

**STAFF REPORT**

**Date: July 20, 2006**

**NAME**

David Hickman

**LOCATION**

1360 Conception Street Road  
(North side of Conception Street Road at Three Mile Creek)

**CITY COUNCIL DISTRICT**

District 2

**PRESENT ZONING**

I-1, Light Industry, I-2 Heavy Industrial Pending

**AREA OF PROPERTY**

9.5± Acres

**CONTEMPLATED USE**

Scrap metal processing plant with automobile shredding.

**It should be noted, however, that any use permitted in the proposed district would be allowed at this location if the zoning were changed. Furthermore, the Planning Commission may consider zoning classifications other than that sought by the applicant for this property.**

**REMARKS**

This application was approved by the Planning Commission on May 4, 2006, subject to the following conditions:

- 1) depiction of a stormwater detention basin, if required;**
- 2) illustration of the location of any dumpster or waste storage area on the site plan;**
- 3) approval of all applicable federal, state and local agencies prior to the issuance of any permits,**
- 4) submission of a disposal plan for the unrecoverable waste associated with the automobile shredding process; and**
- 5) full compliance with all municipal codes and ordinances.**

The approval was appealed to the City Council by Mobile Baykeeper (formerly known as Mobile Bay Watch). The City Council formally referred the approval back to the Planning Commission to consider inclusion of additional conditions that addressed the environmental concerns, were in compliance with state codes, provided specificity with regard to procedures, and were not vague, ambiguous or open to interpretation. The applicant has submitted additional detailed conditions to be attached to the approval, which are as follows:

1. David's Auto Shredding, Inc. will provide testing in accordance with ADEM permit requirements. Minimum testing involves water quality sampling during rain events greater than 0.5" in a 24-hour period. Water quality test results will be kept on site for review by regulatory personnel and ADEM. Samples will be tested by an independent laboratory for mercury, lead, petroleum products, Freon, heavy metals, PCBs and other hazardous materials.

2. David's Auto Shredding, Inc. will provide the following procedure to receive and process automobiles and scrap.

Procedure:

- (a) Upon arrival at David's Auto Shredding, Inc. in Mobile, Alabama, a trained employee will inspect the EOLV (end of life vehicle) as follows:
- (1) The employee will inspect under the hood of the EOLV for the possibility of a mercury switch that controls a courtesy lamp in the engine compartment. If one is discovered, it will be removed and stored in accordance with ADEM 335-14-11-02(4)(c) 2 and/or 335-14-11-03(4)(c) 2.
  - (2) The employee will inspect the engine compartment to determine whether refrigerant has been removed in accordance with EPA requirements. If it is determined that refrigerant has not been removed as required, the EOLV will be quarantined and the refrigerant removed.
  - (3) The employee will inspect the engine compartment to determine whether power steering fluid, crankcase oil and engine coolants have been removed. If it is determined that these materials have not been removed as required, the EOLV will be quarantined and the materials removed.
  - (4) The employee will inspect the trunk of the EOLV for the possibility of a mercury switch that controls a courtesy lamp. If one is discovered, it will be removed and stored in accordance with ADEM 335-14-11-02(4)(c) 2 and/or 335-14-11-03(4)(c) 2.
  - (5) The employee will inspect the interior of the EOLV for other hazardous material containing devices such as electronic equipment, relays, fluorescent bulbs, mercury lamps, HID lamps, dental equipment, thermostats, lab equipment, barometers, thermometers, capacitors (which may contain PCBs) and other debris that may be a hazardous material threat. If a hazardous material-containing device is discovered, it will be removed accordingly.
- (b) Personnel employed by David's Auto Shredding, Inc., to perform the above inspections in Mobile, Alabama, will be trained and able to identify and remove hazardous materials. This position will be staffed during business hours and/or 24 hours a day.

EOLV Suppliers:

All suppliers must certify in a written certificate that all hazardous material has been removed prior to shipment to David's Auto Shredding, Inc., in Mobile, Alabama, in accordance with their local and state laws. To minimize any possibility such hazardous

materials remain in the EOLV, all materials from all suppliers will be color-coded for ease of identification in the event tracking is required. All material with a certain designated color code will be processed until the supply is exhausted. Monitoring of the product from the shredding process will be provided to detect contaminants.

