



Community & Economic Development Department  
4430 S. Adams County Pkwy.  
1st Floor, Suite W2000B  
Brighton, CO 80601  
PHONE 720.523.6800  
EMAIL [epermitcenter@adcogov.org](mailto:epermitcenter@adcogov.org)  
[adcogov.org](http://adcogov.org)

## Request for Comments

Case Name: Ancon Services Conditional Use Permit  
Case Number: RCU2025-00011

May 27, 2025

The Adams County Planning Commission is requesting comments on the following application: **Conditional Use Permit to allow a solid waste transfer station (hazardous material transfer facility) within the Industrial-3 zone district.** This request is located at 8221 East 96th Avenue. The Assessor's Parcel Numbers associated with this application are: 0172116401001 and 0172116401002. The applicant is Ancon Marine Inc. d/b/a Ancon Services, Tobi Moore, 10571 Los Alamitos Blvd., Los Alamitos, CA 90270.

Please forward any written comments on this application to the Community and Economic Development Department at 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601-8216 or call (720) 523-6800 by 06/17/2025 in order that your comments may be taken into consideration in the review of this case. If you would like your comments included verbatim please send your response by way of e-mail to [GJBarnes@adcogov.org](mailto:GJBarnes@adcogov.org).

Once comments have been received and the staff report written, the staff report and notice of public hearing dates may be forwarded to you upon request. The full text of the proposed request and additional colored maps can be obtained by contacting this office or by accessing the Adams County web site at [www.adcogov.org/current-land-use-cases](http://www.adcogov.org/current-land-use-cases).

Si usted tiene preguntas, por favor escribanos un correo electrónico a [cedespanol@adcogov.org](mailto:cedespanol@adcogov.org) para asistencia en español. Por favor incluya su dirección o número de caso para poder ayudarle mejor.

Thank you for your review of this case.

J. Gregory Barnes,  
Principal Planner

BOARD OF COUNTY COMMISSIONERS

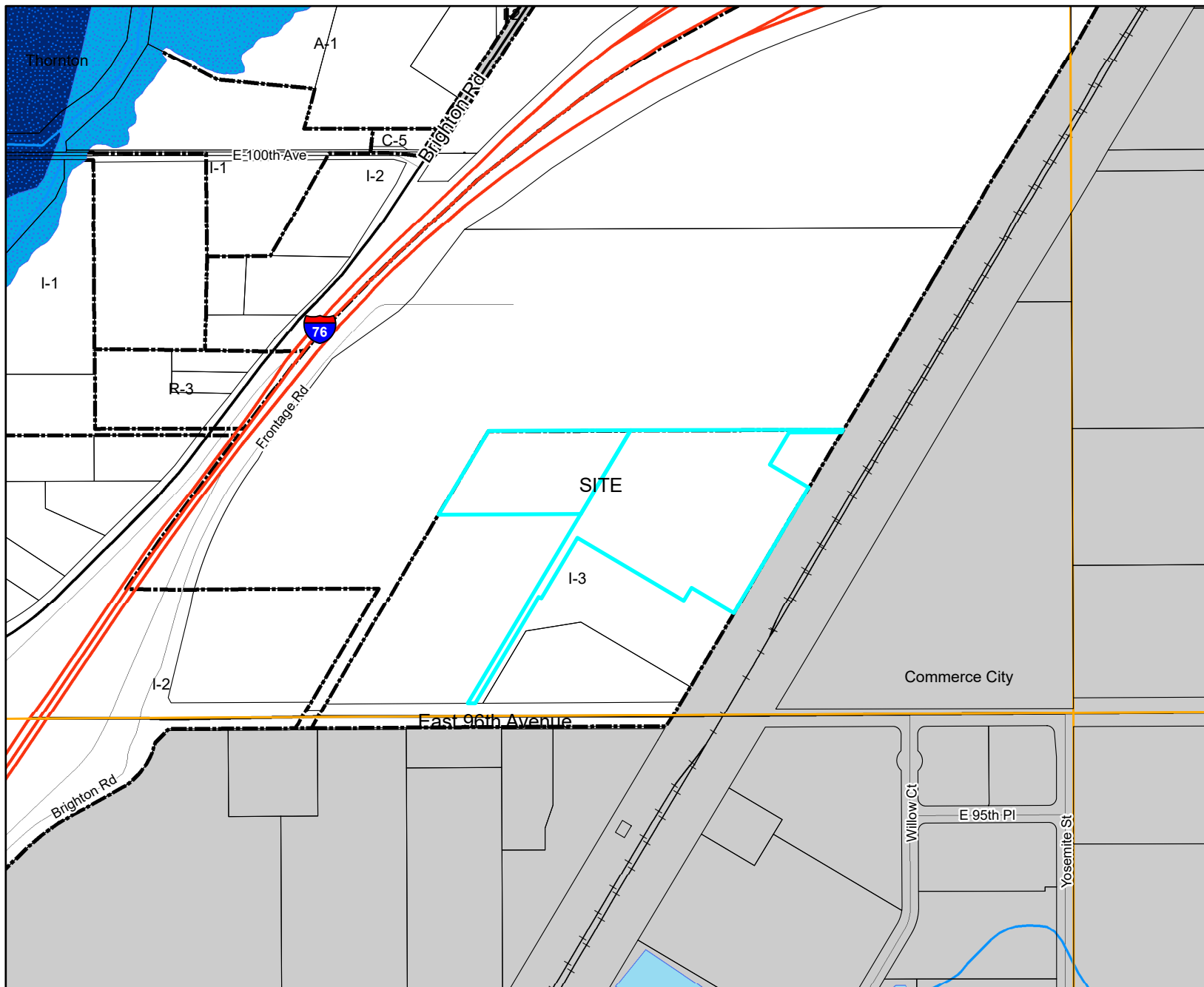
Julie Duran Mullica  
DISTRICT 1

Kathy Henson  
DISTRICT 2

Emma Pinter  
DISTRICT 3

Steve O'Dorisio  
DISTRICT 4

Lynn Baca  
DISTRICT 5



# Legend

- +— Railroad
- Major Water
- - - Zoning Line
- ▭ Sections

Ancon Services

RCU2025-00011



For display purposes only.



ADAMS COUNTY  
COLORADO

This map is made possible  
by the Adams County GIS  
group, which assumes no  
responsibility for its accuracy



# CONDITIONAL USE PERMIT

Conditional uses are those uses which are presumptively compatible with other land uses authorized or permitted in a zone district, but, if approved, will require more discretionary review than those uses which are authorized. In addition to meeting applicable performance standards, conditional uses may require the imposition of conditions to ensure the number and type of conditional uses and their location, design, and configuration are appropriate at a particular location.

## Required Checklist Items

- Development Application Form (pg. 5)
- Written Explanation
- Site Plan
- Landscape Plan
- Proof of Ownership (warranty deed or title policy)
- Proof of Water, Sewer Services, and Utilities
- Legal Description
- Statement of Taxes Paid
- Trip Generation Analysis

Supplemental items may be needed on a case-by-case basis. **\*Email documentation will be required if supplemental items are deemed unnecessary.**

- Please contact the Planner of the Day ([CEDD-POD@adcogov.org](mailto:CEDD-POD@adcogov.org)) to determine whether a Neighborhood Meeting is necessary.
- Please contact the Engineer of the Day ([CEDD-ENG@adcogov.org](mailto:CEDD-ENG@adcogov.org)) to determine whether a Level 1 Storm Drainage Study is necessary

If you are applying for any of the following applications, please contact the Planner of the Day:

- Solid waste transfer station
- Scrap tire recycling facility
- Inert fill

Fees Due When Application is Deemed Complete	
Conditional Use Permit	\$1,200 for Residential Uses; \$1,400 Non-Residential Uses (Additional Requests: \$300 per residential/ \$500 per non-residential)

## **Conditional Use - Guide to Development Application Submittal**

All applications shall be submitted electronically to [epermitcenter@adcogov.org](mailto:epermitcenter@adcogov.org). If the submittal is too large to email as an attachment, the application may be sent as an unlocked OneDrive link. Alternatively, the application may be delivered on a flash drive to the One-Stop Customer Service Center. All documents should be combined in a single PDF. Once a complete application has been received, fees will be invoiced and payable online at <https://permits.adcogov.org/CitizenAccess/>.

### **Written Explanation**

- A clear and concise description of the proposal. Please include description of use, time frame, purpose of project, proposed improvements, and all other relevant details.

### **Site Plan**

- A detailed drawing of existing and proposed improvements, including:
  - Streets, roads, and intersections
  - Driveways, access points, and parking areas
  - Existing and proposed structures, wells, and septic systems,
  - Easements, utility lines, and no build or hazardous areas
  - Scale, north arrow, and date of preparation
- Parking: must meet the quantity, dimensional standards and other requirements outlined in Section 4-15
- An Improvement Location Certificate or Survey may be required during the official review
- Elevations

### **Landscape Plan**

- Landscaping must meet the requirements outlined in Section 4-19 of the Adams County Development Standards and Regulations
- Landscape plan must include:
  - Number, installation size, and location of each plant type
  - Landscape maintenance plan
  - Bufferyards: identify the uses of adjacent properties and incorporate the correct bufferyard between existing and proposed use

### **Proof of Ownership**

- A deed may be found in the Office of the Clerk and Recorder.
- A title commitment is prepared by a professional title company.

### **Proof of Water/Sewer/Utilities**

#### **Water**

- A written statement from the appropriate water district indicating that they will provide service to the property OR a copy of a current bill from the service provider.
- Well permit(s) information can be obtained from the Colorado State Division of Water Resources at (303) 866-3587.

#### **Sewer**

- A written statement from the appropriate sanitation district indicating that they will provide service to the property OR a copy of a current bill from the service provider.
- A written statement from Tri-County Health indicating the viability of obtaining Onsite Wastewater Treatment Systems.

#### **Utilities (Gas, Electric, etc.)**

- A written statement from the appropriate utility provider indicating that they will provide service to the property.
- Copy of a current bill from the service provider.

### **Legal Description**

- Geographical description used to locate and identify a property.
- Visit <http://gisapp.adcogov.org/quicksearch/> to find the legal description for your property.



**Statement of Taxes Paid**

- All taxes on the subject property must be paid in full. Please contact the Adams County Treasurer's Office or visit ADCOTAX.COM

**Trip Generation Analysis (TGA)**

- This analysis should be conducted by a traffic engineer and should include total vehicle trips per day and peak hour volumes generated by the proposed development.
- A Traffic Impact Study may be required after the first review.

**SUPPLEMENTAL:****Neighborhood Meeting Summary**

- Please refer to Section 2-01-02 of the Adams County Development Standards and Regulations for the specific requirements regarding time, location, and notice.
- A written summary shall be prepared including the materials submittal presented at the meeting, any issues identified at the meeting, and how those issues have been addressed.

**Level 1 Storm Drainage Study**

- If the proposed conditional use permit involves paving, construction of any structures, grading of property, outdoor storage of materials (gravel piles included) or otherwise increasing the impervious area of a site, a Level 1 Storm Drainage Study will be required.
- This plan should be prepared in accordance with the "Level 1 Storm Drainage Plan" criteria as defined in Appendix item B-3 of the Adams County Development Standards and Regulations. Most importantly, it needs to clearly identify a viable storm outfall location, and floodplain/floodway boundaries.



## DEVELOPMENT APPLICATION FORM

### APPLICANT

Name(s):	<input type="text"/>	Phone #:	<input type="text"/>
Address:	<input type="text"/>		
City, State, Zip:	<input type="text"/>		
2nd Phone #:	<input type="text"/>	Email:	<input type="text"/>

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### OWNER

Name(s):	<input type="text"/>	Phone #:	<input type="text"/>
Address:	<input type="text"/>		
City, State, Zip:	<input type="text"/>		
2nd Phone #:	<input type="text"/>	Email:	<input type="text"/>

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### TECHNICAL REPRESENTATIVE (Consultant, Engineer, Surveyor, Architect, etc.)

Name:	<input type="text"/>	Phone #:	<input type="text"/>
Address:	<input type="text"/>		
City, State, Zip:	<input type="text"/>		
2nd Phone #:	<input type="text"/>	Email:	<input type="text"/>

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## DESCRIPTION OF SITE

Address: 8221 and 8215 E. 96th Avenue

City, State, Zip: Henderson, CO 80640

Area (acres or square feet): 38,517 SF of warehouse/office space and 1.25-acres of outdoor space

Tax Assessor Parcel Number 0172116401003 and 0172116401001

Existing Zoning: I-3

Existing Land Use: Manufacturing

Proposed Land Use: Hazardous and non-hazardous waste transfer and transportation facility

Have you attended a Conceptual Review? YES ☒ NO ☐

If Yes, please list PRE#: 2025-00003

I hereby certify that I am making this application as owner of the above-described property or acting under the authority of the owner (attached authorization, if not owner). I am familiar with all pertinent requirements, procedures, and fees of the County. I understand that the Application Review Fee is non-refundable. All statements made on this form and additional application materials are true to the best of my knowledge and belief.

Name: Tobi Moore

Date: 5.5.2025

Owner's Printed Name

Name:

  
Owner's Signature

# Ancon Services – CUP Application Narrative

## Party Information

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**Application Name:** Ancon Services Colorado Facility

**Applicant:** Ancon Marine Inc. d/b/a Ancon Services  
Tobi Moore, primary point of contact  
[tobim@anconservices.com](mailto:tobim@anconservices.com)

**Additional Contacts:**

Jake Hertz, Technical Representative  
[jhertz@goldendc-co.com](mailto:jhertz@goldendc-co.com)

Melanie Granberg and Natalie Boldt, Counsel  
DAVIS GRAHAM & STUBBS LLP  
[melanie.granberg@davisgraham.com](mailto:melanie.granberg@davisgraham.com)  
[natalie.boldt@davisgraham.com](mailto:natalie.boldt@davisgraham.com)

## Site Description

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**Address:** 8221 E 96<sup>th</sup> Ave

**Parcel:** 0172116401003 and 0172116401001

**Legal Description:** GARDNER DENVER SUBD FLG NO 3 LOT 2

**Owner Name:** 8221 E. 96<sup>th</sup> Avenue, LLC

**Owner Address:** 500 E. 62<sup>nd</sup> Avenue, Denver, CO 80216

**Type of Project:** Industrial

## Detailed Description

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### Introduction

Ancon Marine Inc. d/b/a Ancon Services (“Ancon”) seeks a Conditional Use Permit for its operation of a hazardous waste transfer facility to be located at 8221 E. 96<sup>th</sup> Ave. in Henderson, Colorado (the “Parcel”). The Parcel is located in unincorporated Adams County and is zoned I-3. Ancon’s operations will occupy only a portion of the Parcel and will utilize an ancillary parking area on a neighboring parcel. See Exhibit A (the boundaries of Ancon’s operations are outlined in red) (hereinafter the “Property”). The Property is fully developed but currently vacant.

Ancon participated in a conceptual review of its proposed operations with Adams County land use staff. Adams County staff determined Ancon’s operations constitute a use most like that of a “Solid Waste Transfer Station.” This application describes Ancon’s operations and its conformance with or requested waivers from various provisions of the Adams County Development Standards & Regulations (“DSR”) for Solid Waste Transfer Stations.

Ancon's requested waivers from the DSR requirements are justified due to the inherent differences between a solid waste transfer station that handles unconsolidated refuse, a well-known land use on which the relevant DSR provisions are based, and Ancon's hazardous waste transfer facility, which is not an enumerated use in the DSR. Waiver of certain DSR requirements is proper and justified because transportation of hazardous waste is a highly regulated activity and Ancon is already required to comply with numerous state and federal regulations in the operation of its business, many of which are more protective than the DSR.

### **Ancon's Operations**

Ancon provides safe and reliable transportation for the safe recycling and disposal of hazardous and non-hazardous specialty wastes in an environmentally beneficial manner that complies with the applicable regulatory requirements. Ancon's operations are regulated by the Colorado Hazardous Waste Regulations which require Ancon to, among other things, 1) provide notification of their hazardous waste activities; 2) document storage of hazardous waste is limited to ten days or less; 3) conduct and record weekly inspections; 4) meet minimum base/floor requirements; 5) meet minimum truck/trailer storage requirements; 6) make arrangements with local authorities; 7) provide adequate security and signage; 8) ensure adequate emergency preparedness, prevention, and response; and 9) ensure proper closure of the operation in compliance with hazardous waste regulations.

Ancon collects hazardous and non-hazardous specialty wastes from various commercial, industrial, and governmental customers, profiles and sorts those wastes based on the material type, compatibility, and final destination for recycling or treatment and disposal at an appropriate end-point material recovery facilities ("MRFs"), landfills, or hazardous waste treatment, storage, and disposal facilities ("TSDFs").

There is large demand along the Front Range, across Colorado, and in neighboring states for turnkey commercial and industrial waste recycling and disposal services. This need exists because many private and public entities, both large and small, lack the resources and expertise necessary to profile, transport, and recycle or dispose of their hazardous or specialty wastes and their by-products.

Commercial and industrial customers who generate and/or have accumulated hazardous and non-hazardous specialty waste can contact Ancon and arrange for waste pickup and transport to a third-party recycling and treatment or disposal facilities. Importantly, Ancon will not operate a treatment, storage, or disposal facility at the Property. Prior to arriving at a customer's facility, Ancon profiles the waste to determine whether it is hazardous or nonhazardous and whether it can be recycled or will require regulated treatment and/or disposal. Ancon then dispatches a truck to the customer's facility, completes appropriate transportation manifests, and loads the waste into the truck. After the truck has completed its pickup route, it will then return to the Property where it will be unloaded at a fenced loading dock. The waste and recyclables are then sorted and loaded into semi-trailers destined for an appropriate MRF, landfill, or TSDF. These practices are consistent and compliant with Colorado's solid and hazardous waste regulations. See Exhibit B at ENV2, ENV10, ENV11 ("Staff Comments"). Based on its current business model and projected future demand, Ancon expects to receive and transport the equivalent of 400 fifty-five gallon drums ("drums") of hazardous and

petroleum waste, 200 drums of electronic waste, and 200 drums of non-hazardous solid and exempt waste monthly. These volumes are subject to change.

As required by state and federal regulations and Ancon's express approval from the Colorado Department of Public Health and Environment ("CDPHE"), hazardous waste may be stored at the transfer facility for 10 days or less. Specialty non-hazardous wastes and recyclables are permitted to be stored for longer periods to ensure Ancon can maximize efficiency and minimize environmental and other transportation-associated impacts. Most waste is stored in trailers on the Property for 10 days or less in controlled, fenced areas. Occasionally, small quantities of waste may be temporarily stored inside the building.

It is important to note that no recycling, reclamation, treatment, or disposal occurs at Ancon's transportation transfer facilities. All wastes and recyclables are properly packaged and labeled at the customers' location prior to transport back to Ancon.

Ancon typically outsources transportation of hazardous waste from their location to the ultimate waste receiving destination. Receiving facilities vary with market demands but currently include locations in Illinois, Indiana, Utah, and Nebraska. Non-hazardous specialty wastes are transported from Ancon's facility to their ultimate receiving destination by both Ancon and contracted third-parties.

The following types of waste are transferred and transported by this operation. See Staff Comments at ENV4:

- Universal hazardous wastes, such as batteries, hazardous lamps/lightbulbs/ballasts, and mercury-containing devices and products;
- Electronics and appliances (generally appliances are transported from customer facilities directly to local recyclers, meaning they would not be stored or transferred at the Property);
- Petroleum-based oils, greases, and lubricants;
- Paints, coatings, and aerosols;
- Epoxies and resins;
- Glycol and glycol-containing products, such as antifreeze;
- Heavy metals and heavy metal-containing products;
- Hazardous and non-hazardous solutions and rinse-/process waters; and
- Hazardous and non-hazardous industrial, laboratory, bio-medical, oil and gas, and agricultural chemicals and by-products, such as spent solvents, acids, polymers, adhesives, and pesticides.

Ancon will not receive and under their state and federal approvals, is not permitted to receive explosives/munitions, DEA controlled pharmaceuticals, or radioactive wastes. While Ancon occasionally transports Technologically Enhanced Naturally Occurring Radioactive Material ("TENORM"), these loads are picked up from customers and transported directly to a TENORM permitted TSDF. No TENORM or other radioactive material will be brought to or stored at the Property.



#### **Description and Process for Storing or Handling Hazardous Materials (See Staff Comment ENV4)**

A core aspect of Ancon's business is handling and temporarily (10 days or less) storing hazardous waste generated by Ancon's clients. Ancon is not itself a generator of hazardous waste other than in very small quantities associated primarily with the operation of their vehicle fleet. All hazardous waste is handled in accordance with federal and state regulations, and this includes ensuring hazardous materials are properly, profiled, packaged, manifested, and labeled. In addition, Ancon ensures employees handling hazardous materials are properly trained, certified, and/or licensed.

As noted, Ancon's operations are strictly regulated by the Colorado Hazardous Waste Regulations which require Ancon to, among other things, 1) provide notification of their hazardous waste activities; 2) document storage of hazardous waste is limited to ten days or less; 3) conduct and record weekly inspections; 4) meet minimum base/floor requirements; 5) meet minimum truck/trailer storage requirements; 6) make arrangements with local authorities; 7) provide adequate security and signage; and 8) ensure adequate emergency preparedness, prevention, and response; and 9) ensure proper closure of the operation in compliance with hazardous waste regulations.

Prior to transferring hazardous wastes, trucks and/or trailers are parked on concrete to prevent the release of hazardous materials to the environment in the unlikely event of an accidental spill or release. All waste handling will occur at the loading docks and within the building on the Property. No hazardous materials are transferred outside the confines of the concrete loading docks.

After a trailer is loaded and ready for transport to a third-party MRF, landfill, or TSDF, it is placarded in accordance with US Department of Transportation and Colorado Department of Transportation (collectively "DOT") regulations and can then be temporarily stored on the Property. As noted, in accordance with state and federal regulations, hazardous wastes may not be stored on the Property for more than 10 days.

All hazardous waste will be transported to and from the Property by properly trained and licensed drivers in vehicles that are subject to routine maintenance and safety inspections. Hazardous waste is transported pursuant to DOT and Colorado State Patrol mandated routes for transportation of hazardous materials. Hazardous waste is not transported through residential or other restricted areas.

In the normal course of its business, Ancon uses small quantities of potentially hazardous materials, such as windshield wiper fluid, aerosol adhesives, spray paint, antifreeze and diesel exhaust fluid. Ancon maintains SDSs for these materials. Exhibit C; See Staff Comment at ENV12. Ancon's trucks are, however, primarily maintained at third-party facilities. Ancon does not receive or maintain SDS for customer wastes; instead, they have waste profiles.

Ancon has an Emergency Contingency Plan in place to govern in the event of an emergency. See Exhibit D.

#### **Ancon's Site Plan**

Ancon intends to use the Property as-is with the exception of installation of a fence around the dock area to comply with Ancon's obligations to secure its operations under the Colorado Hazardous

Waste Regulations and consistent with the DSR. Three drawings are included as exhibits to this Application which depict the existing features of the Property and details of Ancon's proposed operation.<sup>1</sup> Exhibit E is an ALTA/NSPS Land Title Survey which shows existing easements, improvements on the Parcel (of which, the Property is part), and nearby roads. Exhibit F is a more detailed drawing of the warehouse and office space that also already exist on the Property. As noted, Ancon will use the main building as-is and, other than the fence, plans no additional construction at this time. See *id.*; Exhibit A (yellow outline).

Finally, Exhibit A is the Site Plan with the Property boundary shown in red. Ancon will use a portion of the existing metal building, the attached loading docks, and approximately 1.25 acres of the adjacent 6-acre yard as a truck court, the area noted in blue. See *id.* As previously mentioned, Ancon will install secured fencing with a gate around the dock area where Ancon plans to transfer waste, the area noted in purple. The truck court is already securely fenced. See *id.*

### **Water, Sewer, and Utilities**

Existing city water, sewer, and utility connections to the Property are sufficient for Ancon's needs which are office use for ten to fifteen employees plus guests. Proof of water and sewer connections are provided with this application as Exhibit G (water and sewer) and Exhibit H (electricity).

### **Taxes**

As allowed, half of 2024 taxes were paid by the prior Parcel owner. Upon information received, the current Property owner, 8221 E. 96<sup>th</sup> Avenue LLC, intends to pay the remaining \$82,375.82 on or before June 15, 2025.

### **Ownership**

Proof of ownership is provided as Exhibit I.

### **Landscape Plan**

There are no unimproved areas of the Property that require landscaping, Ancon does not propose any changes to the Property except for installation of a fence, and the Property is zoned I-3 with no residents within 500 feet. Accordingly, Ancon requests an exemption from the requirement to provide and implement a landscaping plan.

### **Trip Generation Analysis**

Ancon enlisted the services of Kimley-Horn and Associates, Inc. (Kimley-Horn) to evaluate traffic impacts associated with the proposed use. KHA concluded that:

Based on the traffic analysis presented in [the] report, [Kimley-Horn] believes that the new user will be successfully incorporated into the existing and future roadway

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<sup>1</sup> Ancon's application for conceptual review contemplated construction. Since then, the Parcel owner has decided to not move forward with construction. For completeness, construction comments are included in this application and addressed accordingly.

network. The proposed user generates 152 fewer daily trips, 13 fewer trips during the morning peak hour, and 16 fewer trips during the afternoon peak hour compared to the existing user.

Exhibit J (Kimley-Horn and Associates, Inc., March 26, 2025 Trip Generation Letter).

### **Neighborhood Meeting Summary**

Ancon held an open-house style neighborhood meeting on March 13, 2025, starting at 6 p.m. at the Property. Ancon sent letters to the owners of record of all real property within 500 feet of the property lines of the Parcel. See Exhibit K. These letters were mailed ten days prior to the meeting date and included the date, time, place, and purpose of the meeting along with a map of the Parcel. *Id.*

Jake Hertz of Golden Development Consulting, Ancon's development consultant, and Tobi Moore, Ancon's General Manager, hosted the community meeting. There was a representative for the property owner on site who opened the security gate and allowed access to the building. Mr. Hertz had a sign in sheet, a copy of the community meeting letter, and Ancon's site plan as reference materials. No community members attended the meeting.

### **Response to Conceptual Review Comments**

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On January 16, 2025, Ancon requested a conceptual review of its planned land use by Adams County Zoning. Ancon received staff review comments and attended a conceptual review meeting with Adams County staff on February 12, 2025. During the February 12, 2025 meeting, Adams County planning and land use staff confirmed their position that Solid Waste Transfer Station requirements will apply to Ancon's proposed use of the Property and will require a Conditional Use Permit ("CUP"). Accordingly, staff review comments were based, in part, on the DSR requirements for Solid Waste Transfer Stations. Though solid waste transfer stations share some limited commonalties, Ancon's operations differ significantly from the purpose, design, and operation of solid waste transfer facilities.

The federal government regulates hazardous waste pursuant to the Resource Conservation and Recovery Act (RCRA). 42 U.S.C. § 6901 *et seq.* (1976). In Colorado, the state obtained authorization from the United States Environmental Protection Agency (EPA) to implement its own hazardous waste management program, the Colorado Hazardous Waste Management Act, Section 25-15-101, *et seq.*, C.R.S. and its implementing regulations at 6 CCR 1007-3. RCRA and state equivalent laws and regulations, such as Colorado's, are intended to regulate hazardous waste from cradle to grave. Generators of hazardous waste are responsible for the waste they generate for the life of the waste. In addition to generators, there are also other parties who are, or can be, held liable to ensure the proper and responsible handling and disposal of hazardous waste, including facility owners and operators, transporters, and disposal facilities.

When Colorado adopted its hazardous waste regulations, the regulatory intent and purpose was documented through the rulemaking process. Specifically, it was noted in the Statement of Basis and Purpose that accompanied adoption of Part 263, that section of Colorado's hazardous waste regulations pertaining to transporters, that:

The fundamental purpose of these regulations, which are promulgated pursuant to C.R.S. 1973, 25-15-302(2), is to establish the responsibilities of transporters of hazardous waste in the handling and transportation of that waste in order to ensure protection of public health and safety and the environment.

Additionally, regulations concerning hazardous waste transporters are a necessary and required component in conducting a hazardous waste management program . . . .

These regulations are based upon a “cradle to grave” system of regulation of hazardous waste. Under this system, hazardous waste is tracked and regulated from the point of generation through storage and transportation to the point of treatment and/or disposal. In this manner, a major portion of the hazardous waste generated in the State is regulated and accounted for, thereby minimizing the potential for public health and environmental problems resulting from improper management, handling, transportation and disposal of these wastes.

#### Statement of Basis and Purpose Part 263 – Standards Applicable to Transporters of Hazardous Waste, 6 CCR 1007-3 Colorado Hazardous Waste Regulations

Colorado has an equivalent set of rules governing solid waste and *solid waste facilities*, including *solid waste transfer facilities*. 6 CCR 1007-2, Section 7 - Transfer Stations. These solid waste rules are inapplicable to hazardous waste transporters and hazardous waste transfer facilities because 6 CCR 1007-3, Part 263 is the equivalent and more stringent than the solid waste regulations applicable to solid waste transfer facilities such as those operated by Ancon.

As previously described, Ancon is a hazardous waste transporter that operates a hazardous waste transfer facility pursuant to 6 CCR 1007-3, Section 263.12 of the Colorado hazardous waste regulations. Part 263 sets forth a detailed and specific regulatory program governing hazardous waste transporters and transfer facilities.

Pursuant to Section 263.12, a transporter, such as Ancon, may store shipments of hazardous waste in containers which meet regulatory requirements at a transfer facility for 10 days or less without subjecting the operation to all the other requirements of the hazardous waste regulations applicable to generators and treatment, storage, and disposal facilities. The requirements for hazardous waste transfer facilities are intended to ensure compliance with the federal and state regulatory requirements for storage, handling, and transporting hazardous waste.

Part 263.12 sets forth the minimum requirements for hazardous waste transfer facilities, recognizing all other provisions of the solid and hazardous waste regulations are inappropriate and therefore inapplicable to the special subset of transfer facilities. Specifically, hazardous waste transfer facilities are required to comply with the following minimum requirements:

- Obtain an EPA identification number
- Notify the CDPHE of the location and general description of the activities at the facility
- Document storage to demonstrate no waste is kept longer than ten days
  - Records may include hazardous waste manifests, log sheets, or other documentation showing dates of arrival and shipment.
  - EPA identification number and name of the generator, the manifest number under which the waste is shipped.

- Generators without an EPA identification number must be recorded by name and address.
- Conduct weekly inspections
- Meet minimum base and floor requirements
- Meet truck and trailer storage requirements
- Make arrangements with local authorities
- Provide security
- Post signage
- Ensure emergency preparedness, prevention, and response
- Meet all requirements applicable to transportation and handling of hazardous waste in Part 263
- Comply with Subpart B of Part 263 the Manifest System and Recordkeeping requirements of Section 263.20-25.
- Comply with Subpart C of Part 263 regarding hazardous waste discharges during transport
- Comply with Subpart D of Part 263 regarding Spills at Transfer Facilities
  - Spill response
  - Identification
  - Report spills greater than 55 gallons to CDPHE within 24 hours and follow with a written report in 15 days
- Comply with Subpart E of Part 263 regarding Closure of a Transfer Facility
  - Comply with Section 265.111 of the hazardous waste regulations within 90 days after receiving the final volume of hazardous waste at the facility.
    - Satisfy the closure performance standards of Section 265.111.
    - Satisfy the decontamination standards of Section 265.114.
  - Provide notification and certification of closure by registered mail to CDPHE within 60 days:
    - Certify all hazardous waste have been removed and properly disposed.
    - Certify the facility has been closed in accordance with the performance standards of Sections 265.111 and 265.114.

All this is to say, due to the highly regulated nature of Ancon's transportation business which allows for the ancillary short-term, temporary (10 days or less) storage of hazardous waste, it is not proper for Adams County to impose all the DSR requirements for Solid Waste Transfer Facilities on Ancon. As such, Ancon again respectfully requests waivers of certain requirements outlined in Staff Comments as noted below because the Colorado Hazardous Waste Regulations, as they apply to Ancon's proposed land use, are equally or more protective.

For ease of reference, the below responses are organized by reference to Adams County's conceptual review comments which are incorporated herein by reference as though set forth fully herein. Full text of Staff Comments can be found in attached in Exhibit B.

## **ROW Comments**

### **Dedication of additional right of way is not expected (Staff Comment ROW1)**

As referenced above, Ancon has conducted a Trip Generation Analysis ("TGA") which shows favorable results and no additional right of way dedication is required. Exhibit J.

## **Long Range Planner Comments**

### **Future Land Use (“FLU”) aligns with the intent of the Industrial Medium FLU (Staff Comment LR1)**

Ancon’s operations are a function of transportation. They are not a hazardous waste treatment, storage, or disposal operation. They will not treat or permanently store, process, or dispose of waste at the Property. This proposed use aligns with the intent of the Industrial Medium FLU which anticipates minimal nuisances or pollution.

## **Environmental Analyst Comments**

### **Only some performance standards for a Solid Waste Transfer Station apply to Ancon’s operation (Staff Comment ENV1)**

Performance standards for Solid Waste Transfer Stations include: (1) removal of trash from the right-of-way; (2) a performance bond; (3) an environmental bond; (4) a traffic control plan; (5) fencing; (6) appearance; (7) vehicle parking; (8) vector controls; (9) storage of solid waste; and (10) adherence to CDPHE regulations. DSR § 4-11-02-04-08.

Respectfully, Ancon’s operation is not a Solid Waste Transfer Station and not all of these performance standards are applicable to Ancon’s business as described more fully below.

#### **1. Removal of trash from the right-of-way**

Adams County requires Solid Waste Transfer facilities to remove trash from the right-of-way, a requirement that is reflective of the fact that traditional solid waste transfer facilities handle and process unconsolidated refuse. *Id.* at § 4-11-02-04-08(1). As previously mentioned, Ancon does not accept or transport unconsolidated refuse. Ancon does not expect any refuse in the neighboring rights of way as a result of its operations but will ensure, nonetheless, that its operations do not cause littering of surrounding areas.

#### **2. Performance Bond**

Adams County requires operators of Solid Waste Transfer Facilities to post a performance bond with the county that is sufficient to assure compliance with operating conditions of the CUP. *Id.* at § 4-11-02-04-08(2).

As noted, Ancon is not seeking to operate a Solid Waste Transfer facility and therefore the performance bond requirement is inapplicable. Ancon requests a waiver of the requirements to post Environmental and Performance Bonds since no waste, hazardous or non-hazardous will be treated, stored long term, or disposed of on site. The health, safety, and general welfare of the inhabitants of the area and the County will be protected through application of the Colorado Hazardous Waste Regulations. In addition, Ancon’s rigorous standards for the transportation of hazardous and non-hazardous waste, their safety program and over 55 years of industry experience demonstrate they are a good operator.



Ancon is already heavily regulated by the Colorado Hazardous Waste Regulations which impose mandatory waste handling and storage limitations. Ancon surveyed other hazardous waste transfer facilities and none, other than those co-located with a TSDF, were required to post any kind of performance or environmental bond. Through application of the strict provisions of the hazardous waste regulations imposition of a performance bond by the County would be unnecessarily duplicative. Ancon is requesting the performance bond requirement be waived.

### **3. Environmental Bond**

For the same reasons noted above relative to performance bonding, Ancon seeks a waiver of the requirement to post an environmental bond. Adams County requires operators of Solid Waste Transfer facilities to post environmental bonds with the County during the active life of the facility and for five years after closure that is sufficient to ensure compliance with the closure plan and remedial measures if there is environmental damage. DSR § 4-11-02-04-08(3).

As explained above, the Colorado Hazardous Waste Regulations contain provision relative to the closure of a Hazardous Waste Transfer Facility. Within 90 days of receiving their last shipment of hazardous waste, Ancon must certify they have met the hazardous waste regulatory requirements for removal of all waste, decontamination of the facility, and compliance with other applicable provisions of the regulations. Their operation is not similar to that of a solid waste facility that requires a long closure period followed by continued monitoring. Ancon believes the hazardous waste regulatory provisions are more stringent and protective than the DSR requirements for bonding of Solid Waste Transfer Facilities and therefore requests a waiver of same.

### **4. Traffic Control Plan**

Ancon has performed a Trip Generation Analysis (“TGA”) which demonstrates no traffic control plan is required. Exhibit J.

### **5. Fencing**

Ancon will install an 8-foot tall security fence around the loading docks where hazardous waste will be transferred. The truck court already has adequate fencing. The fencing is discussed in further detail below as a control measure to prevent unauthorized access to Ancon’s operations.

### **6. Appearance**

Ancon’s operation will maintain a clear, neat, and orderly appearance. Orderly operations are fundamental to Ancon’s compliance with the 10-day storage restrictions for hazardous waste. Ancon is bound by federal, state, and local regulations and codes to ensure proper storage and handling and also to avoid co-located storage of incompatible wastes. No waste is stored outdoors outside of trailers and Ancon’s transfer operations will occur indoors or at the dock area only.

### **7. Vehicle Parking**

As discussed above, Ancon will utilize its fenced loading dock area to temporarily park tractor trailers containing hazardous waste for its transfer operations. Ancon will utilize the truck court to store vehicles, equipment, and non-hazardous materials. Occasionally trailers could be staged in the

truck court area immediately prior to transport. No hazardous waste will be transferred in the truck court. Ancon will not park any of its vehicles on public streets and there is sufficient existing parking for employees and guests.

## **8. Vector Controls**

As described above, Ancon does not handle unconsolidated refuse. While compliance will not be an issue, vector controls are inapplicable to Ancon's proposed use.

## **9. Storage of Solid Waste**

Ancon will store all wastes in closed containers and in accordance with applicable regulatory and code requirements. Waste temporarily located indoors, which rarely occurs, will be stored in accordance with building and fire codes requirements. Ancon has a history of operating safely and working closely with the fire department to ensure proper storage, signage, and handling of waste.

As noted, Ancon's hazardous waste transportation business is regulated by the state of Colorado and allows for storage of hazardous waste for only ten (10) days or less without a permit. 6 Colo. Code Regs. 1007-3 § 263.12(a).

Ancon is required to document the storage of hazardous waste, perform weekly inspections, and store such waste in compliance with the regulations. *Id.* The regulations allow Ancon to store nonhazardous waste for longer periods of time so that Ancon can ensure full tractor trailers are leaving the facility which reduces truck traffic and air quality impacts.

Ancon's operations do not pose the same threat of nuisance that a Solid Waste Transfer Station may cause with unconsolidated refuse. Because of the highly specialized service Ancon provides in brokering and consolidating loads of waste for recycling, treatment, or storage elsewhere, Ancon is requesting relief from the County's shortened time limit on solid waste storage. Specifically, to align with federal and state regulations, Ancon seeks permission to store hazardous waste for up to 10 days and no limit on the amount of time nonhazardous waste can be stored. As noted, this will allow for reduced traffic impacts.

## **10. Adherence to CDPHE regulations**

Adams County code incorporates by reference the Colorado Department of Public Health and Environment Regulations 6 CCR 1007-2, Section 7. DSR § 4-11-02-08-08(10). This section of the Colorado Code of Regulations, 6 CCR 1007-2, Section 7, is not applicable because Ancon does not meet the definition of a "Transfer Station" under that section and does not accept refuse and therefore do not shred, bale, or compact refuse. CDPHE does not enforce that provision of the regulations against Ancon.

Instead, Ancon is regulated by 6 CCR 1007-3, Part 263 of the Colorado Hazardous Waste Regulations, regulations pertaining to transporters of hazardous waste and hazardous waste transfer facilities. Part 263 is more relevant and legally directly applicable to their hazardous waste transportation and ancillary short-term storage operations than Section 7 of the Colorado solid waste regulations.

**Ancon will follow all applicable hazardous materials and solid waste management regulations (Staff Comment ENV2)**

See above.

**Ancon holds all required federal and state regulatory permits (Staff Comment ENV3)**

Ancon holds the following permits for its existing facility and will transfer or apply for such permits at the Property when appropriate:

1. Annual HazMat Permit issued by the Colorado Department of Transportation (Exhibit L)
2. Annual HazMat Certificate of Registration issued by the U.S. Department of Transportation (*Id.*)
3. Annual International Fuel Tax Agreement License issued by the Utah State Tax Commission (*Id.*)
4. Local government business license (*Id.*)
5. Endorsement for Motor Carrier Policies of Insurance for Public Liability issued by the U.S. Department of Transportation (Exhibit M)
6. Hazardous Waste Activity EPA ID issued by the Colorado Department of Public Health & Environment (Exhibit N)

**Ancon has an Operations and Hazardous Materials Management Plan (Staff Comment ENV 4)**

See attached Facility Emergency Action Plan & Hazardous Material Storage/Waste Prevention and Contingency Plan (the ERP). Exhibit O.

**Adams County Office of Emergency Management has received Ancon's Emergency and Spill Plan (Staff Comments ENV5, ENV6)**

Ancon has emergency plans. See the attached Facility Emergency Action Plan & Hazardous Material Storage/Waste Prevention and Contingency Plan (the ERP). *See id.* This plan will be adapted to the new facility at the Property. As you can see from the attached, a copy of Ancon's letter sent to the Adams County Local Emergency Planning Committee on July 30, 2024, outlining Ancon's operations at such facility. See Exhibit P. The Adams County Local Emergency Planning Committee did not respond to Ancon's letter. Ancon will update its ERP to cover its operations at the Property and send a corresponding letter to the Adams County Local Emergency Planning Committee updating Ancon's new address once a CUP is approved.

**Ancon properly handles and manages Hazardous Waste (Staff Comment ENV7)**

Ancon handles and manages hazardous waste, including the transportation and storage of such waste, in compliance with Colorado's Hazardous Waste Regulations. A copy of Ancon's hazardous waste management practices are included in Exhibit Q.

**Ancon has an EPA ID Number for its prior facility (Staff Comment ENV8)**

Ancon has an EPA ID number assigned to its operation in Commerce City. See Exhibit N. Ancon will apply for an EPA ID number specific to the new Property when a CUP is approved.

**Ancon does not recycle materials generated from Industrial Operations (Staff Comment ENV9)**

Facilities where recycled materials generated from industrial operations are processed, reclaimed, sorted, or recycled must register as an industrial recycling facility. 6 CCR 1007-2, § 8. Ancon does not process, reclaim, sort, or recycle recyclable materials generated from industrial operations and is accordingly not subject to the registration requirements of Section 8 of the Colorado Solid Waste Regulations.

**Staff Comments ENV10 and ENV11 are addressed above in the description of Ancon's operations.**

**Ancon maintains Safety Data Sheets for the limited hazard chemicals it handles (Staff Comment ENV12)**

Hazardous chemicals must have safety data sheets that outline the hazards of that chemical including their properties, health effects, and safe handling procedures. 29 C.F.R. § 1910.1200.

The waste Ancon transports is not subject to the safety data sheet requirements for hazardous chemicals under the Occupational Safety and Health Act of 1970 because it is a waste, not a raw product, and sometimes a mixed or contaminated waste for which there would be no SDS. Instead, waste transported by Ancon is profiled in accordance with the applicable regulations and requirements of the ultimate receiving facility. Ancon keeps certain SDSs related to their own operational chemicals and products to ensure, among other things, proper operation of Ancon's vehicle fleet. This is explained further above in the description of Ancon's process for handling and storing hazardous materials.

Ancon has not typically been required to complete an annual Hazardous Materials Inventory Statement because its onsite inventory of waste is constantly changing. Instead, historically and at the fire department's request, Ancon has worked with the Adams County Fire Department to obtain the proper fire department permit which includes providing updates regarding Ancon's on-site waste operations.

**Ancon maintains control of materials and keeps proper records (Staff Comment ENV13)**

Ancon maintains control of the transported materials using several control mechanisms which include: (1) drivers that accompany Ancon's transport vehicles, (2) security fencing around its operations, (3) requiring waste to be stored in adequate containers before transportation to the Ancon transportation facility, and (4) generation of records when it picks up waste from its customers and maintenance of such records during transport and for the statutorily required time after the waste has been transported to its end facility or custody has been transferred to another qualified company.

Ancon's drivers ensure that everything in a tractor trailer has a waste profile and that any waste is stored in an adequate container. See e.g., Exhibit R. Once the tractor trailer reaches Ancon's transportation transfer facility, drivers ensure waste is consolidated and moved to the appropriate temporary storage location which all occurs within a secured fence area. See Exhibit S (bid to install

fencing around Ancon's transfer operations at the Property). This secured fence area allows only Ancon personnel to access the waste and prevents illegal dumping.

Ancon's waste profiles allow Ancon to track every pound of waste that comes and goes from the facility. These waste profiles include where the waste originated, the type of waste, the hazard characteristics, and the volume or quantity of waste. Ancon will not transport waste without a valid waste profile which is required by the receiving MRF, landfill, or TSDF. The waste profile system is well documented and fundamental to the smooth operation of Ancon's business and demonstrated compliance.

#### **Outdoor Storage (Staff Comment ENV14, ENV15)**

As discussed above, Ancon will utilize its fenced loading dock area to temporarily park tractor trailers containing hazardous waste for its transfer operations. Ancon will utilize the truck court to store vehicles, equipment, and non-hazardous materials. See Exhibit A (the truck court is depicted in blue). Occasionally trailers could be staged in the truck court area immediately prior to transport. No hazardous waste will be transferred in the truck court and no hazardous waste will be stored outdoors.

#### **Pollutant Source Storage (Staff Comment ENV16)**

Ancon ensures that its waste packing complies with the DOT specifications. See Exhibit D at 4, 6. Ancon packages waste at the customer's site and the sealed containers are not opened during Ancon's transport, including when such containers are transferred at Ancon's transfer facility. *Id.* at 4.

#### **Nuisance Control Plan (Staff Comments ENV17, ENV18, ENV19, ENV20, and ENV21)**

Ancon's operations will not cause a nuisance. Ancon's proposed land use is consistent with allowable uses for the I-3 zone district. *Id.* at ENV17.

Ancon's trucks may idle from time to time. *Id.* at ENV18. In general, Ancon does not permit any of its vehicles to idle at its facility for more than five minutes within any sixty-minute period. See Exhibit T at 1. There are limited exceptions to this rule including prevention of a safety or health emergency, when necessary for truck maintenance, service, or repair, or when the temperature is less than 10 degrees. *Id.* at 1-2. These exceptions are consistent with C.R.S. § 42-14-105.

Lighting facilities are currently arranged and positioned so that no direct light or reflection creates a nuisance or hazard on any adjacent property or right away. Staff Comments at ENV19. The building has lighting that illuminates the exterior of the building. See Exhibit U. There is also lighting at the perimeter of the property pointing towards the inward to the Property. *Id.*

Ancon will not have any unconsolidated refuse at the location. Staff Comments at ENV20. Accordingly, there is no need for pest control as Ancon's operations do not attract pests such as insects and mice. *Id.* at ENV21.

### **Demolition and Construction at the Property (Staff Comments ENV22, ENV23, ENV24, ENV25)**

Ancon no longer proposes to conduct demolition and construction, with the exception of erecting a security fence as explained above. See *infra* n.1.

### **Planner Comments**

#### **Ancon's use of the Property as a Solid Waste Transfer Station (Staff Comments PLN01, PLN02, PLN03)**

The Adams County DSR does not contain a provision for Hazardous Waste Transfer Facilities. As such, Ancon recognizes that staff opted for the next best option and as part of the conceptual review process determined Ancon's proposed use is best categorized as a Solid Waste Transfer Station. Staff Comments at PLN03. As explained in significant detail above, Ancon's business is transportation of hazardous waste, with ancillary short-term storage. Their operations are substantially different than that of Solid Waste Transfer Stations where unconsolidated refuse is accumulated and stored until it can be compacted and shipped to a landfill. Ancon does not transport unconsolidated refuse and does not treat or otherwise "process" waste at its transfer facilities. As noted, where Ancon has sought waivers from the DSR Solid Waste Transfer Station requirements, those waivers are in recognition of the highly specialized nature of Ancon's business that is significantly and exclusively regulated by CDPHE.

As noted, Ancon will use the existing structures as-is in its current configuration. The potential demolition described in PLN02 is no longer planned. Instead, Ancon will use the portion of the Parcel to the west of its buildings as a truck court. See Exhibit A (outlining the area for a potential truck court in blue). There are no structures within this truck court area and the existing crushed asphalt grading and asphalt is sufficient for the planned use. *Id.*

**Staff Comment PLN04 is addressed above in the description of Ancon's operations.**

#### **Additional Performance Standards for a Solid Waste Transfer Station (Staff Comment PLN05)**

See above for applicability of Solid Waste Transfer Station performance standards in ENV1.

#### **Storage of Hazardous Materials (Staff Comment PLN06)**

Hazardous material is stored in primary containers that are appropriate for the hazardous material type. See Exhibit R. When hazardous waste arrives at the Property, Ancon will park its tractor trailers containing the hazardous waste inside its secure fence at the truck loading docks. Exhibit A (outlining the area for secure fencing in purpose). Hazardous waste will then be unloaded from the tractor trailer into Ancon's warehouse building. *Id.* (warehouse is depicted using a yellow outline). Any placement of hazardous waste inside the warehouse will comply with the applicable fire code. As noted, Ancon will submit a fire department permit application once it has obtained a CUP.

At no time will any hazardous materials be stored outdoors and be open to the elements.



**Change in use permit (Staff Comment PLN07)**

Ancon will apply for a change in use permit once a CUP has been obtained.

