



COUNTY OF PLACER
Community Development/Resource Agency

**PLANNING SERVICES
DIVISION**

Michael J. Johnson, AICP
Agency Director

Paul Thompson
Deputy Director of Planning

HEARING DATE: February 28, 2013
TIME: 10:05 a.m.
ITEM NO.: 1

TO: Placer County Planning Commission

FROM: Development Review Committee

**SUBJECT: CONDITIONAL USE PERMIT (PCPA 20130006)
TKO RECYCLING
CATEGORICAL EXEMPTION**

GENERAL PLAN AREA: Placer County

PLAN DESIGNATION: Business Park/Industrial 10,000 square feet – 5 acre minimum

COMMUNITY PLAN: Newcastle/Ophir Community Plan

ZONING: IN-Dc (Industrial, combining Design Scenic Corridor)

STAFF PLANNER: Lisa Carnahan, Associate Planner

LOCATION: The project is located at 9390 Old State Highway in Newcastle. (Assessor's Parcel Number 040-150-006)

APPLICANT: Jeff Trimble, TKO Recycling.

PROPOSAL: The applicant requests approval of a Conditional Use Permit (CUP) to operate a buy-back recycling facility which would accept all types of California Redemption Value (CRV) items, electronic waste (E-waste), ferrous and non-ferrous metals (steel, tin, iron, aluminum, brass and copper).

CEQA COMPLIANCE:

The project is categorically exempt from environmental review pursuant to the provisions of Section 15301 of the California Environmental Quality Act Guidelines and Section 18.36.030 of the Placer County Environmental Review Ordinance (Class 1 - Existing facilities). The Planning Commission will be required to make a finding to this effect.

PUBLIC NOTICES AND REFERRAL FOR COMMENTS:

Public notices were mailed to property owners of record within 300 feet of the project site. Other appropriate public agencies, interest groups, and citizens were sent copies of the public hearing notice. Community Development Resource Agency staff and the Departments of Engineering and Surveying, Public Works, Environmental Health, and the Air Pollution Control District were transmitted copies of the project plans and application for review and comment. Comments received from County staff have been addressed in the analysis section of this report.

SITE CHARACTERISTICS:

The project site is located on Old State Highway in downtown Newcastle. The site is fairly level and is currently developed with a paved entry, fully-paved yard and parking area, fencing, entry gate and a 6,000 square-foot metal industrial building. The project site is bordered by the Union Pacific Railroad tracks to the north, Interstate 80 to the east, and Old State Highway to the west.

EXISTING LAND USE AND ZONING:

Location	Zoning	Existing Conditions and Improvements
Site	IN-Dc	Industrially-developed site
North	IN-Dc	Railroad tracks and right-of-way
South	IN-Dc	Industrially-developed site
East	Right-of-Way	Interstate 80
West	IN-Dc	Industrially-developed parcel

BACKGROUND:

The site is part of a larger parcel owned by the Union Pacific Railroad, and was developed in 1982 with the existing 6,000 square-foot building. The site was leased by Sierra Safety Company for its highway safety equipment business for approximately 25 years. The site was most recently leased by Tear Drop Trailers for its business purposes. Per the Placer County Zoning Ordinance, Section 17.56.170, recycling facilities over 500 square feet are required to obtain a Conditional Use Permit for Industrially-zoned parcels.

TKO Recycling currently has three sites in operation, including facilities in Rancho Cordova, Sacramento and Stockton. According to the application, nothing that TKO Recycling accepts will end up in a landfill.

PROJECT DESCRIPTION:

The owner has submitted a request to utilize the existing facilities on-site as a recycling center. The applicant proposes to accept CRV items (aluminum cans, plastic bottles, and glass beverage containers), E-waste (computers, televisions and cell phones), household appliances such as ovens, microwaves and refrigerators, and most types of ferrous and non-ferrous materials. Ferrous items include articles such as lawn chairs, barbeques, lawn mowers, tin siding, iron and engine parts. Non-ferrous metals items include stainless steel, aluminum, brass and copper objects.

TKO Recycling will not be accepting any hazardous waste, vehicles, liquids, or exotic metals such as magnesium or titanium. All motors will be required to have the oil pans removed and drained of all liquids before arriving at the site. Items such as refrigerators or air conditioners which still contain chlorofluorocarbons (i.e. Freon) will not be disassembled on site, but will instead be shipped to a facility which safely processes such chemicals. TKO Recycling will not accept paper, cardboard or light bulbs, and there will be no shredding of metals on-site.

Customers will enter the site, sort their materials into leak-proof containers provided by TKO Recycling, bring the material to the scales to be graded and weighed, after which they will be paid for the items. After the material has been weighed, TKO Recycling will deposit the material into the appropriate bins located in the warehouse building and the outside yard. The only material which will be kept in the yard will be the ferrous metals, which will be kept in 40-yard roll-off containers with removable covers. All other material will be kept inside the building, in leakproof scrap bins. As the containers and bins fill up, they will be transported off-site to be recycled. The applicant anticipates shipping material off site two to three times per week.

The applicant is proposing hours of operation of 8 a.m. to 5 p.m., seven days a week. Approximately 30-40 customers per day are anticipated, and the operation would employ four people. No new construction or paving is required with this request from TKO Recycling.

DISCUSSION OF ISSUES:

Land Use Consistency/Compatibility with Adjacent Uses

The proposed use of the project site as a recycling center is consistent with the Industrial zoning of the site, as well as the surrounding industrial uses. In compliance with the Design Scenic Corridor combined zoning of the site, the applicant will be subject to design review for any modifications to the building or site. Since the applicant will be sub-leasing the site, a letter of approval from the landlord was required. A copy of the agreement letter is included as Attachment F.

Noise

Since the site has been used for industrial purposes for the past 25 years, the proposed use is not anticipated to be of any greater intensity than previous uses, and the fact that the majority of the business will be conducted inside the building, noise impacts were not anticipated to be an issue. However, to confirm that noise from the proposed activities would be below the Placer County Noise Ordinance thresholds, an Environmental Noise Analysis was conducted by Bollard & Brennan, Inc. as part of the required information. The three nearest residential sites are located approximately 350-400 feet away from the project site. The study found that the noise generated by the recycling operations is predicted to be well under the Placer County noise level standards at the three nearest residential parcels. Project noise emissions are expected to be substantially, if not completely, masked by existing ambient noise from both Interstate 80 and the railroad operations.