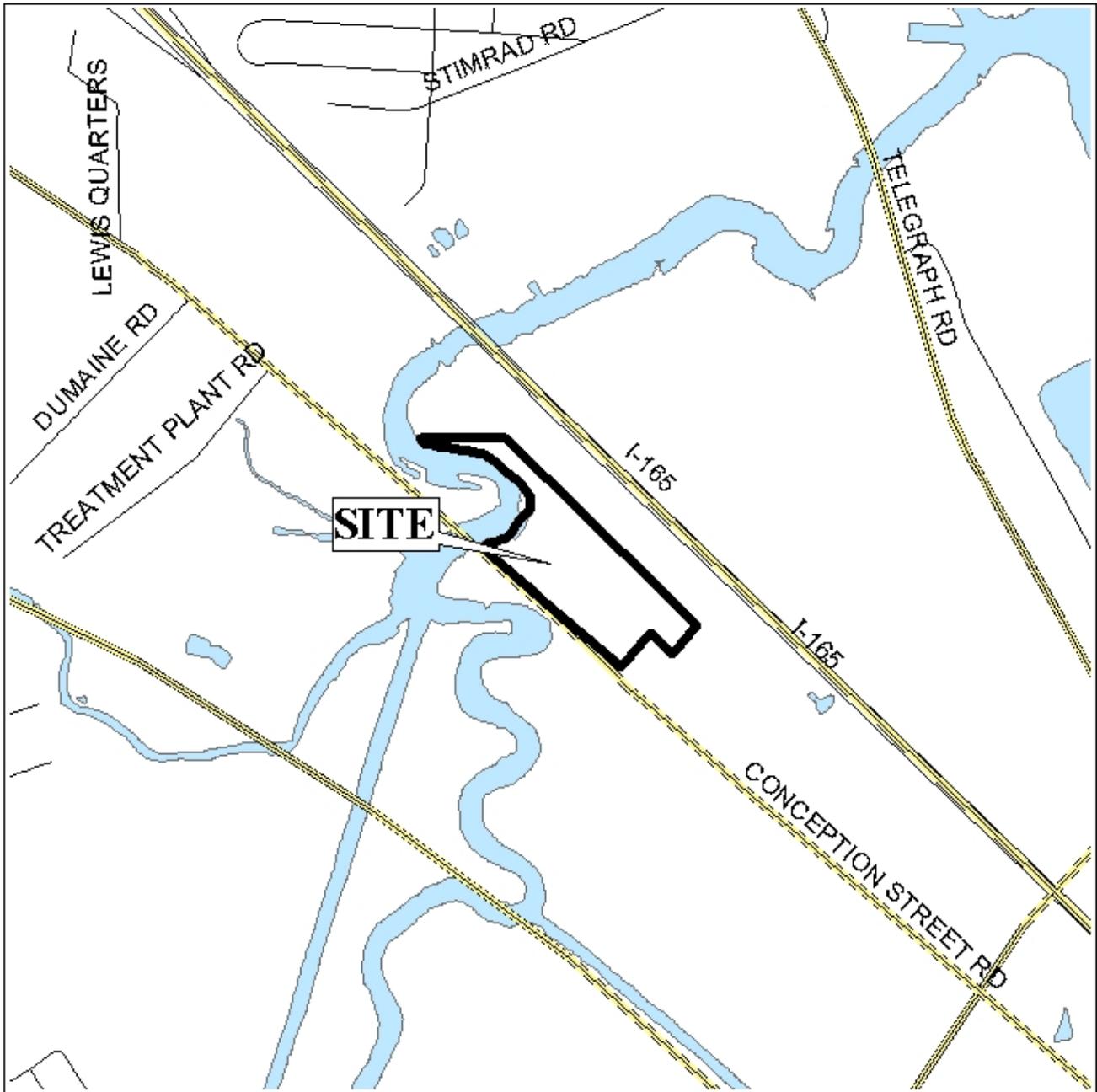
3. The waste material generated at the Mobile, Alabama, facility by the material shredding process will be managed in a safe, timely and ecological manner. All hazardous materials including non-hazardous materials including rubber, plastics, vinyl (fluff) will be temporarily stored in an approved containment area on-site and prepared for shipping. Once prepared, it will be shipped to reclamation centers where hazardous materials will be reclaimed and recycled. The rubber, plastics, vinyl, etc., will be shipped to a plant in Mississippi where it will be processed and converted into diesel fuel. Although the storage of these materials is only temporary, periodic tests will be performed on all waste materials and coolant water for heavy metals, PCBs, etc., and will be dealt with in a timely and efficient manner.

As of the date of this report, there has not been an agreement reached by the applicant and the appellant. The appellant has submitted a separate set of conditions, which are as follows:

1. Hickman shall perform testing as frequently as necessary to reasonably assure that all supplies (including supplies received from sources outside of Alabama) are de-manufactured (removal of mercury switches and other hazardous materials) before shredding occurs.
2. Hickman shall assure that all de-manufacturing performed on the site shall effectively remove mercury switches, PCB's lead, Freon, oil & gas, and other hazardous materials before shredding occurs.
3. Hickman shall develop and enforce a plan to assure that all of the hazardous waste is disposed of in accordance with law so as to assure protection of public health and the environment.