**Development Engineering Comments**

**No response to Staff Comment ENG1 is required**

The Property is not within a delineated 100-year flood hazard zone and no floodplain use permit is required. Ancon is not requesting a floodplain use permit.

**Construction approval (Staff Comments ENG2, ENG3, ENG8)**

Ancon will not be demolishing or constructing anything on the Property. Therefore, Ancon is not applying for a construction stormwater permit, does not need approval of any construction plans, and does not trigger the low impact development standards and requirements.

**Staff Comment ENG4 is addressed above in the description of Ancon's operations.**

## Exhibits

Ex.	Description	Bates Page
A	Ancon's Site Plan	ANCON000001 - ANCON000003
B	Adams County Colorado, Community & Economics Development Department, Development Review Team Comments dated 07/07/2025	ANCON000004 - ANCON000014
C	Safety Data Sheets for Potentially Hazardous Materials	ANCON000015 - ANCON000098
D	Ancon's Emergency Contingency Plan	ANCON000099 - ANCON000124
E	ALTA/NSPS Land Title Survey	ANCON000125 - ANCON000127
F	Warehouse and office space drawing	ANCON000128 - ANCON000129
G	Current Water and Sewer Bill from South Adams County Water & Sanitation District	ANCON000130 - ANCON000131
H	Current Xcel Energy Bill	ANCON000132 - ANCON000140
I	Special Warranty Deed Electronically Recorded in Adams County, Colorado, on 04/05/2022 for 8221 East 96 <sup>th</sup> Avenue	ANCON000141 - ANCON000149
J	Kimley-Horn and Associates, Inc., Trip Generation Letter dated March 26, 2025	ANCON000150 - ANCON000156
K	Community Meeting Letter	ANCON000157 - ANCON000159
L	Colorado Department of Transportation Annual HazMat Permit #25HM0006391	ANCON000160 - ANCON000163
M	U.S. Department of Transportation, Federal Motor Carrier Safety Administration Form MCS-90	ANCON000164 - ANCON000167
N	Hazardous Waste Activity EPA ID issued by the Colorado Department of Public Health & Environment dated Dec. 21, 2021.	ANCON000168 - ANCON000169
O	Ancon Facility Emergency Action Plan & Hazardous Material Storage/Waste Prevention and Contingency Plan (the ERP) aka 2019 ERP and Contingency Plan.	ANCON000170 - ANCON000184
P	Letter to Adams County Local Emergency Planning Committee regarding Ancon's operations dated July 30, 2024	ANCON000185 - ANCON000187
Q	Ancon's hazardous waste management practices	ANCON000188 - ANCON000193
R	2 photos of inside of stored waste in Ancon's trucks.	ANCON000194 - ANCON000195
S	Urban Habitat Landscape & Design, LLC Fence bid to install fencing around Ancon's transfer operations at the Property.	ANCON000196 - ANCON000197
T	Ancon's Vehicle Idling Policy – Colorado	ANCON000198 - ANCON000200
U	Photograph of Lighting at 8221 East 96 <sup>th</sup> Avenue at Night	ANCON000201 - ANCON000204

V	Owner's Consent Letter dated May 15, 2025	ANCON000205 - ANCON000206
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# EXHIBIT A

ALTA/NSPS LAND TITLE SURVEY

LOTS 3, 4 & PARCEL A, GARDNER DENVER FILING NO. 3,

LOCATED IN THE SOUTH HALF OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN,

COUNTY OF ADAMS, STATE OF COLORADO

LEGAL DESCRIPTION:

LOTS 3 AND 4,  
AND  
PARCEL A,  
GARDNER DENVER FILING NO. 3,  
COUNTY OF ADAMS, STATE OF COLORADO.

TITLE COMMITMENT NOTES:

THIS LAND SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY JR ENGINEERING, LLC TO DETERMINE OWNERSHIP OF THIS TRACT, VERIFY THE DESCRIPTION SHOWN, VERIFY THE COMPATIBILITY OF THIS DESCRIPTION WITH THAT OF ADJACENT TRACTS, OR VERIFY EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHT-OF-WAY OR TITLE OF RECORD, JR ENGINEERING, LLC RELIED UPON TITLE ORDER NO. N0034307-030-ME1-2SN, PREPARED BY FIDELITY NATIONAL TITLE, DATED AUGUST 19, 2021.

THE FOLLOWING COMMENTS ARE IN REGARDS TO THE ABOVE-REFERENCED TITLE ORDER. THE NUMBERS IN OUR COMMENTS CORRESPOND TO THE NUMBERING SYSTEM USED IN THE TITLE ORDER.

SCHEDULE A

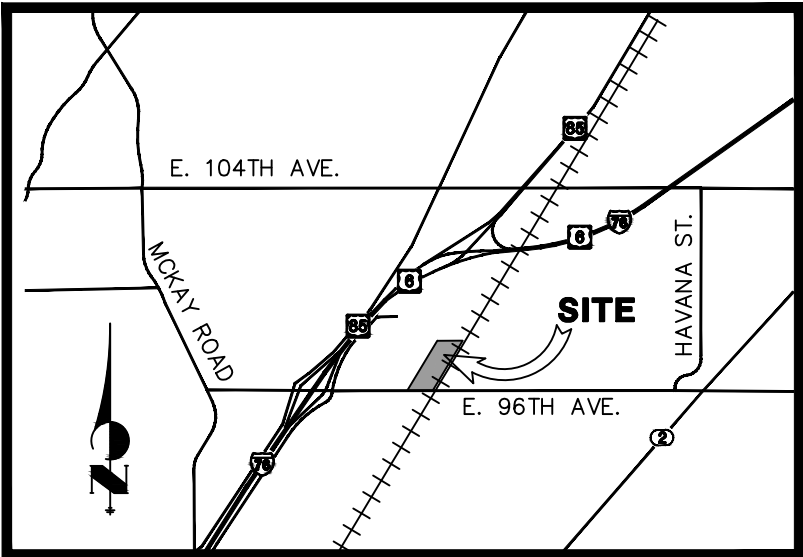
ITEM	COMMENT
1.	NOTED ABOVE.
2., 3., 4.	JR ENGINEERING, LLC DID NOT EXAMINE OR ADDRESS THESE ITEMS.
5.	THE LEGAL DESCRIPTION OF THE LAND SURVEYED IS SHOWN PER THIS COMMITMENT, TO THE BEST OF OUR KNOWLEDGE AND BELIEF.

SCHEDULE B - SECTION 1 (REQUIREMENTS)

JR ENGINEERING, LLC DID NOT EXAMINE OR ADDRESS THESE ITEMS.

SCHEDULE B - SECTION 2 (EXCEPTIONS)

ITEM	COMMENT
1.	VISIBLE AND APPARENT EVIDENCE OF RIGHTS OR CLAIMS OF PARTIES IN POSSESSION ARE SHOWN HEREON TO THE BEST OF OUR KNOWLEDGE AND BELIEF.
2.	VISIBLE AND APPARENT EVIDENCE OF EASEMENTS OR CLAIMS OF EASEMENTS ARE SHOWN HEREON TO THE BEST OF OUR KNOWLEDGE AND BELIEF.
3.	VISIBLE AND APPARENT DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGES IN AREA AND ENCROACHMENTS ARE SHOWN HEREON TO THE BEST OF OUR KNOWLEDGE AND BELIEF.
4., 5., 6., 7.	JR ENGINEERING, LLC DID NOT EXAMINE OR ADDRESS (THIS / THESE) ITEM(S). (liens, taxes, mortgages and leases)
8.	THE ZONING RESOLUTION RECORDED IN BOOK 670 AT PAGE 518. JR ENGINEERING, LLC DID NOT EXAMINE OR ADDRESS THIS ITEM EXCEPT TO DETERMINE THAT THE SUBJECT PROPERTY IS AFFECTED.
9.	THE REASON OF INCLUSION RECORDED IN BOOK 1630 AT PAGE 267. JR ENGINEERING, LLC DID NOT EXAMINE OR ADDRESS THIS ITEM EXCEPT TO DETERMINE THAT THE SUBJECT PROPERTY IS AFFECTED.
10.	THE DEED RECORDED IN BOOK 670 AT PAGE 336 IS SHOWN HEREON TO THE BEST OF OUR KNOWLEDGE AND BELIEF.
11.	THE REASON OF INCLUSION RECORDED IN BOOK 2190 AT PAGE 783 DOES NOT LIE WITHIN THE SUBJECT PROPERTY.
12.	THE ZONING HEARING DECISION-CASE NO. 115-87-C RECORDED IN BOOK 3388 AT PAGE 862 DOES NOT AFFECT THE SURVEYED SITE.
13.	THE PUBLIC SERVICE COMPANY OF COLORADO EASEMENT RECORDED IN BOOK 3558 AT PAGE 495 IS SHOWN HEREON TO THE BEST OF OUR KNOWLEDGE AND BELIEF.
14.	THE PUBLIC SERVICE COMPANY OD COLORADO EASEMENT RECORDED IN BOOK 4546 AT PAGE 911 IS SHOWN HEREON TO THE BEST OF OUR KNOWLEDGE AND BELIEF.
15.	THE PUBLIC SERVICE COMPANY OF COLORADO EASEMENT RECORDED IN BOOK 4546 AT PAGE 913 IS SHOWN HEREON TO THE BEST OF OUR KNOWLEDGE AND BELIEF.
16.	THE PUBLIC SERVICE COMPANY OF COLORADO EASEMENT RECORDED IN BOOK 4546 AT PAGE 915 DOES NOT LIE WITHIN THE SUBJECT PROPERTY.
17.	THE ACCESS AND UTILITY EASEMENT RECORDED IN BOOK 4866 AT PAGE 865 IS SHOWN HEREON TO THE BEST OF OUR KNOWLEDGE AND BELIEF.
18.	THE CERTIFICATION OF NOTICE TO MINERAL ESTATE OWNERS RECORDED UNDER RECEPTION NO. 2011000065495. JR ENGINEERING, LLC DID NOT EXAMINE OR ADDRESS THIS ITEM EXCEPT TO DETERMINE THAT THE SUBJECT PROPERTY IS AFFECTED.
19.	THE CERTIFICATION OF NOTICE TO MINERAL ESTATE OWNERS RECORDED UNDER RECEPTION NO. 2012000006963 DOES NOT AFFECT THE SUBJECT PROPERTY.



VICINITY MAP (SCALE:1"=5000')

SCHEDULE B - SECTION 2 (EXCEPTIONS)(CONTINUED)

ITEM	COMMENT
20.	RESOLUTION NO. 2015-332 RECORDED UNDER RECEPTION NO. 2015000061774. JR ENGINEERING, LLC DID NOT EXAMINE OR ADDRESS THIS ITEM EXCEPT TO DETERMINE THAT THE SUBJECT PROPERTY IS AFFECTED.
21.	THE EASEMENTS SHOWN OR NOTED ON GARDNER DENVER FILING NO. 3, RECORDED UNDER RECEPTION NO. 2015000064556, ARE SHOWN HEREON TO THE BEST OF OUR KNOWLEDGE AND BELIEF.
22.	THE SUBDIVISION IMPROVEMENT AGREEMENT IN RESOLUTION 2015-333 RECORDED UNDER RECEPTION NO. 2015000067233. JR ENGINEERING, LLC DID NOT EXAMINE OR ADDRESS THIS ITEM EXCEPT TO DETERMINE THAT THE SUBJECT PROPERTY IS AFFECTED.
23.	THE OPERATIONS & MAINTENANCE MANUAL STORMWATER MANAGEMENT FACILITIES RECORDED UNDER RECEPTION NO. 2018000094412. JR ENGINEERING, LLC DID NOT EXAMINE OR ADDRESS THIS ITEM EXCEPT TO DETERMINE THAT A PORTION OF THE SUBJECT PROPERTY IS AFFECTED. (AFFECTS LOT 4)
24.	THE UCC FINANCING STATEMENT RECORDED UNDER RECEPTION NO. 2012000069348. JR ENGINEERING, LLC DID NOT EXAMINE OR ADDRESS THIS ITEM EXCEPT TO DETERMINE THAT A PORTION OF THE SUBJECT PROPERTY IS AFFECTED. (NOT A SURVEY MATTER)
25.	THE DEED OF TRUST RECORDED UNDER RECEPTION NO. 2012000090675 AND THE ASSIGNMENT OF RENTS RECORDED UNDER RECEPTION NO. 2012000090677. JR ENGINEERING, LLC DID NOT EXAMINE OR ADDRESS THIS ITEM EXCEPT TO DETERMINE THAT A PORTION OF THE SUBJECT PROPERTY IS AFFECTED. (NOT A SURVEY MATTER)
26.	THE UCC FINANCING STATEMENT RECORDED UNDER RECEPTION NO. 2012000094842. JR ENGINEERING, LLC DID NOT EXAMINE OR ADDRESS THIS ITEM EXCEPT TO DETERMINE THAT A PORTION OF THE SUBJECT PROPERTY IS AFFECTED. (NOT A SURVEY MATTER)
27.	THE DEED OF TRUST RECORDED UNDER RECEPTION NOS. 2020076582 (DENVER COUNTY) AND 2021000062388 (ADAMS COUNTY). JR ENGINEERING, LLC DID NOT EXAMINE OR ADDRESS THIS ITEM EXCEPT TO DETERMINE THAT A PORTION OF THE SUBJECT PROPERTY IS AFFECTED. (NOT A SURVEY MATTER)

GENERAL NOTES:

- PER THE BYLAWS AND RULES OF THE STATE BOARD OF LICENSURE FOR ARCHITECTS, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS, CERTIFICATION IS DEFINED AS A STATEMENT THAT INCLUDES THE FOLLOWING: (A) IS SIGNED AND/OR SEALED BY A PROFESSIONAL LAND SURVEYOR REPRESENTING THAT THE SURVEYING SERVICES ADDRESSED THEREIN HAVE BEEN PERFORMED BY THE PROFESSIONAL LAND SURVEYOR OR UNDER THE PROFESSIONAL LAND SURVEYOR IN RESPONSIBLE. (B) IS BASED UPON THE PROFESSIONAL LAND SURVEYOR'S KNOWLEDGE, INFORMATION AND BELIEF. (C) IS IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE. (D) IS NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED.
- PER C.R.S. 18-04-508, ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR.
- PER C.R.S. 38-51-106, "ALL LINEAL UNITS DEPICTED ON THIS LAND SURVEY PLAT ARE U.S. SURVEY FEET. ONE METER EQUALS 39.37/12 U.S. SURVEY FEET, EXACTLY ACCORDING TO THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY."
- ALL REFERENCES HEREON TO BOOKS, PAGES, MAPS AND RECEPTION NUMBERS ARE PUBLIC DOCUMENTS FILED IN THE RECORDS OF ADAMS COUNTY, COLORADO.
- EASEMENTS AND PUBLIC DOCUMENTS SHOWN OR NOTED HEREON WERE EXAMINED AS TO LOCATION AND PURPOSE AND WERE NOT EXAMINED AS TO RESERVATIONS, RESTRICTIONS, CONDITIONS, OBLIGATIONS, TERMS, OR AS TO THE RIGHT TO GRANT THE SAME.

GENERAL NOTES (CONTINUED):

- BURIED UTILITIES AND/OR PIPELINES ARE SHOWN PER VISIBLE AND APPARENT SURFACE EVIDENCE OR RECORD DRAWINGS OF THE CONSTRUCTED UTILITY LINES. IF MORE ACCURATE LOCATIONS OF UNDERGROUND UTILITIES ARE REQUIRED, THE UTILITY WILL HAVE TO BE VERIFIED BY FIELD POTHOLING. JR ENGINEERING, LLC AND THE SURVEYOR OF RECORD SHALL NOT BE LIABLE FOR THE LOCATION OF OR THE FAILURE TO NOTE THE LOCATION OF NON-VISIBLE UTILITIES.
- THE BASIS OF BEARINGS IS THE IS THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, MONUMENTED BY A 3-1/4" ALUMINUM CAP STAMPED "LS 17488" AT BOTH ENDS, BEING ASSUMED TO BEAR S89°53'00"W.
- THE LAST FIELD INSPECTION OF THIS SITE WAS ON SEPTEMBER 23, 2021.
- THIS SITE IS NOT WITHIN A DESIGNATED F.E.M.A. FLOODPLAIN, AS DETERMINED BY THE FLOOD INSURANCE RATE MAP FOR ADAMS COUNTY, COLORADO, PANEL NUMBER 08001C0607H, EFFECTIVE DATE MARCH 5, 2007.
- THE BUILDING FOOTPRINT CONTAINS AN APPROXIMATE AREA OF 179,832 SQUARE FEET.
- ALL TIES TO RECORD TITLE LINES FROM THE BUILDING CORNERS OR OTHER IMPROVEMENTS SHOWN HEREON ARE PERPENDICULAR TO THE RECORD TITLE LINE.
- THERE ARE 66 PARKING SPACES PROVIDED ON THIS PROPERTY.
- THIS SITE CONTAINS A CALCULATED AREA OF 974,958 SQUARE FEET OR 22.3820 ACRES.
- THERE IS NO VISIBLE EVIDENCE OF RECENT EARTH MOVING WORK OR BUILDING CONSTRUCTION OR ADDITIONS WITHIN THE SUBJECT PROPERTY.

SURVEYOR'S STATEMENT:

TO JOHN E. EVANS AND PAULA A. EVANS, AS TO AN UNDIVIDED 50% INTEREST IN AND TO LOT 4, AND AN UNDIVIDED 25% INTEREST AS TO PARCEL A, AND TIMOTHY J. MCMANUS, AS TO AN UNDIVIDED 50% INTEREST IN AND TO LOTS 3 AND 4, AND AN UNDIVIDED 25% INTEREST IN AND TO PARCEL A, AND EVANS REALTY & PROPERTY MANAGEMENT LLC, A COLORADO LIMITED LIABILITY COMPANY, AS TO AN UNDIVIDED 50 % INTEREST IN AND TO LOT 3, AND RK HENDERSON, LLC, A COLORADO LIMITED LIABILITY COMPANY, AS TO AN UNDIVIDED 50% INTEREST IN AND TO PARCEL A; AND TO FIDELITY NATIONAL TITLE:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 7(a)(b)(1), 8, 9, 11, 13, 14 & 16 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON SEPTEMBER 23, 2021.


DATE OF MAP OR PLAT

DRAFT

ROBERT B. MICHELSON, PROFESSIONAL LAND SURVEYOR  
COLORADO P.L.S. NO. 30109  
FOR AND ON BEHALF OF JR ENGINEERING, LLC

NOTICE:

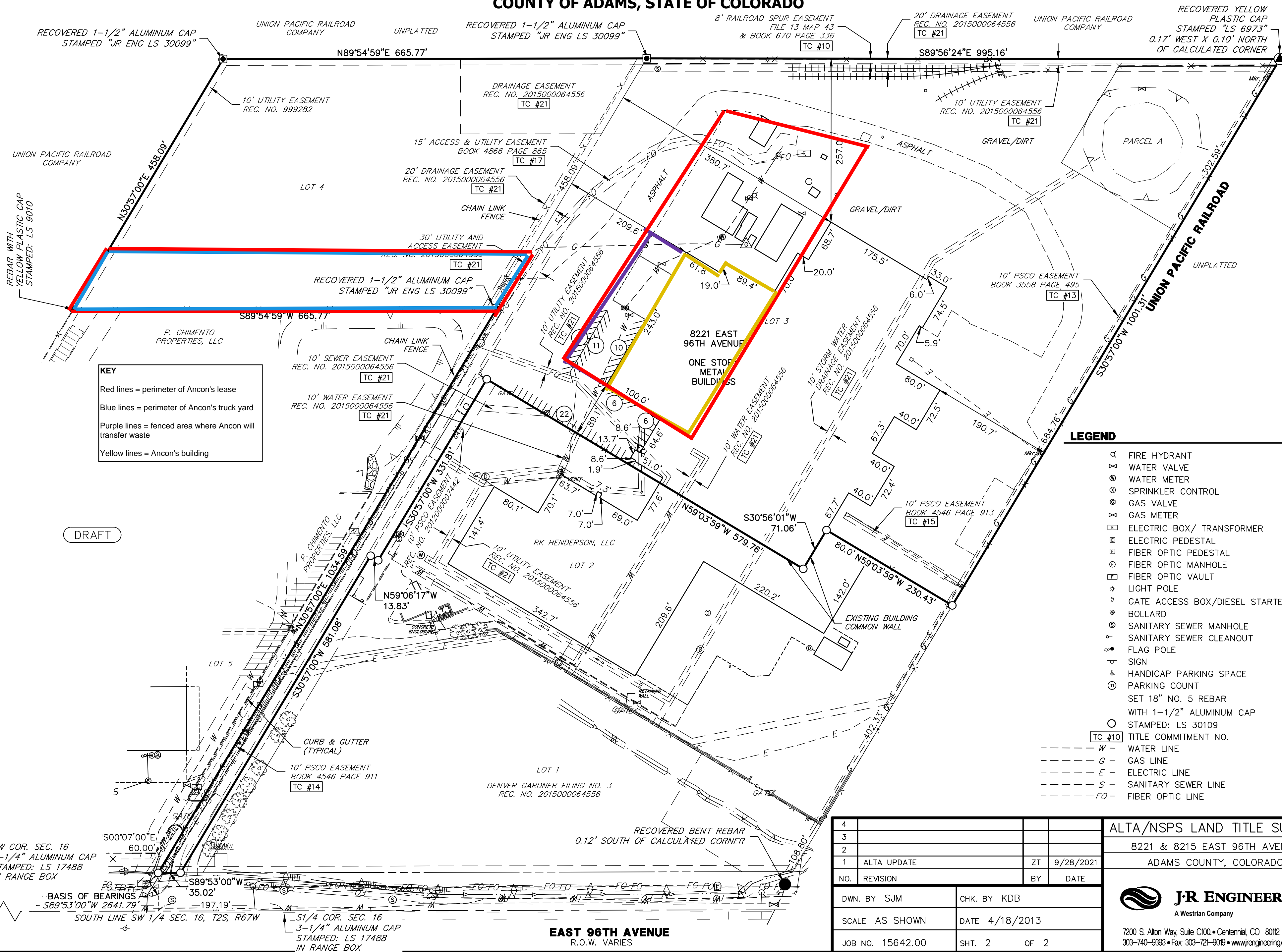
PER C.R.S. 13-80-105, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

4				ALTA/NSPS LAND TITLE SURVEY 8221 & 8215 EAST 96TH AVENUE ADAMS COUNTY, COLORADO <div> <b>J-R ENGINEERING</b> A Westrian Company 7200 S. Alton Way, Suite C100 • Centennial, CO 80112 303-740-9393 • Fax: 303-721-9019 • www.jrengineering.com</div>
3				
2				
1	ALTA UPDATE	ZT	9/28/2021	
NO.	REVISION	BY	DATE	
DWN. BY SJM		CHK. BY KDB		
SCALE N/A		DATE 4/18/2013		
JOB NO. 15642.00		SHT. 1 OF 2		

# ALTA/NSPS LAND TITLE SURVEY

LOTS 3, 4 & PARCEL A, GARDNER DENVER FILING NO. 3,

LOCATED IN THE SOUTH HALF OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN,  
COUNTY OF ADAMS, STATE OF COLORADO



## LEGEND

- ⊕ FIRE HYDRANT
- ⊕ WATER VALVE
- ⊕ WATER METER
- ⊕ SPRINKLER CONTROL
- ⊕ GAS VALVE
- ⊕ GAS METER
- ⊕ ELECTRIC BOX/ TRANSFORMER
- ⊕ ELECTRIC PEDESTAL
- ⊕ FIBER OPTIC PEDESTAL
- ⊕ FIBER OPTIC MANHOLE
- ⊕ FIBER OPTIC VAULT
- ⊕ LIGHT POLE
- ⊕ GATE ACCESS BOX/DIESEL STARTER
- ⊕ BOLLARD
- ⊕ SANITARY SEWER MANHOLE
- ⊕ SANITARY SEWER CLEANOUT
- ⊕ FLAG POLE
- ⊕ SIGN
- ⊕ HANDICAP PARKING SPACE
- ⊕ PARKING COUNT
- ⊕ SET 18" NO. 5 REBAR WITH 1-1/2" ALUMINUM CAP
- ⊕ STAMPED: LS 30109
- ⊕ TITLE COMMITMENT NO.
- W --- WATER LINE
- G --- GAS LINE
- E --- ELECTRIC LINE
- S --- SANITARY SEWER LINE
- FO --- FIBER OPTIC LINE

4			
3			
2			
1	ALTA UPDATE	ZT	9/28/2021
NO.	REVISION	BY	DATE
DWN. BY	SJM	CHK. BY	KDB
SCALE	AS SHOWN	DATE	4/18/2013
JOB NO.	15642.00	SHT.	2 OF 2

ALTA/NSPS LAND TITLE SURVEY

8221 & 8215 EAST 96TH AVENUE

ADAMS COUNTY, COLORADO

J-R ENGINEERING

A Westrian Company

7200 S. Alton Way, Suite C100 • Centennial, CO 80112

303-740-9393 • Fax: 303-721-9019 • www.jrengineering.com



# EXHIBIT B



Community & Economic Development Department  
4430 S. Adams County Pkwy.  
1st Floor, Suite W2000B  
Brighton, CO 80601  
PHONE 720.523.6800  
EMAIL [epermitcenter@adcogov.org](mailto:epermitcenter@adcogov.org)  
[adcogov.org](http://adcogov.org)

### **Development Review Team Comments**

**Date:** 2/7/2025

**Project Number:** PRE2025-00003

**Project Name:** Ancon Services Colorado Facility

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**Commenting Division:** ROW Review

**Name of Reviewer:** David Dittmer

**Date:** 02/07/2025

**Email:**

**Complete**

ROW1: Pending review of the traffic impact based upon the intended use, no dedication of additional right of way is expected.

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**Commenting Division:** Long Range Planner Review

**Name of Reviewer:** Nick Eagleson

**Date:** 02/07/2025

**Email:**

**Complete**

LR1: The subject property is zoned I-3 and the future land use (FLU) designation in the 2022 Comprehensive Plan is Industrial Medium. So long as waste is not permanently stored or processed at this site, a transfer station use aligns with the intent of the Industrial Medium FLU, which anticipates minimal nuisances or pollution.

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DISTRICT 3

**Steve O'Dorisio**

DISTRICT 4

**Lynn Baca**

DISTRICT 5

ANCON000005

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**Commenting Division:** Environmental Analyst Review

**Name of Reviewer:** Megan Grant

**Date:** 02/06/2025

**Email:**

**Complete**

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BOARD OF COUNTY COMMISSIONERS

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**Julie Duran Mullica**

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**Lynn Baca**

DISTRICT 5

ANCON000006

The following comments apply to management and compliance:

ENV1. Refer to Adams County Development Standards and Regulations (ACDSR) Section 4-11-02-04-08 regarding Solid Waste Transfer Stations. The following environmental items would be required:

- 1) Performance Bond
- 2) Environmental Bond
- 3) Removal of trash from right-of-way
- 4) 8-foot solid screen fence
- 5) Control of litter, dust, and odors
- 6) Vector controls
- 7) Solid waste not transferred within 24 hours shall be stored in closed containers or in totally enclosed buildings. No waste may be stored longer than 7 days. This may be modified by State and Federal requirements for hazardous wastes.

ENV2. The applicant/operator shall follow all applicable hazardous materials and waste management regulations to ensure proper management of hazardous materials and waste such that they do not present a significant actual or potential hazard to public health, safety, or environment.

ENV3. All required federal and state regulatory permits, including those required by the USEPA and CDPHE, must be provided to Adams County at the time of subsequent permit application(s).

ENV4. An Operations and Hazardous Materials Management Plan will be required with subsequent permit application(s) and shall include:

- 1) A physical description of the facility and the types of materials managed;
- 2) A description of amount of material on-site;
- 3) A description of storage locations;
- 4) Specifics on material acceptance and handling
- 5) A description of materials not accepted at the facility and how such materials will be handled if discovered
- 6) A description of methods to prevent unauthorized vehicle traffic and illegal dumping or theft by adequate fencing or other security means; and
- 7) A plan for the disposition of equipment and collected materials on-site at the time of facility closure.

ENV5. Emergency Response Plan and Spill Response Plan, or other similar documentation, will be provided for Adams County review with subsequent permit application(s). Please provide a copy of the project Emergency Response Plan (and documentation that a copy has been provided) to the Adams County Office of Emergency Management as the Colorado Designated Emergency Response Authority (DERA).

ENV6. All plans shall be reviewed and approved by the applicable fire district prior to approval. Fire district approval documentation shall be provided to Adams County for review at time of subsequent permit application(s).

ENV7. The handling and management of hazardous waste, including the generation, transportation, treatment, storage, and disposal of hazardous waste, is regulated under the Colorado Hazardous Waste Regulations, Parts 260 through 268, Parts 2, 99 and 100.

A copy of the Guide to Generator Requirements of the Colorado Hazardous Waste Regulations is available online at <https://www.colorado.gov/pacific/cdphe/hwguidance> select the link: "Applicable to all generators."

A copy of the regulations (6 CCR 1007-3) is available at <https://www.colorado.gov/pacific/cdphe/hazardous-waste-regulations>.

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DISTRICT 4

**Lynn Baca**

DISTRICT 5

ANCON000007

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**Commenting Division:** Environmental Analyst Review

**Name of Reviewer:** Megan Grant

**Date:** 02/06/2025

**Email:**

**Comment**

ENV8. Any change in location would require a new Notification of Hazardous Waste Activity (EPA Form 8700-12) to be filed, as EPA ID numbers are location specific. Failure to have an EPA ID number for a new location or use of the wrong EPA ID number in shipping hazardous wastes may result in Enforcement Action under sections 25-15-308 to 310 of the Colorado Hazardous Waste Act (sections 25-15-101 to 515, C.R.S.) In accordance with Part 99 of the Colorado Hazardous Waste Regulations (6 CCR 1007-3), this office must be notified in writing at the above address if any of the following changes occur: 1) mailing address; 2) name of facility; 3) generator status or other notified activity; 4) contact name or phone number; 5) ownership; or 6) site is closed.

ENV9. If this proposed project processes, reclaims, sorts, or recycles recyclable materials generated from industrial operations (including, but not limited to construction and demolition debris and other recyclable materials), then it must register as an industrial recycling facility in accordance with Section 8 of the Colorado Solid Waste Regulations. The industrial recycling registration form is available here: <https://www.colorado.gov/pacific/cdphe/sw-recycling-forms-apps>.

ENV10. Applicable requirements may include, but are not limited to, properly characterizing all wastes generated from this project and ensuring they are properly managed and disposed of in accordance with Colorado's solid and hazardous waste regulations. If the applicant/operator has any questions regarding hazardous and/or solid waste, please contact CDPHE's Hazardous Materials and Waste Management Division (HMWMD) by emailing [comments.hmwmd@state.co.us](mailto:comments.hmwmd@state.co.us) or calling (303) 692-3320.

ENV11. The determination of the risks of a release of hazardous materials from the proposed project may include but is not limited to the following considerations:

- a) Plans for compliance with federal and State handling, storage, disposal, and transportation requirements.
- b) Use of waste minimization techniques.
- c) Adequacy of spill prevention and countermeasures, and emergency response plans.

ENV12. The owner or operator of any installation that is required to prepare or have available a safety data sheet for a hazardous chemical under the Occupational Safety and Health Act of 1970, 29 U.S.C. 651 et seq., and regulations promulgated under that Act, shall submit both a safety data sheet (SDS) for each such chemical and an annual emergency and hazardous chemical inventory form to the Local Emergency Planning Commission (LEPC) and the local fire district. A comprehensive and universal listing of all hazardous chemicals stored, handled, and/or used on site must be maintained in an inventory list and must be made available to Adams County upon request.

ENV13. Control of the materials and keeping records of the sources of the materials shall be the responsibility of the applicant/operator. Records concerning sources of materials and certifications shall be made available to Adams County inspectors upon request. This site is subject to inspection from Adams County inspectors, during reasonable working hours. Adams County may give notice of inspection prior to the inspection.

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DISTRICT 4

**Lynn Baca**  
DISTRICT 5

ANCON000008

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**Commenting Division:** Environmental Analyst Review

**Name of Reviewer:** Megan Grant

**Date:** 02/06/2025

**Email:**

**Comment**

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BOARD OF COUNTY COMMISSIONERS

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**Julie Duran Mullica**

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DISTRICT 5

ANCON000009

The following comments apply to operations:

ENV14. Outdoor storage shall not exceed the height of the fence, unless otherwise approved.

ENV15. All outdoor storage shall consist of non-hazardous materials as determined by the Colorado Department of Public Health and Environment.

ENV16. All pollutant sources shall be stored within a covered area and in secondary containment.

ENV17. A Nuisance Control Plan or descriptions that address how nuisance hazard impacts will be controlled, including fugitive dust, offsite vehicle tracking, lighting, waste, and pests, may be required with subsequent permit application(s).

ENV18. Applicant/operator should limit engine idling to the maximum extent feasible to mitigate off-site noise and air quality impacts to surrounding properties and shall not exceed five minutes within any sixty-minute period, except as authorized. Refer to CRS Title 42 – Vehicles and Traffic Idling Standard, Article 14 – State Idling Standard, Section 42-14-105. Idling for Colorado law.

ENV19. Lighting facilities shall be arranged and positioned so no direct light or reflection creates a nuisance or hazard on any adjacent property or right-of-way.

ENV20. The operator will need to ensure that refuse (trash) is properly controlled and collected as often as necessary to prevent nuisance conditions.

ENV21. Environmental and/or chemical and scientific controls will be provided for pest control.

The following comments apply to demolition and construction:

ENV22. Exposure to air pollution is associated with numerous health problems including asthma, lung cancer, and heart disease. Construction and traffic in unpaved areas may contribute to increased fugitive dust emissions and offsite vehicle tracking. Adams County recommends the applicant utilize all available methods to minimize fugitive dust during all phases of construction and operation.

ENV23. An inert fill permit must be obtained prior to importing any volume of fill material onto the parcel as part of site development. The permit type will depend on the duration and total volume of fill imported to the site. The fill must meet the definition of clean, inert material.

ENV24. State air quality regulations require that precautions be taken prior to demolition of buildings to evaluate the presence of asbestos fibers that may present a health risk. If asbestos is present, actions must be taken to prevent their release into the environment. State regulations also address control of ozone depleting compounds (chlorofluorocarbons) that may be contained in air conditioning or refrigerating equipment. The applicant shall contact the Colorado Department of Public Health and Environment Air Pollution Control Division (APCD) at (303) 692-3100 for more information. Additional information is available at <http://www.cdphe.state.co.us/ap/asbestos>.

ENV25. Buildings constructed prior to 1978 may contain lead paint. The Environmental Protection Agency's (EPA) 2008 Lead-Based Paint Renovation, Repair, and Painting (RRP) Rule (as amended in 2010 and 2011), aims to protect the public from lead-based paint hazards associated with renovation, repair, and painting activities. These

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ANCON000010

activities can create hazardous lead dust when surfaces with lead paint, even from many decades ago, are disturbed, such as during demolition activities. More information can be found at <https://www.epa.gov/lead/leadrenovation-repair-and-painting-program-rules> and <https://www.epa.gov/lead>.

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**Commenting Division:** Planner Review

**Name of Reviewer:** Nick Eagleson

**Date:** 02/06/2025

**Email:**

**Complete**

PLN01: The proposal is for hazardous and non-hazardous waste transfer facility. Purpose is to transfer and operate a transportation facility to collect hazardous and non-hazardous wastes from commercial, industrial, and governmental customers, profile and sort the waste based on where they will go for recycling and treatment/disposal. No recycling, reclamation, repackaging, treatment, or disposal will occur at the transfer facility.

PLN02: The property is currently zoned I-3, Industrial and would utilize much of the existing structure. A portion of the northwest corner of the existing building would be demolished to be utilized as a truck court.

PLN03: The proposed use would fall under our Solid Waste Transfer Station use and would require an approved Conditional Use Permit (CUP) (Section 2-02-09-07-01 of the Adams County Development Standards & Regulations (DSR)). This would go before the Planning Commission for a recommendation, then to our Board of County Commissioners for approval.

PLN04: A neighborhood meeting would be required prior to the submittal of a CUP. Requirements can be found in Section 2-01-02 of the DSR.

PLN05: Additional performance standards for a Solid Waste Transfer Station in Chapter 4 (Section 4-11-02-04-08).

PLN06: No hazardous materials stored outdoors.

PLN07: A change in use permit would be required to establish the use on any property.

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**Lynn Baca**

DISTRICT 5

ANCON000011



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**Commenting Division:** Development Engineering Review

**Name of Reviewer:** Matthew Emmens

**Date:** 02/06/2025

**Email:** memmens@adcogov.org

**Complete**

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BOARD OF COUNTY COMMISSIONERS

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ANCON000012

ENG1: Flood Insurance Rate Map – FIRM Panel # (08001C0607H), Federal Emergency Management Agency, March 5, 2007. According to the above reference, the project site is NOT located within a delineated 100-year flood hazard zone; A floodplain use permit will not be required.

ENG2: The applicant shall be responsible for ensuring compliance with all Federal, State, and Local water quality construction requirements. In the event that the disturbed area of the site exceeds 1 acre and the site is within the Adams County MS4 area, then the applicant shall be responsible to prepare the SWMP plan using the Adams County ESC Template, and obtain both a County SWQ Permit and State Permit COR400000.

The site is located within the Adams County MS4 permit area. An Adams County SWQ Permit is required for development of this site.

The applicant should contact Juliana Archuleta, the County's Stormwater Program Manager, to inquire about obtaining a SWQ Permit. Ms. Archuleta can be contacted at 720-523-6869 or By email at [mjarchuleta@adcogov.org](mailto:mjarchuleta@adcogov.org).

ENG3: Prior to scheduling a Planning Commission, Board of Adjustment or, BOCC hearing, the developer is required to submit for review and receive approval of all construction documents (construction plans and reports). Construction documents shall include, at a minimum, onsite and public improvements construction plans, drainage report, traffic impact study. All construction documents must meet the requirements of the Adams County Development Standards and Regulations. The developer shall submit to the Adams County Development Review Engineering division the following: Engineering Review Application, Engineering Review Fee, (1) PDF copy of all construction documents. The Development Review fee can be found in the Development Services Fee Schedule, located on the following web page: <http://www.adcogov.org/one-stop-customer-center>.

ENG4: The applicant will be required to submit a Trip Generation Analysis (TGA), prepared by an engineer licensed in the State of Colorado. The TGA should be prepared using the latest version of the Institute for Transportation Engineers Trip Generation Manual. Based on the TGA the County may require a full Traffic Impact Study (TIS), also prepared by an engineer licensed in the State of Colorado. This step should be done prior to submission of the Engineering Review application. Roadway improvements may be required based on the results of the TIS.

#### ENG8: LOW IMPACT DEVELOPMENT (LID) STANDARDS AND REQUIREMENTS Section 9-01-03-14:

All construction projects shall reduce drainage impacts to the maximum extent practicable, and implement practices such as:

1. On-site structural and non-structural BMPs to promote infiltration, evapo-transpiration or use of stormwater,
2. Minimization of Directly Connected Impervious Area (MDCIA),
3. Green Infrastructure (GI),
4. Preservation of natural drainage systems that result in the infiltration, evapo-transpiration or use of stormwater in order to protect water quality and aquatic habitat.
5. Use of vegetation, soils, and roots to slow and filter stormwater runoff.
6. Management of stormwater as a resource rather than a waste product by creating functional, attractive, and environmentally friendly developments.
7. Treatment of stormwater flows as close to the impervious area as possible.

LID shall be designed and maintained to meet the standards of these Regulations and the Urban Drainage and Flood Control District's Urban Storm Drainage Criteria Manual, Volume 3.

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DISTRICT 5

ANCON000013

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**Commenting Division:** Neighborhood Services Review

**Name of Reviewer:** Gail Moon

**Date:** 02/04/2025

**Email:** gmoon@adcogov.org

**Complete**

There are no OPEN cases at this location at this time. NO COMMENT

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DISTRICT 5

ANCON000014

# EXHIBIT C



## Material Safety Data Sheet

### 1 - Chemical Product and Company Identification

<b>Manufacturer:</b> WD-40 Company <b>Address:</b> 1061 Cudahy Place (92110) P.O. Box 80607 San Diego, California, USA 92138 -0607 <b>Telephone:</b> <b>Emergency only:</b> 1-888-324-7596 (PROSAR) <b>Information:</b> 1-888-324-7596 <b>Chemical Spills:</b> 1-800-424-9300 (Chemtrec) 1-703-527-3887 (International Calls)	<b>Chemical Name:</b> Organic Mixture  <b>Trade Name:</b> WD-40 Aerosol  <b>Product Use:</b> Lubricant, Penetrant, Drives Out Moisture, Removes and Protects Surfaces From Corrosion  <b>MSDS Date Of Preparation:</b> 3/11/10
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### 2 - Hazards Identification

**Emergency Overview:**  
**DANGER!** Flammable aerosol. Contents under pressure. Harmful or fatal if swallowed. If swallowed, may be aspirated and cause lung damage. May cause eye irritation. Avoid eye contact. Use with adequate ventilation. Keep away from heat, sparks and all other sources of ignition.

**Symptoms of Overexposure:**

**Inhalation:** High concentrations may cause nasal and respiratory irritation and central nervous system effects such as headache, dizziness and nausea. Intentional abuse may be harmful or fatal.

**Skin Contact:** Prolonged and/or repeated contact may produce mild irritation and defatting with possible dermatitis.

**Eye Contact:** Contact may be irritating to eyes. May cause redness and tearing.

**Ingestion:** This product has low oral toxicity. Swallowing may cause gastrointestinal irritation, nausea, vomiting and diarrhea. This product is an aspiration hazard. If swallowed, can enter the lungs and may cause chemical pneumonitis, severe lung damage and death.

**Chronic Effects:** None expected.

**Medical Conditions Aggravated by Exposure:** Preexisting eye, skin and respiratory conditions may be aggravated by exposure.

**Suspected Cancer Agent:**

Yes No X

### 3 - Composition/Information on Ingredients

Ingredient	CAS #	Weight Percent
Aliphatic Hydrocarbon	64742-47-8	45-50
Petroleum Base Oil	64742-58-1 64742-53-6 64742-56-9 64742-65-0	<25
LVP Aliphatic Hydrocarbon	64742-47-8	12-18
Carbon Dioxide	124-38-9	2-3
Surfactant	Proprietary	<2
Non-Hazardous Ingredients	Mixture	<10

### 4 - First Aid Measures

**Ingestion (Swallowed):** Aspiration Hazard. DO NOT induce vomiting. Call physician, poison control center or the WD-40 Safety Hotline at 1-888-324-7596 immediately.

**Eye Contact:** Flush thoroughly with water. Remove contact lenses if present after the first 5 minutes and continue flushing for several more minutes. Get medical attention if irritation persists.

**Skin Contact:** Wash with soap and water. If irritation develops and persists, get medical attention.

**Inhalation (Breathing):** If irritation is experienced, move to fresh air. Get medical attention if irritation or other symptoms develop and persist.

#### 5 – Fire Fighting Measures

**Extinguishing Media:** Use water fog, dry chemical, carbon dioxide or foam. Do not use water jet or flooding amounts of water. Burning product will float on the surface and spread fire.

**Special Fire Fighting Procedures:** Firefighters should always wear positive pressure self-contained breathing apparatus and full protective clothing. Cool fire-exposed containers with water. Use shielding to protect against bursting containers.

**Unusual Fire and Explosion Hazards:** Contents under pressure. Keep away from ignition sources and open flames. Exposure of containers to extreme heat and flames can cause them to rupture often with violent force. Vapors are heavier than air and may travel along surfaces to remote ignition sources and flash back.

#### 6 – Accidental Release Measures

Wear appropriate protective clothing (see Section 8). Eliminate all sources of ignition and ventilate area. Leaking cans should be placed in a plastic bag or open pail until the pressure has dissipated. Contain and collect liquid with an inert absorbent and place in a container for disposal. Clean spill area thoroughly. Report spills to authorities as required.

#### 7 – Handling and Storage

**Handling:** Avoid contact with eyes. Avoid prolonged contact with skin. Avoid breathing vapors or aerosols. Use only with adequate ventilation. Keep away from heat, sparks, pilot lights, hot surfaces and open flames. Unplug electrical tools, motors and appliances before spraying or bringing the can near any source of electricity. Electricity can burn a hole in the can and cause contents to burst into flames. To avoid serious burn injury, do not let the can touch battery terminals, electrical connections on motors or appliances or any other source of electricity. Wash thoroughly with soap and water after handling. Keep containers closed when not in use. Keep out of the reach of children. Do not puncture, crush or incinerate containers, even when empty.

**Storage:** Store in a cool, well-ventilated area, away from incompatible materials. Do not store above 120°F or in direct sunlight. U.F.C (NFPA 30B) Level 3 Aerosol.

#### 8 – Exposure Controls/Personal Protection

Chemical	Occupational Exposure Limits
Aliphatic Hydrocarbon	1200 mg/m <sup>3</sup> TWA (manufacturer recommended)
Petroleum Base Oil	5 mg/m <sup>3</sup> TWA, 10 mg/m <sup>3</sup> STEL ACGIH TLV 5 mg/m <sup>3</sup> TWA OSHA PEL
LVP Aliphatic Hydrocarbon	1200 mg/m <sup>3</sup> TWA (manufacturer recommended)
Carbon Dioxide	5000 ppm TWA (OSHA/ACGIH), 30,000 ppm STEL (ACGIH)
Surfactant	None Established
Non-Hazardous Ingredients	None Established

##### The Following Controls are Recommended for Normal Consumer Use of this Product

**Engineering Controls:** Use in a well-ventilated area.

**Personal Protection:**

**Eye Protection:** Avoid eye contact. Always spray away from your face.

**Skin Protection:** Avoid prolonged skin contact. Chemical resistant gloves recommended for operations where skin contact is likely.

**Respiratory Protection:** None needed for normal use with adequate ventilation.

##### For Bulk Processing or Workplace Use the Following Controls are Recommended

**Engineering Controls:** Use adequate general and local exhaust ventilation to maintain exposure levels below that occupational exposure limits.

**Personal Protection:**

**Eye Protection:** Safety goggles recommended where eye contact is possible.

**Skin Protection:** Wear chemical resistant gloves.

**Respiratory Protection:** None required if ventilation is adequate. If the occupational exposure limits are exceeded, wear a NIOSH approved respirator. Respirator selection and use should be based on contaminant type, form and concentration. Follow OSHA 1910.134, ANSI Z88.2 and good Industrial Hygiene practice.

**Work/Hygiene Practices:** Wash with soap and water after handling.

**9 – Physical and Chemical Properties**

Boiling Point:	361 - 369°F (183 - 187°C)	Specific Gravity:	0.8 – 0.82 @ 60°F
Solubility in Water:	Insoluble	pH:	Not Applicable
Vapor Pressure:	95-115 PSI @ 70°F	Vapor Density:	Greater than 1
Percent Volatile:	70-75%	VOC:	412 grams/liter (49.5%)
Coefficient of Water/Oil Distribution:	Not Determined	Appearance/Odor	Light amber liquid/mild odor
Flash Point:	122°F (49°C) Tag Open Cup (concentrate)	Flammable Limits: (Solvent Portion)	LEL: 0.6% UEL: 8.0%
Pour Point:	-63°C (-81.4°F ) ASTM D-97	Kinematic Viscosity:	2.79-2.96cSt @ 100°F

**10 – Stability and Reactivity**

**Stability:** Stable

**Hazardous Polymerization:** Will not occur.

**Conditions to Avoid:** Avoid heat, sparks, flames and other sources of ignition. Do not puncture or incinerate containers.

**Incompatibilities:** Strong oxidizing agents.

**Hazardous Decomposition Products:** Carbon monoxide and carbon dioxide.

**11 – Toxicological Information**

The oral toxicity of this product is estimated to be greater than 5,000 mg/kg based on an assessment of the ingredients. This product is not classified as toxic by established criteria. It is an aspiration hazard.

None of the components of this product is listed as a carcinogen or suspected carcinogen or is considered a reproductive hazard.

**12 – Ecological Information**

No data is currently available.

**13 - Disposal Considerations**

If this product becomes a waste, it would be expected to meet the criteria of a RCRA ignitable hazardous waste (D001). However, it is the responsibility of the generator to determine at the time of disposal the proper classification and method of disposal. Dispose in accordance with federal, state, and local regulations.

**14 – Transportation Information**

DOT Surface Shipping Description: Consumer Commodity, ORM-D

IMDG Shipping Description: Un1950, Aerosols, 2.1, LTD QTY

**15 – Regulatory Information**

**U.S. Federal Regulations:**

**CERCLA 103 Reportable Quantity:** This product is not subject to CERCLA reporting requirements, however, oil spills are reportable to the National Response Center under the Clean Water Act and many states have more stringent release reporting requirements. Report spills required under federal, state and local regulations.

**SARA TITLE III:**

**Hazard Category For Section 311/312:** Acute Health, Fire Hazard, Sudden Release of Pressure

**Section 313 Toxic Chemicals:** This product contains the following chemicals subject to SARA Title III

Section 313 Reporting requirements: None

Section 302 Extremely Hazardous Substances (TPQ): None

**EPA Toxic Substances Control Act (TSCA) Status:** All of the components of this product are listed on the TSCA inventory.

**California Safe Drinking Water and Toxic Enforcement Act (Proposition 65):** This product does not contain chemicals regulated under California Proposition 65.

