The analyte was detected in the sample at a concentration greater than the instrument detection limit, but less than the laboratory's Practical Quantitation Level.

H The analyte was detected in the sample at a concentration greater than the laboratory's acceptance limit.

Quarterly Stormwater Management Facility Inspection Checklist
Prolerized New England, Portland, Maine

Inspection for the Period: January-March____April - June____July-September X
(check one) October-December____

Inspection Item	Satisfactory	
	Yes	No
1. Are metal processing areas swept clean of dirt, debris, and trash on a weekly basis?	✓	
2. Is Debris and trash disposed of weekly?	✓	
3. Have leaks/spills from industrial equipment, drums, barrels or containers been observed?		✓
4. Have spills and leaks been absorbed and cleaned ASAP after each event?	✓	
5. Are the absorbent booms in the concrete settling basin saturated with oil and dirt? If yes, arrange to have them replaced.		✓
6. Is excessive sediment present in concrete settling basin that requires cleaning? If yes, arrange to have it removed.		✓
7. Is there excessive oil or sediment accumulation in the oil-water separators? If yes, arrange to have them cleaned.		✓
8. Is there excessive sediment accumulation present in the wet pond forebay? If yes, arrange to have it removed.		✓
9. Is catch basin near Process Building loading dock draining freely? Check Urban Filter insert to make sure its not plugged with oil or sediment. Arrange to have replaced if not functioning.	✓ see note (9)	
10. Is catch basin near facility entrance draining freely? Check Urban Filter insert to make sure it's not plugged with oil or sediment. Arrange to have replaced if not functioning.	✓	
11. Are spill response materials stocked and available on-site in the areas where oil or chemicals may be present? Arrange to have replaced if not functioning.	✓	
12. Does the bioretention cell have excessive sediment accumulation? If yes, arrange to have it removed.		✓
13. Any areas of erosion observed (check slopes, edges of roadways)? If yes, arrange to have it repaired.	✓ see note (13)	

Please add comments as appropriate on following page.

Quarterly Stormwater Management Facility Inspection Checklist
Prolerized New England, Portland, Maine

Comments: (2) CATCH BASIN DRAINAGE FACILITY OUT SEDIMENT SHOULD BE CLEANED

(1) TWO AREAS OF EROSION ADJACENT TO SIDEWALK OF BIORETENTION POND. THESE SHOULD BE FILLED WITH SEED MIXTURE AND MULCH OR FABRIC COVERED WITH RAP. ALSO ADDITIONAL AREAS OF SEDIMENT / SOIL NEAR BERMING OVERFLOW STRUCTURE. SUSPECT VIBRATED FILTER MEDIA OR PIPE BERMING MAY HAVE MOVED AND NEED TO BE REPAIRED

Name: MBC ARCHITECTS Date: 3/10/12

Signature:

TABLE OF CONTENTS

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

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)

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)

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.

- ❖ 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.

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

- 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:

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.

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.

02/18/08

ATTACHMENT 4

SHREDDER INFEED SPECIFICATIONS

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

02/18/08

ATTACHMENT 3

SIGNAGE

Prolerized 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 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 6

SWPPP PLAN

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

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02/18/08

ATTACHMENT 7

SPCC PLAN

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

After a vehicle has finished its time in the customer area, our staff removes remaining "core" parts that can be sold wholesale such as engines, transmissions and alternators, and sells them at auction. The remaining auto body is crushed and sold as scrap metal.

Our GreenLeaf full-service stores generally feature late model vehicles and are geared towards wholesale customers such as collision and mechanical repair shops providing insurance-funded repairs. Each facility has a professional staff that dismantles the vehicles, tests the individual parts and places them in our warehouses. As orders come in, our staff pulls the requested parts, packages them and ships them to our customers via our delivery trucks. As with the self-service stores, the remaining auto bodies are crushed and sold as scrap metal.

Steel Manufacturing Business

The Steel Manufacturing Business purchases recycled metal from the Metals Recycling Business and turns it into high-quality finished steel products. Operating as Cascade Steel Rolling Mills , we produce a wide range of products at our state-of-the-art mini-mill such as reinforcing bar (rebar), coiled reinforcing bar, wire rod, merchant bar and other specialty products. Our mini-mill is the only one in the Western U.S. that obtains all its recycled metal from its own affiliated metal recycling operations. In fiscal 2007, the division produced over 712,000 tons of finished products.

Cascade Steel's electric arc furnace (EAF) is more energy efficient and environmentally friendly than traditional blast furnaces. Processed scrap is melted by the EAF and then cast into billets. On-site rolling mills convert the billets into the finished products.

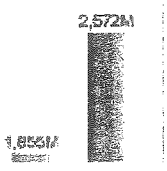
Cascade Steel sells to customers primarily located in the 10 western states from its mill in McMinnville, OR (near Portland) and distribution centers in El Monte, CA (near Los Angeles) and Lathrop, CA (near Stockton). Typical customers are steel service centers, construction industry subcontractors, steel fabricators, wire drawers and major farm and wood product suppliers.

By The Numbers - Fiscal 2007	
Recycled metal bought, traded, brokered and processed	5.7 million long tons
Finished steel products produced	712,958 short tons
Metals recycling facilities	35*
Locations with deep water ports	6
Auto parts locations	54*
Full-Time Employees	3,499
Revenue	$2.57 billion

As of end of fiscal year 2007 (8/31/2007) except those with asterisks are as of 12/14/2007

Growth

Schnitzer Steel has grown into a global leader in the steel industry through value-creating acquisitions and constant improvements to our processing, manufacturing and information technologies. Over the last three fiscal years, we have spent $216 million in capital improvements to maintain our competitive advantage as an efficient



metals recycler and manufacturer. In the last five years, metal recycling volume has risen 205% and revenue has grown by 418%. Our growth strategy has been a big part of our success in the past and will continue to be in the future.

Sustainability

Our strength and success is directly related to our focus on sustainability. We've worked hard over the years to integrate that focus into every layer of our culture.

Sustainability starts with our business model. Recycling metal instead of using virgin ore to create new steel products saves energy and natural resources. By using recycled metals, the steel industry saves enough energy each year to power 18 million households. Recycling one ton of steel conserves 2,500 pounds of iron ore, 1,400 pounds of coal and 120 pounds of limestone. Creating products from recycled steel instead of virgin ore uses 40% less water and reduces mining wastes by 97%. And of course, each auto part that is re-used is one less part that needs to be created, not to mention the metals, plastics, and other materials that would need to be produced for it.

However, sustainability doesn't end with our business model. All of our businesses are constantly working on reducing our environmental footprint. Over the years, we've improved our processes and controls, invested capital to increase our efficiency and decrease our energy use, and fostered a culture of resourcefulness and accountability. For example, some of our metals recycling facilities have installed state-of-the-art storm water collection systems to protect the surrounding communities and ultra-efficient power substations to reduce energy use. All of our auto parts locations follow a standardized environmentally friendly process to remove and recycle vehicle fluids and hazardous materials before parts are removed. Overall, we've shown that it is possible to operate profitably while maintaining a focus on sustainability and being responsible stewards of our environment.

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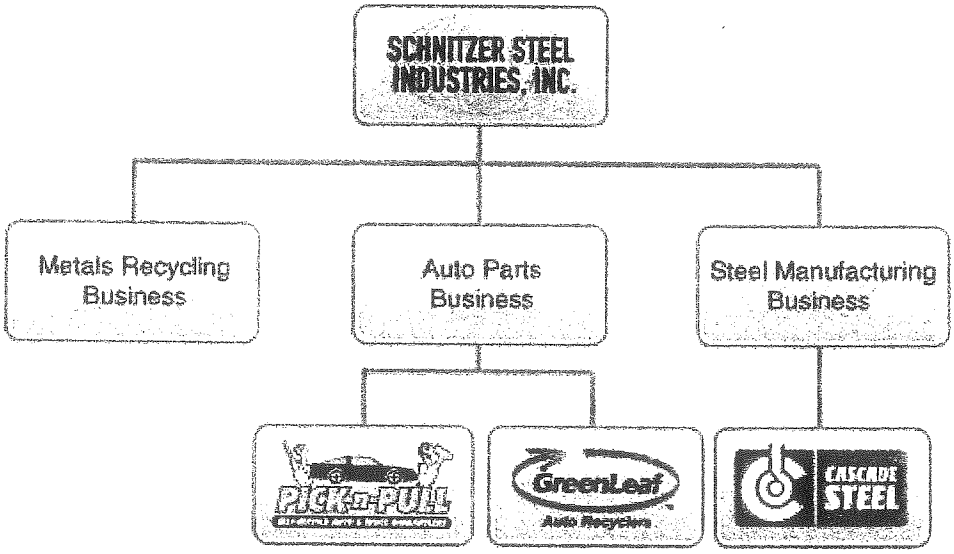
Profile

Founded in 1906 as a one-man scrap metal operation, Schnitzer Steel Industries, Inc., has become one of the nation's largest recyclers of scrap metal, a leading provider of used and recycled auto parts and a manufacturer of finished steel products.

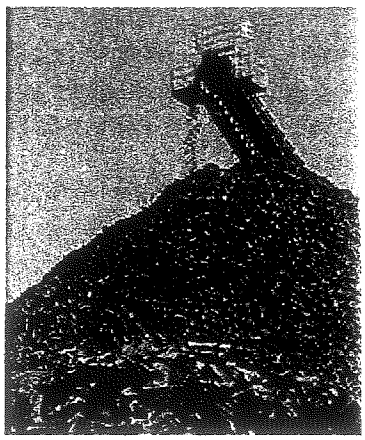
With a rapidly growing national and global reach, the company achieved $2.6 billion in revenues in fiscal 2007 and is now a member of the Fortune 1000. Schnitzer Steel common stock is traded on the NASDAQ Stock Market under the symbol SCHN.

