

Law Offices
FREER & McGARRY
A Professional Corporation

STEPHEN N. GELL
Of Counsel

1000 Thomas Jefferson Street, NW
Suite 600
Washington, D.C. 20007
Telephone: (202) 965-6565
Facsimile: (202) 965-4839

November 6, 1995

Ms. Jerrily Kress
Chair, D.C. Zoning Commission
Second Floor
441 4th Street, N. W.
Washington, D.C. 20001

Re: Case No 95-4/Rezoning of Area North of Union Station

Dear Ms. Kress and Members of the Zoning Commission:

I represent the owner and lessee of the former Uline Arena at Third and M Streets, N.E. You have before you a proposal by the Office of Planning to rezone a portion of the property in the northern half of Square 748 from M to C-M-3 and a portion to C-M-1 or C-M-2. The M Zone should be maintained in this location. Without it, the lessee may not be able to continue operating a solid waste transfer and recycling station, services which are considered by many to be the safest, cleanest and most efficient in the District.

The Comprehensive Plan

The continuation of the M Zone is consistent with the Comprehensive Plan designation for this property which is PTE Medium-High Density Commercial. Because of the great need for employment in this area, particularly at entry levels, it is advisable to continue the M classification. PTE is an employment zone. The people who are most in need of jobs are the growing numbers of young people who drop out of high school and have fewer and fewer opportunities for legal gainful employment. M provides greater flexibility for the owners, allowing them to adapt the transfer operation to changing needs. This would not be possible if the transfer station were continued as a non-conforming use. In addition, the railroad property to the west of this parcel will remain in an M Zone.

Enclosed is a report (Attachment A) prepared by John Kirkwood White, an expert witness and consultant in Zoning and Land Use, who comments on the loss of city services and revenue attendant on the elimination of industrial zones in the District as well as on the operation of this facility.

ZONING COMMISSION

CASE No. 95-4

EXHIBIT No. 42

ZONING COMMISSION
District of Columbia
CASE NO. 95-4
EXHIBIT NO. 62

This single member district needs the jobs that an M district will support. Many of these are entry level jobs which can give hope and direction to young people who have been dropping out of high school. It will give them a taste of working life which we hope will lead to more education and better employment. There have to be constructive, meaningful occupations for these young people or they will turn to crime or dependency or both. The loss of entry level jobs doesn't hurt professionals who have the education and skills necessary to work in governmental or private sector office buildings. It does hurt blue collar workers who depend on unskilled and semi-skilled jobs for entry into the job market. Those jobs are fast disappearing. This site should continue to have the flexibility the M Zone affords.

The Operation

The facility is leased and operated by LG Industries, Inc. which is owned by Leo Gutierrez, Sr. and Leo Gutierrez, Jr. They have been in operation about a year and a half and are very proud of the size and efficiency of the operation as well as its low impact on the residential parts of the neighborhood. Many hundreds of tons of solid waste are brought to the building on a daily basis and are loaded onto large trucks which take the solid waste to Lorton and other land fills. They service many solid waste contractors who collect waste from commercial properties throughout the District of Columbia.

Solid waste is brought to the facility all day long and by evening the entire facility is emptied of municipal solid waste and hosed down with a special formula which kills germs and eliminates potential odors. The premises are under contract with Orkin Exterminating Co., which assures that vermin will not inhabit the facility.

Other special precautions are taken to reduce the impact of the traffic to and from the facility: Trucks are not allowed to congregate near the residences or to wait on the street in large numbers. Trucks approach the transfer station from the West along M Street and leave by turning north on Third Street, N.E. Thus, the residential portions of Third Street are spared the potential noise and congestion of large trucks rumbling by. Any noise from trucks and solid waste moving operations stays in the building, which was build to contain noise. (If the Arena were still being used for sports matches or rock concerts, the noise, traffic and parking congestion would have a severe impact on the neighborhood, far beyond anything the transfer operation has. Many neighbors have come to realize that a transfer station, operating to the strict standards enforced by the District, is a relatively benign use for that building given the industrial nature of the current and proposed zoning.)