**VOC Regulations:** This product complies with the consumer product VOC limits of CARB, the US EPA and states adopting the OTC VOC rules.

**Canadian Environmental Protection Act:** One of the components is listed on the NDSL. All of the other ingredients are listed on the Canadian Domestic Substances List or exempt from notification.

**Canadian WHMIS Classification:** Class B-5 (Flammable Aerosol)

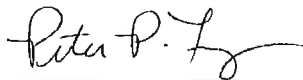
This MSDS has been prepared according to the criteria of the Controlled Products Regulation (CPR) and the MSDS contains all of the information required by the CPR.

**16 – Other Information:**

**HMIS Hazard Rating:**

**Health – 1 (slight hazard), Fire Hazard – 4 (severe hazard), Reactivity – 0 (minimal hazard)**

SIGNATURE: \_\_\_\_\_




TITLE: Director of Global Quality Assurance

REVISION DATE: March 2010

SUPERSEDES: August 2009



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29 CFR 1910.1200 (OSHA HazCom 2012)

## SECTION 1. PRODUCT AND COMPANY IDENTIFICATION

### Product identifier

Trade name

: NAPA® PREM PERF NON-DETERGENT SAE 30  
MOTOR OIL

### Recommended use of the chemical and restrictions on use

<b>Details of the supplier of the safety data sheet</b>  Valvoline LLC 3499 Blazer Parkway Lexington, KY 40509 United States of America  SDS@valvoline.com	<b>Emergency telephone number</b> 1-800-VALVOLINE  <b>Regulatory Information Number</b> 1-800-TEAMVAL  <b>Product Information</b> 1-800-TEAMVAL
---	--

## SECTION 2. HAZARDS IDENTIFICATION

### GHS Classification

This material is not considered hazardous under the OSHA Hazard Communication Standard (HazCom 2012).

### GHS Label element

This material is not considered hazardous under the OSHA Hazard Communication Standard (HazCom 2012).

### Other hazards

None known.


## SECTION 3. COMPOSITION/INFORMATION ON INGREDIENTS

Substance / Mixture : Mixture

Chemical nature : Defatter

### Hazardous components

Chemical Name	CAS-No.	Classification	Concentration (%)
RESIDUAL OILS (PETROLEUM), SOLVENT-DEWAXED	64742-62-7	Not a hazardous substance or mixture.	15.05


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#### SECTION 4. FIRST AID MEASURES

- |   |  |
|---|--|
| General advice  | : No hazards which require special first aid measures.   |
| If inhaled  | : If breathed in, move person into fresh air.<br>If unconscious place in recovery position and seek medical advice.<br>If symptoms persist, call a physician.  |
| In case of skin contact                                     | : First aid is not normally required. However, it is recommended that exposed areas be cleaned by washing with soap and water.   |
| In case of eye contact                                      | : Remove contact lenses.<br>Protect unharmed eye.  |
| If swallowed  | : Do not give milk or alcoholic beverages.<br>Never give anything by mouth to an unconscious person.<br>If symptoms persist, call a physician.   |
| Most important symptoms and effects, both acute and delayed | : Signs and symptoms of exposure to this material through breathing, swallowing, and/or passage of the material through the skin may include:<br>stomach or intestinal upset (nausea, vomiting, diarrhea)<br>irritation (nose, throat, airways)<br>Dizziness |
| Notes to physician  | : No hazards which require special first aid measures.   |

#### SECTION 5. FIREFIGHTING MEASURES

- |                                      |  |
|--------------------------------------|--|
| Suitable extinguishing media         | : Use extinguishing measures that are appropriate to local circumstances and the surrounding environment.<br>Water spray<br>Foam<br>Carbon dioxide (CO2)<br>Dry chemical |
| Specific hazards during firefighting | : Do not allow run-off from fire fighting to enter drains or water courses.  |
| Hazardous combustion products        | : carbon dioxide and carbon monoxide<br>Hydrocarbons   |

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Specific extinguishing  
methods

Product is compatible with standard fire-fighting agents.

Further information

: Standard procedure for chemical fires.

Special protective equipment  
for firefighters

: In the event of fire, wear self-contained breathing apparatus.

## SECTION 6. ACCIDENTAL RELEASE MEASURES

Personal precautions,  
protective equipment and  
emergency procedures

: Persons not wearing protective equipment should be excluded from area of spill until clean-up has been completed.

Environmental precautions

: Prevent further leakage or spillage if safe to do so.

Methods and materials for  
containment and cleaning up

: Soak up with inert absorbent material (e.g. sand, silica gel, acid binder, universal binder, sawdust).  
Keep in suitable, closed containers for disposal.

Other information

: Comply with all applicable federal, state, and local regulations.

## SECTION 7. HANDLING AND STORAGE

Advice on safe handling

: Smoking, eating and drinking should be prohibited in the application area.  
For personal protection see section 8.

Conditions for safe storage

: Electrical installations / working materials must comply with the technological safety standards.


Materials to avoid

: No materials to be especially mentioned.

## SECTION 8. EXPOSURE CONTROLS/PERSONAL PROTECTION

### Components with workplace control parameters

Components	CAS-No.	Value type (Form of exposure)	Control parameters / Permissible concentration	Basis
RESIDUAL OILS (PETROLEUM), SOLVENT-	64742-62-7	PEL	500 ppm 2,000 mg/m3	OSHA_TRA NS

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DEWAXED				
		REL	5 mg/m3 Mist.	NIOSH/GUID E
		STEL	10 mg/m3 Mist.	NIOSH/GUID E
		PEL	5 mg/m3 Mist.	OSHA_TRA NS

**Engineering measures** : General room ventilation should be adequate for normal conditions of use. However, if unusual operating conditions exist, provide sufficient mechanical (general and/or local exhaust) ventilation to maintain exposure below exposure guidelines (if applicable) or below levels that cause known, suspected or apparent adverse effects.

#### Personal protective equipment

Respiratory protection : No personal respiratory protective equipment normally required.

Eye protection : Not required under normal conditions of use. Wear splash-proof safety goggles if material could be misted or splashed into eyes.

Skin and body protection : Wear as appropriate:  
Safety shoes  
Wear resistant gloves (consult your safety equipment supplier).

Hygiene measures : General industrial hygiene practice.

#### SECTION 9. PHYSICAL AND CHEMICAL PROPERTIES

Physical state : liquid

Colour : amber

Odour : No data available


Odour Threshold : No data available

pH : No data available

Melting point/freezing point : No data available

Boiling point/boiling range : 424.99 °F / 218.33 °C  
(1,013.333333 hPa)  
Calculated Phase Transition Liquid/Gas

Flash point : > 390 °F / > 199 °C  
Method: Cleveland open cup


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Evaporation rate	: No data available
Flammability (solid, gas)	: No data available
Upper explosion limit	: 6 %(V) GLP: Calculated Explosive Limit
Lower explosion limit	: 1 %(V) GLP: Calculated Explosive Limit
Vapour pressure	: 1.3333333 hPa (20 °C) Calculated Vapor Pressure
Relative vapour density	: < 1AIR=1
Relative density	: 0.888 (15.6 °C)
Density	: 0.8890 g/cm3 (15.56 °C)
Solubility(ies)	
Water solubility	: negligible
Solubility in other solvents	: No data available
Partition coefficient: n-octanol/water	: No data available
Thermal decomposition	:  No data available
Viscosity	
Viscosity, dynamic	: No data available
Viscosity, kinematic	: No data available
Oxidizing properties	: No data available

---

#### SECTION 10. STABILITY AND REACTIVITY

Reactivity	: No decomposition if stored and applied as directed.
Chemical stability	: Stable under recommended storage conditions.
Possibility of hazardous reactions	: Product will not undergo hazardous polymerization.

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Incompatible materials : Strong oxidizing agents

Hazardous decomposition products : carbon dioxide and carbon monoxide

## SECTION 11. TOXICOLOGICAL INFORMATION

Information on likely routes of exposure : Inhalation  
Skin contact  
Eye Contact  
Ingestion

### Acute toxicity

Not classified based on available information.

#### Components:

RESIDUAL OILS (PETROLEUM), SOLVENT-DEWAXED:

Acute oral toxicity : LD 50 (Rat): > 5,000 mg/kg

Acute inhalation toxicity : LC50 (Rat): > 5.58 mg/l  
Exposure time: 4 h  
Test atmosphere: dust/mist  
Assessment: Not classified as acutely toxic by inhalation under GHS.  
Remarks: No mortality observed at this dose.

Acute dermal toxicity : LD 50 (Rabbit): > 5,000 mg/kg  
Remarks: No mortality observed at this dose.

LD 50 (Rabbit): > 2,000 mg/kg  
Assessment: Not classified as acutely toxic by dermal absorption under GHS.

### Skin corrosion/irritation

Not classified based on available information.

#### Product:

Result: Repeated exposure may cause skin dryness or cracking.

#### Components:

RESIDUAL OILS (PETROLEUM), SOLVENT-DEWAXED:

Species: Rabbit

Result: Not irritating to skin

### Serious eye damage/eye irritation


Not classified based on available information.

#### Product:

Remarks: Unlikely to cause eye irritation or injury.

#### Components:

RESIDUAL OILS (PETROLEUM), SOLVENT-DEWAXED:

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Species: Rabbit  
Result: Not irritating to eyes

**Respiratory or skin sensitisation**

Skin sensitisation: Not classified based on available information.

Respiratory sensitisation: Not classified based on available information.

**Components:**

RESIDUAL OILS (PETROLEUM), SOLVENT-DEWAXED:

Test Type: Buehler Test

Species: Guinea pig

Assessment: Does not cause skin sensitisation.

**Germ cell mutagenicity**

Not classified based on available information.

**Carcinogenicity**

Not classified based on available information.

**Reproductive toxicity**

Not classified based on available information.

**STOT - single exposure**

Not classified based on available information.

**STOT - repeated exposure**

Not classified based on available information.

**Aspiration toxicity**

Not classified based on available information.

**Components:**

RESIDUAL OILS (PETROLEUM), SOLVENT-DEWAXED:

No aspiration toxicity classification

**Further information**

**Product:**

Remarks: No data available

**Carcinogenicity:**

**IARC**


No component of this product present at levels greater than or equal to 0.1% is identified as probable, possible or confirmed human carcinogen by IARC.

**OSHA**

No component of this product present at levels greater than or equal to 0.1% is identified as a carcinogen or potential carcinogen by OSHA.

**NTP**

No component of this product present at levels greater than or equal to 0.1% is identified as a known or anticipated carcinogen by NTP.

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## SECTION 12. ECOLOGICAL INFORMATION

### Ecotoxicity

#### Components:

RESIDUAL OILS (PETROLEUM), SOLVENT-DEWAXED:

- |  |   |
|--|---|
| Toxicity to fish   | : LL50 (Pimephales promelas (fathead minnow)): > 100 mg/l<br>Exposure time: 96 h<br>Test Type: static test<br>Test substance: WAF<br>Method: OECD Test Guideline 203<br>Remarks: No toxicity at the limit of solubility |
| Toxicity to daphnia and other aquatic invertebrates                    | : EL50 (Daphnia magna (Water flea)): > 10,000 mg/l<br>Exposure time: 48 h<br>Test Type: static test<br>Test substance: WAF<br>Method: OECD Test Guideline 202   |
| Toxicity to algae  | : NOEL (Pseudokirchneriella subcapitata (green algae)): >= 100 mg/l<br>End point: Growth inhibition<br>Exposure time: 72 h<br>Test Type: static test<br>Test substance: WAF<br>Method: OECD Test Guideline 201          |
| Toxicity to fish (Chronic toxicity)                                    | : NOELR (Oncorhynchus mykiss (rainbow trout)): Calculated >= 1,000 mg/l<br>Exposure time: 14 d  |
| Toxicity to daphnia and other aquatic invertebrates (Chronic toxicity) | : NOEL (Daphnia (water flea)): 10 mg/l<br>Exposure time: 21 d<br>Test substance: WAF<br>Method: OECD Test Guideline 211   |

### Persistence and degradability

#### Components:

RESIDUAL OILS (PETROLEUM), SOLVENT-DEWAXED:


- |                  |  |
|------------------|--|
| Biodegradability | : Result: Not readily biodegradable.<br>Biodegradation: 2 - 4 %<br>Exposure time: 28 d<br>Method: OECD Test Guideline 301B |
|------------------|--|

### Bioaccumulative potential

#### Components:

No data available



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**Mobility in soil**

**Components:**

No data available

**Other adverse effects**

No data available

**Product:**

Additional ecological information : No data available

**Components:**

**SECTION 13. DISPOSAL CONSIDERATIONS**

**Disposal methods**

General advice : Dispose of in accordance with all applicable local, state and federal regulations.

Contaminated packaging : Empty remaining contents.

**SECTION 14. TRANSPORT INFORMATION**

**International transport regulations**

**REGULATION**

ID NUMBER	PROPER SHIPPING NAME	*HAZARD CLASS	SUBSIDIARY HAZARDS	PACKING GROUP	MARINE POLLUTANT / LTD. QTY.

**U.S. DOT - ROAD**

Not dangerous goods

**CFR\_RAIL\_C**

Not dangerous goods

**U.S. DOT - INLAND WATERWAYS**


Not dangerous goods

**TDG\_ROAD\_C**

Not dangerous goods

**TDG\_RAIL\_C**

Not dangerous goods

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**TDG\_INWT\_C**

Not dangerous goods
---------------------

**INTERNATIONAL MARITIME DANGEROUS GOODS**

Not dangerous goods
---------------------

**INTERNATIONAL AIR TRANSPORT ASSOCIATION - CARGO**

Not dangerous goods
---------------------

**INTERNATIONAL AIR TRANSPORT ASSOCIATION - PASSENGER**

Not dangerous goods
---------------------

**MX\_DG**

Not dangerous goods
---------------------

\*ORM = ORM-D, CBL = COMBUSTIBLE LIQUID

Marine pollutant	no
------------------	----

Dangerous goods descriptions (if indicated above) may not reflect quantity, end-use or region-specific exceptions that can be applied. Consult shipping documents for descriptions that are specific to the shipment.

**SECTION 15. REGULATORY INFORMATION**

**SARA 311/312 Hazards** : No SARA Hazards

**SARA 313** : This material does not contain any chemical components with known CAS numbers that exceed the threshold (De Minimis) reporting levels established by SARA Title III, Section 313.  
**Component(s)SARA 313**


**California Prop 65** Proposition 65 warnings are not required for this product based on the results of a risk assessment.

**The components of this product are reported in the following inventories:**

TSCA : On TSCA Inventory

DSL : All components of this product are on the Canadian DSL.

AUSTR : On the inventory, or in compliance with the inventory

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ENCS : On the inventory, or in compliance with the inventory  
 KECL : On the inventory, or in compliance with the inventory  
 PICCS : On the inventory, or in compliance with the inventory  
 IECSC : On the inventory, or in compliance with the inventory

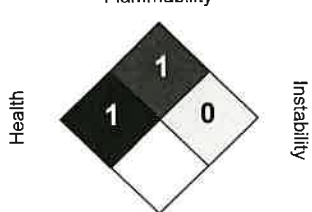
#### Inventories

AICS (Australia), DSL (Canada), IECSC (China), REACH (European Union), ENCS (Japan), ISHL (Japan), KECL (Korea), NZIoC (New Zealand), PICCS (Philippines), TSCA (USA)

## SECTION 16. OTHER INFORMATION

#### Further information

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NFPA:	HMIS III:						
<p>Flammability</p>  <p>Health</p> <p>Instability</p> <p>Special hazard.</p>	<table border="1"> <tr> <td><b>HEALTH</b></td><td><b>1</b></td></tr> <tr> <td><b>FLAMMABILITY</b></td><td><b>1</b></td></tr> <tr> <td><b>PHYSICAL HAZARD</b></td><td><b>0</b></td></tr> </table> <p>             0 = not significant, 1 = Slight,              2 = Moderate, 3 = High              4 = Extreme, * = Chronic           </p>	<b>HEALTH</b>	<b>1</b>	<b>FLAMMABILITY</b>	<b>1</b>	<b>PHYSICAL HAZARD</b>	<b>0</b>
<b>HEALTH</b>	<b>1</b>						
<b>FLAMMABILITY</b>	<b>1</b>						
<b>PHYSICAL HAZARD</b>	<b>0</b>						


**NFPA Flammable and Combustible Liquids Classification**  
 Combustible Liquid Class IIIB

#### Full text of H-Statements referred to under sections 2 and 3.

H315 Causes skin irritation.

#### Further information

Sources of key data used to compile the Safety Data Sheet  
 Valvoline internal data including own and sponsored test reports  
 The UNECE administers regional agreements implementing harmonised classification for labelling (GHS) and transport.

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The information accumulated herein is believed to be accurate but is not warranted to be whether originating with the company or not. Recipients are advised to confirm in advance of need that the information is current, applicable, and suitable to their circumstances. This SDS has been prepared by Valvoline's Environmental Health and Safety Department (1-800-825-8654).

List of abbreviations and acronyms that could be, but not necessarily are, used in this safety data sheet :

ACGIH : American Conference of Industrial Hygienists  
 BEI : Biological Exposure Index  
 CAS : Chemical Abstracts Service (Division of the American Chemical Society).  
 CMR : Carcinogenic, Mutagenic or Toxic for Reproduction  
 FG : Food grade  
 GHS : Globally Harmonized System of Classification and Labeling of Chemicals.  
 H-statement : Hazard Statement  
 IATA : International Air Transport Association.  
 IATA-DGR : Dangerous Goods Regulation by the "International Air Transport Association" (IATA).

ICAO : International Civil Aviation Organization  
 ICAO-TI (ICAO) : Technical Instructions by the "International Civil Aviation Organization"  
 IMDG : International Maritime Code for Dangerous Goods  
 ISO : International Organization for Standardization  
 logPow : octanol-water partition coefficient  
 LCxx : Lethal Concentration, for xx percent of test population  
 LDxx : Lethal Dose, for xx percent of test population.  
 ICxx : Inhibitory Concentration for xx of a substance  
 Ecxx : Effective Concentration of xx  
 N.O.S.: Not Otherwise Specified  
 OECD : Organization for Economic Co-operation and Development  
 OEL : Occupational Exposure Limit  
 P-Statement : Precautionary Statement  
 PBT : Persistent , Bioaccumulative and Toxic  
 PPE : Personal Protective Equipment  
 STEL : Short-term exposure limit  
 STOT : Specific Target Organ Toxicity  
 TLV : Threshold Limit Value  
 TWA : Time-weighted average  
 vPvB : Very Persistent and Very Bioaccumulative  
 WEL : Workplace Exposure Level

CERCLA : Comprehensive Environmental Response, Compensation, and Liability Act  
 DOT : Department of Transportation  
 FIFRA : Federal Insecticide, Fungicide, and Rodenticide Act  
 HMIRC : Hazardous Materials Information Review Commission  
 HMIS : Hazardous Materials Identification System  
 NFPA : National Fire Protection Association  
 NIOSH : National Institute for Occupational Safety and Health  
 OSHA : Occupational Safety and Health Administration  
 PMRA : Health Canada Pest Management Regulatory Agency  
 RTK : Right to Know  
 WHMIS : Workplace Hazardous Materials Information System



## Safety Data Sheet

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**Document Group:** 16-3472-4  
**Issue Date:** 05/21/18

**Version Number:** 40.00  
**Supersedes Date:** 03/31/17

### SECTION 1: Identification

#### 1.1. Product identifier

3M(TM) Super 77(TM) Multipurpose Adhesive (Aerosol)

#### Product Identification Numbers

62-4977-2924-4, 62-4977-2928-5, 62-4977-4730-3, 62-4977-4922-6, 62-4977-4923-4, 62-4977-4925-9, 62-4977-4929-1, 62-4977-4930-9, 62-4977-4935-8

#### 1.2. Recommended use and restrictions on use

##### Recommended use

Adhesive aerosol, General Purpose Aerosol adhesive

#### 1.3. Supplier's details

**MANUFACTURER:** 3M  
**DIVISION:** Industrial Adhesives and Tapes Division  
**ADDRESS:** 3M Center, St. Paul, MN 55144-1000, USA  
**Telephone:** 1-888-3M HELPS (1-888-364-3577)

#### 1.4. Emergency telephone number

1-800-364-3577 or (651) 737-6501 (24 hours)

### SECTION 2: Hazard identification

#### 2.1. Hazard classification

Flammable Aerosol: Category 1.

Gas Under Pressure: Liquefied gas.

Serious Eye Damage/Irritation: Category 2A.

Reproductive Toxicity: Category 2.

Simple Asphyxiant.

Specific Target Organ Toxicity (single exposure): Category 1.

Specific Target Organ Toxicity (single exposure): Category 3.

#### 2.2. Label elements

##### Signal word

Danger

**Symbols**

Flame | Gas cylinder | Exclamation mark | Health Hazard |

**Pictograms****Hazard Statements**

Extremely flammable aerosol.

Contains gas under pressure; may explode if heated.

Causes serious eye irritation.

May cause drowsiness or dizziness.

Suspected of damaging fertility or the unborn child.

May displace oxygen and cause rapid suffocation.

Causes damage to organs:  
cardiovascular system |**Precautionary Statements****General:**

Keep out of reach of children.

**Prevention:**

Obtain special instructions before use.

Do not handle until all safety precautions have been read and understood.

Keep away from heat/sparks/open flames/hot surfaces. - No smoking.

Do not spray on an open flame or other ignition source.

Pressurized container: Do not pierce or burn, even after use.

Do not breathe dust/fume/gas/mist/vapors/spray.

Use only outdoors or in a well-ventilated area.

Wear protective gloves and eye/face protection.

Do not eat, drink or smoke when using this product.

Wash thoroughly after handling.

**Response:**

IF INHALED: Remove person to fresh air and keep comfortable for breathing.

IF IN EYES: Rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do.

Continue rinsing.

If eye irritation persists: Get medical advice/attention.

IF exposed or concerned: Get medical advice/attention.

Specific treatment (see Notes to Physician on this label).

**Storage:**

Protect from sunlight. Do not expose to temperatures exceeding 50C/122F.

Keep container tightly closed.

Store locked up in a well-ventilated place.

**Disposal:**

Dispose of contents/container in accordance with applicable local/regional/national/international regulations.

**Notes to Physician:**

Exposure may increase myocardial irritability. Do not administer sympathomimetic drugs unless absolutely necessary.

### SECTION 3: Composition/information on ingredients

Ingredient	C.A.S. No.	% by Wt
Acetone	67-64-1	20 - 30 Trade Secret *
Non-volatile components (N.J.T.S. Registry No. 04499600-6433P)	Trade Secret*	20 - 30 Trade Secret *
Propane	74-98-6	15 - 25 Trade Secret *
Cyclohexane	110-82-7	10 - 20 Trade Secret *
Petroleum distillates	64742-49-0	10 - 20 Trade Secret *
Hexane	110-54-3	< 0.5 Trade Secret *

\*The specific chemical identity and/or exact percentage (concentration) of this composition has been withheld as a trade secret.

### SECTION 4: First aid measures

#### 4.1. Description of first aid measures

##### Inhalation:

Remove person to fresh air. Get medical attention.

##### Skin Contact:

Wash with soap and water. If signs/symptoms develop, get medical attention.

##### Eye Contact:

Immediately flush with large amounts of water. Remove contact lenses if easy to do. Continue rinsing. Get medical attention.

##### If Swallowed:

Rinse mouth. If you feel unwell, get medical attention.

#### 4.2. Most important symptoms and effects, both acute and delayed

See Section 11.1. Information on toxicological effects.

#### 4.3. Indication of any immediate medical attention and special treatment required

Exposure may increase myocardial irritability. Do not administer sympathomimetic drugs unless absolutely necessary.

### SECTION 5: Fire-fighting measures

#### 5.1. Suitable extinguishing media

Use a fire fighting agent suitable for the surrounding fire.

#### 5.2. Special hazards arising from the substance or mixture

Closed containers exposed to heat from fire may build pressure and explode.

#### Hazardous Decomposition or By-Products

##### Substance

Aldehydes  
Carbon monoxide  
Carbon dioxide

##### Condition

During Combustion  
During Combustion  
During Combustion

**5.3. Special protective actions for fire-fighters**

Water may not effectively extinguish fire; however, it should be used to keep fire-exposed containers and surfaces cool and prevent explosive rupture.

**SECTION 6: Accidental release measures****6.1. Personal precautions, protective equipment and emergency procedures**

Evacuate area. Keep away from heat/sparks/open flames/hot surfaces. - No smoking. Use only non-sparking tools. Ventilate the area with fresh air. For large spill, or spills in confined spaces, provide mechanical ventilation to disperse or exhaust vapors, in accordance with good industrial hygiene practice. Warning! A motor could be an ignition source and could cause flammable gases or vapors in the spill area to burn or explode. Refer to other sections of this SDS for information regarding physical and health hazards, respiratory protection, ventilation, and personal protective equipment.

**6.2. Environmental precautions**

Avoid release to the environment.

**6.3. Methods and material for containment and cleaning up**

If possible, seal leaking container. Place leaking containers in a well-ventilated area, preferably an operating exhaust hood, or if necessary outdoors on an impermeable surface until appropriate packaging for the leaking container or its contents is available. Contain spill. Cover spill area with a fire-extinguishing foam. An appropriate aqueous film forming foam (AFFF) is recommended. Working from around the edges of the spill inward, cover with bentonite, vermiculite, or commercially available inorganic absorbent material. Mix in sufficient absorbent until it appears dry. Remember, adding an absorbent material does not remove a physical, health, or environmental hazard. Collect as much of the spilled material as possible using non-sparking tools. Place in a metal container approved for transportation by appropriate authorities. Clean up residue with an appropriate solvent selected by a qualified and authorized person. Ventilate the area with fresh air. Read and follow safety precautions on the solvent label and SDS. Seal the container. Dispose of collected material as soon as possible in accordance with applicable local/regional/national/international regulations.

**SECTION 7: Handling and storage****7.1. Precautions for safe handling**

Keep out of reach of children. Do not handle until all safety precautions have been read and understood. Keep away from heat/sparks/open flames/hot surfaces. - No smoking. Do not spray on an open flame or other ignition source. Do not pierce or burn, even after use. Do not breathe dust/fume/gas/mist/vapors/spray. Do not get in eyes, on skin, or on clothing. Do not eat, drink or smoke when using this product. Wash thoroughly after handling. Avoid contact with oxidizing agents (eg. chlorine, chromic acid etc.) Use personal protective equipment (gloves, respirators, etc.) as required.

**7.2. Conditions for safe storage including any incompatibilities**

Store in a well-ventilated place. Keep container tightly closed. Protect from sunlight. Do not expose to temperatures exceeding 50C/122F. Store away from heat. Store away from acids. Store away from oxidizing agents.

**SECTION 8: Exposure controls/personal protection****8.1. Control parameters****Occupational exposure limits**

If a component is disclosed in section 3 but does not appear in the table below, an occupational exposure limit is not available for the component.

Ingredient	C.A.S. No.	Agency	Limit type	Additional Comments
Hexane	110-54-3	ACGIH	TWA:50 ppm	SKIN
Hexane	110-54-3	OSHA	TWA:1800 mg/m3(500 ppm)	
Cyclohexane	110-82-7	ACGIH	TWA:100 ppm	
Cyclohexane	110-82-7	OSHA	TWA:1050 mg/m3(300 ppm)	



Acetone	67-64-1	ACGIH	TWA:250 ppm;STEL:500 ppm	A4: Not class. as human carcin
Acetone	67-64-1	OSHA	TWA:2400 mg/m3(1000 ppm)	
Propane	74-98-6	ACGIH	Limit value not established:	simple asphyxiant
Propane	74-98-6	OSHA	TWA:1800 mg/m3(1000 ppm)	

ACGIH : American Conference of Governmental Industrial Hygienists

AIHA : American Industrial Hygiene Association

CMRG : Chemical Manufacturer's Recommended Guidelines

OSHA : United States Department of Labor - Occupational Safety and Health Administration

TWA: Time-Weighted-Average

STEL: Short Term Exposure Limit

CEIL: Ceiling

## 8.2. Exposure controls

### 8.2.1. Engineering controls

Do not remain in area where available oxygen may be reduced. Use general dilution ventilation and/or local exhaust ventilation to control airborne exposures to below relevant Exposure Limits and/or control dust/fume/gas/mist/vapors/spray. If ventilation is not adequate, use respiratory protection equipment.

### 8.2.2. Personal protective equipment (PPE)

#### Eye/face protection

Select and use eye/face protection to prevent contact based on the results of an exposure assessment. The following eye/face protection(s) are recommended:

Indirect Vented Goggles

#### Skin/hand protection

Select and use gloves and/or protective clothing approved to relevant local standards to prevent skin contact based on the results of an exposure assessment. Selection should be based on use factors such as exposure levels, concentration of the substance or mixture, frequency and duration, physical challenges such as temperature extremes, and other use conditions. Consult with your glove and/or protective clothing manufacturer for selection of appropriate compatible gloves/protective clothing.

Gloves made from the following material(s) are recommended: Butyl Rubber  
Nitrile Rubber

#### Respiratory protection

An exposure assessment may be needed to decide if a respirator is required. If a respirator is needed, use respirators as part of a full respiratory protection program. Based on the results of the exposure assessment, select from the following respirator type(s) to reduce inhalation exposure:

Half facepiece or full facepiece supplied-air respirator

For questions about suitability for a specific application, consult with your respirator manufacturer.

## SECTION 9: Physical and chemical properties

### 9.1. Information on basic physical and chemical properties

General Physical Form:	Liquid aerosol
Specific Physical Form:	Aerosol
Odor, Color, Grade:	Clear, sweet, fruity odor
Odor threshold	No Data Available
pH	No Data Available
Melting point	No Data Available
Boiling Point	Not Applicable

Flash Point	-42.00 °F [Test Method: Tagliabue Closed Cup]
Evaporation rate	1.9 [Ref Std: ETHER=1]
Flammability (solid, gas)	Not Applicable
Flammable Limits(LEL)	No Data Available
Flammable Limits(UEL)	No Data Available
Vapor Pressure	[Details: Compressed gas] Not Applicable
Vapor Density	2.97 [Ref Std: AIR=1]
Density	0.726 g/ml
Specific Gravity	0.726 [Ref Std: WATER=1]
Solubility in Water	Nil
Solubility- non-water	No Data Available
Partition coefficient: n-octanol/ water	No Data Available
Autoignition temperature	No Data Available
Decomposition temperature	Not Applicable
Viscosity	Not Applicable
Hazardous Air Pollutants	<=0.4 % weight [Test Method: Calculated]
VOC Less H2O & Exempt Solvents	<=51 % [Test Method: calculated per CARB title 2]
Solids Content	>=22.4 %

## SECTION 10: Stability and reactivity

### 10.1. Reactivity

This material may be reactive with certain agents under certain conditions - see the remaining headings in this section.

### 10.2. Chemical stability

Stable.

### 10.3. Possibility of hazardous reactions

Hazardous polymerization will not occur.

### 10.4. Conditions to avoid

Heat

### 10.5. Incompatible materials

Strong oxidizing agents

### 10.6. Hazardous decomposition products

#### Substance

None known.

#### Condition

Refer to section 5.2 for hazardous decomposition products during combustion.

## SECTION 11: Toxicological information

The information below may not be consistent with the material classification in Section 2 if specific ingredient classifications are mandated by a competent authority. In addition, toxicological data on ingredients may not be reflected in the material classification and/or the signs and symptoms of exposure, because an ingredient may be present below the threshold for labeling, an ingredient may not be available for exposure, or the data may not be relevant to the material as a whole.

### 11.1. Information on Toxicological effects

## Signs and Symptoms of Exposure

Based on test data and/or information on the components, this material may produce the following health effects:

### Inhalation:

Intentional concentration and inhalation may be harmful or fatal.

Simple Asphyxiation: Signs/symptoms may include increased heart rate, rapid respirations, drowsiness, headache, incoordination, altered judgement, nausea, vomiting, lethargy, seizures, coma, and may be fatal.

Respiratory Tract Irritation: Signs/symptoms may include cough, sneezing, nasal discharge, headache, hoarseness, and nose and throat pain.

May cause additional health effects (see below).

### Skin Contact:

Dermal Defatting: Signs/symptoms may include localized redness, itching, drying and cracking of skin.

### Eye Contact:

Severe Eye Irritation: Signs/symptoms may include significant redness, swelling, pain, tearing, cloudy appearance of the cornea, and impaired vision.

### Ingestion:

Gastrointestinal Irritation: Signs/symptoms may include abdominal pain, stomach upset, nausea, vomiting and diarrhea.

May cause additional health effects (see below).

## Additional Health Effects:

### Single exposure may cause target organ effects:

Central Nervous System (CNS) Depression: Signs/symptoms may include headache, dizziness, drowsiness, incoordination, nausea, slowed reaction time, slurred speech, giddiness, and unconsciousness.

Single exposure, above recommended guidelines, may cause:

Cardiac Sensitization: Signs/symptoms may include irregular heartbeat (arrhythmia), faintness, chest pain, and may be fatal.

### Reproductive/Developmental Toxicity:

Contains a chemical or chemicals which can cause birth defects or other reproductive harm.

## Toxicological Data

If a component is disclosed in section 3 but does not appear in a table below, either no data are available for that endpoint or the data are not sufficient for classification.

### Acute Toxicity

Name	Route	Species	Value
Overall product	Dermal		No data available; calculated ATE >5,000 mg/kg
Overall product	Inhalation-Vapor(4 hr)		No data available; calculated ATE >50 mg/l
Overall product	Ingestion		No data available; calculated ATE >5,000 mg/kg
Propane	Inhalation-Gas (4 hours)	Rat	LC50 > 200,000 ppm
Acetone	Dermal	Rabbit	LD50 > 15,688 mg/kg
Acetone	Inhalation-Vapor (4 hours)	Rat	LC50 76 mg/l

Acetone	Ingestion	Rat	LD50 5,800 mg/kg
Cyclohexane	Dermal	Rat	LD50 > 2,000 mg/kg
Cyclohexane	Inhalation-Vapor (4 hours)	Rat	LC50 > 32.9 mg/l
Cyclohexane	Ingestion	Rat	LD50 6,200 mg/kg
Petroleum distillates	Dermal	Rabbit	LD50 > 3,160 mg/kg
Petroleum distillates	Inhalation-Vapor (4 hours)	Rat	LC50 > 14.7 mg/l
Petroleum distillates	Ingestion	Rat	LD50 > 5,000 mg/kg
Non-volatile components (N.J.T.S. Registry No. 04499600-6433P)	Dermal		LD50 estimated to be > 5,000 mg/kg
Non-volatile components (N.J.T.S. Registry No. 04499600-6433P)	Ingestion		LD50 estimated to be 2,000 - 5,000 mg/kg
Hexane	Dermal	Rabbit	LD50 > 2,000 mg/kg
Hexane	Inhalation-Vapor (4 hours)	Rat	LC50 170 mg/l
Hexane	Ingestion	Rat	LD50 > 28,700 mg/kg

ATE = acute toxicity estimate

#### Skin Corrosion/Irritation

Name	Species	Value
Propane	Rabbit	Minimal irritation
Acetone	Mouse	Minimal irritation
Cyclohexane	Rabbit	Mild irritant
Petroleum distillates	Rabbit	Irritant
Non-volatile components (N.J.T.S. Registry No. 04499600-6433P)	Professional judgement	Minimal irritation
Hexane	Human and animal	Mild irritant

#### Serious Eye Damage/Irritation

Name	Species	Value
Propane	Rabbit	Mild irritant
Acetone	Rabbit	Severe irritant
Cyclohexane	Rabbit	Mild irritant
Petroleum distillates	Rabbit	Mild irritant
Hexane	Rabbit	Mild irritant

#### Skin Sensitization

Name	Species	Value
Petroleum distillates	Guinea pig	Not classified
Hexane	Human	Not classified

#### Respiratory Sensitization

For the component/components, either no data are currently available or the data are not sufficient for classification.

#### Germ Cell Mutagenicity

Name	Route	Value
Propane	In Vitro	Not mutagenic
Acetone	In vivo	Not mutagenic
Acetone	In Vitro	Some positive data exist, but the data are not sufficient for classification
Cyclohexane	In Vitro	Not mutagenic

Cyclohexane	In vivo	Some positive data exist, but the data are not sufficient for classification
Petroleum distillates	In Vitro	Not mutagenic
Hexane	In Vitro	Not mutagenic
Hexane	In vivo	Not mutagenic

**Carcinogenicity**

Name	Route	Species	Value
Acetone	Not Specified	Multiple animal species	Not carcinogenic
Petroleum distillates	Inhalation	Mouse	Some positive data exist, but the data are not sufficient for classification
Hexane	Dermal	Mouse	Not carcinogenic
Hexane	Inhalation	Mouse	Some positive data exist, but the data are not sufficient for classification

**Reproductive Toxicity****Reproductive and/or Developmental Effects**

Name	Route	Value	Species	Test Result	Exposure Duration
Acetone	Ingestion	Not classified for male reproduction	Rat	NOAEL 1,700 mg/kg/day	13 weeks
Acetone	Inhalation	Not classified for development	Rat	NOAEL 5.2 mg/l	during organogenesis
Cyclohexane	Inhalation	Not classified for female reproduction	Rat	NOAEL 24 mg/l	2 generation
Cyclohexane	Inhalation	Not classified for male reproduction	Rat	NOAEL 24 mg/l	2 generation
Cyclohexane	Inhalation	Not classified for development	Rat	NOAEL 6.9 mg/l	2 generation
Hexane	Ingestion	Not classified for development	Mouse	NOAEL 2,200 mg/kg/day	during organogenesis
Hexane	Inhalation	Not classified for development	Rat	NOAEL 0.7 mg/l	during gestation
Hexane	Ingestion	Toxic to male reproduction	Rat	NOAEL 1,140 mg/kg/day	90 days
Hexane	Inhalation	Toxic to male reproduction	Rat	LOAEL 3.52 mg/l	28 days

**Target Organ(s)****Specific Target Organ Toxicity - single exposure**

Name	Route	Target Organ(s)	Value	Species	Test Result	Exposure Duration
Propane	Inhalation	cardiac sensitization	Causes damage to organs	Human	NOAEL Not available	
Propane	Inhalation	central nervous system depression	May cause drowsiness or dizziness	Human	NOAEL Not available	
Propane	Inhalation	respiratory irritation	Not classified	Human	NOAEL Not available	
Acetone	Inhalation	central nervous system depression	May cause drowsiness or dizziness	Human	NOAEL Not available	
Acetone	Inhalation	respiratory irritation	Some positive data exist, but the data are not sufficient for classification	Human	NOAEL Not available	
Acetone	Inhalation	immune system	Not classified	Human	NOAEL 1.19 mg/l	6 hours
Acetone	Inhalation	liver	Not classified	Guinea pig	NOAEL Not available	
Acetone	Ingestion	central nervous	May cause drowsiness or	Human	NOAEL Not	poisoning

		system depression	dizziness		available	and/or abuse
Cyclohexane	Inhalation	central nervous system depression	May cause drowsiness or dizziness	Human and animal	NOAEL Not available	
Cyclohexane	Inhalation	respiratory irritation	Some positive data exist, but the data are not sufficient for classification	Human and animal	NOAEL Not available	
Cyclohexane	Ingestion	central nervous system depression	May cause drowsiness or dizziness	Professional judgement	NOAEL Not available	
Petroleum distillates	Inhalation	central nervous system depression	May cause drowsiness or dizziness	Human and animal	NOAEL Not available	
Petroleum distillates	Inhalation	respiratory irritation	Some positive data exist, but the data are not sufficient for classification		NOAEL Not available	
Petroleum distillates	Ingestion	central nervous system depression	May cause drowsiness or dizziness	Professional judgement	NOAEL Not available	
Hexane	Inhalation	central nervous system depression	May cause drowsiness or dizziness	Human	NOAEL Not available	not available
Hexane	Inhalation	respiratory irritation	Some positive data exist, but the data are not sufficient for classification	Rabbit	NOAEL Not available	8 hours
Hexane	Inhalation	respiratory system	Not classified	Rat	NOAEL 24.6 mg/l	8 hours

**Specific Target Organ Toxicity - repeated exposure**

Name	Route	Target Organ(s)	Value	Species	Test Result	Exposure Duration
Acetone	Dermal	eyes	Not classified	Guinea pig	NOAEL Not available	3 weeks
Acetone	Inhalation	hematopoietic system	Not classified	Human	NOAEL 3 mg/l	6 weeks
Acetone	Inhalation	immune system	Not classified	Human	NOAEL 1.19 mg/l	6 days
Acetone	Inhalation	kidney and/or bladder	Not classified	Guinea pig	NOAEL 119 mg/l	not available
Acetone	Inhalation	heart   liver	Not classified	Rat	NOAEL 45 mg/l	8 weeks
Acetone	Ingestion	kidney and/or bladder	Not classified	Rat	NOAEL 900 mg/kg/day	13 weeks
Acetone	Ingestion	heart	Not classified	Rat	NOAEL 2,500 mg/kg/day	13 weeks
Acetone	Ingestion	hematopoietic system	Not classified	Rat	NOAEL 200 mg/kg/day	13 weeks
Acetone	Ingestion	liver	Not classified	Mouse	NOAEL 3,896 mg/kg/day	14 days
Acetone	Ingestion	eyes	Not classified	Rat	NOAEL 3,400 mg/kg/day	13 weeks
Acetone	Ingestion	respiratory system	Not classified	Rat	NOAEL 2,500 mg/kg/day	13 weeks
Acetone	Ingestion	muscles	Not classified	Rat	NOAEL 2,500 mg/kg	13 weeks
Acetone	Ingestion	skin   bone, teeth, nails, and/or hair	Not classified	Mouse	NOAEL 11,298 mg/kg/day	13 weeks
Cyclohexane	Inhalation	liver	Not classified	Rat	NOAEL 24 mg/l	90 days
Cyclohexane	Inhalation	auditory system	Not classified	Rat	NOAEL 1.7 mg/l	90 days

Cyclohexane	Inhalation	kidney and/or bladder	Not classified	Rabbit	NOAEL 2.7 mg/l	10 weeks
Cyclohexane	Inhalation	hematopoietic system	Not classified	Mouse	NOAEL 24 mg/l	14 weeks
Cyclohexane	Inhalation	peripheral nervous system	Not classified	Rat	NOAEL 8.6 mg/l	30 weeks
Hexane	Inhalation	peripheral nervous system	Causes damage to organs through prolonged or repeated exposure	Human	NOAEL Not available	occupational exposure
Hexane	Inhalation	respiratory system	Some positive data exist, but the data are not sufficient for classification	Mouse	LOAEL 1.76 mg/l	13 weeks
Hexane	Inhalation	liver	Not classified	Rat	NOAEL Not available	6 months
Hexane	Inhalation	kidney and/or bladder	Not classified	Rat	LOAEL 1.76 mg/l	6 months
Hexane	Inhalation	hematopoietic system	Not classified	Mouse	NOAEL 35.2 mg/l	13 weeks
Hexane	Inhalation	auditory system   immune system   eyes	Not classified	Human	NOAEL Not available	occupational exposure
Hexane	Inhalation	heart   skin   endocrine system	Not classified	Rat	NOAEL 1.76 mg/l	6 months
Hexane	Ingestion	peripheral nervous system	Some positive data exist, but the data are not sufficient for classification	Rat	NOAEL 1,140 mg/kg/day	90 days
Hexane	Ingestion	endocrine system   hematopoietic system   liver   immune system   kidney and/or bladder	Not classified	Rat	NOAEL Not available	13 weeks

**Aspiration Hazard**

Name	Value
Cyclohexane	Aspiration hazard
Petroleum distillates	Aspiration hazard
Hexane	Aspiration hazard

Please contact the address or phone number listed on the first page of the SDS for additional toxicological information on this material and/or its components.

**SECTION 12: Ecological information****Ecotoxicological information**

Please contact the address or phone number listed on the first page of the SDS for additional ecotoxicological information on this material and/or its components.

**Chemical fate information**

Please contact the address or phone number listed on the first page of the SDS for additional chemical fate information on this material and/or its components.

**SECTION 13: Disposal considerations****13.1. Disposal methods**

Dispose of contents/ container in accordance with the local/regional/national/international regulations.

Dispose of waste product in a permitted industrial waste facility. Facility must be capable of handling aerosol cans.

**EPA Hazardous Waste Number (RCRA):** D001 (Ignitable)

**SECTION 14: Transport Information**

For Transport Information, please visit <http://3M.com/Transportinfo> or call 1-800-364-3577 or 651-737-6501.

**SECTION 15: Regulatory information****15.1. US Federal Regulations**

Contact 3M for more information.

**EPCRA 311/312 Hazard Classifications:****Physical Hazards**

Flammable (gases, aerosols, liquids, or solids)

Gas under pressure

**Health Hazards**

Reproductive toxicity

Serious eye damage or eye irritation

Simple Asphyxiant

Specific target organ toxicity (single or repeated exposure)

**Section 313 Toxic Chemicals subject to the reporting requirements of that section and 40 CFR part 372 (EPCRA):**

**Ingredient**

Cyclohexane

**C.A.S. No**

110-82-7

**% by Wt**

Trade Secret 10 - 20

**15.2. State Regulations**

Contact 3M for more information.

**15.3. Chemical Inventories**

The components of this product are in compliance with the chemical notification requirements of TSCA. All required components of this product are listed on the active portion of the TSCA Inventory.

Contact 3M for more information.

**15.4. International Regulations**

Contact 3M for more information.

**This SDS has been prepared to meet the U.S. OSHA Hazard Communication Standard, 29 CFR 1910.1200.**

**SECTION 16: Other information****NFPA Hazard Classification**

**Health:** 2 **Flammability:** 4 **Instability:** 0 **Special Hazards:** None  
**Aerosol Storage Code:** 3

National Fire Protection Association (NFPA) hazard ratings are designed for use by emergency response personnel to address the hazards that are presented by short-term, acute exposure to a material under conditions of fire, spill, or similar emergencies. Hazard ratings are primarily based on the inherent physical and toxic properties of the material but also include the toxic properties of combustion or decomposition products that are known to be generated in significant quantities.



**HMIS Hazard Classification****Health:** \*2    **Flammability:** 4    **Physical Hazard:** 0    **Personal Protection:** X - See PPE section.

Hazardous Material Identification System (HMIS® IV) hazard ratings are designed to inform employees of chemical hazards in the workplace. These ratings are based on the inherent properties of the material under expected conditions of normal use and are not intended for use in emergency situations. HMIS® IV ratings are to be used with a fully implemented HMIS® IV program. HMIS® is a registered mark of the American Coatings Association (ACA).

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# Safety Data Sheet



## 1. Identification

**Product Name:** STRUST +SSPR 6PK GLOSS BLACK  
**Product Identifier:** 7779830  
**Product Use/Class:** Topcoat/Aerosols  
**Supplier:** Rust-Oleum Corporation  
 11 Hawthorn Parkway  
 Vernon Hills, IL 60061  
 USA  
**Revision Date:** 5/9/2017  
**Supersedes Date:** 9/20/2016  
**Manufacturer:** Rust-Oleum Corporation  
 11 Hawthorn Parkway  
 Vernon Hills, IL 60061  
 USA  
**Preparer:** Regulatory Department  
**Emergency Telephone:** 24 Hour Hotline: 847-367-7700

## 2. Hazard Identification

### Classification

### Symbol(s) of Product



### Signal Word

Danger

### Possible Hazards

34% of the mixture consists of ingredient(s) of unknown acute toxicity.

### GHS HAZARD STATEMENTS

Carcinogenicity, category 1B	H350	May cause cancer.
Compressed Gas	H280	Contains gas under pressure; may explode if heated.
Eye Irritation, category 2	H319	Causes serious eye irritation.
Flammable Aerosol, category 1	H222	Extremely flammable aerosol.
Germ Cell Mutagenicity, category 1B	H340	May cause genetic defects.
STOT, repeated exposure, category 2	H373	May cause damage to organs through prolonged or repeated exposure.
STOT, single exposure, category 3, NE	H336	May cause drowsiness or dizziness.

### GHS LABEL PRECAUTIONARY STATEMENTS

P201	Obtain special instructions before use.
P210	Keep away from heat, hot surfaces, sparks, open flames and other ignition sources. No smoking.
P211	Do not spray on an open flame or other ignition source.
P251	Do not pierce or burn, even after use.
P260	Do not breathe dust/fume/gas/mist/vapors/spray.
P264	Wash hands thoroughly after handling.
P271	Use only outdoors or in a well-ventilated area.
P280	Wear protective gloves/protective clothing/eye protection/face protection.
P304+P340	IF INHALED: Remove person to fresh air and keep comfortable for breathing.

P305+P351+P338

IF IN EYES: Rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing.

P308+P313

IF exposed or concerned: Get medical advice/attention.

P312

Call a POISON CENTER or doctor/physician if you feel unwell.

P337+P313

If eye irritation persists: Get medical advice/attention.

P403+P233

Store in a well-ventilated place. Keep container tightly closed.

P405

Store locked up.

P410+P403

Protect from sunlight. Store in a well-ventilated place.

P410+P412

Protect from sunlight. Do not expose to temperatures exceeding 50°C/ 122°F.

P501

Dispose of contents/container in accordance with local, regional and national regulations.