With corporate headquarters based in Portland, Oregon, the company is split into three vertically integrated business units, the Metals Recycling Business, the Auto Parts Business and the Steel Manufacturing Business.



Metals Recycling Business

The Metals Recycling Business collects, trades, brokers, processes and recycles metal, both ferrous (containing iron) and nonferrous (not containing iron).



Raw scrap metal is purchased from industrial manufacturers, railroads, auto salvage facilities, metal dealers and individuals. The metal generally comes from obsolete machinery and equipment such as autos, railroad cars, railroad tracks, home appliances and demolition metal from buildings and other obsolete structures. As part of the company's vertical integration, we also purchase crushed auto bodies from our Auto Parts Business facilities, where geographically feasible. Purchased materials arrive at our 35 metals recycling facilities daily by ship, barge, rail, truck, car and even

individuals on foot.

Our proximity to large industrial suppliers and major railroad routes, deep water ports and major highways provides us with a competitive advantage. We purchase raw material from the Western U.S. and Canada, Hawaii, Alaska, the New England states and the Southeast.

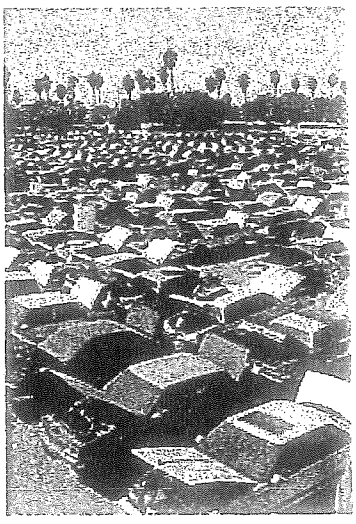
Once the raw scrap metal arrives at one of our yards, it is processed by sorting, shearing, shredding, torching and baling. This results in metal processed into pieces of a size, density and purity required by steel mills and foundries for melting and use in the production of new finished steel and other metal products. Smaller, more homogeneous pieces of processed metal have more value because they are more easily utilized by steel mills and foundries.

One of the most efficient ways to process metal is to use shredding systems, such as those installed at eight of our facilities. A shredder can reduce auto bodies, home appliances and other metal into fist-sized pieces in seconds. Shredded material is then carried by conveyor under magnetized drums which attract the ferrous materials and separate them from the nonferrous materials. The remaining nonferrous metal is sorted and graded before being sold or is sold unsorted. Processed recycled metals are sold to domestic and foreign customers including ferrous metals sold to our Steel Manufacturing Business (highlighting another example of our company's vertical integration). We ship to our customers primarily via ships, railroad cars and trucks and achieve cost efficiencies by taking advantage of our six facilities located at deep water ports and locations close to major railroads and highways. In fiscal 2007, our recycling facilities processed almost 4.3 million tons of ferrous metal and over 383 million pounds of nonferrous metal.

Our Schnitzer Global Exchange subsidiary is a trading company that provides scrap metal to global markets by purchasing processed ferrous metal from metal processors in Russia and the rest of the Baltic region and then sells it to steel mills around the world. Global Exchange traded 1.2 million tons of steel to numerous countries around the world in fiscal 2007. Global Exchange allows Schnitzer Steel to further meet customer needs and expands our share of the global market for recycled ferrous metal.

We are also involved in several joint ventures that provide us additional opportunities for recycling metals and other materials.

Auto Parts Business



The Auto Parts Business runs one of the nation's leading self-service and full-service used auto parts networks. Our 54 locations in 18 U.S. states and Canadian provinces are dedicated to supplying our customers with low-cost, quality used auto parts.

In general, we purchase used and salvaged vehicles from tow companies, private parties, auto auctions and charities. Generally, the parts are then removed and sold through our stores although some repairable vehicles are sold as is. The remaining portions of vehicles are crushed and sold to metal recyclers (including Metals Recycling Business facilities where geographically feasible) which process them into sellable recycled metal.

Our Pick-n-Pull self-service stores generally accommodate older, end-of-life vehicles and are geared towards retail customers such as "do-it-yourselfers". Each facility stocks a large number of domestic and foreign cars, vans and light trucks which are continually replaced by new arrivals to offer our customers a wide and fresh selection of parts to choose from. At these self-service stores, the customer pays a nominal admission fee, finds a vehicle with the desired parts and removes them without the assistance of our store personnel.

Environmental Responsibility

We have a clear and well-publicized policy on scrap acceptance. For both environmental and legal reasons, we only accept scrap metals that comply with our policies. With the proliferation of metal theft across the U.S, we are doing our part to minimize the market for stolen materials.

As a leader in metals recycling, we process hundreds of thousands of tons of metal each year – materials that might otherwise end up in landfills or be disposed of in other, less appropriate, ways.

We keep an eye out for hazardous materials that may inadvertently come to us from customers. We have the experience and knowledge to deal with these materials and ensure they are correctly handled. If our scrap suppliers have regulatory concerns about materials, our environmental and safety staff works closely with them to address any issues.

Above all, we are dedicated to working in a safe and environmentally friendly way, and to minimizing the impact of our operations on the land, air and water around us. This pledge is evident throughout our company. We continually invest in new technologies, improve our processes to reduce waste, and seek out methods to enhance our operations.

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bins for future processing, with the majority of the Non Ferrous work being performed within the confines of the building.

A Strategic Transportation Network

Schnitzer Northeast has developed an integrated transportation network — consisting of a strong truck fleet and accessible rail systems — that stretches across the region. It's designed to let us meet the needs of all our customers, whether their businesses are large or small.

Our 12 facilities — including two deep-water ports — have favorable access to central rail and roadway thoroughfares. We're strategically positioned to efficiently collect unprocessed metals from our suppliers and distribute processed materials to U.S. and foreign steel producers and other customers we serve.

Our Northeast deep-water export facilities are in Providence, Rhode Island and Boston, Massachusetts. Together, these locations ship more than two million tons of ferrous metal annually to our customers in Spain, China, Taiwan, Turkey and many other international markets.

Our trucking fleet consists of more than 100 heavy-duty, company-owned and independently owned vehicles that transport more than 8,000 tons of metal to and from our facilities each day. We also own more than 200 rail cars, which allow us to easily pick up and ship material anywhere in North America.

Our People and Communities

One of our greatest strengths is the experience of our people. They're seasoned professionals who understand the industry and our customers' needs. Most importantly, they are both driven and empowered to deliver the unparalleled, excellent service our customers know they can count on, year after year.

We live and work in the region we serve. Not only do we employ more than 350 people throughout the Northeast, but we're always looking for ways to enrich the quality of life in the communities where we do business. We contribute to local service organizations – such as the Boys & Girls Club, Chambers of Commerce and the Woonasquatucket River Watershed Council – and regularly encourage our employees to participate in civic activities.

At Prolerized New England Company LLC, we believe our strength and success are directly related to our focus on sustainability. We must continue to be good neighbors to our communities and responsible stewards of our environment; both are crucial to our continued success.

We believe that both individuals and organizations are defined by their actions. In keeping with this principle, we operate in compliance with all applicable laws and regulations. To us, this approach is both the right thing to do and a good business model. We treat our customers, suppliers, partners and colleagues with the respect and honesty we expect to receive in return.

6. This Agreement, together with the covenants and warranties contained herein. shall inure to the benefit of, and be binding upon, the parties and their respective successors and assigns. Except as expressly set forth herein, the NEMR Contract shall remain unamended and in full force and effect.

7. This Agreement may be executed in counterparts, each of which shall be deemed an original and which, together, shall constitute one and the same agreement.

8. Each provision of this Agreement is severable from any and all other provisions of this Agreement. Should any provision(s) of this Agreement be for any reason unenforceable, the balance shall nonetheless be of full force and effect.

9. This Agreement shall be governed by and construed in accordance with the laws of the State of Maine without regard for conflict of law principles.

10. Nothing in this Agreement shall be construed to release the City from its representations, covenants and obligations, including but not limited to its indemnity obligations, to NEMR under the Agreement

[Remainder of page intentionally left blank.]

Executed by the parties below as the date first written above.

CITY OF PORTLAND,
a body politic and corporate

By: _____
Name: Joseph E. Gray, Jr.
Title: City Manager

THE TRUST FOR PUBLIC LAND,
a California public benefit corporation

By: _____
Lauren L. Butler
Regional Counsel

NEW ENGLAND METAL RECYCLING, LLC, a Massachusetts limited liability company

By: _____
Name: _____
Title: _____

ASSIGNMENT

This ASSIGNMENT (this "Agreement") is entered into effective as of January 13, 2006, by and among the CITY OF PORTLAND, a body politic and corporate (the "City"), as assignor, THE TRUST FOR PUBLIC LAND, a California public benefit corporation ("TPL"), as assignee, and NEW ENGLAND METAL RECYCLING, LLC, a Massachusetts limited liability company ("NEMR").