Odors and dust are also eliminated by maintaining a misting operation within the facility, by keeping the amount of organic solid waste that can be delivered to the facility to a minimum, by removing the solid waste every day, by maintaining a good air filtration system and by

Ms. Jerrily Kress
November 6, 1995
Page 3

washing down the floors at night with a special preparation which kills germs. In addition, all trucks are required to cover their loads and they are hosed down frequently to avoid the buildup of odor. Moreover, air from the arena building is vented out toward the tracks on Second Street, rather than toward the residential areas. Finally, the perimeter of the property is policed regularly to remove illegal dumping. Loose papers either coming off the trucks or being tossed by passing motorists are picked up twice a day.

Although complaints have been made about odors from time to time, the source of the odors has been traced to a produce business on Second Street. Often boxes of rotted vegetables have been observed sitting on the sidewalk for long periods of time. Moreover, vegetable waste is hosed away from the premises into the gutter where it collects both in the gutter and around the clogged drains at the lower end of the block. Occasionally, this causes unpleasant odors to drift into the neighborhood. LG Industries avoids all of this by collecting all the water used to wash and disinfect its floors in large drums which are removed from the site by truck.

The attached DC Government Reports (Attachment B) from Donald Campbell, Environmental Specialist in the Office of the Administrator, Environmental Regulation Administration, DCRA, conclude that on two multimedia multi-divisional inspections (April 14 and May 4, 1995) there was no evidence of air, pesticide, waste, soil, water or fire problems. Indeed the only problems noted were the evidence of rodent infestation and absence of fire extinguishers, matters which were corrected by the time of the reinspection on May 11, 1995.

Whether or not there is a zone change, LG will continue to maintain the highest standards of cleanliness and quiet, for which neighbors have praised them. In addition, LG is an industrial use in a neighborhood which needs entry-level and skilled jobs. The M Zone protects the base of employment at both skilled and unskilled levels. Many industries are being chased out of the District through rezoning and taxes and the blue collar jobs are going with them. As the gap between rich and poor grows larger in the District, the community can ill afford the further loss of industrial employers.

At present LG employs 11 full time employees and supports the activities of 20 subcontractors involving 60 employees, approximately two-thirds of whom (owners and employees) are African-American. In addition, recent legislation has made it possible for DCRA to put in place strong regulatory controls over recycling centers and transfer stations. Through the licensing process the neighbors and the ANC will have continuing power over such activities to force compliance with standards of cleanliness and ensure freedom from harmful effects. LG Industries has supported such controls from the beginning and will continue to do so.

LG Industries has been a good neighbor

Since the transfer station opened a year and a half ago, people have had the opportunity to

Ms. Jerrily Kress
November 6, 1995
Page 4

see how LG operates. They have gotten high marks. When there have been complaints LG has addressed them. It has an excellent track record for responsiveness.

Daniel Pernell, Commissioner for Single Member District 6A02 which includes the Transfer Station, has been laudatory in his praise of the operation of the facility. Many neighbors and community leaders have toured the station and have come away impressed. Indeed, the biggest supporters of the Transfer Station are neighbors who live the closest. They have spoken in support of it at community meetings.

Job Bank

In cooperation with a non-profit community group, LG Industries has signed an agreement to sponsor a Job Bank for neighborhood residents. LG will take applications for jobs in the solid waste transfer and recycling industry and make referrals throughout the industry, not just with LG Industries. (See Attachment C, a copy of the agreement with the community board.) Some internships go begging because of lack of publicity. Some training programs have few applicants because those in need of training fail to hear about them. It is hoped that this referral resource will put more neighborhood people to work.

Computer Center

In addition, in the same agreement LG has undertaken to provide free space and at least five computers for a Computer Incentive Learning Center. There will be opportunities for tutoring, career preparation and explorations into new areas of interest. Although most of the time it will be open for children 8-12, there will be opportunities for adults to use the Center for computer education. Professional administrative and educational experts have been identified to run the facility and grant sources are being researched. Among the Board Members are Daniel Pernell, Ms. Laverne Law, Mr. Eugene Alston, Mr. Russell Alexander, Mr. Donnell Banks, Ms. Wallacetine Taliaferro-Curtis, and Mr. Andre Robinson. (See Attachment C, a copy of the agreement with the community board.)