### 3. Composition/Information On Ingredients

#### HAZARDOUS SUBSTANCES

<u>Chemical Name</u>	<u>CAS-No.</u>	<u>Wt.% Range</u>	<u>GHS Symbols</u>	<u>GHS Statements</u>
Acetone	67-64-1	25-50	GHS02-GHS07	H225-319-332-336
Propane	74-98-6	10-25	GHS04	H280
n-Butane	106-97-8	2.5-10	GHS04	H280
n-Butyl Acetate	123-86-4	2.5-10	GHS02-GHS07	H226-336
Barium Sulfate	7727-43-7	2.5-10	Not Available	Not Available
Xylenes (o-, m-, p- isomers)	1330-20-7	2.5-10	GHS02-GHS07	H226-315-319-332
Dimethyl Carbonate	616-38-6	2.5-10	GHS02	H225
Naphtha, Petroleum, Hydrotreated Light	64742-49-0	2.5-10	GHS08	H304
Carbon Black	1333-86-4	1.0-2.5	Not Available	Not Available
Propylene Glycol Monobutyl Ether	5131-66-8	1.0-2.5	GHS07	H302-315-319
Ethylbenzene	100-41-4	1.0-2.5	GHS02-GHS07- GHS08	H225-304-332-351-373
Naphtha, Hydrotreated Heavy	64742-48-9	0.1-1.0	GHS08	H304-340-350

### 4. First-aid Measures

**FIRST AID - EYE CONTACT:** Immediately flush eyes with plenty of water for at least 15 minutes holding eyelids open. Get medical attention. Do NOT allow rubbing of eyes or keeping eyes closed.

**FIRST AID - SKIN CONTACT:** Wash skin with soap and water. Remove contaminated clothing. Get medical attention if irritation develops or persists.

**FIRST AID - INHALATION:** Remove to fresh air. If not breathing, give artificial respiration. If breathing is difficult, give oxygen. Get immediate medical attention. Do NOT use mouth-to-mouth resuscitation. If you experience difficulty in breathing, leave the area to obtain fresh air. If continued difficulty is experienced, get medical assistance immediately.

**FIRST AID - INGESTION:** Aspiration hazard: Do not induce vomiting or give anything by mouth because this material can enter the lungs and cause severe lung damage. Get immediate medical attention. If swallowed, get medical attention.

### 5. Fire-fighting Measures

**EXTINGUISHING MEDIA:** Alcohol Film Forming Foam, Carbon Dioxide, Dry Chemical, Dry Sand, Water Fog

**UNUSUAL FIRE AND EXPLOSION HAZARDS:** FLASH POINT IS LESS THAN 20°F. EXTREMELY FLAMMABLE LIQUID AND VAPOR. Water spray may be ineffective. Closed containers may explode when exposed to extreme heat due to buildup of steam. Closed containers may explode when exposed to extreme heat. Vapors may form explosive mixtures with air. Vapors can travel to a source of ignition and flash back. Keep containers tightly closed. Isolate from heat, electrical equipment, sparks and open flame. Perforation of the pressurized container may cause bursting of the can. No unusual fire or explosion hazards noted.

**SPECIAL FIREFIGHTING PROCEDURES:** Water may be used to cool closed containers to prevent pressure buildup and possible autoignition or explosion. Full protective equipment including self-contained breathing apparatus should be used. Evacuate area and fight fire from a safe distance. Use water spray to keep fire-exposed containers cool. Containers may explode when heated.

## 6. Accidental Release Measures

**STEPS TO BE TAKEN IF MATERIAL IS RELEASED OR SPILLED:** Contain spilled liquid with sand or earth. DO NOT use combustible materials such as sawdust. Isolate the hazard area and deny entry to unnecessary and unprotected personnel. Remove all sources of ignition, ventilate area and remove with inert absorbent and non-sparking tools. Dispose of according to local, state (provincial) and federal regulations. Do not incinerate closed containers. Ventilate area, isolate spilled material, and remove with inert absorbent. Dispose of contaminated absorbent, container, and unused contents in accordance with local, state, and federal regulations.

## 7. Handling and Storage

**HANDLING:** Wash thoroughly after handling. Wash hands before eating. Remove contaminated clothing and launder before reuse. Use only in a well-ventilated area. Use only with adequate ventilation. Follow all MSDS/label precautions even after container is emptied because it may retain product residues. Avoid breathing fumes, vapors, or mist. Avoid contact with eyes, skin and clothing.

**STORAGE:** Store in a dry, well ventilated place. Keep container tightly closed when not in use. Keep containers tightly closed. Isolate from heat, electrical equipment, sparks and open flame. Contents under pressure. Do not store above 120 ° F. Store large quantities in buildings designed and protected for storage of flammable aerosols. Keep away from heat, sparks, flame and sources of ignition. Contents under pressure. Do not expose to heat or store above 120 ° F. Avoid excess heat. Product should be stored in tightly sealed containers and protected from heat, moisture, and foreign materials.

## 8. Exposure Controls/Personal Protection

Chemical Name	CAS-No.	Weight % Less Than	ACGIH TLV- TWA	ACGIH TLV- STEL	OSHA PEL-TWA	OSHA PEL- CEILING
Acetone	67-64-1	30.0	250 ppm	500 ppm	1000 ppm	N.E.
Propane	74-98-6	20.0	N.E.	N.E.	1000 ppm	N.E.
n-Butane	106-97-8	10.0	N.E.	1000 ppm	N.E.	N.E.
n-Butyl Acetate	123-86-4	10.0	50 ppm	150 ppm	150 ppm	N.E.
Barium Sulfate	7727-43-7	10.0	5 mg/m3	N.E.	15 mg/m3	N.E.
Xylenes (o-, m-, p- isomers)	1330-20-7	10.0	100 ppm	150 ppm	100 ppm	N.E.
Dimethyl Carbonate	616-38-6	5.0	N.E.	N.E.	N.E.	N.E.
Naphtha, Petroleum, Hydrotreated Light	64742-49-0	5.0	N.E.	N.E.	N.E.	N.E.
Carbon Black	1333-86-4	5.0	3 mg/m3	N.E.	3.5 mg/m3	N.E.
Propylene Glycol Monobutyl Ether	5131-66-8	5.0	N.E.	N.E.	N.E.	N.E.
Ethylbenzene	100-41-4	5.0	20 ppm	N.E.	100 ppm	N.E.
Naphtha, Hydrotreated Heavy	64742-48-9	1.0	N.E.	N.E.	N.E.	N.E.

### PERSONAL PROTECTION


**ENGINEERING CONTROLS:** Use process enclosures, local exhaust ventilation, or other engineering controls to control airborne levels below recommended exposure limits. Use explosion-proof ventilation equipment. Provide general dilution of local exhaust ventilation in volume and pattern to keep TLV of hazardous ingredients below acceptable limits. Prevent build-up of vapors by opening all doors and windows to achieve cross-ventilation.

**RESPIRATORY PROTECTION:** A respiratory protection program that meets OSHA 1910.134 and ANSI Z88.2 requirements must be followed whenever workplace conditions warrant a respirator's use. A NIOSH/MSHA approved air purifying respirator with organic vapor cartridge or canister may be permissible under certain circumstances where airborne concentrations are expected to exceed exposure limits.

**SKIN PROTECTION:** Use gloves to prevent prolonged skin contact. Use impervious gloves to prevent skin contact and absorption of this material through the skin. Nitrile or Neoprene gloves may afford adequate skin protection.

**EYE PROTECTION:** Use safety eyewear designed to protect against splash of liquids.

**OTHER PROTECTIVE EQUIPMENT:** Refer to safety supervisor or industrial hygienist for further guidance regarding types of personal protective equipment and their applications. Refer to safety supervisor or industrial hygienist for further information regarding personal protective equipment and its application.

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29 CFR 1910.1200 (OSHA HazCom 2012)

## SECTION 1. PRODUCT AND COMPANY IDENTIFICATION

### Product identifier

Trade name

: NAPA® PREM PERF NON-DETERGENT SAE 30  
MOTOR OIL

### Recommended use of the chemical and restrictions on use

<b>Details of the supplier of the safety data sheet</b>  Valvoline LLC 3499 Blazer Parkway Lexington, KY 40509 United States of America  SDS@valvoline.com	<b>Emergency telephone number</b> 1-800-VALVOLINE  <b>Regulatory Information Number</b> 1-800-TEAMVAL  <b>Product Information</b> 1-800-TEAMVAL
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## SECTION 2. HAZARDS IDENTIFICATION

### GHS Classification

This material is not considered hazardous under the OSHA Hazard Communication Standard (HazCom 2012).

### GHS Label element

This material is not considered hazardous under the OSHA Hazard Communication Standard (HazCom 2012).

### Other hazards

None known.


## SECTION 3. COMPOSITION/INFORMATION ON INGREDIENTS

Substance / Mixture : Mixture

Chemical nature : Defatter

### Hazardous components

Chemical Name	CAS-No.	Classification	Concentration (%)
RESIDUAL OILS (PETROLEUM), SOLVENT-DEWAXED	64742-62-7	Not a hazardous substance or mixture.	15.05

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#### SECTION 4. FIRST AID MEASURES

- |   |  |
|---|--|
| General advice  | : No hazards which require special first aid measures.   |
| If inhaled  | : If breathed in, move person into fresh air.<br>If unconscious place in recovery position and seek medical advice.<br>If symptoms persist, call a physician.  |
| In case of skin contact                                     | : First aid is not normally required. However, it is recommended that exposed areas be cleaned by washing with soap and water.   |
| In case of eye contact                                      | : Remove contact lenses.<br>Protect unharmed eye.  |
| If swallowed  | : Do not give milk or alcoholic beverages.<br>Never give anything by mouth to an unconscious person.<br>If symptoms persist, call a physician.   |
| Most important symptoms and effects, both acute and delayed | : Signs and symptoms of exposure to this material through breathing, swallowing, and/or passage of the material through the skin may include:<br>stomach or intestinal upset (nausea, vomiting, diarrhea)<br>irritation (nose, throat, airways)<br>Dizziness |
| Notes to physician  | : No hazards which require special first aid measures.   |

#### SECTION 5. FIREFIGHTING MEASURES

- |                                      |  |
|--------------------------------------|--|
| Suitable extinguishing media         | : Use extinguishing measures that are appropriate to local circumstances and the surrounding environment.<br>Water spray<br>Foam<br>Carbon dioxide (CO2)<br>Dry chemical |
| Specific hazards during firefighting | : Do not allow run-off from fire fighting to enter drains or water courses.  |
| Hazardous combustion products        | : carbon dioxide and carbon monoxide<br>Hydrocarbons   |



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Specific extinguishing methods :

Product is compatible with standard fire-fighting agents.

Further information :

Standard procedure for chemical fires.

Special protective equipment for firefighters :

In the event of fire, wear self-contained breathing apparatus.

## SECTION 6. ACCIDENTAL RELEASE MEASURES

Personal precautions, protective equipment and emergency procedures

: Persons not wearing protective equipment should be excluded from area of spill until clean-up has been completed.

Environmental precautions

: Prevent further leakage or spillage if safe to do so.

Methods and materials for containment and cleaning up

: Soak up with inert absorbent material (e.g. sand, silica gel, acid binder, universal binder, sawdust).  
Keep in suitable, closed containers for disposal.

Other information

: Comply with all applicable federal, state, and local regulations.

## SECTION 7. HANDLING AND STORAGE

Advice on safe handling

: Smoking, eating and drinking should be prohibited in the application area.  
For personal protection see section 8.

Conditions for safe storage

: Electrical installations / working materials must comply with the technological safety standards.


Materials to avoid

: No materials to be especially mentioned.

## SECTION 8. EXPOSURE CONTROLS/PERSONAL PROTECTION

### Components with workplace control parameters

Components	CAS-No.	Value type (Form of exposure)	Control parameters / Permissible concentration	Basis
RESIDUAL OILS (PETROLEUM), SOLVENT-	64742-62-7	PEL	500 ppm 2,000 mg/m3	OSHA_TRA NS

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DEWAXED				
		REL	5 mg/m3 Mist.	NIOSH/GUID E
		STEL	10 mg/m3 Mist.	NIOSH/GUID E
		PEL	5 mg/m3 Mist.	OSHA_TRA NS

**Engineering measures** : General room ventilation should be adequate for normal conditions of use. However, if unusual operating conditions exist, provide sufficient mechanical (general and/or local exhaust) ventilation to maintain exposure below exposure guidelines (if applicable) or below levels that cause known, suspected or apparent adverse effects.

**Personal protective equipment**

Respiratory protection : No personal respiratory protective equipment normally required.

Eye protection : Not required under normal conditions of use. Wear splash-proof safety goggles if material could be misted or splashed into eyes.

Skin and body protection : Wear as appropriate:  
Safety shoes  
Wear resistant gloves (consult your safety equipment supplier).

Hygiene measures : General industrial hygiene practice.

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**SECTION 9. PHYSICAL AND CHEMICAL PROPERTIES**

Physical state : liquid

Colour : amber

Odour : No data available

Odour Threshold : No data available


pH : No data available

Melting point/freezing point : No data available

Boiling point/boiling range : 424.99 °F / 218.33 °C  
(1,013.333333 hPa)  
Calculated Phase Transition Liquid/Gas

Flash point : > 390 °F / > 199 °C  
Method: Cleveland open cup




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Evaporation rate	: No data available
Flammability (solid, gas)	: No data available
Upper explosion limit	: 6 %(V) GLP: Calculated Explosive Limit
Lower explosion limit	: 1 %(V) GLP: Calculated Explosive Limit
Vapour pressure	: 1.3333333 hPa (20 °C) Calculated Vapor Pressure
Relative vapour density	: < 1AIR=1
Relative density	: 0.888 (15.6 °C)
Density	: 0.8890 g/cm3 (15.56 °C)
Solubility(ies)	
Water solubility	: negligible
Solubility in other solvents	: No data available
Partition coefficient: n-octanol/water	: No data available
Thermal decomposition	: No data available
Viscosity	
Viscosity, dynamic	: No data available
Viscosity, kinematic	: No data available
Oxidizing properties	: No data available

#### SECTION 10. STABILITY AND REACTIVITY

Reactivity	: No decomposition if stored and applied as directed.
Chemical stability	: Stable under recommended storage conditions.
Possibility of hazardous reactions	: Product will not undergo hazardous polymerization.

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Incompatible materials : Strong oxidizing agents

Hazardous decomposition products : carbon dioxide and carbon monoxide

## SECTION 11. TOXICOLOGICAL INFORMATION

Information on likely routes of exposure : Inhalation  
Skin contact  
Eye Contact  
Ingestion

### Acute toxicity

Not classified based on available information.

#### Components:

RESIDUAL OILS (PETROLEUM), SOLVENT-DEWAXED:

Acute oral toxicity : LD 50 (Rat): > 5,000 mg/kg

Acute inhalation toxicity : LC50 (Rat): > 5.58 mg/l  
Exposure time: 4 h  
Test atmosphere: dust/mist  
Assessment: Not classified as acutely toxic by inhalation under GHS.  
Remarks: No mortality observed at this dose.

Acute dermal toxicity : LD 50 (Rabbit): > 5,000 mg/kg  
Remarks: No mortality observed at this dose.

LD 50 (Rabbit): > 2,000 mg/kg  
Assessment: Not classified as acutely toxic by dermal absorption under GHS.

### Skin corrosion/irritation

Not classified based on available information.

#### Product:

Result: Repeated exposure may cause skin dryness or cracking.

#### Components:

RESIDUAL OILS (PETROLEUM), SOLVENT-DEWAXED:

Species: Rabbit

Result: Not irritating to skin

### Serious eye damage/eye irritation


Not classified based on available information.

#### Product:

Remarks: Unlikely to cause eye irritation or injury.

#### Components:

RESIDUAL OILS (PETROLEUM), SOLVENT-DEWAXED:

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Species: Rabbit  
Result: Not irritating to eyes

**Respiratory or skin sensitisation**

Skin sensitisation: Not classified based on available information.  
Respiratory sensitisation: Not classified based on available information.

**Components:**

RESIDUAL OILS (PETROLEUM), SOLVENT-DEWAXED:

Test Type: Buehler Test

Species: Guinea pig

Assessment: Does not cause skin sensitisation.

**Germ cell mutagenicity**

Not classified based on available information.

**Carcinogenicity**

Not classified based on available information.

**Reproductive toxicity**

Not classified based on available information.

**STOT - single exposure**

Not classified based on available information.

**STOT - repeated exposure**

Not classified based on available information.

**Aspiration toxicity**

Not classified based on available information.

**Components:**

RESIDUAL OILS (PETROLEUM), SOLVENT-DEWAXED:

No aspiration toxicity classification

**Further information**

**Product:**

Remarks: No data available

**Carcinogenicity:**

**IARC**


No component of this product present at levels greater than or equal to 0.1% is identified as probable, possible or confirmed human carcinogen by IARC.

**OSHA**

No component of this product present at levels greater than or equal to 0.1% is identified as a carcinogen or potential carcinogen by OSHA.

**NTP**

No component of this product present at levels greater than or equal to 0.1% is identified as a known or anticipated carcinogen by NTP.

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## SECTION 12. ECOLOGICAL INFORMATION

### Ecotoxicity

#### Components:

RESIDUAL OILS (PETROLEUM), SOLVENT-DEWAXED:

- Toxicity to fish : LL50 (Pimephales promelas (fathead minnow)): > 100 mg/l  
 Exposure time: 96 h  
 Test Type: static test  
 Test substance: WAF  
 Method: OECD Test Guideline 203  
 Remarks: No toxicity at the limit of solubility
- Toxicity to daphnia and other aquatic invertebrates : EL50 (Daphnia magna (Water flea)): > 10,000 mg/l  
 Exposure time: 48 h  
 Test Type: static test  
 Test substance: WAF  
 Method: OECD Test Guideline 202
- Toxicity to algae : NOEL (Pseudokirchneriella subcapitata (green algae)): >= 100 mg/l  
 End point: Growth inhibition  
 Exposure time: 72 h  
 Test Type: static test  
 Test substance: WAF  
 Method: OECD Test Guideline 201
- Toxicity to fish (Chronic toxicity) : NOELR (Oncorhynchus mykiss (rainbow trout)): Calculated >= 1,000 mg/l  
 Exposure time: 14 d
- Toxicity to daphnia and other aquatic invertebrates (Chronic toxicity) : NOEL (Daphnia (water flea)): 10 mg/l  
 Exposure time: 21 d  
 Test substance: WAF  
 Method: OECD Test Guideline 211

### Persistence and degradability

#### Components:


RESIDUAL OILS (PETROLEUM), SOLVENT-DEWAXED:

- Biodegradability : Result: Not readily biodegradable.  
 Biodegradation: 2 - 4 %  
 Exposure time: 28 d  
 Method: OECD Test Guideline 301B

### Bioaccumulative potential

#### Components:

No data available

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**Mobility in soil**

**Components:**

No data available

**Other adverse effects**

No data available

**Product:**

Additional ecological information : No data available

**Components:**

**SECTION 13. DISPOSAL CONSIDERATIONS**

**Disposal methods**

General advice : Dispose of in accordance with all applicable local, state and federal regulations.

Contaminated packaging : Empty remaining contents.

**SECTION 14. TRANSPORT INFORMATION**

**International transport regulations**

**REGULATION**

ID NUMBER	PROPER SHIPPING NAME	*HAZARD CLASS	SUBSIDIARY HAZARDS	PACKING GROUP	MARINE POLLUTANT / LTD. QTY.

**U.S. DOT - ROAD**

Not dangerous goods

**CFR\_RAIL\_C**

Not dangerous goods

**U.S. DOT - INLAND WATERWAYS**


Not dangerous goods

**TDG\_ROAD\_C**

Not dangerous goods

**TDG\_RAIL\_C**

Not dangerous goods

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**TDG\_INWT\_C**

Not dangerous goods
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**INTERNATIONAL MARITIME DANGEROUS GOODS**

Not dangerous goods
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**INTERNATIONAL AIR TRANSPORT ASSOCIATION - CARGO**

Not dangerous goods
---------------------

**INTERNATIONAL AIR TRANSPORT ASSOCIATION - PASSENGER**

Not dangerous goods
---------------------

**MX\_DG**

Not dangerous goods
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\*ORM = ORM-D, CBL = COMBUSTIBLE LIQUID

Marine pollutant	no
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Dangerous goods descriptions (if indicated above) may not reflect quantity, end-use or region-specific exceptions that can be applied. Consult shipping documents for descriptions that are specific to the shipment.

**SECTION 15. REGULATORY INFORMATION**

**SARA 311/312 Hazards** : No SARA Hazards

**SARA 313 Component(s)****SARA 313** : This material does not contain any chemical components with known CAS numbers that exceed the threshold (De Minimis) reporting levels established by SARA Title III, Section 313.


**California Prop 65** Proposition 65 warnings are not required for this product based on the results of a risk assessment.

**The components of this product are reported in the following inventories:**

**TSCA** : On TSCA Inventory

**DSL** : All components of this product are on the Canadian DSL.

**AUSTR** : On the inventory, or in compliance with the inventory

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ENCS : On the inventory, or in compliance with the inventory  
 KECL : On the inventory, or in compliance with the inventory  
 PICCS : On the inventory, or in compliance with the inventory  
 IECSC : On the inventory, or in compliance with the inventory

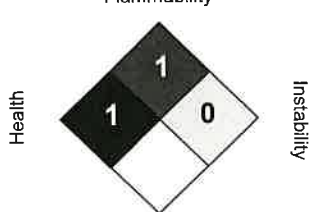
#### Inventories

AICS (Australia), DSL (Canada), IECSC (China), REACH (European Union), ENCS (Japan), ISHL (Japan), KECL (Korea), NZIoC (New Zealand), PICCS (Philippines), TSCA (USA)

## SECTION 16. OTHER INFORMATION

#### Further information

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NFPA:	HMIS III:						
<p>Flammability</p>  <p>Health</p> <p>Instability</p> <p>Special hazard.</p>	<table border="1"> <tr> <td><b>HEALTH</b></td><td><b>1</b></td></tr> <tr> <td><b>FLAMMABILITY</b></td><td><b>1</b></td></tr> <tr> <td><b>PHYSICAL HAZARD</b></td><td><b>0</b></td></tr> </table> <p>           0 = not significant, 1 = Slight,            2 = Moderate, 3 = High            4 = Extreme, * = Chronic         </p>	<b>HEALTH</b>	<b>1</b>	<b>FLAMMABILITY</b>	<b>1</b>	<b>PHYSICAL HAZARD</b>	<b>0</b>
<b>HEALTH</b>	<b>1</b>						
<b>FLAMMABILITY</b>	<b>1</b>						
<b>PHYSICAL HAZARD</b>	<b>0</b>						


**NFPA Flammable and Combustible Liquids Classification**  
 Combustible Liquid Class IIIB

#### Full text of H-Statements referred to under sections 2 and 3.

H315 Causes skin irritation.

#### Further information

Sources of key data used to compile the Safety Data Sheet  
 Valvoline internal data including own and sponsored test reports  
 The UNECE administers regional agreements implementing harmonised classification for labelling (GHS) and transport.

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The information accumulated herein is believed to be accurate but is not warranted to be whether originating with the company or not. Recipients are advised to confirm in advance of need that the information is current, applicable, and suitable to their circumstances. This SDS has been prepared by Valvoline's Environmental Health and Safety Department (1-800-825-8654).

List of abbreviations and acronyms that could be, but not necessarily are, used in this safety data sheet :

ACGIH : American Conference of Industrial Hygienists  
 BEI : Biological Exposure Index  
 CAS : Chemical Abstracts Service (Division of the American Chemical Society).  
 CMR : Carcinogenic, Mutagenic or Toxic for Reproduction  
 FG : Food grade  
 GHS : Globally Harmonized System of Classification and Labeling of Chemicals.  
 H-statement : Hazard Statement  
 IATA : International Air Transport Association.  
 IATA-DGR : Dangerous Goods Regulation by the "International Air Transport Association" (IATA).

ICAO : International Civil Aviation Organization  
 ICAO-TI (ICAO) : Technical Instructions by the "International Civil Aviation Organization"  
 IMDG : International Maritime Code for Dangerous Goods  
 ISO : International Organization for Standardization  
 logPow : octanol-water partition coefficient  
 LCxx : Lethal Concentration, for xx percent of test population  
 LDxx : Lethal Dose, for xx percent of test population.  
 ICxx : Inhibitory Concentration for xx of a substance  
 Ecxx : Effective Concentration of xx  
 N.O.S.: Not Otherwise Specified  
 OECD : Organization for Economic Co-operation and Development  
 OEL : Occupational Exposure Limit  
 P-Statement : Precautionary Statement  
 PBT : Persistent , Bioaccumulative and Toxic  
 PPE : Personal Protective Equipment  
 STEL : Short-term exposure limit  
 STOT : Specific Target Organ Toxicity  
 TLV : Threshold Limit Value  
 TWA : Time-weighted average  
 vPvB : Very Persistent and Very Bioaccumulative  
 WEL : Workplace Exposure Level

CERCLA : Comprehensive Environmental Response, Compensation, and Liability Act  
 DOT : Department of Transportation  
 FIFRA : Federal Insecticide, Fungicide, and Rodenticide Act  
 HMIRC : Hazardous Materials Information Review Commission  
 HMIS : Hazardous Materials Identification System  
 NFPA : National Fire Protection Association  
 NIOSH : National Institute for Occupational Safety and Health  
 OSHA : Occupational Safety and Health Administration  
 PMRA : Health Canada Pest Management Regulatory Agency  
 RTK : Right to Know  
 WHMIS : Workplace Hazardous Materials Information System



**POWER SERVICE PRODUCTS, INC.**  
**SAFETY DATA SHEET**



**SECTION 1 - IDENTIFICATION**

**PRODUCT NAME:** DIESEL FUEL SUPPLEMENT +CETANE BOOST

Unless otherwise noted, all sections of this SDS apply to each of the following products and part numbers.

**PART NUMBERS:**

<b>1:400 Treatment Ratio</b>	1016-06, 1016-09, 1025-06, 1025-09, 1025-12, 1080-06, 11016-06, 11016-09, 11025-06, 11025-12, 11080-06
<b>1:1,000 Treatment Ratio</b>	1000, 1128-04, 1060-01
<b>1:1,500 Treatment Ratio</b>	1050-02, 1055-01, 1260-01

**COMPANY IDENTIFICATION:**

Power Service Products, Inc.  
P.O. Box 1089  
Weatherford, TX 76086  
Email: [psp@powerservice.com](mailto:psp@powerservice.com)  
Phone: 800-643-9089 or 817-599-9486  
Fax: 817-599-4893

**Emergency Phone Number:** Within USA 1-800-424-9300. Outside USA 001-703-527-3887 (Call Collect).

**RECOMMENDED USES:** Diesel fuel additive

**SECTION 2 – HAZARD(S) IDENTIFICATION**

**CLASSIFICATION UNDER 29 CFR 1910.1200(d)**

*(NC=product does not meet classification criteria)*

	<b>1:400 Treatment Ratio</b>	<b>1:1000 Treatment Ratio</b>	<b>1:1500 Treatment Ratio</b>
<b>Health Hazard Criteria</b>	<b>Category</b>	<b>Category</b>	<b>Category</b>
Acute Toxicity, Oral:	NC	NC	NC
Acute Toxicity, Dermal:	NC	NC	NC
Acute Toxicity, Inhalation, Vapors:	3	3	3
Skin Corrosion/Irritation:	2	2	2
Serious Eye Damage/Eye Irritation:	2	2	2

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	1:400 Treatment Ratio	1:1000 Treatment Ratio	1:1500 Treatment Ratio
Health Hazard Criteria	Category	Category	Category
Respiratory Sensitization:	NC	NC	NC
Skin Sensitization:	NC	NC	NC
Germ Cell Mutagenicity:	NC	NC	NC
Carcinogenicity:	2	2	2
Reproductive Toxicity:	NC	NC	NC
Specific Target Organ Toxicity, Single Exposure:	3	3	3
Specific Target Organ Toxicity, Repeated or Prolonged Exposure:	NC	NC	NC
Aspiration Hazard:	1	1	1

	1:400 Treatment Ratio	1:1000 Treatment Ratio	1:1500 Treatment Ratio
Physical Properties Criteria	Category	Category	Category
Explosives:	NC	NC	NC
Flammable Gases:	NC	NC	NC
Flammable Aerosols:	NC	NC	NC
Oxidizing Gases:	NC	NC	NC
Gases Under Pressure:	NC	NC	NC
Flammable Liquids:	3	3	3
Flammable Solids:	NC	NC	NC
Self-Reactive Chemicals:	NC	NC	NC
Pyrophoric Liquids:	NC	NC	NC
Pyrophoric Solids:	NC	NC	NC
Self-Heating Chemicals:	NC	NC	NC
Chemicals Which, in Contact with Water, Emit Flammable Gases:	NC	NC	NC
Oxidizing Liquids:	NC	NC	NC
Oxidizing Solids:	NC	NC	NC
Organic Peroxides:	NC	NC	NC
Corrosive to Metals:	NC	NC	NC

**LABEL SIGNAL WORD, HAZARD STATEMENTS, SYMBOLS AND PRECAUTIONARY STATEMENTS UNDER 29 CFR 1910.1200(f):**

*Please see the Note regarding product labeling in Section 16.*

	1:400 Treatment Ratio	1:1000 Treatment Ratio	1:1500 Treatment Ratio
<b>Signal Word</b>	<b>Danger</b>	<b>Danger</b>	<b>Danger</b>

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**Hazard Statement(s):** Flammable liquid and vapor. Toxic if inhaled. May be fatal if swallowed and enters airways. Harmful if swallowed. Causes skin and serious eye irritation. May cause respiratory irritation and drowsiness or dizziness.

**Symbols:** The following symbols are for all treatment ratios.



**Precautionary Statement(s):** Keep away from sparks and open flames. No smoking. Keep container tightly closed. Use only non-sparking tools. Take precautionary measures against static discharge. Avoid breathing vapors. Use only outdoors or in a well-ventilated area. Wash hands thoroughly after handling. Wear protective gloves and eye protection. Store locked up and in cool, well ventilated place. KEEP OUT OF REACH OF CHILDREN.

**Hazards Not Otherwise Classified:** None

### SECTION 3 – COMPOSITION / INFORMATION ON INGREDIENTS

The specific chemical identity and exact concentration percentage has been withheld as a Trade Secret. Specific chemical information will be made available to health professionals in accordance with 29 CFR 1910.1200.

#### INGREDIENTS CLASSIFIED AS HEALTH HAZARDS

TREATMENT RATIO 1:400			
Chemical Name	Common Name/Synonyms	CAS Number	Concentration (%)
Petroleum Distillates	Trade secret	Trade secret	25 - 75
Hydroxy alkoxylate	Trade secret	Trade secret	5 - 15
Alkyl Nitrates	Trade secret	Trade secret	2 – 8
Aromatic hydrocarbons	Trade secret	Trade secret	0.5 - 2
Naphthalene	Not available	91-20-3	0.05 – 0.2

TREATMENT RATIO 1:1000			
Chemical Name	Common Name/Synonyms	CAS Number	Concentration (%)
Petroleum Distillates	Trade secret	Trade secret	35 - 85
Alkyl Nitrates	Trade secret	Trade secret	5 - 15
Aromatic Hydrocarbons	Trade secret	Trade secret	1 - 5
Hexan-1-ol, 2-ethyl	Trade secret	Trade secret	1 - 5
Naphthalene	Not available	91-20-3	0.1 – 0.5

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TREATMENT RATIO 1:1500			
Chemical Name	Common Name/Synonyms	CAS Number	Concentration (%)
Petroleum Distillates	Trade secret	Trade secret	25 - 75
Alkyl Nitrates	Trade secret	Trade secret	8 - 22
Aromatic Hydrocarbons	Trade secret	Trade secret	2 - 8
Hexan-1-ol, 2-ethyl	Trade secret	Trade secret	1 - 5
Naphthalene	Not available	91-20-3	0.1 - 0.5

#### SECTION 4 - FIRST AID MEASURES

As a precaution, exposure to liquids, vapors, mists and fumes should be minimized.

**EYE CONTACT:** Rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. If eye irritation persists, get medical advice.

**SKIN CONTACT:** Wash with plenty of water. Take off contaminated clothing and wash it before reuse. If skin irritation occurs get medical advice/attention.

**INHALATION:** Remove person to fresh air and keep comfortable for breathing. Call a doctor.

**INGESTION:** If swallowed, IMMEDIATELY call a doctor. Do NOT induce vomiting.

#### SECTION 5 - FIRE FIGHTING MEASURES

**EXTINGUISHING MEDIA:** Use water fog, alcohol-resistant foam, dry chemical or carbon dioxide (CO<sub>2</sub>) to extinguish flames.

**SPECIFIC HAZARDS:** Vapors are heavier than air and may travel along the ground to a distant ignition source and flash back. See Section 10 for Stability and Reactivity. **NOTE:** EMPTY CONTAINERS CONTAIN COMBUSTIBLE VAPORS THAT CAN CAUSE FLASH FIRES OR EXPLOSIONS. CONTAINERS ARE SINGLE-TRIP CONTAINERS AND SHOULD NOT BE USED FOR ANY REASON AFTER BEING EMPTIED. DO NOT USE CUTTING TORCH EQUIPMENT OR ANY OTHER FLAME OR OTHER SOURCES OF IGNITION ON ANY EMPTY CONTAINER.

**PROTECTIVE EQUIPMENT AND PRECAUTIONS:** Use standard protective equipment including self-contained breathing apparatus (SCBA).

#### SECTION 6 - ACCIDENTAL RELEASE MEASURES

**PERSONAL PRECAUTIONS, PROTECTIVE EQUIPMENT, AND EMERGENCY PROCEDURES:** Avoid contact with spilled material. Warn or evacuate occupants in surrounding and downwind areas. Eliminate

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all sources of ignition in the vicinity of the spill or released vapor. See Section 2 for Hazards Identification. See Section 4 for First Aid Measures. See Section 5 for Fire Fighting Information. See Section 8 for Personal Protective Equipment.

**SPILL CONTAINMENT AND CLEAN-UP:** Eliminate potential sources of ignition. Stop leak if it can be done without risk. Dike and contain spill. Do not touch or walk through spilled material. Prevent entry into waterways, sewer, basements or confined areas. Remove with vacuum trucks or pump to storage/salvage vessels. Soak up residue with an absorbent such as clay, sand or other suitable material and dispose of properly. A vapor suppressing foam may be used to reduce vapors. Local, state and federal laws and/or regulations may apply to releases and disposal of this material, as well as those materials and items employed in the clean-up releases. The user/responder will need to determine which local, state and federal laws and/or regulations are applicable. The National Response Center can be reached at 1-800-424-8802.

## SECTION 7 - HANDLING AND STORAGE

**PRECAUTIONS FOR SAFE HANDLING:** Avoid contact with eyes and skin. Use only with adequate ventilation. Use proper bonding and/or grounding procedures. Prevent small spills and leakage to avoid slip hazard. Material can accumulate static charges which may cause an electrical spark (ignition source). Keep away from ignition sources such as heat, sparks, and flames. No smoking.

**CONDITIONS FOR SAFE STORAGE:** DO NOT USE OR STORE near heat, sparks, or flame. USE AND STORE ONLY IN A WELL-VENTILATED AREA. Handle containers with care. Keep container tightly closed when not in use. Store locked up.

### STORAGE TEMPERATURE:

Treatment Ratio	Part Numbers:	Storage Temperature:
<b>1:400 Treatment Ratio</b>	1016-06, 1016-09, 1025-06, 1025-12, 1080-06, 11016-06, 11016-09, 11025-06, 11025-12, 11041-04, 11080-06	-20°F to 104°F (-29°C to 40°C)
<b>1:1,000 Treatment Ratio</b>	1000, 1128-04, 1060-01	0°F to 104°F (-18°C to 40°C)
<b>1:1,500 Treatment Ratio</b>	1050-02, 1055-01, 1260-01	10°F to 104°F (-12°C to 40°C)

**EMPTY CONTAINER WARNING:** EMPTY CONTAINERS MAY CONTAIN COMBUSTIBLE VAPORS AND CAN BE DANGEROUS. SEE SECTION 5 FOR FIRE AND EXPLOSION HAZARD DATA.

## SECTION 8 - EXPOSURE CONTROLS / PERSONAL PROTECTION

### EXPOSURE GUIDELINES:

	CAS #	OSHA	ACGIH	NIOSH				Note
		PEL	TLV	STEL	REL	STEL	IDLH	
Ethylbenzene	100-41-4	100 ppm	20 ppm	not est.	100 ppm	125 ppm	800 ppm (LEL)	n/a

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	CAS #	OSHA	ACGIH	NIOSH				Note
		PEL	TLV	STEL	REL	STEL	IDLH	
Naphthalene	91-20-3	10 ppm	10 ppm	not est.	10 ppm	15 ppm	250 ppm	skin
Petroleum Distillates	n/a	500 ppm	not est.	not est.	not est.	not est.	not est.	n/a
Cumene	98-82-8	50 ppm	50 ppm	not est.	50 ppm	not est.	900 ppm (LEL)	Skin
Toluene	108-88-3	100 ppm	20 ppm	not est.	100 ppm	150 ppm	500 ppm	Skin
Hydroxy Alkoxylate	Proprietary	50 ppm	20 ppm	not est.	5 ppm	not est.	not est.	skin

**ENGINEERING CONTROLS:** The level of protection and types of controls necessary will vary depending upon potential exposure conditions. Local exhaust ventilation is recommended to control exposure.

#### PERSONAL PROTECTIVE EQUIPMENT (PPE):

**Eyes and Face:** Eye protection such as safety glasses or chemical goggles is recommended if contact is likely.

**Skin:** Protective chemical/oil resistant gloves are recommended. Wear additional protective clothing as appropriate.

**Respiratory:** Wear a NIOSH/MSHA approved respirator as necessary.

**Specific Hygiene Measures:** Always observe good personal hygiene measures, such as washing after handling the material and before eating, drinking, and/or smoking. Routinely wash work clothing and protective equipment to remove contaminants. Practice good housekeeping.

**NOTE:** These precautions are for room temperature handling.

#### SECTION 9 - PHYSICAL AND CHEMICAL PROPERTIES

	1:400 Treatment Ratio	1:1000 Treatment Ratio	1:1500 Treatment Ratio
<b>Appearance</b>	Liquid, brown	Liquid, brown	Liquid, brown
<b>Odor</b>	Aromatic solvent	Aromatic solvent	Aromatic solvent
<b>Odor Threshold</b>	Not available	Not available	Not available
<b>pH</b>	Not applicable	Not applicable	Not applicable
<b>Melting point/Freezing point</b>	Not available	Not available	Not available
<b>Initial Boiling Point and Boiling Range</b>	221.5°F (105.3°C)	262.4°F (128.0°C)	261.7°F (127.6°C)
<b>Flash Point</b>	101°F (38.3°C)	111°F (43.3°C)	107°F (41.7°C)
<b>Evaporation Rate</b>	Not available	Not available	Not available
<b>Flammability</b>	Not available	Not available	Not available
<b>Upper / lower Flammability or Explosive Limits</b>	Not available	Not available	Not available
<b>Vapor Pressure</b>	Not available	Not available	Not available

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	1:400 Treatment Ratio	1:1000 Treatment Ratio	1:1500 Treatment Ratio
<b>Vapor Density</b>	Not available	Not available	Not available
<b>Relative Density/Specific Gravity</b>	0.9238	0.9281	0.9317
<b>Solubility</b>	Not available	Not available	Not available
<b>Partition Coefficient; n-octanol / water</b>	Not available	Not available	Not available
<b>Auto-ignition Temperature</b>	Not available	Not available	Not available
<b>Decomposition temperature</b>	Not available	Not available	Not available
<b>Viscosity</b>	Not available	Not available	Not available
<b>Pour Point</b>	-55°F (-48°C)	-30°F (-34°C)	-15°F (-26°C)

## SECTION 10 - STABILITY AND REACTIVITY

**REACTIVITY:** see Incompatible Materials below

**CHEMICAL STABILITY:** This material is considered stable under normal ambient and anticipated storage and handling conditions of temperature and pressure.

**POSSIBILITY OF HAZARDOUS REACTION:** Hazardous polymerization will not occur.

**CONDITIONS TO AVOID:** Flames, high energy ignition sources, and elevated temperatures.

**INCOMPATIBLE MATERIALS:** May react with strong oxidizing agents, such as; chlorates, nitrates, peroxides, nitrogen oxides, sulfur oxides, etc.; alkalis; nitric acid; sulfuric acid; aluminum; brass; copper; reducing agents.

**HAZARDOUS DECOMPOSITION PRODUCTS:** Carbon oxides, products of incomplete combustion.

## SECTION 11 - TOXICOLOGICAL INFORMATION

### LIKELY ROUTES OF EXPOSURE

	INGESTION	INHALATION	SKIN CONTACT	EYE CONTACT	SKIN ABSORPTION
<b>1:400 Treatment Ratio</b>		X	X	X	X
<b>1:1000 Treatment Ratio</b>		X	X	X	X
<b>1:1500 Treatment Ratio</b>		X	X	X	X

**SYMPTOMS RELATED TO PHYSICAL, CHEMICAL AND TOXICOLOGICAL CHARACTERISTICS:** Breathing of high vapor concentrations may cause dizziness, light-headedness, headache, nausea and loss of coordination. Continued inhalation may result in unconsciousness. The vapor or fumes from this material may cause respiratory irritation. Breathing this material at elevated concentrations causes central nervous system effects. Central nervous system effects may include headache, dizziness, nausea, vomiting, weakness, loss of coordination, blurred vision, drowsiness, confusion or disorientation. At

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extreme exposures, central nervous system effects may include respiratory depression, tremors, or convulsions, loss of consciousness, coma or death.

**DELAYED AND IMMEDIATE EFFECTS AND CHRONIC EFFECTS FROM SHORT- AND LONG-TERM EXPOSURE:** Repeated skin exposure to a component of this product may cause irritation, even a burn; may cause a more severe response on covered skin, such as under clothing or gloves. Inhalation exposure to a component of this product has caused fetotoxicity in the presence of maternal toxicity in animals.

#### NUMERICAL MEASURES OF TOXICITY

Note: the information provided below are estimates; testing of the product is not available.

Treatment Ratio	Acute Oral Toxicity (ATE <sub>mix</sub> estimate)	Acute Dermal Toxicity (ATE <sub>mix</sub> estimate)	Acute Inhalation (ATE <sub>mix</sub> estimate)
<b>1:400 Treatment Ratio</b>	Does not meet criteria	Does not meet criteria	7.12 (vapors)
<b>1:1,000 Treatment Ratio</b>	Does not meet criteria	Does not meet criteria	8.53 (vapors)
<b>1:1,500 Treatment Ratio</b>	Does not meet criteria	Does not meet criteria	7.68 (vapors)

**SENSITIZATION:** No information available.

**MUTAGENICITY:** No information available.

**CARCINOGENICITY LISTINGS – the following chemicals are listed as indicated:**

Chemical	List
Cumene	IARC, NTP
Ethylbenzene	IARC
Naphthalene	IARC, NTP

**REPRODUCTIVE TOXICITY:** No information available.

**TERATOGENICITY/EMBRYOTOXICITY:** Hydroxy Alkoxylate has caused fetotoxicity with maternal toxicity. This product contains a component of a complex mixture (Xylenes (1330-20-7)) that has been shown to cause teratogenicity and/or embryotoxicity.

**SPECIFIC TARGET ORGAN TOXICITY (SINGLE EXPOSURE):** Respiratory tract irritation, drowsiness/dizziness.

**SPECIFIC TARGET ORGAN TOXICITY (REPEATED EXPOSURE):** No information available

**ASPIRATION HAZARD:** Aspiration hazard identified.

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## SECTION 12 - ECOLOGICAL INFORMATION

**ECOTOXICITY:** This material is expected to be toxic to aquatic organisms.

**PERSISTENCE AND DEGRADABILITY:** No information available.

**BIOACCUMULATIVE POTENTIAL:** No information available.

**MOBILITY IN SOIL:** No information available.

**OTHER ADVERSE EFFECTS:** No information available.

## SECTION 13 - DISPOSAL CONSIDERATIONS

**RCRA Information:** Disposal of unused product may be subject to RCRA hazardous waste regulations (40 CFR Part 261). Disposal of the used product may also be regulated as hazardous waste due to resulting mixture characteristics, mixture components or product use. Such changes to the product may result in different and/or additional hazardous waste codes. Potential RCRA waste code based on the product as shipped: D001 IGNITABILITY

State or local laws may impose additional regulatory requirements regarding disposal. *Waste characterizations and compliance with applicable laws are the responsibility solely of the waste generator.*

**EMPTY CONTAINER WARNING:** EMPTY CONTAINERS MAY CONTAIN COMBUSTIBLE VAPORS AND CAN BE DANGEROUS. SEE SECTION 5 FOR FIRE AND EXPLOSION HAZARD DATA. Dispose or recycle empty containers appropriately per local, state and federal regulations.

## SECTION 14 - TRANSPORTATION INFORMATION

The following part numbers are not regulated by DOT:

<b>1:400 Treatment Ratio</b>	1016-06, 1016-09, 1025-06, 1025-09, 1025-12, 1080-06, 11016-06, 11016-09, 11025-06, 11025-12, 1080-06
<b>1:1,000 Treatment Ratio</b>	1128-04
<b>1:1,500 Treatment Ratio</b>	1050-02, 1055-01

The following part numbers are regulated by DOT:

<b>1:1,000 Treatment Ratio</b>	1060-01, 1000
<b>1:1,500 Treatment Ratio</b>	1260-01

**PROPER SHIPPING NAME:** Combustible Liquid, N.O.S., (Petroleum Distillates) Marine Pollutant (2-Ethylhexyl Nitrate & 1,3,5-trimethylbenzene) RQ (Xylene, Naphthalene)

**HAZARD CLASS:** Combustible Liquid

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**I.D. NUMBER:** NA 1993  
**PACKING GROUP:** III  
**PLACARDING:** Combustible Liquid  
**MARINE POLLUTANT:** Yes  
**PRODUCT RQ:** 100 lbs. (45.45 kg) – Xylene, Naphthalene

## SECTION 15 - REGULATORY INFORMATION

### §14(a) Consumer Product Safety Act General Certificate of Conformity

Power Service Products, Inc. certifies that this product meets the statutory and regulatory requirements of the US Consumer Products Safety Act, the Federal Hazardous Substances Act, and the Poison Prevention Packaging Act of 1970, as applicable. The Power Service products are manufactured in the United States in Weatherford, Texas, unless otherwise indicated on the product label. The product manufacture lot code is stamped on the product container. This Certification is based upon a reasonable testing program conducted by Power Service Products, Inc. which includes a quality control program incorporating, as necessary, confirmation of compliance by component suppliers. Third-party testing is not required to certify compliance. Further details may be obtained by contacting the Power Service Products, Inc. EHS Manager at 1-800-643-9089.

Contents of this SDS comply with the OSHA Hazard Communication Standard 29 CFR 1910.1200.

### TSCA STATUS:

All chemical substances found in this product comply with the Toxic Substances Control Act inventory reporting requirements.

### EPA SARA TITLE III CHEMICAL LISTINGS:

**Section 302 Extremely Hazardous Substances:** None

#### Sections 311/ 312 Hazard Class:

Acute Health Effects: Yes      Sudden Release of Pressure Hazard: No  
Chronic Health Effects: Yes      Reactivity Hazard: No  
Fire Hazard: Yes

### NFPA (NATIONAL FIRE PROTECTION ASSOCIATION) RATING:

HEALTH: 2  
FIRE: 2  
REACTIVITY: 0

### Section 313:

Specific chemical information is being withheld as a Trade Secret. The following chemicals subject to the reporting requirements of EPCRA Section 313 of Title III of the Superfund Amendments and Reauthorization Act of 1986 (40 CFR Part 372) may be present in this product at a concentration that does not exceed the specified upper weight percentage.

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Treatment Ratio	CAS Number	Chemical Name	Max %
1:400 Treatment Ratio	100-41-4	Ethylbenzene	1.5
	Not available	Glycol Ether Category	8.0
	91-20-3	Naphthalene	0.2
1:1000 Treatment Ratio	100-41-4	Ethylbenzene	0.2
	Not available	Glycol Ether Category	0.4
	91-20-3	Naphthalene	0.3
1:1,500 Treatment Ratio	100-41-4	Ethylbenzene	0.2
	Not available	Glycol Ether Category	0.6
	91-20-3	Naphthalene	0.5

State or local laws may impose additional regulatory requirements for components of this material. It is the responsibility solely of the Employer to maintain compliance with State and Local reporting.

**This product contains a chemical known to the state of California to cause cancer and/or birth defects or other reproductive harm: ethylbenzene, toluene, cumene, naphthalene.**

## SECTION 16 – OTHER INFORMATION

**DATE OF PREPARATION / REVISION:** November 3, 2016

**NOTE regarding product labeling:** The OSHA Hazard Communication Standard applies to hazardous chemicals known to be present in the workplace. However, the labeling and Safety Data Sheet requirements do not apply to consumer products when they are used in the workplace for the purposes intended by the manufacturer and the use results in a duration and frequency of exposure which is not greater than the range of exposures that could reasonably be experienced by consumers when used for the intended purpose. Power Service Products intends for product packaged in 1 gallon or smaller containers to be used by consumers and has labeled those containers as required under the Consumer Product Safety Commission regulations. Power Service Products intends for product packaged in containers larger than 1 gallon to be used in the workplace and has labeled those products as required by the OSHA Hazard Communication Standard. The Consumer Product Safety Commission and OSHA Hazard Communication Standard labeling requirements are different and variations between the consumer and industrial labels may occur. It is the employer's responsibility to purchase the appropriate product for use in the workplace.

