



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: April 13, 2021
SUBJECT: Zone Text Amendment (Text Change) No. 187-2021
APPLICANT: N/A
REQUEST: Consider Requested Text Change and Provide Recommendation to City Council
PROPERTY INVOLVED: Citywide

COMMISSION ACTION

AYE	NO		AYE	NO	
		Chairperson Thomas			Monteclaro
		Vice Chair Palmer			D. Thomas
		Diaz			Rashad
		Guerra			
		Huff			Alt. Alt. Alt.

Item No. 5A

I. Introduction

Applicant
N/A

Location
Citywide

II. Project Description and Background

Zone Text Amendment No. 187-2021 (the “ZTA”) is a proposed text change to the Carson Zoning Ordinance (Chapter 1 [“Zoning”] of Article IX [“Planning and Zoning”] of the Carson Municipal Code [“CMC”]) pursuant to CMC Section 9172.11. The ZTA was initiated by written request of John P. Kinsey, Esq., on behalf of Inland Star Distribution Centers, Inc., via letter to the City dated February 21, 2020, requesting either an amendment or a Director interpretation (per CMC 9172.24) of CMC Section 9141.1 as to the permitted uses for storage of materials in industrial zones (Exhibit 2; the “Request Letter” or, specifically with respect to the ZTA request therein, the “Request”).

The City sent a written response to the Request Letter on March 20, 2020, opting for the text amendment approach, and informing the requestor that although the CMC provides for the request to be considered within 13 months, additional time would be needed due to interruption in City operations due to the COVID-19 pandemic (Exhibit 3; the “Response Letter”). The City Attorney’s office contacted the requestor via telephone on March 10, 2021, and follow up/notice email on March 23, 2021, confirming the requestor did not object to the ZTA being considered by the Commission on April 13, 2021.

III. Analysis

A. Overview of Request; Existing Provisions of CMC Section 9141.1

The Request seeks a ZTA to update and clarify CMC Section 9141.1 with regard to what materials may be stored “by right” (i.e., without a City permit/entitlement other than the general business license requirement, also referred to as an “automatically permitted use”) in industrial zones. The City’s two industrial zones are the Manufacturing-Heavy (M-H) Zone and the Manufacturing-Light (M-L) Zone. As stated in the Request:

...[T]here are any number of ways the City would amend the text of Section 9141.1 to provide clarity to the regulated public. However, the simplest way to strike a balance between achieving the City’s objectives of promoting health, safety and welfare and allowing storage facilities sufficient flexibility to engage in standard business practices would be to modify Section 9141.1 to allow storage facilities as a “by right” land use so long as CalARP-regulated materials are not stored onsite. If any landowner seeks to store CalARP-regulated materials, such use would require a Conditional Use Permit. [¶] Alternatively, the City could specifically authorize the storage of materials that are typically used in the manufacturing process for other industrial “by right” uses.

“CalARP-regulated materials” generally refers to what is commonly known as hazardous materials. Thus, the Request essentially seeks an amendment to provide that so long as no hazardous materials are present, a storage facility should be permitted “by right” for storage of any and all other, nonhazardous materials, whereas if

hazardous materials are present, the Request suggests that a conditional use permit (“CUP”) be required to store the materials.

CMC Section 9141.1 lists the approval requirements applicable to various types of storage, manufacturing, and other industrial uses. The approval requirement categories include (among others): automatically permitted use, automatically permitted provided any special limitations/requirements are satisfied, permitted subject to Director approval, and permitted upon approval of a CUP.

Currently, CMC Section 9141.1 does not define or comprehensively address CalARP-regulated materials. It lists certain categories of substances that could potentially include some CalARP-regulated materials, such as “poisons,” organic peroxides,” and “explosives,” generally providing that such uses are conditionally permitted in the M-H zone and prohibited in the M-L zone. Substances listed as a blank in the storage table in CMC Section 9141.1, or not listed at all, are prohibited. (See CMC §9141.3, “[a]ll uses are prohibited except as expressly permitted by the provisions of this Chapter”; *City of Corona v. Naulls*, 166 Cal. App. 4th 418 (2008) [holding “where a particular use of land is not expressly enumerated in a city’s municipal code as constituting a *permissible* use, it follows that such use is impermissible.”]).

There are numerous types of non-CalARP-regulated materials that are not listed in the storage table in Section 9141.1, meaning such materials are impermissible for storage in industrial zones despite being nonhazardous in nature. Further, many of these types of materials are listed as being permissible for manufacturing uses in the same zones, and it stands to reason that manufacturing involving a particular material requires the material to be stored at the manufacturing site for at least some period of time.

B. Staff Recommendation; Proposed Ordinance

1. Nonhazardous materials component

Based on the foregoing, staff is of the opinion that the Request is reasonable insofar as it requests an expansion of CMC Section 9141’s list of materials that are permissible for storage in industrial zones to include the materials that are currently listed as permissible for manufacturing uses in industrial zones. The proposed ordinance, which reflects staff’s recommendation (Exhibit 1.A) would do so, but would not go so far as to provide that *all* non-CalARP-materials are automatically permitted for storage in industrial zones as suggested in the Request, for the reasons stated in the resolution findings.

Note that the materials added to the list of new permissible storage uses are generally added as automatically permitted uses in the proposed ordinance, because that is how they are listed in the manufacturing context. The one caveat is with respect to tires – the parenthetical “(indoor only)” has been added for this category, to make it clear that outdoor storage of tires will be excluded from the new automatically permitted use due to the potential for resulting adverse aesthetic impacts or public nuisance conditions related to the storage of items constituting or resembling junk and debris in areas that may be visible from the public right-of-way or adjacent properties. The Commission may feel that similar considerations may apply to other categories of materials that are listed

as new automatically permitted storage uses in the proposed ordinance, so the Commission should consider whether it wishes to impose similar “indoor only” restrictions on such other uses via modifications to the proposed ordinance.

The Commission may also wish to modify the proposed ordinance to impose approval requirements for some of these uses, rather than approving them as automatically permitted uses. For example, one category that has been added is “pharmaceuticals – drugs, medicines, vitamin tablets.” The Commission may wish to impose some approval requirement for storage of these materials due to the potential value of the materials and corresponding potential for theft, to give the City regulatory oversight to ensure that property security is provided for such facilities. However, if the Commission does so, it may also wish to consider modifying the corresponding manufacturing use classification(s) for consistency.

2. Hazardous Materials component

With respect to Cal-ARP regulated materials, the Request’s suggestion of requiring a CUP for all uses involving storage of such materials would represent a loosening of current CMC standards. Establishing a CUP requirement for all such uses would allow the City to review and condition approval of all requests to engage in such land uses, but if the criteria for issuance of a CUP set forth in CMC Section 9172.21 are met on a case-by-case basis, the City would be required to approve a CUP and thereby authorize such uses, subject only to imposition of conditions as authorized pursuant to CMC Section 9172.21(E), which provides that “in granting a Conditional Use Permit, conditions related to the proposed use and development may be imposed as deemed necessary to carry out the intent of this Chapter and to protect the public health, safety and general welfare.”

The status quo under the existing CMC is that to the extent CalARP-regulated materials are not expressly listed as permissible uses, such uses are prohibited. As noted above, at best only a small portion of the universe of CalARP-regulated materials is covered within the types of materials that are currently listed as permissible uses for storage in CMC Section 9141.1 (e.g., “poisons,” “explosives,” “organic peroxides”; such uses are generally prohibited in the ML zone and permitted subject to a CUP in the MH zone). The remainder are prohibited uses. Additionally, CalARP-regulated materials are designated as such by state law because they have hazardous qualities such as being toxic, combustible, corrosive and/or flammable, and are potentially harmful to human health if accidentally released. The City considers protection of public health and safety of paramount concern, and therefore has a strong interest in minimizing the presence of these materials in the community to ensure the protection of public health and safety.

Accordingly, staff recommends that, rather than amending the Zoning Ordinance to make all industrial uses involving CalARP-regulated substances permissible uses subject to a CUP as suggested by the Request, the City instead amend CMC Section 9141.1 to create one comprehensive definition and express classification that includes all CalARP-regulated substances, and expressly provide that all industrial uses involving such substances are prohibited uses. This would supersede any other classification in CMC Section 9141.1 insofar as the other classification may be deemed to encompass any CalARP-regulated materials, and would establish a clear and

comprehensive rule that no new uses involving CalARP-regulated materials will be allowed or permitted. The proposed ordinance would effectuate this recommendation.

It should be noted that the state's CalARP regulations list the various types of hazardous materials and provide that the CalARP regulations apply to such materials only when present above a "threshold quantity." Below the "threshold quantity," CalARP regulations do not apply, because the definition of "regulated substance" excludes instances where less than a "threshold quantity" of a listed material is present. The proposed ordinance varies this by providing that the materials listed in the CalARP regulations are considered "regulated materials" for purposes of the ordinance irrespective of the quantity of materials present in a given location (i.e., irrespective of whether it constitutes a "threshold quantity"). The proposed ordinance therefore could apply to City land use permitting determinations in some situations where state and federal hazardous materials regulations would not apply to the subject uses.

The CalARP regulatory program is administered and enforced in the City by the Los Angeles County Fire Department, Health Hazardous Materials Division, in its capacity as the certified Unified Program Agency for the City (the "CUPA"). The City relies on the CUPA's expertise for regulation of CalARP-regulated substances because the City does not have staff with the requisite training, expertise or authority to engage in such regulation. Thus, it bears noting that the City would not have the regulatory support of the CUPA with respect to uses involving less than a "threshold quantity" of CalARP-regulated materials. On the other hand, the City would only be applying the more stringent standard for purposes of making a determination as to whether the use is a permissible land use and if so what approval requirements apply; not actually administering or enforcing substantive hazardous materials regulations or restrictions.