In view of the complexity of this matter and the desire to put on an expert witness, we would appreciate it if the Commission could grant 15 minutes for our presentation. We stand ready to assist the Commission in any way we can. Please advise if further information is required.

Yours very truly,

A handwritten signature in dark ink, appearing to read "Stephen N. Gell", written in a cursive style.

Stephen N. Gell

LG Industries, Inc
1140 Third Street, N.E.
Washington, DC 20002
202-544-3355

Memorandum of Understanding

This is an agreement between LG Industries, Inc. and the Board (to be formed) of the Uline Computer Incentive Learning Center, Inc.

1. The Board of the Uline Computer Incentive Learning Center will consist of Commissioner Daniel Pernel (Chair), Wallacetine Taliaferro-Curtis, Russell Alexander, Eugene W. Alston, Laverne Law, Donnell Banks and Andre Robinson. It agrees to organize a learning facility to be housed at 1132 Third Street, N.E. The Board will have the use of the described space for the Learning Center between the hours of 5 and 8 p.m., four days during the week. Initially the center is intended to serve schoolchildren 8-12 years old as well as adults residing in the neighborhood.
2. Activities at the center will be decided by the Board of the Center. They may include using computer programs for tutoring in all school subjects, career and job preparation, and exploration into literature, mathematics, life sciences, history, social studies, computer science, languages and citizenship. They may also include (one evening a week) adult computer learning in WordPerfect, Lotus spreadsheets, Word for Windows bookkeeping, and other life skills.
3. The activities at the Center will be the sole responsibility of the Community Corporation which will have decision-making authority with respect to the population to be served, personnel, curriculum and operational expenditures. The Corporation will consult with neighborhood representatives selected from residents living within three blocks of the Center.
4. A part-time Center Director will be selected by the Corporation in consultation with the neighborhood representatives. The Center Director and all volunteer staff persons will be considered as employees of or responsible to the Corporation, not LG Industries.
5. The Center will be funded by grants for salaries, administrative expenses and equipment. LG Industries agrees only to provide the space for the Center at no rent or utility charge. In addition, LG Industries agrees to supply a minimum of 5 computers.
6. LG Industries, Inc. also agrees to operate a job bank. It will take applications

from neighborhood residents both for openings at LG and for openings in other firms in the solid waste and recycling industries.

7. The obligations assumed by LG Industries under this memorandum of understanding are contingent on their retaining an M Zone designation for the property on which the Uline Arena, the Ice House and other connected buildings are located, on the continuation of the transfer station on the premises and on the continued operation of the Learning Center for the stated purpose. Any significant change in the operation of the center or any prolonged cessation of operations, (45 days or more except during summer vacation) will result in the termination of this agreement. Failure of either party to assert rights under this agreement will not deprive it of said rights. Amendments to this agreement shall not be effective unless in writing.

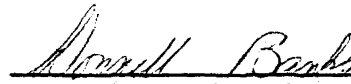
Agreed to this Second day of November, 1995

Board Members:


Com'r Daniel M. Pernell, III

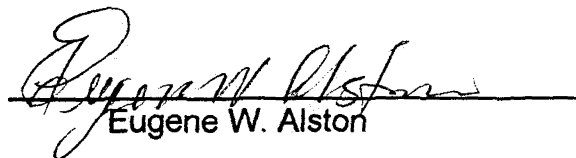
Laverne E. Law

Russell Alexander


Donnell Banks


Wallacetine Taliaferro-Curtis

Andre Robinson


Eugene W. Alston

LG Industries, Inc.


Leo Gutierrez, Sr.