The information contained herein is offered in good faith and is believed to be accurate based on the data available to us as of the date of SDS preparation. The information in this document applies to this specific product as supplied. It may not be appropriate for this product if the product is used in combination with other materials. The information in this document is not intended to constitute product performance information. Some of the information presented and conclusions drawn herein are from sources other than direct test data on the product. No statement shall be construed as an endorsement of any product or process. The recommended industrial hygiene and safe handling procedures are believed to be valid in the context of the intended use as described in product labeling. However, each user should review these recommendations in the specific context of the intended use and determine whether they are appropriate. You are urged to obtain material safety data sheets for all products you buy, process, use or distribute, and are encouraged to advise those who may come in contact with such products of the information

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contained therein. Regulatory requirements are subject to change and may differ between locations. It is the buyer's/user's responsibility to ensure that his activities comply with all federal, state, provincial or local laws. No warranty or guarantee is expressed or implied with respect to this product, the accuracy and sufficiency of the data or recommendations herein, or the results to be obtained from the use of this product. IN NO EVENT SHALL POWER SERVICE PRODUCTS, INC. BE LIABLE FOR ANY LOSS, CLAIM, DAMAGE OR LIABILITY OF ANY KIND, WHICH MAY ARISE FROM OR IN CONNECTION WITH THE INFORMATION CONTAINED IN THIS DOCUMENT OR FROM THE USE, HANDLING OR STORAGE OF THE PRODUCT BY THE BUYER/USER, WHETHER DIRECT, INDIRECT, OR CONSEQUENTIAL, OR FOR ANY CLAIM BY ANY THIRD PARTY, BEYOND THE PURCHASE PRICE OR REPLACEMENT OF THE PRODUCT IN CONNECTION WITH WHICH SUCH LOSS, CLAIM, DAMAGE OR LIABILITY AROSE.

THE FOREGOING LIMITATIONS APPLY REGARDLESS OF THE CAUSES OR CIRCUMSTANCES GIVING RISE TO SUCH LOSS, CLAIM, DAMAGE OR LIABILITY, EVEN IF SUCH LOSS, CLAIM, DAMAGE, OR LIABILITY IS BASED ON NEGLIGENCE OR OTHER TORTS OR BREACH OF CONTRACT.

DELIVERY DATE: 2/12/2020 QTY SHIPPED: 55.00 Gal  
PO #: VERBAL

ORDER: 387033 PRODUCT: 75000-55S LOT: 75000-55S-09099H

*Mineral Seal Oil*

## PEERLESS DISTRIBUTING COMPANY

21700 Northwestern Hwy, Suite 1160, Southfield, MI 48075 · (248) 559-1800 · fax (248) 559-1861

### CERTIFICATE OF ANALYSIS

#### MINERAL SEAL OIL

121382

SPECIFIC GRAVITY .8488

GRAVITY, API 35.2

#### DISTILLATION °F

IBP	518
10%	528
20%	534
30%	540
40%	546
50%	552
60%	556
70%	564
80%	574
90%	594
95%	616
EP	630

FLASH COC 266 °F

SAYBOLT UNIVERSAL VISC. @100 °F - 41.2

*M. H. Fleishman*  
*08/25/19*  
*HJ*



# INTERSTATE CHEMICAL Co.

PHONE (724) 981-3771 FAX (724) 981-8383

February 12, 2020

Attn: Regulatory Manager  
ANCON MARINE  
5900 E 58TH AVENUE  
UNIT F  
COMMERCE CITY, CO 80022-  
USA

Dear Regulatory Manager:

REF: SDS UPDATE - PRODUCTS LIST

Following is the List of Products - Safety Data Sheets which provide information on the products that you have recently purchased. These Safety Data Sheets represent a revision, new product, or a notification of the presence of a SARA 313 chemical. Our shipping information indicates that the following products have been shipped to your above stated location.

PRODUCT NAMES:

MINERAL SEAL OIL

These sheets are provided in compliance with OSHA Hazard Communication Standard 29 CFR 1910.1200 and SARA Section 313 (40 CFR 372.45). If you resell or distribute these products, you must furnish a copy of the SDS to your customers, advising them of their obligations to communicate the information provided. We appreciate your business and the confidence you place in us as your supplier. Our goal is to meet or exceed your expectations for quality and service.

Sincerely,

Interstate Chemical Company, Inc.

# Safety Data Sheet

## MINERAL SEAL OIL

Revision Date 04/20/2015

### SECTION 1. PRODUCT AND COMPANY IDENTIFICATION

Product name Mineral Seal Oil

Manufacturer or Supplier Peerless Distributing Company  
21700 Northwestern Highway  
Suite 1160  
Southfield, Michigan 48075

Emergency telephone number (248) 559-1800

**Recommended use of the chemical**

Recommended use Severely hydrotreated basestock used in blending and other material processing.

### SECTION 2. HAZARDS IDENTIFICATION

#### Emergency Overview

Appearance	viscous liquid
Color	Clear and bright
Odor	No odor or slight petroleum oil like.

#### GHS Classification

Aspiration hazard Category 1

#### GHS Label element



Hazard pictograms

Signal word Danger

Hazard statements May be fatal if swallowed and enters airways.

Precautionary statements **Response:**  
IF SWALLOWED: Immediately call a POISON CENTER or doctor/ physician.  
Do NOT induce vomiting.

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**Storage:**

Store locked up.

**Disposal:**

Dispose of contents/ container to an approved waste disposal plant.

**Potential Health Effects****Primary Routes of Entry**

Eye contact

Ingestion

Inhalation

Skin contact

**Aggravated Medical Condition**

None known.

**Carcinogenicity:****IARC**

No component of this product present at levels greater than or equal to 0.1%-is identified as probable-, possible- or confirmed human carcinogen by IARC.

**ACGIH**

No component of this product present at levels greater than or equal to 0.1% is identified as a carcinogen or potential carcinogen by ACGIH.

**OSHA**

No component of this product present at levels greater than or equal to 0.1% is identified as a carcinogen or potential carcinogen by OSHA.

**NTP**

No component of this product present at levels greater than or equal to 0.1% is identified as a known or anticipated carcinogen by NTP.

---

**SECTION 3. COMPOSITION/INFORMATION ON INGREDIENTS**

Pure substance/mixture : Substance

**Hazardous components**

Chemical Name	CAS-No.	Concentration(%)
distillates (petroleum), hydrotreated light	64742-47-8	100%

---

**SECTION 4. FIRST AID MEASURES**

If inhaled

Move to fresh air.

Artificial respiration and/or oxygen may be necessary.

Seek medical advice.

In case of skin contact

In case of contact, immediately flush skin with plenty of water



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	for at least fifteen minutes while removing contaminated clothing and shoes. Wash skin thoroughly with soap and water or use recognized skin cleanser. Wash clothing before reuse. Seek medical advice.
In case of eye contact	Remove contact lenses. Rinse immediately with plenty of water, also under the eyelids, for at least 15 minutes. Obtain medical attention.
If swallowed	Rinse mouth with water. DO NOT induce vomiting unless directed to do so by a physician or poison control center. Never give anything by mouth to an unconscious person. Seek medical advice.
Most important symptoms and effects, both acute and delayed	First aider needs to protect himself.

---

### SECTION 5. FIREFIGHTING MEASURES

Suitable extinguishing media	Use extinguishing measures that are appropriate to local circumstances and the surrounding environment.
Unsuitable extinguishing media	No information available.
Specific hazards during firefighting	Cool closed containers exposed to fire with water spray.
Hazardous combustion products	Carbon oxides (CO, CO <sub>2</sub> ), smoke and irritating vapours as products of incomplete combustion.
Further information	Prevent fire extinguishing water from contaminating surface water or the ground water system.

---

### SECTION 6. ACCIDENTAL RELEASE MEASURES

Personal precautions, protective equipment and emergency procedures	Use personal protective equipment. Ensure adequate ventilation. Evacuate personnel to safe areas. Material can create slippery conditions.
Environmental precautions	Do not allow uncontrolled discharge of product into the environment.
Methods and materials for containment and cleaning up	Prevent further leakage or spillage if safe to do so. Remove all sources of ignition. Soak up with inert absorbent material. Non-sparking tools should be used. Ensure adequate ventilation.

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Contact the proper local authorities.

### SECTION 7. HANDLING AND STORAGE

Advice on safe handling	<p>For personal protection see section 8.</p> <p>Smoking, eating and drinking should be prohibited in the application area.</p> <p>Use only with adequate ventilation.</p> <p>In case of insufficient ventilation, wear suitable respiratory equipment.</p> <p>Avoid contact with skin, eyes and clothing.</p> <p>Do not ingest.</p> <p>Keep away from heat and sources of ignition.</p> <p>Keep container closed when not in use.</p>
Conditions for safe storage	<p>Store in original container.</p> <p>Containers which are opened must be carefully resealed and kept upright to prevent leakage.</p> <p>Keep in a dry, cool and well-ventilated place.</p> <p>Keep in properly labelled containers.</p> <p>To maintain product quality, do not store in heat or direct sunlight.</p>

### SECTION 8. EXPOSURE CONTROLS/PERSONAL PROTECTION

#### Components with workplace control parameters

Contains no substances with occupational exposure limit values.

Engineering measures	<p>No special ventilation requirements. Good general ventilation should be sufficient to control worker exposure to airborne contaminants.</p>
----------------------	--

#### Personal protective equipment

Respiratory protection	<p>Use respiratory protection unless adequate local exhaust ventilation is provided or exposure assessment demonstrates that exposures are within recommended exposure guidelines. Respirator selection must be based on known or anticipated exposure levels, the hazards of the product and the safe working limits of the selected respirator.</p>
Filter type	<p>organic vapor filter</p>
Hand protection	
Material	<p>neoprene, nitrile, polyvinyl alcohol (PVA), Viton(R).</p>
Remarks	<p>Chemical-resistant, impervious gloves complying with an approved standard should be worn at all times when handling chemical products if a risk assessment indicates this is necessary.</p>
Eye protection	<p>Wear face-shield and protective suit for abnormal processing problems.</p>

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Skin and body protection	Choose body protection in relation to its type, to the concentration and amount of dangerous substances, and to the specific work-place.
Protective measures	Wash contaminated clothing before re-use. No special protective equipment required.
Hygiene measures	Remove and wash contaminated clothing and gloves, including the inside, before re-use. Wash face, hands and any exposed skin thoroughly after handling.

---

#### SECTION 9. PHYSICAL AND CHEMICAL PROPERTIES

Appearance	viscous liquid
Color	Clear and bright
Odor	No odor or slight petroleum oil like
Pour Point °F	-10 to +16
Flash Point °F	263 minimum
Boiling Point °F	490 – 635
Vapor Pressure (mm Hg@70°F)	<0.1
Viscosity, SUS @100	39 min – 43 max
Specific Gravity (H <sub>2</sub> O=1)	<1
Water solubility	Insoluble
Flammability	Low fire hazard. This material must be heated Before ignition
Upper explosion limit	No data available
Lower explosion limit	No data available

Explosive properties

Do not pressurise, cut, weld, braze, solder, drill, grind or expose containers to heat or sources of ignition.

## SECTION 10. STABILITY AND REACTIVITY

Possibility of hazardous reactions

Hazardous polymerisation does not occur.  
Stable under normal conditions.

Conditions to avoid

No data available

Incompatible materials

Reactive with oxidising agents.

Hazardous decomposition products

May release COx, smoke and irritating vapours when heated to decomposition.

## SECTION 11. TOXICOLOGICAL INFORMATION

Information on likely routes of exposure

Eye contact  
Ingestion  
Inhalation  
Skin contact

### Acute toxicity

#### Product:

Acute oral toxicity

Remarks: No data available

Acute inhalation toxicity

Remarks: No data available

Acute dermal toxicity

Remarks: No data available

#### Components:

distillates (petroleum), hydrotreated tight

Acute oral toxicity

LD50 (Rat): > 5,000 mg/kg

Acute dermal toxicity

LD50 (Rabbit): > 2,000 mg/kg

### Skin corrosion/irritation

#### Product:

Remarks: No data available

#### Components:

distillates (petroleum), hydrotreated light:

Result: Mild skin irritation

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Serious eye damage/eye irritation

Product:

Remarks: No data available

Components:

distillates (petroleum), hydrotreated light:

Result: Mild eye irritation

Respiratory or skin sensitisation

No data available

Germ cell mutagenicity

No data available

Carcinogenicity

No data available

Reproductive toxicity

No data available

STOT -single exposure

No data available

STOT - repeated exposure

No data available

---

## SECTION 12. ECOLOGICAL INFORMATION

Ecotoxicity

Product:

Toxicity to fish

Remarks: No data available

Toxicity to daphnia and other  
aquatic invertebrates

Remarks: No data available

Toxicity to algae

Remarks: No data available

Toxicity to bacteria

Remarks: No data available

Persistence and degradability

Product:

Biodegradability

Remarks: No data available

Bioaccumulative potential

No data available

Mobility in soil

No data available

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**Other adverse effects**

No data available

---

**SECTION 13. DISPOSAL CONSIDERATIONS**

**Disposal methods**

Waste from residues

The product should not be allowed to enter drains, water courses or the soil.  
Offer surplus and non-recyclable solutions to a licensed disposal company.  
Waste must be classified and labelled prior to recycling or disposal.  
Send to a licensed waste management company.  
Dispose of as hazardous waste in compliance with local and national regulations.  
Dispose of product residue in accordance with the instructions of the person responsible for waste disposal.

---

**SECTION 14. TRANSPORT INFORMATION**

UN Number: NR

Primary Classification: NR

Subsidiary Classification: NR

**transport in bulk according to Annex II of MARPOL 73/78 and the IBC Code**

Not applicable for product as supplied.

**49CFR**

Not regulated as a dangerous good

**TOG**

Not regulated as a dangerous good

# MINERAL SEAL OIL

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## SECTION 15. REGULATORY INFORMATION

### OSHA Hazards

No OSHA Hazards

The components of this product are reported in the following inventories:

DSL

On the inventory, or in compliance with the inventory

TSCA

All chemical substances in this product are either listed on the TSCA Inventory or are in compliance with a TSCA Inventory exemption.

EINECS

On the inventory, or in compliance with the inventory

AICS

On the inventory, or in compliance with the inventory

KECI

On the inventory, or in compliance with the inventory

PICCS

On the inventory, or in compliance with the inventory

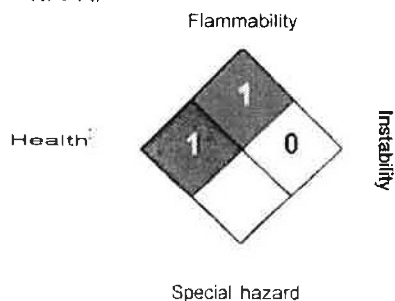
IECSC

On the inventory, or in compliance with the inventory

## SECTION 16. OTHER INFORMATION

### Further information

#### NFPA:

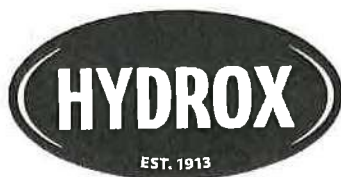


#### HMIS III:

HEALTH	1
FLAMMABILITY	1
PHYSICAL HAZARD	0
PERSONAL PROTECTION	B

0 = not significant, 1 = Slight,  
2 = Moderate, 3 = High  
4 = Extreme, \* = Chronic

The information provided in this Safety Data Sheet is correct to the best of our knowledge, information and belief at the date of its publication. The information given is designed only as a guidance for safe handling, use, processing, storage, transportation, disposal and release and is not to be considered a warranty or quality specification. The information relates only to the specific material designated and may not be valid for such material used in combination with any other materials or in any process, unless specified in the text.



## Safety Data Sheet Isopropyl Alcohol 91%

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### 1. Identification

#### 1.1. Product identifier

**Product Identity**

Isopropyl Alcohol 91%

**Alternate Names**

Product Code: 004

#### 1.2. Relevant identified uses of the substance or mixture and uses advised against

**Intended use**

See Technical Data Sheet.

**Application Method**

See Technical Data Sheet.

#### 1.3. Details of the supplier of the safety data sheet

**Company Name**

Hydrox Laboratories  
825 Tollgate Rd.  
Elgin, IL 60123

**Emergency**

**24 hour Emergency Telephone No.**

800-255-3924

**Customer Service: Hydrox Laboratories**

847-468-9400

### 2. Hazard(s) identification

#### 2.1. Classification of the substance or mixture

Flam. Liq. 2;H225

Highly Flammable liquid and vapor.

Eye Irrit. 2;H319

Causes serious eye irritation.

STOT SE 3;H336

May cause drowsiness or dizziness.

#### 2.2. Label elements

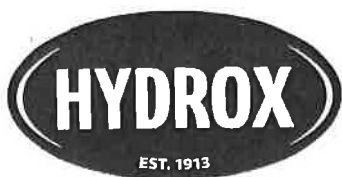
Using the Toxicity Data listed in section 11 and 12 the product is labeled as follows.



**Danger**

H225 Highly flammable liquid and vapor.





## Safety Data Sheet Isopropyl Alcohol 91%

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H319 Causes serious eye irritation.

H336 May cause drowsiness and dizziness.

### [Prevention]:

P210 Keep away from heat / sparks / open flames / hot surfaces - No smoking.

P235 Keep cool.

P240 Ground / bond container and receiving equipment.

P241 Use explosion-proof electrical / ventilating / light / equipment.

P242 Use only non-sparking tools.

P243 Take precautionary measures against static discharge.

P261 Avoid breathing dust / fume / gas / mist / vapors / spray.

P264 Wash thoroughly after handling.

P271 Use only outdoors or in a well-ventilated area.

P280 Wear protective gloves / eye protection / face protection.

### [Response]:

P303+361+353 IF ON SKIN (or hair): Remove / Take off immediately all contaminated clothing. Rinse skin with water / shower.

P304+312 IF INHALED: Call a POISON CENTER or doctor / physician if you feel unwell.

P305+351+338 IF IN EYES: Rinse continuously with water for several minutes. Remove contact lenses if present and easy to do - continue rinsing.

P337+313 If eye irritation persists: Get medical advice / attention.

P340 Remove victim to fresh air and keep at rest in a position comfortable for breathing.

P370+378 In case of fire: Use extinguishing media listed in section 5 of SDS for extinction.

### [Storage]:

P403+233 Store in a well ventilated place. Keep container tightly closed.

P405 Store locked up.

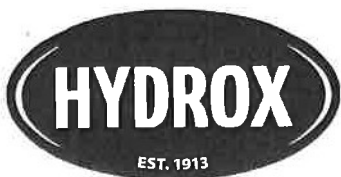
### [Disposal]:

P501 Dispose of contents / container in accordance with local / national regulations.

## 3. Composition/information on ingredients

This product contains the following substances that present a hazard within the meaning of the relevant State and Federal Hazardous Substances regulations.

Ingredient/Chemical Designations	Weight %	GHS Classification	Notes
Isopropyl Alcohol CAS Number: 0000067-63-0	75 - 100	Flam. Liq. 2;H225 Eye Irrit. 2;H319 STOT SE 3;H336	[1][2]



## Safety Data Sheet Isopropyl Alcohol 91%

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[1] Substance classified with a health or environmental hazard.

[2] Substance with a workplace exposure limit.

[3] PBT-substance or vPvB-substance.

\*The full texts of the phrases are shown in Section 16.

### 4. First aid measures

#### 4.1. Description of first aid measures

##### General

In all cases of doubt, or when symptoms persist, seek medical attention.  
Never give anything by mouth to an unconscious person.

##### Inhalation

Remove to fresh air, keep patient warm and at rest. If breathing is irregular or stopped, give artificial respiration. If unconscious place in the recovery position and obtain immediate medical attention. Give nothing by mouth.

##### Eyes

Irrigate copiously with clean water for at least 15 minutes, holding the eyelids apart and seek medical attention.

##### Skin

Remove contaminated clothing. Wash skin thoroughly with soap and water or use a recognized skin cleanser.

##### Ingestion

If swallowed obtain immediate medical attention. Keep at rest. Do NOT induce vomiting.

#### 4.2. Most important symptoms and effects, both acute and delayed

##### Overview

Signs and Symptoms of Exposure: Giddiness, headache, dizziness and nausea.

Health Hazards (Acute and Chronic): Generally used as a rubdown. Vapor irritates eyes. High concentration of vapor can irritate respiratory tract, is anesthetic and may cause CNS depression.

Medical Conditions Generally Aggravated by Exposure: Pre-existing and respiratory disorders, may be aggravated by exposure.

Exposure to solvent vapor concentrations from the component solvents in excess of the stated occupational exposure limits may result in adverse health effects such as mucous membrane and respiratory system irritation and adverse effects on the kidneys, liver and central nervous system. Symptoms include headache, nausea, dizziness, fatigue, muscular weakness, drowsiness and in extreme cases, loss of consciousness.

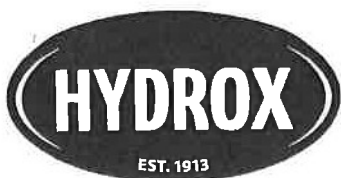
Repeated or prolonged contact with the preparation may cause removal of natural fat from the skin resulting in dryness, irritation and possible non-allergic contact dermatitis. Solvents may also be absorbed through the skin. Splashes of liquid in the eyes may cause irritation and soreness with possible reversible damage. See section 2 for further details.

##### Inhalation

May cause drowsiness or dizziness.

##### Eyes

Causes serious eye irritation.



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### 5. Fire-fighting measures

#### 5.1. Extinguishing media

Recommended extinguishing media; alcohol resistant foam, CO<sub>2</sub>, powder, water fog.  
Do not use: water jet.

#### 5.2. Special hazards arising from the substance or mixture

Hazardous decomposition: Burning may produce carbon monoxide and carbon dioxide contamination.  
Keep away from heat / sparks / open flames / hot surfaces - No smoking.  
Keep cool.  
Ground / bond container and receiving equipment.  
Use explosion-proof electrical / ventilating / light / equipment.  
Use only non-sparking tools.  
Take precautionary measures against static discharge.  
Avoid breathing dust / fume / gas / mist / vapors / spray.

#### 5.3. Advice for fire-fighters

Dilution of burning liquid with water will affect extinguishment.

ERG Guide No. ----

### 6. Accidental release measures

#### 6.1. Personal precautions, protective equipment and emergency procedures

Put on appropriate personal protective equipment (see section 8).

#### 6.2. Environmental precautions

Do not allow spills to enter drains or waterways.  
Use good personal hygiene practices. Wash hands before eating, drinking, smoking or using toilet. Promptly remove soiled clothing and wash thoroughly before reuse.

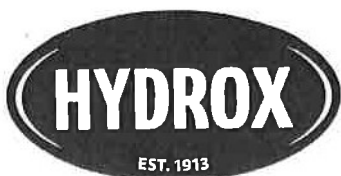
#### 6.3. Methods and material for containment and cleaning up

Eliminate all sources of ignition. Small spills should be flushed with large quantities of water. Larger spills should be collected for disposal.

### 7. Handling and storage

#### 7.1. Precautions for safe handling

Do not take internally. Flammable liquid.



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See section 2 for further details. - [Prevention]:

### 7.2. Conditions for safe storage, including any incompatibilities

Handle containers carefully to prevent damage and spillage.

Incompatible materials: Anhydride, isocyanate, monomer and organo-metallic.

Keep away from heat, sparks and open flames. Keep container closed.

See section 2 for further details. - [Storage]:

### 7.3. Specific end use(s)

No data available.

## 8. Exposure controls and personal protection

### 8.1. Control parameters

#### Exposure

CAS No.	Ingredient	Source	Value
0000067-63-0	Isopropyl Alcohol	OSHA	TWA 400 ppm (980 mg/m <sup>3</sup> ) STEL 500 ppm
		ACGIH	TWA: 200 ppm STEL: 400 ppm Revised 2003,
		NIOSH	TWA 400 ppm (980 mg/m <sup>3</sup> ) ST 500 ppm (1225 mg/m <sup>3</sup> )
		Supplier	No Established Limit

#### Carcinogen Data

CAS No.	Ingredient	Source	Value
0000067-63-0	Isopropyl Alcohol	OSHA	Select Carcinogen: No
		NTP	Known: No; Suspected: No
		IARC	Group 1: No; Group 2a: No; Group 2b: No; Group 3: Yes; Group 4: No;

### 8.2. Exposure controls

#### Respiratory

If workers are exposed to concentrations above the exposure limit they must use the appropriate, certified respirators.

#### Eyes

Chemical resistant goggles

#### Skin

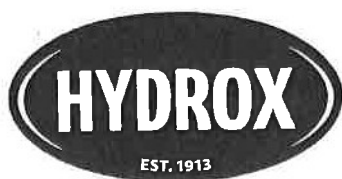
Rubber or vinyl gloves

#### Engineering Controls

Provide adequate ventilation. Where reasonably practicable this should be achieved by the use of local exhaust ventilation and good general extraction. If these are not sufficient to maintain concentrations of particulates and any vapor below occupational exposure limits suitable respiratory protection must be worn.

#### Other Work Practices

Eye bath and safety shower. Use good personal hygiene practices. Wash hands before eating, drinking, smoking or using toilet. Promptly remove soiled clothing and wash



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thoroughly before reuse.

See section 2 for further details. - [Prevention]:

### 9. Physical and chemical properties

Appearance	Colorless Liquid
Odor	Characteristic
Odor threshold	Not Measured
pH	Not Measured
Melting point / freezing point	-32 to -50 C
Initial boiling point and boiling range	Not Measured
Flash Point	Approx. 57 F - TCC
Evaporation rate (Ether = 1)	1.7 (Butyl Acetate = 1)
Flammability (solid, gas)	Not Applicable
Upper/lower flammability or explosive limits	<b>Lower Explosive Limit:</b> 2.0 <b>Upper Explosive Limit:</b> 12.0
Vapor pressure (Pa)	Not Measured
Vapor Density	Not Measured
Specific Gravity	0.800 - 0.833 @ 20C
Solubility in Water	Complete
Partition coefficient n-octanol/water (Log Kow)	Not Measured
Auto-ignition temperature	Not Measured
Decomposition temperature	Not Measured
Viscosity (cSt)	Not Measured
Isopropyl Alcohol Assay	85% - 96%
9.2. Other information	
No other relevant information.	

### 10. Stability and reactivity

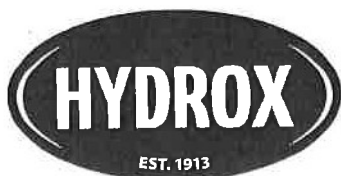
#### 10.1. Reactivity

Hazardous Polymerization will not occur.

#### 10.2. Chemical stability

Stable under normal circumstances.

#### 10.3. Possibility of hazardous reactions



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No data available.

### 10.4. Conditions to avoid

Avoid heat, sparks and open flame.

### 10.5. Incompatible materials

Anhydride, isocyanate, monomer and organo-metallic.

### 10.6. Hazardous decomposition products

Burning may produce carbon monoxide and carbon dioxide contamination.

## 11. Toxicological information

### Acute toxicity

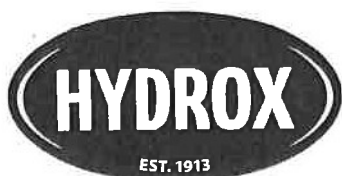
Exposure to solvent vapor concentrations from the component solvents in excess of the stated occupational exposure limits may result in adverse health effects such as mucous membrane and respiratory system irritation and adverse effects on the kidneys, liver and central nervous system. Symptoms include headache, nausea, dizziness, fatigue, muscular weakness, drowsiness and in extreme cases, loss of consciousness.

Repeated or prolonged contact with the preparation may cause removal of natural fat from the skin resulting in dryness, irritation and possible non-allergic contact dermatitis. Solvents may also be absorbed through the skin. Splashes of liquid in the eyes may cause irritation and soreness with possible reversible damage.

Ingredient	Oral LD50, mg/kg	Skin LD50, mg/kg	Inhalation Vapor LD50, mg/L/4hr	Inhalation Dust/Mist LD50, mg/L/4hr	Inhalation Gas LD50, ppm
Isopropyl Alcohol - (67-63-0)	4,710.00, Rat - Category: 5	12,800.00, Rat - Category: NA	72.60, Rat - Category: NA	No data available	No data available

Note: When no route specific LD50 data is available for an acute toxin, the converted acute toxicity point estimate was used in the calculation of the product's ATE (Acute Toxicity Estimate).

Classification	Category	Hazard Description
Acute toxicity (oral)	---	Not Applicable
Acute toxicity (dermal)	---	Not Applicable
Acute toxicity (inhalation)	---	Not Applicable
Skin corrosion/irritation	---	Not Applicable
Serious eye damage/irritation	2	Causes serious eye irritation.
Respiratory sensitization	---	Not Applicable
Skin sensitization	---	Not Applicable
Germ cell mutagenicity	---	Not Applicable



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Carcinogenicity	---	Not Applicable
Reproductive toxicity	---	Not Applicable
STOT-single exposure	3	May cause drowsiness or dizziness.
STOT-repeated exposure	---	Not Applicable
Aspiration hazard	---	Not Applicable

### 12. Ecological information

#### 12.1. Toxicity

The preparation has been assessed following the conventional method of the Dangerous Preparations Directive 1999/45/EC and GHS and is not classified as dangerous for the environment, but contains substance(s) dangerous for the environment. See section 3 for details

#### Aquatic Ecotoxicity

Ingredient	96 hr LC50 fish, mg/l	48 hr EC50 crustacea, mg/l	ErC50 algae, mg/l
Isopropyl Alcohol - (67-63-0)	1,400.00, <i>Lepomis macrochirus</i>	100.00, <i>Daphnia magna</i>	100.00 (72 hr), <i>Scenedesmus subspicatus</i>

#### 12.2. Persistence and degradability

There is no data available on the preparation itself.

#### 12.3. Bioaccumulative potential

Not Measured

#### 12.4. Mobility in soil

No data available.

#### 12.5. Results of PBT and vPvB assessment

This product contains no PBT/vPvB chemicals.

#### 12.6. Other adverse effects

No data available.

### 13. Disposal considerations

#### 13.1. Waste treatment methods

Observe all federal, state and local regulations when disposing of this substance.



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### 14. Transport information

See Bill-of-Lading.

### 15. Regulatory information

**Regulatory Overview** The regulatory data in Section 15 is not intended to be all-inclusive, only selected regulations are represented.

**Toxic Substance Control Act ( TSCA)** All components of this material are either listed or exempt from listing on the TSCA Inventory.

**WHMIS Classification** B2 D2B

**US EPA Tier II Hazards**

**Fire:** Yes

**Sudden Release of Pressure:** No

**Reactive:** No

**Immediate (Acute):** Yes

**Delayed (Chronic):** No

**EPCRA 311/312 Chemicals and RQs:** No chemicals at levels which require reporting under this statute.

**EPCRA 302 Extremely Hazardous:** No chemicals at levels which require reporting under this statute.

**EPCRA 313 Toxic Chemicals:**

Isopropyl Alcohol

**Proposition 65 - Carcinogens (>0.0%):** No chemicals at levels which require reporting under this statute.

**Proposition 65 - Developmental Toxins (>0.0%):** No chemicals at levels which require reporting under this statute.

**Proposition 65 - Female Repro Toxins (>0.0%):** No chemicals at levels which require reporting under this statute.

**Proposition 65 - Male Repro Toxins (>0.0%):** No chemicals at levels which require reporting under this statute.

**New Jersey RTK Substances (>1%):**

Isopropyl Alcohol

**Pennsylvania RTK Substances (>1%):**

Isopropyl Alcohol

### 16. Other information

The information and recommendations contained herein are based upon data believed to be correct. However, no guarantee or warranty of any kind, expressed or implied, is made with respect to the information contained herein. We accept no responsibility and disclaim all liability for any harmful effects which may be caused by exposure to our





## **Safety Data Sheet Isopropyl Alcohol 91%**

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products. Customers/users of this product must comply with all applicable health and safety laws, regulations, and orders.

The full text of the phrases appearing in section 3 is:

H225 Highly flammable liquid and vapor.

H319 Causes serious eye irritation.

H336 May cause drowsiness and dizziness.

**This is the first version in the GHS SDS format. Listings of changes from previous versions in other formats are not applicable.**

Disclaimer: The contents of this MSDS are believed to be correct but do not purport to be all-inclusive and should only be used as a guide. Hydrox Laboratories, Inc. disclaims any express or implied warranty as to the accuracy of the above information and shall not be held liable for any direct, incidental or consequential damages resulting from the reliance on the above information.

End of Document

# Extreme Simple Green® Motorsports Cleaner & Degreaser

SAFETY DATA SHEET in accordance with REGULATION (EC) No 1907/2006 & (EC) No 453/2010

## 1 IDENTIFICATION OF THE PREPARATION AND OF THE COMPANY

**Product Identifier:** Extreme Simple Green® Motorsports Cleaner & Degreaser

**Manufacturer Numbers:** Please see Section 16

**Relevant identified uses of mixture:** Cleaning & Degreasing Agent

**Relevant identified uses advised against:** Surfaces not tolerate degreasing agents and non-rinsable surfaces.

**Company:** Sunshine Makers Inc. Simple Green Europe  
15922 Pacific Coast Highway Immeuble ORIX  
Huntington Beach, California 92649 16 Avenue Jean Jaures  
USA 94600-Choisy-Le-Roi, France  
**Telephone:** +1 562 795 6000 (M-F, PST, 8am – 5pm) +33 1 48 90 6699 (M-F, PST, 8am – 5pm)  
**Fax:** +1 562 592 3034 +33 09 81 40 83 67  
**Email:** [info@simplegreen.com](mailto:info@simplegreen.com)

**Emergency Telephone:** Chem Tel (24 hr, International) - +1-813-248-0585

## 2 HAZARDS IDENTIFICATION

**Classification according to Regulation (EC) No 1272/2008 [CLP] :** Not yet classified according to EC No. 1272/2008, formula will be assessed by June 2015 deadline.

**Classification according to Directive 1999/45/EC :** Not classified as hazardous

**Label Elements**

**Hazard Pictograms:** Not yet determined

**Signal Word:** Not yet determined

**Hazard Statements:** Not yet determined.

**Precautionary Statements:** Not yet determined

**Supplemental Hazard Information:** Not applicable

**Other Hazards:** None known.

## 3 COMPOSITION/INFORMATION ON INGREDIENTS

CAS No.	EC No.	CLP Annex VI	REACH No.	% weight	Name	Classification According to	
		Index No.				67/548/EEC	1272/2008
102-71-6	203-049-8	-	Pre-registered	1-5%	Triethanolamine	Xi: R36	H319
5131-66-8	225-878-4	-	Pre-registered	< 1%	1-butoxy-2-propanol	Xi: R36/R38	H315, H319
54549-24-5	259-217-6	-	Pre-registered	< 1%	C6 alkyl glucoside	Xi: R41	H318

For full text of H statements, R statements and symbols see section 16

## 4 FIRST AID MEASURES

**General Notes:** None.

**Following Inhalation:** Move to fresh air in case of inhalation overexposure. If coughing or irritation persists consult a physician.

**Following Skin Contact:** Wash with water. If redness, swelling or persistent irritation occurs consult a physician

**Following Eye Contact:** Rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. If eye irritation persists: Get medical advice/attention.

**Following Ingestion:** Clean mouth with water. Drink plenty of water. Do not induce vomiting. If you feel unwell seek medical advice immediately.

**Self-protection of the first aider:** Treat Symptomatically.

**Acute effects:** None known or expected.

**Delayed effects:** None known or expected.

**Immediate medical attention / special treatment:** None needed.

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# Extreme Simple Green® Motorsports Cleaner & Degreaser

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## 5 FIRE FIGHTING MEASURES

**Suitable Extinguishing Media:** Use dry chemical, CO<sub>2</sub>, water spray or "alcohol" foam.

**Unsuitable Extinguishing Media:** High volume water Jet.

**Hazardous combustion products:** No hazards or reactions expected.

**Advice for firefighters:** No special equipment needed for this product. Use extinguishing measures that are appropriate to local circumstances and the surrounding environment.

## 6 ACCIDENTAL RELEASE MEASURES

### Non-Emergency Personal

**Protective Equipment:** Safety Goggles are suggested if splashing or spray is likely.

**Emergency Procedures:** For small and large spills, wipe with absorbent material or soak with absorbent material and dispose of properly – see section 13

**Emergency Responders:** See instructions above.

**Environmental Precautions:** Do not allow into open waterways and ground water systems. Local authorities should be advised if significant spillages cannot be contained.

**Methods for containment:** Dike or divert spill from access to open waterways, or capping of drains.

**Methods for cleaning up:** Soak up with inert absorbent material (i.e. sand).

**Other information:** Refer to section 13 for appropriate disposal.

## 7 HANDLING AND STORAGE

### Precautions for safe handling

**Protective Measures:** Avoid spray back and splashing. Keep container tightly closed when not in use.

**Measures to prevent fire:** Not applicable. Non flammable liquid.

**Measure to prevent aerosol and dust generation:** Not applicable.

**Measures to protect environment:** Avoid spills and keep away from drains.

**Advice on general occupational hygiene:** Do not eat, drink and smoke in work area. Wash hands after using. Remove contaminated clothing and protective equipment before entering eating areas.

### Conditions for safe storage, including any incompatibilities

**Technical Measures and storage conditions:** Store in cool dry area. Keep container tightly closed.

**Packing Materials:** Suitable for storage in HDPE and PET plastics.

**Requirements for storage rooms and vessels:** Do not allow to freeze or overheat.

**Storage Class - Further information on storage conditions:** None needed.

**Specific End Uses - Recommendations:** Cleaner / Degreaser used manually or with pressure washers and parts washers.

**Specific End Uses - Industrial sector specific solutions:** See above

## 8 EXPOSURE CONTROLS AND PERSONAL PROTECTION

<b>Exposure Limit Values:</b> Triethanolamine (102-71-6)	Austria -	MAK-KZW 1.6 ppm STEL (4x15 min); 10mg/m <sup>3</sup> STEL; MAK-TMW 0.8 ppm TWA; 5 mg/m <sup>3</sup> TWA
	Belgium -	5 mg/m <sup>3</sup> TWA
	Czech Republic -	5 mg/m <sup>3</sup> TWA
	Denmark -	0.5 ppm TWA; 3.1 mg/m <sup>3</sup> TWA
	Estonia -	10mg/m <sup>3</sup> STEL; 5 mg/m <sup>3</sup> TWA
	Finland -	5 mg/m <sup>3</sup> TWA
	Germany -	5 mg/m <sup>3</sup> TWA MAK; 20 mg/m <sup>3</sup> Peak Ceiling
	Ireland -	5 mg/m <sup>3</sup> TWA

# Extreme Simple Green® Motorsports Cleaner & Degreaser

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## 8 EXPOSURE CONTROLS AND PERSONAL PROTECTION - continued

Exposure Limit Values:	Triethanolamine (102-71-6)	Italy –	5 mg/m <sup>3</sup> TWA
		Lithuania –	10 mg/m <sup>3</sup> STEL (TPRD); 5 mg/m <sup>3</sup> TWA (IPRD)
		Portugal –	5 mg/m <sup>3</sup> TWA (VLE-MP)
		Slovenia –	5 mg/m <sup>3</sup> TWA
		Sweden –	STEL 10 mg/m <sup>3</sup> STV; 1.6 ppm STV; LLV 5 mg/m <sup>3</sup> LLV; 0.8 ppm LLV
	1-butoxy-2-propanol (5131-66-8)	Czech Republic –	550 mg/m <sup>3</sup> Ceiling; 270 mg/m <sup>3</sup> TWA
		Denmark –	100 ppm TLV

### Exposure Controls

**Appropriate Engineering Controls** Avoid spray back and splashing. Keep container tightly closed when not in use.

### Personal Protection Equipment

**Eye and Face Protection:** If splashing is likely use protective glasses or goggles.

**Skin Protection - Hands:** Not needed. Extended usage with dermally sensitive individuals may require nitrile gloves.

**Skin Protection – Other skin protection:** Not needed.

**Respiratory Protection:** Not needed. In case of insufficient ventilation, wear suitable respiratory equipment.

**Thermal Hazards:** Not needed.

**Environmental exposure controls:** Do not allow into open waterways and ground water systems.

## 9 PHYSICAL AND CHEMICAL PROPERTIES

Appearance:	Blue Liquid	Vapour Density:	Not tested
Odor:	Chemical/Detergent inherent	Relative Density ASTM D-4017:	1,022 g/mL
Odor Threshold:	Not determined	Solubility:	100% in water
pH:	9,5 – 10,5	Partition Coefficient:	Not tested
Freezing Point:	0°C (32°F)	Auto-Ignition Temperature:	None, see flash point
Boiling Point:	100°C (213°F)	Decomposition Temperature:	Not tested
Flash Point:	None	Viscosity:	Not tested
Evaporation Rate:	Not tested	Explosive Properties:	None, see flash point
Flammability:	None, see flash point	Oxidizing Properties:	None, contains no oxidizers
Vapour Pressure:	Not determined	VOCs CARB Method 310:	0,5%
Upper/Lower Flammability or explosive limits:	Not applicable		

## 10 STABILITY AND REACTIVITY

**Reactivity:** Not reactive.

**Chemical Stability:** Under storage at normal ambient temperatures (minus 40° C to + 40° C), the product is stable

**Possibility of Hazardous Reactions:** None known.

**Conditions to avoid:** Excessive heat, light or freezing temperatures

**Incompatible Materials:** Materials susceptible to degreasing agents.

**Hazardous decomposition products:** No known hazardous decomposition products.

## 11 TOXICOLOGICAL INFORMATION

**Acute Toxicity (for mixture)-** Oral (LD<sub>50</sub>, rat, mg/kg): > 5000<sup>1</sup> Dermal (LD<sub>50</sub>, rat, mg/kg): > 5000<sup>1</sup>  
Inhalation (LC<sub>50</sub>, rat, mg/l/4h): Contains no ingredients classifiable in this category

**Skin Corrosion /Irritation:** Non-irritant.

**Serious Eye damage/Irritation:** Slight irritant.

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## 11 TOXICOLOGICAL INFORMATION – continued

Respiratory or skin sensitization:	No. <sup>1</sup>	Carcinogenicity:	No. <sup>1</sup>
Germ cell mutagenicity:	No. <sup>1</sup>	Reproductive toxicity:	No. <sup>1</sup>
Summary of evaluation of CMR properties:	Not applicable.		
STOT-single exposure:	No. <sup>1</sup>	STOT-repeated exposure:	No. <sup>1</sup>
Aspiration hazard:	No. <sup>1</sup>		

<sup>1</sup> calculated. No animal testing performed.

## 12 ECOLOGICAL INFORMATION

### Toxicity

Acute		Chronic	
Fish:	Not tested	Fish:	Not tested
Crustacea:	Not tested	Crustacea:	Not tested
Algae/aquatic plants:	Not tested	Algae/aquatic plants:	Not tested
Other organisms:	Not tested	Other organisms:	Not tested

### Persistence and degradability:

Abiotic Degradation: Surfactant degrades abiotically

Physical- and photo-chemical elimination: Not assessed

Biodegradation: Readily biodegradable surfactant

### Bioaccumulative potential

Partition coefficient n-octanol/ water (log Kow): Not assessed

Bioconcentration factor (BCF): Not assessed

### Mobility in soil

Known or predicted distribution to environmental compartments: Unknown

Surface Tension: Not tested

Adsorption/Desorption: Not tested

Results of PBT and vPvB assessment: Contains no ingredients known as PBT or vPvB.

Other adverse effects: Unknown

Additional Information: None

## 13 DISPOSAL CONSIDERATIONS

**Unused and Used liquid disposal:** May be considered hazardous in your area depending on usage and tonnage of disposal – check product IDS and with local, national and European waste management legislation for appropriate methods of disposal. *Waste should not be disposed of by release to sewers.*

**Empty Container disposal** Triple rinse plastic bottles and offer all up for recycling.

Never dispose of preparation into lakes, streams, and open bodies of water or storm drains.  
Be sure to follow any National or Regional provisions that may be in force.

## 14 TRANSPORTATION INFORMATION

DOT / TDG:	Not classified as hazardous.	ICAO-TI/ IATA-DGR:	Not classified as hazardous.
IMO / IDMG:	Not classified as hazardous.	ADR / RID / ADN:	Not classified as hazardous.
		AND tank vessels:	Not classified as hazardous.
UN Number:	Not applicable	UN Proper Shipping Name:	Cleaning Compound, Liquid NOI
Transport Hazard Class(es):	Non-Hazardous		NMFC#48580-3
Packing Group:	Not applicable		Class 55
Environmental Hazards:	Not applicable		

# Extreme Simple Green® Motorsports Cleaner & Degreaser

SAFETY DATA SHEET in accordance with REGULATION (EC) No 1907/2006 & (EC) No 453/2010

## 14 TRANSPORTATION INFORMATION - continued

**Special Precautions for User:** Check section 3, section 7 and IDS for ingredient classification  
Transport in bulk according to Annex II of MARPOL73/78 and the IBC Code

## 15 REGULATORY INFORMATION

This mixture contains only ingredients which have been subject to a pre-registration according to Regulation (EC) No. 1907/2006 (REACH).

**Detergent Regulation 648/2004/EC:** Please see separate IDS for full ingredient disclosure

**France:** Triethanolamine (102-71-6) Occupational Illnesses RG 49  
1-butoxy-2-propanol (5131-66-8) Occupational Illnesses RG 84

**German Water Classification:** Triethanolamine (102-71-6) ID No. 201, Water Hazard Class 1  
1-butoxy-2-propanol (5131-66-8) ID No. 8304, Water Hazard Class 1  
C6 alkyl glucoside (54549-24-5) ID No. 3543, Water Hazard Class 1  
Sodium Silicate (1344-09-8) ID No. 1314, Water Hazard Class 1  
Propylheptanol ethoxylate (160875-66-1) ID No. 7749, Water Hazard Class 1

**R-Phrase** Not applicable

**Hazard Symbols** Not applicable

### S-Phrase

S2: Keep out of the reach of children.  
S25: Avoid contact with eyes.

### Additional Markings

None.

### VOC Content

Contains 0,5% VOC according to California Air Resources Board Method 310.

**Chemical Safety Assessment:** No chemical safety assessment has been carried out for this mixture by the supplier.

## 16 OTHER INFORMATION

### Abbreviations

Xn: Irritating to Skin  
Xi: Irritating to eyes  
R36: Irritating to eyes  
R36/38: Irritating to eyes and skin.

R41: Risk of serious damage to eyes.  
H315: Causes skin irritation.  
H318: Causes serious eye damage.  
H319: Causes serious eye irritation.

### Classification according to Regulation (EC) Nr. 1272/2008

Classification	Procedure
Not yet classified under this regulation	Not applicable

### Manufacturer Numbers:

Size	Number		
950 mL	13450		
500 mL	13460		
4 L	13461		
10 kg	13463		

The statements in this Material Safety Data Sheet were made to the best of our knowledge and are as accurate as possible. They are given for information only. They do not constitute a contractual guarantee of a product's properties. They must neither be altered nor transferred to other products.

# Extreme Simple Green® Motorsports Cleaner & Degreaser

SAFETY DATA SHEET in accordance with REGULATION (EC) No 1907/2006 & (EC) No 453/2010

## 16 OTHER INFORMATION - continued

**Date of Issue:** .04.09.2014

**Replaces Data Sheet of:** 05.08.2014

**Indication of changes:** Additional column to section 3; Additional exposure values and regulatory disclosures

**Responsible Party for SDS:** Simple Green Research & Development Department, [info@simplegreen.com](mailto:info@simplegreen.com)

# EXHIBIT D



## CONTINGENCY PLAN

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## ATTACHMENTS

- ATTACHMENT 1: Emergency Notification List & Site Map (pending)
- ATTACHMENT 2: Business License (pending)

## **Emergency Response Plan**

### **I. INTRODUCTION**

Ancon (EPA ID N° CAD980737068) transports hazardous waste. As such, state and federal regulations require the preparation of a Contingency plan to minimize hazards to human health and the environment from fires, explosions, or any unplanned sudden or non-sudden release (natural disaster) of hazardous waste constituents to air, soil, or surface water. This Contingency plan was prepared in accordance with 40 CFR 262.34(a)(4), 265.52, and 22 CCR 66262.34(a)(4), 66265.52.

Part of the emergency pre-planning process is having a written contingency plan that is maintained at the facility and submitted to local emergency responders. This Contingency Plan is written to fulfill the aforementioned section of Title 22 and also meets the requirements of Title 22 Section 66265.50-56, which details the content of contingency plans. Furthermore, it fulfills the emergency plan requirements of a “business plan” for community-right-to know purpose (AB 2185), and the OSHA’s general requirement for an “emergency action plan.”

The purpose of this Contingency Plan is to ensure adequate planning for potential emergency situations. In the event that an emergency condition occurs at the facility which has the potential to threaten human health and the environment, the relevant actions described in this plan will be initiated to stabilize and mitigate hazardous conditions that may result during emergency situations.

This Contingency Plan shall be reviewed, and immediately amended, whenever:

- Applicable regulations are revised;
- The plan fails in an emergency;
- The facility changes in its design, construction, operation, maintenance, or other circumstances in a way that materially increase the likelihood of an emergency and/or changes the response necessary for an emergency;
- The list of emergency coordinators changes; or,
- The list of emergency equipment changes.