Environmental Review

Since the applicant is proposing to utilize existing facilities on the site, the proposed use is not anticipated to be any greater in intensity nor create any more traffic than the previous uses at the site, and there will not be any significant impacts from noise, the project was deemed to be categorically exempt from environmental review pursuant to the provisions of Section 15301 of the California Environmental Quality Act Guidelines and Section 18.36.030 of the Placer County Environmental Review Ordinance (Existing facilities).

MUNICIPAL ADVISORY COUNCIL RECOMMENDATION:

The proposed project was presented before the Newcastle/Ophir Municipal Advisory Council (MAC) as an informational item on January 17, 2013. The project is scheduled to return to the MAC as an action item on February 21, 2013, and a verbal presentation of the MAC's recommendation will be given at the Planning Commission hearing.

RECOMMENDATION:

The Development Review Committee recommends that the Planning Commission approve this Conditional Use Permit (PCPA 20130006), subject to the following findings and attached recommended conditions of approval.

FINDINGS:

CEQA:

The Conditional Use Permit (PCPA 20130006) for the TKO Recycling Project has been determined to be Categorically Exempt by the Planning Commission per Section 15301 of the CEQA Guidelines and Section 18.36.030, Class 1 – Existing Facilities of the Placer County Environmental Review Ordinance.

CONDITIONAL USE PERMIT:

Having considered the staff report, supporting documents and public testimony, the Planning Commission hereby finds that:

1. The proposed TKO Recycling CUP is consistent with all applicable provisions of the Placer County Code, Chapter 17, and any applicable provisions of other chapters of this code.
2. The proposed CUP is consistent with applicable policies and requirements of the Placer County General Plan and the Newcastle/Ophir Community Plan.
3. The operation of the TKO Recycling Center will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, comfort and general welfare of people residing or working in the neighborhood of the proposed recycling center, nor will it be detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the County because the proposed use is consistent with the previous industrial uses on the site, and is consistent with the surrounding uses.

4. The use of the property for a recycling center will be consistent with the character of the immediate neighborhood and will not be contrary to its orderly development.
5. The recycling center will not generate a volume of traffic beyond the design capacity of all roads providing access to the project.

Respectfully submitted,



Lisa Carnahan, Chairperson
Development Review Committee

ATTACHMENTS:

- Attachment A – Site Plan
- Attachment B - Recommended Conditions of Approval
- Attachment C – Memo from Placer Mosquito & Vector Control District
- Attachment D – TKO Recycling SWPPP
- Attachment E – Noise Study
- Attachment F - Letter from Current Lessee of Property

cc: Michael Johnson - Agency Director
Paul Thompson - Deputy Planning Director
Karin Schwab - County Counsel's Office
Lisa Carnahan - Associate Planner
Sharon Boswell - Engineering and Surveying Department
Mohan Gonapathy - Environmental Health Services
Angel Rinker - APCD
Jeff Trimble – Applicant



**RECOMMENDED CONDITIONS OF APPROVAL –
CONDITIONAL USE PERMIT - "TKO RECYCLING CENTER"
(PCPA 20130006)**

THE FOLLOWING CONDITIONS SHALL BE SATISFIED BY THE APPLICANT, OR AN AUTHORIZED AGENT. THE SATISFACTORY COMPLETION OF THESE REQUIREMENTS SHALL BE DETERMINED BY THE DEVELOPMENT REVIEW COMMITTEE (DRC), COUNTY SURVEYOR, AND/OR THE PLANNING COMMISSION.

1. This Conditional Use Permit authorizes a buy-back recycling center on a .8-acre portion of parcel 040-150-006, located at 9390 Old State Highway in Newcastle, as shown on the approved site plan (Attachment A). The use includes the use of an existing 6,000 square-foot metal building, and paved storage yard and parking area. The applicant will accept CRV items (aluminum cans, plastic bottles, and glass beverage containers), E-waste (computers, televisions and cell phones), household appliances such as ovens, microwaves and refrigerators, and most types of ferrous and non-ferrous materials. Ferrous items include articles such as lawn chairs, barbeques, lawn mowers, tin siding, iron and engine parts. Non-ferrous metals items include stainless steel, aluminum, brass and copper objects. (PD)
2. Only the recyclable materials noted in Condition of Approval #1 will be accepted. All recyclable materials shall be deposited directly in bins. When a bin becomes full, the bin shall be transported off-site to a recycler; there will be no storage of full bins on-site. Recyclable materials shall not be placed on paved storage yard or parking area without being located in storage bins. (PD)
3. Hours of operation shall be 8 a.m. to 5 p.m., seven days a week, throughout the year. (PD)
4. TKO Recycling shall not be accepting any hazardous waste, vehicles, liquids, or exotic metals such as magnesium or titanium. All motors shall be required to have the oil pans removed and drained of all liquids before arriving at the site. Items such as refrigerators or air conditioners which still contain chlorofluorocarbons (i.e. Freon) shall not be disassembled on site, but shall be shipped to a facility which safely processes such chemicals. (PD)
5. The applicant shall be required to provide a minimum of ten (10) parking spaces on-site, with one of those spaces allocated as a disabled parking space capable of accommodating a van. (PD)

FEBRUARY 2013

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ATTACHMENT B

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6. The project shall conform to the Placer County Noise Ordinance. (PD)
7. The applicant shall, upon written request of the County, defend, indemnify, and hold harmless the County of Placer (County), the County Planning Commission, and its officers, agents, and employees, from any and all actions, lawsuits, claims, damages, or costs, including attorneys fees awarded by a court, arising out of or relating to the processing and/or approval by the County of Placer of that certain development project known as TKO Recycling Center Project (the Project). The applicant shall, upon written request of the County, pay or, at the County's option, reimburse the County for all costs for preparation of an administrative record required for any such action, including the costs of transcription, County staff time, and duplication. The County shall retain the right to elect to appear in and defend any such action on its own behalf regardless of any tender under this provision. This indemnification obligation is intended to include, but not be limited to, actions brought by third parties to invalidate any determination made by the County under the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) for the Project or any decisions made by the County relating to the approval of the Project. Upon request of the County, the applicant shall execute an agreement in a form approved by County Counsel incorporating the provisions of this condition. (PD)
8. If any new lighting is proposed with this project, it shall be subject to Development Review Committee (DRC) review and approval, and shall include a full cut-off, fully-shielded design so that the light source is fully screened. (PD)
9. Any new landscaping and irrigation, or a change in the exterior of the existing building shall be subject to review and approval by the Development Review Committee. (PD)
10. Prior to using the site by the applicant, the applicant shall obtain a valid Business License for the operation of the recycling center. (PD)
11. Prior to any Building Permit issuance or Business License approval, provide the ESD with a letter from the appropriate fire protection district (s) describing conditions under which service will be provided to this project. (ESD)
12. Any entrance structure or sign proposed by the applicant shall require approval of a Sign Permit from the Planning Services Division and shall be located such that there is no interference with driver sight distance as determined by the Engineering and Surveying Division, and shall not be located within the right-of-way. Any entrance monument or structure erected within the front setback on any lot, within certain zone districts, shall not exceed 3 feet in height (Ref. Chapter 17, Article 17.54.030, Placer County Zoning Ordinance). (ESD)