WHEREAS, TPL has the right to purchase approximately 54 acres of land located on Riverside Street in Portland, Maine (the "Riverside Site"), pursuant to that certain Option Agreement by and between John Lucas Tree Expert Co., a Maine corporation, and Arthur W. Batson, Jr., an individual residing in Maine (together, "Owner"), as seller, and Riverside Ventures, LLC ("RV LLC"), as buyer, dated September 10, 2004, as assigned by RV LLC to the City by means of that certain Assignment dated January 28, 2005, which was consented to by Owner pursuant to that certain letter from Owner to RV LLC dated January 27, 2005, as amended by that certain Addendum to Option Agreement dated December 29, 2005, and as assigned to TPL by the City by means of that certain Assignment dated as of January 13, 2006, which was consented to by Owner pursuant to that certain Consent to Assignment dated as of January 13, 2006 (as so assigned and amended, the "Riverside Option"); and

WHEREAS, the City previously entered into that certain Agreement of Purchase and Sale by and between the City, as seller, and NEMR, as buyer, dated January 13, 2006 (the "NEMR Contract"), pursuant to which, *inter alia*, the City agreed to convey a portion of the Riverside Site to NEMR; and

WHEREAS, the City desires to assign to TPL, and TPL desires to accept, certain rights and obligations of the City under such agreement, subject to the terms of this Assignment, and NEMR wishes to consent to such assignment; and

Capitalized terms used herein, but not defined herein, shall have the meanings ascribed to them in the NEMR Contract and all section and paragraph references used herein are to the corresponding sections and paragraphs in the NEMR Contract unless otherwise stated.

NOW THEREFORE, the parties hereby agree as follows:

1. The City hereby sells, assigns, transfers and conveys to TPL all of its right, title and interest in and to the NEMR Contract (including, but not limited to, all of the City's rights in and to the Deposit), and TPL hereby accepts such assignment and assumes all of Buyer's unperformed obligations under the NEMR Contract, subject to the following limitations:

(a) TPL does not assume or accept any of the City's obligations under the NEMR Contract which were required to be performed prior to the date of this Agreement, including, but not limited to certain obligations of the City set forth in Sections 5(b), 8(a), 8(b), 10(a), and 10(b); and

(b) TPL does not assume or accept any of the City's rights and/or obligations under the Bayside Agreement; and

(c) TPL does not assume or accept any of the City's obligations set forth in Sections 1(b), 6 (other than subsection (p) with respect to the period commencing on the date of this Agreement), 8(a), 8(b), 8(e), 8(f), 8(h), 9, 11(c), and 18(a).

2. The City represents and warrants that, as of the date hereof, (i) it is the sole owner of the seller's interests in the NEMR Contract, (ii) it has not transferred, assigned or otherwise pledged all or any portion of its interest in the NEMR Contract to any other party, (iii) a true, complete and correct copy of the NEMR Contract is attached hereto as Exhibit A and the NEMR Contract has not been modified, amended or terminated, and (iv) neither the City nor NEMR is in default under any of the terms, covenants or conditions of the NEMR Contract.

3. NEMR represents and warrants that, as of the date hereof, (i) it is the sole owner of the buyer's interests in the NEMR Contract, (ii) it has not transferred, assigned or otherwise pledged all or any portion of its interest in the NEMR Contract to any other party, (iii) a true, complete and correct copy of the NEMR Contract is attached hereto as Exhibit A and the NEMR Contract has not been modified, amended or terminated, and (iv) neither the City nor NEMR is in default under any of the terms, covenants or conditions of the NEMR Contract.

4. TPL represents and warrants that (i) TPL has full power and authority to enter into this Agreement and the person(s) signing this Agreement for TPL has full power and authority to sign for TPL and to bind it to this Agreement, and, upon Seller's acquisition of the Option Premises and the successful subdivision of such site, to sell, transfer and convey all right, title and interest in and to the Riverside Property, (ii) neither the execution and delivery of the Agreement nor TPL's performance of its obligations hereunder will constitute a breach or default under any agreement to which TPL is bound, (iii) TPL is not a "foreign person" as defined in the Foreign Investment and Real Property Tax Act, and (v) TPL's federal identification number is 23-7222333.

5. For purposes of Section 16, TPL's notice addresses are as follows:

The Trust for Public Land
33 Union Street
Boston, MA 02108
Attn: Arthur Badger Blackett, Jr., Project Manager

With a required copy to:

The Trust for Public Land
33 Union Street
Boston, MA 02108
Attn: Lauren L. Butler, Regional Counsel

PROJECT SUMMARY

Prolerized New England Company LLC ("PNE") is a leading purchaser and processor of recyclable scrap metals, with twelve locations in the Northeast. PNE is part of Schnitzer Steel Industries, Inc., a global leader in the recycling and sale of ferrous and nonferrous metal.

Currently, PNE owns and operates a metal recycling facility on Somerset Street in the Bayside neighborhood of Portland. As an integral part of the City's Bayside redevelopment plans, the City coordinated the acquisition of land on Riverside Street with the express purpose of relocating several existing facilities, including the City Public Works facility, out of Bayside. PNE intends to sell its existing site to the City and plans to purchase land from the City to construct and operate a full service integrated ferrous and nonferrous processing/recycling center at the Riverside Street site, thus continuing its business operations in the City. The facility, which receives scrap metal from vendors in the Greater Portland area, is expected to process about 75,000 tons of metal per year. The metal products will be segregated into commodities such a ferrous metals, light iron, aluminum, copper, white goods, and automobiles. Periodically, materials will be transported, mostly by truck, to the PNE central processing facility in Everett, Massachusetts, other Schnitzer facilities or directly to consumers.

The PNE facility will be located on a 13.2 acre site, part of the former Lucas Tree property, although only about 7.6 acres will be developed. PNE will construct a new 18,800 square foot building, to house its offices and non-ferrous metal processing. The building will be set back more than 200 feet from Riverside Street and more than 35 feet from the nearest side lot line. Natural features, fencing and landscaping will buffer the site from neighboring properties and Riverside Street. Further, the main building on the site will screen larger piles of scrap metal from the driving public on Riverside Street.

PNE will preserve the area adjacent to the Presumpscot River from development and plans to plant trees along the West edge of the development to screen operations from residential properties across the River. Although a small area of the site is located within the 100-year flood zone along the River, site development will occur in the existing plateau, which is thirty feet above the flood elevation and more than one hundred feet horizontal away from the flood zone. The remaining work areas of the site will be paved with concrete or another impervious surface. A state of the art stormwater system will be installed, using best management practices to ensure any impacts from stormwater are minimized.

The site is located in an industrial area with good access for truck traffic. Metal materials will be delivered to the site by truck and processed on site. The traffic study submitted by Gorrill-Palmer Consulting Engineers, Inc., concluded that the facility will generate 19 and 17 trip ends for the weekday AM and PM peak hours, respectively, which does not trigger the need for a Maine DOT traffic permit. In addition, the level of service at the Warren Avenue and Forest Avenue intersections with Riverside Street will not be affected by the proposed development and sight lines exceed MaineDOT and City of Portland minimum requirements.

This will be a state of the art facility, operating between the hours of 6:00 am and 6:00 pm Monday through Friday and typically from 9:00 am until noon on Saturdays. Normal delivery hours will be from 7:00 am to 4:00 pm Monday through Friday. The full service integrated ferrous and nonferrous processing/recycling center will include trucking operations, including container trucks and trailers, flat beds and a variety of trailers. The facility will employ careful acceptance and rejection procedures that eliminate production of bypass material at the facility. Material that cannot be handled and shipped to other facilities (mostly the Everett, Massachusetts facility) will not be accepted. Materials are inspected upon arrival and segregated. Material oil collected will be stored in secure above ground tanks and disposed of appropriately.

Ferrous materials generally arrive in large trucks and will be processed on an impervious surface by cranes with magnets or grapples, hydraulic excavators equipped with shears, car flatteners, balers and cutting torches. Materials will be stored outside on an impervious surface. Non-ferrous scrap will be graded, sorted and packaged for shipment to consuming mills around the world. Processing will include hand sorting, shearing, stripping, analyzing and baling. Forklifts will be equipped with squeeze forks and rotators. Some materials will be stored outside in roof-covered bins but most work will occur within the confines of the building. Outdoor storage of all materials will be conducted in accordance with all applicable regulations.

Stormwater runoff created because the operating site consists of impermeable surfaces will be collected in a silt drainage control channel, directed through a an oil water separator, receive additional treatment in a wet pond with a gravel filter outlet, flow through existing manmade swales containing wetland vegetation to uptake nutrients before discharging to a stream and associated wetlands on the South side of the property.

The Noise Impact Assessment Study conducted by Epsilon Associates, Inc., concluded that the primary sources of noise at the proposed facility will be excavators used to move materials, Loader Waste Handlers used to clear and move material, and back-up alarms from trucks. The Study concluded that the equipment expected to be used at the facility will operate at noise levels well within City noise regulations and without substantial impact to the surrounding ambient noise environment.

Environmental monitoring at the site will include groundwater monitoring wells at locations to be selected in conjunction with the Maine DEP and the Department of Planning and Economic Development. Monitoring of soil and groundwater will be conducted in accordance with Chapter 31 of the Code and the requirements imposed by the scrap metal recycling facility license (issued by the City Council) and the DEP.

This proposed facility meets the standards of the City of Portland and the Maine DEP and will provide a safe and environmentally responsible means for the recycling of scrap metal. We look forward to presenting this application to the City Council.

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In fact, during 2006 Schnitzer Steel Industries recycled more than three million tons of ferrous metals and sold another one million tons through its global trading business. The company also sold more than 300 million pounds of nonferrous metals.

Facility Overview

Prolerized New England Company LLC plans to operate a full service integrated ferrous and nonferrous processing/recycling center at the Riverside, Portland Maine location. In addition, to facilitate the orderly transfer of material, both incoming and outgoing, Prolerized New England Company LLC plans to operate company trucks from the facility. These trucks could include container trucks and trailers, flat beds, car trailers, dump trailers, walking and dead floor trailers as well as drop deck and low bed trailers.