The attached resolution (Exhibit 1) would recommend that the Council adopt the proposed ordinance (Exhibit A to the attached resolution) to amend CMC Section 9141.1 to make the changes recommended by staff as described above.

3. Effect of Proposed Ordinance; Grandfathering

It should be noted that a zoning ordinance generally may not constitutionally operate to compel immediate discontinuance of an otherwise lawfully established use or business, unless that use or business constitutes a public nuisance. Thus, any existing, lawfully established uses involving storage or manufacturing of CalARP-regulated substances in industrial zones that would be prohibited by the new regulations established by the ordinance would become legal nonconforming uses. A legal nonconforming use generally means a use that was valid when brought into existence but that became nonconforming by subsequent regulation. Nonconforming uses are addressed in Division 2 of Part 8 of the City's Zoning Ordinance.

An example of a land use that would be made nonconforming by the proposed ordinance is a business that was lawfully established and issued a CUP to engage in manufacturing of "Explosives – fireworks, dynamite, ammunition, weapons involving use or testing with explosive materials" in the M-H zone, as that use is permitted subject to a CUP under the existing provisions of CMC Section 9141.1. Note, however, that this treatment would not apply to the requestor's business/land use in the City, because the

requestor is not a lawfully established use and has never been permitted to engage in any activity involving explosives, poisons, organic peroxides, or any CalARP-related substances in the City, and the City via inspection in December 2019 has confirmed the requestor is not doing so.

4. Cleanup of Legend

Finally, the proposed ordinance makes a cleanup change to the legend in CMC Section 9141.1, to remove from the legend the reference to all permitted commercial uses being subject to the requirements contained in CMC 9172.23 (Site Plan and Design Review), except temporary uses, and relocate such reference to below the legend. This change is recommended because it is apparent that the original inclusion of such reference in its current location in the legend was inadvertent and erroneous, and such error could create confusion regarding implementation of prohibited use designations because the “blank” designation in the legend is intended to, and properly interpreted does, refer to prohibited uses, consistent with the permissive nature of the City’s Zoning Ordinance as described above. The proposed ordinance would correct the legend to eliminate any confusion on this issue created by the prior error.

IV. Environmental Review

Consideration of ZTA No. 187-2021 does not constitute a “project” within the meaning of the California Environmental Quality Act (CEQA), because it does not have the potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. 14 CCR §§15378, 15060(c)(2)-(3). Without limitation, CEQA Guidelines Section 15378(b)(5) excludes “[o]rganizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment” from CEQA’s definition of “project.” Furthermore, even if the proposed zone text amendment were a “project,” it would be exempt from environmental review under CEQA Guidelines Section 15061(b)(3)’s “general rule” that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Here, it can be seen with certainty that there is no possibility that the proposed zone text amendment, in and of itself, will have a significant effect on the environment.

V. Public Notice

Notice of the public hearing was posted on March 17, 2021, and advertised in the March 18, 2021 edition of the Daily Breeze. The agenda was posted at City Hall no less than 72 hours prior to the Planning Commission meeting.

VI. Recommendation

That the Planning Commission:

- **ADOPT** Resolution No. 21-2707, entitled “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON RECOMMENDING THAT THE CITY COUNCIL ADOPT ‘ORDINANCE NO. 21-___, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING SECTION 9141.1 (USES PERMITTED) OF DIVISION 1 (USES PERMITTED) OF PART 4 (INDUSTRIAL ZONES) OF CHAPTER 1 (ZONING) OF ARTICLE IX (PLANNING AND ZONING) OF THE CARSON MUNICIPAL CODE REGARDING

PERMITTED USES IN THE INDUSTRIAL (MANUFACTURING-HEAVY AND
MANUFACTURING-LIGHT) ZONES FOR REGULATED AND NONREGULATED
SUBSTANCES' (ZONE TEXT AMENDMENT NO. 187-2021)"

VII. Exhibits

1. Draft Resolution No. 21-2707
 - A. Draft Ordinance
2. Request Letter
3. Response Letter

Prepared by: Alvie Betancourt, Planning Manager; City Attorney's Office

CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 21-2707

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON RECOMMENDING THAT THE CITY COUNCIL ADOPT “ORDINANCE NO. 21-___, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING SECTION 9141.1 (USES PERMITTED) OF DIVISION 1 (USES PERMITTED) OF PART 4 (INDUSTRIAL ZONES) OF CHAPTER 1 (ZONING) OF ARTICLE IX (PLANNING AND ZONING) OF THE CARSON MUNICIPAL CODE REGARDING PERMITTED USES IN THE INDUSTRIAL (MANUFACTURING-HEAVY AND MANUFACTURING-LIGHT) ZONES FOR REGULATED AND NONREGULATED SUBSTANCES” (ZONE TEXT AMENDMENT NO. 187-2021)

WHEREAS, pursuant to a letter dated February 21, 2020 and a response letter dated March 20, 2021 (copies of which are attached to the staff report submitted herewith and incorporated herein by reference), City received a request from John P. Kinsey, Esq., on behalf of Inland Star Distribution Centers, Inc., pursuant to Carson Municipal Code (“CMC”) Section 9172.11(A), for a text amendment to CMC Section 9141.1, a part of the Carson Zoning Ordinance (Chapter 1 of Article IX of the CMC), regarding the permitted uses for storage of materials in the City’s industrial zones (the “Request”); and

WHEREAS, on April 13, 2021, the Planning Commission held a duly noticed public hearing as required by law to consider the Request.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF CARSON, CALIFORNIA, HEREBY FINDS, RESOLVES AND ORDERS AS FOLLOWS:

SECTION 1. The Planning Commission finds that the foregoing recitals are true and correct, and incorporates them herein by reference.

SECTION 2. The Planning Commission finds as follows:

- a) The Planning Commission has considered the Request in accordance with CMC Section 9172.11(A). The request seeks an update and clarification to CMC Section 9141.1 with respect to the permissible uses for storage of particular materials in the City’s industrial zones, which are the Manufacturing-Heavy (“M-H”) and Manufacturing-Light (“M-L”) zones. More specifically, Request states that “[t]here are any number of ways the City would amend the text of Section 9141.1 to provide clarity to the regulated public. However, the simplest way to strike a balance between achieving the City’s objectives of promoting health, safety and welfare and allowing storage facilities sufficient flexibility to engage in standard business practices would

be to modify Section 9141.1 to allow storage facilities as a “by right” land use so long as CalARP-regulated materials are not stored onsite. If any landowner seeks to store CalARP-regulated materials, such use would require a Conditional Use Permit. [¶] Alternatively, the City could specifically authorize the storage of materials that are typically used in the manufacturing process for other industrial ‘by right’ uses.”

- b) There are several categories of nonhazardous materials that, under the existing CMC §9141.1, are listed as automatically permitted for manufacturing uses in the industrial zones, but that are not listed for storage uses in the industrial zones. The City’s zoning ordinance provides that all uses not expressly permitted are prohibited (CMC §9141.3). Accordingly, storage of these categories of materials is currently prohibited in the City’s industrial zones, notwithstanding that such uses do not present any danger to the public arising from the nature of the materials stored, and notwithstanding that manufacturing uses involving such materials necessarily must involve storage of the materials for at least some period of time. Accordingly, the Commission finds that insofar as the Request seeks amendment of the CMC to expand the list of permissible industrial storage uses in CMC §9141.1 to encompass the aforementioned categories of nonhazardous materials, the requested change is advisable as an improvement to the Zoning Ordinance and would benefit the overall public health, safety and welfare of the City, subject to addition of one caveat limiting the automatically permitted storage use for tires to indoor storage only to avoid potential adverse aesthetic impacts and public nuisance conditions. However, to the extent the Request goes further and seeks amendment to CMC §9141.1 to provide that all storage of *any and all* non-CalARP-regulated materials is an automatically permitted use in the industrial zones, the requested changes are not recommended by the Commission, because there could be some categories of materials that if permitted for storage in industrial zones without City regulatory oversight could have adverse impacts on the public health, safety or welfare, and such category is too broad to justify relinquishment of City regulatory control without risking adverse consequences to public health, safety or welfare resulting therefrom.
- c) With respect to the portion of the Request that suggests, “[i]f any landowner seeks to store CalARP-regulated materials, such use would require a Conditional Use Permit,” such changes are not recommended by the Commission. Few if any CalARP-regulated materials are currently encompassed by the categories of permissible uses listed in CMC §9141.1. Where categories potentially encompassing such materials are listed, they are generally prohibited uses in M-L zones and may be permitted subject to a CUP in M-H zones, but the vast majority of the universe of CalARP-regulated materials is not listed or encompassed at all, meaning industrial uses involving such materials are prohibited uses. Providing that all industrial storage uses involving CalARP-regulated materials are permissible uses subject to approval of a conditional use permit would represent a significant loosening of the City’s existing land use restrictions, and one that is not justified when considering the potential adverse impacts of such action on public health and safety. CalARP-regulated materials are designated as such by state law because they have hazardous qualities such as being toxic, combustible, corrosive and/or flammable, and are potentially harmful to human health if accidentally released. The Commission considers protection of public health and safety its paramount concern, and therefore has a strong interest in minimizing the presence of these materials in the community to ensure the protection of public health and safety. Accordingly, the Commission does

not and will not recommend any change to the CMC that loosens the City's existing land use restrictions pertaining to CalARP-regulated materials. Instead, the Commission recommends strengthening these restrictions to provide that all industrial uses involving CalARP-regulated materials are prohibited uses. This recommendation constitutes only an incremental change in the City's existing land use regulations, applying only to the extent any CalARP-regulated materials are currently considered permissible uses subject to a conditional use permit in M-H zones as described above, and would serve to better protect the City's residents and guests from the dangers caused by CalARP-regulated substances.