## II. FACILITY/OPERATION DESCRIPTION

ANCON is a California Corporation specializing in hazardous waste management and a registered hazardous waste transporter (EPA N<sup>o</sup> CAD980737068). Our current Colorado location is:

Ancon  
8221 East 96<sup>th</sup> Avenue  
Henderson, CO 80640  
(720) 519-0595

ANCON's chemical packing operations are performed exclusively at the customer's site by trained personnel. The field personnel are responsible for packaging according to U.S. Department of Transportation (DOT) specifications and preparing the waste for shipment to one of ANCON's approved disposal facilities.

After operations at the customer's site are completed, the sealed drums are loaded onto a licensed and permitted hazardous waste trucks. The truck is then returned to the Ancon yard shipping/receiving area where the sealed drums are transferred from a smaller truck into DOT approved "In Transit Container". At no time during the transfer are the drums ever opened or treated in any manner. The drums are not stored in the trucks but transferred to the DOT trailer or container.

The trailers/transport containers (i.e. bins) containing the drums never remain on the premises for longer than the 10-day In Transit time period authorized by Colorado law. Furthermore, the waste leaving the customer's site is manifested to an authorized Treatment, Storage, and/or Disposal Facility or TSDF, and not to the ANCON Colorado location, since it is still "in transit" from the customer's site to the TSDF or final disposal facility:

ANCON does not process any wastes at this facility. The types of wastes handled by ANCON are chemical wastes:

- organic and inorganic liquids
- organic and inorganic sludges
- organic and inorganic solids
- compressed gasses
- Non RCRA Solids and Liquids

Depending on the constituents of the waste and their concentrations, the waste may be classified pursuant to Colorado waste regulations as ignitable, toxic, corrosive, reactive, and/or “extremely hazardous” (those that are particularly hazardous by virtue of toxicity or reactivity with water). Many regulated wastes are listed by chemical name or by specific industrial source; other wastes are deemed to be regulated on the basis of having one of the four characteristics (ignitable, toxicity, corrosivity, and reactivity). The hazards for any particular waste handled by Ancon are documented by the pre-acceptance contractual process, as developed from customer, data from other available sources such as safety data sheets, field characterization, process knowledge and or other information.

Potential adverse human health effects from substances which could be released in an emergency situation are summarized below:

- For **ignitable substances**, the primary dangers are those associated either with burns or with injuries due to the concussive forces of possible detonation upon ignition. In addition, many ignitable substances also have toxic properties.
- For **toxic substances**, the adverse health effects (whether acute or chronic) may include injury to the ANCON employees in, the eyes, the mucous membranes, the respiratory system, the digestive system, the circulatory system, the nervous system, the endocrine system, the reproductive system, or other bodily organs and functions.
- For **corrosive substances**, the adverse health effects could involve injuries to ANCON employees in, hair, eyes, skin and the mucous membranes.
- For **reactive substances**, the adverse health effects could involve injuries to ANCON employees in, hair, eyes, skin, the mucous membranes, and the respiratory system,. Under normal circumstances, reactive substances are less likely to present health hazards (i.e., the effects are more likely if a reaction actually occurs).
- For **extremely hazardous substances**, which are usually very toxic chemicals or highly reactive chemicals, the adverse health effects could include toxic effects, reactive hazards, or any combination of the effects listed above.

The designated Health & Safety Representative provides guidance in specifying the appropriate safety procedures to mitigate potential adverse effects for each general category of hazardous substances, and for specific substances. For example, although all corrosive chemicals require chemical resistant gloves, some corrosives also require respiratory protection. The concentration of the substances, volatility, and innate toxicity all play a factor. Similarly, not all toxic waste requires the same level of protection. Some toxic chemicals are more hazardous by the dermal route than the respiratory route.

### **III. SPILL PREVENTION & CONTROL**

Spill prevention and control are key elements in ANCON operations. Ancon uses a system of rigorous training, standardized waste handling procedures, and contingency planning to minimize: (1) the opportunity for waste spillage, and (2) the degree of damage that might occur should a spill occur. At the customer's site, containers such as jars, bottles, or cans are carefully packed into secure secondary containers (drums) using inert packing material. The packed drums are secured inside the vehicles. Because the containers are being shipped over the highways, they must meet rigid U.S. Department of Transportation specifications under 49 CFR § 172-173.

#### **Types of Emergency Response**

Emergency responses for wastes are normally limited to spills and leaks. Other types of emergency responses include those associated with less likely events -- fires and chemical reactions amongst waste materials that result in releases of heat, smoke, and/or chemicals. Emergency responses might be necessary at a customer site, at locations in transit to and from the Ancon facility, and at the facility, and at the warehouse itself. This Contingency Plan addresses those responses necessary at the Ancon warehouse and for vehicles in route to and from the warehouse.

To a great extent, the nature and location of the emergency event determines the level of personnel and agency involvement. Ancon personnel are capable of responding to chemical releases in terms of spill containment, site control, cleanup, and decontamination. Customers often have their own hazardous materials specialists to assist with and direct emergency responses. Outside agencies are summoned for traffic control, if a chemical release has potential to significantly impact the environment or the public, and as needed for assistance in abating the immediate hazard. Outside agency involvement is more critical in public areas and for events involving fires and serious chemical releases.

Ancon personnel will abide by the Incident Command System used by the Fire Department and the Solano County and/or State of California Office of Emergency Services. Although Ancon personnel are trained in first aid and initial fire control, firefighting responses are limited to the use of fire extinguishers. Beyond that, professional firefighters are summoned to respond to the emergency. Ancon can assist the Incident Commander by providing information on the characteristics and hazards of every waste being packaged and shipped. In an emergency, Ancon would readily furnish this hazard information to outside emergency responders such as Fire Department "hazmat teams".

### **Response Assessment**

Emergency responses are assessed on a case-by-case basis taking into account the potential routes of exposure (i.e. dermal, inhalation, etc.), the hazardous properties of the waste material, fire hazards, and the potential for further reactions. If significant respiratory hazards are present, Level B or A protection is used (i.e., SCBA or supplied-air respirators, chemical-resistant suits and gloves). Level C protection consists of an air-purifying respirator and chemical resistant clothing may be required.

### **Standard Safety Rules**

For all waste handling operations (including spills), safety procedures prohibit smoking and eating in the vicinity of the waste. Company policy enforces a “no smoking” rule for all vehicles, warehouses and offices. If a spilled material is ignitable, additional provisions are taken to control ignition sources, such as erecting barriers to prevent motorized vehicles and equipment from entering the area. Other precautions include use of plastic (or other non-sparking material) shovels and tools, and measures to prevent sparking. Personal protective equipment (e.g., safety glasses, gloves, boots, protective clothing, and respirators) is always available.

Office/support personnel working only in the office portion of the facility and have limited opportunity to be exposed or harmed during chemical releases. They are not to pass through the warehouse and do not have any emergency response duties within the actual waste transfer area. They do receive some basic hazard awareness information and may be evacuated in the event of an emergency that puts them at risk.

Some staff, such as the “Hazardous Material Waste Manager” and “designated trained” personnel work as necessary in the storage and transfer area to confirm loads, conduct quality assurance, etc. This includes managing waste manifests and other routine paperwork, inspections, and other related activities. Any personnel without proper training are barred from working in high hazard areas, when drums are being transferred, etc. Any personnel that are not emergency responders beyond the “awareness level” (i.e., they might identify a spill, notify appropriate personnel, but are not to become involved in the hands-on emergency response activities). They shall receive technical training on the hazardous properties of the wastes, and some safety training.

### **Emergency Response Equipment**

The following equipment must be available in addition to the equipment needed for routine business operations:

- spill equipment stored in the immediate loading area is:
  - 85 gallon salvage drum marked “Spill Kit”  
(includes absorbent, 5 gallon poly, poly tyvek suit, nitrile gloves, broom and dust pan, absorbent pads)
  - 5 to 55 gallon poly and metal drums
  - Bags of clay absorbent (vermiculite optional addition)
  - Chemical and Oil spill socks and/or booms
  - Shovels and Brooms
  - Saranex Suits (Poly Tyvek Optional based on type of release)
  - Nitrile inner gloves
  - Nitrile or neoprene outer gloves
  - Polyethylene booties
  - Duct tape
    - fire extinguishers
    - emergency eye wash and shower
    - storm drain blanket
    - first aid kit
    - SCBAs
    - other PPE (safety glasses, face shields, hard hats, hearing protective devices)

### **Emergency Coordinator**

The “Emergency Coordinator” is the employee who, at all times, is either on the facility premises or on call (i.e., available to respond to an emergency by reaching the facility within a short period of time). Whenever the primary emergency coordinator(s) is(are) unavailable due to illness, vacation, travel, etc., an alternate emergency coordinator must be assigned. The Emergency Coordinator is usually the most senior ANCON operations person regularly assigned to work at the facility. The emergency coordinator could be the General Manager, Operations Manager, Hazardous Material Waste Manager or Field Supervisor. The Emergency Coordinator or an alternate, he/she shall also be well versed in the responsibilities of the Emergency Coordinator.

The Emergency Coordinator must be familiar with:

- all aspects of this Contingency Plan;
- all operations and activities at the facility;
- the location and characteristics of the waste handled;
- the location of all records within the facility; and,
- the facility layout.

In addition, this person shall have the authority to commit the resources needed to carry out this Plan.

### **Control Measures**

The following four measures, executed in numerical order, are vital for controlling chemical spills/releases, and the environmental and safety hazards associated with the cleanup of those releases.

1. **Preparation** (equipment, established rules, inspections, & training)
2. **Response Assessment** to assess the nature of the emergency and the current and potential hazards, and to determine the appropriate level of response.
3. **Emergency Response Actions**
  - (a) **life safety** - the first priority (evacuation as appropriate)
  - (b) **emergency alarm/calls** to alert and/or summon help
  - (c) **medical assistance** as needed (personnel decontamination as needed)
  - (d) **\*site control** to prevent subsequent exposures, to control hazards (e.g., ignition sources), and to prevent the spread of contamination (e.g., spill containment, covering storm drains, berming drain gutters, etc.).
  - (e) **\* spill cleanup**
4. **Post-Emergency Control Actions**
  - (a) **\* area decontamination**
  - (b) **\* area remediation**, as appropriate

- \* **Note:** At this step or action, the Emergency Coordinator shall contact Senior Managers and/or the Health & Safety Manager to help define the best strategy and equipment. However, life safety and hazard abatement are never contingent on secondary opinion. The Emergency Coordinator must take immediate action on urgent emergency situations.

The above measures are limited to those that are critical “control measures.” Other actions, however, are necessary. For example, incident reporting is one required post-emergency action and this is discussed in Section VI.



### **Spill Response Procedures**

In the event of a spill, the Emergency Coordinator shall implement these steps:

1. Identify the material, the source and extent of the spill.
2. Assess the hazards and potential hazards and formulate a plan of action.
3. Evacuate as appropriate and secure the area. [Depending on the nature of the spill, the entire area involved in the emergency may need to be condoned off. Only operations directly related to the cleanup are allowed in the exclusion zone. No shipments are accepted during emergency cleanup operations unless there is clearly no interference with the emergency response and no additional hazard is introduced.]
4. Don all appropriate safety equipment based on hazard evaluation.
5. Using a buddy system, stop the source of the spill/release, and dam and contain the leaking material.
6. If the spill response requires outside resources, notify the appropriate customer contact, Ancon management, and/or local and/or federal agencies (as appropriate) at this time. Otherwise, assess reporting requirements after the emergency situation is abated. For emergency situations requiring agency assistance, the local Fire Department is contacted first.
7. Contain and remove spilled materials. [Spills of materials are contained with absorbents and booms. The absorbent and booms are disposed of as hazardous waste. Large volumes of free liquid are pumped into drums for storage.]
8. Stabilize contaminated soil or sludge as necessary and excavate. Excavated soil may be stored on-site pending contaminant analysis.
9. Package, mark, and label all waste materials.
10. Fill out the Ancon Incident Report and a Supervisor's Incident Report Investigation Report. Proceed with required notification reports pursuant to state and federal regulations (see Section VI).
11. If warranted, conduct further testing of surrounding environmental media.

This process will be carried out in a timely manner so that further contamination can be avoided.

#### **IV. PERSONNEL TRAINING**

Safety awareness is a key element in accident prevention and contingency planning. Ancon employees are exposed to safety on a regular basis via formal training, informal safety meetings, tailgate safety meetings, and as needed to address new hazards and new activities. Personnel receive technical and safety training before they are assigned to any task at ANCON that involves handling hazardous substances. In addition, every Ancon facility sets aside time designated to address safety and operations concerns.

##### **Responsibilities**

Each Ancon Manager oversees the Ancon Health & Safety Program, including safety training. The Health & Safety Manager, qualified by virtue of academic course work and/or professional experience, is an industrial hygienist or other health & safety professional with comparable expertise and certifications. The Health & Safety Manager identifies what types of training are needed for the various job categories, taking into account both federal and state regulations that specify training requirements.

Supervisors and Foremen (i.e., line management) are responsible for implementing the Ancon Health & Safety Program and for ensuring that all personnel assigned to a facility have received the appropriate training prior to assignments requiring training. They are to contact the Health & Safety Manager whenever Ancon adds new personnel or re-assigns personnel to new facilities.

##### **Training Program Administration**

Most of the formal Ancon safety training is conducted by the Haz Mat Managers or by contracted professional safety trainers. The designated trained supervisor conducts respirator fit testing and identifies which types of protective equipment must be on hand, and which are suitable for specific emergency responses. He/she may also participate in the informal training provided at “tailgate safety meetings”, office safety meetings, etc. However, other instructors with less formal health and safety training will also participate. Other instructors may include line managers and supervisors, site safety officers, and guest speakers such as a manufacturer representatives, hazardous materials specialists, fire fighters, etc.

Training records for each employee are maintained at the ANCON Facility. The facility is to maintain training records of all current employees. In addition, a copy of training is maintained by Corporate electronically. Records of former employees are to be kept for at least three years beyond the date the employee last worked at the facility. Training records for all Ancon facilities are also compiled and entered into one centralized computer database.

Training proficiency and evaluation are conducted via three mechanisms: (1) written and oral testing during formal training sessions; (2) practice field drills; and (3) auditing. The Manager and Health & Safety Manager conduct periodic field audits to assess compliance and to address concerns.

### **Regulatory Requirements**

There is considerable overlap in the emergency response requirements mandated by hazardous waste regulations, local community-right-to-know laws, and Occupational Health and Safety Administration (OSHA) regulations. For example, the content of training to meet OSHA's regulatory requirements for hazardous waste workers largely satisfies the training required under the Contingency Plan. The applicable regulations are summarized below.

Hazardous waste laws require "contingency plan"; community-right-to-know laws require "emergency response plan." The two are essentially identical and have the same basic training requirements, too. Personnel are to receive training that is relevant to their responsibilities and includes, at a minimum, the following aspects:

- familiarization with the facility's contingency plan including emergency procedures and emergency equipment;
- where applicable, procedures for using, inspecting, and repairing emergency equipment;
- operation of controls, communications, and alarm systems;
- specific response procedures for fires, explosions, spills, and contaminant cleanup.

An OSHA standard adopted in 1989, Hazardous Waste and Emergency Response (29 CFR § 1910.120; "HazWoper"), require specific training for all employees who are: (1) involved in cleanups and contaminant investigations at uncontrolled hazardous waste sites; (2) employed at permitted hazardous waste facilities; and (3) engaged in any spill response of hazardous substances. The amount of training required for each of the three groups of workers varies: 40 hours for cleanup operations; 24 hours for permitted hazardous waste facilities and "hands-on" emergency responders; and, "sufficient training" for first responders at the awareness level who merely recognize emergency situations and summon help. Annual, 8-hour refresher training is also required.

Ancon field personnel are subject to the OSHA HazWoper standards because they handle hazardous substances and may be engaged in spill response. Ancon field personnel are required to have 40 hours of training because they could be involved in an emergency response beyond the first responder level.

OSHA HazWoper training more than fulfills the training requirements set forth by hazardous waste laws and community-right-to know laws. HazWoper training must ensure that personnel who could potentially be involved in emergency response activities (beyond the first responder level) have competency in the following areas:

- know how to implement the emergency response plan;
- know the classification, identification, and verification of known and unknown materials by using field survey instruments and equipment;
- be able to function within an assigned role in the Incident Command System;
- know how to select and use proper specialized chemical personal protective equipment;
- understand hazard and risks ANCON assessment techniques;
- be able to perform advance control, containment, and/or confinement operations within the capabilities of the resources and personal protective equipment available;
- understand and implement decontamination procedures;
- understand termination procedures; and,
- understand basic chemical and toxicological terminology and behavior.

Some additional OSHA (OSHA) regulations also require emergency response training. These regulations are general industry safety orders, applicable to all businesses – not just hazardous waste operations. All businesses must have an “Emergency Action Plan” (Title 8 § 3220), a “Fire Prevention Plan” (Title 8 § 3221), and an “Injury and Illness Prevention Plan” (Title 8 § 3203). To all large extent, this Contingency Plan incorporates the requirements of these specific plans. All of them require training that explains who to notify in an emergency, how to notify them, how to activate alarms, what the alarms signal, and how to evacuate the facility. The latter regulation requires a system to regularly identify all workplace hazards and to train on those hazards specific to each employee’s job assignment. This requires some general awareness training for even office workers.

The Department of Transportation (DOT) also promulgated regulations (49 CFR § 172.704) to ensure that workers involved in transporting hazardous materials receive “safety training.” This applies to workers who operate the vehicles, prepare the hazardous materials for shipment, and load and unload the vehicles. They are to receive training on emergency response procedures, how to protect themselves from the hazardous materials to which they may be exposed (already a general OSHA duty), and on the procedures that will prevent accidents. This training is conducted and updated in accordance with Federal, State and Local regulations.

### **Training Program**

All Ancon employees whose work assignment may expose them to hazardous substances, or who may be required to use respiratory protective equipment, receive 40-hour Hazardous Waste Operations and Emergency Response (“HazWoper”) training. This training is provided at the time of employment. If the employee has already received comparable training prior to employment with Ancon, and is current on the refresher training, the Health and Safety Manager may waive the requirement for all or portions of the Ancon 40-hour HazWoper training course.

All employees who received the 40-hour training and remain in operations (i.e., field workers and supervisors) receive an annual refresher course – the 8-hour HazWoper refresher training course.

Training varies with the types of respiratory protection issued and the hazards present. Those employees who wear or may potentially need to wear Self-Contained Breathing Apparatus (SCBAs) also receive annual training specifically on the use of SCBAs, the extent of which depends on how often SCBAs are used/needed by a group of employees. All SCBA training includes hands-on exercises. Videos may be utilized to demonstrate the care and use of specific manufacturer equipment. At a minimum, all employees assigned respiratory protective equipment receives training in the following areas:

1. The engineering and administrative controls that are used and the need for respiratory protective equipment;
2. The types of hazards and the types of respiratory protective equipment appropriate to protect workers from those hazards;
3. Respirator selection rationale, including the types of respirators, specific applications, and limitations;
4. User qualifications (e.g., medical, concurrent use of corrective eyewear and individual factors that affect proper respirator fit);
5. Respirator components and functions;
6. Respirator use including pre-use inspections, donning and doffing, and positive/negative fit testing;
7. How proper fit is ensured (i.e., fit-testing procedures);
8. Care of the respiratory equipment, including cleaning, disinfection, repair, and storage;
9. How to recognize and handle emergency situations; and,
10. The elements of the Ancon Respiratory Protection Program, including reference to applicable regulations and specific Safe applications.

For hazardous waste handlers, the OSHA HazWoper training satisfies all of the training requirements of the Contingency Plan, except it does not cover the Contingency Plan itself, and it does not cover facility-specific information (evacuation routes, location of safety equipment, alarm systems, etc.). Consequently, all hazardous waste handlers must also attend a “Facility-Specific Safety Training” to orient them with the Contingency Plan and the safety equipment.

**All personnel working at the facility, including office personnel and those temporarily assigned to work in the warehouse, are required to attend the “Facility-Specific Safety Training.”** It is provided to all employees at the time of assignment to the facility, within a few weeks of their date of employment (for office personnel), and prior to any job assignments in the waste transfer areas (for hazardous waste handlers). The approximate one-hour training session may be delivered by the Health & Safety Manager or an Emergency Coordinator. The training includes an overview of the activities conducted at the site and the potential hazards associated with the waste materials, and a discussion of the contents of the Contingency Plan. Attention is given to proper response actions for fires and explosions and the location of safety and communications equipment.

The following table summarizes the safety training requirements for the various Ancon job assignments.

Reviewed January 2024

## SAFETY TRAINING FOR EMERGENCY RESPONSE

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### JOB ASSIGNMENTS

	Office/Support	Technical Reps/ Customer Svc/	Haz Waste Handlers/
Training Courses	Personnel	Senior Mgmt.	OPS Mgrs.
Facility-Specific Safety Training*	X	X	X
OSHA HazWoper	X	X	X
First Aid & CPR		X	X
Emergency Response: First Responder		X	X
Emergency Response: HazMat Tech & Specialist		X	X

\* Facility-Specific Training consists of general safety orientation, hazard communication, and training on the Contingency Plan and locations of safety equipment.

## V. BUILDING SAFETY & SECURITY

The facility will maintain sufficient emergency equipment to provide for immediate response to emergency conditions. As a minimum this equipment included the items listed below:

1. Internal Security Alarm and Sprinkler System
  - Emergency warning system located within the warehouse work area.
2. Communication System
  - Beepers or cell phones for all operations and safety personnel.
  - Hazard warning signs posted in appropriate locations.
3. Fire Control Mechanism
  - 5 to 20 lb. dry chemical or halon ABC fire extinguishers located throughout the work place.
  - Miscellaneous firefighting equipment i.e. shovels, buckets, etc.
  - Non-smoking policy for all indoor and waste transfer locations.
4. Personal Protective Equipment (located in a designated area).
  - hard hats
  - safety glasses, face shields
  - chemical resistant boots
  - chemical resistant gloves
  - chemical resistant suits
  - Full face air-purifying respirators with combination acid, gas, dust, fume, mist organic vapor cartridges.
  - self-contained breathing apparatus (NOTE: Use a self-contained breathing apparatus with a full face-piece is utilized during emergency spills and for unidentified substances, or for unknown concentrations of potentially hazardous substances.)
5. Emergency Equipment (located within the work area)
  - first aid kits
  - emergency eye wash & shower



6. Spill Control Equipment (located in the shipping/receiving area)

- absorbent containment dikes
- DOT specification drums
- suitable absorbent material
- 6-mil. Fire Rated Poly sheeting
- brooms and shovels
- absorbent pads, pillow and booms

## **VI. POST-EMERGENCY PROCEDURES**

When the emergency has been brought under complete control and the threat to human life and the environment has been mitigated or stabilized, the Emergency Coordinator will initiate the following remedial actions in order to ensure continued environmental and personnel safety, and to restore the facility to operational readiness.

1. If the release is “reportable” and the appropriate agencies have not yet been notified, ensure that verbal (phone) notifications are made within the first 24 hours. (See “Required Agency Reports,” next page.)
2. Continue to monitor the area during remedial operations to ensure site security, environmental safety, and personnel safety. Ensure that all operations personnel participating in the remedial activities are properly equipped with necessary protective clothing and respiratory protection equipment.
3. Collect and containerize all recovered waste, contaminated soil or other solid and liquid materials resulting from the incident in the appropriate DOT-specification containers. Manifest the wastes for off-site disposal at EPA approved facilities.
4. If there is evidence of contaminated soil, concrete, asphalt, or stormwater, excavate and/or decontaminate as appropriate. Remove soil from the area of contamination down to a point beyond where no visible signs of contamination are present. Arrange for environmental sampling as appropriate. Specific analyses depend on the materials involved.
5. Ensure that all the emergency equipment that was utilized is decontaminated, cleaned, and restored to a fit-for-use state. This normally entails physical cleaning until visually clean and/or washing with high pressure water of detergents. SCBA cylinders must be re-filled.

6. Fill out a Ancon Incident Report and a Supervisor's Incident Report Investigation Report. File all necessary reports with the applicable agencies (i.e., US EPA, the Office of Emergency Response, and/or state and local authorities), informing them of the incident and all response measures taken to re-establish normal facility operations (see "Required Agency Reports," next page).
7. Document the cleanup with records and confirmation of decontamination.. The records and all documentation are maintained for a period of at least 5 years and consist of the following information.
  - Identification of the nature of the spill (e.g. source of spill, type of equipment, type of hazardous materials, amounts and concentrations).
  - Estimated or actual date and time of the spill occurrence, and parties involved.
  - A brief description of the spill location and the extent of the spill (i.e., what surfaces and environmental media were affected).
  - The date and time cleanup was completed or terminated (and if delayed by emergency or adverse weather, the nature and duration of the delay).
  - A brief description of the solid surfaces cleaned and of the decontamination method(s) used.
  - If applicable, pre-remediation and post-remediation environmental sampling data used to establish the extent of contamination and the success of remediation. This includes a brief description of the sampling and analytical methodologies used.
  - A certification statement signed by the responsible party stating that the cleanup requirements have been met and that the information contained in the record is true to the best of his/her knowledge.
8. If the incident was such that notifications were made to agencies (or agencies were summoned to assist in the emergency response), furnish them with the appropriate/required follow-up reports. The follow-up reports are intended to demonstrate that measures have been taken to ensure that:
  - The response was handled in an appropriate manner and that there was due regard for site control such that routine operations did no compromise the cleanup operations.

- All released hazardous materials were contained, collected, and prepared for shipment, and that contaminated surfaces (floors, docks, soil, stormwater, etc.) were decontaminated and/or remediated.
- All emergency equipment was decontaminated, cleaned, and returned to a fit-for-use state.

### **Required Agency Reports**

Federal law requires immediate reports of releases as defined in regulations issued by EPA. However, Colorado reporting requirements are more stringent because they require immediate notification on *any* release of “threatened release” of hazardous materials, not just release over a certain quantity (reportable quantity). If there is any potential for significant harm to the environment or humans, the release is reportable. A release is defined as any unauthorized spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment. A “threatened release” means a condition creating a substantial probability of harm, when the probability and potential extent of harm make it reasonably necessary to take immediate action to prevent, reduce, or mitigate damages to persons, property, or the environment.

Under Colorado law, **verbal telephone reports must be made immediately (within 24 hours)** to the Office of Emergency Services and to the local administering agency, and for highway releases, to the Colorado Highway Patrol. Fortunately, a “911” call to the local emergency responders initiates all the reporting requirements, and the state Office of Emergency Services coordinates reporting with the National Emergency Response Center. The verbal report shall include the exact location of the release or threatened release, the type of materials involved, an estimate of the quantities involved, and (if known) the potential hazards presented by the release or threatened release.

Verbal emergency notifications mandated by state law also satisfy federal requirements for verbal notification (40 CFR §355.40). However, if the release involves a quantity of hazardous material greater than the reportable quantity or “RQ” in 40 CFR § 302.4 (hazardous substances) or §355.40 (extremely hazardous substances), the National Emergency Response Center must be notified within 24 hours of knowledge of that release.

Verbal notifications must also be made if there is direct contamination of surface water, sewers, drinking water, animal grazing lands, or vegetable gardens - - even if the spill involves hazardous materials at less than RQ amounts. In addition, any spill that exceeds one (1) pound of PCB-containing material shall also promptly be reported to the EPA and the National Response Center.

*In general*, small spills of hazardous materials at less than the RQ, which are limited to hard surfaces, are not considered to be reportable because there is negligible threat to the environment and to human health. Small spills of hazardous materials at less than the RQ, which extend to porous surfaces (e.g., soil), may or may not be reportable.

**When “RQ” releases are reported, Manager must provide a written report (follow-up notification) on a form specified by the Office of Emergency Services. The report must be provided within no less than 30 days from the date of the release.** ANCON Management is to prepare the report within fifteen (15) days after the incident to ensure accurate reporting and to allow adequate time for internal review and investigation. The report is to include:

- 1) Name, address, and telephone of the Ancon office.
- 2) Date, time and type of incident (e.g., fire, explosion).
- 3) Name and quantity of material(s) involved.
- 4) The extent of injuries, if any.
- 5) An assessment by best estimates of actual potential hazards to human health or the environment, where applicable.
- 6) Estimated quantity and disposition of recovered material that resulted from the incident.
- 7) Any other information requested on standardized reporting forms.

If a release occurs due to an unauthorized entry into the facility (a break-in, burglary, etc.), the report must describe how the entry occurred and the corrective actions taken to prevent future occurrence. This includes any tampering, destruction, or loss at the facility that results in a release.

# **ATTACHMENT – 1**

## **Emergency Notification List**

**&**

## **Site Map**

**EMERGENCY NOTIFICATION LIST**

**Primary Coordinator**

**Office Phone #**

**Cell #**

**James McGregor:**  
**Safety Manager**  
**Home Address:**  
**Woodland, CA**

**707-758-1264**

**Tobi Moore:**  
**General Manager**  
**Home Address:**  
**Aurora, CO**

**720-519-0595**

**303-517-8815**

**Michael Armstrong:**  
**Operations Manager**  
**Home Address:**  
**Fort Collins, CO**

**720-519-0595**

**970-568-2622**

**Additional Responders**

**Environmental Hazmat Services**

Brooke Green  
4745 Independence St.  
Wheat Ridge, CO 80033  
Ofc: 720-225-9252  
Cell: 303-946-4539

**EnviroServe**

Ricardo Marquez  
9621 Hanover Ct W  
Commerce City, CO 80640  
800-488-0910  
970-829-9017

## **ATTACHMENT – 2**

### **Business License**







# EXHIBIT E

ALTA/NSPS LAND TITLE SURVEY

LOTS 3, 4 & PARCEL A, GARDNER DENVER FILING NO. 3,

LOCATED IN THE SOUTH HALF OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN,

COUNTY OF ADAMS, STATE OF COLORADO

LEGAL DESCRIPTION:

LOTS 3 AND 4,  
AND  
PARCEL A,  
GARDNER DENVER FILING NO. 3,  
COUNTY OF ADAMS, STATE OF COLORADO.

TITLE COMMITMENT NOTES:

THIS LAND SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY JR ENGINEERING, LLC TO DETERMINE OWNERSHIP OF THIS TRACT, VERIFY THE DESCRIPTION SHOWN, VERIFY THE COMPATIBILITY OF THIS DESCRIPTION WITH THAT OF ADJACENT TRACTS, OR VERIFY EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHT-OF-WAY OR TITLE OF RECORD, JR ENGINEERING, LLC RELIED UPON TITLE ORDER NO. N0034307-030-ME1-2SN, PREPARED BY FIDELITY NATIONAL TITLE, DATED AUGUST 19, 2021.

THE FOLLOWING COMMENTS ARE IN REGARDS TO THE ABOVE-REFERENCED TITLE ORDER. THE NUMBERS IN OUR COMMENTS CORRESPOND TO THE NUMBERING SYSTEM USED IN THE TITLE ORDER.

SCHEDULE A

ITEM	COMMENT
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- |            |   |
|------------|---|
| 1.         | NOTED ABOVE.  |
| 2., 3., 4. | JR ENGINEERING, LLC DID NOT EXAMINE OR ADDRESS THESE ITEMS.   |
| 5.         | THE LEGAL DESCRIPTION OF THE LAND SURVEYED IS SHOWN PER THIS COMMITMENT, TO THE BEST OF OUR KNOWLEDGE AND BELIEF. |

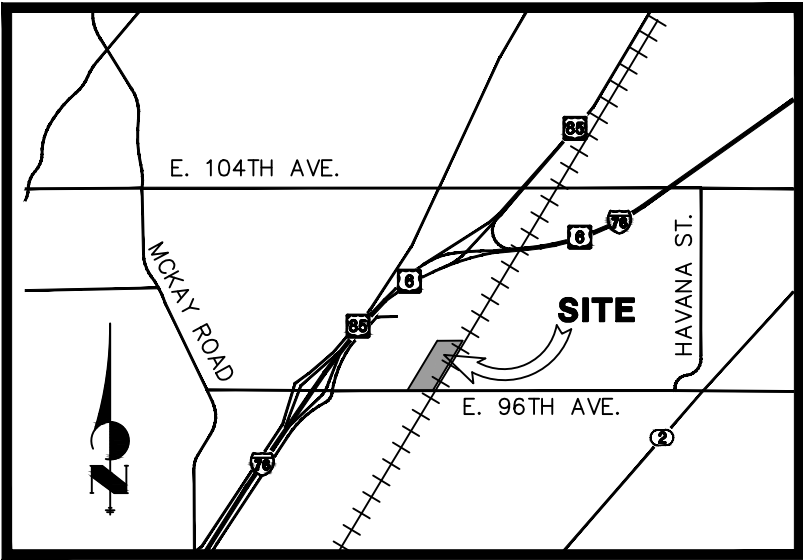
SCHEDULE B - SECTION 1 (REQUIREMENTS)

JR ENGINEERING, LLC DID NOT EXAMINE OR ADDRESS THESE ITEMS.

SCHEDULE B - SECTION 2 (EXCEPTIONS)

ITEM	COMMENT
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- |                |  |
|----------------|--|
| 1.             | VISIBLE AND APPARENT EVIDENCE OF RIGHTS OR CLAIMS OF PARTIES IN POSSESSION ARE SHOWN HEREON TO THE BEST OF OUR KNOWLEDGE AND BELIEF.   |
| 2.             | VISIBLE AND APPARENT EVIDENCE OF EASEMENTS OR CLAIMS OF EASEMENTS ARE SHOWN HEREON TO THE BEST OF OUR KNOWLEDGE AND BELIEF.  |
| 3.             | VISIBLE AND APPARENT DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGES IN AREA AND ENCROACHMENTS ARE SHOWN HEREON TO THE BEST OF OUR KNOWLEDGE AND BELIEF.   |
| 4., 5., 6., 7. | JR ENGINEERING, LLC DID NOT EXAMINE OR ADDRESS (THIS / THESE) ITEM(S). (liens, taxes, mortgages and leases)  |
| 8.             | THE ZONING RESOLUTION RECORDED IN BOOK 670 AT PAGE 518. JR ENGINEERING, LLC DID NOT EXAMINE OR ADDRESS THIS ITEM EXCEPT TO DETERMINE THAT THE SUBJECT PROPERTY IS AFFECTED.  |
| 9.             | THE REASON OF INCLUSION RECORDED IN BOOK 1630 AT PAGE 267. JR ENGINEERING, LLC DID NOT EXAMINE OR ADDRESS THIS ITEM EXCEPT TO DETERMINE THAT THE SUBJECT PROPERTY IS AFFECTED.                                       |
| 10.            | THE DEED RECORDED IN BOOK 670 AT PAGE 336 IS SHOWN HEREON TO THE BEST OF OUR KNOWLEDGE AND BELIEF.   |
| 11.            | THE REASON OF INCLUSION RECORDED IN BOOK 2190 AT PAGE 783 DOES NOT LIE WITHIN THE SUBJECT PROPERTY.  |
| 12.            | THE ZONING HEARING DECISION-CASE NO. 115-87-C RECORDED IN BOOK 3388 AT PAGE 862 DOES NOT AFFECT THE SURVEYED SITE.   |
| 13.            | THE PUBLIC SERVICE COMPANY OF COLORADO EASEMENT RECORDED IN BOOK 3558 AT PAGE 495 IS SHOWN HEREON TO THE BEST OF OUR KNOWLEDGE AND BELIEF.   |
| 14.            | THE PUBLIC SERVICE COMPANY OD COLORADO EASEMENT RECORDED IN BOOK 4546 AT PAGE 911 IS SHOWN HEREON TO THE BEST OF OUR KNOWLEDGE AND BELIEF.   |
| 15.            | THE PUBLIC SERVICE COMPANY OF COLORADO EASEMENT RECORDED IN BOOK 4546 AT PAGE 913 IS SHOWN HEREON TO THE BEST OF OUR KNOWLEDGE AND BELIEF.   |
| 16.            | THE PUBLIC SERVICE COMPANY OF COLORADO EASEMENT RECORDED IN BOOK 4546 AT PAGE 915 DOES NOT LIE WITHIN THE SUBJECT PROPERTY.  |
| 17.            | THE ACCESS AND UTILITY EASEMENT RECORDED IN BOOK 4866 AT PAGE 865 IS SHOWN HEREON TO THE BEST OF OUR KNOWLEDGE AND BELIEF.   |
| 18.            | THE CERTIFICATION OF NOTICE TO MINERAL ESTATE OWNERS RECORDED UNDER RECEPTION NO. 2011000065495. JR ENGINEERING, LLC DID NOT EXAMINE OR ADDRESS THIS ITEM EXCEPT TO DETERMINE THAT THE SUBJECT PROPERTY IS AFFECTED. |
| 19.            | THE CERTIFICATION OF NOTICE TO MINERAL ESTATE OWNERS RECORDED UNDER RECEPTION NO. 2012000006963 DOES NOT AFFECT THE SUBJECT PROPERTY.  |



VICINITY MAP (SCALE:1"=5000')

SCHEDULE B - SECTION 2 (EXCEPTIONS)(CONTINUED)

ITEM	COMMENT
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- |     |   |
|-----|---|
| 20. | RESOLUTION NO. 2015-332 RECORDED UNDER RECEPTION NO. 2015000061774. JR ENGINEERING, LLC DID NOT EXAMINE OR ADDRESS THIS ITEM EXCEPT TO DETERMINE THAT THE SUBJECT PROPERTY IS AFFECTED.   |
| 21. | THE EASEMENTS SHOWN OR NOTED ON GARDNER DENVER FILING NO. 3, RECORDED UNDER RECEPTION NO. 2015000064556, ARE SHOWN HEREON TO THE BEST OF OUR KNOWLEDGE AND BELIEF.  |
| 22. | THE SUBDIVISION IMPROVEMENT AGREEMENT IN RESOLUTION 2015-333 RECORDED UNDER RECEPTION NO. 2015000067233. JR ENGINEERING, LLC DID NOT EXAMINE OR ADDRESS THIS ITEM EXCEPT TO DETERMINE THAT THE SUBJECT PROPERTY IS AFFECTED.  |
| 23. | THE OPERATIONS & MAINTENANCE MANUAL STORMWATER MANAGEMENT FACILITIES RECORDED UNDER RECEPTION NO. 2018000094412. JR ENGINEERING, LLC DID NOT EXAMINE OR ADDRESS THIS ITEM EXCEPT TO DETERMINE THAT A PORTION OF THE SUBJECT PROPERTY IS AFFECTED. (AFFECTS LOT 4)                           |
| 24. | THE UCC FINANCING STATEMENT RECORDED UNDER RECEPTION NO. 2012000069348. JR ENGINEERING, LLC DID NOT EXAMINE OR ADDRESS THIS ITEM EXCEPT TO DETERMINE THAT A PORTION OF THE SUBJECT PROPERTY IS AFFECTED. (NOT A SURVEY MATTER)  |
| 25. | THE DEED OF TRUST RECORDED UNDER RECEPTION NO. 2012000090675 AND THE ASSIGNMENT OF RENTS RECORDED UNDER RECEPTION NO. 2012000090677. JR ENGINEERING, LLC DID NOT EXAMINE OR ADDRESS THIS ITEM EXCEPT TO DETERMINE THAT A PORTION OF THE SUBJECT PROPERTY IS AFFECTED. (NOT A SURVEY MATTER) |
| 26. | THE UCC FINANCING STATEMENT RECORDED UNDER RECEPTION NO. 2012000094842. JR ENGINEERING, LLC DID NOT EXAMINE OR ADDRESS THIS ITEM EXCEPT TO DETERMINE THAT A PORTION OF THE SUBJECT PROPERTY IS AFFECTED. (NOT A SURVEY MATTER)  |
| 27. | THE DEED OF TRUST RECORDED UNDER RECEPTION NOS. 2020076582 (DENVER COUNTY) AND 2021000062388 (ADAMS COUNTY). JR ENGINEERING, LLC DID NOT EXAMINE OR ADDRESS THIS ITEM EXCEPT TO DETERMINE THAT A PORTION OF THE SUBJECT PROPERTY IS AFFECTED. (NOT A SURVEY MATTER)                         |

GENERAL NOTES:

- PER THE BYLAWS AND RULES OF THE STATE BOARD OF LICENSURE FOR ARCHITECTS, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS, CERTIFICATION IS DEFINED AS A STATEMENT THAT INCLUDES THE FOLLOWING: (A) IS SIGNED AND/OR SEALED BY A PROFESSIONAL LAND SURVEYOR REPRESENTING THAT THE SURVEYING SERVICES ADDRESSED THEREIN HAVE BEEN PERFORMED BY THE PROFESSIONAL LAND SURVEYOR OR UNDER THE PROFESSIONAL LAND SURVEYOR IN RESPONSIBLE. (B) IS BASED UPON THE PROFESSIONAL LAND SURVEYOR'S KNOWLEDGE, INFORMATION AND BELIEF. (C) IS IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE. (D) IS NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED.
- PER C.R.S. 18-04-508, ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR.
- PER C.R.S. 38-51-106, "ALL LINEAL UNITS DEPICTED ON THIS LAND SURVEY PLAT ARE U.S. SURVEY FEET. ONE METER EQUALS 39.37/12 U.S. SURVEY FEET, EXACTLY ACCORDING TO THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY."
- ALL REFERENCES HEREON TO BOOKS, PAGES, MAPS AND RECEPTION NUMBERS ARE PUBLIC DOCUMENTS FILED IN THE RECORDS OF ADAMS COUNTY, COLORADO.
- EASEMENTS AND PUBLIC DOCUMENTS SHOWN OR NOTED HEREON WERE EXAMINED AS TO LOCATION AND PURPOSE AND WERE NOT EXAMINED AS TO RESERVATIONS, RESTRICTIONS, CONDITIONS, OBLIGATIONS, TERMS, OR AS TO THE RIGHT TO GRANT THE SAME.

GENERAL NOTES (CONTINUED):

- BURIED UTILITIES AND/OR PIPELINES ARE SHOWN PER VISIBLE AND APPARENT SURFACE EVIDENCE OR RECORD DRAWINGS OF THE CONSTRUCTED UTILITY LINES. IF MORE ACCURATE LOCATIONS OF UNDERGROUND UTILITIES ARE REQUIRED, THE UTILITY WILL HAVE TO BE VERIFIED BY FIELD POTHOLING. JR ENGINEERING, LLC AND THE SURVEYOR OF RECORD SHALL NOT BE LIABLE FOR THE LOCATION OF OR THE FAILURE TO NOTE THE LOCATION OF NON-VISIBLE UTILITIES.
- THE BASIS OF BEARINGS IS THE IS THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, MONUMENTED BY A 3-1/4" ALUMINUM CAP STAMPED "LS 17488" AT BOTH ENDS, BEING ASSUMED TO BEAR S89°53'00"W.
- THE LAST FIELD INSPECTION OF THIS SITE WAS ON SEPTEMBER 23, 2021.
- THIS SITE IS NOT WITHIN A DESIGNATED F.E.M.A. FLOODPLAIN, AS DETERMINED BY THE FLOOD INSURANCE RATE MAP FOR ADAMS COUNTY, COLORADO, PANEL NUMBER 08001C0607H, EFFECTIVE DATE MARCH 5, 2007.
- THE BUILDING FOOTPRINT CONTAINS AN APPROXIMATE AREA OF 179,832 SQUARE FEET.
- ALL TIES TO RECORD TITLE LINES FROM THE BUILDING CORNERS OR OTHER IMPROVEMENTS SHOWN HEREON ARE PERPENDICULAR TO THE RECORD TITLE LINE.
- THERE ARE 66 PARKING SPACES PROVIDED ON THIS PROPERTY.
- THIS SITE CONTAINS A CALCULATED AREA OF 974,958 SQUARE FEET OR 22.3820 ACRES.
- THERE IS NO VISIBLE EVIDENCE OF RECENT EARTH MOVING WORK OR BUILDING CONSTRUCTION OR ADDITIONS WITHIN THE SUBJECT PROPERTY.

SURVEYOR'S STATEMENT:

TO JOHN E. EVANS AND PAULA A. EVANS, AS TO AN UNDIVIDED 50% INTEREST IN AND TO LOT 4, AND AN UNDIVIDED 25% INTEREST AS TO PARCEL A, AND TIMOTHY J. MCMANUS, AS TO AN UNDIVIDED 50% INTEREST IN AND TO LOTS 3 AND 4, AND AN UNDIVIDED 25% INTEREST IN AND TO PARCEL A, AND EVANS REALTY & PROPERTY MANAGEMENT LLC, A COLORADO LIMITED LIABILITY COMPANY, AS TO AN UNDIVIDED 50 % INTEREST IN AND TO LOT 3, AND RK HENDERSON, LLC, A COLORADO LIMITED LIABILITY COMPANY, AS TO AN UNDIVIDED 50% INTEREST IN AND TO PARCEL A; AND TO FIDELITY NATIONAL TITLE:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 7(a)(b)(1), 8, 9, 11, 13, 14 & 16 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON SEPTEMBER 23, 2021.