The following will provide an overview of the main items to be handled at the Riverside facility:

Ferrous Scrap

Ferrous scrap consisting of iron steel and cast iron will arrive at the facility in many different forms and classifications such as:

- Prepared Steel-Material that arrives that conforms to the size requirements of 5 feet x 2 feet, thickness and quality. This material needs no further processing.
- Unprepared Steel-Material that needs to be processed into prepared steel.
- Mixed Steel-Material that needs to be sorted and processed to create a marketable ferrous commodity.
- Cast Iron-consisting of radiators, boilers and obsolete machinery that is not steel.
- Light Iron/white Goods-Obsolete appliances, roofing and other ferrous items usually generated from households/transfer stations.
- Automobiles and Obsolete vehicles that are processed within the requirements of the Maine DEP, DOT and federal environmental regulations.
- Obsolete Machinery-Equipment generated from either discontinued operations or replacement of older equipment, generally from manufacturing operations, within the requirements of state and federal regulations.

Corporate Organization

The applicant, Prolerized New England Company LLC ("PNE"), proposes to construct a state of the art metal recycling facility. PNE is a Delaware limited liability company, registered to do business in the state of Maine. The managing members of PNE are Proleride Transport Systems, Inc. and TTS Recycling LLC, each of which owns a 50% interest of PNE. Proleride Transport Systems, Inc. and TTS Recycling LLC are indirect, wholly-owned subsidiaries of Schnitzer Steel Industries, Inc. ("Schnitzer Steel"). "Schnitzer Northeast" is a trade name of Schnitzer Steel for many of its operations in the Northeastern United States. Facility signage for the facility will state Schnitzer Northeast, Prolerized New England Company LLC.

Company Overview

Prolerized New England Company LLC is a leading purchaser of recyclable scrap metals. We process a significant portion of the metals that are recycled in the northeastern United States each year; we also supply mills around the world with material for use in creating new products.

As a part of Schnitzer Steel Industries, Inc., a publicly traded company that's known internationally as a leader in our industry, we have the financial resources to continue improving and expanding our operations. We take great pride in serving our customers and our communities as we continue to build our business.

We're proud of our reputation as a customer-focused company that operates with integrity to deliver outstanding service. With 12 locations in the Northeast, we enjoy the size and scale to assist both smaller customers and larger industrial accounts. Years of experience give our professional team a solid grounding in the realities of competitive pricing and the importance of excellent customer service.

The scrap metal we purchase from across the region is delivered to our processing facilities in Everett, Massachusetts. These operations feature state-of-the-art shredding, shearing, sorting, handling and loading equipment and capabilities. We efficiently process scrap material and separate ferrous and nonferrous metals from other residual materials; these metals are sold to steel mills and other domestic and international customers that use them to manufacture new products. Recycling metals enables millions of tons of material to find new uses each year – and, of equal importance, to stay out of our nation's landfills.

Our trucking fleet consists of more than 100 heavy-duty, company-owned and independently owned vehicles that transport more than 8,000 tons of metal to and from our facilities each day. We also own more than 200 rail cars, which allow us to easily pick up and ship material anywhere in North America.

Our People and Communities

One of our greatest strengths is the experience of our people. They're seasoned professionals who understand the industry and our customers' needs. Most importantly, they are both driven and empowered to deliver the unparalleled, excellent service our customers know they can count on, year after year.

We live and work in the region we serve. Not only do we employ more than 350 people throughout the Northeast, but we're always looking for ways to enrich the quality of life in the communities where we do business. We contribute to local service organizations – such as the Boys & Girls Club, Chambers of Commerce and the Woonasquatucket River Watershed Council – and regularly encourage our employees to participate in civic activities.

At Prolerized New England Company LLC, we believe our strength and success are directly related to our focus on sustainability. We must continue to be good neighbors to our communities and responsible stewards of our environment; both are crucial to our continued success.

We believe that both individuals and organizations are defined by their actions. In keeping with this principle, we operate in compliance with all applicable laws and regulations. To us, this approach is both the right thing to do and a good business model. We treat our customers, suppliers, partners and colleagues with the respect and honesty we expect to receive in return.

Environmental Responsibility

We have a clear and well-publicized policy on scrap acceptance. For both environmental and legal reasons, we only accept scrap metals that comply with our policies. With the proliferation of metal theft across the U.S, we are doing our part to minimize the market for stolen materials.

As a leader in metals recycling, we process hundreds of thousands of tons of metal each year – materials that might otherwise end up in landfills or be disposed of in other, less appropriate, ways.

These materials will be handled on an impervious surface and will be processed by cranes equipped with magnets or grapples, hydraulic excavators equipped with shears, car flatteners, balers and cutting torches.

Materials will be processed to maximize loads that conform to State and Federal transport requirements. The material will be shipped to either our Everett Mass. plant, one of our other 9 locations or to domestic consumers. Outgoing materials will either travel by tractor trailer or be transferred to rail or barge at another location.

Non-Ferrous Scrap

Non-Ferrous scrap includes copper, brass, aluminum, nickel, stainless steel, and any other nonferrous recyclable materials.

The materials will be graded, sorted and packaged for shipment to consuming mills through out the world. The materials generated from the Riverside operations will be aggregated with other nonferrous materials generated from our other plants. This processing by trained personnel will be accomplished by hand sorting, shearing, stripping, analyzing and baling, Forklifts equipped with squeeze forks and rotators will be used. Some materials will be stored outside in bins for future processing, with the majority of the Non Ferrous work being performed within the confines of the building.

A Strategic Transportation Network

Schnitzer Northeast has developed an integrated transportation network — consisting of a strong truck fleet and accessible rail systems — that stretches across the region. It's designed to let us meet the needs of all our customers, whether their businesses are large or small.

Our 12 facilities — including two deep-water ports — have favorable access to central rail and roadway thoroughfares. We're strategically positioned to efficiently collect unprocessed metals from our suppliers and distribute processed materials to U.S. and foreign steel producers and other customers we serve.

Our Northeast deep-water export facilities are in Providence, Rhode Island and Boston, Massachusetts. Together, these locations ship more than two million tons of ferrous metal annually to our customers in Spain, China, Taiwan, Turkey and many other international markets.

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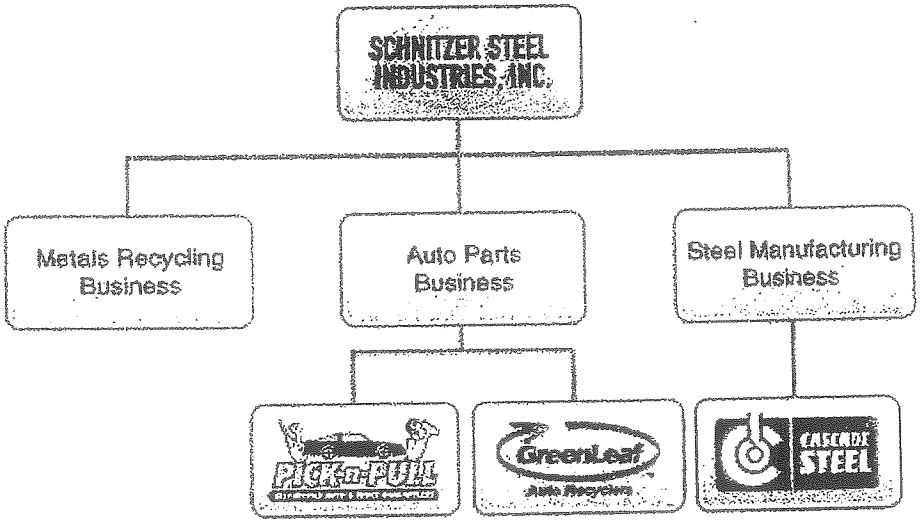
Profile

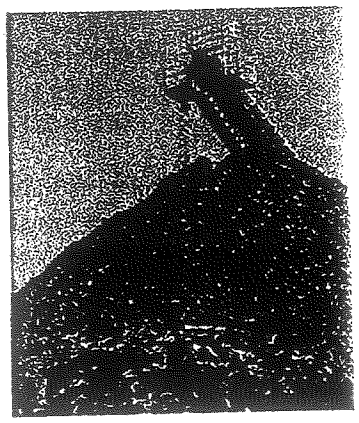
Founded in 1906 as a one-man scrap metal operation, Schnitzer Steel Industries, Inc., has become one of the nation's largest recyclers of scrap metal, a leading provider of used and recycled auto parts and a manufacturer of finished steel products.

With a rapidly growing national and global reach, the company achieved $2.6 billion in revenues in fiscal 2007 and is now a member of the Fortune 1000. Schnitzer Steel common stock is traded on the NASDAQ Stock Market under the symbol SCHN.

With corporate headquarters based in Portland, Oregon, the company is split into three vertically integrated business units, the Metals Recycling Business, the Auto Parts Business and the Steel Manufacturing Business.



Metals Recycling Business



The Metals Recycling Business collects, trades, brokers, processes and recycles metal, both ferrous (containing iron) and nonferrous (not containing iron).

Raw scrap metal is purchased from industrial manufacturers, railroads, auto salvage facilities, metal dealers and individuals. The metal generally comes from obsolete machinery and equipment such as autos, railroad cars, railroad tracks, home appliances and demolition metal from buildings and other obsolete structures. As part of the company's vertical integration, we also purchase crushed auto bodies from our Auto Parts Business facilities, where geographically feasible. Purchased materials arrive at our 35 metals recycling facilities daily by ship, barge, rail, truck, car and even

We keep an eye out for hazardous materials that may inadvertently come to us from customers. We have the experience and knowledge to deal with these materials and ensure they are correctly handled. If our scrap suppliers have regulatory concerns about materials, our environmental and safety staff works closely with them to address any issues.