The waste material generated at this facility by the material shredding process will be managed in a safe, timely and ecological manner. All hazardous materials including non-hazardous materials including rubber, plastics, vinyl (fluff) will be temporarily stored in an approved containment area on-site and prepared for shipping. Once prepared, it will be shipped to reclamation centers where hazardous materials will be reclaimed and recycled. The rubber, plastics, vinyl, etc., will be shipped to a plant in Mississippi where it will be processed and converted into diesel fuel. Although the storage of these materials is only temporary, periodic tests will be performed on all waste materials and coolant water for heavy metals, PCBs, etc., and will be dealt with in a timely and efficient manner

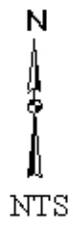
# LOCATOR MAP



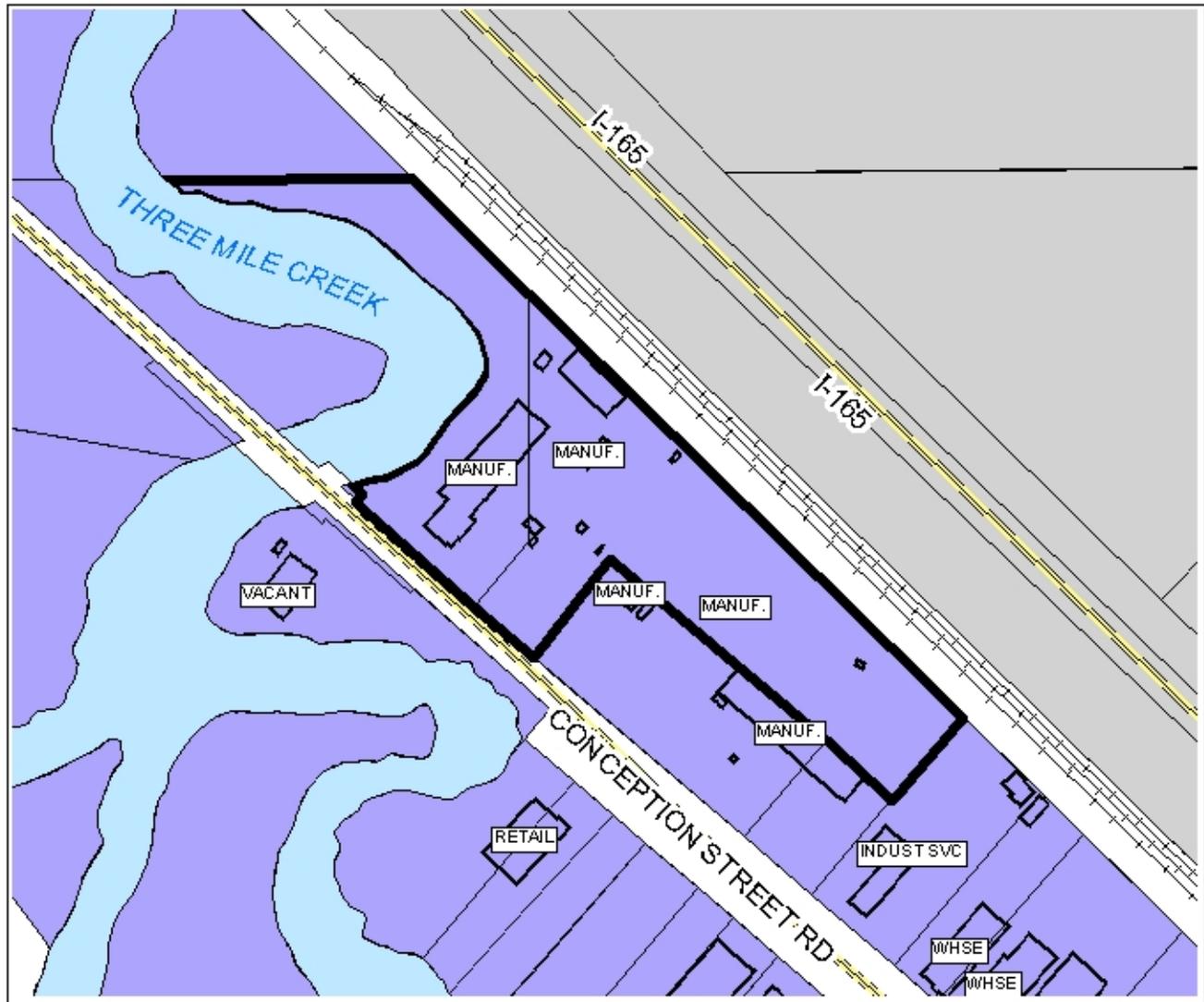
APPLICATION NUMBER OTHER BUSINESS DATE May 4, 2006