13. Materials with the potential to contaminate stormwater that are to be stored outdoors shall be placed in an enclosure such as, but not limited to, a cabinet, shed, or similar structure that prevents contact with runoff or spillage to the stormwater conveyance system, or protected by secondary containment structures such as berms, dikes, or curbs. The storage area shall be paved to contain leaks and spills and shall have a roof or awning to minimize collection of stormwater within the secondary containment area. (ESD)

14. "Hazardous materials" as defined in Health and Safety Code Division 20, Chapter 6.95, Articles 1 & 2 shall not be allowed on any premises in regulated quantities without notification to Environmental Health Services. (EH)

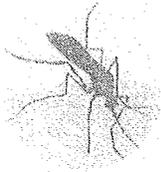
15. Prior to final occupancy/tenant improvement approval, the applicant shall submit payment of required fees and a business plan to Environmental Health Services Hazardous Materials Section, for review and approval. (EH)

16. The discharge of fuels, oils, or other petroleum products, chemicals, detergents, cleaners, or similar chemicals to the surface of the ground or to drainageways on, or adjacent to, the site is prohibited. (EH)

17. If Best Management Practices are required by the DPW for control of urban runoff pollutants, then any hazardous materials collected shall be disposed of in accordance with all applicable hazardous materials laws and regulations. (EH)

EXERCISE OF PERMIT

18. This Conditional Use Permit is valid for two (2) years and will expire on March 10, 2015 unless exercised pursuant to Section 17.58.160 of the Placer County Zoning Ordinance.



PLACER
MOSQUITO
& VECTOR
CONTROL
DISTRICT

Protecting Public Health since 2007

2021 Opportunity Drive
Roseville, CA 95678

main office (916) 380-5444

toll free (888) 768-2343

fax (916) 380-5455

www.placermosquito.org

January 7, 2013

TKO Recycling 4
9390 Old State Highway
Newcastle, CA 95658
Attn: Jeff Trimble

BY EMAIL

RE: TKO Recycling 4

Dear Mr. Trimble:

The Placer Mosquito and Vector Control District has reviewed the site plan for the project located at **9390 Old State Highway, Newcastle, CA.**

In this area, mosquitoes, including those that carry West Nile virus, are the primary vector of concern. Since mosquitoes can develop in standing water that is present for as little as 72-96 hours, any drainage area, catch basin, stormwater structure, or other depression that creates standing water is considered to be a mosquito source.

The presence of vectors, including mosquitoes, on a property is considered a public nuisance under the California Health and Safety Code, and can be a threat to public health by transmitting West Nile virus to people.

To avoid this, we strongly recommend the following:

1. **Use drainage system designs that limit mosquito production** by eliminating water that stands for longer than 72 hours, prevents mosquitoes from accessing standing water, and allows easy access for inspection and treatment of mosquitoes should they occur.
2. **Take steps to limit standing water during and after construction** including removal of temporary catch basin screens, and storm water quality protection devices as soon as they are no longer needed.

Since this project will include the use of two 40-yard roll off containers to store recyclable materials, and these types of containers are able to hold standing water, we strongly recommend that the containers are fitted with drains if feasible. Should

BOARD OF TRUSTEES

John Cunningham City of Roseville • Steve Harvey City of Colfax • Merry Holliday-Hanson, Ph.D. Placer County
Russ Kelley Town of Loomis • Harlin Smith City of Rocklin • Bob Snyder City of Auburn • Linda Stackpoole City of Lincoln

ATTACHMENT C

standing water accumulate in the containers, please contact the District within 72 hours so that appropriate steps can be taken to prevent mosquito production.

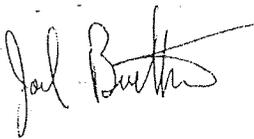
3. **Encourage appropriate maintenance of the property** that includes keeping drainage system in good repair, minimizing the growth of emergent vegetation in unintended areas, and notifying the District if any water stands on the property for more than 72 hours.

For more specific information regarding design specifications and management practices that reduce or eliminate mosquito production, please refer to the California Department of Public Health's Mosquito Reduction Best Management Practices Manual available online at:

http://westnile.ca.gov/downloads.php?download_id=2376&filename=BMPforMosquitoControl07-12.pdf.

If any standing water occurs during or after construction of the project, please immediately notify the District at (916) 380-5444 or by visiting our website at www.placermosquito.org. Please direct any questions to Joel Buettner at joelb@placermosquito.org.

Sincerely,



Joel Buettner
General Manager

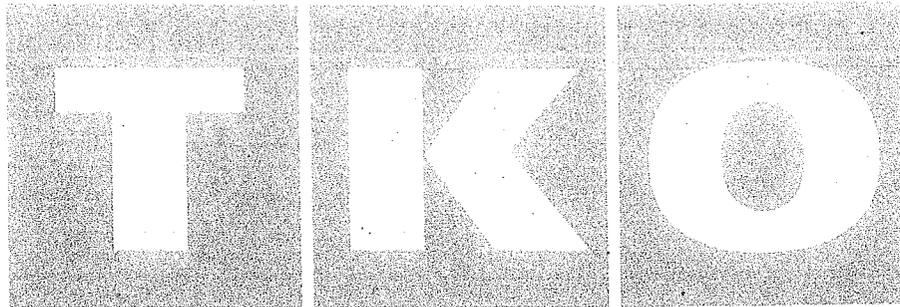
CC: Maywan Krach, Placer County Planning, mkrach@placer.ca.gov

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RECEIVED

JAN 14 2013

CDRA



RECYCLING

STORM WATER POLLUTION PREVENTION PLAN (SWPPP)