- d) The proposed ordinance attached hereto as Exhibit "A" ("Zone Text Amendment No. 187-2021") would amend the Zoning Ordinance in a manner that deviates from that suggested by the Request and as necessary to effectuate the Commission's findings and recommendations described above. Zone Text Amendment No. 187-2021 represents a blend of changes to CMC Section 9141.1 that implement components of the Request, insofar as the same are recommended by the Commission and in the best interest of the public health, safety and welfare, together with different or additional changes that are related to the issues raised by the Request but which the Commission has determined would better serve the public health, safety and welfare pertaining to such issues. Zone Text Amendment No. 187-2021 is consistent with the General Plan of the City and all applicable specific plans, and is recommended as a necessary update to and clarification of CMC Section 9141.1, as well as a means of strengthening protection of public health and safety and promoting the overall public welfare by making the City's industrial land use regulations more logical and practical so as to facilitate the ability of manufacturing and storage businesses in the City to legally engage in safe, standard business activities without facing unnecessary land use restrictions or prohibitions.

SECTION 3. The Planning Commission finds that adoption of this Ordinance does not constitute a "project" within the meaning of the California Environmental Quality Act (CEQA), because it does not have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. 14 CCR §§15378, 15060(c)(2)-(3). Without limitation, CEQA Guidelines Section 15378(b)(5) excludes "[o]rganizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment" from CEQA's definition of "project." Furthermore, even if the proposed zone text amendment were a "project," it would be exempt from environmental review under CEQA Guidelines Section 15061(b)(3)'s "general rule" that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Here, it can be seen with certainty that there is no possibility that the proposed zone text amendment, in and of itself, will have a significant effect on the environment.

SECTION 4. The Planning Commission of the City of Carson, pursuant to the findings noted above, hereby recommends that the City Council approve Zone Text Amendment No. 187-2021, which is attached hereto as Exhibit "A" and incorporated herein by reference.

SECTION 5. This decision of the Planning Commission shall become effective and final 15 days from the date of the action, in accordance with Section 9173.33 of the City's Zoning Ordinance, unless an appeal is filed in accordance with Section 9173.4 of the City's Zoning Ordinance.

SECTION 6. The Secretary of the Planning Commission shall certify to the adoption of the Resolution, and shall transmit it to the City Council.

PASSED, APPROVED and ADOPTED this 13th day of April, 2021.

CHAIRMAN

ATTEST:

SECRETARY

EXHIBIT "A"

[proposed ordinance – to be attached]

ORDINANCE NO. 21 - _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING SECTION 9141.1 (USES PERMITTED) OF DIVISION 1 (USES PERMITTED) OF PART 4 (INDUSTRIAL ZONES) OF CHAPTER 1 (ZONING) OF ARTICLE IX (PLANNING AND ZONING) OF THE CARSON MUNICIPAL CODE REGARDING PERMITTED USES IN THE INDUSTRIAL (MANUFACTURING-HEAVY AND MANUFACTURING-LIGHT) ZONES FOR REGULATED AND NONREGULATED SUBSTANCES

WHEREAS, the California Constitution, in Article XI, Section 7, grants local governments the authority under their police powers to regulate land use; and

WHEREAS, Section 9141.1 of the Carson Zoning Ordinance sets forth certain permitted uses in the City of Carson’s industrial land use zones, including those concerning storage and manufacturing allowances involving both hazardous and nonhazardous materials in both the M-H (Manufacturing-Heavy) and M-L (Manufacturing-Light) Zones; and

WHEREAS, Regulated Substances, as that term is used herein, means and refers to the substances that constitute “regulated substances” pursuant to the California Accidental Release Prevention (“CalARP”) program, established and existing pursuant to Article 2 (Sections 25531 to 25543.3) of Chapter 6.95 of Division 20 of the California Health & Safety Code and the regulations set forth in Chapter 4.5 of Division 2 of Title 19 of the California Code of Regulations, as such substances are defined in California Health & Safety Code Section 25532 and listed in Table 3 of Section 2770.5 of Title 19 of the California Code of Regulations (“Table 3”) and described and listed in Section 68.130 of Title 40 of the Code of Federal Regulations pursuant to paragraph (3) of subsection (r) of Section 112 of the Clean Air Act (42 U.S.C. Sec. 7412(r)(3)), when present or existing in any quantity and irrespective of the threshold quantities set forth in Table 3 or elsewhere in the CalARP program, and generally includes all types of hazardous, toxic, flammable and/or combustible substances that if accidentally released can pose a risk to public health and safety; and

WHEREAS, in furtherance of its police power and to protect and promote the public health, safety and welfare of the City’s residents and visitors, the City Council sees fit to modify Section 9141.1 to provide that land uses involving Regulated Substances in the M-H (Manufacturing-Heavy) or M-L (Manufacturing-Light) Zones are prohibited, irrespective of whether the use involves only storage of Regulated Substances, storage of Regulated Substances in connection with any manufacturing process, or manufacturing involving Regulated Substances; and

WHEREAS, the City Council sees fit to expand the list of non-Regulated Substances, otherwise referred to as nonhazardous substances, which are automatically permitted uses for storage in the M-H and M-L Zones; and

WHEREAS, the City Council further sees fit to remove from the legend utilized as part of Section 9141.1 the reference to all permitted commercial uses being subject to the

requirements contained in CMC 9172.23, Site Plan and Design Review, except temporary uses, and relocate such reference within Section 9141.1 so that it is below the legend, as it is apparent that inclusion of such reference in its current location in the legend was inadvertent and erroneous, and such inadvertence/error could create confusion regarding implementation of prohibited use designations because the “blank” permitted use designation in the legend is properly reserved for, and is and was always reserved and intended to be reserved for, prohibited uses, consistent with the permissive nature of the Carson Zoning Ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA DOES ORDAIN AS FOLLOWS:

SECTION 1. RECITALS. The foregoing recitals are true and correct, and are incorporated herein as findings of fact.

SECTION 2. CEQA. The City Council has determined that adoption of this Ordinance does not constitute a “project” within the meaning of the California Environmental Quality Act (CEQA), because it does not have the potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. 14 CCR §§15378, 15060(c)(2)-(3). Without limitation, CEQA Guidelines Section 15378(b)(5) excludes “[o]rganizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment” from CEQA’s definition of “project.” Furthermore, even if the proposed zone text amendment were a “project,” it would be exempt from environmental review under CEQA Guidelines Section 15061(b)(3)’s “general rule” that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Here, it can be seen with certainty that there is no possibility that the proposed zone text amendment, in and of itself, will have a significant effect on the environment.

SECTION 3. AMENDMENT. Section 9141.1 (Uses Permitted) of Division 1 (Uses Permitted) of Part 4 (Industrial Zones) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) of the Carson Municipal Code is hereby amended to read in its entirety as follows (deletions shown in ~~strike through~~, additions shown in ***bold, italics, underlined***):

“9141.1 Uses Permitted

Uses are permitted in the industrial zones as indicated in the following table:

USES PERMITTED IN INDUSTRIAL ZONES	
Legend	
X.	Automatically permitted use.
L.	Automatically permitted use provided special limitations and requirements are satisfied as noted herein, in Division 8 of this Part and in Division 8 of Part 3.
D.	Use permitted subject to the approval of

USES PERMITTED IN INDUSTRIAL ZONES	
	the Director.
LD.	Use permitted provided special limitations and requirements are satisfied as noted herein, in Division 8 of Part 2, and subject to the approval of the Director.
C.	Use permitted upon approval of a conditional use permit.
CC.	Use permitted upon approval of the City Council as prescribed under other provisions of the Carson Municipal Code.
	<i>Use prohibited.</i> All commercial uses permitted by this part shall be subject to the requirements contained in CMC 9172.23, Site Plan and Design Review, except temporary uses. (See CMC 9131.1.) (Ord. 84-704)
DA.	Use permitted upon approval of a development agreement by the City Council subject to the requirements contained in Chapter 15 of Article VI.

Note: All commercial uses permitted by this part shall be subject to the requirements contained in CMC 9172.23, Site Plan and Design Review, except temporary uses. (See CMC 9131.1.) (Ord. 84-704).

Note: In the following list, industrial activities are classified by product, by materials used, by use, and by processes employed. Since many industrial uses are complex in nature, it is necessary to consider all of the above-mentioned elements in classifying any specific industrial use. Uncertainties as to the proper classification for a specific use are to be resolved through Interpretations adopted in accordance with CMC 9172.24.