Above all, we are dedicated to working in a safe and environmentally friendly way, and to minimizing the impact of our operations on the land, air and water around us. This pledge is evident throughout our company. We continually invest in new technologies, improve our processes to reduce waste, and seek out methods to enhance our operations.

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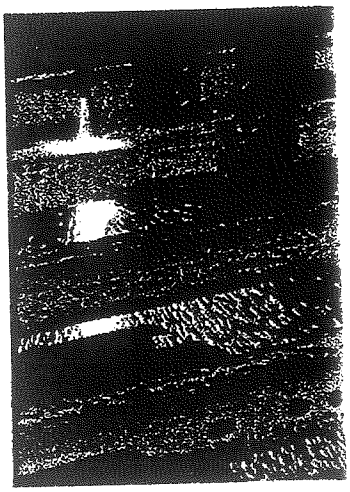
Received from Schnitzer 05/07/07

After a vehicle has finished its time in the customer area, our staff removes remaining "core" parts that can be sold wholesale such as engines, transmissions and alternators, and sells them at auction. The remaining auto body is crushed and sold as scrap metal.

Our GreenLeaf full-service stores generally feature late model vehicles and are geared towards wholesale customers such as collision and mechanical repair shops providing insurance-funded repairs. Each facility has a professional staff that dismantles the vehicles, tests the individual parts and places them in our warehouses. As orders come in, our staff pulls the requested parts, packages them and ships them to our customers via our delivery trucks. As with the self-service stores, the remaining auto bodies are crushed and sold as scrap metal.

Steel Manufacturing Business



The Steel Manufacturing Business purchases recycled metal from the Metals Recycling Business and turns it into high-quality finished steel products. Operating as Cascade Steel Rolling Mills , we produce a wide range of products at our state-of-the-art mini-mill such as reinforcing bar (rebar), coiled reinforcing bar, wire rod, merchant bar and other specialty products. Our mini-mill is the only one in the Western U.S. that obtains all its recycled metal from its own affiliated metal recycling operations. In fiscal 2007, the division produced over 712,000 tons of finished products.

Cascade Steel's electric arc furnace (EAF) is more energy efficient and environmentally friendly than traditional blast furnaces. Processed scrap is melted by the EAF and then cast into billets. On-site rolling mills convert the billets into the finished products.

Cascade Steel sells to customers primarily located in the 10 western states from its mill in McMinnville, OR (near Portland) and distribution centers in El Monte, CA (near Los Angeles) and Lathrop, CA (near Stockton). Typical customers are steel service centers, construction industry subcontractors, steel fabricators, wire drawers and major farm and wood product suppliers.

By The Numbers - Fiscal 2007	
Recycled metal bought, traded, brokered and processed	5.7 million long tons
Finished steel products produced	712,958 short tons
Metals recycling facilities	35*
Locations with deep water ports	6
Auto parts locations	54*
Full-Time Employees	3,499
Revenue	$2.57 billion

As of end of fiscal year 2007 (8/31/2007) except those with asterisks are as of 12/14/2007

Growth

Schnitzer Steel has grown into a global leader in the steel industry through value-creating acquisitions and constant improvements to our processing, manufacturing and information technologies. Over the last three fiscal years, we have spent $216 million in capital improvements to maintain our competitive advantage as an efficient

individuals on foot.

Our proximity to large industrial suppliers and major railroad routes, deep water ports and major highways provides us with a competitive advantage. We purchase raw material from the Western U.S. and Canada, Hawaii, Alaska, the New England states and the Southeast.

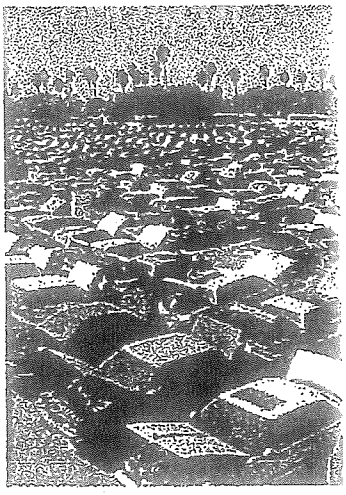
Once the raw scrap metal arrives at one of our yards, it is processed by sorting, shearing, shredding, torching and baling. This results in metal processed into pieces of a size, density and purity required by steel mills and foundries for melting and use in the production of new finished steel and other metal products. Smaller, more homogeneous pieces of processed metal have more value because they are more easily utilized by steel mills and foundries.

One of the most efficient ways to process metal is to use shredding systems, such as those installed at eight of our facilities. A shredder can reduce auto bodies, home appliances and other metal into fist-sized pieces in seconds. Shredded material is then carried by conveyor under magnetized drums which attract the ferrous materials and separate them from the nonferrous materials. The remaining nonferrous metal is sorted and graded before being sold or is sold unsorted. Processed recycled metals are sold to domestic and foreign customers including ferrous metals sold to our Steel Manufacturing Business (highlighting another example of our company's vertical integration). We ship to our customers primarily via ships, railroad cars and trucks and achieve cost efficiencies by taking advantage of our six facilities located at deep water ports and locations close to major railroads and highways. In fiscal 2007, our recycling facilities processed almost 4.8 million tons of ferrous metal and over 383 million pounds of nonferrous metal.

Our Schnitzer Global Exchange subsidiary is a trading company that provides scrap metal to global markets by purchasing processed ferrous metal from metal processors in Russia and the rest of the Baltic region and then sells it to steel mills around the world. Global Exchange traded 1.2 million tons of steel to numerous countries around the world in fiscal 2007. Global Exchange allows Schnitzer Steel to further meet customer needs and expands our share of the global market for recycled ferrous metal.

We are also involved in several joint ventures that provide us additional opportunities for recycling metals and other materials.

Auto Parts Business



The Auto Parts Business runs one of the nation's leading self-service and full-service used auto parts networks. Our 64 locations in 18 U.S. states and Canadian provinces are dedicated to supplying our customers with low-cost, quality used auto parts.

In general, we purchase used and salvaged vehicles from tow companies, private parties, auto auctions and charities. Generally, the parts are then removed and sold through our stores although some repairable vehicles are sold as is. The remaining portions of vehicles are crushed and sold to metal recyclers (including Metals Recycling Business facilities where geographically feasible) which process them into sellable recycled metal.

Our Pick-n-Pull self-service stores generally accommodate older, end-of-life vehicles and are geared towards retail customers such as "do-it-yourselfers". Each facility stocks a large number of domestic and foreign cars, vans and light trucks which are continually replaced by new arrivals to offer our customers a wide and fresh selection of parts to choose from. At these self-service stores, the customer pays a nominal admission fee, finds a vehicle with the desired parts and removes them without the assistance of our store personnel.

Spurlock Station, Unit 1&2 $500 Million, 320 Mw & 550-MW coal-fired electric generating facility in Maysville, KY
Dale Station Units 1 and 2 - $16 million renovation of two -1955/1959 vintage, 22-MW each, coal-fired electric generating stations.
Cooper Station
Construction of a $21 million, 1625 foot long earth and rock Class "B" Dam, for impounding sluiced fly ash and bottom ash from two coal-fired power stations (100/220 MW).

F. RILEY STOKER CORPORATION - 1971-1975 Project Engineer
Package boiler design, Flue Gas systems design, Coal gas R&D

G. GENERAL ELECTRIC COMPANY - 1968-1970 Engineer/Designer

EDUCATION & PROFESSIONAL AFFILIATIONS

***B.S. Mechanical Engineering*, 1971, Lowell Technological Institute**
***A.S. Mechanical Engineering*, 1969, Wentworth Institute**
Certificate of Technology, Mechanical Design, 1968, Wentworth Institute
Advanced Management Program/NRECA
Presidents Association Program
Management Science/Xavier
Construction Law/ Xavier
Project Management Using MicroSoft Project/ BU
Completed various other technical and management courses through company-sponsored education programs.

Member, American Society of Mechanical Engineers

Commonwealth of Massachusetts, Construction Supervisors license #CS-064408

References will be provided upon request;

JOHN R. GHIRINGHELLI

366 South St.
Northborough, Ma. 01532
Tel:(508)-393-3010
Fax:(508)-393-0360

EXPERIENCE SUMMARY

Mr. Ghiringhelli is a highly experienced executive specializing in large, fast-tracked, Projects involving both Power and Commercial. He possesses extensive experience with the construction of commercial and industrial buildings including high raise projects, as are evident from the following description of his experience. He has extensive experience in all phases of project management including design, engineering and construction of major projects from the selection of AE's to all design and specification review and approval. His experience includes a track record of successful projects including Fixed Price, EPC projects. His responsibilities have included all phases of Corporate and project Development, licensing coordination, negotiations, all contract administration selection and pre-qualification of vendors and contractors, construction management, tests, coordination of start-up, warranties, certification of completion and management of operations and maintenance.

A. GHIRINGHELLI CONSULTING 1994-Present

B. CAITHNESS RESOURCES, INC. - 1991-1994

While with Caithness lead a wide Variety of development including power and environmental projects;
Rhode Island Cogeneration Project - 80 MW coal-fired, circulating fluidized bed combustion power Cogeneration project
Topsham CoGeneration Project - 86 MW coal-Biomas fired, circulating fluidized bed combustion power Cogeneration project
Dixie Valley Power station - 25 Mw geothermal Power generation system

C. RAYTHEON ENGINEERS & CONSTRUCTORS INC. - 1989-1991

Albany Cogeneration Project –Project Manager- $30 million, 25 MW cogeneration project.

