

CITY OF NAPOLEON

ZONING PERMIT

Zoning Permit No. 1-82  
Issued 3-17-82  
By Richard G. Hayden REC  
Zoning Inspector

Issued To: NA-CHURS PLANT FOOD CO.

Lot Information:

Street Address 715 FULLMORE ST  
Lot No. \_\_\_\_\_ Subdivision J A STOUT'S  
(or Legal Description)

Lot Dimensions \_\_\_\_\_ Yard Set Back: Front 60' MIN Rear 10' MIN

Lot Area \_\_\_\_\_ Sq. Ft. Side 10' MIN Side 10' MIN

Zoning District T-1 Description of Use STORAGE TANKS - PLANT FOOD

Lot Coverage \_\_\_\_\_ Off Street Parking Spaces Required N/A

Height \_\_\_\_\_ Loading Spaces Required \_\_\_\_\_

Petition or Appeal Required NO

Approved By: Zoning Inspector Richard G. Hayden REC Board of Zoning Appeals \_\_\_\_\_

Date 3/18/82 Applicant Signature [Signature] Owner-Agent \_\_\_\_\_

White - Applicant

Pink - Engineering

Yellow - Board of Zoning Appeals

Filing Fee \_\_\_\_\_ Amount \_\_\_\_\_ Date Paid \_\_\_\_\_

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Zoning Inspector

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Owner-Agent

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To Whom It May Concern:

The storage sites used by Na-Churs Plant Food Company are used for the temporary storage of liquid agricultural fertilizer. This fertilizer is not flammable.

The storage sites are used to hold the fertilizer after it is produced, but before it is delivered to Na-Churs' customers. Section 103 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 ("Superfund"), does not contemplate such an activity to constitute the handling of hazardous waste. Enclosed is a photocopy of part of the instructions attached to EPA Form #8900-1, (the form used for notification as required by the Superfund Act). Item #9 under the heading "who need not notify" states:

Product or raw material storage tanks....which are presently in use are not considered hazardous waste storage facilities..

The use of leased sites by Na-Churs falls within this exception.  
Sincerely,

NA-CHURS PLANT FOOD COMPANY

*F. J. Shifflet*

(Mrs.) F. J. Shifflet  
Materials Control Supervisor

FJS:tlm

Enclosure

# Information

primary purpose of this notification program is to locate hazardous waste sites which treated, stored, or disposed of hazardous waste in the past and at which hazardous waste is still present. The most important information you can provide to EPA is the existence of a hazardous waste site and its location. For purposes of describing the hazardous waste to be found at a site, the identities of such waste and a type of activity at a site, EPA is not requiring that you painstakingly document the information submitted. This information may be based on your knowledge, belief, collection or reasonably available records.

## Who Must Notify

Section 103(c) of Superfund requires that, unless exempted, the following must notify EPA:

Any person who presently owns or operates a site where there are facilities that store, treat, or dispose of hazardous wastes.

Any person who, at the time of disposal, owned or operated a site where there are facilities that store, treat, or dispose of hazardous wastes.

Any person who accepted hazardous wastes for transport to a site where there are facilities that store, treat, or dispose of hazardous wastes.

Persons required to notify include individuals and private, public, and government facilities.

## Who Need Not Notify

1. Section 3010 of the Resource Conservation and Recovery Act (RCRA) requires any person who generates or transports hazardous wastes or who owns or operates a facility that treats, stores, or disposes of hazardous wastes to notify EPA of such activities. For purposes of this notification any person who notified under Section 3010 for one or more treatment, storage, or disposal facilities does not have to notify EPA again of those specific facilities. However, notification is required for facilities not previously reported under Section 3010 that are on or contiguous to sites reported under Section 3010.

2. A person does not have to notify of facilities that have qualified for Interim Status under RCRA.

3. Facilities at which less than 55 gallons (or 7.4 cubic feet) of hazardous wastes have been disposed are not subject to this notification requirement.

4. Locations where hazardous waste accumulated only as a result of minor leakage or spillage that occurred in the course of normal operations are not considered hazardous waste sites for purposes of this notification unless such accumulation may pose significant risk to human health and the environment.

5. Municipal landfills, town dumps and other facilities that receive household wastes only, are not subject to notification. Municipal landfills that received hazardous wastes, especially wastes in segregated shipments from industrial services, would be expected to notify.

6. Facilities at which hazardous wastes had been treated or stored and from which all those hazardous wastes have been removed so as to eliminate any risk to human health and the environment are not subject to this notification requirement.

7. The application of pesticide products registered under the Federal Insecticide, Fungicide and Rodenticide Act and the

handling and storage of such products by agricultural producers are not subject to this notification requirement. Sites at which pesticides have been disposed are subject to the notification requirement of Section 103(c). Farmers who have disposed of waste pesticide in a manner consistent with the disposal instruction on the pesticide label are not subject to this notification requirement.

8. Stoppage in transport of hazardous waste which is temporary, incidental to the transportation, or at the ordinary operating convenience of a common or contract carrier is not, for purposes of this notification, storage.