J. Kirkwood White
5415 Connecticut Ave, N.W.
Suite 403
Washington, DC 20015

November 1, 1995

Ms. Jerrily Kress, Chair
D.C. Zoning Commission
441 4th Street,
Washington, DC 20001

Re. Case No 95-4, LG Industries, Inc.

Dear Ms. Kress and Members of the Zoning Commission:

This report offers my professional conclusion concerning the proposed rezoning of 1140 3rd St. N.E. from M to a combination of C-M-3 and either C-M-2 or C-M-1. The subject property is improved by the former Uline Arena. The tenant business is LG Industries, Inc., ("LG") a private solid waste transfer station. LG is owned by Leo Gutierrez, Sr. and his son, Leo Gutierrez, Jr. Leo, Sr., emigrated to the United States from Peru in 1964. LG is a family-owned minority business.

The property is owned by Coliseum Washington Associates. It has on it a large building which was built in 1941 and was used as a sports arena. The arena was vacant for several years until LG converted the arena building to a fully enclosed transfer station. LG has gone to considerable expense to modify the building to keep the noise and dust and odor of a solid waste transfer station contained as much as possible inside the building. The former arena is ideally suited for a solid waste transfer station in that it has a large inside open space permitting solid waste trucks from commercial businesses in DC to unload their solid waste and for the LG crew to separate the solid waste and to load it on to larger trucks which carry the separated solid waste to private landfills in Virginia. The movement of trucks to, within and out of the transfer station is designed to be efficient to the drivers and to lessen impact on the industrial area and its residents.

I conclude that the proposed rezoning will not serve to implement the Comprehensive Plan, will be contrary to the Land Use and Economic Development Elements, will adversely affect the neighborhood and could drive at least one small minority business out of business. The proposed rezoning will also serve to lessen the badly needed revenues of the D.C. Government. Few, if any, of the transfer stations in the city are located in M zones and most are under pressure from DCRA to reapply for their certificate of occupancy. If the District is successful in its current drive to close down these stations, there will be no transfer stations in the District and local hauling contractors will have to use transfer stations outside of the city. That means extra miles travelled on city streets and a serious loss of revenue.

Zoning Analysis

The arena property has been zoned "M" for the past 40 years. During that period the "M" area has gone through several cycles as patterns of industrial land use have changed. In the most recent 10 years, industrial, blue collar employment has declined all over the city as the city lost business and jobs and revenue to the suburbs. Now, blue collar work is making a modest comeback, especially in the solid waste transfer and recycling field. Several new small and minority business have started up in these fields, giving some of the multinational corporations like Browning Ferris and Waste Management, Inc. some competition.

For the most part these small operations occupy former vacant sites in M zoned areas. The "M" zone was created by the Zoning Commission in 1958 in the Lewis Rezoning Proposals to replace the 1st and 2nd commercial Zones that had covered all industrial, office and retail uses in the city. The purpose of the M Zone was to allow a wide variety of commercial and industrial uses subject to standards of external effects for noise, glare, dust, and odor that are, in the case of LG's operation, handled inside the solid reinforced concrete building.

"M" is the right zone for LG Industries and many surrounding revenue generating businesses. "M" fits LG to a "T". To change the zoning to C-M-2 will make LG a non-conforming use. That will put a straightjacket on its business and cause its insurance rates to skyrocket. It could drive yet another small blue collar operation out of DC just at a time when things are picking up for Leo, Sr. and Leo, Jr.

Comprehensive Plan Analysis

You don't have to rezone LG. In fact, if you do so, that act will be contrary to the Comprehensive Plan. The Land Use Element and map designates the subject industrial area for "Production and Technical" Land Uses including the variety of industrial uses that are present in the area. The Element recognized the need to protect and enhance blue collar jobs and services like solid waste transfer stations. The Economic Development Element cites at length the need for entry level jobs and the need for opportunities for small minority businesses. These businesses must have the flexibility to respond to market conditions within matter of right zoning without the need to go to the BZA. A change in zoning here is unnecessary under the Comprehensive Plan.