	ZONES	
	ML	MH
Manufacturing of the Following Products:*		

	ZONES	
	ML	MH
*Food manufacturing and processing activities are listed under a separate heading.		
Pharmaceuticals – drugs, medicines, vitamin tablets.	X	X
Perfume, cosmetics, toiletries (except soap).	X	X
Soap, bleaching powder, glue.		C
Novelties, buttons, brushes, toys, candles.	X	X
Ceramics, pottery, statuary.	X	X
Jewelry, watches, clocks, optical goods, musical instruments, scientific instruments, electronic instruments, phonographs, phonograph records, radios, television sets, electronic parts, precision metal products, wire, springs, tools, sandpaper, emery cloth, grinding wheels, printer's type.	X	X
Electric and gas fixtures, electric appliances, electric motors and generators, batteries (including rebuilding), signs (electric, neon, billboards, etc.).	X	X
Furniture, bedsprings, boxes, coffins, fences, sash and doors, venetian blinds, window shades.	X	X

	ZONES	
	ML	MH
Clothing, dry goods, draperies, bedding, rugs, upholstery, automobile seat covers, awnings, bags, rope, baskets.	X	X
Chamois.		C
Ink, polish, putty, enamel (except lacquer, synthetic enamel, polyurethane), ethylene glycol.	X	X
Lacquer, synthetic enamel, polyurethane.	C	C
Engines (no foundry).	X	X
Engines (with foundry).	C	C
Automobiles, trailers, boats, aircraft, heavy equipment.		X
Tile (indoor kiln).	X	X
Concrete block, brick, tile (outdoor kiln).		C
Poisons (Class A and Class B)* – pesticides, rodenticides, insecticides, herbicides.		C
*Classification according to the Los Angeles County Fire Department (R.M. Graziano's Tariff No. 25).		
Explosives – fireworks, dynamite, ammunition, weapons involving use or testing with explosive materials.		C

	ZONES	
	ML	MH
<u>Regulated Substances.</u>		
Manufacturing of Products from the Following Materials:		
Textiles, wool, yarn, fur, felt, canvas, leather, hair, feathers, paper, cloth.	X	X
Bone, horn, shells, cellophane, casein (except glue).	X	X
Wood, cork, fiberglass, clay, glass (no blast furnace), plastic (no pyroxylin).	X	X
Hydrocyanic acid, tar, coal tar, pyroxyline plastic, guncotton.		C
Aluminum, sheet metal, ornamental iron, steel.	X	X
Rubber (in ML Zone, rubber is not to be melted and, where a banbury mixer is used, the resulting dust is to be washed).	L	X
Petroleum.		C
<u>Any Regulated Substance.</u>		
Manufacturing of the Following Materials:		
Dextrin.	X	X
Cloth, textiles, upholstery, felt, canvas.	X	X

	ZONES	
	ML	MH
Wallboard, fiberglass, glass (no blast furnace).	X	X
Glass (with blast furnace).		C
Polyurethane foam.	C	C
Cellophane, celluloid, cellulose.		C
Steel.		C
Gas acetylene, chlorine, ammonia, synthetic ammonia.		C
Acid, caustic soda, soda ash, lye, lime.		C
Gelatin, grease, tallow.		C
Cement, gypsum, terra cotta.		C
Kalsomine, lamp black, size, phenol, potash, pyroxylin plastic.		C
Petroleum, petroleum cleaning compound, asphalt, tar, coal tar, creosote.		C
Organic peroxide.		C
Fertilizer.		C
Explosives – nitroglycerine, nitromethane, nitroethane, cellulose nitrate, gunpowder, blasting powder.		C
<u>Regulated Substances.</u>		

	ZONES	
	ML	MH
Industrial Activities Involving the Following Processes:		
Sewing, weaving and knitting of textiles, dyeing of yarn and fabrics.	X	X
Cleaning of fabrics, curtains, carpets.	X	X
Mattress renovation.	X	X
Wool pulling.		C
Photo-finishing, film developing and processing, photoengraving, lithography, block printing, silk screening, printing, book binding.	X	X
Glass silvering, optical grinding, fitting and mounting; glass blowing (no blast furnace).	X	X
Furniture redecorating and restoration, antique restoration, cabinet making, wood carving.	X	X
Plastic molding (including hydraulic press).	X	X
Tire retreading and recapping.	X	X
Raw rubber processing (in ML Zone, rubber is not to be melted and, where a banbury mixer is used, the resulting dust is to be washed).	L	X
Rubber reclaiming.		C

	ZONES	
	ML	MH
Metal plating and finishing (in ML Zone, no perchloric acid).	L	X
Metal engraving, metal fabrication (no snap riveting) metal spinning, tool tempering, welding.	X	X
Foundry (no brass or bronze) – precision investment casting, die casting.	X	X
Foundry (including brass or bronze) forging, drop forge, drop hammer, boiler works, smelter, blast furnace, coke oven, scrap metal processing, metal fabrication (including snap riveting).		C
Vehicle dismantling or wrecking, junk and salvage processing, subject to the requirements of CMC 9148.1.		C
Aircraft power plant testing.		X
Ore grinding and reduction.		C
Paper shredding.		C
Grinding, dressing or cutting of stone, granite or marble; sand washing.	X	X
Aggregate batch plant, aggregate dryer, rock or asphalt crushing, asphalt plant, sandblasting. (In	C	C

	ZONES	
	ML	MH
ML Zone, only permitted on property which also has an ORL Zone designation, and must be at least 1,000 feet, as measured from lot line to lot line, from any residential zone, and any conditional use permit shall be subject to final approval or other action by the City Council.)		
Starch mixing and bottling, paint spray booth, shellac mixing (no cooking), paint or enamel mixing (except lacquer, synthetic enamel, polyurethane).	X	X
Mixing of lacquers, synthetic enamel, polyurethane paint.	C	C
Shellac mixing (with cooking).		C
Processing of coconut oil, cottonseed oil, linseed oil.		C
Oil canning and packaging (in ML Zone, not more than 100 barrels stored aboveground).	L	X
Petroleum refining, oil reclaiming, coal or coal tar distillation.		C
Potash refining.		C
Bone distillation, fat rendering, offal reduction, curing or tanning of furs or hides, processing of		C

	ZONES	
	ML	MH
animal by-products.		
Creosoting.		C
Fertilizer works, manure spreading and drying.		C
Use of organic peroxides,* nitromethane, nitroethane.		C
*Having a severity classification of 3 or greater according to tests prescribed by the Society of the Plastics Industry and acceptable to the Los Angeles County Fire Department.		
Water treatment.	X	X
<u>Any process involving use of Regulated Substances.</u>		
Resource Extraction:		
Borrow pit.	C	C
Oil fields, oil wells, subject to the requirements of CMC <u>9500</u> – <u>9537</u> , Oil and Gas Code.	C*	C*
*Development agreement provisions apply as specified in CMC <u>9502</u> and <u>9508</u> .		
Food Manufacturing and Processing:		
Ice, soft drinks, beer, wine, malt products, dairy products, candy, confections, pastries,	X	X

	ZONES	
	ML	MH
bread, oleomargarine, sodium glutamate, honey, nuts and similar food products (no lard, pickles, sauerkraut, or vinegar).		
Lard, pickles, sauerkraut, vinegar.		C
Box lunch preparation.	X	X
Fruits and vegetables – packing, canning, processing or extracting or bottling of juices (must be at least 100 feet from any residential zone, public school, public park, hospital or long-term health care facility).	L	L
Fish barbecuing or smoking (oven less than 10 cubic feet, no fish cleaning, retail sales only).	L	L
Dressing of poultry or rabbits (must be at least 100 feet from any residential zone, public school, public park, hospital or long-term health care facility).		L
Slaughtering of animals.		C
Meat, fish, dog or cat food – packing, canning, processing.		C
Coffee roasting.		C
Cigars, cigarettes.	X	X
Chewing tobacco.		C
Service and Repair:		

	ZONES	
	ML	MH
Linen, towel or uniform supply.	X	X
Assaying, gas heater testing, pest control, cesspool cleaning service, plumbing contractor, roofing contractor, tree surgeon.	X	X
Carpenter shop, machine shop, metal working shop, sheet metal shop, tinsmith, gunsmith (no weapons manufacture involving use or testing with explosive materials), blacksmith, lapidary shop, electrical motor and appliance repair.	X	X
Boat repair, vehicle repair (no limit on size of vehicle), equipment and machinery repair, subject to the limitations of CMC <u>9138.2</u> if within 300 feet of other than an industrial zone.	L	L
Laboratory – product testing, product research.	X	X
Laboratory – chemical, biological, anatomical.	C	C
Equipment Sale and Rental:		
Motor vehicles and heavy equipment of all types and sizes, contractor's equipment, agricultural equipment.	X	X

	ZONES	
	ML	MH
Auction:		
Auction – indoor or outdoor (no swap meet or flea market).	C	C
Wholesale:		
Wholesale activities of all types (except livestock and poultry).	X	X
Poultry (in ML Zone, all activities within an enclosed building).	L	X
Storage:		
Cold storage plant.	X	X
Petroleum coke.		C
<u>Pharmaceuticals – drugs, medicines, vitamin tablets.</u>	<u>X</u>	<u>X</u>
<u>Perfume, cosmetics, shampoo, soap, toiletries, and other personal care products.</u>	<u>X</u>	<u>X</u>
<u>Novelties, buttons, brushes, toys, candles.</u>	<u>X</u>	<u>X</u>
<u>Ceramics, pottery, statuary.</u>	<u>X</u>	<u>X</u>
<u>Jewelry, watches, clocks, optical goods, musical instruments, scientific instruments, electronic instruments, phonographs, phonograph records, radios, television sets,</u>	<u>X</u>	<u>X</u>

	ZONES	
	ML	MH
<u>electronic parts, precision metal products, wire, springs, tools, sandpaper, emery cloth, grinding wheels, printer's type.</u>		
<u>Electric and gas fixtures, electric appliances, electric motors and generators, batteries, signs (electric, neon, billboards, etc.).</u>	<u>X</u>	<u>X</u>
<u>Mattresses, bedsprings, coffins, fences, sash and doors, venetian blinds, window shades.</u>	<u>X</u>	<u>X</u>
<u>Draperies, bedding, rugs, automobile seat covers, awnings, bags, rope, baskets.</u>	<u>X</u>	<u>X</u>
<u>Ink, polish, putty, enamel.</u>	<u>X</u>	<u>X</u>
<u>Engines (no foundry).</u>	<u>X</u>	<u>X</u>
<u>Automobiles, trailers, boats, aircraft, heavy equipment.</u>	<u>X</u>	<u>X</u>
<u>Tile (indoor kiln).</u>	<u>X</u>	<u>X</u>
<u>Bone, horn, shells, cellophane, casein (except glue).</u>	<u>X</u>	<u>X</u>
<u>Wood, cork, clay, plastic.</u>	<u>X</u>	<u>X</u>
<u>Aluminum, sheet metal, ornamental iron, steel.</u>	<u>X</u>	<u>X</u>

