

**NOVEMBER 15, 2011 ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 2**

ITEM # 2

PURPOSE

To consider a stipulation amendment for RTS Landfill, Inc. regarding Special Land Use Permit SLUP-7 of 2004 (RTS Landfill, Inc.), for property located on the north side of Plant Atkinson Road, southwest of Atlanta Road in Land Lot 894 of the 17th District.

BACKGROUND

The subject property was granted a Special Land Use Permit in 2004 to operate a waste transfer station for Municipal Solid Waste (MSW) and Construction and Demolition debris (C&D). The applicant would like to add a recycling component to the facility to remove paper, metal and plastics from the waste stream. Currently, these materials are sent to a landfill. All recycling activity and processed recyclables would be kept inside the existing buildings; no new structures would be added to the property. If approved, all other zoning stipulations would remain in effect. The Board of Commissioners' decision is attached.

FUNDING

N/A

RECOMMENDATION

The Board of Commissioners conduct a Public Hearing and consider the proposed stipulation amendment.

ATTACHMENTS

Exhibit A (Other Business application and zoning stipulations)

Year 2011 Form

Application for "Other Business"

Cobb County, Georgia

(Cobb County Zoning Division - 770-528-2035)

BOC Hearing Date Requested: 11/15/2011

Applicant: RTS Landfill, Inc. Phone #: (770) 805-3350
(applicant's name printed)

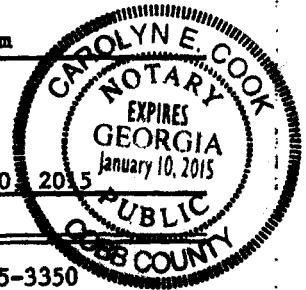
Address: Suite 700, 1000 Parkwood Circle, Atlanta, GA E-Mail: 30339
Moore Ingram Johnson & Steele, LLP

John H. Moore Address: Emerson Overlook, 326 Roswell Street
(representative's name, printed) Marietta, GA 30060

BY: [Signature] Phone #: (770) 429-1499 E-Mail: jmoore@mjs.com
(representative's signature) w7@mjs.com

Signed, sealed and delivered in presence of:

Carolyn E. Cook My commission expires: January 10, 2015
Notary Public



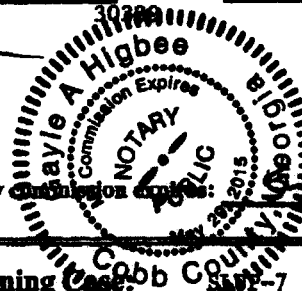
Titleholder(s): RTS Landfill, Inc. Phone #: (770) 805-3350
(property owner's name printed)

Address: Suite 700, 1000 Parkwood Circle, Atlanta, GA E-Mail: 30339

BY: [Signature]
(Property owner's signature) Tracey A. Shrader
Vice President

Signed, sealed and delivered in presence of:

[Signature] My commission expires: May 29, 2015
Notary Public



Commission District: 2 (Ott) Zoning Cobb County 7 (2004)

Date of Zoning Decision: 05/18/2004 Original Date of Hearing: 04/20/2004

Location: 207 Plant Atkinson Road

(street address, if applicable; nearest intersection, etc.)

Land Lot(s): 894 District(s): 17th

State specifically the need or reason(s) for Other Business:

See Exhibit "A" attached hereto and incorporated herein by reference.

**EXHIBIT "A" - ATTACHMENT TO APPLICATION FOR OTHER BUSINESS
(SITE PLAN AND STIPULATION AMENDMENT)**

Application No.: SLUP-7 (2004)
Original Hearing Date: April 20, 2004
Date of Zoning Decision: May 18, 2004
Current Hearing Date: November 15, 2011

BEFORE THE COBB COUNTY BOARD OF COMMISSIONERS

Applicant/Property Owner: **RTS Landfill, Inc.**

Applicant and Property Owner, RTS Landfill, Inc. (operating and hereinafter referred to as "Waste Management") requests amendments to certain stipulations and conditions and its previously approved site plan for the Waste Management facility located at 207 Plant Atkinson Road, Smyrna, Cobb County, Georgia (hereinafter sometimes referred to as the "Plant Atkinson Transfer Station"). A Special Land Use Permit was approved for the Plant Atkinson Transfer Station by the Cobb County Board of Commissioners on May 18, 2004, in Application for Special Land Use Permit No. SLUP-7 (2004). The following narrative details the modifications requested for the original Special Land Use Permit and the overall site:

REQUESTED AMENDMENTS

(1) The purpose of this Application for "Other Business" is to modify the current operation of the Plant Atkinson Transfer Station such that it may recover and process recyclable materials.

(2) Attached are Site Plans which depict the existing conditions of the Plant Atkinson Transfer Station, including the building to be utilized as the proposed Materials Recovery Facility; as well as a Site Layout and Flow Diagram of the processes described herein.

OVERVIEW

Plant Atkinson Transfer Station is a fully permitted solid waste transfer station (Georgia EPD Solid Waste Permit by Rule – PBR -033-18TS). Under current Georgia EPPD regulations, this is referred to as Materials Recovery Processing Facility ("MRF").

DESCRIPTION OF INCOMING WASTE STREAMS

Sources, Types and Weight: The incoming recyclable/recovered materials may be from residential, industrial, and commercial sources. The material types include, but are not limited to, cardboard, newsprint, magazines, and single stream material which is a mixture of recyclables such as glass, paper, plastic, aluminum, etc. Cardboard will receive a preliminary screening before being sent to the processed materials bunker. Newsprint, magazines, and single stream material will be transloaded to transfer trailers and shipped to a recycler for final processing. Overall, approximately 250 tons per day of recyclable/recovered materials can be accepted per day for processing at the Plant Atkinson Transfer Station.

Compositional Estimates: The primary focus of the materials process operation will be fiber, light metals, and plastics. The materials intended for recovery typically release less than one (1) percent liquid. The Plant Atkinson Transfer Station currently accepts Municipal Solid Waste ("MSW") and Construction and Debris ("C&D"). The Plant Atkinson Transfer Station has two transfer buildings, one for MSW and one for C&D. The addition of the recyclable/recovered materials processing will require separation of the two products (MSW and recyclable/recovered materials). The MSW Transfer Station will be utilized, and the C&D Transfer Station Building would be used only in emergency situations.

Special Environmental Pollution or Handling Problems: There are no anticipated environmental pollution or handling problems with the material. All processing, transfer, and maintenance operations will be conducted inside the existing enclosed building. Since the currently permitted Solid Waste Transfer Facility is fully permitted by Cobb County and Georgia EPD, environmental considerations have been fully addressed.

Verification of Incoming Waste: No regulated hazardous waste will be accepted at this Facility, thus the Facility poses no risk to the community or environment. Loads will be randomly inspected for acceptability. A load rejection log will be maintained at the Scale Facility.

STORAGE AND CONTAINMENT

Storage Capacity: The Facility, as constructed, has an estimated storage capacity of 3,200 cubic yards. This is based on the usable floor area (less traffic pathways) that can be used for stacking, including the push walls. MSW and recyclable/recovered materials will be segregated inside the buildings in an appropriately designated area. Each product area will be defined by means of divider blocks. Given the expected inflow of recyclable/recovered materials to not exceed 250 tons per day, the Facility has adequate storage capacity. At no time will the combined mass of waste and recyclable/recovered materials exceed the storage capacity of the buildings.

TRANSPORTATION OF WASTE TO FACILITY

Transportation of inbound and outbound material will be by means of commercial or private vehicles designed and permitted for commercial transportation. In-bound trucks will cross a scale at the entrance of the Facility where the load information will be captured. The truck will then proceed directly to the enclosed buildings for unloading. All material will be unloaded in the fully enclosed buildings. Outbound material will be shipped on transfer trailers.

PROCESSING OF WASTE

The primary materials to be processed in the recyclable/recovered material processing operation are waste cardboard, wood, metal, and plastics. Trucks entering the Facility with a high percentage of these materials shall be directed by the Facility staff to dump the load in a specified location within the buildings. The materials will then be segregated by use of a loader, skid steer, or otherwise, and pushed into the "processed" materials bunker. Metal or plastic bands and other larger pieces of unsuitable material will be removed manually prior to sending the material to the storage bunker. Processed materials will be loaded onto a transfer trailer and taken to a permitted recycling facility. Waste materials will be loaded onto other trailers destined for a permitted facility.

DISPOSAL OF WASTE RESIDUES

Containment: The current Facility is a fully permitted MSW Transfer Station. Materials processing will occur within buildings. Waste materials will be contained and segregated from recyclables by means of divider blocks. Handling of material will be by a combination of wheel loader, skid steer, and other equipment.

Treatment and Disposal: A minimal amount of wastewater will be produced by this operation, mostly from washing of the concrete floor. However, all wastewater will be managed by the collection system connected to an on-site oil-water separator and then to the sanitary sewer. No additional treatment will occur to the recyclables.