9390 old state highway
Newcastle, CA. 95658

July 2012

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GENERAL FACILITY INFORMATION

Name of Facility: TKO Recycling 4
Facility Address: 9390 old state highway, Newcastle,CA. 95658
Facility Contact: Jeff Trimble
Title: Owner
Telephone: 916-397-9081
Mailing Address: Same as above

SIC Code: 5093

Permit Information:
Facility Permit Name: TKO Recycling 4
Permit Number:
WDID Number: NEED
Initial Date of Coverage:
Number of Storm Water Outfalls: One
Receiving Waters:

Emergency Contact:
Name: Jeff Trimble
Phone Number: 916-397-9081
916-338-3513

Name: Paul Neal
Phone Number: 916-416-7661

INTRODUCTION

Purpose: This Storm Water Pollution Prevention Plan (SWPPP) has been developed to comply with provisions contained in TKO Recycling 4's Stormwater Permit application for 9390 old state highway Newcastle, CA. 95658 which requires the development and implementation of a SWPPP for the facility.

Scope: The TKO Recycling 4 SWPPP has a systematic approach to prevent pollution of storm water runoff:

- Procedures to prevent/mitigate spills to storm drain systems.
- Standardize reporting procedures, containment, storage, and disposal activities, documentation, and follow-up procedures.
- A Spill Prevention Control and Countermeasure (SPCC) Plan.

Company Description: TKO Recycling 4 is a multi-permitted scrap metal, electronic e-waste collector, and CRV recycler. TKO Recycling 4 and our Storm Water Pollution Plan (SWPPP) is an integral component of our Environmental, Health and Safety Management System.

TKO Recycling 4 Management System: The TKO Recycling 4 SWPPP is incorporated by scope and reference in the Environmental, Health and Safety Management System (EHSMS).

Public Access to SWPPP: The TKO Recycling 4 SWPPP is a public document and is made available upon request to staff, customers, vendors, interested members of the community and regulatory agency representatives.

SWPPP Updating: Contents and applicability of the SWPPP are reviewed and updated annually to ensure that it is meeting all business, environmental and regulatory compliance requirements. BMPs are reviewed quarterly as part of the EHSMS (Environment, Health and Safety Management System) review process to ensure continued progress in meeting goals as defined by BMPs. New, revised or expanded BMPs may be added at any time throughout the Plan year to meet newly identified or changing conditions and requirements.

SITE DESCRIPTION:

Facility: This SWPPP covers the TKO Recycling 4 facility located at 9390 old state highway Newcastle, CA. 95658. The site is located just east of interstate 80 between Newcastle rd. and Highway 193. This facility is leased from O.J.Cline The tenant and operator of this facility is TKO Recycling 4 & WilliamJeffreyLLC.

The site is approximately 0.8 acres in total size, including a concrete, screened fenced yard. All bins in the yard utilize removable covers. All bins containing hazardous materials, such as car batteries and sealed units, are stored indoors.

Facility Activities: Site activities include the receiving, temporary storage, processing, warehousing and shipping of scrap metal, electronic devices and universal waste. Vehicle maintenance is performed off site by third parties. Vehicle fueling is performed off-site, by third parties, forklift fueling is performed on-site in a designated area. Company owned and third party trucks are used for delivering and shipping materials. No liquids are accepted at this facility.

Facility Layout and Drainage Maps: Facility layout and drainage maps are presented in Appendix A.

Storm Water Drainage System: All drainage from both sides of the yard discharge into one single storm drain located in the north-west corner of the property, nearest to Old state highway. The drain is surrounded by waddles and has a filter in it.

Description of Potential Pollution Sources

Vehicles: Trucks (company owned and third-party) arrive and depart the facility repeatedly during daily operations. They pick up and deliver containers from the yard. Although maintenance and repair is not performed on-site, there is the potential of oil, fuel and lubricant leaks. There are propane and diesel powered forklifts operating in the yard as well.

Storage Area Activities: The storage area activities do not involve any liquid bearing materials or processes. There is a separate hazardous material handling area. All hazardous materials remain in this area, until shipped under proper regulations. Hazardous material leaks, spills or releases are subject to the Spill Containment and Cleanup Procedure and would not be released into the storm water drainage system. Materials could include batteries and sealed-units oil.

Container Storage: Stored containers contain, scrap metal, TV's, and e-waste. All containers with hazardous waste are stored indoors so storm precipitation would NOT result in drainage of battery acid or e-waste residue onto the ground.

Building Maintenance and Repair: Minor building repair and maintenance is performed by TKO Recycling 4 staff and by independent contractors. Minor spills or leaks of commonly used building repair and cleaning materials could occur.

Equipment/Machinery Maintenance and Repair: Preventive maintenance of yard equipment is performed on-site by appropriately trained TKO Recycling 4 staff, and/or third parties. Minor spills or leaks of common lubricants could occur.

Onsite Activities

The activities conducted at this facility include staff vehicle parking, truck deliveries and shipping, container storage and staff rest areas. Potential pollutants include trash, metals, oil, grease and organics.

Potential Pollutants on Site

The TKO Recycling 4 facility is a metal, CRV and e-waste recycling facility. Target constituents include:

- Sediment
- Trash
- Metals
- Oil and Grease
- Organics

Pollution Prevention Guidelines

- Diligently perform routine maintenance:
 - Place drip pans or absorbent materials beneath all mounted taps, and at all potential drip and spill locations during filling and unloading of tanks. Any collected liquids or soiled absorbent materials must be reused/recycled or properly disposed.
 - Store and maintain appropriate spill cleanup materials in a location known to all near the tank storage area; and ensure that staff are familiar with the site's spill control plan and/or proper spill cleanup procedures.
 - Sweep and clean the storage area daily if it is paved, ***do not hose down the area to a storm drain.***
- Label all containers according to their contents (e.g., solvent, gasoline).
- Label hazardous substances regarding the potential hazard (corrosive, flammable, explosive, and poisonous).
- Prominently display required labels on transported hazardous and toxic materials (per US DOT regulations).
- Do not accept any liquids from customers (ie oils, solvents, grease, etc.)
- Identify key spill response personnel.