APPLICANT David Hickman

REQUEST Rezoning from I-1 to I-2, Planning Approval, Planned Unit Development



# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING

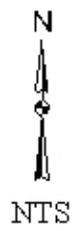
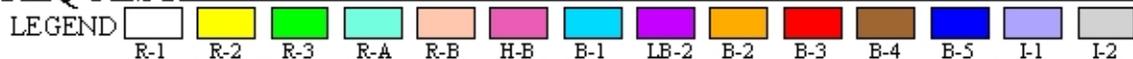


The site is surrounded by commercial and industrial land use

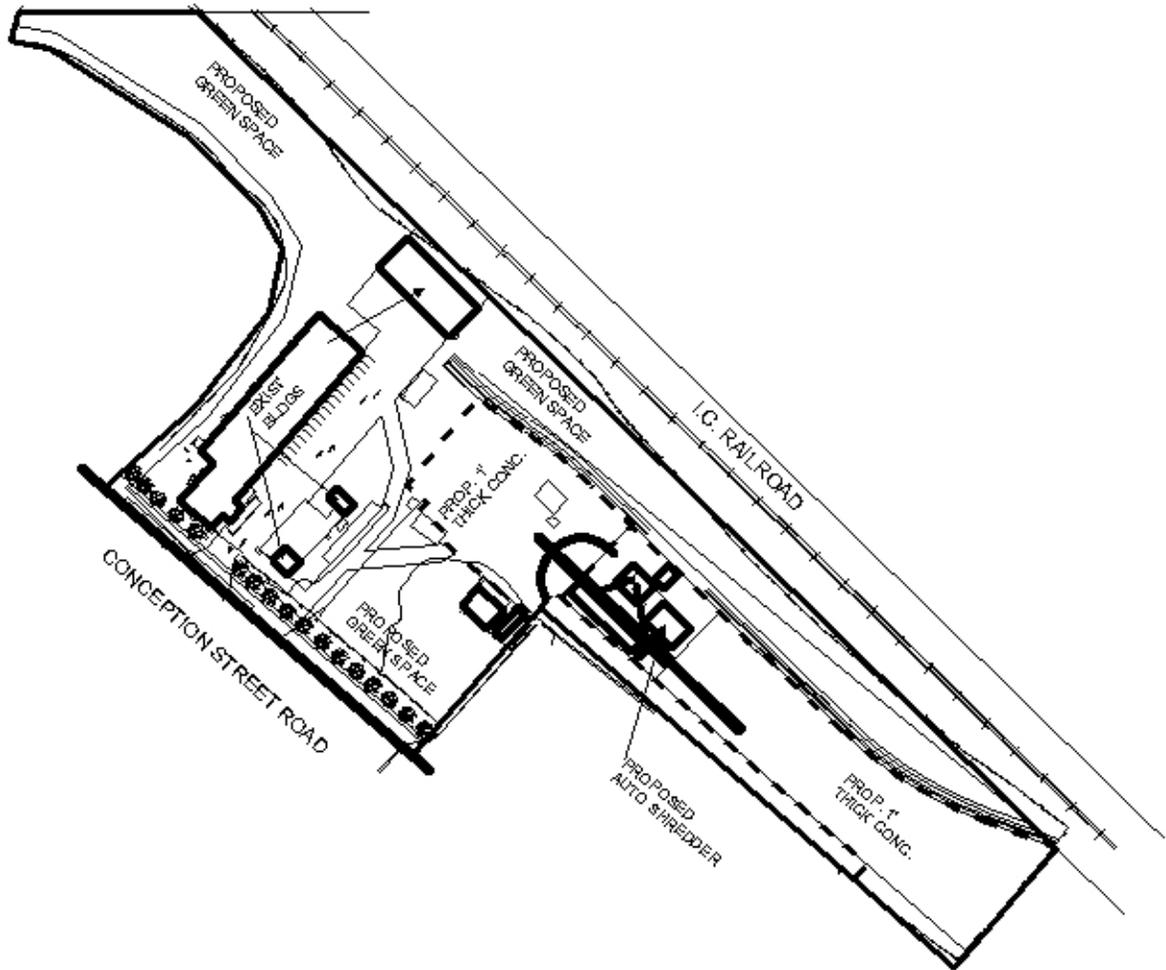
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# SITE PLAN



The site is located on the North side of Conception Street Road at Three Mile Creek. The plan illustrates the existing buildings, along with the proposed auto shredder and landscaping.

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