Transport of Waste Residue: Removal of undesirable residue or material that cannot be processed will be mixed with the normal MSW waste handled by the Facility. The Facility has two loading bays for outbound waste. Recyclables will be processed through one bay. MSW and residuals will be stockpiled and processed primarily through the other bay.

Disposing of Waste Residue: The final destination of waste material and residue shall be a permitted facility.

Disposal of Rinsate: Grit chamber (oil-water separator) residue will be extracted, profiled, and shipped to an appropriate disposal facility. Normally, a vacuum truck is used to

remove and transport these types of material. This maintenance activity will be performed by a company with a valid "FOG" (Fats, Oils, and Grease) License.

CONTINGENCY PLAN AND EMERGENCY PROCEDURES

Procedures for Fires, Spills, Explosion, or Equipment Failure: In the event of a fire, the Facility is equipped with a fire suppression system and monitored 24/7 through cameras, motion, and heat sensors. Spills are contained by means of spill kits located at strategic areas of the Facility. Explosions will be addressed similar as to the procedure for a fire with automated alarms to the emergency response agency. The Facility has back-up heavy equipment in the event the primary unit fails.

Emergency equipment provided at the Facility includes a fire suppression system, security alarm system, and camera surveillance (all three are monitored 24/7 by the Waste Management Life Safety Support Center). The fire suppression has been approved by the Cobb County Fire Marshal and a letter is on file. The Facility has a water truck with a 75-foot hose reel for mobile response to fire. Emergency response spill kits are located at strategic points on the Facility. There is a written safety plan specific to the Facility located in the Scale House. Site personnel are trained annually in the proper responses to anticipated site emergencies.

Informational signs will be posted at the entrance of the Facility indicating the days and hours of operation. Access to the Facility will be limited to those times when authorized personnel are on duty.

SUPERVISION AND MANPOWER

Supervision and Training: Supervision of the Facility will be under the direction of a responsible person knowledgeable in the operation of a transfer station and materials recovery facility. Staffing of the Facility will be sufficient to perform all maintenance activities and operate the Facility in an efficient, safe, and environmentally acceptable manner.

Cleanliness and Sanitation: This Facility will be maintained in a clean and sanitary condition. Solid waste shall be confined to the unloading and stacking area. Accumulations of putrescible materials and rubbish shall be controlled in a manner so as to minimize odors and prevent infestation by insects, rodents, or other nuisances. Sanitary facilities will be provided for employees and will be kept clean and in good repair. All putrescible waste will be transferred to a permitted facility.

OTHER PERMITS

Permits associated with this Facility and the proposed Recovered Material Processing Facility are as follows:

Solid Waste Permit by Rule – PBR-033-18TS

General Industrial Stormwater Permit – GAR-00000

Removal of Waste Residue and Waste Water: Upon closure of the Facility, all waste shall be disposed of at a properly permitted solid waste disposal facility. All liquid residue, if any, will be discharged to the Cobb County Sewer System.

All remaining processed material shall be loaded onto trucks and transported to a recycler or other appropriate end user. Upon completion of closure, the Facility shall be left in a clean and environmentally acceptable condition.

CLOSURE PLAN

Estimated third-party closure cost assuming 200 tons storage:

Loading:	\$ 2,000
Shipping:	\$ 3,000
Disposal:	\$ 6,800
Oil-Water Separator Pumping:	<u>\$ 1,500</u>
TOTAL: A:	\$13,300

POST-CLOSURE CARE PLAN

Since no material will remain at the Facility upon completion of closure activities, post-closure care is not applicable.

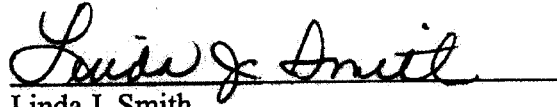
Unless otherwise specifically set forth herein, the balance and remainder of the stipulations and conditions enumerated in the official minutes, and attachments thereto, of the Cobb County Board of Commissioners Zoning Hearing held on May 18, 2004, in SLUP Application No. SLUP-7 (2004), or any other approvals related to the specific rezoning or special land use permit for the property located at 207 Plant Atkinson Road or the development known as Plant Atkinson Transfer Station are unaltered or unchanged by the site plan and stipulation amendments requested herein. If the revisions are approved, as requested and submitted herein, they shall become an additional part of the final rezoning and shall be binding upon the overall Subject Development.

The proposed amendments presented herein in no way adversely impact or affect surrounding properties or property owners. The amendments requested herein allow the Facility to better serve its customers with the additional recycling of recyclable/recovered materials, which will thus have an ongoing "environmental friendly" effect for the community, Cobb County, and the Metropolitan Atlanta Area as a whole.

CERTIFICATE

The undersigned, Linda J. Smith, Secretary of RTS Landfill, Inc., a Delaware corporation (the "Corporation"), does hereby certify that Tracey A. Shrader is a Vice President of the Corporation, that in such capacity he is authorized, in accordance with appropriate corporate policies and procedures, to execute and deliver documents on behalf of the Corporation, including but not limited to the Special Land Use Permit application for the Plant Atkinson Transfer Station.

Executed in Houston, Texas this 6th day of October 2011.


Linda J. Smith
Secretary

SITE PLANS FOR CONSIDERATION IN APPLICATION FOR “OTHER BUSINESS”

**TAX PARCEL ID# 4950 & 2807
LAND LOT 894
COBB COUNTY, GEORGIA**

Vicinity Map



November 15, 2011
Other Business Item 02
Exhibit "A"



ATLANTIC COAST
CONSULTING, INC.
630 Colonial Park Drive
Suite 110
Roswell, GA 30075
o 770.594.3998
f 770.594.3967
www.aicc.net



ENGINEER

Plant Atkinson Materials
Recovery Facility

CORR COUNTY, GA



Plant Atkinson Materials Recovery
207 Plant Atkinson Road
Shirley, GA 30080

REVISIONS

C. SUBMITTED TO R.O.

7/22/2011

Drawn by

Job

Checked by

RD

PROJECT NUMBER

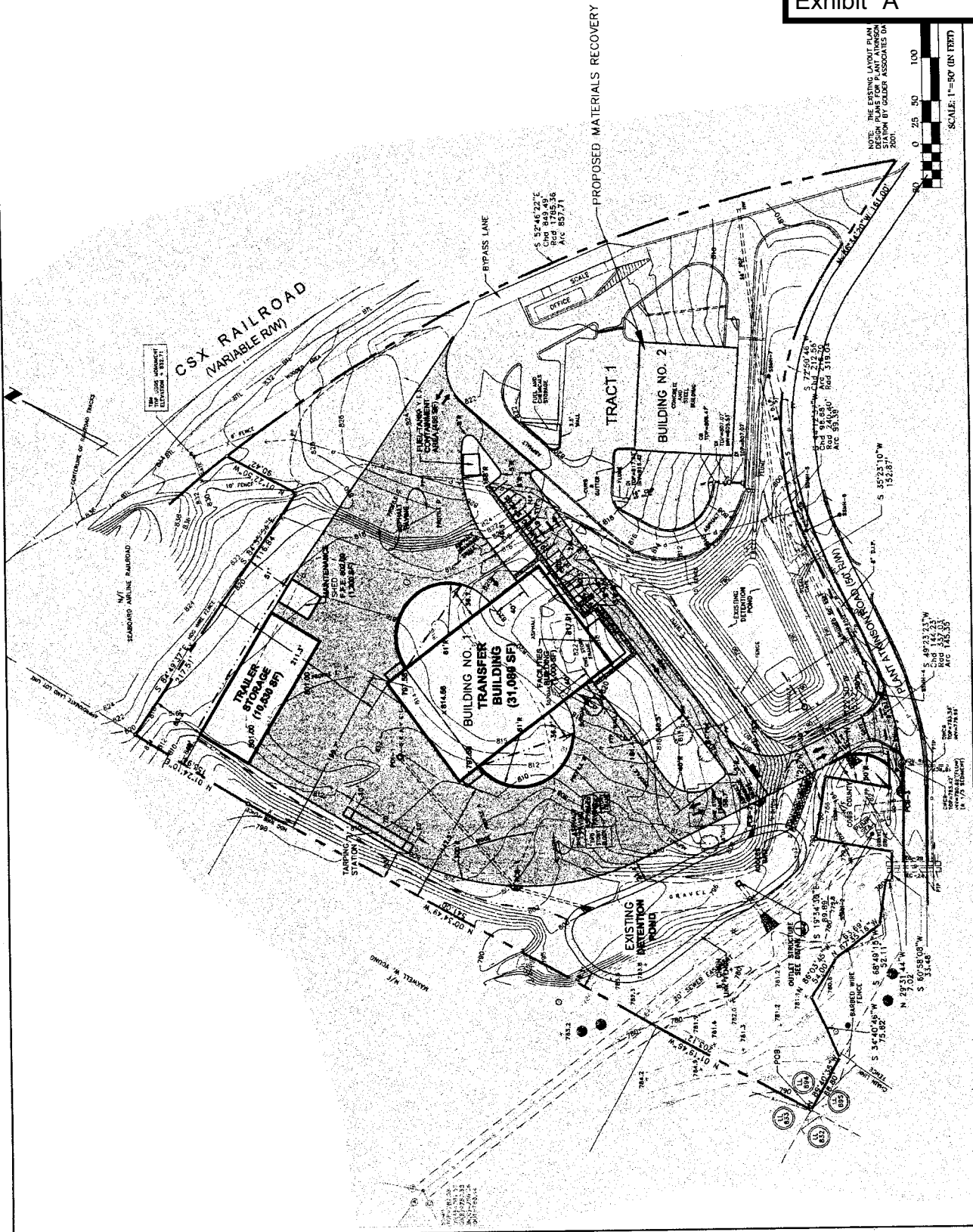
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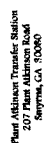
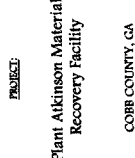
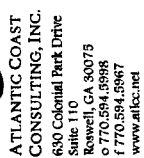
May 2011