Spill Control and Cleanup Activities

- Follow the Spill Prevention Control and Countermeasure Plan.
- Clean up leaks and spills immediately.
- Place a stockpile of spill cleanup materials where it will be readily accessible

- On paved surfaces, clean up spills with a rag for small spills, and with absorbent material for larger spills. If the spilled material is hazardous, then the used cleanup materials are also hazardous and must be sent to a certified laundry (rags) or disposed of as hazardous waste. Physical methods for the cleanup of dry chemicals include the use of brooms, shovels, or sweepers.
- Never hose down or bury dry material spills. Sweep up the material and dispose of properly.
- Chemical cleanups of material can be achieved with the use of adsorbents, gels, and foams. Use adsorbent materials on small spills rather than hosing down the spill. Remove the adsorbent materials promptly and dispose of properly.
- For larger spills, a private spill cleanup company or Hazmat team may be necessary.

Reporting

- Report spills that pose an immediate threat to human health or the environment accordingly:

Regional Water Quality Control Board.

- Federal regulations require that any oil spill into a water body or onto an adjoining shoreline be reported to the National Response Center (NRC) at 800-424-8802 (24 hour).
- Report spills to local agencies, such as the fire department; they can assist in cleanup.

Best Management Practices (BMP's)

Best Management Practices (BMPs) Implementation: TKO Recycling 4 employs a combination of administrative, source control and treatment control BMPs to address storm water quality issues, including identification of storm water pollution elimination or minimization opportunities, applicable protocols, training requirements, spill response and prevention procedures and other relevant activities.

Drain Protection BMP

Scope: Drain protection devices are installed on storm water drain to provide filtration to remove sediment.

Procedure: Drains will be inspected weekly or daily, if necessary, to remove sediment and foreign objects so that storm water will not be impeded as it enters the drain inlet.

Expected Results: Reduced oil, sediment and other debris entering the storm water drain system during storm events.

Containers BMP

Scope: Containers of recyclable materials are temporarily stored in a secure area until the contents can be transported to third party recycling centers for processing.

Procedure: Open-top containers are covered with waterproof tarps/covers prior to any forecasted inclement weather event. Containers can remain uncovered at all other times. Hazardous waste is store indoors.

The Yard will be swept and inspected daily for leaks spills and debris. Leaks and spills will be contained in area, neutralized with absorbent, and disposed of in accordance with established Spill Containment & Cleanup Procedure. In the event that spills or leaks occur during container transportation, they will be addressed immediately according to the Spill Containment & Cleanup Procedure. Spills or leaks observed during daily operations will be treated immediately according the Spill Containment & Cleanup Procedure.

Expected Results: Reduced opportunity for contamination in outside yard as a result of storm water falling on stored material.

Spill Prevention, Control and Cleanup BMP

Scope: The Spill Prevention, Control and Cleanup Procedure establishes requirements for the proper response and treatment of spills when they occur.

Procedure: Spill prevention, control and cleanup requirements and procedures will be conducted by trained staff in accordance with source control BMP SC-11 of the California Stormwater Quality Association (CASQA) Industrial Stormwater Best Management Practice Handbook (Appendix B). Workers are responsible for inspecting the inside and outside areas of the facility daily, containing and cleaning up and observed spills, leaks or debris. Additionally, TKO Recycling staff are responsible for implementing the proper handling of vehicle fluid leaks and spills which could occur in the truck and parking areas outside of the facility.

Expected Results: Reduced oil, sediment and other debris entering the storm water drain system during storm events.

Equipment Fueling BMP

Scope: Onsite equipment fueling represents a significant potential of fuel spills or leaks which could then enter the storm drain system.

Procedure: TKO Recycling 4 has designated a equipment fueling area which will be used by the staff to fuel TKO Recycling vehicles. Staff are trained in proper fueling techniques as well as procedures of containment and cleanup in the event a spill should happen.

TKO Recycling 4 staff are responsible for fueling material moving equipment. They are trained in the proper fuel techniques and spill containment and cleanup procedures. TKO Recycling 4 maintains spill containment supplies at the designated fueling area.

All equipment fueling activities will be conducted by staff in accordance with source control BMP SC-20 of the CASQA Industrial Stormwater Best Management Practice Handbook, where applicable.

Expected Results: Reduced oil, sediment and other debris entering the storm water drain system during storm events.

Staff Training BMP

Scope: Staff training in SWPPP requirements and procedures is critical to successful implementation of the SWPPP.

Procedure: All yard staff who work at TKO Recycling 4 are trained on the requirements of the SWPPP, including Spill & Leak Procedures. This training is repeated on an annual basis. Specific training is also administered for spill containment, response and clean-up. This training also has annual refreshers.

Expected Results: Reduced oil, sediment and other debris entering the storm water drain system during storm events.

Monitoring Program and Reports

Pollution Prevention Team: The TKO Recycling Management Committee is designated to serve as the company's pollution prevention team, in accordance with the guidelines of the SWPPP. This includes responsibility for overseeing the development and administration of the SWPPP and BMPs. The Management

Committee is also responsible for auditing on-going performance of all pollution control related activities such as a spill prevention and response team.

Site Inspections: TKO Recycling 4 will inspect the site prior to a forecast storm and after a rain....

- event that causes runoff from the site, at 24-hour intervals during extended rain events
- monthly, and as specified elsewhere in this SWPPP. The results of all inspections and
- assessments will be documented and copies of the completed inspection checklists will
- be maintained with the SWPPP. Site inspections conducted for monitoring purposes will
- be performed using the inspection checklist.

Non-Compliance Reporting

If the site is in non-compliance at any time, TKO Recycling 4 will submit a written report to the State Water Resources Control Board (SWRCB) or applicable Regional Water Quality Control Board (RWQCB) within 30 days of identification of non-compliance. Corrective measures will be implemented immediately following non-compliance.

The report to TKO Recycling 4 will contain the following items:

- The date, time, location, nature of operation, and type of unauthorized discharge, including the cause or nature of the notice or order,
- The control measures (BMPs) deployed before the discharge event, or prior to receiving notice or order,
- The date of deployment and type of control measures (BMPs) deployed after the discharge event, or after receiving the notice or order, including additional measures installed or planned to reduce or prevent re-occurrence, and
- An implementation and maintenance schedule for any affected BMPs

Record Keeping and Reports

Records shall be retained for a minimum of three years for the following items:

- Site inspections
- Compliance certifications
- Non-compliance reports

- Approved SWPPP document and amendments

INSERT SITE MAP HERE

Appendix B:

Spill Prevention, Control & Cleanup Procedure (Spill Prevention Control and Countermeasure Plan)

Introduction: Man activities that occur and an industrial site have the potential to cause accidental or illegal spills. Accidental releases of materials present the potential for contaminating storm water with many different pollutants. Materials spilled, leaked, or released from containment may accumulate in soils or on impervious surfaces and be carried away by storm water runoff. Preparation for accidental or illegal spills, including proper training and reporting, can minimize the discharge of pollutants to the environment.