Impact on the Adjacent Residential Neighborhood

LG has done extensive work to route traffic, modify the arena to contain noise and dust, and to bait and trap rats to lessen any impact on adjacent residential neighbors. LG has met frequently with neighbors to learn of their concerns as well as to offer a job bank to residents who want a job. Industrial uses do have an impact, but the question is whether commercial and residential neighbors can live together in relative peace. LG wants to remain a good neighbor. Additionally, one needs to realize that if industrial neighbors are chased out, a much worse situation will occur in the resulting vacant buildings - drugs, crime, prostitution and vermin. This community desperately needs entry level jobs and training opportunities, both of which are being supplied by LG. In addition, LG has proposed a program to match residents with jobs in the

entire waste transfer and recycling industry. Finally, a Computer Incentive Learning Center has been agreed to by LG and a community board which will give young people and adults vital skills they will need to take jobs in the computer industry and elsewhere.

Impact on the District of Columbia

Every industrial downsizing garners short-term political gain but chases business to the suburbs. Remember Reed-Cooke where long-time industrial uses moved out and drug pushers moved in! People should recognize that these short-term zoning decisions may make D.C. government appear “responsive” to voters. But industrial down zoning has and will continue to have disastrous consequences as businesses who pay taxes and employ D.C. residents move out to places more favorable to business. Moreover, if LG leaves, lost will be the jobs and small business access to efficient transfer facilities in the District. LG employs 11 people. Its business supports the activities of 20 businesses and approximately 60 people. 2/3 of them are African American small business owners and drivers.

Impact on LG Industries and Coliseum Washington Associates

A downsizing here will make the transfer station a non-conforming use. That will limit the flexibility of the business to respond to changes in the market dictated by the national and regional solid waste business. There is little chance that the BZA would grant a variance.

For all the above reasons I urge the commission to retain the “M” zoning.

Author's note

I submit this report as a land use expert. I am not appearing as an attorney. I have retired from active law practice following a stroke. For credentials as a land use expert I offer the following:

- 8 years' experience as a D.C. Government planner and zoning expert,
- 18 years of law practice as a zoning lawyer and economic development expert
- 5 years as a poverty lawyer and labor expert, and
- 5 years of teaching urban planning at Howard University.

J. Kirkwood White

GOVERNMENT OF THE DISTRICT OF COLUMBIA

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
ENVIRONMENTAL REGULATION ADMINISTRATION
2100 MARTIN LUTHER KING, JR. AVENUE S.E.
WASHINGTON, D.C. 20020-5732



Mr. Stephen N. Gell
Freer & McGarry
1000 Thomas Jefferson Street, N.W.
Suite 600
Washington, D.C. 20007

Dear Mr. Gell:

This is in response to your two Freedom of Information requests, dated October 30, 1995, in which you requested information concerning the solid waste transfer facility known as Uline Arena and located at 1140 Third Street, N.W.

Documents included with this response are:

1. Attachment 1: Inspection findings from a multi-media inspection conducted on April 14, 1995.
2. Attachment 2: Findings from a reinspection of the site conducted on May 11, 1995.
3. A memorandum, dated May 4, 1995, from Donald Campbell to Ted Gordon describing the April 14, 1995 inspection of the Uline Arena.

If you have any questions regarding these documents, please contact me on 202-645-6617.

Sincerely,

A handwritten signature in cursive script, appearing to read "James P. Sweeney".

James P. Sweeney
Acting Chief
Hazardous Waste Management Branch

**ATTACHMENT 1 - FORMER ULINE ARENA INSPECTION, 1140 3RD STREET,
N.E., APRIL 14, 1995**

PARTICIPANTS AND RESPONSIBILITIES INCLUDED:

Department of Consumer and Regulatory Affairs (DCRA),
Environmental Regulation Administration (ERA) -

Don Campbell, ERA Multimedia Coordinator

Water Resources Management Division (Water)
Jerusalem Bekele, Bill Ruby
- Sanitary Sewer and Surface/groundwater concerns

Air Resources Management Division (Air)
Gary Arsenhault, Ron Gary
- Air emission concerns

