



Linda Maio
Councilmember District 1

ACTION CALENDAR

February 12, 2008

To: Honorable Mayor and Members of the City Council
From: Councilmember Linda Maio
Subject: Nuisance Abatement Against Pacific Steel Casting, 1333 Second Street

RECOMMENDATION

Refer to the Zoning Officer initiation of nuisance abatement or other appropriate proceedings with respect to plants 1-3 at Pacific Steel Casting, 1333 Second Street, on the basis of odors.

FINANCIAL IMPLICATIONS

Nuisance proceedings are likely to require significant staff time.

BACKGROUND

The Zoning Ordinance defines "noxious smells or fumes" as a nuisance. In addition, the Use Permits that govern plants 2 and 3 at Pacific Steel Casting prohibit unreasonable odors. Nonetheless, although Pacific Steel Casting has taken some measures to reduce odors, it continues to be the subject of continuing odor complaints from the affected community. The Bay Area Air Quality Management District has a protocol for responding to such complaints, and residents have followed this protocol. However this has not resulted in a sufficient reduction in odor from Pacific Steel Casting.

The Zoning Ordinance (BMC sections 23B.60.030 and 23B.64.030) authorizes the City Council to initiate nuisance proceedings with respect to Use Permits by a referral to the Zoning Officer, who must then set the matter for a public hearing before the Zoning Adjustments Board. Because remedies provided by the Bay Area Air Quality Management District have not been as effective as hoped, it appears to be necessary for the City to follow its established procedure to investigate these continuing complaints and to determine what, if any, remedy is appropriate.

CONTACT PERSON

Councilmember Linda Maio

Council District 1

510-981-7110

Attachments:

1: Noxious Odor Complaint Log against Pacific Steel Casting Co-Plant #2
(Excerpt only, not complete log.)

A0703 Pacific Steel Casting Co-Plant #2
1/14/2008

Report Date:

1420 2nd Street
Berkeley CA 94710

From: 01/01/1985

To: 01/13/2008

199262 Odor 'burnt metal'
PNDNG Rcvd at 1/13/08 10:45 Contact at ID# 03703P
Rcvd_by 814
Occur at 1/13/08 10:30 Report by
Disp at 1/14/08 8:13 Update
Disp_to 763
NOV#

A0703 Pacific Steel Casting Co-Plant #2
1/14/2008

Report Date:

1420 2nd Street
Berkeley CA 94710

From: 01/01/1985

To: 01/13/2008

199172 Soot ''
UNCNF Rcvd at 12/27/07 19:32 Contact at ID# 03834D
Rcvd_by 426
Occur at 12/27/07 19:32 Report by
Disp at 12/28/07 8:34 Update
Disp_to 764
NOV#

199196 Odor 'burning pot handle'
UNCNF Rcvd at 1/2/08 10:46 Contact at ID# 03649R
Rcvd_by 610
Occur at 1/2/08 10:30 Report by
Disp at 1/2/08 10:50 Update
Disp_to 764
NOV#

199200 Odor 'burning plastic'
UNCNF Rcvd at 1/2/08 16:06 Contact at ID# 03690B
Rcvd_by 610
Occur at 1/2/08 15:30 Report by
Disp at 1/2/08 16:08 Update
Disp_to 764
NOV#

199247 Odor 'burnt'
UNCNF Rcvd at 1/10/08 11:55 Contact at ID# 03736V
Rcvd_by 610
Occur at 1/10/08 11:50 Report by
Disp at 1/10/08 12:05 Update
Disp_to 804
NOV#

199255 Odor 'strong burning'
UNCNF Rcvd at 1/11/08 10:10 Contact at ID# 03835V
Rcvd_by 600
Occur at 1/10/08 23:59 Report by
Disp at 1/11/08 10:18 Update
Disp_to 763
NOV#

A0703 Pacific Steel Casting Co-Plant #2
1/14/2008

Report Date:

1420 2nd Street
Berkeley CA 94710

From: 01/01/1985

To: 01/13/2008

Revd_by 610
Occur at 12/7/07 8:00 Report by
Disp at 12/7/07 8:29 Update
Disp_to 806
NOV#

199069 Odor 'rubber'
UNCNF Rcvd at 12/7/07 12:10 Contact at ID# 03689P
Rcvd_by 610
Occur at 12/7/07 12:00 Report by
Disp at 12/7/07 12:22 Update
Disp_to 806
NOV#

199070 Odor 'acid metal'
UNCNF Rcvd at 12/7/07 12:22 Contact at ID# 03831T
Rcvd_by 610
Occur at 12/7/07 12:15 Report by
Disp at 12/7/07 12:39 Update
Disp_to 806
NOV#

199073 Odor 'burnt'
CNFRM Rcvd at 12/7/07 15:22 Contact at ID# 03831W
Rcvd_by 610
Occur at 12/7/07 15:15 Report by
Disp at 12/7/07 15:25 Update
Disp_to 806
NOV#

199102 Odor 'stinky brakes'
UNCNF Rcvd at 12/13/07 10:58 Contact at ID# 03680L
Rcvd_by 757
Occur at 12/13/07 10:58 Report by
Disp at 12/13/07 11:00 Update
Disp_to 764
NOV#

199103 Odor 'foul'