An effective spill prevention, control & cleanup plan; identifying spill prevention and response procedures, potential pollutants and potential spill areas can have a major impact on preventing or minimizing pollution from accidental or illegal releases. The purpose of the TKO Recycling 4 Spill Prevention, Control & Cleanup Procedure is to provide a formal plan taking appropriate steps to identify and characterize potential spills, eliminate and reduce spill potential, respond to spills when they occur in an effort to prevent pollutants from entering the storm water drainage system, and train effected staff in preventing and controlling future spills.

The most common causes of unintentional releases are equipment failure, operator error or poor housekeeping. Maintenance is critical to preventing leaks and spills. Conduct routine inspections and check for external corrosion and structural failure. Routinely, check for spills and overfills due to operator error or poor housekeeping. Perform daily maintenance checks on all mechanical equipment, check for failure of piping, pumps, flanges, coupling, hoses, and valves.

Description: Spill prevention, control & cleanup procedure prevents/mitigates spills to the storm drain system. The Procedure is integrated with existing emergency response/hazardous materials and programs (e.g., Emergency Response Plan, Fire Department, etc.) It incorporates standardized reporting procedures, containment, storage, and disposal activities, documentation, and follow-up procedures. Training concerning spill prevention, response and cleanup to all appropriate personnel is critical to successful implementation. Spills and releases that occur during operations can contribute hydrocarbons, oil and grease, as well as heavy metals to storm water runoff. The following management practices can help prevent spills and releases.

Approach: Potential for pollutant discharge can be reduced through source control pollution prevention and BMP implementation. Successful implementation

depends on effective training of staff on applicable BMP's and general pollution prevention strategies and objectives.

Targeted Constituents

- Sediment
- Trash
- Metals
- Oil and Grease
- Organics

Spill Response and Prevention:

- Spill kits and spill cleanup materials are located in highly visible containers throughout the site, where they will be readily accessible.
- Absorbent materials should be used on small spills and general cleaning rather than hosing down the area. Remove the adsorbent materials promptly and dispose of it as hazardous waste.
- Report spills promptly to a manager, hazardous material operator or safety committee member.
- "Spot clean" releases, including leaks and drips routinely. Releases are not cleaned up until the absorbent is picked up and disposed of properly.
- Manage materials and waste to reduce adverse impacts on storm water quality.
- Storm water drains within the facility boundary are identified by paint/stencil (or equivalent), to indicate whether they flow directly to the sewer, or to a storm drain. Labels are not necessary for plumbing fixtures directly connected to the sanitary sewer.
- Report leaking vehicles to designated management.
- Inspect and clean, if necessary, storm drain inlets within the facility boundary before October 1 each year.
- Keep Spill Prevention, Control and Cleanup Procedure up-to-date.

Training:

- All staff should be trained annually on proper methods for handling and disposing of waste. All staff should understand storm water discharge prohibitions, wastewater discharge requirements, and best management practices.
- Train staff on proper fueling and cleanup procedures.
- The Staff Training Log is used to document training received.
- Staff are to be familiar with the site's spill control plan and/or proper spill cleanup procedures.

Outdoor Waste Receptacle Area:

- Clean leaks and drips routinely to prevent runoff of spillage.

- Minimize the possibility of storm water pollution from outside waste receptacles by using only watertight waste receptacle(s) and keep the lid(s) closed.
- Place waste receptacles in graded and paved areas to prevent run-on of storm water.
- Post and obey “no littering” signs.

Vehicle and Equipment Fueling

Vehicle and equipment fueling focuses pollution prevention activities on containment of spills and leaks, most of which could occur during liquid transfers. Staff are to be trained in proper fueling and cleanup procedures, as well as educated about pollution prevention measures and goals outlined in the TKO Recycling 4 SWPPP.

Designated fueling areas are to be identified and used to prevent the run-on of stormwater and the runoff of spills. Use properly maintained off-site fueling stations whenever possible. These businesses are better equipped to handle fuel and spills properly. Discourage “topping-off” of fuel tanks. Do not use mobile fueling of industrial equipment around the facility; rather, transport the equipment to designated fueling areas.

Use adsorbent materials on small spills and general cleaning rather than hosing down the area. Remove the adsorbent materials promptly. Comply with all Federal and State requirements regarding underground storage tanks, or install above ground tanks.

In addition to implementing the spill prevention, control, and clean up practices above, use the following for vehicle leaks and smaller spills:

- Perform all vehicle fluid removal or changing inside or under cover to prevent the run-on of storm water and the runoff of spills.
- Regularly inspect vehicles and equipment for leaks, and repair immediately.
- Check incoming vehicles and equipment (including delivery trucks, and staff and subcontractor vehicles) for leaking oil and fluids. Do not allow leaking vehicles or equipment onsite.
- Always use secondary containment, such as a drain pan or drop cloth, to catch spills or leaks when removing or changing fluids.
- Immediately drain all fluids from disabled vehicles.
- Place drip pans or absorbent materials under heavy equipment when not in use.
- Use adsorbent materials on small spills rather than hosing down the spill.
- Remove the adsorbent materials promptly and dispose of properly.
- Promptly transfer used fluids to the proper waste or recycling drums. Don't leave full drip pans or other open containers lying around.

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Major spills on roadways and other public areas should be handled by highly trained Hazmat teams from local fire departments or environmental health departments

Reporting:

Record keeping and internal reporting represent good operating practices because they can increase the efficiency of the facility and the effectiveness of BMP's. A good record keeping system helps the facility minimize incident recurrence, correctly respond with appropriate cleanup activities, and comply with legal requirements. TKO Recycling 4 Discrepancy/Preventive/Corrective Action Report is used for documenting releases, spills, leaks, and other discharges, including discharges of hazardous substances in reportable quantities. Incident records describe any quality and quantity of non-storm water discharges to the storm sewer.