Soil Resources Management Division (Soil)
Alex Okechukwu, Norris Etienne
- Soil Erosion and Stormwater Management concerns

Pesticide, Hazardous Waste, and Underground Storage
Tank Division (HWUST)
Ghirmay Berhe
- Hazardous Waste and Underground Storage Tank concerns

D.C. Fire Department (DCFD) - Steve Smith, Fire Marshall
- Fire Code Violations

Metropolitan Police Department (MPD) -
David Murray, Crime Scene Investigator/Photographer

Department of Public Works
Office of Education (DPW/OEO) and Outreach/Vector
Control
William Page - Rat infestation

Office of Solid Waste Control (DPW/SWC) - Jeri Glover
- Illegal dumping/litter control in public space

Commissioner for Public Health (CPH) - Madeline Fletcher
- Public Health Concerns

FINDINGS:

Comments: This transfer station is not in operation at this time. The owner is just completing modifications to install truck weighing scales and removal of the old seating. There is no building permit for the construction. The Certificate of Occupancy

**ATTACHMENT 2- FORMER ULINE ARENA INSPECTION, 1140 3RD STREET,
N.E., May 11, 1995**

On May 11, 1995, at approximately 11:30 AM, a reinspection was made by an ERA representative. At that time the transfer station was in operation, receiving municipal solid waste and construction/demolition debris. At the time of the inspection, no vehicles were dumping. The process is for the trash trucks to come into the building, get weighed, and dump their materials. Front end loaders then put the materials into dump trailers for disposal at Lorton Landfill in Virginia.

The area was clean except for the area along the 2nd Street side. The owner stated that people continue to dump trash and debris regularly at night. They said that they had identified some of the vehicles through a video camera they had installed to monitor the area. They had given the information to the Department of Public Works and the Metropolitan Police, but have not heard from them. They said they will continue to clean up the material on a periodic basis.

They said they have a pest control contractor (Orkin) coming weekly for rodent control. They also said that they remove all trash at the end of the day so that no trash to be hauled remains in the building overnight.

There was no noticeable odor coming from the facility. They have two deodorizing systems, one at the weight scale and one in the trash dumping/loading area. These systems spray odor neutralizers to prevent odors from coming out of the building.

There was no noticeable noise coming from the facility.

May 4, 1995

MEMORANDUM

TO : Ted Gordon, Chief
Office of Compliance

FROM : Donald Campbell, Environmental Specialist
Office of the Administrator

SUBJECT : Multimedia Inspection of Solid Waste Transfer
Stations

On April 14, 1995, a multimedia inspection of seven solid waste transfer stations was performed to determine regulatory compliance. The participants met at the offices of the DPW Solid Waste Management Administration at 2750 South Capital Street, S.E. at 9:00 AM and proceeded to the sites.

Participants and responsibilities included:

DCRA/ERA -

Don Campbell, ERA Multimedia Coordinator

Water Resources Management Division (Water)

Jerusalem Bekele, Bill Ruby

- Sanitary Sewer and Surface/groundwater concerns

Air Resources Management Division (Air)

Gary Arsenhault, Ron Gary

- Air emission concerns

Soil Resources Management Division (Soil)

Alex Okechukwu, Norris Etienne

- Soil Erosion and Stormwater Management

Pesticide, Hazardous Waste, and Underground Storage Tank
Division (HWUST)

Ghirmay Berhe

- Hazardous Waste and Underground Storage Tanks

D.C. Fire Department - Steve Smith, Fire Marshall

- Fire Code Violations

includes "Transfer Station," as part of the activities allowed, as a shipper of goods.

The building and area was clean, except for trash dumped by unknown parties on the 2nd Street side of the building.

Jim Delgado, DCRA/Building Regulation Administration, was contacted after the inspection to check on the status of a construction permit to remove the bleachers and install truck weight scales. No permit had been issued, but the owners applied for and received a building permit the inspectors informed them of the need for a permit.