D. DUGAN & MEYERS Construction Co. - 1986-1989

500 Boylston Street - Project Executive for a 1,000,000 SF commercial high rise office building in the Back Bay of Boston.

E. EAST KENTUCKY POWER COOPERATIVE - 1975-1986

As Construction Division Director, reporting directly to the President, was responsible for all engineering and construction of electric power generation, along with other corporate-wide major construction projects.

J.K. Smith Station, Units 1 and 2 $1,800 million project near Trapp, KY two 650-MW coal-fired electric generating stations

- Conducted a management process evaluation of corporate environmental, health and safety systems, resulting a re-engineering of responsibilities, development of new competencies and the institutionalizing of the business partner focus. Number of OSHA injuries was reduced 35%.
- Maintained or lowered a 3.3 OSHA incident rate for corporation. Manufacturing industry standard is 10.0 OSHA incident rate.

CORPORATE ENVIRONMENTAL MANAGER, GTE Sylvania Products Group World Headquarters, Danvers, Ma. (1989-1993)

As manager, assured the group wide compliance with current environmental regulations by reviewing, interpreting, disseminating and instituting corporate policies to meet or exceed governmental regulations.

Achievements:

- Managed, supervised the removal of all underground storage tanks located on company property. Successfully removed and remediated 36 closures.
- Audited over 75 Treatments, Storage and Disposal Facilities and developed a database for manufacturing facilities which provided a list of facilities which had been screened for their use.
- Promoted to Director of Environmental, Health and Safety.

ENVIRONMENTAL COMPLIANCE MANAGER, GTE Products Laboratories, Waltham, Ma. (1980-1989)
Responsible for the corporate R&D facility environmental compliance, planning and risk management.

SYNTEX PHARMACEUTICAL, PALO ALTO, CA.

1974-1979: As **STAFF VIROLOGIST**

EDUCATION:

B.S.	Zoology	Iowa State University

HONORS/PROFESSIONAL AFFILIATIONS AND ACTIVITIES:

Certified Hazardous Materials Manager (CHMM)
Registered Environmental Professional (REP)
Certified Stormwater Inspector

JEANNE R. SCHMEICHEL
108 Main Street
Boxford, MA 01921
(978)-887-1033
jschmeichel@msn.com

SUMMARY OF QUALIFICATIONS:

Environmentalist with twenty-five years of experience in environmental management, program development and management, training, education and public outreach. Noted for my orgaqnizational skills and ability to effectively communicate with all levels of interested parties.

EXPERIENCE:

SCHNITZER STEEL CORPORATION
2002-Present
REGIONAL MANAGER OF ENVIRONMENTAL PROGRAMS for one of the largest metal recyclers in the United States responsible for the environmental management and compliance, public relations, community involvement, outreach programs and education programs of the recycling process.

Responsibilities include:

- Act a industry reprsentative to community recycling programs including public works departments, schools, city councils and environmental groups in Maine, New Hampshire, Massachusetts and Rhode Island.
- Provide training, education and outreach programs to interested parties including neighbor organizations, schools, communities or other industries.
- Negotiate effectively with federal, state and local government agencies to act as primary corporate focal point person in sensitive negotiations and communications.
- Establish and provided uniform environmental policies and practices pertaining to air quality, water and wastewater quality for meeting or exceeding federal, state and local ambient quality and emission standards.

Achievements:

- Designed, buit and manage a 2 acre wetland and 3 acre upland meadow at the site of a former scrap metal facilty.
- Planned, designed and implemented a recycling education program for young people in collorboration with Radio Disney.
- Implemented annual Recycling Day Fairs in several communities.
- Intergal work with many communities in developing household recycling programs for metal components.

OSRAM SYLVANIA (FORMERLY GTE PRODUCTS CORPORATION)
1980 to 2002
DIRECTOR OF ENVIRONMENTAL, HEALTH AND SAFETY AFFAIRS for a $2.2 billion manufacturer of lighting products responsible for the environmental management, safety, Industrial Hygiene, health and workers compensation management programs for 13,000 employees and 27 manufacturing facilities.

Achievements:

- Successfully remediated and divested the corporation of eleven manufacturing facilities, on time and 60% under budget. Remediated environmental exposures at 23 manufacturing facilities, on time and 62% under budget.
- Developed and implemented a successfully certified ISO 14001 program at all manufacturing facilities resulting in improved environmental performance and the State of Maine, Governors' Award for Environmental Excellence.
- Developed and instituted a workers compensation/DuPont style safety management program that netted a 36% disability savings. Instituted a Behavior Based Safety program that resulted in 32% reduction in lost time over a four-year period.

- Down stroke baler
- Mosley shear (500 ton guillotine ferrous shear)
- Mac and Aljon car flatteners
- Bulldozers
- Front end loaders
- Forklifts
- Skid steers
- Shaker table (NF turnings separation)
- Ferrous shredder down stream
- Magnet crane
- Grapple crane
- Torch
- Buyer --- non-ferrous scale

Education:

- 1995-1997 Keene State
- 1997-2000 University of Maine,

Pat Murphy

(207) 212-2351
522 Washington St.
Auburn, Me 04210 pmurphy@schn.com

Experience:

Schnitzer Northeast/Maine Metals, Auburn, Maine
2007-present

General Manager of Maine for Schnitzer Northeast
Responsible for all aspects of MMR and PNE Portland operations including;

- Manager established and implemented policies and procedures with regards to all phases of the operation including safety. : Manager of 25 employees, sales—ferrous/non-ferrous scrap, account maintenance, growth of company, building and property maintenance, safety & environment compliance mgr., hiring and Creating Policies and Procedures
- Organizing basic operations
- Increasing the customer base
- Increasing the sales of ferrous and non-ferrous metals
- Also responsible for special job assignments: Portland, Maine facility operations, and monitor/conduct safety/operations meetings when assigned for managers.

2004 to 2007

Operations Manager for Maine Metals Recycling
Responsible for all aspects of facility operations including:

- Scrap processing
- Material grading and quality
- Environmental compliance
- Safety compliance
- Personnel / HR
- Rail and truck loading
- Ferrous and non-ferrous sales
- Maintenance
- Scrap procurement
- Expansion of business footprint / industrial accounts
- Equipment purchasing / financing
- Insurance—inland marine / workers comp
- Profitability / margins
- All outside jobs—demolition / car crushing
- Account relationships / service

2000-2004

Intern Operations Manager
Responsibilities include:

- Truck scale and weights
- Non Ferrous Sales, Domestic and Foreign
- Dispatching of Trucking

1989-2000

Part time Equipment Operator/laborer in a variety of positions and equipment including:

- Baler feeder
- Non-ferrous scale attendant
- Turnings sorter
- Wire processing
- General labor

includes:

Traffic

- Ensure that all Customer traffic flows effectively.
- Ensure that all internal traffic flows effectively.

Shredder Operation, if applicable

- Ensure that all support equipment is on hand to facilitate efficient Shredder operation (specifically two Cranes to feed it and Loaders as needed).

Shearer Operation (if applicable)

- Ensure that all support equipment is on hand to facilitate efficient Shearer operation (specifically two Cranes to feed it and take the cut material away).

Non-Ferrous

- Ensure that all clean material is properly stockpiled.
- Ensure that waste is stockpiled and disposed to landfills on a timely basis.

Railcar Loading

- Ensure that all support equipment is on hand to facilitate the efficient loading of railcars as needed (specifically Cranes, Trucks and Loaders).

Barge Unloading

- Ensure that all support equipment is on hand to facilitate the efficient unloading of railcars as needed (specifically Cranes, Trucks and Loaders).

Stockpiling

- Ensure that all materials are efficiently Stockpiled maximizing utilization of available space

Maintenance

Schnitzer North East
Job Description Form

Name: Pat Murphy Date: 1/08

Division/Department: Schnitzer North East

Location: All Maine Locations

Reports to: Bill Huling

Position: Maine Operations Compliance Manager
Employment Status: Full Time

Job Summary:

Responsibilities:

- Plant Operations
- Management
- Administration
- Professional Development

Objectives (by Responsibility)

Plant Operations

1. To ensure that the overall plant runs effectively and efficiently at all times. This

3.	**To attend all skill-building workshops as requested.**
4.	**To drive my own Performance Appraisal every 180 days.**

General Description:	% of Time (averaged)
Create and maintain Job descriptions, Standardize policies/procedures and department operational guide manuals for all facilities	
Monthly operational Audit inspections	
Develop, standardize and maintain shiploading policies and procedures	
FSO (facility security officer) for the Providence RI facility as well as overseeing compliance of the Everett facility	
To ensure permits and licenses are valid throughout each facility	
To ensure Schnitzer policies and procedures are followed	
Monthly review of department operational guides and grading	
Special projects/assignments assigned by NE Operations Manager	

- Ensure that all equipment is appropriately and proactively maintained.

Manpower

- Ensure that appropriate Manpower is assigned to all above areas.

Management

1. To ensure that detailed Job Descriptions are written for each direct report.
2. To ensure that all direct reporting staff fulfills all their responsibilities within their defined Job Descriptions.
3. To maintain high performance on an ongoing basis.
4. To effectively deal with identified non-performance within 24 hours.
5. To support direct reports do their own performance appraisals every six months.

Administration

1. To sign Purchasing requisitions as needed.
2. To approve Bills as needed.
3. To chair bi-weekly Operations meetings.
4. To review Mill, Shear and Non-Ferrous reports daily.
5. To when and where relevant develop, implement, monitor and maintain all necessary departmental Policies & Procedures on an ongoing basis.
6. To support employee negotiations as needed.

Professional Development

1. To stay current will all relevant industry trends and issues as it applies to the overall job responsibility.
2. To research and where relevant request permission to get all additional skills and training needed to do the best job.