	ZONES	
	ML	MH
<u>Rubber (natural or synthetic).</u>	<u>X</u>	<u>X</u>
<u>Dextrin.</u>	<u>X</u>	<u>X</u>
<u>Cloth, upholstery, felt, canvas, fur, leather, hair, feathers.</u>	<u>X</u>	<u>X</u>
<u>Wallboard, fiberglass, glass.</u>	<u>X</u>	<u>X</u>
<u>Yarn, fabrics, curtains, carpets, wool.</u>	<u>X</u>	<u>X</u>
<u>Photography-related materials.</u>	<u>X</u>	<u>X</u>
<u>Tires (indoor only).</u>	<u>X</u>	<u>X</u>
<u>Stone, granite, marble.</u>	<u>X</u>	<u>X</u>
<u>Ice, soft drinks, beer, wine, malt products, dairy products, candy, confections, pastries, bread, oleomargarine, sodium glutamate, honey, food additives and preservatives, nuts and similar food products.</u>	<u>X</u>	<u>X</u>
<u>Cigars, cigarettes.</u>	<u>X</u>	<u>X</u>
<u>Tints, paints, epoxies, resins, sealants.</u>	<u>X</u>	<u>X</u>
<u>Animal feed, grain.</u>	<u>X</u>	<u>X</u>
<u>Paper, industrial use paper.</u>	<u>X</u>	<u>X</u>
<u>Cotton.</u>	<u>X</u>	<u>X</u>
<u>Small electrical parts.</u>	<u>X</u>	<u>X</u>
Warehousing of furniture, household goods, dry	X	X

	ZONES	
	ML	MH
goods, clothing, textiles, durable goods, no perishable foods.		
Glass, lumber (no boxes or crates), naval stores, plaster, empty barrels, metal (no scrap), machinery, equipment.	X	X
Polyurethane foam.	C	C
Rock, sand, crushed aggregate and gravel:		
Not more than 2,000 tons.	X	X
More than 2,000 tons. (In ML Zone, only permitted on property which also has an ORL Zone designation and must be at least 1,000 feet, as measured from lot line to lot line, from any residential zone, and any conditional use permit shall be subject to approval or other action by the City Council.)	C	X
Clay and clay products.	X	X
Cement silo, grain elevator.		X
Petroleum and petroleum products (If associated with oil and gas production and related facilities, refer to CMC <u>9500 – 9537</u> , Oil and Gas Code, for governing requirements):		
Not more than 2,500 barrels.	X	X

	ZONES	
	ML	MH
More than 2,500 barrels.		C
Cargo container (prohibited within 1,000 feet, as measured from lot line to lot line, of residentially zoned property or institutional uses).		L
Natural gas (If associated with oil and gas production and related facilities, refer to CMC <u>9500</u> – 9537, Oil and Gas Code, for governing requirements):		
Belowground – any amount.	X	X
Aboveground:		
Not more than 500,000 cubic feet.	X	X
More than 500,000 cubic feet.	C	
Oxygen, acetylene (subject to Fire Code requirements).	X	X
Agricultural chemicals (must be at least 100 feet from any residential zone, public school, public park, hospital or long-term health care facility).	L	L
Liquid petroleum gas (If associated with oil and gas production and related facilities, refer to CMC <u>9500</u> – 9537, Oil and Gas Code, for governing		

	ZONES	
	ML	MH
requirements):		
Not more than 30,000 gallons.	X	X
More than 30,000 gallons		C
Fuel yard (not covered elsewhere, including propane).	X	X
Aircraft fuel and lubricant.		C
Explosives – dynamite (over 100 pounds), nitroglycerine, nitromethane, nitroethane, cellulose nitrate, gun powder, blasting powder.		C
Creosote, creosoted poles.		C
Fertilizer.		C
Junk, salvage, metal scrap, rags, bottles, nonferrous scrap (other than paper), subject to the requirements of CMC 9148.1.		C
Waste paper, subject to the requirements of CMC 9148.1.	C	C
<u>Regulated Substances.</u>		
Poison (Class A or Class B)* – pesticides, rodenticides, insecticides, herbicides.		C
*Classification according to Los Angeles County Fire Department. (R.M.)		

	ZONES	
	ML	MH
Graziano's Tariff No. 25).		
Organic peroxides** – (more than 50 pounds).		C
**Having a severity classification of 3 or greater according to tests prescribed by the Society of the Plastics Industry and acceptable to the Los Angeles County Fire Department.		
Motor vehicles (not including impounding yard).	X	X
Vehicle impounding yard, subject to the requirements of CMC 9148.1.		C
Aircraft.		X
Transportation, Communications, Utilities and Public Service:		
Service yard – public utility or public service.	X	X
Jail farm, honor farm.	C	C
Aircraft beacons and navigational aids – operating.	X	X
Blimp port, heliport, helistop.	C	C
Railroad yard, repair shop, roundhouse.		C
Truck terminal, subject to the requirements of CMC	C	C

	ZONES	
	ML	MH
<u>9148.9.</u>		
Truck yard, subject to the requirements of CMC <u>9148.9.</u>		C
Transfer station for refuse, sewage treatment plant.		C
Access to other property lawfully used for purposes not permitted on subject property.	X	X
Intermodal container transfer facility.		C
Education:		
Trade school.	X	X
Recreation:		
Arcade (subject to the requirements of CMC <u>9138.4.</u>)	C	C
Archery range.	C	C
Outdoor drive-in theater.	C	C
Range for pistol, rifle, skeet, or trap shooting; turkey shoot.		C
Model airplane area (motor-driven or jet-propelled).		C
Fairgrounds, outdoor festival (permanent).	C	C
Race track – horse, automobile, motorcycle.		C
Zoo.		C
Agriculture:		

	ZONES	
	ML	MH
Earthworm farm (must be at least 100 feet from any residential zone, public school, public park, hospital or long-term health care facility).	L	L
Mushroom farm (must be at least 300 feet from any residential zone, public school, public park, hospital or long-term health facility).		L
Egg candling.	X	X
Studios:		
Motion picture studio or set – indoor or outdoor.	X	X
Cemetery:		
Cemetery, mausoleum, columbarium, crematory.		C
Animal Services:		
Horse stable, riding academy – commercial or private (must be at least 100 feet from any residential zone, public school, public park, hospital or long-term health care facility).	C	C
Animal shelter, pound, kennel, training school.	C	C
Animal hospital, animal research institute.	X	X
Pet cemetery.		C
Electronic message center signs. (See CMC 9146.7.)	C	C

	ZONES	
	ML	MH
Outdoor Advertising:		
Outdoor advertising sign, including electronic digital displays, subject to the requirements of CMC <u>9146.7.</u>	CC	CC
Recycling Facilities:		
Large collection recycling facility. (Subject to CMC <u>9148.4.</u>)	L	L
Processing facility for recyclables, light. (Subject to CMC <u>9148.5.</u>)	L	L
Processing facility for recyclables, heavy. (Subject to CMC <u>9148.5.</u>)		C
Wireless Telecommunications Facilities (see CMC <u>9138.16</u>):		
Minor wireless telecommunications facilities, subject to the requirement of CMC <u>9138.16.</u>	L	L
Major wireless telecommunications facilities, subject to the requirement of CMC <u>9138.16.</u>	C	C
Uses Permitted in Commercial Zones:		
Any principal use permitted in any commercial zone, whether automatically (X), with		

	ZONES	
	ML	MH
limitation (L), or by conditional use permit (C), is automatically permitted in the industrial zones, subject to the same requirements specified for such use in the commercial zones, except the following:		
Residential:		
Mobile home park.	Not permitted	
Group quarters for members of a religious order.	Not permitted	
Community residential care facility, boarding or rooming house, fraternity or sorority house, dormitory, residential hotel or similar group quarters, motel units with kitchens.	Not permitted	
Emergency shelters, up to 30 occupants within the City.	L	L
Emergency shelters, more than 30 occupants within the City.	C	C
Transitional housing, supportive housing and single-room occupancy (SRO) housing.	Not permitted	
Transportation related uses:		
Shared parking facilities.	C	C
Health services:		

	ZONES	
	ML	MH
Hospital, long-term health care facility, public health center.	C	
Ambulance service.	C	C
Public and quasi-public uses:		
Archaeological dig, provided the Director determines there is a reasonable prospect that significant scientific, cultural, or historical information will be obtained from the site.	D	D
Education:		
Elementary or secondary school public or private.	Not permitted	
Recreation:		
Golf driving range, pitch-and-putt course, golf course, subject to the limitations of CMC 9138.3.	L	L
Arcade, subject to the requirements of CMC 9138.4.	C	C
Retail services and offices:		
Adult business.	Not permitted	
Convenience stores.	C	C
Payday loans.	CUP	CUP
Massage service.	Not permitted	
Tattoo service. (New uses not permitted. Existing	L	Not permitted

	ZONES	
	ML	MH
uses prior to June 7, 2006, required a CUP and are subject to CMC <u>9138.92.</u>)		
Alcoholic beverage sales and services:		
Alcoholic beverage sales in conjunction with variety store, drugstore, mini market, drive-through market, food store, or grocery store excluding a supermarket, take-out food, liquor store, subject to requirements of CMC <u>9138.5.</u>	C	C
Alcoholic beverage sales and services in conjunction with cocktail lounge, bar, arcade, pool hall, billiards, card room, bowling alley, indoor theater, night club and eating establishment other than a bona fide restaurant, subject to requirements of CMC <u>9138.5.</u>	C	C
Vehicles sales and service:		
Automobile service station, subject to the requirements of CMC <u>9138.14.</u>	C	C
Automobile/vehicle washing, subject to the requirements of CMC <u>9138.14.</u>	C	C
Automobile/vehicle service and repair, subject	C	C