INDIVIDUAL FINDINGS:

Air	-	None
HWUST	-	None
Soil	-	None
Water	-	None
DCFD	-	Lack of Fire Extinguishers
MPD	-	None
CPH	-	Rat infestation signs observed
DPW/OEO	-	None
DPW/SWC	-	Trash and litter on 2nd Street side of building

Metropolitan Police Department -
David Murray, Crime Scene Investigator/Photographer

Department of Public Works
Office of Education and Outreach/Vector Control
William Page
- Rat infestation

Office of Solid Waste Control - Jeri Glover
- Illegal dumping/litter control in public space

Commissioner for Public Health - Madeline Fletcher
- Public Health Concerns

Discrepancies noted were as follows:

1. 1900 Kendall Street, N.E.

Comments: Facility shut down due to disconnected fire sprinkler system, roof supports damaged by equipment.

Air	-	None
HWUST	-	None
Soil	-	None
Water	-	None
DCFD	-	Lack of Fire Extinguishers, Sprinkler shut off
PD	-	Illegal parking of trucks
CPH	-	Building not completely enclosed, rodent infestation, within 50 feet of residences, odor and noise complaints
DPW/OEO	-	Rat infestation signs observed
DPW/SWC	-	None

2. 2160 Queens Chapel Road, N.E.

Comments:

Air	-	None, odor masking chemical applied
HWUST	-	None
Soil	-	None
Water	-	Leaking fire hydrant connection
DCFD	-	Lack of fire extinguishers, fuel storage without secondary containment
PD	-	None
CPH	-	None
DPW/OEO	-	Rat infestation signs observed
DPW/SWC	-	None

3. 2155 Queens Chapel Road, N.E.

Comments: No Certificate of Occupancy

Air	-	None, odor masking chemical applied
HWUST	-	None
Soil	-	Soil Erosion problems, diking needed
Water	-	None
DCFD	-	Lack of Fire Extinguishers
PD	-	None
CPH	-	Delicatessen abuts property, building not completely enclosed
DPW/OEO	-	Rat infestation signs observed
DPW/SWC	-	None

4. 2115 Bryant Street, N.E.

Comments: Solid waste may exceed 15% allowable for recycling facility

Air	-	None
HWUST	-	None
Soil	-	Soil erosion problems, diking needed
Water	-	None
DCFD	-	None
PD	-	None
CPH	-	Within 150 feet of residences
DPW/OEO	-	Rat infestation signs observed
DPW/SWC	-	None

5. 2225 Lawrence Street, N.E.

Comments: Open dump area, primarily construction debris - not regulated under Act 10-398, removing remaining residential waste

Air	-	None
HWUST	-	None
Soil	-	None
Water	-	Possible leaching of residential waste
DCFD	-	None
PD	-	None
CPH	-	Odor complaints; within 50-100 feet of other businesses; traffic complaints;
DPW/OEO	-	Rat infestation signs observed
DPW/SWC	-	None

6. Uline Arena, 1140 3rd, N.E.

Comments:

Air	-	None
HWUST	-	None
Soil	-	None
Water	-	None
BRA	-	Jim Delgado checked on the status of a construction permit to remove the bleachers and install truck weight scales. The work has been completed, but the company did get a permit. The Certificate of Occupancy has "Transfer Station" listed.
DCFD	-	Lack of Fire Extinguishers
PD	-	None
CPH	-	Rat infestation signs observed
DPW/OEO	-	None
DPW/SWC	-	None

7. Eastern Trans Waste (ETW), 1329 1st Street, S.E.

Comments: Open dump areas, primarily cardboard, paper

Air	-	None
HWUST	-	None
Soil	-	None
Water	-	Vehicle repair in yard area contributes to oily runoff
DCFD	-	Lack of Fire Extinguishers
PD	-	None
CPH	-	None
DPW/OEO	-	None
DPW/SWC	-	None

Summary

Fire code violations were found in all locations except 2115 Bryant Street. Rat infestations were found in all locations.

Issuance of a Certificate of Occupancy for a "Transfer Station" as it refers to shipment of goods should be ceased.

If you have any questions, please call me on 645-6080, extension 3080.