EXISTING
CONDITIONS
& SITE PLAN

Sheet 2 of 4

November 15, 2011
Other Business Item 02
Exhibit "A"

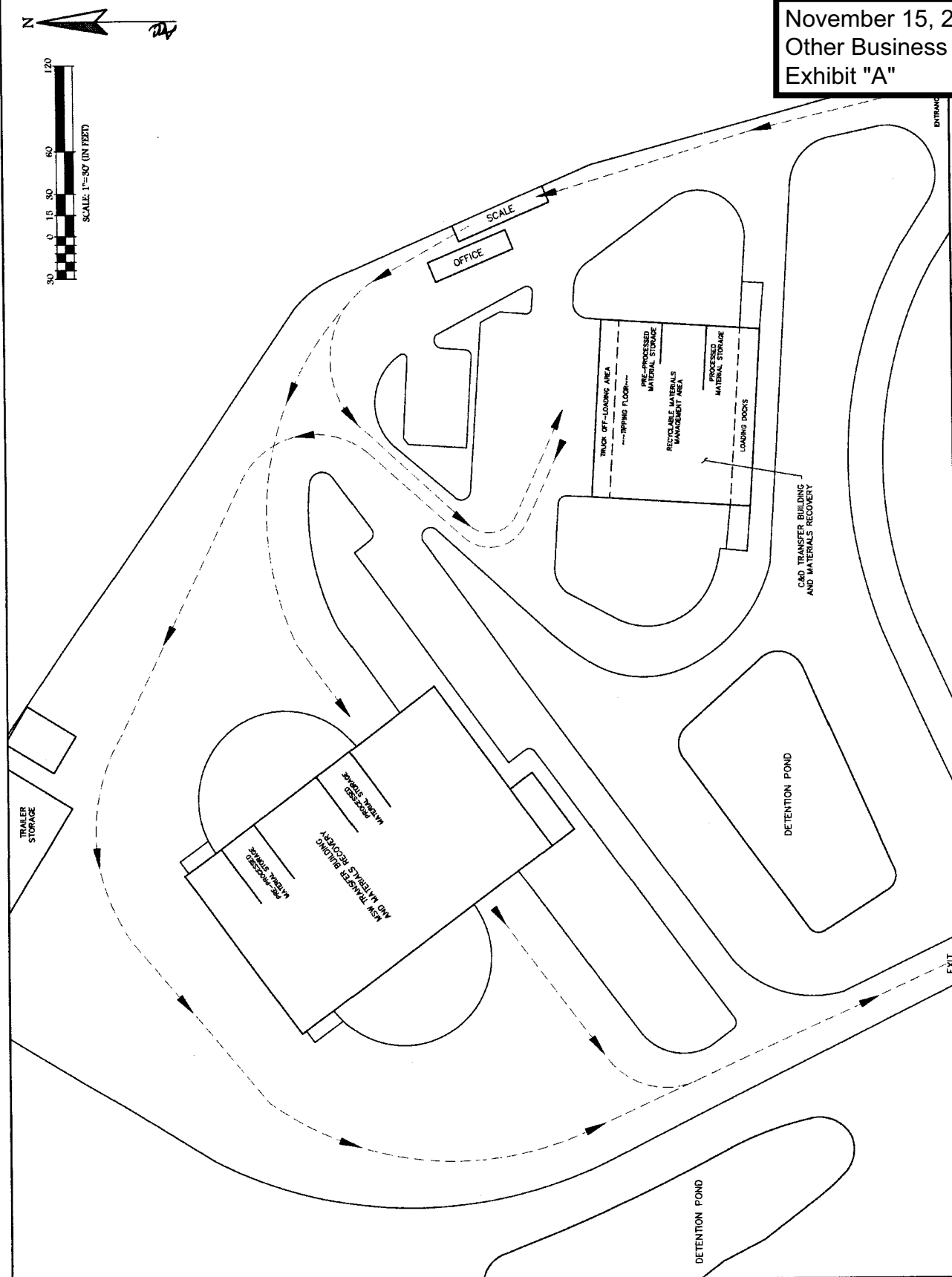


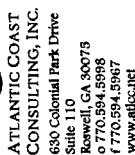
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PROJECT NUMBER:			
1002-267			
May 2011			

SITE LAYOUT & FLOW DIAGRAM

Sheet 3 of 4





PROJECT:
**Plant Atkinson Material
Recovery Facility**
CORB COUNTY, GA



Drawn by:	ks	Checked by:	SPD
PROJECT NUMBER:			
1002-267			
May 2010			

Sheet 4 of 4

Sheet 4 of 4

OVERVIEW

PLANT ATKINSON TRANSFER STATION IS A FULLY PERMITTED SOLID WASTE TRANSFER PLANT (GEORGIA EPD SOLID WASTE PERMIT BY RULE - PER-030-1878). THE PURPOSE OF THESE DRAWINGS IS TO MODIFY EXISTING MATERIALS UNDER CURRENT GEORGIA EPD REGULATIONS. THIS IS REFERRED TO AS MATERIALS RECOVERY PROCESSING PLANT (MRP).

DESCRIPTION OF INCOMING WASTE STREAMS

THE INCOMING RECOVERED MATERIALS MAY BE FROM RESIDENTIAL, INDUSTRIAL AND COMMERCIAL SOURCES. THE MATERIAL TYPES WILL INCLUDE BUT IS NOT LIMITED TO CARDBOARD, NEWSPRINT, MAGAZINES AND SINGLE STREAM MATERIAL, WHICH IS A MIXTURE OF RECYCLABLES SUCH AS GLASS, PAPER, PLASTIC, ALUMINUM, ETC. CARDBOARD AND SINGLE STREAM MATERIALS WILL BE RECYCLED. NEWSPRINT, MAGAZINES AND SINGLE STREAM MATERIALS WILL BE TRANSLADED TO TRANSFER TRAILERS AND SHIPPED TO A RECYCLER FOR FINAL PROCESSING. OVERALL, APPROXIMATELY 250 TONS PER DAY OF RECOVERED MATERIALS CAN

BE ACCEPTED PERMANENTLY. THE PRIMARY FOCUS OF THE MATERIALS PROCESS OPERATION WILL BE TO RECYCLE THE METALS AND PLASTICS. THE MATERIALS INTENDED FOR RECOVERY WILL BE RUBBER, LIGHT METALS, AND PLASTICS. THE MATERIALS TRANSFER STATION WILL TYPICALLY RELEASE LESS THAN 1% LIQUID, THE LIQUID ATMOSPHERE TRANSFER STATION CURRENTLY ACCEPTS MUNICIPAL SOLID WASTE (MSW) AND CONSTRUCTION AND DEBRIS (C&D). THE PLANT ATMOSPHERE TRANSFER STATION HAS TWO TRANSFER BUILDINGS, ONE FOR MSW AND ONE FOR C&D. THE ADDITION OF THE RECYCLED MATERIALS (WASTE) INSIDE THE TRANSFER STATION BUILDING, IN THE EVENT THAT THE TRANSFER STATION NEEDS TO BE USED FOR TRANSFER STATION BUILDING, IN THE EVENT THAT THE TRANSFER STATION NEEDS MORE ROOM FOR SORTING, THE MSW TRANSFER STATION BUILDING WILL BE UTILIZED.

SPECIAL ENVIRONMENTAL POLLUTION OR HANDLING PROBLEMS - THERE ARE AN ANTICIPATED ENVIRONMENTAL POLLUTION OR HANDLING PROBLEMS WITH THE MATERIAL. ALL PROCESSING, TRANSFER AND MAINTENANCE OPERATIONS WILL BE CONDUCTED INSIDE THE TRANSFER FACILITY IS ENCLOSED BY THE WALLS OF THE TRANSFER STATION. THE TRANSFER STATION FACILITY IS ENCLOSED BY THE WALLS OF COBB COUNTY AND GEORGIA E.P.D. ENVIRONMENTAL CONSIDERATIONS HAVE BEEN FULLY ADDRESSED.