	ZONES	
	ML	MH
to the limitations of CMC 9138.14.		
Auctions for used automobiles, recreational vehicles, travel trailers, trucks or trailers, not over 2-ton capacity, motorcycles or motorscooters, subject to the requirements of CMC 9138.21.	C	C
Temporary Uses:		
Election campaign office in a trailer. (Not permitted earlier than 90 days before the election. To be removed within 14 days after the election.)	L	L
Office or other permitted commercial use in a trailer or other mobile unit. (Permitted for a period not exceeding 6 months during construction of a building on the same lot while a building permit is in effect. The Director may approve reasonable time extensions if he finds construction is proceeding in good faith.)	L	L
Storage of construction materials and equipment at a construction site without the screening which would be required for permanent outdoor storage (only during the period a building permit is	L	L

	ZONES	
	ML	MH
in effect).		
Subdivision directional sign. (See CMC <u>9128.31</u> – <u>9128.35</u> .)	LD	LD
Fireworks stand, fireworks storage. (See CMC <u>3101.0</u> – <u>3101.10</u> .)	CC	CC
Tent revival. (See Chapter 6 of Article III.)	CC	CC
Carnival, mechanical rides, pony rides, outdoor festival and similar uses. (See CMC <u>63119</u> and <u>63119.1</u> .)	CC	CC
Circus, rodeo. (See CMC <u>63120</u> ; and Animal Control Ordinance, CMC <u>3300</u> – <u>3301</u> .)	CC	CC
Sidewalk, parking lot, and tent sales. (See CMC <u>9148.7</u> .)	D	D
Yard sales. (See CMC <u>4600</u> – <u>4606</u> .)	L	L
Uses Permitted in Manufacturing Zones:		
Auction house.	C	C
Indoor mini-mart.	Not permitted	
Commercial Cannabis (See Chapter 15 of Article VI)	DA	DA

“Regulated Substances,” as used in this section, means and refers to the substances that constitute “regulated substances” pursuant to the California Accidental Release Prevention (“CalARP”) program, established and existing pursuant to Article 2 (Sections 25531 to

25543.3) of Chapter 6.95 of Division 20 of the California Health & Safety Code and the regulations set forth in Chapter 4.5 of Division 2 of Title 19 of the California Code of Regulations, as such substances are defined in California Health & Safety Code Section 25532 and listed in Table 3 of Section 2770.5 of Title 19 of the California Code of Regulations (“Table 3”) and described and listed in Section 68.130 of Title 40 of the Code of Federal Regulations pursuant to paragraph (3) of subsection (r) of Section 112 of the Clean Air Act (42 U.S.C. Sec. 7412(r)(3)), as such may be amended, when present or existing in a given location in any quantity and irrespective of any threshold quantity set forth in Table 3 or elsewhere in the CalARP program.

“Threshold quantity,” as used in this section, shall have the meaning set forth in California Health & Safety Code Section 25532(p), and as may be amended.

Any person, firm or corporation violating any provision of this Section shall be guilty of an infraction and shall be punishable as provided in Chapter 2 of Article I.”

SECTION 4. SEVERABILITY. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions thereof may be declared invalid or unconstitutional.

SECTION 5. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days after its adoption.

SECTION 6. CERTIFICATION. The City Clerk shall certify to the adoption of this ordinance, and shall cause the same to be posted and codified in the manner required by law.

[signatures on the following page]

PASSED, APPROVED and ADOPTED at a regular meeting of the City Council on this
_____ day of _____, 2021.

Lula Davis-Holmes, Mayor

ATTEST:

Donesia Gause-Aldana, City Clerk

APPROVED AS TO FORM:

Sunny K. Soltani, City Attorney



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AWATTORNEYS.COM

March 20, 2020

VIA ELECTRONIC MAIL

John P. Kinsey
Wanger Jones Helsley PC
265 E. River Park Circle, Suite 310
Fresno, CA 93720
E-Mail: jkinsey@wjhattorneys.com

**Re: Response to Inland Star Distribution Centers, Inc.
Request for Formal Interpretation and/or Text Amendment**

Dear Mr. Kinsey:

I am in receipt of your letter dated February 21, 2020, regarding Inland Star's Request for Formal Interpretation and/or Text Amendment ("Letter"). Please note that although the Letter states it was sent via email and U.S. mail, I did not receive any emailed copy of the Letter. Instead, I only received a mailed copy of the Letter, which my office received on Monday, February 24, 2020.

The Letter requests, on behalf on Inland Star: (1) pursuant to Carson Municipal Code ("CMC") Section 9172.11(A), a text amendment to CMC Section 9141.1; or (2) in the alternative, pursuant to CMC Section 9172.24, an interpretation of CMC Section 9141.1. The Letter also requests a stay of enforcement by the City against Inland Star pending the outcome of the requested text amendment or interpretation process.

Firstly, the City does intend to consider a text amendment to CMC Section 9141.1, and deems that process initiated by your request pursuant to CMC 9172.11(A). As you know, this process calls for the matter to be considered at a Planning Commission hearing within 13 months from receipt of the request. (CMC §9172.11(B)). Inland Star's request (i.e., the Letter) was received on February 24, 2020, so the Commission hearing would, under normal circumstances, need to take place on or before March 24, 2021.

However, as you can certainly imagine, the City is not currently operating under normal circumstances. In December of 2019, an outbreak of respiratory illness due to a novel coronavirus (COVID-19) was first identified in Wuhan City, Hubei Province, China. On March 4, 2020, Governor Gavin Newsom declared a State of Emergency for the State of California, and on the same date, the County of Los Angeles declared a health emergency related to COVID-19. On March 11, 2020, the World Health Organization declared COVID-19 a global pandemic. On March 13, 2020, President Trump declared a National State of Emergency in response to increased spread of COVID-19.

On March 17, 2020, the City Council declared and proclaimed a state of emergency in the City of Carson in response to COVID-19. In connection with this declared state of emergency, the City (including the Planning Division) is experiencing a severe decrease in staffing, and the remaining workforce is dedicated to emergency operations to enable the City to provide the most effective possible response to the COVID-19 pandemic for the protection of the health, safety and welfare of the City's residents. Additionally, the regularly scheduled March 24, 2020, Planning Commission meeting has been cancelled, and subsequent Planning Commissions may be held less frequently than usual or may not be held for a period of time. The emergency declaration period will remain in effect until its termination is proclaimed by the City Council, a period which is currently indefinite.

Based on the foregoing, please understand that normal City operations have been interrupted. Accordingly, the City finds it necessary to deem the 13-month timeframe under CMC Section 9172.11(B), and any other related timeframes or deadlines applicable to Inland Star's request for a text amendment to CMC Section 9141.1, to be extended by the period of time that the City's emergency declaration remains in effect. As such, the timeframes have been frozen as of March 17, 2020, and when the local emergency declaration is lifted and normal City operations recommence, the running of the 13-month timeframe will resume. Please confirm you acknowledge the necessity of this arrangement, and thank you in advance for your cooperation as the City responds to this global health crisis.

In response to the Letter's alternative request for an interpretation of CMC Section 9141.1 pursuant to CMC Section 9172.24, the City will deem this request to be ineffective in light of City's initiation of the text amendment process, as stated above, and the fact that the interpretation request is phrased as an alternative to the text amendment request. However, it is likely that the City will nonetheless proceed at some point with an interpretation of CMC 9141.1 upon initiation by the Director pursuant to Section 9172.24(A). In that event, the Director, within 30 days of initiating the interpretation process, would be required to prepare a written interpretation and transmit it to the Planning Commission and the City Council, and to give public notice of preparation of the interpretation, all as set forth in CMC Section 9172.24(C). It is not currently known if or when the Director will initiate this process (and now is not an ideal time in light of the current declared state of emergency), but once any such process has been initiated and an interpretation has been prepared by the Director, Inland Star will be notified of same via the public noticing procedures set forth in CMC Section 9172.24(C).

Finally, in response to Inland Star's request for a stay of enforcement, the City has not taken any formal action this regard. However, the City has confirmed with the Los Angeles County Fire Department, in its capacity as the City's Certified Unified Program Agency, that the warehouse inventory of Inland Star's Carson facility, as inspected on December 18-19, 2019, did not contain any CalARP regulated substances. The City certainly appreciates this positive step in Inland Star's transition to being a non-hazardous materials storage facility, and the City looks forward to Inland Star's continued cooperation in this regard moving forward.

John P. Kinsey
March 20, 2020
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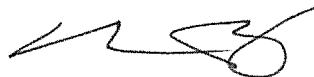
However, this does not mean that Inland Star's warehouse inventory as inspected on December 18-19, 2019, has been confirmed to be in compliance with the CMC or the agreement entered into between the City and Inland Star dated September 5, 2019 ("Agreement"), which go further than merely requiring Inland Star to refrain from having CalARP regulated substances. For instance, there may be materials in Inland Star's inventory that require a conditional use permit or other land use permit or approval not held by Inland Star in order to be legally stored in the MH zone, or that are prohibited for storage in such zone by the permissive zoning doctrine. And of course, Inland Star still lacks a City business license.

The City is continuing to analyze the compliance documentation submitted by Inland Star on February 21, 2020, and is also aware that making a final compliance determination may depend on the outcome of a text amendment to or an interpretation of CMC Section 9141.1. Therefore, while the City has not taken any formal action to grant or deny the requested stay of enforcement, and reserves all rights and remedies pursuant to the CMC, the Agreement, and other applicable law, it is my understanding that the City does not intend to initiate or pursue adverse code enforcement action against Inland Star at this time.