9. Certain facilities which handle hazardous wastes pursuant to RCRA are not subject to this notification requirement. They include:

• Product or raw material storage tanks and transportation vessels or vehicles which are presently in use are not considered hazardous waste storage facilities, even though hazardous waste may be generated in such units in the course of their use. This does not extend, however, to units which are no longer in use and in which hazardous waste remain.

• Short-term accumulation (90 days or less) of hazardous wastes by generators subject to RCRA regulations is not, for purposes of this notification, storage.

• Totally enclosed treatment facilities.

• Wastewater treatment tanks and neutralization tanks.

## Wastes Subject To Notification

Wastes subject to notification under Superfund are listed or identified as hazardous in the regulations issued under Section 3001 of RCRA. You are not expected to sample wastes to determine if they are hazardous. Rather, you can use any knowledge you have of the wastes, including the materials or processes involved or the types of facilities that generate the wastes. You should notify about sites if you believe the wastes may be hazardous due to barrel labels, odors, health effects, or other indicators.

Polychlorinated biphenyls (PCBs) are not currently included within the RCRA Section 3001 regulations but are regulated under the Toxic Substances Control Act (TSCA). Consequently, notification of PCB treatment, storage, or disposal sites is not mandatory. However, in order to make this notification more comprehensive, EPA is requesting a voluntary notification of sites containing PCBs as part of this notification program.

## Wastes Not Subject To Notification

The following wastes are not subject to notification under Section 103(c) of Superfund.

1. Solid wastes listed below not presently regulated as "hazardous waste" under RCRA.

• "Household waste", defined as any waste material (including garbage, trash, and sanitary wastes in septic tanks) derived from households (including single and multiple residences, hotels, and motels);

• Solid wastes generated by any of the following and returned to the soil as fertilizers:

—The growing and harvesting of agricultural crops.

—The raising of animals, including animal manure.

• Mining overburden returned to the mine site.





The Comprehensive Environmental Response, Compensation, and Liability Act of 1980 PL 96-510 (commonly known as Superfund) mandates in Section 103(c) that certain persons notify the U.S. Environmental Protection Agency (EPA) by June 9, 1981 of the existence of sites where hazardous wastes from industries, businesses, governments, hospitals, and other sources are stored, treated, or disposed of.

Persons who believe they are required to notify have requested that EPA develop and distribute forms and accompanying guidance material in order that respondents can more easily comply with the new law. This in turn, will ensure that information submitted to EPA will be both consistent and useful.

Those required to notify must inform EPA that the site exists and provide details on its location, the amount and type of any hazardous wastes to be found there, and any known, suspected or likely releases of such wastes from the site. All of this information can be provided by completing the enclosed EPA Form 8900-1, Notification of Hazardous Waste Site. The notification form should be mailed to the EPA Regional Office serving the State in which the site is located by June 9, 1981.

The enclosed packet also includes the following:

- General Information
- A list of EPA Region mailing addresses and information telephone numbers
- Instructions for filling out the form

Receipt of this packet does not necessarily mean that you are required to notify. For example, certain locations (such as gasoline service stations and dry cleaning plants) which accumulated hazardous wastes only as a result of minor leakage or spillage that occurred in the course of normal operations are not expected to notify. To determine if you must notify please read the General Information portion of the notification packet.

EPA believes that those legally required to notify may not be able to identify every hazardous waste site. Therefore, we encourage the general public to fill out the notification form if they know of sites which otherwise might not be reported. This is most applicable to sites that are abandoned or where midnight dumping has occurred and where government investigators are not likely to know of the site.

These forms, along with other efforts EPA has underway, should help to compile a national inventory of hazardous waste sites. With this inventory, EPA and State and local governments can do a better job of remedying the problems created by uncontrolled hazardous waste disposal. If you have any questions regarding the notification process, please contact the EPA Region serving the State in which the site is located. We thank you for your cooperation.

Sincerely Yours,

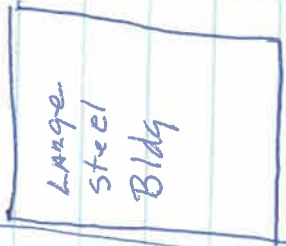
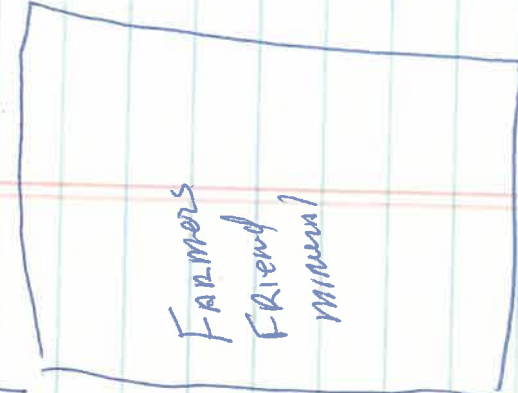
A handwritten signature in cursive script that reads "Abelle C. Barber".

Acting Administrator  
Environmental Protection Agency

Verhott Mill  
Rd 1/4

Filmore Street

RT# 424



715 FILLMORE

TEMPORARY ZONING PERMIT

1-82

ISSUED 3-17-82 FOR 12 MOS.