These records should contain the following information:

- Date and time of the incident
- Weather conditions
- Duration of the spill/leak/discharge
- Cause of the spill/leak/discharge
- Response procedures implemented
- Persons notified
- Environmental problems associated with the spill/leak/discharge

Separate record keeping systems are used to document housekeeping and preventive maintenance inspections, and training activities. Inspection documentation should contain the following information:

- The date and time the inspection was performed
- Name of the inspector
- Items inspected
- Problems noted
- Corrective action required
- Date corrective action was taken.

All housekeeping and preventive maintenance inspections should be documented.

Appendix C

Emergency Response Plan

Emergencies and disasters can happen at any moment - and, they usually occur without warning. When an emergency strikes, all staff need to be prepared to respond, regardless of the nature of the emergency. The Emergency Response Plan contains simple, yet comprehensive, guidelines that can be applied to a variety of emergency incidents that may occur.

The Emergency Response Plan is designed to provide procedures to minimize dangers and hazards to human health and safety or the environment for unplanned sudden or non-sudden occurrences including fire, accidents and a variety of other potential emergencies.

Contents

- Emergency Contacts
- Building Evacuation
- Fire
- Earthquake
- Medical Emergency
- Explosion
- Power Failure
- Flood
- Work Related Injury
- Hazardous Materials Spill
- Location of Emergency Exits and Equipment
- Map to Emergency Medical Facility

Emergency Contacts

- Fire, Police or Ambulance
 - Inside the facility dial 911.
 - If using your cell phone, dial 911.
- Owner, Jeff Trimble 916-397-9081 (Cell Phone)
- Safety Manager, Paul Neal 916-416-7661 (Cell Phone)
- Office Manager, Teresa Trimble 916-397-9225 (office)
- Medical Facility , Sutter Roseville medical center
- One medical plaza, Roseville, CA.95661 (916-781-1000)

Emergency Communications

- Emergency communication requirements are determined by the type and severity of the emergency or incident.
- Any staff involved in or aware of an emergency incident should notify the Manager on site immediately. Communicating clearly and succinctly, "We have a ----- emergency".
- When reporting an emergency to external emergency services:
 - State your name, location and phone number.
 - Report the type of emergency. Communicating clearly and succinctly, "We have a ----- emergency".
 - Indicate whether there are victims or injured.
 - Give the TKO Recycling 4 address (9390 old state highway Newcastle, CA. 95658) and the exact location of the emergency within TKO Recycling 4.
 - Stay on the phone until the emergency services operator tells you it is alright to hang-up.

Emergency Assembly Area

- In the event of an emergency, particularly in instances where a building evacuation is necessary, all staff should report as quickly as possible to the Emergency Assembly Area located in the front parking lot near the street.
- Once you have evacuated the building, wait in the Emergency Assembly Area until you are instructed that it is safe to leave the site.

Emergency Response Supplies

- Emergency Response Supplies are located by cashier window in yellow container.
 - Emergency Response Supplies located inside the cabinet include:
 - Staff Roster
 - Hard Hats
 - Safety Goggles
 - Rubber Work Gloves
 - Flashlights
 - Safety Vests
-

Building Evacuation

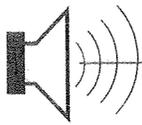
- A building evacuation is mandatory whenever the emergency button located by the cashier window or on the alarm panel is pressed. All building occupants should exit immediately. Building evacuations also follow severe earthquakes (after the shaking stops), and maybe necessary in

the event of other major emergencies. After a building has been evacuated, occupants must wait for a safety inspection before re-entry.

- It may or may not be necessary to vacate the building during minor emergency incidents, or even during some major events. Staff in the area may simply be directed to remain in their work area and shut down systems, or they may be asked to move to other areas of the building. In some events (such as extended power outages), evacuations are not necessary unless the incident has generated a hazardous materials release into the environment or immediate health and safety risk.
- Familiarize yourself with the location of all building exits.
- In the event an Emergency Alert is sounded:
 - Keep calm. Evaluate the situation carefully.
 - Walk, don't run when exiting the building.
 - Close, but do not lock doors behind you.
 - Assist any persons with disabilities or injuries and proceed to the nearest exit.
 - Do not attempt to take any possessions with you.
 - Proceed to the designated assembly area (Front parking lot near street).
 - Count all staff to confirm that all staff have evacuated the building.
 - Report staff unaccounted for to emergency workers at the scene.
 - Stay away from the buildings and roadway so emergency vehicles will have quick access to the emergency.
 - Do not attempt to remove your vehicle from the parking area, unless asked to do so by the emergency personnel.

Fire

- ***Fire Prevention***
 - Know the location of alarm stations and extinguishers. Know how to use them
 - Clear obstructed corridors, aisles and room exits
 - Use only grounded electrical plugs
 - Limit use of extension cords and multiple outlets
 - Do not use mechanical rooms or utility rooms for storage
 - Do not smoke in the building.
- **In The Event Of A Fire**
 - Spread the alarm to all staff. Notify the Manager on site.
 - Call 911. Specify location, size of fire, and any relevant details.
 - Know the location of fire extinguishers.
 - Do not attempt to extinguish the fire unless it is small. If safe to do so:
 - Stand at least 6 feet from the fire
 - Pull the pin in the handle
 - Aim at the base of the fire



November 30, 2012

Mr. Jeff Trimble
TKO Recycling
9093 Old State Highway
Newcastle, CA 95658
Transmitted via email: Pjw712@aol.com

Subject: TKO Recycling Noise Memorandum – Newcastle (Placer County), California

Dear Mr. Trimble,

Pursuant to your request, Bollard Acoustical Consultants, Inc. has completed an environmental noise assessment for the proposed TKO Recycling Facility at 9093 Old State Highway in Newcastle (Placer County), California. The project site, which is shown on Figure 1, is bordered by the Union Pacific Railroad (UPRR) tracks to the north, Interstate 80 to the east, and Old State Highway to the west (beyond which are commercial uses. The nearest existing residences are located approximately 350-400 feet from the project site.

This analysis was prepared to evaluate the noise generation of the proposed recycle facility at nearby residential uses to the north and east. The following presents the applicable acoustical criteria, summarizes the noise level analysis, and provides conclusions regarding the state of compliance with applicable Placer County noise standards.

Criteria for Acceptable Noise Exposure

The Placer County Noise Ordinance (Section 9.36.060) states that it is unlawful for any person at any location within the County to create any sound, or to allow the creation of any sound, on property owned, leased, occupied or otherwise controlled by such a person that:

1. Causes the exterior sound level when measured at the property line of any affected sensitive receptor to exceed the ambient sound level by five (5) dB or
2. Exceeds the sound level standards as set forth in Table 1, whichever is greater.