It is my sincere hope that the City (and the rest of the world) will soon be able to move past the COVID-19 emergency period and proceed with the text amendment consideration process, and potentially the interpretation process, in order to provide greater clarity regarding the requirements of CMC 9141.1 and a final compliance determination as soon as possible. Thank you for your consideration of these important matters and please do not hesitate to contact me if you have any questions, comments or concerns.

Regards,

ALESHIRE & WYNDER, LLP



Benjamin R. Jones, Assistant City Attorney

BRJ:BRJ

cc: Sunny K. Soltani, City Attorney (ssoltani@awattorneys.com)
Saied Naaseh, Community Development Director (snaaseh@carson.ca.us)

Enclosure: Letter dated February 21, 2020, from John Kinsey to Benjamin Jones re: Inland Star Distribution Centers, Inc., Request for Formal Interpretation and/or Text Amendment.

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February 21, 2020

VIA U.S. MAIL & EMAIL: bjones@awattorneys.com

Benjamin R. Jones
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18881 Von Karman Avenue, Suite 1700
Irvine, CA 92612

Re: **Inland Star Distribution Centers, Inc.**
Request for Formal Interpretation and/or Text Amendment

Dear Mr. Jones:

As you are aware, my law firm represents Inland Star Distribution Centers, Inc. ("Inland Star"), in connection with its interactions with the City of Carson (the "City") concerning its facility in Carson, California, located at 2132 E. Dominguez Building "A" (the "Carson Facility").

It is my understanding that, at the December 18, 2019, meeting/inspection at the Carson Facility, you and Mr. Cardella discussed potential pathways to help resolve some of the ambiguities and outdated language in Section 9141.1 of the Carson Municipal Code ("CMC")—and the CMC's application to the Carson Facility—in a manner that is vetted publicly and evenhandedly applies to all industrial land uses in the City, and helps resolve any concerns the City may have concerning the storage of particular materials. I understand two of the potential solutions discussed were a text amendment and text interpretation pursuant to Section 9172.24 of the CMC.

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To help move this matter forward in a constructive manner, I am writing on behalf of Inland Star to request that the City initiate a public process—including either a text amendment or a text interpretation—to resolve the ambiguities present in Section 9141.1 of the CMC. In addition, now that all hazardous corrosives, oxidizers, toxics, flammables, poisons, and CalARP materials have been removed from the Carson Facility such that Inland Star would not be subject to H-3 or H-4 occupancy requirements or need a conditional use permit for its operations, Inland Star requests a stay of enforcement for Inland Star’s Carson Facility pending the conclusion of the text amendment/interpretation process, along with a reasonable period to comply with the outcome of that process.

To help facilitate this process, our firm and Inland Star took the liberty of summarizing the steps necessary to resolve the ambiguities in Section 9141.1 of the CMC.

A. Text Amendment

Because Section 9141.1 of the CMC is outdated, and contains numerous ambiguities, Inland Star believes the best way to resolve the above issues would be through a text amendment.

As provided in CMC section 9172.11, “[c]onsideration shall be initiated by order of either the Council or Commission, or upon the written request of any person.” (CMC § 9172.11(A).) “When consideration has been initiated by the written request of any person, the matter shall be considered at a Commission hearing held within thirteen (13) months from receipt of the request.” (CMC § 9172.11(B).) Please consider this letter a written request pursuant to Section 9172.11(A).

Of course, there are any number of ways the City would amend the text of Section 9141.1 to provide clarity to the regulated public. However, the simplest way to strike to a balance between achieving the City’s objectives of promoting health, safety, and welfare and allowing storage facilities sufficient flexibility to engage in standard business practices would be to modify Section 9141.1 to allow storage facilities as a “by right” land use so long as CalARP-regulated materials are not stored onsite. If any landowner seeks to store CalARP-regulated materials, such use would require a Conditional Use Permit.

Alternatively, the City could specifically authorize the storage of materials that are typically used in the manufacturing process for other industrial “by right” uses. For example, many of the “by right” manufacturing uses require the application of paints, tints, dyes, resins, sealants, and epoxy adhesives—which those industrial users must store onsite prior to their use in the manufacturing process. By analogy, those materials should be acceptable to store as a matter of right. In addition to (i) paints, tints, and epoxy adhesives, other categories of stored materials that are commonly used in “by right” industrial users under Section 9141.1 include (ii) cosmetics, hygiene, and personal care products; (iii) materials used for foods, including additives, reducing/whitening agents, preservatives, vitamins, and disinfectants; (iv) rubber products and materials used for the manufacturing of such products, including lubricants and antioxidants; (v) industrial use paper; (vi) ceramics; (vii) medical or personal care products, such

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as shampoo and cosmetics, and other household items not listed in Section 9141.1; (viii) animal fees; and (ix) and other non-CalARP materials used in “by right” industrial processes.

B. Text Interpretation

Alternatively, the City could seek a text interpretation of Section 9141.1, pursuant to Section 9172.24 of the CMC. This process is specifically acknowledged in Section 9141.1, which notes the complexity of industrial uses, and the fact that uncertainties would no doubt arise:

Note: in the following list, industrial activities are classified by product, by materials used, by use, and by processes employed. *Since many industrial uses are complex in nature, it is necessary to consider all of the above-mentioned elements in classifying any specific industrial use. Uncertainties as to the proper classification for a specific use are to be resolved through Interpretations adopted in accordance with CMC 9172.24.*

(CMC § 9141.1 [emphasis added].)

Outlining the process for a formal interpretation of the CMC’s provisions, Section 9172.24 provides:

In case of *uncertainty or ambiguity as to the meaning or intent of any provision of this Chapter, or to further define or enumerate the uses permitted in the various zones*, and upon proper initiation as provided in CMC 9172.24(A), the following procedure shall be followed if a Text Change is not initiated. Adjustment of a zoning boundary up to fifty (50) feet from the scaled location on the Zoning Map also may be accomplished under this procedure if a Zone Change is not initiated and if such adjustment is in order to conform to lot lines or to resolve uncertainty as to the precise location of such zoning boundary. Except in the case of a Zoning Boundary Adjustment, *Interpretations shall be generally applicable to all future situations of the same type and shall not be limited or directed to specific properties or circumstances thereon.*

(CMC § 9172.24 [emphasis added].) The interpretation process may be initiated “upon the written request of any person.” (CMC § 9172.24(A).) The interpretation “shall be based on an examination of the intent of this Chapter, considering all of the relevant provisions thereof, and shall be consistent with such intent.” (CMC § 1972.24(B).) “Consideration shall be given to the relationship among regulations of the various zoning classifications and the uses and development standards therein.” (*Id.*) “In the case of an Interpretation involving further definition or enumeration of uses permitted in a particular zone, *consideration shall be given to*

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the similarities and differences between the characteristics of each use subject to Interpretation and the characteristics of those uses expressly permitted in the zone.” (Id. [emphasis added].)

Accordingly, in the event the City does not seek a text amendment, please consider this letter a written request by Inland Star for the City to initiate the CMC interpretation process for Section 9141.1 of the CMC, pursuant to Section 9172.24.

C. Stay of Enforcement

As you are aware, Inland Star has removed all hazardous corrosives, oxidizers, toxics, flammables, poisons, and CalARP materials from its Carson Facility. As such, there is no immediate concern about the presence of hazardous substances onsite.

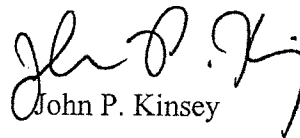
Therefore, to allow the City, Inland Star, and the public an opportunity to meaningfully engage in a public process to articulate clear, generally-applicable standards for industrial uses—and in particular storage and distribution facilities—Inland Star respectfully requests a stay of enforcement pending the outcome of either a text amendment or text interpretation process by the City. In light of the recognized ambiguities in the CMC, Inland Star’s removal of the CalARP and otherwise hazardous materials from the Carson Facility, and the need to articulate clear generally-standards for *all* industrial uses, Inland Star believes this request is both equitable and justified under the circumstances.

D. Conclusion

Thank you for consideration of the above requests. Inland Star looks forward to a productive dialog between the City, Inland Star, and other stakeholders.

Please do not hesitate to contact my office if you have any additional questions.