Personnel

President
Thomas W. Harmon, P. E., P.L.S., L. L. S.

In 1977, Tom founded CIVIL CONSULTANTS with a vision of providing professional engineering and surveying services to municipal, governmental and private clients in the New England area.

Since that time, Tom and CIVIL CONSULTANTS have been involved in diverse projects and have become known for their technical expertise, regulatory knowledge and client satisfaction.

Projects have included wastewater disposal for individuals, commercial clients and municipalities; site development projects for single and multi family residences, public and private school facilities, commercial and industrial projects. Additional projects include regulatory permitting through local and state agencies in Maine and New Hampshire; Federal Corps of Engineers and Environmental Protection review; and oversight of boundary, topographic, construction and control surveys for private, municipal and governmental projects.

Tom and CIVIL CONSULTANTS are known by regulatory agencies to provide appropriate responses for their review.

In recent years, Tom has steered the diversification of the firm's human and material resources, enabling CIVIL CONSULTANTS to extend the range of services it provides and to enhance its existing project base by the addition of multi-year contracts to several federal land management organizations.

Tom has volunteered his time to municipalities through his service with various boards and committees, which currently include the South Berwick Library Committee and youth recreational programs. Tom is the current Administrative Assistant to the South Berwick Sewer District. He has served as Chairman of the South Berwick Building Committee, which has had responsibility for improvements to municipal facilities and currently serves on the Comprehensive Plan Update. Tom formerly served a two year term as President of American Council of Engineering Companies of Maine.

Professional Data

University of Maine
B.S., Civil Engineering, 1969

Registrations

Registered Professional Engineer
Maine and New Hampshire

Professional Land Surveyor
Maine

Licensed Land Surveyor:
New Hampshire

Licensed Site Evaluator:
Maine and New Hampshire

Erosion and Sediment Control Professional

Memberships

ACEC of Maine, President 2001-2002

American Society of Civil Engineers

Maine Society of Land Surveyors

New Hampshire Land Surveyors Association

American Congress on Surveying and Mapping

New Hampshire Association of Installers and Designers

Maine Site Evaluators Association

Personnel

CIVIL CONSULTANTS brings together a number of professionals from a variety of disciplines, primarily Surveying and Civil Engineering. Many hold multiple registrations.

The staff of CIVIL CONSULTANTS maintains and expands their expertise through membership in professional societies and attendance at seminars and courses.

In addition, many staff members are very active in their state and local communities through participation as members of various boards and commissions as well as civic and service organizations.

The following pages provide specific information about CIVIL CONSULTANTS' personnel.

President

Thomas W. Harmon, P.E., P.L.S.

Vice President
Senior Project Engineer

Jay E. Stephens, P.E.

Vice President
Senior Surveyor

Christopher H. Mende, P.L.S, L.L.S.

Senior Project Engineer

Carl V. Beal, P.E.

Structural Engineer /
Senior Project Engineer

Geoffrey R. Aleva, P.E

Staff Engineers

George D. Chobanian

Neil J. Rapoza, E.I.T.

Surveyors

Thomas J. McCullom, P.L.S.

Charles D. Marchese, P.L.S.

Linda M. Langley, P.L.S.

Michael P. Peverett, P.L.S

Survey Technicians

William D. Hertzog, II

Michael Hodgdon

Technical Staff

Joseph A. Attisano

Dodd Orten

Administrative

Dennis Fontaine

Dolly E. Dubravsky

Randi LaMarca-DuBois

Emily C. Hendrickson

Structural Engineer/Senior Project Engineer
Geoffrey R. Aleva, P. E.

Geoff Aleva joined CIVIL CONSULTANTS in January 1996 upon completion of his Master's Degree in Civil Engineering under a full tuition scholarship.

As a Senior Staff Engineer at CIVIL CONSULTANTS, Geoff has worked on a variety of structural and civil engineering projects. Responsibilities involve all realms of design and analysis using concrete masonry, steel and timber frames ranging from residential homes to complex commercial structures. Recent projects include the redesign of Goodall Park, Sanford, ME emphasizing concrete masonry and steel design.

Sample bridge projects were containment design for steel structure repainting the Queensboro Bridge in New York and locally for the Route 95 Piscataqua River Bridge spanning Maine and New Hampshire. Structural analysis of the as- built bridges were completed using the latest computer programs to verify that the anticipated containments would not adversely affect either bridge's performance.

Geoff has completed several evaluations of historic timber framed structures to assess condition and load capacity. He has also completed numerous forensic studies to determine causes of structural problems. In addition, Geoff prepares site plans and drainage and erosion control plans for commercial and industrial projects for the firm. He performs this work using a variety of computer software packages to enhance the efficiency and accuracy of products delivered to the client.

Geoff's previous positions are varied and include projects such as asbestos abatement inspections and air quality measurement. He also designed and conducted experiments to test the flexure, deflection, and shear capabilities of fiber reinforced plastic (FRP) reinforced bridge slabs.

Geoff has also worked as a teaching assistant in structural analysis, fluid mechanics, mechanics of materials, and computer applications for civil engineering at the University of New Hampshire.

Professional Data

University of New Hampshire, B.S., Civil Engineering, 1991

University of New Hampshire, M.S., Civil Engineering, 1995

Registrations

Registered Professional Engineer: New Hampshire and Maine

Memberships

Structural Engineering Association of Maine

Structural Engineering Association of New Hampshire

American Concrete Institute

Timber Framers Guild

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

Carl Beal has over twenty-five years of progressive experience in the civil and environmental disciplines. For the last several years, he has had considerable involvement in design, permitting, and management of constructed projects. Carl provided coordination for many consultants, state and federal regulatory officials, construction contractors, utility companies, municipal code agents, and project owners. He has developed skill and efficiency in communicating information to appropriate members of project teams and in documenting essential technical and administrative information.

Carl has been responsible for the design and administration of numerous projects. These include the New Marshwood High School for site development, survey, environmental permitting, and construction, Goodall Park Reconstruction for design and construction services; Hussey Seating Company for plant expansion, site design and permitting; The Salvation Army Old Orchard Beach Pavilion for design and permitting and parking improvements.

Previous project experience include a major shopping mall in Augusta, Maine; a high school auditorium/cafeteria addition in South Portland, Maine; an office park complex in South Portland, Maine; a golf course/residential subdivision in Falmouth, Maine; a soil and groundwater remediation project in Kittery, Maine; design and construction of a coal tar contaminated soil remediation/ recycling project in Scarborough, Maine.

At CIVIL CONSULTANTS, Carl has responsibility for project management including client communications. He supervises staff members working on his projects and provides guidance to technical consultants regarding project requirements.

Carl has been involved in the advancement of his professional career through service to several professional societies, most recently serving as President of the Maine Section of the American Society of Civil Engineering, and by publication and presentation of technical papers.

Professional Data

University of Maine B.S., Civil Engineering, 1980

University of Maine A.S., Civil Engineering Technology, 1977

Registrations

Registered Professional Engineer: Maine, New Hampshire

Memberships

American Society of Civil Engineers

Maine Section, American Society of Civil Engineers

Publications/Presentations

"Storm Water Discharge Permitting" Seminar

(a) To the best of City's knowledge, there are no leases, tenancies, licenses or other rights of occupancy or use for the Riverside Property, and there are no Persons in possession of the Riverside Property. City shall not grant to any Person any possessory interest in the Riverside Property or any right or option with regard to the use or occupancy of the Riverside Property, whether pursuant to lease or other agreement, written or oral, except for the rights of the Current Owner as set forth in paragraph 12 of the Option Agreement.

(b) The current zoning classification of the Riverside Property under the Zoning Code of the City of Portland is "IM" and "IH". To the best of City's knowledge, with the exception of the anticipated change of the portion of the Riverside Property that is zoned IM to IH, there are currently no changes to the zoning in process or anticipated.

(c) City has not entered into (nor is City bound by; nor does City contemplate entering into; nor is City aware of) any recorded or unrecorded, approved or unapproved, signed or unsigned letter, or any recorded or unrecorded, approved or unapproved, signed or unsigned, written or oral agreement, proffer, commitment or other arrangement, with any Person which imposes or might impose any prohibitions, conditions, requirements, limitations or other restrictions on the use, ownership, operation or development of the Riverside Property and/or require the current or any future owner of the Riverside Property to pay any money or furnish any service, asset or other thing of value. NEMR acknowledges that the City has had ongoing discussions with E. Perry Iron and Metal Co. with respect to the potential purchase of portions of the Option Parcel.

(d) To the best of City's knowledge with no independent investigation, there are no violations ("**Violations**") of any law, ordinance, code, rule, order, regulation or requirement of any governmental authority, and there are no presently outstanding and uncured written notices of Violations with respect to the Riverside Property. City shall cure, prior to the Closing Date, or, at NEMR's sole option, as soon thereafter as reasonably practical, any Violation of which City or NEMR receives written notice prior to the Closing Date.

(e) There is no action, suit or proceeding pending or threatened against or affecting City with regard to the Riverside Property or relating to or arising out of the ownership, management, operation or condition of the Riverside Property. City has no knowledge of facts or circumstances that would give rise to such action, suit or proceeding in the future.