DATE OF MAP OR PLAT


DRAFT

ROBERT B. MICHELSON, PROFESSIONAL LAND SURVEYOR  
COLORADO P.L.S. NO. 30109  
FOR AND ON BEHALF OF JR ENGINEERING, LLC

NOTICE:

PER C.R.S. 13-80-105, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

4				ALTA/NSPS LAND TITLE SURVEY	
3				8221 & 8215 EAST 96TH AVENUE	
2				ADAMS COUNTY, COLORADO	
1	ALTA UPDATE	ZT	9/28/2021		
NO. REVISION		BY	DATE		
DWN. BY SJM		CHK. BY KDB			
SCALE N/A		DATE 4/18/2013			
JOB NO. 15642.00		SHT. 1 OF 2			



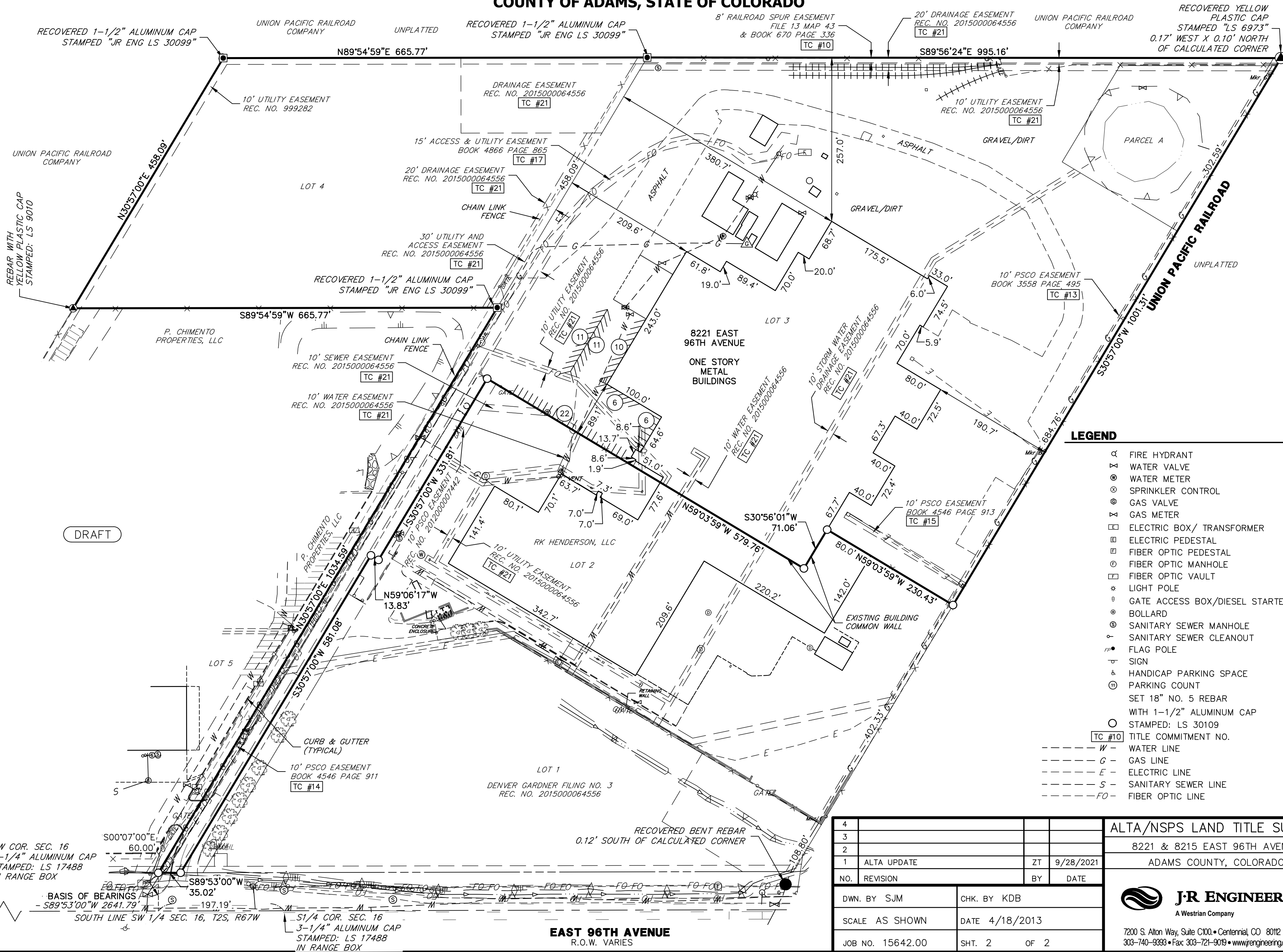
**J-R ENGINEERING**  
A Westrian Company

7200 S. Alton Way, Suite C100 • Centennial, CO 80112  
303-740-9393 • Fax: 303-721-9019 • [www.jrengineering.com](http://www.jrengineering.com)

# ALTA/NSPS LAND TITLE SURVEY

LOTS 3, 4 & PARCEL A, GARDNER DENVER FILING NO. 3,

LOCATED IN THE SOUTH HALF OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN,  
COUNTY OF ADAMS, STATE OF COLORADO



4			
3			
2			
1	ALTA UPDATE	ZT	9/28/2021
NO.	REVISION	BY	DATE
	DWN. BY SJM	CHK. BY KDB	
	SCALE AS SHOWN	DATE 4/18/2013	
	JOB NO. 15642.00	SHT. 2 OF 2	

ALTA/NSPS LAND TITLE SURVEY

8221 & 8215 EAST 96TH AVENUE

ADAMS COUNTY, COLORADO

J-R ENGINEERING

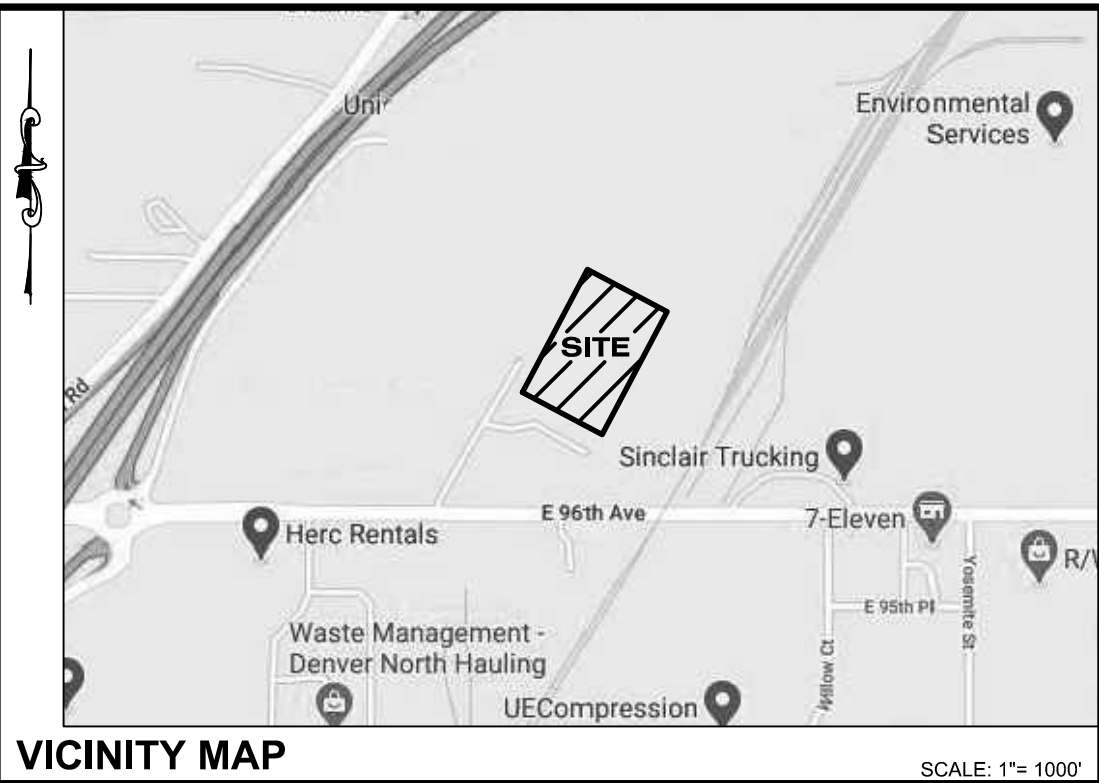
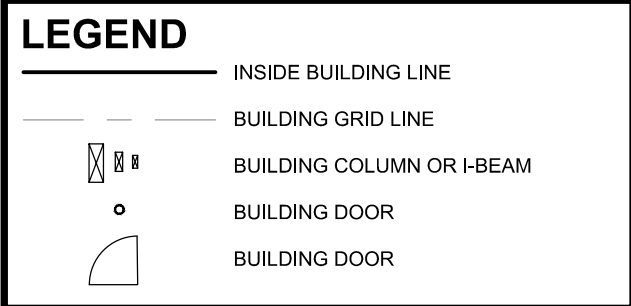
A Westrian Company

7200 S. Alton Way, Suite C100 • Centennial, CO 80112

303-740-9393 • Fax: 303-721-9019 • www.jrengineering.com

# EXHIBIT F





ANY PERSON WHO KNOWINGLY REMOVES, ALTERS, OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT, LAND BOUNDARY MONUMENT, OR ACCESSORY COMMITS A CLASS TWO (2) MISDEMEANOR, PURSUANT TO STATE STATUTE 18-4-508 OF THE COLORADO REVISED STATUTES

Designed By: <b>CNB</b>	Date: <b>09/30/2020</b>
Drawn By: <b>DWW</b>	Survey No.: <b>20-158-Sa</b>
Checked By: <b>CNB</b>	Project No.: <b>1336.2</b>
Field Book No.: <b>938</b>	Scale: <b>1"= 20'</b>
Sheet No.: <b>1 OF 1</b>	

# EXHIBIT G



## South Adams County WSD

6595 E 70th Ave  
Commerce City, CO 80022

(303) 288-2646  
Pay by phone: (844) 735-4551  
Monday - Thursday 8:00am - 5:00pm; Friday  
7:00am - 4:00pm

[Remove Account](#)

Have your bill paid automatically each month with Xpress Bill Pay's hassle-free Auto Pay feature.

### Billing Address

M-L HOLDINGS COMPANY  
1660 S ALBION ST SUITE 800  
DENVER, CO 80222

### Service Address

8221 E 96TH AVE  
COMMERCE CITY, CO 80022

### Account Information

Account Number	602080.04
Billing Period End	05/04/2025
Account Type	Utility
Due Date	05/14/2025
Select Billing Period	5/4/2025

### Total Charges

Water	\$449.73
Water Service Fee	\$236.70
Sewer	\$517.98
Fire Line	\$88.95
Centralized WaterSoftening Fee	\$167.27
<b>Statement Charges</b>	<b>\$1,460.63</b>
<b>Past Due Balance</b>	<b>\$1,176.59</b>
<b>Statement Balance</b>	<b>\$2,637.22</b>
<b>Amount Due</b>	<b>\$2,637.22</b>

DESCRIPTION	PREV READ DATE	READ DATE	METER	PREV READING	PRESENT READING	TOTAL USAGE
WA	03/23/2025	04/24/2025	70023436	4735	4822	87

Previous Payment Date 03/05/2025  
Previous Payment Amount \$2,021.80

The information displayed here is provided by South Adams County WSD. If there is a discrepancy, please contact South Adams County WSD. Please note that this bill is only displaying payments made on or after 05/05/2025. Payments made directly to South Adams County WSD may or may not be displayed here.



# EXHIBIT H



MAILING ADDRESS	ACCOUNT NUMBER	DUE DATE
RDM MANAGEMENT LLC 500 E 62ND AVE DENVER CO 80216-1133	53-0013969910-9	04/25/2025
	STATEMENT NUMBER	STATEMENT DATE
	922078057	04/07/2025
		AMOUNT DUE
		\$4,083.65

### QUESTIONS ABOUT YOUR BILL?

See our website: [xcelenergy.com](http://xcelenergy.com)  
 Please Call: 1-800-481-4700  
 Fax: 1-800-311-0050  
 Or write us at: XCEL ENERGY  
 PO BOX 8  
 EAU CLAIRE WI 54702-0008

### ACCOUNT BALANCE *(Balance de su cuenta)*

Previous Balance	As of 02/24	\$5,596.84
Payment Received	Check 04/07	-\$5,596.84 <b>CR</b>
Balance Forward		<b>\$0.00</b>
Current Charges		\$3,999.70
Non-Recurring Charges / Credits		\$83.95
<b>Amount Due</b> <i>(Cantidad a pagar)</i>		<b>\$4,083.65</b>

### PREMISES SUMMARY

PREMISES NUMBER	PREMISES IDENTIFIER	PREMISES DESCRIPTOR	CURRENT BILL
300681508	8221 E 96TH AVE UNIT C1		\$3,111.41
301261983	8221 E 96TH AVE UNIT A		NOT INCLUDED
304729071	8221 E 96TH AVE UNIT D		\$888.29
<b>Total</b>			<b>\$3,999.70</b>

### NON-RECURRING CHARGES/CREDITS SUMMARY

DESCRIPTION	CURRENT BILL
Late Charge Assessed	\$83.95
<b>Total</b>	<b>\$83.95</b>

### INFORMATION ABOUT YOUR BILL

Now that you have a new electric meter, your monthly bill will look different than it has in the past and will show your electric use during different segments of the day. You can also sign up at [xcelenergy.com/MyAccount](http://xcelenergy.com/MyAccount) to see your billing history and other helpful information.

Thank you for your payment.

RETURN BOTTOM PORTION WITH PAYMENT ONLY • PLEASE DO NOT INCLUDE OTHER REQUESTS • SEE BACK OF BILL FOR CONTACT METHODS



Please help our neighbors in need by donating to Energy Outreach Colorado. Please mark your donation amount on the back of this payment stub and CHECK THE RED BOX under your address below.

----- manifest line -----



RDM MANAGEMENT LLC  
 500 E 62ND AVE  
 DENVER CO 80216-1133

ACCOUNT NUMBER	DUE DATE	AMOUNT DUE	AMOUNT ENCLOSED
53-0013969910-9	04/25/2025	\$4,083.65	

Please see the back of this bill for more information regarding the late payment charge.  
 Make your check payable to XCEL ENERGY

APRIL						
S	M	T	W	T	F	S
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			



XCEL ENERGY  
 P.O. BOX 660553  
 DALLAS TX 75266-0553

32 53042525 00139699109 0000040836500000408365 ANCON000133

033678 1/4



11



MAILING ADDRESS	ACCOUNT NUMBER	DUE DATE
RDM MANAGEMENT LLC 500 E 62ND AVE DENVER CO 80216-1133	53-0013969910-9	04/25/2025
	STATEMENT NUMBER	STATEMENT DATE
	922078057	04/07/2025
		AMOUNT DUE
		\$4,083.65

DAILY AVERAGES	Last Year	This Year
Temperature	44° F	47° F
Gas Therms	147.3	152.2
Gas Cost	\$107.85	\$100.37

SERVICE ADDRESS: 8221 E 96TH AVE UNIT C1 HENDERSON, CO 80640-8500  
 NEXT READ DATE: 05/07/25

### NATURAL GAS SERVICE DETAILS (See back of your bill for explanation of billing terms)

PREMISES NUMBER: 300681508  
 INVOICE NUMBER: 0555980179

METER READING INFORMATION			
METER 10021201		Read Dates: 03/07/25 - 04/07/25 (31 Days)	
DESCRIPTION	CURRENT READING	PREVIOUS READING	USAGE
Total Energy	78123 Actual	75128 Actual	2995 ccf
Demand PDQ			30.50 Dth

### NATURAL GAS ADJUSTMENTS

DESCRIPTION	VALUE UNITS	CONVERSION	VALUE UNITS
Dth Multiplier	2995 ccf	x 0.157491	471.70 Dth

### NATURAL GAS CHARGES

RATE: CLG Commercial MDQ

DESCRIPTION	USAGE UNITS	RATE	CHARGE
Service & Facility			\$225.30
Usage Charge	471.70 Dth	\$0.497710	\$234.77
Capacity Charge	30.50 Dth	\$15.000000	\$457.50
Natural Gas Q1	315.10 Dth	\$3.173945	\$1,000.11
Natural Gas Q2	156.50 Dth	\$3.941150	\$616.79
Demand Side Mgmt			\$52.13
Interstate Pipeline	471.70 Dth	\$0.475005	\$224.06
GRSA			\$158.88
Energy Assistance Chg			\$0.81
<b>Subtotal</b>			<b>\$2,970.35</b>
Sales Tax			\$141.06
<b>Total</b>			<b>\$3,111.41</b>

**Premises Total** **\$3,111.41**



## TOGETHER WE POWER STABILITY.

Energy Outreach Colorado is a nonprofit partnering with Xcel Energy to provide energy bill payment assistance and energy-efficiency upgrades for affordable housing and nonprofit facilities. We need your help today! There are three ways to contribute:



1. Visit the Energy Outreach Colorado website at [www.energyoutreach.org](http://www.energyoutreach.org) to make a one-time donation.
2. **CHECK THE RED BOX** on the front-left side of this payment stub AND select a tax-deductible contribution below.  
**MONTHLY DONATION:**  
**\$20** ☐ **\$10** ☐ **\$5** ☐ **Other**
3. Make a one-time, tax-deductible contribution of \$   
 Enclose this form with your Xcel Energy payment. Or, mail to:  
**ATTN PAR Dept., PO BOX 8, EAU CLAIRE, WI 54702-0008**  
 (Please make your check payable to Energy Outreach Colorado.)

Customers that choose to donate will have account information securely shared with Energy Outreach Colorado for tax purposes only.





MAILING ADDRESS	ACCOUNT NUMBER		DUE DATE
RDM MANAGEMENT LLC 500 E 62ND AVE DENVER CO 80216-1133	53-0013969910-9		04/25/2025
	STATEMENT NUMBER	STATEMENT DATE	AMOUNT DUE
	922078057	04/07/2025	\$4,083.65

SERVICE ADDRESS: 8221 E 96TH AVE UNIT D HENDERSON, CO 80640-8500  
 NEXT READ DATE: 04/28/25

### ELECTRICITY SERVICE DETAILS (See back of your bill for explanation of billing terms)

PREMISES NUMBER: 304729071  
 INVOICE NUMBER: 1174459681

DAILY AVERAGES	Last Year	This Year
Temperature	42° F	47° F
Electricity kWh	170.1	260.0
Electricity Cost	\$20.31	\$30.63

METER READING INFORMATION			
METER 349667637		Read Dates: 02/24/25 - 03/25/25 (29 Days)	
DESCRIPTION	CURRENT READING	PREVIOUS READING	USAGE
Mid Pk Energy	848 Actual	0 Actual	848 kWh
On-Peak Energy	868 Actual	0 Actual	868 kWh
Off-Peak Energy	5824 Actual	0 Actual	5824 kWh
Total Energy	7541 Actual	0 Actual	7541 kWh
Demand	Actual		25.74 kW
Billable Demand			26 kW

ELECTRICITY CHARGES		RATE: CTOU Com Energy TOU	
DESCRIPTION	USAGE UNITS	RATE	CHARGE
Service & Facility			\$12.00
CTOU On-Peak	868 kWh	\$0.101910	\$88.46
CTOU Shoulder	848 kWh	\$0.080940	\$68.64
CTOU Off-Peak	5824 kWh	\$0.059980	\$349.32
RDA	7540 kWh	- \$0.002460	- \$18.56 CR
Demand Side Mgmt	506.42	9.96%	\$50.44
PurchCapCostAdj	506.42	3.65%	\$18.49
Trans Cost Adj	506.42	8.16%	\$41.32
ECA Q1	506.42	41.38%	\$209.55
Trans Elec Plan	506.42	2.16%	\$10.94
Renew. Energy Std Adj			\$8.33
Colo Energy Plan Adj			\$8.33
Energy Assistance Chg			\$0.81
<b>Subtotal</b>			<b>\$848.07</b>
Sales Tax			\$40.22
<b>Total</b>			<b>\$888.29</b>

Meter 000349667637 Max Demand 03/06/2025 07:30

**Premises Total** **\$888.29**





MAILING ADDRESS	ACCOUNT NUMBER		DUE DATE
RDM MANAGEMENT LLC 500 E 62ND AVE DENVER CO 80216-1133	53-0013969910-9		04/25/2025
	STATEMENT NUMBER	STATEMENT DATE	AMOUNT DUE
	922078057	04/07/2025	\$4,083.65

NON-RECURRING CHARGES / CREDITS DETAILS

DESCRIPTION	CHARGE
Late Charge Assessed	\$83.95
Total	\$83.95





MAILING ADDRESS	ACCOUNT NUMBER		DUE DATE
RDM MANAGEMENT LLC 500 E 62ND AVE DENVER CO 80216-1133	53-0013969910-9		04/25/2025
	STATEMENT NUMBER	STATEMENT DATE	AMOUNT DUE
	922078057	04/07/2025	\$4,083.65

### Cooling Efficiency Rebate Options

Along with budding plants and birds chirping to signify spring, prepare your business for warmer weather and earn fixed rebates for purchasing qualifying energy-efficient equipment, including:

- Hotel room controllers
- Rooftop units (RTU)
- Food service equipment such as commercial dishwashers and hot food holding cabinets

Taking steps to upgrade or improve the efficiency of your cooling equipment can help your business gain year-over-year energy and cost savings. For how to get started, visit [xcelenergy.com/Programs](http://xcelenergy.com/Programs).

### WANT HELP MANAGING YOUR ENERGY BILL?

Let us help you with that. From bill stabilization to payment assistance, and checking your usage rates, we have solutions that are right just for you.

Find out more at  
[xcelenergy.com/WaysToSave](http://xcelenergy.com/WaysToSave).

033678 3/4



04/07/2025

53-0013969910-9



## IMPORTANT PHONE NUMBERS (Available 24 hours, 7 days a week)

Electric Emergencies: **800-895-1999** Natural Gas Emergencies: **800-895-2999** Call Before You Dig: **811** Telecommunications Relay Service (TRS): **711**

### CONVENIENT WAYS TO PAY YOUR BILL

Standard Payment Options (no fees apply):

- **My Account:** View and pay your bill using our mobile app, see your energy use and access your account information.
- **Auto Pay:** Automatically pay your bill directly from your bank account.
- **Pay Online:** View and pay your bill online using MyCheckFree.
- **Pay by Phone:** Make your payment from your checking or savings account with a phone call to **800-895-4999**.

- **Pay by Mail:** Return the enclosed pre-addressed envelope to **Xcel Energy, PO Box 660553, Dallas, TX 75266-0553**. Include the attached bill stub for faster processing along with your payment. Apply proper postage.

**Electronic Check Conversion:** When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction.

#### Other Payment Options

Third-Party processing fees will apply. Xcel Energy does not collect or benefit from these fees:

- **Credit/Debit Card Payment:** To pay with your card, use **MyAccount** or **eBill** or call **833-660-1365**.
- **Pay Stations:** Visit **xcelenergy.com** to find an in-person location near you.

### GLOSSARY

#### Colorado Energy Plan Adjustment

**(Colo Energy Plan Adj):** funds voluntary early retirement for Xcel Energy's coal-fired power plants as part of our plan to cut carbon emissions by 2030 and provide net-zero energy by 2050.

**Demand Charge:** recovers costs to produce and deliver power to you, including the costs of poles and wires, transmission and distribution facilities in the power grid.

**Demand Peak Day Quantity (Demand PDQ):** this charge is for large commercial and industrial customers only. It's a measurement of their highest daily use of electricity during a monthly billing cycle.

**Demand-Side Management Cost Adjustment (Demand Side Mgmt):** recovers costs of energy efficiency and conservation programs that encourage customers to reduce their energy use. If you receive electricity and natural gas from us you will see two charges.

**Energy Assistance Charge: Required by House Bill 21-1105, we collect and remit this monthly charge to Energy Outreach Colorado for bill assistance for income-qualified customers. If you receive electricity and natural gas from us you will see two charges. If you're struggling to pay your utility bills, you might qualify for exemption from a monthly charge related to energy assistance and be eligible for utility bill payment assistance. Please call 1-866-HEAT-HELP to see if you qualify. You may request to opt out of this charge by calling 800-895-4999.**

**Si tiene dificultades para pagar sus facturas de energía, es posible que reúna los requisitos para recibir asistencia para pagar sus facturas y que sea elegible para la exención del cargo por asistencia energética. Llame al 1-866-HEAT-HELP (1-866-432-8435) para ver si califica para recibir asistencia.**

**Electric Commodity Adjustment (ECA):** recovers the cost of fuel used to generate the electricity you use. We pass on the wholesale cost to customers without a markup. Costs are adjusted on a quarterly basis to reflect market conditions.

**Energy Charge:** the variable costs of producing energy not collected through quarterly commodity adjustments.

**Franchise Fee:** this surcharge pays cities and counties for the right to use public streets to provide utility services. We collect the surcharges and pass them to your city and county.

**Gas Cost Adjustment (Gas Cost Adj or Natural Gas):** recovers the cost of natural gas purchased and delivered to you, including natural gas fuel, upstream transportation and storage services. We pass on the wholesale cost to customers without a markup. Costs are adjusted on a quarterly basis to reflect market conditions.

**General Rates:** your base rate charge, which includes the Service and Facility Charge, metering charges, a Demand Charge (if applicable), plus either an Energy Charge for electric service or the Usage Charge for gas service, as applicable.

**General Rate Schedule Adjustments (GRSA):** a percentage amount of your bill calculated for base rate charges, excluding the Service and Facility Charge for gas customers, the Energy or Usage Charge and the Demand or Capacity Charge. The adjustment can be positive or negative and is applied to your electric and/or natural gas bill.

**Interstate Pipeline:** reflects Xcel Energy's payments to interstate pipelines and storage facility operators to deliver natural gas into Xcel Energy's gas system. The Federal Energy Regulatory Commission regulates these upstream services and the rates charged to Xcel Energy.

**Kilowatt Hour (kWh):** Measures the amount of electricity you use.

**Late Payment Charge:** we assess a late payment charge on any unpaid balance exceeding \$50.00. For residential customers, a late payment charge of 1% per month is applied. For commercial customers, a 1.5% late payment charge will be assessed.

**Load Meter Charge:** a flat monthly charge for those with customer-owned generation in parallel with Xcel Energy's system. This fee is for the cost of the meter needed for these accounts.

**Natural Gas:** reflects our cost to purchase natural gas fuel at market prices as approved by the Colorado Public Utilities Commission.

**Production Meter Charge:** a flat monthly charge for customers who have on-site power generation, like rooftop solar, and are connected to Xcel Energy's system. This fee is for the cost of the meter needed for these accounts.

**Purchased Capacity Cost Adjustment (Purchased Cap Cost Adj):** the cost to purchase electric generation from other suppliers.

#### Renewable Energy Standard Adjustment

**(Renew Energy Std Adj):** a base rate charge which represents 1% of an electric bill and funds renewable energy programs as required by Colorado law under which utilities must generate or purchase increasing portions of their electricity from sun, wind or biomass.

**Revenue Decoupling Adjustment:** supports a program designed to encourage conservation without penalizing the energy provider for the reduction of electricity use. Adjusted quarterly, customers will either see a bill credit or a surcharge not to exceed 3% of your overall bill.

**Service & Facility Charge:** a flat monthly charge for the meter on your home, having the meter read, billing support and customer service needs.

**Time-of-Use Rates:** electricity use charges for customers on our time-differentiated pricing plan. Electricity pricing varies depending on when you use it. The On-Peak period is 3–7 p.m., weekdays except holidays; Mid-Peak is 1–3 p.m., weekdays except holidays; Off-Peak is all other hours.

**Therm:** Measures your natural gas use. One therm is equal to 100 cubic feet of natural gas. A dekatherm is 10 therms.

**Therm Multiplier:** natural gas usage is measured in therms. This is the conversion from the volume of natural gas (cubic feet) to energy use (therms).

**Transmission Cost Adjustment (Trans Cost Adj):** recovers transmission investments for infrastructure to carry electricity from a power plant to your home and business that results in a net increase in transmission capacity or are part of an approved Wildfire Mitigation Plan. Also recovers distribution costs pursuant to Colorado Senate Bill 24-218.

**Transportation Electrification Plan Adjustment (Trans Elec Plan):** funds programs to help customers unlock the benefits of electric transportation.

**Usage Charge:** this charge covers the costs for providing natural gas service, including moving natural gas through pipelines and storage to your home or business, that are not recovered through other charges.

### RESOURCES TO BETTER UNDERSTAND YOUR BILL

Find more information online about ways to pay and manage your bill, how to read your bill, energy assistance programs and more. Bills are even easier online. Go paperless. Download our Mobile App to manage your bill with ease and when you're on the go. Available now in the Apple Store and in Google Play.

**Billing summary note:** depending on the date your bill was calculated, you may see a line item included twice, showing different quarterly adjustments.





# WHERE DOES YOUR ELECTRICITY COME FROM?



One of Xcel Energy's key priorities is to keep costs low for our customers as we proactively work to provide safe, reliable and increasingly clean energy. Today, we serve our Colorado customers with electricity that's 45% carbon-free and have reduced carbon emissions by 57%.

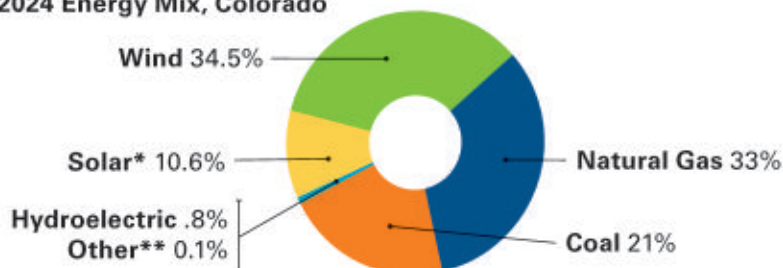
Our Colorado Clean Energy Plan will help to further reduce carbon emissions, with approximately 80% of customers' electricity coming from renewable sources by the end of the decade. It will add about 6,100 megawatts of new generation — including solar, wind, battery storage and strategically necessary amounts of natural gas — which will significantly increase the amount of renewable energy on our system.

Implementing this plan is an important step towards achieving a carbon-free future and brings forward new projects that will help achieve our emission reduction goals using a diverse mix of resources.

To learn more, visit [xcelenergy.com/OurEnergyFuture](https://xcelenergy.com/OurEnergyFuture).

**Power supply mix:** Our Colorado energy mix includes natural gas, wind, coal, solar and hydroelectric power. Energy sources for power that we generated or purchased for all energy customers in 2024:

## 2024 Energy Mix, Colorado

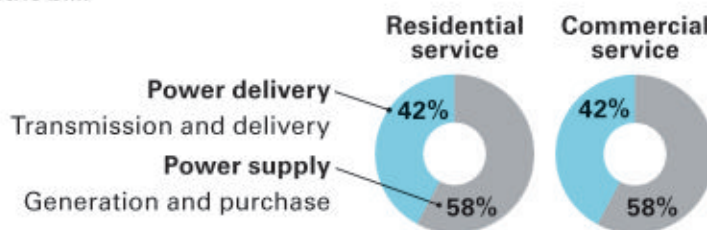


Visit [xcelenergy.com](https://xcelenergy.com) for more information about the resources that produce your electricity, including the average cost of each resource.

\*Includes wind and solar energy generated through Xcel Energy's renewable energy programs: Windsource, Renewable\*Connect, Solar\*Rewards Community and Solar\*Rewards.

\*\*Includes purchased biomass, oil and nuclear power.

**Price components:** Percentage components for an average monthly electric bill:



**Power supply:** Costs include all purchased power and energy source costs. For generation plants owned by Xcel Energy, power supply costs also include labor at generation plants, depreciation of generation plants, allocated overhead, taxes and a profit component.

**Power delivery:** Includes specific labor associated with transmission and distribution facilities, metering, billing, customer service, allocated overheads, taxes and a profit component.

**Example:** If your residential bill for this month is \$92.65, then about 58% (or \$53.54 of your bill) is for the electricity itself, and about 42% (or \$39.11) covers the cost of having the electricity delivered to your home.

**Note:** Price component information applies to the average customer and may differ when applied to individual customers. Additional information is available upon request.







# EXHIBIT I

**After Recording Return to:**

8221 E. 96<sup>th</sup> Avenue, LLC

c/o M-L Holdings Company

Attn: David Matz & Nicholas Shubert

500 E. 62<sup>nd</sup> Avenue

Denver, CO 80216

**SPECIAL WARRANTY DEED**

**THIS SPECIAL WARRANTY DEED**, is made effective this 1<sup>ST</sup> day of APRIL, 2022, by EVANS REALTY & PROPERTY MANAGEMENT LLC, a Colorado limited liability company, TIM McMANUS, an individual, JOHN EVANS, an individual, PAULA EVANS, an individual, and TIM MCMANUS, an individual collectively the “Grantor”) and 8221 E. 96<sup>th</sup> Avenue, LLC, a Colorado limited liability company (“Grantee”) to”) whose address is c/o M-L Holdings Company, 500 E. 62<sup>nd</sup> Avenue, Denver, CO 80216.

**WITNESS**, that the Grantor, for and in consideration of the sum of Ten and 00/100 DOLLARS (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee, its successors and assigns forever, all the real property, together with all improvements situate, lying and being in the County of Adams, State of Colorado, on the real property described as follows:

**See Exhibit A attached hereto and incorporated by this reference herein.**

**TOGETHER** with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, claim, and demand whatsoever of Grantors, either in law or equity, of, in, and to the above bargained premises, with the hereditaments and appurtenances;

**TO HAVE AND TO HOLD** the said premises above bargained and described with the appurtenances, unto Grantee, its successors and assigns forever. Grantors, for itself, its successors and assigns does covenant and agree that it shall and will WARRANT AND FOREVER DEFEND the above bargained premises in the quiet and peaceable possession of Grantee, its successors and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under Grantor, except for the matters set forth on **Exhibit B** attached hereto and incorporated by this reference herein.

*[Remainder of page intentionally left blank; signature page follows]*

Recording Requested By:

FNTG-NCS Colorado

N 0034307

IN WITNESS WHEREOF, this Special Warranty Deed is executed by Grantor the day and year first above written.

GRANTOR:

**EVANS REALTY & PROPERTY MANAGEMENT  
LLC**, a Colorado limited liability company

By:  
Name  
Title

Carla A. Evans  
PAULA A. EVANS  
member/manager

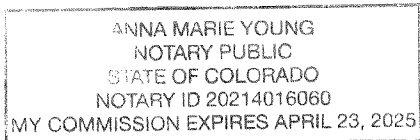
STATE OF COLORADO )  
 ) ss.  
County of DERIVER )

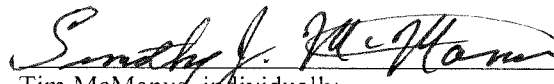
The foregoing instrument was acknowledged before me this 1<sup>ST</sup> day of APRIL, 2022, by PAMELA A. EVANS, the MEMBER / MANAGER of Evans Realty & Property Management LLC, a Colorado limited liability company.

Witness my hand and official seal.

My commission expires: 4/23/25

Anna M. Young  
Notary Public




  
Tim McManus, individually

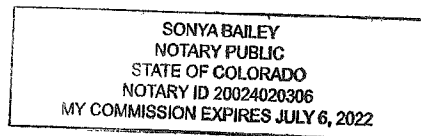
STATE OF Colorado )  
County of Denver ) ss.

The foregoing instrument was acknowledged before me this 1 day of April, 2022, by Tim McManus.

Witness my hand and official seal.

My commission expires: 7/6/22

  
Notary Public



John Evans, individually John Evans John

STATE OF COLORADO )  
 ) ss.  
County of DENVER )

The foregoing instrument was acknowledged before me this 1<sup>ST</sup> day of APRIL, 2022, by John Evans.

Witness my hand and official seal.

My commission expires: 4/23/25

Anna M. Young  
Notary Public

ANNA MARIE YOUNG  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20214016060  
MY COMMISSION EXPIRES APRIL 23, 2025

Paula Evans

Paula Evans, individually

Paula E. Evans

STATE OF COLORADO )

) ss.

County of DENVER )

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of APRIL, 2022, by Paula Evans.

Witness my hand and official seal.

My commission expires: 4/23/2025

Anna M. Young

Notary Public

ANNA MARIE YOUNG  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20214016060  
MY COMMISSION EXPIRES APRIL 23, 2025

EXHIBIT A  
Legal Description

Lots 3 and 4, And Parcel A,  
Gardner Denver Filing No. 3,  
County of Adams, State of Colorado.

Exhibit A-1



EXHIBIT B  
Permitted Exceptions

1. TAXES AND ASSESSMENTS FOR THE YEAR 2021 AND SUBSEQUENT YEARS, A LIEN NOT YET DUE AND PAYABLE.
2. Any tax, lien, fee or assessment by reason of inclusion of subject property in the South Adams County Water and Sanitation District, as evidenced by instrument Recording Date: September 22, 1970 Recording No.: Book 1630 at Page 267
3. Reservation of all irrigation water and ditch rights, and easement 8 feet in width along the Northerly line of property as reserved in Deed Recording Date: August 19, 1957 Recording No.: Book 670 at Page 336
4. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document: Granted to: Public Service Company of Colorado, Recording Date: April 27, 1989 Recording No: Book 3558 at Page 495
5. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document: Granted to: Public Service Company of Colorado, Recording Date: July 13, 1995 Recording No: Book 4546 at Page 911
6. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document: Granted to: Public Service Company of Colorado; Recording Date: July 13, 1995 Recording No: Book 4546 at Page 913
7. Terms, conditions, provisions, agreements and obligations contained in the Certification of Notice to Mineral Estate Owners as set forth below:  
Recording Date: October 7, 2011  
Recording No.: Reception No. 2011000065495
8. Terms, conditions, provisions, agreements and obligations contained in the Resolution No. 2015-332 as set forth below:  
Recording Date: July 29, 2015  
Recording No.: Reception No. 2015000061774
9. Easements, notes, covenants, restrictions and rights-of-way as shown on the plat of Gardner Denver Filing No. 3, Recording Date: August 06, 2015 Recording No.: Reception No. 2015000064556
10. Terms, conditions, provisions, agreements and obligations contained in the Subdivision Improvement Agreement in Resolution 2015-333 as set forth below:  
Recording Date: August 13, 2015  
Recording No.: Reception No. 2015000067233
11. Terms, conditions, provisions, agreements and obligations contained in the Operations & Maintenance Manual Stormwater Management Facilities as set forth below:  
Recording Date: November 26, 2018  
Recording No.: Reception No. 2018000094412

12. Any rights, interest, or claims which may exist or arise by reason of the following matters disclosed by the ALTA/ACSM Land Title Survey, prepared by Robert B. Michelson, PLC#30109 for and on behalf of JR Engineering, dated September 24, 2021 and last revised \_\_\_\_\_, 2021 and designated as Job No.15642.00 , as follows
  - a) Survey reveals that the easements created by the plat Rec # 2015000064556 encroach onto the buildings.
  - b) railroad spur on the northerly lot line

# EXHIBIT J



March 26, 2025

Mr. Jake Hertz  
Golden Development Consulting  
[jhertz@goldendc-co.com](mailto:jhertz@goldendc-co.com)  
720-257-1583

Re: 96<sup>th</sup> Avenue Trip Generation Letter  
Adams County, Colorado

Dear Mr. Hertz:

This letter documents the results of a trip generation comparison letter between the existing and proposed user at 8221 & 8215 E 96<sup>th</sup> Avenue in unincorporated Adams County. The site currently provides approximately 275,000 square feet of manufacturing space. The proposed user is planning to lease 38,500 square feet of the entire existing building as a hazardous waste transporter (site plan attached).

Regional access to the site will continue to be provided by Interstate 76 (I-76) while primary access will continue to be provided along 96<sup>th</sup> Avenue. Direct access will remain at the shared accesses along a private roadway on the north side of 96<sup>th</sup> Avenue, approximately a quarter-mile east of the I-76 interchange roundabout.

### TRIP GENERATION COMPARISON

Site-generated traffic estimates are determined through a process known as trip generation. Rates and equations are applied to the proposed land use to estimate traffic generated by the development during a specific time interval. The acknowledged source for trip generation rates is the *Trip Generation Manual*<sup>1</sup> published by the Institute of Transportation Engineers (ITE). ITE has established trip rates in nationwide studies of similar land uses. For this study, Kimley-Horn used the ITE Trip Generation Manual average rates that apply to Manufacturing (ITE Land Use Code 140) for the portion of building that will be converted to the new use.

The proposed transporter user is planned to have 11 employees operating from 6:00 am to 6:00 pm with 5 trucks per day. Therefore, user-specific trip generation was used to estimate the project trips associated with the new user. To provide a conservative analysis, it was assumed all employees will enter during the morning peak hour and exit during the afternoon peak hour even though operations begin at 6:00 am. Additionally, one truck entering and exiting during each peak hour was assumed. The following **Table 1** summarizes the estimated trip generation for traffic associated with the development (calculations attached).

---

<sup>1</sup> Institute of Transportation Engineers, *Trip Generation Manual*, Eleventh Edition, Washington DC, 2021.

**Table 1 – 96<sup>th</sup> Avenue Traffic Generation**

Land Use and Size	Weekday Vehicles Trips						
	Daily	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
Existing User							
Manufacturing (ITE 140) 38,500 Square Feet	184	20	6	26	9	20	29
Proposed User							
User-Specific 11 Employees/5 Trucks	32	12	1	13	1	12	13
Trip Difference	-152	-8	-5	-13	-8	-8	-16

As shown in the table the new user is anticipated to generate fewer daily and peak trips compared to the existing manufacturing user. Specifically, the new user generates 152 fewer daily trips, 13 fewer trips during the morning peak hour, and 16 fewer trips during the afternoon peak hour compared to the existing user.

### CONCLUSIONS AND RECOMMENDATIONS

Based on the traffic analysis presented in this report, Kimley-Horn and Associates, Inc. believes that the new user will be successfully incorporated into the existing and future roadway network. The proposed user generates 152 fewer daily trips, 13 fewer trips during the morning peak hour, and 16 fewer trips during the afternoon peak hour compared to the existing user. If you have any questions or require anything further, please feel free to call me at (720) 738-3435.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.



Mary Gormley, P.E.  
Project Manager

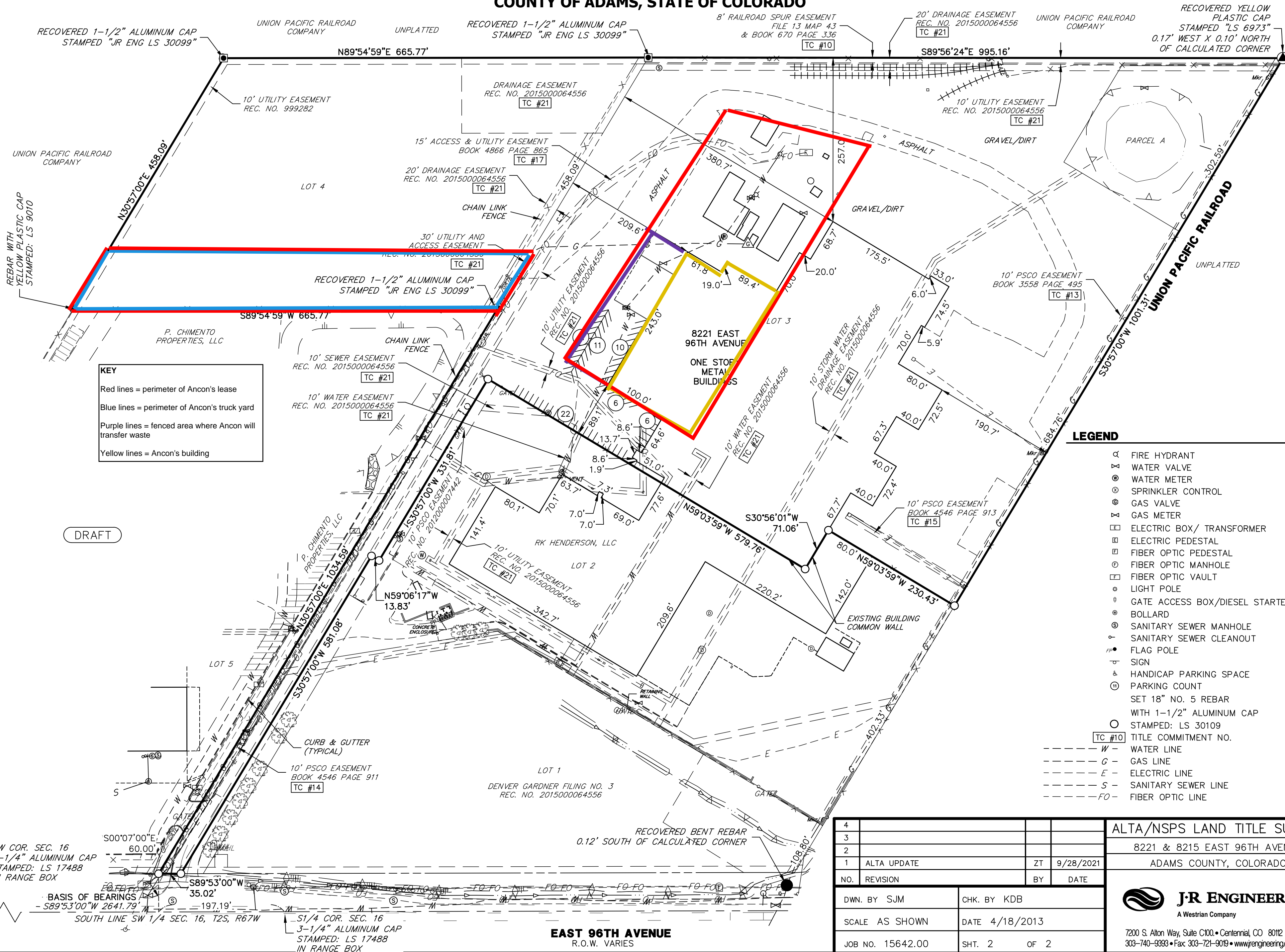


## Conceptual Site Plan

# ALTA/NSPS LAND TITLE SURVEY

LOTS 3, 4 & PARCEL A, GARDNER DENVER FILING NO. 3,

LOCATED IN THE SOUTH HALF OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN,  
COUNTY OF ADAMS, STATE OF COLORADO



## Trip Generation Worksheet



Project 96th Avenue Trip Generation Letter  
Subject Trip Generation for Manufacturing  
Designed by MAG Date March 18, 2025 Job No. 296185000  
Checked by \_\_\_\_\_ Date \_\_\_\_\_ Sheet No. \_\_\_\_\_ of \_\_\_\_\_

## **TRIP GENERATION MANUAL TECHNIQUES**

ITE Trip Generation Manual 11th Edition, Average Rate Equations

Land Use Code - Manufacturing (140)

Independent Variable - 1000 Square Feet Gross Floor Feet (X)

Gross Floor Area = 38,500

X = 38.5

T = Average Vehicle Trip Ends

### **Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m. (100 Series Page 68)**

		Directional Distribution:	76% ent.	24% exit.
T = 0.68 (X)		T = 26	Average Vehicle Trip Ends	
T = 0.68 *	38.5	20 entering	6	exiting
		20 + 6	= 26	

### **Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m. (100 Series Page 69)**

		Directional Distribution:	31% ent.	69% exit.
T = 0.74(X)		T = 29	Average Vehicle Trip Ends	
T = 0.74 *	38.5	9 entering	20	exiting
		9 + 20	= 29	

### **Weekday (100 Series Page 68)**

		Directional Distribution:	50% entering, 50% exiting	
T = 4.75 (X)		T = 184	Average Vehicle Trip Ends	
T = 4.75 *	38.5	92 entering	92	exiting
		92 + 92	= 184	

# EXHIBIT K



**Neighborhood Meeting Notice**  
**Conditional Use Permit Application**

Date: March 13, 2025

Time: 6:00pm – 7 p.m. Open House

Location: 8221 E 96th Ave. Henderson, Colorado 80640

Dear Neighbor,

You are invited to attend a neighborhood meeting to discuss a proposed Conditional Use Permit (CUP) application for Ancon Services at 8221 E 96<sup>th</sup> Ave, Henderson, Colorado 80640 (the “Property”).

The purpose of this meeting is to provide information about the proposed use of the Property, answer any questions, and gather community feedback before submitting the application to the Adams County Planning Department.

**Project Details:**

- Applicant: Ancon Marine Inc. d/b/a Ancon Services
- Property Address: 8221 E 96th Ave. Henderson, Colorado 80640
- Proposed Use: Hazardous and non-hazardous waste transfer and transportation facility
- Zoning: I-3

Your input is valuable, and we encourage you to attend to share your thoughts and ask any questions you may have.

If you are unable to attend but would like more information, please contact:

Jake Hertz, Golden Development Consulting, Representative for Ancon Services

720-257-1583

[jhertz@goldendc-co.com](mailto:jhertz@goldendc-co.com)



We look forward to your participation!

Sincerely,

A handwritten signature in black ink, appearing to read "Tobi Moore", with a long horizontal flourish extending to the right.

Tobi Moore

Ancon Services

Enclosures: Neighborhood Meeting Notice Map for the Conditional Use Permit Application

# EXHIBIT L



**COLORADO**  
Department of Transportation



**Annual HazMat Permit # 25HM0006391**

Valid From: **01/06/2025** To: **01/05/2026**

Issued to:

**ANCON MARINE**  
**22707 SOUTH WILMINGTON AVE**  
**CARSON, CA 90745**

Permit Fee: **\$29.00** ( Credit Card )

Sent By: **Email - donc@anconservices.com**

Ordered By: **Don Couch**

USDOT #: **447256**

Weight: **Vehicle Combination 10,001 lbs. or more**

Fed. HM Registration #: **050224550176G**

Carrier Type: **For Hire, Intrastate, Interstate**

Number of Vehicles Transporting Hazardous Materials in CO: **6-10**

Commodity Being Transported: **Class 2.1, Class 2.2, Class 2.3, Class 3, Class 4.1, Class 4.2, Class 4.3, Class 5.1, Class 5.2, Class 6.1, Class 6.2, Class 7 - I, Class 8, Class 9**

**Hauls in bulk (over 3,500 gallons)**

Proof of Financial Responsibility: **Form MCS-90**

**Financial Responsibility Verification:**

Pursuant to 42-20-202, C.R.S., as amended, applicant swears under penalty of perjury that applicant has the minimum liability insurance required by the U.S. Department of Transportation pursuant to 49 C.F.R., Part 387

In compliance with the provisions section 42-20-202(b), C.R.S., the department does grant authority to transport hazardous materials subject to the limitations and provisions mentioned below.

1. This permit must be carried in the transporting motor vehicle.
2. The above named carrier has paid the required amount and is authorized to make copies for the number of vehicles listed herein on the permit.

Full compliance with the laws of the State of Colorado and with the Rules and Regulations of the Department of Public Safety is required under this permit.

THE UNDERSIGNED HAS READ THIS DOCUMENT AND HAS PERSONAL KNOWLEDGE THAT THE FACTS IN IT ARE TRUE, AND AGREES TO COMPLY WITH THE RULES AND REGULATIONS PROMULGATED PURSUANT TO SECTION 42-20-108, C.R.S., AS AMENDED.

Driver Signature: \_\_\_\_\_

Date: 01/06/25

For current commercial vehicle restrictions and maps please visit our Freight and Trucking webpage at <https://sites.google.com/state.co.us/cotriporgfreight>.

UNITED STATES OF AMERICA  
DEPARTMENT OF TRANSPORTATION  
PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION



**HAZARDOUS MATERIALS  
CERTIFICATE OF REGISTRATION  
FOR REGISTRATION YEAR(S) 2024-2025**

**Registrant:** ANCON MARINE  
ATTN: BILL HERLEHY  
10571 LOS ALAMITOS BLVD  
LOS ALAMITOS, CA 90720

This certifies that the registrant is registered with the U.S. Department of Transportation as required by 49 CFR Part 107, Subpart G.

This certificate is issued under the authority of 49 U.S.C. 5108. It is unlawful to alter or falsify this document.

**Reg. No: 050224550176G    Effective: July 1, 2024    Expires: June 30, 2025**

**HM Company ID: 18251**

**Record Keeping Requirements for the Registration Program**

The following must be maintained at the principal place of business for a period of three years from the date of issuance of this Certificate of Registration:

- (1) A copy of the registration statement filed with PHMSA; and
- (2) This Certificate of Registration

Each person subject to the registration requirement must furnish that person's Certificate of Registration (or a copy) and all other records and information pertaining to the information contained in the registration statement to an authorized representative or special agent of the U. S. Department of Transportation upon request.

Each motor carrier (private or for-hire) and each vessel operator subject to the registration requirement must keep a copy of the current Certificate of Registration or another document bearing the registration number identified as the "U.S. DOT Hazmat Reg. No." in each truck and truck tractor or vessel (trailers and semi-trailers not included) used to transport hazardous materials subject to the registration requirement. The Certificate of Registration or document bearing the registration number must be made available, upon request, to enforcement personnel.

For information, contact the Hazardous Materials Registration Manager, PHH-52, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, 1200 New Jersey Avenue, SE, Washington, DC 20590, telephone (202) 366-4109.



**Utah State Tax Commission**

TAXPAYER SERVICES DIVISION 210 N 1950 W SALT LAKE CITY Utah 84134-9000

Website: [tax.utah.gov](http://tax.utah.gov)

BIL 138 03/2024

# 2025 International Fuel Tax Agreement License

ANCON MARINE INC  
ANCON MARINE INC  
1125 W 725 N STE A  
CENTERVILLE UT 840141436

License Number: UT330392593

Expires: December 31, 2025

Issued: November 27, 2024

**THIS PERMIT IS NOT TRANSFERABLE**

**COPIES MUST BE CLEAR AND LEGIBLE**

**INSTRUCTIONS:** A copy of this license must be carried in the cab of all IFTA qualified vehicles and must be available for inspection at the port of entry or by any law enforcement officer.