VERIFICATION OF INCOMING WASTE - NO REGULATED HAZARDOUS MATERIAL WILL BE

ACCEPTED AT THIS FACILITY, THUS THE FACILITY POSSES NO RISK TO THE PUBLIC OR ENVIRONMENT. LONG TERM STORAGE OF WASTE MATERIALS WILL BE CONDUCTED IN A TRANSFER STATION. A LOAD REJECTION LOG WILL BE MAINTAINED AT THE SCALE FACILITY.

STORAGE AND CONTAINMENT

CAPACITY - THE FACILITY AS CONSTRUCTED HAS AN ESTIMATED STORAGE CAPACITY OF 3,200 CUBIC YARDS. THIS IS BASED ON THE AVAILABLE FLOOR AREA (LESS TRAFFIC PATHWAYS) THAT CAN BE USED FOR STACKING INCLUDING THE PUSH WAYS. NEW RECOVERED MATERIALS WILL BE SEGREGATED INTO THE BUILDINGS IN AN AREAS OF APPROPRIATELY DESIGNATED AREA. EACH STOCKPILE OF RECOVERED MATERIALS WILL BE 200 TONS PER DAY. THE FACILITY HAS ADEQUATE STORAGE CAPACITY, AT NO TIME WILL THE COMBINED MASS OF WASTE AND RECOVERED MATERIALS EXCEED THE STORAGE CAPACITY OF THE BUILDINGS.

TRANSPORTATION OF WASTE TO FACILITY

TRANSPORTATION OF INBOUND AND OUTBOUND MATERIAL WILL BE BY MEANS OF

PROCESSING OF WASTE

THE PRIMARY MATERIAL TO BE PROCESSED IN THE RECOVERED MATERIAL PROCESSING FACILITY WILL BE A HIGH PERCENTAGE OF THESE MATERIALS. TRUCKS ENTERING THE FACILITY WILL DUMP THE LOAD IN A SPECIFIED LOCATION WITHIN THE BUILDINGS. MATERIALS WILL THEN BE SEGREGATED BY USE OF A LOADER OR SKID STEER. WASTED MATERIALS WILL BE REMOVED MANUALLY FROM THE BUILDING. OTHER MATERIALS INTO THE PROCESSED MATERIALS. THE PROCESSED MATERIALS WILL BE LOADED ONTO THE MATERIAL TO THE STORAGE BUNKER. PROCESSED MATERIALS WILL BE LOADED ONTO A TRANSFER TRAILER AND TAKEN TO A PERMITTED RECYCLING FACILITY. WASTE MATERIALS WILL BE LOADED ONTO OTHER TRAILERS DESTINED FOR EITHER A PERMITTED MSW OR C&D TRANSFER TRAILERS.

**COBB COUNTY BOARD OF
COMMISSION MINUTES
MAY 18, 2004**

Application for
Special Land Use Permit
Cobb County, Georgia

(Cobb County Zoning Division - 770-528-2035)

Application No. SLUP-7
PC Hearing Date: 4-6-04
BOC Hearing Date: 4-20-04

November 15, 2011
Other Business Item 02
Exhibit "A"

Applicant RTS Landfill, Inc. Business Phone _____
(applicant's name printed)

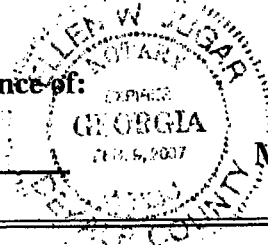
Address 2859 Paces Ferry Road, Suite 1600 Home Phone 770-971-8315
Atlanta, Ga. 30339

Ray Chewning Address Same as above
(representative's name, printed)

[Signature] Business Phone same as above Beeper or Fax # 770-805-9165
(representative's signature)

Signed, sealed and delivered in presence of:

[Signature] My commission expires: _____
Notary Public

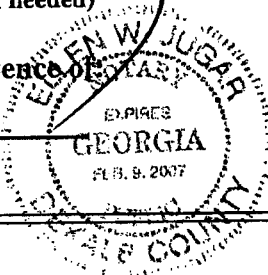


Titleholder RTS Landfill, Inc. Business Phone 770-805-3370 Home Phone 770-971-8315
(titleholder's name, printed)

Signature [Signature] Address 2859 Paces Ferry Road, Suite 1600
(each additional signature, if needed) Atlanta, Ga. 30339

Signed, sealed and delivered in presence of:

[Signature] My commission expires: _____
Notary Public



Present Zoning H-1 Size of Tract 8.49 Acre(s)

For the Purpose of Solid Waste Transfer Station

Location 207 Plant Atkinson Road, Smyrna, Ga.
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 894 District(s) 17

We have investigated the site as to the existence of archeological and/or architectural landmarks. I hereby certify that there are are no such assets. If any exist, provide documentation with this application.

[Signature]
(applicant's signature)

I have investigated the site as to the existence of any cemetery located on the above property. I hereby is is not such a cemetery. If any exist, provide documentation with this application.

[Signature]
(applicant's signature)

PAGE 2 OF _____

APPLICATION NO. _____ SLU

ORIGINAL DATE OF APPLICATION: 04-20-04

APPLICANTS NAME: RTS LANDFILL, INC.

THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE
COBB COUNTY BOARD OF COMMISSIONERS

BOC DECISION OF 04-20-04 ZONING HEARING:

RTS LANDFILL, INC. for a **Special Land Use Permit** for the purpose of a Solid Waste Transfer Station in Land Lot 894 of the 17th District. Located at the southwest intersection of Plant Atkinson Road and the CSX Railroad tracks. **(Held by the Planning Commission from their April 6, 2004 hearing; therefore, was not considered at this hearing)**

ORIGINAL DATE OF APPLICATION: 04-20-04

November 15, 2011 Other Business Item 02 Exhibit "A"
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APPLICANTS NAME: RTS LANDFILL, INC.

THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE
COBB COUNTY BOARD OF COMMISSIONERS

BOC DECISION OF 05-18-04 ZONING HEARING:

RTS LANDFILL, INC. for a Special Land Use Permit for the purpose of a Solid Waste Transfer Station in Land Lot 894 of the 17th District. Located at the southwest intersection of Plant Atkinson Road and the CSX Railroad tracks.

MOTION: Motion by W. Thompson, second by Lee, as part of the Consent Agenda, to **approve** Special Land Use Permit subject to:

- site plan received by the Zoning Division on March 26, 2004, with the District Commissioner to approve minor modifications to site layout (copy attached and made a part of these minutes)
- letter from Wilson, Brock & Irby, LLC, dated February 5, 2004 (Exhibit "A") (copy attached and made a part of these minutes)
- Statement of Proposed Site Improvements received by the Zoning Division on March 26, 2004 (Exhibit "B") (copy attached and made a part of these minutes)
- List of Agreed Conditions dated 5/4/04, signed by Mr. Tom Barrow and Mr. Ray Chewning (copy attached and made a part of these minutes)
- a maximum of 75 decibels a day (day to be defined as 6 a.m. to 9 p.m.) and 70 decibels night (night to be defined as 9 p.m. to 6 a.m.); continuous noise levels above a base line level to be determined by an industry standard test conducted by RTS Landfill, Inc., and recorded with the County, as measured at the street on the Plant Atkinson side, on the Chatsworth side of the 500 foot buffer between the properties, and at the property line on all other sides; continuous noise to be defined to mean either multiple occurrences of more than 10 times at the same noise level over a 60 minute period or a steady straight noise lasting for 30 minutes
- tipping floor to be cleaned at least once daily
- project manager with authority to make immediate decisions to be on-site during work hours during the construction phase
- on-site manager with authority to make immediate decisions during hours of operation once plant is complete and commences operation
- company procedures, including zoning stipulations, to be on-site at all times and readily available for review during hours of operation
- all references to RTS Landfill, Inc., to be changed to read as follows: "RTS Landfill, Inc. (Waste Management), its successors, transferees and assigns"
- Guidelines for Urban Noise Ordinance dated May 3, 2004 (copy attached and made a part of these minutes)
- Water and Sewer Division comments and recommendations;
- Stormwater Management Division comments and recommendations
- Cobb DOT comments and recommendations

VOTE: **ADOPTED** unanimously

Min. Bk. 27 Petition No. SLUB-T
Doc. Type Site Plan

Meeting Date May 18, 2004

LEGEND

QUESTIONS

PROPOSED REPLY PAGE

2007 AUSTRIA

3-WAY CUPLET LITERARY CRITICISM

Comments:

12/20/17

RECEIVED BY AIR MAIL

NOTES

REFERENCES

1) GROUP FORMED BY MARY HENNINGSEN, M.L. KROENKE OF LACER SURGICAL, INC. AND

1,000/yr.