(f) To the best of City's knowledge, the Property has not been used to dump any construction waste or debris except as identified in any environmental reports provided by City to NEMR

(g) No assessments for City public improvements, and to the best of City knowledge without independent investigation no other assessment for public improvements, have been made against the Riverside Property which remain unpaid and all such assessments which have been or could be levied for public improvements ordered, commenced or

Date (the "Title Review Period"), Buyer shall notify Seller of any objections to title as disclosed in the Commitment (any one of which is called herein an "Existing Defect of Title"). Buyer shall be deemed to have waived any objection to any Existing Defect of Title unless Buyer notifies Seller of such Existing Defect of Title on or before the end of the Title Review Period. With respect to any defects in title that would make Seller unable to give title to the Property as herein stipulated that is not reflected in the Commitment, but which arise prior to Closing (a "Subsequent Defect of Title"), Buyer must notify Seller of any such Subsequent Defect of Title on or prior to the Closing. If Buyer gives Seller timely written notice of any Existing Defect of Title or Subsequent Defect of Title (collectively, "Defects of Title"), such written notice to be referred to herein as a "Notice of Objection", then Seller shall elect by giving Buyer written notice (the "Response Notice") within Five (5) business days after the date it receives the Notice of Objection either to (i) attempt to cure such Defect of Title, in which event Seller shall have thirty (30) days from the date of the Response Notice (the "Cure Period") to attempt to cure any such Defect of Title; or (ii) decline to attempt to cure such Defect of Title. If Seller elects not to attempt to cure the Defect of Title, or if, having elected to attempt to cure a Defect of Title, Seller is unable to do so within the Cure Period after the exercise of good faith efforts (which in no event shall be deemed to obligate Seller to pay any sum of money, except as provided below), then Buyer shall elect by giving Seller written notice (the "Decision Notice") within Five (5) business days of the Response Notice or the expiration of the Cure Period, as the case may be, either to (A) accept title to the Property subject to the uncured Defect of Title, in which case such uncured Defect of Title shall be deemed to be a Permitted Exception; or (B) terminate this Agreement and have the earnest money deposit returned to it, in which event all obligations of the parties hereunder shall cease and neither party shall have any claim against the other by reason of this Agreement

(c) Inability to Convey. If City is unable to convey title to the Riverside Property in accordance with the terms of subparagraph 5(a), NEMR, in its sole discretion, shall (as its sole rights and remedies), not later than five (5) business days prior to the scheduled Closing, by written notice given to City: (i) extend the Closing Date for up to one hundred eighty (180) days to allow City additional time to cure the any title defects; (ii) whether or not NEMR has extended the Closing Date as provided in clause (i) of this subparagraph 5(c), take such title to the Riverside Property as City can convey and/or waive the unfulfilled condition, with abatement of the Purchase Price to the extent of the amount of all monetary liens; or (iii) whether or not NEMR has extended the Closing Date as provided in clause (i) of this subparagraph 5(c), terminate this Agreement and have the Deposit returned to it. If NEMR fails to make such election, NEMR shall be deemed to have elected to terminate this Agreement pursuant to clause (iii) of this subparagraph 5(c). If NEMR terminates this Agreement pursuant to clause (iii) of this subparagraph 5(c), there shall be no further liability or obligation on the part of City or NEMR, except for the return of the Deposit to NEMR, and upon such return and reimbursement, this Agreement shall be and become null and void.

6. Representations, Warranties and Covenants of City. City hereby represents, warrants and covenants to NEMR that:

7. General Conditions of NEMR's Obligation.

(a) The obligation of NEMR under this Agreement to purchase the Riverside Property from City is subject to the satisfaction at the time of Closing of each of the following conditions (any one or more of which may be waived in whole or in part by NEMR at or prior to Closing):

(1) All of the representations and warranties made by City set forth in this Agreement shall be true and correct at and as of the Closing Date in all respects as though such representations and warranties were made at and as of the Closing Date (and, for the purpose of this subparagraph 7(a)(i), such representations and warranties shall be deemed to be made without any qualification regarding City's knowledge).

(2) No representation, statement or warranty made by City set forth in this Agreement contains or will contain any untrue statement or omits or will omit a material fact necessary to make the statement of fact herein recited not misleading.

(3) City shall have performed, observed and complied with all covenants, agreements and conditions required by this Agreement to be performed, observed and complied with by City prior to or as of the Closing Date.

(4) No claim, action, suit, investigation, appeal or other proceeding shall be pending or threatened that may, in NEMR's reasonable judgment, otherwise adversely affect the Riverside Property or the ownership, development, operation or use thereof.

(5) There shall not have been any development (including, without limitation, any change in law) that may, in NEMR's reasonable judgment, adversely affect NEMR's ability to develop the Riverside Property for its intended use thereof.

(b) If any of the conditions set forth in this Paragraph 7 are not fully satisfied as of the Closing Date, then, unless City is then in default of any of its representations, warranties or obligations hereunder, NEMR, in its sole discretion, shall either: (i) terminate this Agreement, by written notice given to City, on or prior to the date Closing was to have occurred, and have the Deposit returned to it; or (ii) proceed with Closing as scheduled. If NEMR fails to make such election, then NEMR shall be deemed to have elected to terminate this Agreement pursuant to clause (i) of this subparagraph; provided, however, subject to subparagraph 19 (a) hereof, no such termination or Closing shall relieve City from any of its liability hereunder for any breach of its representation, warranties or obligations. NEMR shall also have the rights provided for in Paragraph 5 (c).

8. Contingencies. The obligations of NEMR under this Agreement are subject to the following contingencies, any of which, if not met, shall entitle NEMR to terminate this Agreement by giving City written notice of NEMR's intention to do so within the time period specified. Upon receipt of such notice, City shall return to NEMR all sums paid under this

completed prior to the date of this Agreement have been or shall be paid for in full by City prior to Closing.

(h) City has not received any notice of any condemnation proceeding or other proceedings in the nature of eminent domain ("Taking") in connection with the Riverside Property.

(i) Neither the entering into of this Agreement, the consummation of the sale, nor the prior conveyance of the Riverside Property to City, has or will constitute a violation or breach of City's Charter or of any of the terms of any contract or other instrument to which City is a party or to which it is subject or by which any of its assets or properties may be affected or requires the consent, approval or permit of, or notice to, any Person.

(j) To the best of City's knowledge, the Riverside Property is not located within an area designated as a flood hazard area or an area which will require the purchase of flood insurance for the obtaining of any federally insured or federally related loan, except for a portion to be noted on the Survey.

(k) City will not remove (and will not suffer the removal of) anything, including soil or timber, from the Riverside Property after the signing of this Agreement other than personal property.

(l) To the best of City's knowledge, each of the documents and other written materials delivered to NEMR relating to the Riverside Property is true, correct and complete and, collectively, they constitute all of the material documents and other written materials, that are in City's possession (or are within City's knowledge), relating to or affecting the Riverside Property.

(m) To the best of City's knowledge with no independent investigation, there are no cemeteries or other burial plots (or archeological sites or artifacts) located on the Riverside Property.

(n) City is not a "foreign person" as that term is used in Section 1445(b)(2) of the Internal Revenue Code of 1986, as amended, and the related regulations.

(o) There is no bankruptcy, insolvency, rearrangement or similar action or proceeding, either voluntary or involuntary, pending, or to the best of its knowledge, threatened against City, and City has no intention of filing or commencing any such action or proceeding.

(p) City shall not enter into any agreement or arrangement to do any of the foregoing matters set forth in this Paragraph 6 with any Person (other than NEMR) which affects or might have a material adverse effect upon the Riverside Property in any manner whatsoever; provided, however, the parties acknowledge and consent to City's assignment of the Option Agreement to the Trust for Public Lands.

(f) Agreement Regarding NEMR's Business Operation. The Parties shall enter into a written Agreement within Thirty (30) days of the Effective Date regarding NEMR's ability to continue its business operations, which Agreement shall address without limitation: (i) the ability NEMR to continue operation at the Bayside Property in its current manner until it is able to relocate to the Riverside Property, without having to conduct testing and without being in violation of Chapter 31 of the City's Code of Ordinances regarding Scrap Metal Recycling Facilities (the "Scrap Metal Ordinance"); (ii) relocation costs; and (iii) necessary changes to the Scrap Metal Ordinance, and/or waivers, to make it possible for NEMR to obtain necessary permits for operations at Riverside.

(g) Closing Under Option Agreement. City's obligations are contingent upon its closing on the purchase of the Option Property pursuant to the Option Agreement.

(h) Dismissal of Pending Actions. The parties agree to execute at Closing a stipulation of dismissal, with prejudice, of the pending action regarding an administrative warrant, Docket # CUM-04-711

9. Environmental Matters.

(a) Representations, Warranties and Covenants. To the best of its knowledge without independent investigation, except as set forth on **Exhibit C**, City hereby represents, warrants and covenants to NEMR that:

(1) No Contamination is present on the Property. "**Contamination**" shall mean the uncontained presence of Hazardous Substances at the Riverside Property, or arising from the Riverside Property, which may require remediation under any applicable law. "**Hazardous Substances**" shall mean any hazardous substance, contaminant or pollutant as defined pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9601-9657, as amended, regulated substances within the meaning Subtitle I of the Resource Conservation and Recovery Act, 42 U.S.C. 6991-6991(i) as amended, and any substances listed under any similar state laws.

(2) The Riverside Property and all activities and conditions at the Property have been and are in compliance with all federal, state and local laws, implementing regulations, orders, decrees, permits, approvals, statutes, ordinances, and requirements of common law concerning air, soil, surface water or groundwater or concerning the storage, treatment or disposal of any waste or any Hazardous Substance ("**Environmental Laws**"). City will comply with any reasonable request of NEMR for assistance either in transferring or reissuing to NEMR any permit, license, or other approval required by NEMR under the Environmental Laws with respect to the Riverside Property.

(3) None of the following is present on the Riverside Property:

(A) polychlorinated biphenyls ("PCBs") or substances containing PCBs;