Table 1 Placer County Noise Ordinance Sound Level Standards		
Sound Level Descriptor	Daytime (7 AM – 10 PM)	Nighttime (10 AM – 7 PM)
Hourly Leq, dB	55	45
Maximum Level (Lmax), dB	70	65
Notes:		
1. Each of the sound level standards specified above shall be reduced by five (5) dB for simple tone noises, consisting of speech and music. However, in no case shall the sound level standard be lower than the ambient plus five (5) dB.		
2. If the intruding sound source is continuous and cannot reasonably be discontinued or stopped for a time period whereby the ambient sound level can be measured, the sound level measured while the source is in operation shall be compared directly to the sound level standards seen above.		

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Figure 1
 TKO Recycling - Newcastle (Placer County), California
 Project Area and Nearest Noise-Sensitive Receptors



Due to the proximity of the UPRR tracks to the immediate north and Interstate 80 to the immediate east of the project site, ambient noise conditions at the project site and nearest residences are already elevated, substantially exceeding the Table 1 noise standards. As a result, satisfaction with those standards at the nearest residences would ensure that project noise emissions are well below existing ambient conditions.

Predicted Project Noise Generation

According to the project applicant, the noise-generating equipment to be used at the recycling center would consist of two propane-powered forklifts, and a small excavator, such as the Caterpillar 305 or equivalent. Hours of operation will be limited to daytime hours, so the nighttime noise level standards shown in Table 1 would not apply.

BAC field data for small propane powered forklifts indicates that average and maximum noise levels of 60 dB Leq and 75 dB Lmax can be expected at a distance of 50 feet from the operating forklift. For the small excavator, BAC file data indicates that average and maximum noise levels of 65 dB Leq and 75 dB Lmax can be expected at a distance of 50 feet from the operating excavator. Assuming standard spherical spreading loss (-6 dB per doubling of distance), project-equipment noise exposure at the closest residential receivers were calculated and presented in Table 2. The Table 2 data applies a -10 dB offset for shielding provided by the UPRR embankment to the immediate north of the site (See Figure 2), but no offset for the elevated position of Receiver 3 to the southwest.

Table 2 Summary of Project-Related Noise Exposure at Nearest Residences Newcastle Recycle Facility Project				
Nearest Receiver	Distance (feet)	Shielding, dB	Predicted Noise Levels (dBA)	
			Leq	Lmax
1 - NW	400	-10	40	48
2 - N	350	-10	40	48
3 - SE	350	0	50	58
County Daytime Noise Standards:			55	75
Note: Receiver locations are shown on Figure 1				

Mr. Jeff Trimble
TKO Recycling
November 30, 2012
Page 4

Figure 2 – Photograph showing embankment behind proposed recycling facility



Conclusions

The Table 2 data indicate that project noise generation would be well within compliance with Placer County noise standards at the three nearest residential areas to the project site. In addition, due to the very high ambient noise environment in the immediate project vicinity resulting from Interstate 80 and UPRR operations, project noise emissions are expected to be substantially, if not completely, masked by the existing ambient noise environment. This analysis therefore concludes that the project would satisfy the applicable Placer County noise standards at all existing residences in the immediate project vicinity and that no additional noise mitigation measures would be warranted for this project.

Please contact me at (916) 663-0500 or paulb@bacnoise.com if you have any comments or questions regarding this letter.

Sincerely,

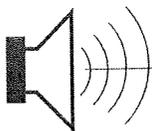
Bollard Acoustical Consultants, Inc.

Handwritten signature of Paul Bollard.

Paul Bollard
President

Appendix A Acoustical Terminology

Acoustics	The science of sound.
Ambient Noise	The distinctive acoustical characteristics of a given space consisting of all noise sources audible at that location. In many cases, the term ambient is used to describe an existing or pre-project condition such as the setting in an environmental noise study.
Attenuation	The reduction of an acoustic signal.
A-Weighting	A frequency-response adjustment of a sound level meter that conditions the output signal to approximate human response.
Decibel or dB	Fundamental unit of sound, A Bell is defined as the logarithm of the ratio of the sound pressure squared over the reference pressure squared. A Decibel is one-tenth of a Bell.
CNEL	Community Noise Equivalent Level. Defined as the 24-hour average noise level with noise occurring during evening hours (7 - 10 p.m.) weighted by a factor of three and nighttime hours weighted by a factor of 10 prior to averaging.
Frequency	The measure of the rapidity of alterations of a periodic signal, expressed in cycles per second or hertz.
L_{dn}	Day/Night Average Sound Level. Similar to CNEL but with no evening weighting.
L_{eq}	Equivalent or energy-averaged sound level.
L_{max}	The highest root-mean-square (RMS) sound level measured over a given period of time.
Loudness	A subjective term for the sensation of the magnitude of sound.
Masking	The amount (or the process) by which the threshold of audibility is for one sound is raised by the presence of another (masking) sound.
Noise	Unwanted sound.
Peak Noise	The level corresponding to the highest (not RMS) sound pressure measured over a given period of time. This term is often confused with the Maximum level, which is the highest RMS level.
RT₆₀	The time it takes reverberant sound to decay by 60 dB once the source has been removed.
Sabin	The unit of sound absorption. One square foot of material absorbing 100% of incident sound has an absorption of 1 sabin.
SEL	A rating, in decibels, of a discrete event, such as an aircraft flyover or train passby, that compresses the total sound energy of the event into a 1-s time period.
Threshold of Hearing	The lowest sound that can be perceived by the human auditory system, generally considered to be 0 dB for persons with perfect hearing.
Threshold of Pain	Approximately 120 dB above the threshold of hearing.



BOLLARD

Acoustical Consultants

**Commercial
Real Estate**

clinecompany.com

**THE
CLINE
COMPANY**

11990 Kemper Rd. Ste. 100
Auburn, CA 95603

530-888-1000

February 15, 2013

To Whom It May Concern:

That Olin J and Gradene Cline as owners of the building at 9093 Old State Hwy, Newcastle, California acknowledge that William Jeffrey, LLC will be conducting a recycling operation at the above stated address and that the Lease Agreement addresses and requires them to be in compliance with all Enviromental Laws, Laws imposed by Union Pacific Railroad or any other regulations that would apply to their operation and Olin J and Gradene Cline consent thereto.

ATTACHMENT F