THESE ARE THE NAMES OF THE PERSONS WHO WERE ARRESTED AT THE TIME OF THE RIOTS IN NEW YORK CITY:

1. PROPERTY IS IN HAND OF 176 TRACT 34 SECTION, COOK COUNTY, ILLINOIS.

Score	Number of Students
10	1
20	2
30	3
40	5
50	10
60	15
70	20
80	25
90	20
100	10

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[illegible]

CHRG	110	1	10/10/10
MEMBERS BY VOTING			

PLANT ATKINSON

MSW TRANSFER STATIC
 CONSUM. SERVICE CENTER
 (800) 762-5447

SECRET

SITE PLAN

8-21	44	754	941-5-316	44	129044
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	DESIGN	SCALE AS SHOWN

CASH	1.2 A.	973-81
CHECK		

Asphalt
2000 North 1st Street

[illegible]

AGI

ES

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ON

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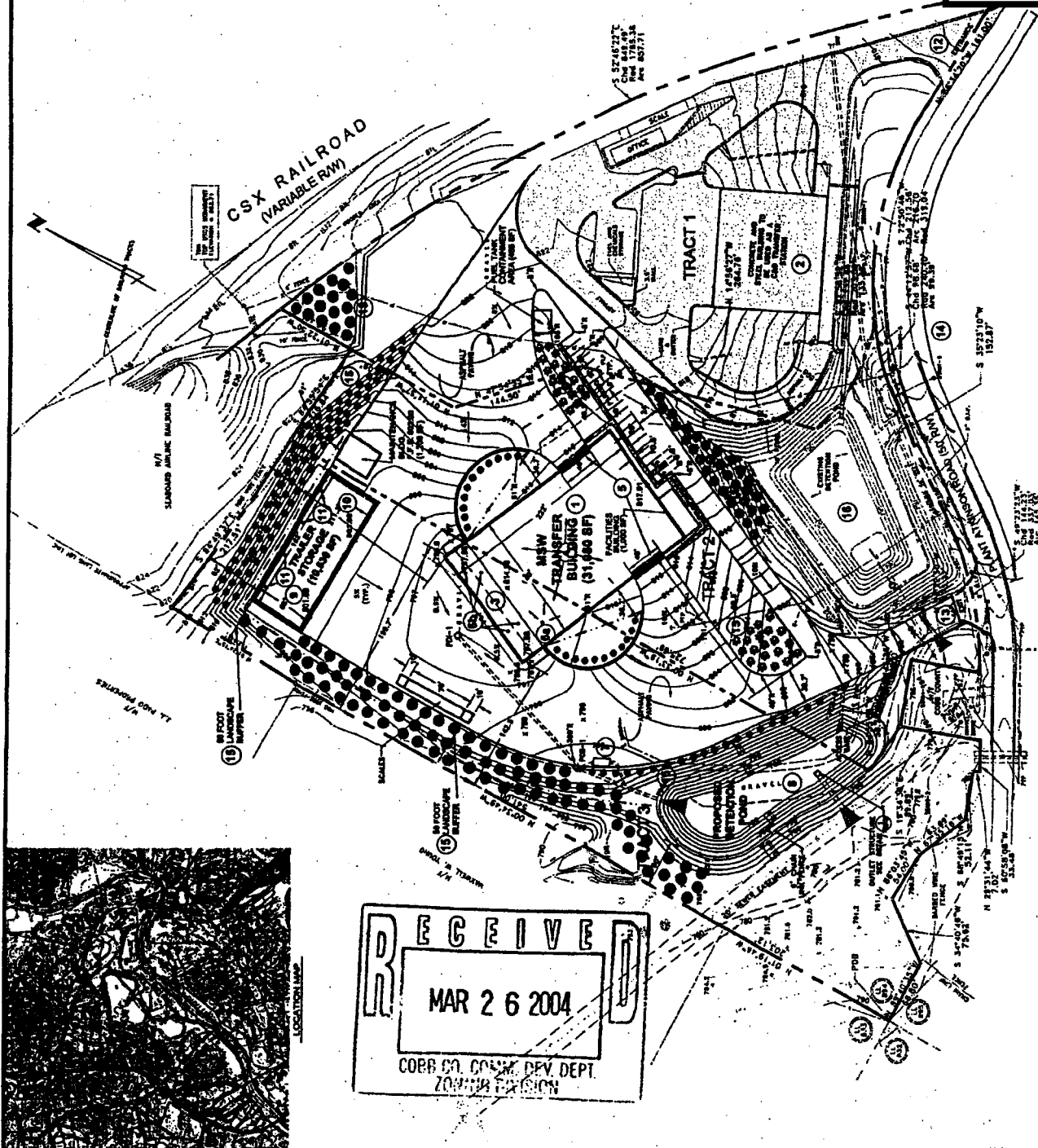
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$$- \frac{1}{\sqrt{\pi}} \int_0^x \frac{f(t)}{(x-t)^{3/2}} dt = f(x) - \frac{1}{\sqrt{\pi}} \int_0^x \frac{f'(t)}{(x-t)^{1/2}} dt = f(x) - \frac{1}{\sqrt{\pi}} \int_0^x \frac{f''(t)}{(x-t)^{-1/2}} dt = \dots$$

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1. *Journal of the American Medical Association*, 1997; 277: 1039-1043.

November 15, 2011
Other Business Item 02
Exhibit "A"



WILSON BROCK & IRBY, L.L.C.

ATTORNEYS AT LAW

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February 5, 2004

Min. Bk. 27 Petition No. SLUP-7
Doc. Type Letter from
Dick Wilson
Meeting Date 2.18.04

Cobb County Board of Commissioners
c/o Rob Hosack, AICP, Director
Community & Development, Zoning Division
191 Lawrence Street
Marietta, Georgia 30090-1689

Re: Special Use Permit Application of RTS Landfill, Inc. (Waste
Management) as Successor to Sanifill of Georgia, Inc.

Dear Chairman and Members of the Board:

The undersigned represents RTS Landfill, Inc., (Waste Management) as land owner and applicant in a Special Use Permit Application which has been filed on February 5, 2004. The application requests a Special Use Permit for the purpose of constructing a state of the art municipal solid waste transfer station on an 8.49 acre parcel of land owned by the applicant on Plant Atkinson Road. The 8.49 acres are zoned, as is almost every property in the area to the zoning classification of HI, heavy industrial in Cobb County. The applicant owns and operates an existing municipal solid waste transfer station on an adjacent 4.11 acre parcel of property pursuant to Cobb County Special Use Permit No. LUP-62 issued September 18, 1990. The existing facility processes both municipal solid waste (MSW) and construction and demolition (C&D) waste.

As noted above, my client proposes to construct and operate a new "state of the art" MSW transfer station facility on the 8.49 acre tract adjacent to the existing transfer station. The purpose of the new facility is to allow my client to incorporate state of the art technology, construction and operation in connection with municipal solid waste. The existing facility will be cleaned and converted to operate solely for the purpose of construction and demolition waste. At the time the existing facility began operating in 1991, it was designed to industry standards but the state of the art has improved in the almost 13 years that have passed. The new facility is proposed to be a significant improvement over the old one, both in the handling of municipal solid waste and in handling of traffic to and from the facility.

EXHIBIT

A

WILSON BROCK & IRBY, L.L.C.

Cobb County Board of Commissioners

February 5, 2004

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Meeting D
Continued

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In connection with this proposed new facility, my client has made a point of talking to the County, businesses and property owners in the area in order to determine how best to improve the existing facility. As a result, the new transfer station has been designed to specifically address and alleviate concerns which were voiced involving questions of traffic control, odor control, storm water and waste water disposal. The new facility will contain an enclosed 31,080 sq. ft. building with four sides and two doors for an entrance and exit. The construction of the building will incorporate a tipping apron which will provide a covered apron within the building in order to maximize odor control and to provide for clear separation of waste water and storm water. The proposed new facility incorporates a number of additional benefits which are specifically outlined in my client's Statement of Proposed Site Improvements which is attached to the Special Use Permit Application.

Additionally, as further amplified in the Statement, the traffic flow pattern into and out of the facility is significantly improved pursuant to an extensive traffic engineering study, a copy of which will be provided to the County, which was conducted before designing this facility. The line of sight for traffic leaving the facility is significantly increased and improved as is the addition of 600 ft. of stacking for east-bound traffic turning onto Atlanta Road. Further, the site plan includes significant landscaping and buffering and locates the proposed new building towards the back of the property in a manner which will provide for maximum visual and noise abatement.

In that the proposed new facility is designed and calculated to be a significant improvement over the current operation, it is clearly in the best interest of not only my client but also Cobb County and area properties. Additionally, it is clearly in the best interest of the health, safety and welfare of all concerned.