ABOVE IS YOUR

# 2025 International Fuel Tax Agreement License

Issued: November 27, 2024 Expires: December 31, 2025

Account Number: 13933848-007-IFT  
License Number: UT330392593

152

Number of Decals Requested: 20  
Schedule Type: N/A

## Definition

"Qualified Motor Vehicle" means a motor vehicle powered by special fuel that is used, designed, or maintained for the transportation of persons or property and meets any of the following:

- Has a gross vehicle weight or registered weight exceeding 26,000 pounds.
- Has three or more axles regardless of weight.
- Is used in a combination of vehicles when the gross vehicle weight of the combination of vehicles exceeds 26,000 pounds.

"Qualified Motor Vehicle" does not include a recreational vehicle not used in connection with any business activity.

## What To Do

- Make a copy of the license for each qualified motor vehicle under this license.
- Keep a copy of the license in the cab of each vehicle.
- Keep this original document for your records.

## Licensing

- You must have an International Fuel Tax Agreement (IFTA) license if you travel in more than one IFTA jurisdiction, have qualified motor vehicles or have bulk storage of special fuel and special fuel powered vehicles.
- You must have a Utah Special Fuel User Permit if you do not travel outside Utah, have qualified motor vehicles or have bulk storage of special fuel and special fuel powered vehicles.
- You may be required to have both.

## Reporting

- You must file Utah TC-922, IFTA/Special Fuel User Tax Return, and pay any tax quarterly.
  - If you owe tax to any IFTA jurisdiction, write one check, to the Utah State Tax Commission, for the total amount due for all jurisdictions.
  - We may charge penalty and interest if the tax is not paid in full by the due date.
- Please use our secure Taxpayer Access Point (TAP) at [tap.utah.gov](http://tap.utah.gov) to file your return, pay your tax, renew your license and manage your account.
  - Your tax return is due on or before the last day of the month following the end of the quarter.
  - You must file the tax return even if you did not operate or travel during the quarter.
- Utah will refund credit owed to you from excess tax paid gallons.
- Record all taxable fuel purchased and consumed in each IFTA jurisdiction during the quarter.
- Record all miles traveled in each IFTA jurisdiction during the quarter.



# EXHIBIT M

USDOT Number: \_\_\_\_\_ Date Received: \_\_\_\_\_

A Federal Agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. The OMB Control Number for this information collection is 2126-0008. Public reporting for this collection of information is estimated to be approximately 2 minutes per response, including the time for reviewing instructions, gathering the data needed, and completing and reviewing the collection of information. All responses to this collection of information are mandatory. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Information Collection Clearance Officer, Federal Motor Carrier Safety Administration, MC-RRA, Washington, D.C. 20590.



United States Department of Transportation  
Federal Motor Carrier Safety Administration

**Endorsement for Motor Carrier Policies of Insurance for Public Liability  
under Sections 29 and 30 of the Motor Carrier Act of 1980**

# FORM MCS-90

Issued to ANCON MARINE of CALIFORNIA  
(Motor Carrier name) (Motor Carrier state or

Dated at SCHAUMBURG, IL on this 1ST day of JANUARY province, 2025

Amending Policy Number: BAP 0125052-10 Effective Date: 01/01/2025

Name of Insurance Company: ZURICH AMERICAN INSURANCE COMPANY

Countersigned by: \_\_\_\_\_  
(authorized company representative)

The policy to which this endorsement is attached provides primary or excess insurance, as indicated for the limits shown (check only one):

- ☒ This insurance is primary and the company shall not be liable for amounts in excess of \$5,000,000 for each accident.
- ☐ This insurance is excess and the company shall not be liable for amounts in excess of \_\_\_\_\_ for each accident in excess of the underlying limit of \_\_\_\_\_ for each accident.

Whenever required by the Federal Motor Carrier Safety Administration (FMCSA), the company agrees to furnish the FMCSA a duplicate of said policy and all its endorsements. The company also agrees, upon telephone request by an authorized representative of the FMCSA, to verify that the policy is in force as of a particular date. The telephone number to call is: 1-800-382-21.

Cancellation of this endorsement may be effected by the company or the insured by giving (1) thirty-five (35) days notice in writing to the other party (said 35 days notice to commence from the date the notice is mailed, proof of mailing shall be sufficient proof of notice), and (2) if the insured is subject to the FMCSA's registration requirements under 49 U.S.C. 13901, by providing thirty (30) days notice to the FMCSA (said 30 days notice to commence from the date the notice is received by the FMCSA at its office in Washington, DC).

Filings must be transmitted online via the Internet at <http://www.fmcsa.dot.gov/urs>.

(continued on next page)

## DEFINITIONS AS USED IN THIS ENDORSEMENT

**Accident** includes continuous or repeated exposure to conditions or which results in bodily injury, property damage, or environmental damage which the insured neither expected nor intended.

**Motor Vehicle** means a land vehicle, machine, truck, tractor, trailer, or semitrailer propelled or drawn by mechanical power and used on a highway for transporting property, or any combination thereof.

**Bodily Injury** means injury to the body, sickness, or disease to any person, including death resulting from any of these.

**Property Damage** means damage to or loss of use of tangible property.

**Environmental Restoration** means restitution for the loss, damage, or destruction of natural resources arising out of the accidental discharge, dispersal, release or escape into or upon the land, atmosphere, watercourse, or body of water, of any commodity transported by a motor carrier. This shall include the cost of removal and the cost of necessary measures taken to minimize or mitigate damage to human health, the natural environment, fish, shellfish, and wildlife.

**Public Liability** means liability for bodily injury, property damage, and environmental restoration.

The insurance policy to which this endorsement is attached provides automobile liability insurance and is amended to assure compliance by the insured, within the limits stated herein, as a motor carrier of property, with Sections 29 and 30 of the Motor Carrier Act of 1980 and the rules and regulations of the Federal Motor Carrier Safety Administration (FMCSA).

In consideration of the premium stated in the policy to which this endorsement is attached, the insurer (the company) agrees to pay, within the limits of liability described herein, any final judgment recovered against the insured for public liability resulting from negligence in the operation, maintenance or use of motor vehicles subject to the financial responsibility requirements of Sections 29 and 30 of the Motor Carrier Act of 1980 regardless of whether or not each motor vehicle is specifically described in the policy and whether or not such negligence occurs on any route or in any territory authorized to be served by the insured or elsewhere. Such insurance as is afforded, for public liability, does not apply to injury to or death of the insured's employees while engaged in the course of their employment, or property transported by the insured, designated as cargo. It is understood and agreed that no condition, provision, stipulation, or limitation contained in the policy, this endorsement, or any other endorsement thereon,

or violation thereof, shall relieve the company from liability or from the payment of any final judgment, within the limits of liability herein described, irrespective of the financial condition, insolvency or bankruptcy of the insured. However, all terms, conditions, and limitations in the policy to which the endorsement is attached shall remain in full force and effect as binding between the insured and the company. The insured agrees to reimburse

the company for any payment made by the company on account of any accident, claim, or suit involving a breach of the terms of the policy, and for any payment that the company would not have been obligated to make under the provisions of the policy except for the agreement contained in this endorsement.

It is further understood and agreed that, upon failure of the company to pay any final judgment recovered against the insured as provided herein, the judgment creditor may maintain an action in any court of competent jurisdiction against the company to compel such payment.

The limits of the company's liability for the amounts prescribed in this endorsement apply separately to each accident and any payment under the policy because of any one accident shall not operate to reduce the liability of the company for the payment of final judgments resulting from any other accident.

(continued on next page)

## SCHEDULE OF LIMITS — PUBLIC LIABILITY

Type of carriage	Commodity transported	January 1, 1985
(1) For-hire (in interstate or foreign commerce, with a gross vehicle weight rating of 10,000 or more pounds).	Property (nonhazardous)	\$750,000
(2) For-hire and Private (in interstate, foreign, or intrastate commerce, with a gross vehicle weight rating of 10,000 or more pounds).	Hazardous substances, as defined in <a href="#">49 CFR 171.8</a> , transported in cargo tanks, portable tanks, or hopper-type vehicles with capacities in excess of 3,500 water gallons; or in bulk Division 1.1, 1.2, and 1.3 materials, Division 2.3, Hazard Zone A, or Division 6.1, Packing Group I, Hazard Zone A material; in bulk Division 2.1 or 2.2; or highway route controlled quantities of a Class 7 material, as defined in <a href="#">49 CFR 173.403</a> .	\$5,000,000
(3) For-hire and Private (in interstate or foreign commerce, in any quantity; or in intrastate commerce, in bulk only; with a gross vehicle weight rating of 10,000 or more pounds).	Oil listed in <a href="#">49 CFR 172.101</a> ; hazardous waste, hazardous materials, and hazardous substances defined in <a href="#">49 CFR 171.8</a> and listed in <a href="#">49 CFR 172.101</a> , but not mentioned in (2) above or (4) below.	\$1,000,000
(4) For-hire and Private (In interstate or foreign commerce, with a gross vehicle weight rating of less than 10,000 pounds).	Any quantity of Division 1.1, 1.2, or 1.3 material; any quantity of a Division 2.3, Hazard Zone A, or Division 6.1, Packing Group I, Hazard Zone A material; or highway route controlled quantities of a Class 7 material as defined in <a href="#">49 CFR 173.403</a> .	\$5,000,000

\*The schedule of limits shown does not provide coverage. The limits shown in the schedule are for information purposes only.

# EXHIBIT N



**COLORADO**  
Department of Public  
Health & Environment

Dedicated to protecting and improving the health and environment of the people of Colorado

December 21, 2021

Tobi L Moore  
Ancon Marine Services  
3545 S Elkhart St  
Aurora, CO 80014

RE: Notification of Hazardous Waste Activity EPA ID Number: **COR000255679**

Dear Tobi L Moore:

The Hazardous Materials & Waste Management Division of the Colorado Department of Public Health and Environment has received a Notification of Hazardous Waste Activity (EPA Form 8700-12) by your company for the following location:

**4241 E 64TH AVE  
COMMERCE CITY, CO 80022**

In accordance with state regulations, the EPA ID number listed above has been assigned to the following above referenced location: (Future correspondence should include this number.)

**HAZARDOUS WASTE TRANSPORTER/TRANSFER FACILITY & USED OIL TRANSPORTER / TRANSFER FACILITY**

Any change in location would require a new Notification of Hazardous Waste Activity (EPA Form 8700-12) to be filed, as EPA ID numbers are location specific. Failure to have an EPA ID number for a new location or use of the wrong EPA ID number in shipping hazardous wastes may result in Enforcement Action under sections 25-15-308 to 310 of the Colorado Hazardous Waste Act (sections 25-15-101 to 515, C.R.S.). In accordance with Part 99 of the Colorado Hazardous Waste Regulations (6 CCR 1007-3), if any of the following changes occur, this office must be notified in writing at the above address: 1) mailing address; 2) name of facility; 3) generator status or other notified activity; 4) contact name or phone number; 5) ownership; or 6) site is closed.

Please be aware that the handling and management of hazardous waste, including the generation, transportation, treatment, storage, and disposal of hazardous waste, is regulated under the Colorado Hazardous Waste Regulations, Parts 260 through 268; Parts 2, 99 and 100. A copy of the *Guide to Generator Requirements of the Colorado Hazardous Waste Regulations* is available online at <https://www.colorado.gov/pacific/cdphe/hwguidance> select the link: "Applicable to all generators." And a copy of the regulations (6 CCR 1007-3) is available at <https://www.colorado.gov/pacific/cdphe/hazardous-waste-regulations>.

If you have any questions, or need further information, please contact me at (303) 692-3360.

Sincerely,

Laura Gurule  
Hazardous Waste Notification Coordinator

CDPHERM HAZ CAS - Notifications



# EXHIBIT O



# **Facility Emergency Action Plan & Hazardous Material Storage/Waste Prevention and Contingency Plan**

Ancon Environmental Services

**4241 East 64<sup>th</sup> Avenue  
Commerce City, Colorado 80022**

Prepared by:  
Ancon Environmental  
Environmental, Health and Safety Department



## **Section I**

### **Emergency Action Plan**

#### **PURPOSE**

The purpose of this emergency action plan (EAP) is to establish a baseline procedure to follow in the event of an unanticipated emergency or catastrophic occurrence. This plan has been developed in accordance to 29 CFR 1910.138; whereby, facility personnel must diligently implement, direct, and adhere to, the provisions cited herein at each company facility.

This plan identifies the necessary management, and employee actions during fires and other emergencies. Education and training are provided so that all employees know and understand the Emergency Action Plan.

#### **LOCATION OF PLAN**

The Emergency Action Plan shall be located at the station, or office of each Supervisor and Forman. A copy shall also be maintained inside the facility main office. Upon request, a regulatory representative may obtain a copy of the plan from The Health and Safety Department, or the facility manager.

#### **MINIMUM PLAN REQUIREMENTS**

The plan will designate employer and employee actions to ensure safety during a fire spill and other emergencies. The plan is kept at the workplace and is available for employee review.

The following identifies the key elements of the plan:

- ❑ Emergency escape procedures and escape route assignments
- ❑ Procedures to account for all employees after emergency evacuation
- ❑ Identification of employees rescue and medical duties
- ❑ Preferred means of reporting fires and other emergencies
- ❑ Types of evacuation to be used in emergency circumstances
- ❑ Names and job titles of persons who can be contacted for further information about the Emergency Action Plan

Ancon has posted emergency telephone numbers near telephones and other conspicuous locations for reporting emergencies.

## **ESCAPE PROCEDURES AND EXIT ROUTES**

All exits will remain unlocked during working hours. All employees must exit the facility in a safe and orderly manner.

Employees shall recognize the following locations for safe egress from the facility (SEE MAP):

- Exit at the Gates located at the south side of the facility.

Note: Wind direction and other impacting conditions shall be considered prior to using any of the established exit locations.

## **ALARM SYSTEMS AND NOTIFICATION OF EMERGENCIES**

In a facility emergency, employees will be notified as follows:

- a) Portable Air Horn
- b) Telephone

The emergency system provides warning for:

1. Necessary emergency action as called for in the Emergency Action Plan;
2. Reaction time for safe escape of employees from the workplace or the immediate work area; or
3. Both.

The employee manual alarms must be:

1. Distinctive and recognizable a signal to evacuate the work area or perform other required action; and
2. Perceptible above ambient noise or light levels by employees in the affected portions of the workplace

## **TRAINING**

Before implementing the Emergency Action Plan, Ancon will identify and train sufficient personnel to assist in the safe and orderly evacuation of employees. The following people have been specially trained to administer such instructional plans.

Employee Accountability Training:

- General Manager | Tobi Moore
- Operations Manager | Mike Armstrong

Rescue and Medical Duty Training:

- Safety Officer | James McGregor

Emergency Reporting Training:

- General Manager | Tobi Moore

Extinguisher Training:

- General Manager | Tobi Moore
- Safety Officer | James McGregor

## **TYPES OF EVACUATION**

As per regulatory requirements Ancon has established an evacuation system to follow under emergency circumstances.

Designated Alarm System: PORTABLE AIR HORN SYSTEM

Full Evacuation – **Constant Air blast**

The employer must review the plan with each employee:

- a) Prior to initiate work assignment
- b) The plan is first developed;
- c) The employee's responsibilities or actions are modified; or
- d) The plan is modified

## **FURTHER INFORMATION**

For further information or explanation about any duties under the Emergency Action Plan, contact:

Bill Herlehy – Corporate EHS Manager

## **Section II**

### **Fire Prevention Plan**

The Fire Prevention Plan identifies measures to prevent fires, to suppress fires that may occur, and to evacuate in the event of a fire emergency. Educational training is provided to enable all employees to understand the Fire Safety Plan.

#### **RESPONSIBILITY**

The facility manager, and Ancon Health and Safety are jointly responsible for all facets of this plan and have the full authority to make necessary decisions to ensure the overall success of this plan.

Ancon Health and Safety will develop detailed written instructions where required by this plan and will amend these instructions as necessary.

Ancon Health and Safety will be responsible for training employees in the use of fire extinguishers and the use of the evacuation plan, and for providing any other training pursuant to this plan.

The facility manager, and Ancon Health and Safety are responsible for the control of fuel source hazards, which may pose risk of ignition, or serve as an accelerant to combustion.

#### **FIRE EXITS**

The Colorado Operations Facility has various exits to be used in a fire emergency.  
(see map)

Fire doors should not be blocked or locked to prevent emergency use when employees are within the buildings.

Exit routes from buildings must be clear and free of obstructions and properly marked with signs designating exits from the building.

The facility manager, and the Environmental, Health and Safety Department are responsible for inspecting fire exits. Inspections will be performed at a monthly frequency.

## **PORTABLE FIRE EXTINGUISHERS**

The Colorado Operations Facility has adequately rated fire extinguishers for the anticipated fire hazards at this facility.

All employees expected or anticipated to use fire extinguishers must be instructed in the hazards of fighting fire, and how to properly operate the fire extinguishers available, as well as the procedures to follow in alerting others concerning the fire emergency. Training will be provided by the person responsible for training, who is named in the "Responsibility" section of this plan.

Only approved fire extinguishers are permitted to be used in workplaces, and they must be kept in good operating condition.

The Ancon Environmental, Health and Safety Department will maintain and ensure the adequate and required inspections of fire extinguishers are monthly and annually conducted. All fire extinguishers will be inspected annually by an outside accredited fire extinguisher company.

In such situations requiring emergency evacuation, the necessary written emergency plans, and employee training for proper evacuation are identified within this section.

## **EMERGENCY EVACUATION PLANNING**

Ancon has a written Emergency Evacuation Plan for its employees. The key elements of the plan are as follows:

- ❑ Evacuation routes and procedures for all employees (see map)
- ❑ Procedures for accounting for all evacuated employees
- ❑ Special procedures for evacuating physically impaired employees
- ❑ Procedures for those employees who must remain behind temporarily to shut down critical plant equipment
- ❑ Air horn alerting employees to a fire emergency
- ❑ Phone or Radios for employees to report emergencies

A written plan is available for employee review. A copy of this plan shall be posted, or readily available in the facility office for employee access.

An employee Air horn alarm system is available throughout the workplace and will be used for emergency alerting for evacuation. The Air horn alarm system will be used as a sound signal.

Employees have been trained in:

- a) Recognizing the evacuation signal; and
- b) Knowing their role in the Emergency Evacuation Plan

All new, or transferred employees shall be trained in the Emergency Evacuation Plan when beginning their job duties. All employees will be trained, and apprised of future modifications made to this plan.

### **FIRE PREVENTION PLAN**

Stopping unwanted fires from occurring is the most effective way to handle them. The Ancon Health and Safety Department has promulgated a Fire Prevention Plan to complement the Emergency Evacuation Plan; this is to minimize the frequency of occurrences, and the need to exercise the evacuation plan. The following comprises all identified potential ignition sources:

- ☐ Housekeeping procedures for storage of combustible materials.
- ☐ Welding activities
- ☐ Torch cutting activities

This written plan is available for employee review.

Heat producing equipment such as welding machines, IC engines, torch cutters, and portable power tools, etc., shall be properly maintained and kept clean of accumulations of flammable residues. Heat producing sources will be inspected daily before and after each use. The facility foreman shall assume the responsibility for such inspections. Flammables are not to be stored close to these pieces of equipment.

### **FIRE SUPPRESSION SYSTEM**

Fire extinguishers throughout the workplace are among one of the most reliable firefighting means. (see posted evacuation maps for fire extinguisher location)

Ancon Health and Safety Department will collectively maintain the fire extinguishers to ensure good working conditions

Without exception, only trained and competent personnel may engage in the activity of controlling, or suppressing fire under emergency conditions.

**Section III**  
**Hazardous Materials/Waste**

**HAZARDOUS MATERIALS / WASTE PLAN**  
**PREVENTATIVE AND EMERGENCY PROTOCOLS**

**PREVENTION**

Ancon currently stores hazardous materials and waste streams at its Operations Facility. The Operations Facility serves as a primary portal for the Ancon Environmental Services Division. Thereby, this facility stations and dispatches portable equipment utilized to perform offsite services. The following table will identify the hazardous materials/wastes, which are used/generated at the Operations Center:

<b>Hazardous Materials</b>	<b>Hazardous Wastes</b>
Motor Oil	Motor Oil
Hydraulic Oil	Hydraulic Oil
Ethylene Glycol (Antifreeze)	Ethylene Glycol
Propane (Compressed Cylinders)	Used Rags
Acetylene (Compressed Cylinders)	Vehicle Batteries
Oxygen (Compressed Cylinders)	Soiled Absorbents
	Oil Filters

**Motor Oil** is referred to as a Class III B combustible liquid containing petroleum hydrocarbons. This type of oil possesses an average flash point of approximately 395°F. The Reid vapor pressure (RVP) while stored in a container is minimal to non-existent.

The immediate hazards associated with exposure to motor oil consist of skin irritations. Secondly, respiratory tract inflammation may occur as a result to prolonged exposures to mists and operations causing it to vaporize.

All oil maintained on site will be stored in containers; whereby, they are equipped for liquid transferring and transportation. These drums shall at all times maintain the necessary structural integrity to store such materials. Secondary containment devices will be located beneath each container/drum in an effort to inhibit any discharges that may migrate to environmentally sensitive locations.

This secondary containment must be inspected daily to ensure there is no presence of freestanding liquids. If so, the drums must be visually inspected immediately for

breaches on the structure. Personnel should characterize the liquids to ensure it is the stored material. The secondary containment structure must maintain its designed capacity for its intended purpose of accommodating a potential release.

Should the secondary containment retain too much liquid, Ancon Environmental Services Division shall provide vacuum trucks or other transfer devices to remove such liquids. Ancon Environmental Services will manage all waste materials generated from this location. Proper analytical processes will be carried out to determine the characteristics of the waste, and will be disposed of accordingly at an approved Treatment, Storage, Disposal Facility (TSDF).

Although uncontrolled releases are not anticipated at this site, Ancon currently stages a full compliment of portable spill equipment and resources on site in the event of a release. Ancon will deploy its own resources on site to mitigate/minimize the impact to the environment and will dispatch additional emergency services commensurate to the size and capacity of the release. Ancon may call upon its contracted emergency response agencies to augment Ancon's abilities in managing and remediating the spill/contamination location.

**Hydraulic Oil** is referred to as a Class III-B combustible liquid. It possesses a flash point equaling 392 degrees F. This product is not expected to cause immediate adverse health effects upon exposure. Since acute toxicity is not a concern, no immediate first aid measures are required for exposure to the respiratory, digestive, or circulatory systems. Of course, medical advice is always recommended for material exposures. However, to minimize the impact of any exposure personnel should wear the appropriately prescribed protective equipment and safeguards while handling materials.

Personnel shall avoid discharging or releasing product to soil, sewers, drainage systems and bodies of water. These efforts will assist in minimizing impacts to environmentally sensitive areas and locations. These materials shall not be used in high-pressure systems within proximity of flames, sparks or other hot surfaces to prevent potential ignition.

Storage and handling practices should be carried out as they are cited in the motor oil section of this document.

**Ethylene Glycol** is referred to as a Class IIIB combustible liquid. It possesses a flash point of approximately 240 degrees F. Ethylene Glycol's acute effects are minimal. However, the developmental toxicity observed by overexposure to Ethylene Glycol include the following:

- Nervous system disturbances
- Probable skin irritation
- Harmful if absorbed
- Harmful if inhaled



Probable respiratory irritant  
Harmful if swallowed

Storage and handling practices should be carried out as they are cited in the motor oil section of this document.

**Propane** is referred to as an extremely flammable compressed gas. Propane is comprised of multiple hydrocarbons, such as Ethane, Propane, Propylene, and Butane. The Occupational Safety and Health Administration (OSHA) has established a permissible exposure limit (PEL) of 1000 ppm (8hr) for Propane. The American Conference of Governmental Industrial Hygienists (ACGIH) has established a Threshold Limit Value (TLV) of 800 ppm for Butane as a constituent of Propane.

Propane contains a flash point of -156°F, an extremely flammable material. Avoid high heat tasks involving sparks or open flame. Overexposure to propane by inhalation may cause some nausea, dizziness, drowsiness, or unconsciousness due to its anesthetic properties. Exposure to skin may cause freeze burns similar to frostbite if contact occurs. No absorption is expected with skin contact to propane.

Propane should be stored in an authorized outside location, which provides adequate ventilation. Propane storage locations shall remain a safe distance from any high heat operations, or other ignition sources. Adequate delineation and barrier measures must be implemented to secure and prevent any potential impacts to the storage location. Propane cylinders must be stored in an upright position. Do not drop or abuse cylinders. Keep container valve closed and plugged when they are not in service. Both empty and full containers shall be identified to avoid confusion. Empty containers shall be handled just like full containers because they may contain some residues.

**Acetylene** is also referred to as an extremely flammable compressed gas. It is a colorless gas with a slight garlic odor. This gas is a simple asphyxiant and may cause an anesthetic effect with excessive exposure. Acetylene may spontaneously combust in air with pressure exceeding 15 PSI. Also, Acetylene is considered to be shock sensitive.

Since Acetylene is gas at room temperature, it not likely to cause any eye, skin, ingestion or inhalation hazards. The NFPA hazard codes are as follows:

Health-0  
Flammability-4  
Instability-2

## **MITIGATION**

### **Motor Oil / Hydraulic Oil / Ethylene Glycol / Hazardous Waste Liquid Release**

Employees who observe a hazardous liquid release shall conform to the following steps cited in this section of the plan.

Employees engaged in oil dispensing and storage operations must be familiarized with the emergency spill procedures. In the event of spill situation, employees must attempt to isolate the release by utilizing the onsite spill countermeasure resources.

All on site personnel engaged in the oil dispensing and storage operations will be trained at an awareness level for hazardous materials emergency mitigation, which will instruct on the identification, isolation, notification, and containment measures.

Employees must deploy on-site spill containment materials to prevent the spread of contamination concentrating on environmentally sensitive locations.

Employees shall first identify the location of all municipal storm drain inlets, and provide necessary diking, diversion, and covering of drains to inhibit materials from accessing these locations.

Employees shall attempt to divert materials to a non-penetrative surface location where materials can be safely recovered and transported off site for proper disposal services.

*Multiple employees should provide assistance during initial mitigation. **Therefore, the following contacts should be made during mitigation activities by another employee responder: Prompt notification is essential to the outcome of the emergency!***

Shut down all other nearby Ancon operations until otherwise notified.

### **Propane / Acetylene Release**

Should an employee identify a propane or Acetylene release, he or she must perform the following steps cited in this section of the plan.

When a release occurs, employees shall immediately eliminate all potential ignition sources and **call 911 immediately**. *Ignition sources are defined as any heat, spark, electrical, electrostatic, or flame producing mechanism that could be actuated during a release event.*

Immediately evacuate all nearby personnel with the potential risk of exposure.

If possible, approach the suspect-leaking cylinder from an upwind location minimizing respiratory exposure, and relocate it to an outside open area for vapors to be dispersed.

Ensure the cylinder's valve is closed tight enough to inhibit bypassing gas.

If available, a water source may be used to flow in a fogging pattern to capture escaping vapors and dilute the concentrations in air.

When fire department personnel arrive on scene, ensure all the initiatives given by the incident commander are followed.

Follow the essential personnel reporting requirements cited in the Diesel fuel section of this plan.

**EXCEPTION:** Following agencies do not need to be notified for propane releases:

**US Department of Fish and Wildlife**

**U.S. Coast Guard**

**National Response Center**

Essential Personnel and Regulating Agencies are Considered as Follows:

### **911 Local Fire/Law Enforcement Authorities**

(Immediate Notification)

### **National Response Center**

(Immediate Notification)

**(800) 424-8802**

**(202) 267-2675**

### **Department of Fish and Wildlife**

(Notification as Time Permits)

**N/A**

### **U.S. Coast Guard**

(Notification as Time Permits)

**N/A**

### **Ancon Facility Manager**

(Immediate Notification)

**Tobi Moore (303) 517-8815**

**Michael Armstrong (970) 568-2622**

### **Ancon Corporate EHS Manager**

(Immediate Notification)

**Bill Herlehy**

**707-756-0286 Mobile Phone**

**562- 326-598 Office**

### **Ancon Environmental Dispatch Center**

(Immediate Notification)

**(310) 548-8351 (24 Hour Emergency Number)**

Evacuate all employee personnel from the localized area, and provide traffic diversion to avoid potential ignition sources, and extended contamination. Deny further entry to all personnel until emergency services arrive, or otherwise notified.

### **ABATEMENT**

During the initial mitigation efforts Ancon will make every attempt to isolate, contain, and notify essential personnel concerning any hazardous material incidents. The isolation measures and efforts that would be exercised for the purpose of isolating or stopping an active release is cited in the aforementioned mitigation section.

Furthermore, the Ancon Environmental Emergency Response Team must perform activities exceeding the capabilities, or scope of knowledge and training of those employees working at the Riverside Transportation Facility.

Initially, the process of stopping the release will rely on the existing site personnel, as well as any summoned fire department personnel. The Ancon Environmental Emergency Response Unit and or its contracted response agency will be immediately dispatched to assist the remedial phases of the emergency. Once the release is isolated and contained, the recovery of released materials will be self-performed by the Ancon environmental group or its contracted response vendors. Decontamination will be performed in accordance to all regulatory requirements, standards, or directives initiated by on-site local, state, or federal agencies, or any Certified Unified Program Agencies (CUPA) thereof.

Ancon will manage all waste handling and transportation services. Recovered materials may be temporarily stored in a secured waste holding area for up to 90 days, or be maintained on a licensed hazardous waste hauling vehicle in transit for 10 days at the environmental operations facility. This practice will only be exercised in the event the waste (recovered) materials cannot be profiled and scheduled for disposal the same day

as an unanticipated spill event. Ancon will assume the generator status of the spilled materials and dispose of them under its current EPA generator-identification number.

## **EVACUATION PROCEDURES**

**(PLEASE SEE EMERGENCY ACTION PLAN-SECTION I)**

Ancon currently possesses an Emergency Action Plan (EAP) respecting its Operations Facility. This plan has been developed pursuant to 29 CFR 1910.38. Section I of the EAP will highlight a baseline procedure for personnel to adhere to in the event of an emergency or catastrophic occurrence. The plan also identifies the necessary management, and employee actions in the event of fires and other emergencies.

Education and training is provided to on-site personnel so that all affected employees know and understand how to respond to emergency conditions. For the purpose of this business plan Ancon will integrate its current EAP to satisfy the evacuation requirements.

## **EARTHQUAKES**

Should an earthquake, or any other act of God occur that might compromise the structural integrity of any containerized hazardous materials, they will be subject to inspection immediately following the event. This measure may only be performed if it is safe for employees to access subject areas. Managers must complete an assessment, or survey of the locations to identify any immediate needs for emergency response services.

Should a hazardous materials incident transpire as a result of an unanticipated disaster, or catastrophic occurrence, employees must exercise the steps cited in the mitigation section of this plan.

# EXHIBIT P

## Piechota, Mal

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**From:** Tobi Moore <tobim@anconservices.com>  
**Sent:** Tuesday, July 30, 2024 1:29 PM  
**To:** rsigman@adcogov.org  
**Subject:** Ancon Marine Services Notification  
**Attachments:** Emergency Response\_Contingency Plan Don 1 2 2019.doc; Denver Facility Map Full and Bldg..pdf

July 30, 2024

Adams County Local Emergency Planning Committee  
Attn: Ronald Sigman, Emergency Planner  
4430 S. Adams County Pwky,  
1<sup>st</sup> Floor, Suite W5400  
Brighton, CO 80601  
rsigman@adcogov.org

***Transmitted via electronic mail***

Dear Mr. Sigman,

This letter is written pursuant to the requirements in Colorado's Hazardous Materials and Waste Rules for transfer facilities, 6 Colo. Code Regs. 1007-3 § 263 *et seq.* The purpose of this letter is to document arrangements to familiarize the Local Emergency Planning Committee with Ancon Marine Service's facility.

Ancon Marine Services is located at 4241 E. 64<sup>th</sup> Ave, Commerce City, CO 80022. Ancon Marine Services stores hazardous materials and waste streams and serves as the primary portal for the Ancon Environmental Services Division requiring the facility to station and dispatch portable equipment utilized to perform Ancon Marine's offsite hazardous waste and related services. Hazardous waste is accumulated at this facility no longer than 10 days as a result of those offsite services. In accordance with 6 Colo. Code. Regs. 1007-3, § 263.12(c)(5), we are providing your department with the following information:

- 1) A layout of the facility showing areas where hazardous waste is generated and accumulated, places where facility personnel would normally be working, entrances to roads inside the facility and possible evacuation routes.
- 2) A description of the types, quantities, and properties of hazardous waste handled at the facility and the associated hazards.

If you do not agree with the arrangements, have questions, or need additional information please contact Tobi Moore via the email or phone number provided below.

Sincerely,



Tobi Moore  
Facility Manager  
[tobim@anconservices.com](mailto:tobim@anconservices.com)  
303-517-8815

Enclosures:

- Ancon Facility Emergency Action Plan & Hazardous Material Storage/Waste Prevention and Contingency Plan
- Denver Facility Map



**SAFETY. FAMILY. ACCOUNTABILITY. LOYALTY. HARD WORK. PRIDE.**



# EXHIBIT Q

## **SECTION 67**

### **WASTE MANAGEMENT PRACTICES**

#### **1.0 Purpose:**

The purpose of this procedure is to establish a basic guideline for employees to observe while engaged in the handling and management of hazardous waste streams and materials. This procedure outlines the general practices that should be executed while involved with hazardous waste functions at Ancon owned or leased facilities as well as customer locations.

These practices will support a good faith effort to conform to the hazardous waste control laws established in the California Health and Safety Code and enforced by the Department of Toxic Substances Control. Additionally, this procedure will encompass the aforementioned requirements as established by the Resource Conservation and Recovery Act of 1976, set forth and enforced by the US Environmental Protection Agency. This procedure alone shall not be considered an all-encompassing compliance document to establish compliance with the aforementioned laws. Employees shall seek the consultation of the Ancon EHS Department for expert advice and direction in the area of hazardous waste management.

#### **2.0 Regulations:**

40 CFR part 260-273  
22 CCR secs. 66260 et seq.

#### **3.0 Scope:**

The scope of this procedure shall govern all employees engaged in hazardous waste generation, storage and handling practices carried out on Ancon properties as well as those performed at its respective client sites. The transportation of said material will be enforced and sanctioned based on the provisions cited within Section 66 of the Ancon Environmental, Health and Safety Procedures Manual. All employees governed by this procedure shall have read, understood and been examined to establish competency levels prior to the engagement of hazardous waste activities. The protocols cited herein shall only serve as a supplement to the Hazardous Waste Operations and Emergency Response (HAZWOPER) training acquired for such activities in accordance to 29 CFR § 1910.120 and CCR Title 8 § 5192.

#### **4.0 Waste Generator and Handler Applications:**

- 4.1 All Ancon facilities must maintain a California, or federally issued EPA ID# where hazardous wastes will be generated and stored. These IDs must be address specific and are not transferable to accommodate waste streams, which are generated at other locations.
- 4.2 Each facility containing hazardous material/wastes must maintain an approved hazardous material business/management plan issued by the local Certified Uniform Program Administrator (CUPA), including a site specific emergency contingency plan for California operations. Non-California office/yard locations must maintain an emergency contingency plan at a minimum and ensure all local jurisdictional environmental laws are complied with to meet state and US EPA standards.
- 4.3 All employees affected by onsite hazardous waste activities must be trained on the content of the CUPA Plan, and/or the facility emergency contingency plan enabling the formation of an efficient and competent emergency response effort in the event of an unexpected emergency related to onsite waste activities.
- 4.4 Ancon is currently considered a small quantity generator (SQG) based on its total generating quantity at each facility. No more than 1,000 kg , or 2,204.63 lbs of hazardous waste may be generated without applying large quantity generator (LQG) compliance requirements to that specific month. Regardless of the total quantifications, Ancon will manage all its facilities as fully regulated per corporate policy.
- 4.5 Each Ancon facility that generates hazardous waste must maintain a full volume of Safety Data sheets (SDS) offering the knowledge of the hazardous material onsite, which later becomes a hazardous waste upon its use, or final disposition. Such data will offer valuable information as to the classification and hazardous constituents of specific waste streams. SDS locations must be clearly identified and accessible to all affected personnel at each facility.
- 4.6 All analytical interpretations, characterization, labeling and profiling of waste streams is critical to proper waste management and disposal methods. The roles and responsibilities of determining the classification of waste must be conducted under the advisement of the Ancon EHS Department. Please contact the environmental section of the EHS Department at (562) 326-5913, or (562) 326-5912 for approval and management assessment of these practices.
- 4.7 Ancon project management must always ensure waste management protocols are previously discussed and plans are devised to accommodate project wastes. For example, all hazardous, non-hazardous, scrap and general wastes provisions for each customer location should be considered in the Ancon technical work approach.

## 5.0 Storage of Hazardous Waste – Best Management Practices (BMPs)

- 5.1 All Ancon authorized waste generating facilities may only store hazardous wastes for a duration no more than 90 days beyond the accumulation start date on the hazardous waste container label.
- 5.2 Ancon's Operations Management at each generator location must maintain an accurate inventory of wastes stored at their facility and ensure periodic inspections are conducted at the collection areas to validate and verify dates and timeframes on the labeling so that necessary arrangements for transportation offsite to disposal may be expedited. *Ancon must demonstrate to inspectors that time has not exceeded the limit for accumulation.*
- 5.3 Wastes may only be stored upon their proper characterization so personnel may ensure that proper containers are being utilized. Waste types, characteristics and properties must always be evaluate prior to placing inside of a container as to ensure acceptable and recommended compatibilities with the waste container.
- 5.4 When selecting waste containers, personnel must ensure it will not react with the waste material he/she intends on storing. Please seek the attention of the EHS Department to research the corrosion resistance of any container containing a questionable and/or potential reactive waste stream.
- 5.5 The Ancon Environmental Compliance Section must be notified to request an administrative review prior to any wastes being transported. Shipping papers, such as Bill of Ladings, Non-Hazardous Waste Manifest and Uniform Hazardous Waste Manifests must be completed under the advisement of the Ancon EHS Department preceding any waste movements.
- 5.6 Containers must always be kept in good conditions. Inspections for structural integrity must be conducted by Supervisory personnel before placing waste inside a designated container. The moment a waste is placed inside of a container it must be managed so that spills are prevented and environmental impact is eliminated. Containers must be free of dents, corrosion, leaks and bulging.
- 5.7 All hazardous waste containers must remain closed at all times, except for when waste is being added or removed.
- 5.8 Opening and handling of drums, or other waste containers shall be conducted in such fashion as to prevent any opening or physical damage to the container that may potentially cause a spill.
- 5.9 Waste must be stored as to prevent any incompatible materials from reacting with each other. Ignitable and reactive wastes must be stored a minimum of 50 feet from a property line as to prevent impact to the public via physical contact or migration of a potential spill.

- 5.10 All waste collection/storage areas must contain berms, dike walls and/or secondary containment devices as to prevent any migration of spilled material.
- 5.11 Supervisory personnel shall conduct weekly inspections as a preventative, proactive measure towards spill prevention. The inspection should cover the following items at a minimum:
- Leaks, or staining from containers
  - Container condition, including corrosion, dents or bulging
  - Labeling - start date, the words "Hazardous Waste" and other pertinent information
  - Management practices – such as container management, storage, aisle spacing, drum stacking, secondary containment methods, etc.
- 5.12 Supervisory personnel shall ensure proper segregation of waste streams at all times on Ancon properties as well as customer properties to ensure proper handling and inventory for effective disposal methods. It is Ancon's policy to exercise recycling methods should the opportunity present itself. General waste segregation will be conducted onsite to afford efficient recycling efforts whenever possible.

## **6.0 Transportation**

Transportation of hazardous materials/waste is governed by Section 66 of this procedures manual.

## **7.0 Training**

- 7.1 All Ancon personnel involved with the management of hazardous waste at an Ancon generating facility must have previously acquired training in accordance with the OSHA Hazard Communication Standard at a minimum.
- 7.2 All emergency response personnel that may mitigate hazardous waste incidents/releases causing adverse conditions will have previously acquired 40 hours of HAZWOPER training in accordance with OSHA 29 CFR § 1910.120.

## **8.0 Recordkeeping**

- 8.1 All administrative control documents, such as shipping papers, manifests, profiles, analytical data, etc. will be retained on file to the extent necessary to meet all statutory requirements.
- 8.2 Environmental inspections and audits covering the items referenced in section 5.11 of this procedure must be maintained indefinitely for active generator sites. Such documents shall be forwarded to the Corporate EHA Department for retention.



# EXHIBIT R







# EXHIBIT S

**Urban Habitat**  
**Landscape & Design, LLC**

13317 E Florida Ave  
Aurora, CO 80012  
Phone 303-243-2190 Email  
[nlgco@hotmail.com](mailto:nlgco@hotmail.com)



# Estimate

February 27, 2025

**TO:**

Ancon % Tobi Moore  
8221 E 96th Ave  
Henderson, CO

**FOR:**

Fencing for City Requirements

DESCRIPTION	Quantity	AMOUNT
<b>Commercial Fencing:</b> approximately 300' of 8' galvanized pipe and chainlink w/ multiple custom fabricated gates located so that all loading bays can be accessible, cover with windscreen for debris protection. All posts require concrete or asphalt cutting. Installed with concrete 24" deep.  <b>Notes:</b> can schedule project as necessary to fit timeline to meet requirements	\$60000.00	\$60000.00
TOTAL		\$60000.00

If you have any questions concerning this estimate please contact Nathan Gaunt.

**Thank you for your business!**

# EXHIBIT T

## **Ancon**

### **Vehicle Idling Policy - Colorado**

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#### **Purpose:**

The purpose of this policy is to establish the best management practices to support the reduction of greenhouse gas emissions. It is the ongoing policy of Ancon to ensure its best stewardship towards eliminating any environmental impacts, within its own power, relating to clean water and clean air standards.

#### **Law / Regulation:**

This policy has been developed in strict adherence to the Colorado Revised Statutes Title 42. Vehicles and Traffic § 42-14-105. Idling. Current as of January 01, 2022.

Motor vehicle - means any self-propelled vehicle that is designed primarily for travel on the public highways and that is generally and commonly used to transport persons and or property over the public highways.

#### **Standard / Scope:**

All Ancon operators of a covered motor vehicle shall not cause or permit the vehicle to idle for more than five (5) minutes within any sixty (60) minute period, except as authorized by the following exemptions:

#### **Exemptions:**

The following conditions do not apply to an idling, covered motor vehicle:

- When it remains motionless because of highway traffic, an official traffic control device or signal, or at the direction of a law enforcement officer;
- When the driver is operating defrosters, heaters, or air conditioners or is installing equipment only to prevent a safety or health emergency, and not for rest periods;
- In the case of a law enforcement, emergency, public safety, or military vehicle, or any other vehicle used to respond to an emergency, when it is responding to an emergency or being used for training for an emergency, and not for the convenience of the vehicle operator;
- When necessary for required maintenance, servicing, or repair of the vehicle;
- During a local, state, or federal inspection verifying that the equipment is in good working order if required for the inspection;
- During the operation of power take-off equipment if necessary for operating work-related mechanical or electrical equipment;

- In the case of an armored vehicle, when a person is inside the vehicle to guard its contents or during the loading or unloading of the vehicle;
- In the case of a passenger bus, when idling for up to five minutes in any sixty-minute period to maintain passenger comfort while nondriver passengers are on board;
- When used to heat or cool a sleeper berth compartment during a rest or sleep period at a safety rest area, fleet trucking terminal, commercial truck stop, or state-designated location designed to be a driver's rest area;
- When used to heat or cool a sleeper berth compartment during a rest or sleep period at a location where the vehicle is legally permitted to park and that is at least one thousand feet from residential housing, a school, a daycare facility, a hospital, a senior citizen center, or a medical outpatient facility providing primary, specialty, or respiratory care; or
- When idling for up to twenty (20) minutes in any sixty (60) minute period if the ambient temperature is less than ten (10) degrees.

#### **Training:**

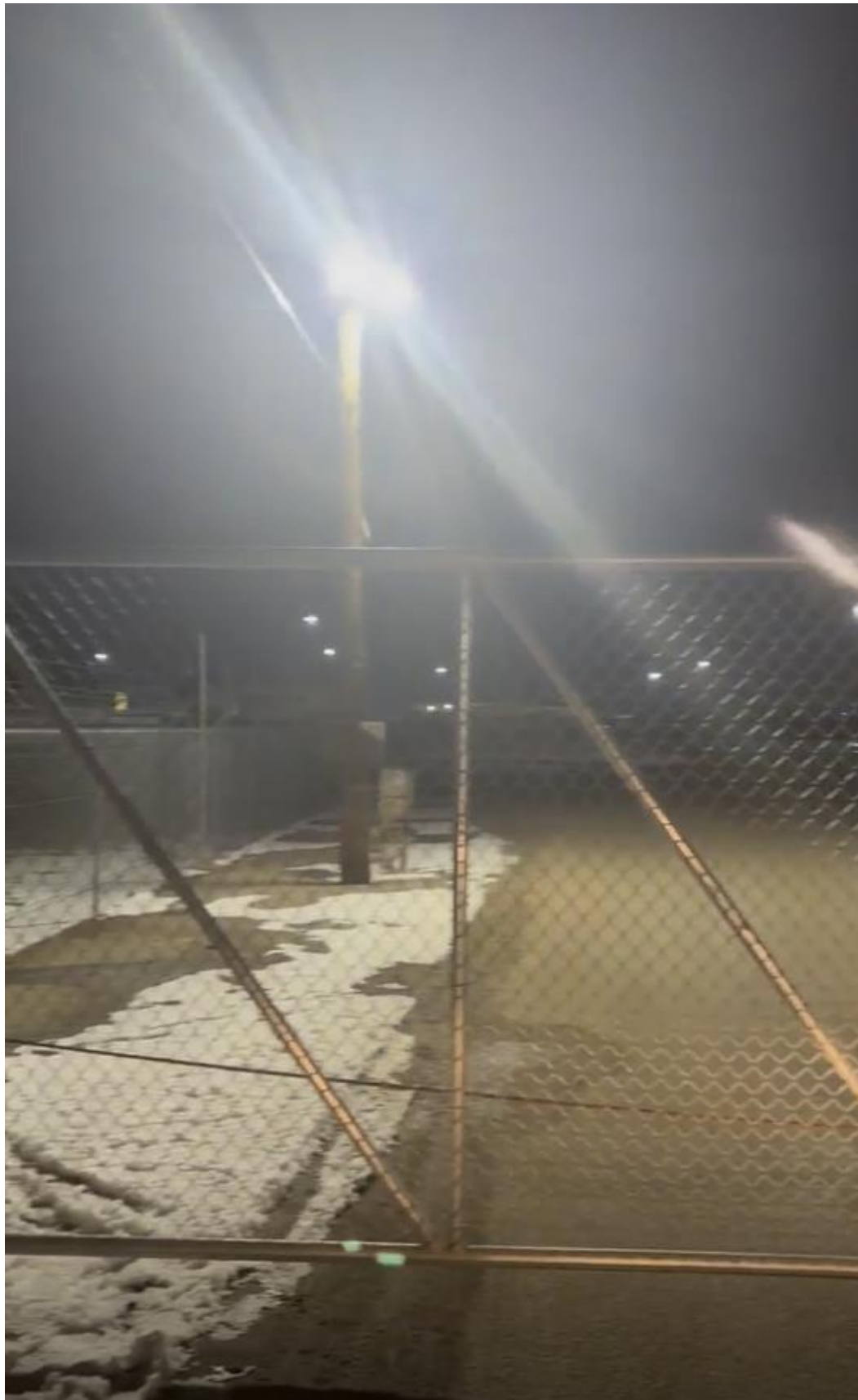
All Ancon Motor Vehicle Operators must be trained on the provisions set forth in the Ancon Motor Vehicle Operations Procedure (HSE Section 30), at a minimum, and all requirements cited within this policy prior to engaging the operations of any covered vehicles as defined above.

All Motor Vehicle Operators must commit to adhering to all the conditions set forth, herein, and will be subject to disciplinary actions, if cited, or otherwise discovered in violation of this policy.

# EXHIBIT U

Lighting at 8221 East 96<sup>th</sup> Avenue at Night









# EXHIBIT V

May 15, 2025

To Whom It May Concern,

I am acting on behalf of the owner, 8221 E. 96<sup>th</sup> Avenue, LLC (the "Owner") of the following property:

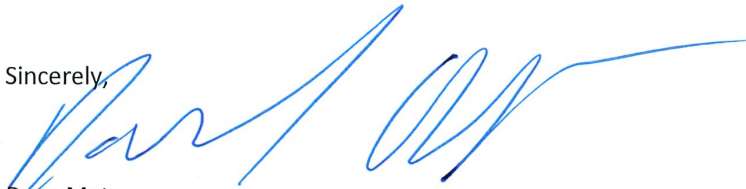
8221 E. 96<sup>th</sup> Ave  
Henderson, Colorado, 80640  
Adams County Parcel No. 0172116401003

(the "Property").

I give my consent as the Owner of the Property to Ancon Services ("Ancon") to prepare and file a Conditional Use Permit application. Such application will detail Ancon's desire to operate a hazardous and non-hazardous waste transfer and transportation facility on the Property including any necessary improvements for the Property to be suitable for Ancon's business needs.

If there are any questions regarding my consent, I can be reached at 303.227.4355/dmatz@mlholdings.com.

Sincerely,



Dave Matz  
Owner  
for  
8221 E. 96<sup>TH</sup> AVENUE, LLC