As I am certain you are aware, Georgia law requires me to place the Board of Commission on notice that the failure to approve the Application as requested will deprive my client of its constitutional rights. Those rights would include, but not be limited to, a denial of due process pursuant to Article 1, Section 1, Paragraph 1 of the 1983 Constitution of the State of Georgia, a denial of the guarantee of equal protection pursuant to Article 1, Section 1, Paragraph 2 of that Constitution, a taking of property rights for public purposes without prior payment of just compensation in violation of Article 1, Section 3, Paragraph 1 of that Constitution and would be arbitrary and capricious. Additionally, my client has provided and intends to provide specific information addressing all of the clearly articulated criteria for the grant of a special use permit and has attempted and will attempt to provide additional information which this Board may consider pursuant to criteria which are not clearly articulated but are vague, imprecise and subject to unrestricted interpretation.

WILSON BROCK & IRBY, L.L.C.
Cobb County Board of Commissioners
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Petition No.
Meeting Date
Continued

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In the event that this Board fails to approve the Application as requested and chooses to do so based upon any of the vague standards or criteria set forth in the zoning ordinance, then such an action would be a violation of my client's constitutional rights and would constitute an arbitrary and capricious act by the Board without any rational basis, as well as an abuse of discretion by the Board.

Additionally, the refusal of this Board to grant the permit as requested would constitute a violation of the 5th and 14th Amendments to the Constitution of the United States. Additionally, the failure to grant the permit and the violations enumerated above will give rise to a direct cause of action under 42 U.S.C.A. § 1983 and § 1988 for the violation of the federal constitutional rights.

Hopefully, none of these issues will need to be addressed in that this Application makes good sense from all perspectives. I sincerely hope that this Board will examine the Application and the facts and approve the permit. If any information is desired or needed, please do not hesitate to contact the undersigned.

Very truly yours,

WILSON BROCK & IRBY, L.L.C.


Dick Wilson, Jr.

DW/rdk

Mia. Bk. 27 Petition No. SLUP-7
Doc. Type State Land Use
Proposed Site Improvements
Meeting Date 5-18-04

STATEMENT OF PROPOSED SITE IMPROVEMENTS

MAR 26 2004

COBB CO. COMM. DEV. DEPT.
ZONING DIVISION

Waste Management as successor to Sanifill of Georgia, Inc. owns approximately 12.6 acres of land located in Cobb County, Georgia on Plant Atkinson Road approximately 1/8 of a mile west of Atlanta Road. The land consists of three (3) tracts, each of which is currently zoned to the HI zoning classification in Cobb County. Tract 1 is 4.11 acres, Tract 2 is 3.97 acres and Tract 3 is 4.52 acres. PAGE 8 OF 8

Tract 1 is currently being used as a solid waste transfer facility pursuant to Cobb County Special Land Use Permit No. LUP-62 issued September 18, 1990. The facility currently receives, processes and transfers both municipal solid waste (MSW) and construction & demolition waste (C&D). Both types of waste are currently being transferred to Waste Management's Pine Bluff Landfill facility located in Cherokee County, Georgia. Tracts 2 and 3, as noted above, are zoned to the HI zoning classification and Special Land Use Permit No. SLUP-28, which was issued by the Cobb County Board of Commissioners in November of 1995, is applicable to that property. Neither of the two tracts were developed pursuant to SLUP-28, and the proposed special land use permit pertains to Tracts 2 and 3.

Waste Management proposes to construct and operate a new "state of the art" Solid Waste Transfer Station facility (1) on those two tracts in order to update and improve the functionality of the existing transfer station (2), which is located on Tract 1. Upon the issuance of the requested special land use permit, the facility which is to be constructed on Tracts 2 and 3 and the facility which exists on Tract 1 will operate concurrently but separately in a much more efficient and environmentally sensitive manner than technology allowed in 1991.

The existing facility (2) was constructed and began operation in 1991. At that time, the facility design was to industry standards and incorporated a three-sided metal framed building on a concrete slab. It has two loading bays located inside with a below grade loading tunnel. While consistent with industry standards in 1991, the industry has evolved and improved in the thirteen years since the original special land use permit was issued.

During the last few years, Waste Management has met with and received input from Cobb County's Water System representatives as well as property owners in the area of the existing facility in order to determine how to best improve the operation of the existing facility in a manner which is sensitive to the concerns of all parties involved. As a result, the proposed new transfer station has been designed to specifically address and alleviate the concerns, which were voiced involving traffic control, odor control, storm water and wastewater disposal. The proposed new facility design includes the following:

EXHIBIT

B

- (1) The new facility will contain a totally enclosed 31,080 sq. ft. building (1) with four sides and two doors for an entrance and an exit. The construction of the building will incorporate a tipping apron, which will provide a covered apron within the building in order to maximize odor control and to provide for separation of wastewater and storm water.
- (2) The four sided building will have significantly less area through which any odor may escape. For example, the two doors proposed for the new building result in a 56% reduction in area exposed to the outside air from the existing facility. The ratio of the door opening size to the building volume for the new facility is 0.00197 sf/cf, which is a 78% reduction from the existing building.
- (3) There will be two loading bays with separate dedicated tunnels in the new facility (3). This feature is included in the design in order to allow for more rapid loading and removal of waste from the building in order to reduce the potential for odor or water touching that waste.
- (4) The new building (1) will incorporate an odor control system with several key design components: (a) an odor neutralizing spray system will be utilized at each door, (b) overhead odor neutralizing misters will be installed throughout the building, and (c) high velocity air dispersion exhaust fans will be used in order to assure lack of odor.

All of the design features herein referenced are as a direct result of an independent odor control study conducted for the applicant in connection with the proposed facility.

- (5) The proposed building and site layout additionally provides for clear separation of wastewater and storm water. The apron contained within the building will be covered (4). Each door will include a liquid containment curb (5) to confine waste liquids to the interior of the facility and storm water to the exterior of the facility. The floor within the building will be sloped in order to keep liquids away from truck traffic, and floor drains will be incorporated in the areas where liquid may exist (6a) (6b) and that liquid will be piped into the sanitary sewer for proper collection and disposal. Storm water will be collected and routed separately into a "first flush" storm water filtration system (7). After being filtered, storm water will then be routed into a new

storm water detention pond (8) designed specifically for the proposed facility.

- (6) A new storage building for transfer trailers (9), which are brought to the property, will also be constructed. The trailer storage building will enable the applicant to store transfer trailers in a covered area, thus providing further separation between wastewater and storm water. The storage area also includes a liquid containment curb (10) and floor drains (11) to collect any liquid that may exist. That liquid will then be piped into the sanitary sewer system for proper collection and disposal.
- (7) The proposed site plan improves the traffic flow pattern into and out of the facility (12), increases the "line of site" for traffic leaving the facility (13) and adds an additional 600 feet of stacking for east bound traffic turning onto Atlanta Road (14). The design will be an improvement to traffic flow in the area.
- (8) The proposed site plan includes significant landscaping that will blend with many of the existing trees and natural spaces with an aggressive plan for tree planting and buffering (15). The location of the building was selected to provide for maximum visual and noise abatement (see attached artistic rendering).

Upon the approval of the requested special land use permit and completion of the proposed new building, the applicant intends to clean the existing transfer building (2) located on Tract 1 and operate it for the sole and only purpose of accepting and transferring construction & demolition (C&D) waste. C&D waste, as opposed to municipal solid waste, is non-putrescible in nature and does not smell. After the new facility is constructed, only C&D waste will be processed in the existing building and all municipal solid waste will be processed in the new building.

Upon approval from the Cobb County Water System, the existing lined detention pond (16) will be cleaned and converted to a storm water detention facility. A new detention pond (8) will be constructed on Tract 3 to be used in connection with the new facility. As in all construction projects, grading will be required for the location of the new building, some trees will be removed, new paved parking adequate for the facility and, as previously noted, a new detention pond will be constructed. However, the applicant has an aggressive landscaping

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Meeting Date 5-18-04
Continued

plan, which will incorporate significant tree replanting.

Waste Management will continue its current Vector Control Plan at the site. The current plan calls for domesticated animal control as well as rodent and insect extermination. Currently, an outside exterminating company is utilized to exterminate insects and rodents, which includes exterminating sprays, poisonous baits and traps. This service is provided on a monthly basis and is increased as situations warrant.

All of the proposed development for the new facility is shown on the site plan for Plant Atkinson MSW Transfer Station, which has been filed with the SLUP application.

5/4/2004

Special Land Use Permit Application of RTS Landfill, Inc.

Cobb County Application No. SLUP - Min. Bk. 27, Petition No. SLUP-7

Doc. Type List of

Agreed Conditions

Meeting Date 5-18-04

List of Agreed Conditions

- 1) Once the proposed Transfer Station has been constructed and commenced operations, the existing Transfer Facility building and operations would be cleaned up and used only to receive and transfer Construction and Demolition Waste (C&D/Inert Waste).
- 2) Once the proposed Transfer Station has been constructed and commenced operations, the C&D transfer building will not commence operations prior to 6:00 AM until such time that the building has been modified (enclosed, sound barrier, etc.) to limit noise emanating towards the north.
- 3) Once the proposed Transfer Station has been constructed and commenced operations, a Dust Suppression/Fugitive Emissions Plan will be put in place. At a minimum, the plan will include the conversion of the odor control misting system within the C&D transfer building to a dust suppression system that will apply water periodically to control dust within the building. Manual application of water will also be provided from the wash down station within the building. A water truck will be also used to further control dust around the facility. Additionally, exhaust from the building will be redirected to the east, if utilized.
- 4) RTS Landfill, Inc. will cease using the existing Transfer Facility for the receipt and transfer of any types of waste except for C&D type waste once the proposed Transfer Station has been constructed and commenced operations with the exception of the following situations. a) A catastrophic incident that renders the proposed facility inoperable. b) A significant repair needs to be performed to the proposed facility and RTS Landfill, Inc. has exhausted all reasonable remedies for performing this repair without use of the existing facility.
- 5) If RTS Landfill has to use the existing Transfer Facility for one of the two exceptions listed above, it agrees that this time period would not exceed 45- days in length. All contiguous property owners will be notified in advance if this situation arises.
- 6) The existing Transfer Station will never be sold, leased or otherwise allowed for the use, to any other outside party or entity, as a Transfer Station for the receiving and transfer of Municipal Solid Waste (MSW).

FILED WITH COUNTY CLERK THIS 4th DAY
OF May 2004 BY Ray Chewning
RE SLUP-7
Mail R. Duff
COUNTY CLERK/ASST. COUNTY CLERK/DEPUTY COUNTY CLERK

- 7) RTS Landfill, Inc will sponsor Plant Atkinson Road in Adopt-A-Mile Program with Keep Cobb Beautiful (KCB). In addition to this program, RTS Landfill will continue to clean up litter along Plant Atkinson Road daily. Reported litter/trash shall not be allowed to remain for more than 24- hours.
- 8) RTS Landfill through Waste Management has agreed to keep all of Waste Management owned and operated trucks off Maner Road and distribute written communication requesting 3rd party companies using the Plant Atkinson Transfer Station to do the same. The only exception to this is those trucks that are performing waste collection services for the residents and businesses along the Maner Road corridor.
- 9) RTS Landfill through Waste Management will support and work with the Park at Vinings and Chadsworth Subdivisions in their endeavors to have the Cobb County DOT install a traffic signal at Plant Atkinson Road and Church Road to improve traffic safety. Should a light be approved and cost is required, Waste Management and the neighborhoods and businesses along Plant Atkinson will share in that cost proportionately.
- 10) RTS Landfill will relocate the optional scale shown on the original Site Plan to that shown on the site plan developed on 4/22/2004 to alleviate concerns Chadsworth residents expressed as related to noise.
- 11) RTS Landfill agrees to construct, install and maintain, within the western 50- foot buffer area on our property, a berm with a sound barrier wall built on top of berm to control noise directed towards Chadsworth. In this case Chadsworth has agreed to withdraw the stipulation of the split rail fence inside the 50-foot buffer and RTS Landfill will be allowed to adjust the landscaping plan to only that required to meet Cobb County requirements. The length of this wall will be no less than 350- feet but not to exceed 375- feet. RTS Landfill will meet with representatives of Chadsworth during planning to consider architectural aesthetics. RTS Landfill plans to construct an engineered berm with 2:1 side slopes cresting in the middle at a height of approximately 12- feet and placing a wall with a height of 6 to 8 feet on top. RTS Landfill plans for the wall to be constructed of concrete block and textured with stucco. The wall will be engineered and built upon a concrete footing for proper foundation. This concept is planned but is subject to approval by Cobb County.
- 12) RTS Landfill will add siding on three sides (two sides and back) of the proposed transfer trailer storage building as shown on the site plan developed on 4/22/2004 to alleviate concerns Chadsworth residents expressed as related to noise.
- 13) RTS Landfill will include into its storm water management plan the installation of a storm water filter system that will filter storm water run-off

during the period of "First Flush" as defined at the time of constructing the facility.

- 14) RTS Landfill agrees to maintain the facility buildings in good condition and further agrees to pressure wash it's building at a minimum of once per year.
- 15) RTS Landfill agrees to include a heavy curtain on the open side of the trailer storage area. Waste Management further agrees to draw the curtain close to secure the trailer area during periods of inactivity (i.e. overnight, weekends, holidays, etc.). If it is determined that odor is a problem within the trailer storage area, RTS Landfill will work with the County District Commissioner to determine best resolve.
- 16) RTS Landfill agrees to respond and report back to Chadsworth within 24 hours of receipt of any written complaints associated with its operations. Waste Management further agrees to meet with Chadsworth at their scheduled HOA meetings, or as requested, at least quarterly.
- 17) RTS Landfill agrees to limit the amount of waste it processes (receives and transfers) at the total facility (proposed MSW building and the existing building (C&D)) to a daily quantity of 2,500 tons. This volume will be based on a daily average as computed on a 6- day workweek. This volume will be adjusted annually to 50% of Cobb County's published population growth (0.50 X population growth). This cap may be exceeded in emergency cases or extenuating circumstances such as storms, special events or other situations where the services of the station are needed by Cobb County.
- 18) RTS Landfill agrees that the planned high velocity exhaust fans shall be of vertical discharge (up-blast) type.
- 19) RTS Landfill agrees that trucks entering the site and waiting to be weighed shall not be allowed to back-up onto Plant Atkinson Road.
- 20) RTS Landfill agrees to designate an on-site project manager during construction of the new proposed transfer station building and an on-site Operational Manager/Supervisor at the completion of the construction of the proposed facility. A copy of the SLUP with the attached stipulations and conditions shall be kept on-site for reference at all times.
- 21) RTS LANDFILL AGREES TO MAINTAIN ITS ODOR AND DUST SUPPRESSION SYSTEM IN WORKING CONDITION AND FURTHER AGREES TO MAKE ANY NECESSARY REPAIRS WITHIN 48- HOURS IN THE EVENT OF FAILURE. IF REPAIRS CAN NOT BE MADE WITHIN 48- HOURS, RTS LANDFILL SHALL EITHER PROVIDE FOR AND OPERATE A TEMPORARY REPLACEMENT SYSTEM OR OBTAIN APPROVAL FROM THE COUNTY DISTRICT COMMISSIONER FOR EXEMPTION FROM OPERATING THE SYSTEM FOR A TIME NOT TO EXCEED 5 WORKING DAYS.

L. Brown 5/4/04 *Reynolds* 5/4/04

Min. Bk. 2.7 Petition No. _____Doc. Type Guidelines for anUrban Noise OrdinanceMeeting Date 5-18-04PAGE 15 OF _____

More recent ordinances (such as Buenos Aires') take advantage of integrating sound level meters, nowadays readily available, which are capable of measuring the average level over time, i.e. the equivalent sound level. This descriptor has proved to be fairly well correlated with long-time exposure effects of environmental noise (see for instance Berglund, B., Lindvall, T., 1995).

Finally, some ordinances (Los Altos, California, USA) are based (explicitely or not) on the statistical parameters L_n (i.e., the sound level which is exceeded an $n\%$ of time). While these parameters take into account the statistical spread of noise levels, they provide no details as regards to individual noisy events.

5. Zoning districts

Noise ordinances often divide urban areas into different zoning districts, each one of them with a different noise limit. These districts are usually defined as hospital, residential, commercial and industrial areas, and different noise limits are associated with each area. The drawback of this approach is that it may be difficult to find geographically homogeneous districts. The mixed nature of many if not most urban sectors makes urban planning from a noise standpoint very difficult. It may be also very difficult to enforce the allowable noise levels, especially at the most critical areas.

6. Distributed responsibility

A unique feature of vehicle noise is that in a given situation originated by traffic noise, responsibility is distributed over all the vehicles which are circulating simultaneously and successively. Let L_{eq0} be the equivalent level of a single vehicle passing once by a given urban location at a speed v_0 . Then the equivalent level corresponding to k vehicles at a mean speed v may be approximated by

$$L_{eq} = L_{eq0} + 20 \log v/v_0 + 10 \log k$$

For $v_0 = 50$ km/h and averaging over a one-hour time, we have

$$L_{eq0} = L_{max} - 35 \text{ dB}$$

where L_{max} is the dynamic noise level measured by standardized procedures (for instance, IRAM-CETIA 9C standard), i.e., at a distance of 7.5 m from the vehicle's side, at full acceleration and an initial speed of 50 m/s.

The preceding formulas show that if we wish to keep L_{eq} under a certain limit which can be reasonably considered acceptable in a given area, then it will be necessary to reduce the individual equivalent noise level, the speed, the number of vehicles, or all three. Individual vehicle's noise emission is usually regulated by national laws on traffic control (for instance the Traffic and Road Safety Act, Argentina, 1996), and for each type of vehicle a compromise is made between the available technology and cost. Urban ordinances often echo these values (or make reference to them) in their sections devoted to mobile sources. These values are usually too high to make an unrestricted

Noise Standards

Air Standards

Noise Standards

Water Standards

D.G. Sets Standards

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Exhibit "A"

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Continued

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Noise Standards

AMBIENT AIR QUALITY STANDARDS IN RESPECT OF NOISE

Area Code	Category of Area	Limits in dB (A) Leq	
		Day Time	Night Times
(A)	Industrial area	75	70
(B)	Commercial area	65	55
(C)	Residential area	55	45
(D)	Silence Zone	50	40

Note :

1. Day time is reckoned in between 6.00 AM and 9.00 PM.
2. Night time is reckoned in between 9.00 PM and 6.00 AM
3. Silence zone is defined as areas upto 100 meters around such premises as hospitals, educational institutions and courts. The Silence zones are to be declared by the Competent Authority.

Use of vehicular horns, loudspeakers and bursting of crackers shall be banned in these zones.

4. Mixed categories of areas should be declared as one of the four above mentioned categories by the Competent Authority and the corresponding standards shall apply.

Noise Abatement Criteria (NAC) **Hourly A-Weighted Sound Level** **decibels (dBA)***

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Meeting Date 5-18-04
-Continued

Activity Category	Leq(h)	L10(h)	Description of Activity Category
A	57 (Exterior)	60 (Exterior)	Lands on which serenity and quiet are of extraordinary significance and serve an important public need and where the preservation of those qualities is essential if the area is to continue to serve its intended purpose.
B	67 (Exterior)	70 (Exterior)	Picnic areas, recreation areas, playgrounds, active sports areas, parks, residences, motels, hotels, schools, churches, libraries, and hospitals.
C	72 (Exterior)	75 (Exterior)	Developed lands, properties, or activities not included in Categories A or B above.
D	--	--	Undeveloped lands.
E	52 (Interior)	55 (Interior)	Residences, motels, hotels, public meeting rooms, schools, churches, libraries, hospitals, and auditoriums.

* Either L10(h) or Leq(h) (but not both) may be used on a project.

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Continued

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Residential district 7:00 a.m.-10:00pm Noise Sensitive Facility 24 hours	Residential district 10:00p.m.-7:00a.m.	Commercial district 24 hours	Industrial district 24 hours
60	50	65	75

(1) *Continuous Sound:*

(A) No person shall cause, suffer, allow, or permit the operation of any source of sound on any source property within residential districts, commercial districts, industrial districts, multi-use properties, public and private right-of-ways, public uses and multi-family dwelling units in such a manner as to create a sound level that exceeds the sound level limits listed in section 27-762.3(a) as measured at any location at or within the property line of the receptor property. Sound pressure levels in excess of those established in section 27-762.3(a) shall constitute prima facie evidence that such sound is in violation of this ordinance.

(B) If the residential receptor property or noise sensitive facility is within 200 feet of a commercial or industrial zone, or within an OCR district, the permissible sound level limit of the residential receptor property or noise sensitive facility is increased by five (5) dB(A) between the hours of 7:00 a.m. - 10:00 p.m.

(2) *Impulsive Sound:*

(A) Between 7:00 a.m. and 10:00 p.m., impulsive sounds which occur less than ten (10) times in an hour shall not equal or exceed twenty (20) decibels above the permissible sound level limits in section 27-762.3(a). Impulsive sound which repeats ten (10) or more times in any hour shall not exceed the permissible sound level limits in section 27-762.3(a).

(B) Between the hours of 10:00 p.m. and 7:00 a.m., impulsive sounds which occur less than four (4) times in an hour shall not equal or exceed twenty (20) decibels above the permissible sound level limits in section 27-762.3(a). Impulsive sound which repeats four (4) or more times in any hour shall not exceed the permissible sound level limits in section 27-762.3(a).

(3) *Steady Pure Tones:*

If the sound source under investigation is a mechanical device, and is emitting a sound with a steady tonal quality, the permissible sound level limits in section 27-762.3(a) shall be reduced by five (5) dB(A). Such sound sources include, but are not limited to heating, ventilating or air-conditioning units, refrigeration units, and transformers; however, this provision shall not apply to residential air-conditioning units.

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Baseline Noise Assessment
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Table 3: Common Outdoor and Indoor Noises

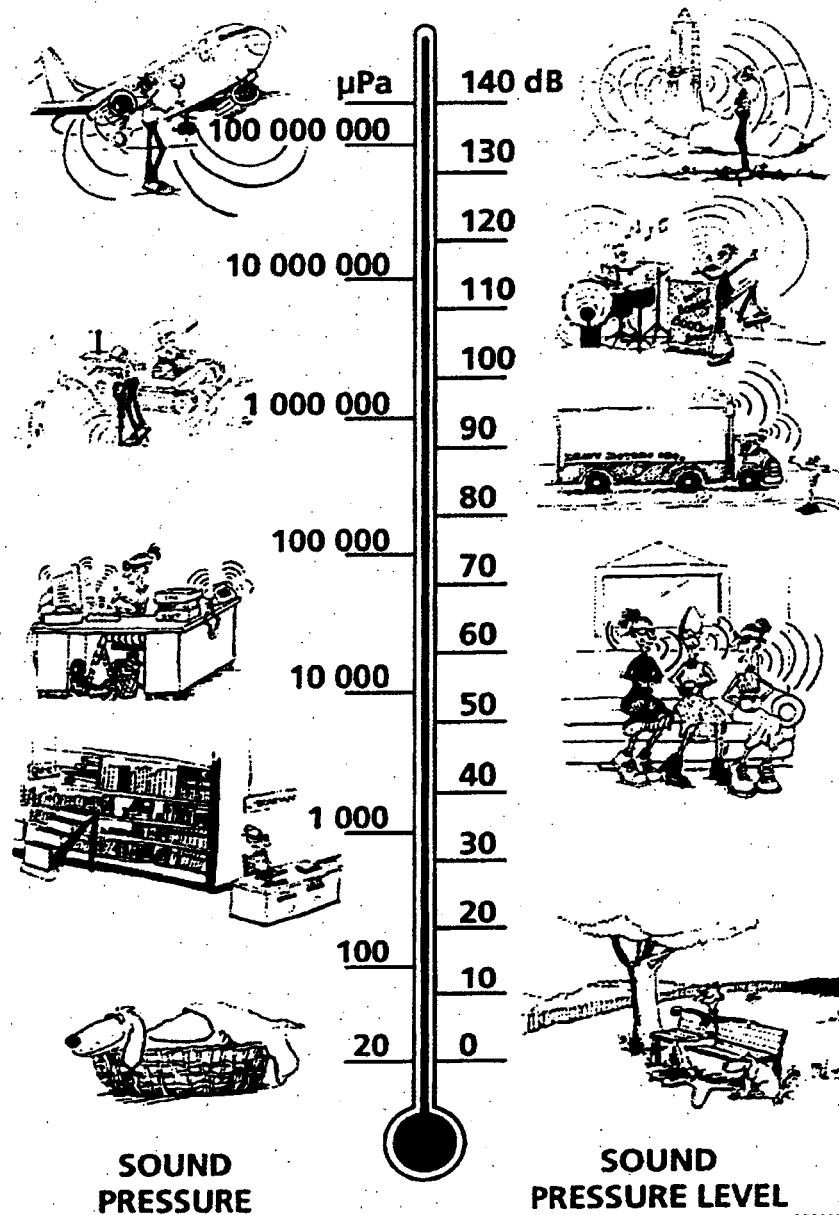
COMMON OUTDOOR NOISES	Sound Pressure (IPa)	Sound Pressure Level (dB)	COMMON INDOOR NOISES
	6,324,555	110	Rock Band at 5 m
Jet Fly-over at 300 m			
	2,000,000	100	Inside Subway Train (NY)
Gas Lawn Mower at 1 m			
	632,456	90	Food Blender at 1 m
Diesel Truck at 15 m			
Noisy Urban Daytime	200,000	80	Garbage Disposal at 1 m
			Shouting at 1 m
Gas Lawn Mower at 30 m	63,246	70	Vacuum Cleaner at 3 m
Commercial Area			Normal Speech at 1m
			Large Business Office
Quiet Urban Daytime			Dishwasher Next Room
Quite Urban Nighttime			Large Conference Room (Background)
Quite Suburban Nighttime			Library
	632	30	
Quite Rural Nighttime			Bedroom at Night
	200	20	
			Broadcast & Recording Studio
	63	10	
			Threshold of Hearing
	20	0	

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Furthermore, the following table can be used to view expected noise levels associated with various common indoor and outdoor activities.

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Table 3: Common Outdoor and Indoor Noises



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