Very truly yours,


John P. Kinsey

Case#	Item#	Description/Name	Uses (See § 1 of SDS)	Analog User/Common Applications (Google, Wikipedia)	CERES Reportable CAS#	% Percentage	CMC Permissibility Reason # (See Explanations, Sheet 2)
7311	140001557	DYHARD D500P	Mfg. of coating materials, adhesives, sealing agents, composite materials	Paints, epoxy adhesives	7631-86-9	5%	1.3
730	99003159	8171035 F RED OXIDE	Aqueous colorant	Tints, paints	1332-37-2, 107-21-1	60%, 30%	1.3
730	99003171	8171880 C YELLOW OXIDE	Aqueous colorant	Tints, paints	14807-96-6	5%	1.3
730	99003247	8241302 BURNT UMBER	Non-aqueous colorant	Tints, paints	1309-37-1, 14807-96-6, 8052-133%, 7%, 5%	2%	1.3
730	99003393	8300494 PERMA RED	Aqueous colorant	Tints, paints	107-21-1, 14807-96-6	40%, 40%	1.3
847	CF0001B	8300494 PERMA RED	Aqueous colorant	Tints, paints	107-21-1, 14807-96-6	40%, 40%	1.3
730	99003348	8301047 VENETIAN RED	Aqueous colorant	Tints, paints	1309-37-1, 107-21-1, 14807-96-6	60%, 20%, 1%	1.3
730	99003375	8302506 INTERIOR YELLOW	Aqueous colorant	Tints, paints	107-21-1, 14807-96-6, 126-73-8	40%, 40%, 3%	1.3
847	CF0031B	8302506 INTERIOR YELLOW	Aqueous colorant	Tints, paints	107-21-1, 14807-96-6, 126-73-8	40%, 40%, 3%	1.3
730	99003384	8307216 PHTHALO BLUE	Aqueous colorant	Tints, paints	107-21-1, 14807-96-6	40%, 40%	1.3
847	CF0040B	8307216 PHTHALO BLUE	Aqueous colorant	Tints, paints	107-21-1, 14807-96-6	40%, 40%	1.3
730	99003386	8308895 VIOLET	Aqueous colorant	Tints, paints	107-21-1, 14807-96-6, 126-73-8	40%, 40%, 3%	1.3
847	CF0043B	8308895 VIOLET	Aqueous colorant	Tints, paints	107-21-1, 14807-96-6, 126-73-8	40%, 40%, 3%	1.3
730	99003388	8309907 LAMP BLACK	Aqueous colorant	Tints, paints	1333-86-4, 107-21-1, 14807-96-6	40%, 20%, 20%	1.3
847	CF0046B	8309907 LAMP BLACK	Aqueous colorant	Tints, paints	1333-86-4, 107-21-1, 14807-96-6	40%, 20%, 20%	1.3
730	99003410	8329901 CARBON BLACK	No VOC Aqueous colorant	Tints, paints	1333-86-4, 7664-41-7	60%, 1%	1.3
730	99003432	831234 GP GOLD SE	Aqueous colorant	Tints, paints	1309-37-1, 12001-26-2	3%, 20%	1.3
730	99003649	8500001 TITANIUM WHITE	Non-aqueous colorant	Tints, paints	107-21-1, 14807-96-6, 126-73-8	40%, 40%	1.3
730	99003699	8509940 CARBON BLACK M	Non-aqueous colorant	Tints, paints	1333-86-4	30%	1.3
730	99004013	8770019 AQUASPERSE II T WHIT	Aqueous colorant	Tints, paints	14807-96-6	10%	1.3
730	99004030	8770787 AQUASPERSE FAST RED	Aqueous colorant	Tints, paints	107-21-1, 14807-96-6, 54-17-5	30%, 30%, 1%	1.3
730	99004033	8770801 NAPHTHOL RED	Aqueous colorant	Tints, paints	14807-96-9	5%	1.3
730	99004045	8771314 BURNT UMBER	Aqueous colorant	Tints, paints	1309-37-1, 14807-96-6, 1333-86-4, 8052-133%	40%, 10%, 3%	1.3
847	CF00322P	8771314 BURNT UMBER	Aqueous colorant	Tints, paints	86-4, 8052-41-3	1%	1.3
730	99004049	8771403 RAW UMBER	Aqueous colorant	Tints, paints	1309-37-1, 14807-96-6, 1333-86-4, 8052-41-3	1%	1.3
847	CF00323P	8771403 RAW UMBER	Aqueous colorant	Tints, paints	107-21-1	10%	1.3
730	99004052	8771575 BROWN OXIDE	Aqueous colorant	Tints, paints	107-21-1	10%	1.3
730	99004066	8772010 AQUASPERSE II RAW UMBER	Aqueous colorant	Tints, paints	1309-37-1, 1333-86-4, 8052-41-3	40%, 3%, 1%	1.3
847	CF00340P	8772010 AQUASPERSE II RAW UMBER	Aqueous colorant	Tints, paints	1309-37-1, 1333-86-4, 8052-41-3	40%, 3%, 1%	1.3
730	99004076	8772501 AQUASPERSE II PERMA YELLOW	Aqueous colorant	Tints, paints	1309-37-1, 126-73-8, 14807-96-6	10%, 5%, 1%	1.3
730	99004108	8777505 ULTRAMARINE BLUE	Aqueous colorant	Tints, paints	14807-96-6	10%	1.3
847	CF00385P	8777505 ULTRAMARINE BLUE	Aqueous colorant	Tints, paints	14807-96-6	10%	1.3
730	99004112	8778895 AQUASPERSE II CAR VIOLET	Aqueous colorant	Tints, paints	107-21-1, 14807-96-6, 126-73-8	40%, 40%, 3%	1.3
847	CF00388P	8778895 AQUASPERSE II CAR VIOLET	Aqueous colorant	Tints, paints	107-21-1, 14807-96-6, 126-73-8	40%, 40%, 3%	1.3
730	99004115	8779908 AQUASPERSE II LAMP BLACK	Aqueous colorant	Tints, paints	1333-86-4	60%	1.3
847	CF00391P	8779908 AQUASPERSE II LAMP BLACK	Aqueous colorant	Tints, paints	1333-86-4	60%	1.3
730	99004116	8779908 AQUASPERSE II LAMP BLACK	Aqueous colorant	Tints, paints	1333-86-4	60%	1.3
730	99004120	8779910 HS BLACK	Aqueous colorant	Tints, paints	1333-86-4, 107-21-1	60%, 30%	1.3
730	99004147	8781046 AQUATREND II RED OX	Aqueous colorant	Tints, paints	14807-96-6	5%	1.3
730	99004150	8781573 AQUASPERSE II BROWN OX	Aqueous colorant	Tints, paints	1333-86-4, 14807-96-6	5%, 10%	1.3
826	CLP21068422B	NOVOPERM RED F5K	Coloring Agent	Tints, paints	14807-96-6	13%	1.3
782	050_33-142-060	MZX-3040TS	Prevention transparency UVA	Cosmetics, Personal Care products	1314-13-2	90%	3
783	12-103-015	SPHERON L1500	Silica micro bead for slip, spreadability	Cosmetics, Personal Care products	7631-86-9		3
782	009-103-020	SPHERCITE PHN	Pigment extender, bulk filler	Cosmetics, Pharmaceutical preparations	12001-26-2		3
783	12-104-015	SPHERON LC-KAA	SF7 booster	Cosmetics, Pharmaceutical preparations	7631-86-9		3
808	5MMS	SODIUM METAFOSULFITE	Food additive	Food uses - disinfectant, preservative	7681-57-4		3
789	4986501	VAUFRE AP-2	Polymeric processing aid	Latex for mold flow and release of rubber products	117-81-7	100%	3
789	0230501	AGERITE SUPERFLEX SOLID G	Antioxidant	Antioxidant for rubber products such as tires	7631-86-9, 122-39-4	25%, 20%	2

826	CLP2216496P	HOSTATINT BLACK A-N 100	Colorant preparation	Tints, paints	1333-86-4	23%	1
826	CLP2922904P	HOSTATINT B LAMP BLACK	Coloring Agent	Tints, paints	1331-86-4	10%	1
826	OCRCORNR20022B	KONASUL K-200U	Film agent, filler	Coatings, adhesives sealants, cosmetics	7631-86-9	100%	1, 2, 3
826	SCSSW/04055B	SASOLVAX 7040	Anti-forming agent	Industrial use paper	8002-74-2	92%	4
847	PNV140	INVOCOR CI-3165	Corrosion inhibiting pigment	Protective coating systems (anti-rust)	1314-13-2	32%	1
847	RTV520	PYRAX B	Additive/filler	Ceramics, Plastics	12001-26-2	25%	1
847	RTV860	VANTALC 6H	Additive/filler	Ceramics, Plastics	14807-96-6	98%	1
847	RTV930	VANSIL W-30	Additive	Ceramics	13933-17-0	99%	1
832	2215ZE41	ZE41 INEGOT	Industrial fabrication	Casting, welding	7439-95-4	87%	4
839	50691815	DRY VITAMIN A CETA TE	Vitamin	Vitamins	1283-37-0	3%	3
863	DIPGME6937	DIPROPYLENE GLYCOL MONOMETHYL ETHER	Solvent	Used in paints, pastes, dyes, resins, brake fluids and inks, and in making cosmetics	34590-94-8	100%	1
816	U1015-57	DEE FO 1015	Anti-forming agent	commonly used for architectural, industrial and wood coatings, as well as printing inks and adhesives.	7631-86-9	3%	1
816	U1015-T	DEE FO 1015	Anti-forming agent	commonly used for architectural, industrial and wood coatings, as well as printing inks and adhesives.	7631-86-9	3%	1
730	99004251	COLORTREND RED OX SE	Aqueous colorant	Tints, paints	1309-37-1, 107-21-1, 14807-96-6	60%, 20%, 3%	1, 3
847	CFO481Q	COLORTREND RED OX SE	Aqueous colorant	Tints, paints	1309-37-1, 107-21-1, 14807-96-6	60%, 20%, 3%	1, 3
730	99004252	COLORTREND RED OXDE	Aqueous colorant	Tints, paints	1309-37-1, 107-21-1, 14807-96-6	60%, 20%, 3%	1, 3
730	99004263	COLORTREND BRN OX SE	Aqueous colorant	Tints, paints	1309-37-1, 107-21-1, 14807-96-6, 1333-86-4	40%, 20%, 20%	1, 3
847	CFO484Q	COLORTREND BRN OX SE	Aqueous colorant	Tints, paints	1309-37-1, 107-21-1, 14807-96-6, 1333-86-4	40%, 20%, 20%	1, 3
730	99004264	COLORTREND BRN OX	Aqueous colorant	Tints, paints	1309-37-1, 107-21-1, 14807-96-6, 1333-86-4	40%, 20%, 20%	1, 3
730	99004276	COLORTREND YELLOW OXDE	Aqueous colorant	Tints, paints	107-21-1, 14807-96-6, 1309-37-1, 1333-86-4	40%, 40%, 10%	1, 3
730	99004290	COLORTREND RAW UMABER	Aqueous colorant	Tints, paints	107-21-1, 14807-96-6, 1333-86-4	40%, 40%, 10%	1, 3
847	CFO493L	COLORTREND RAW UMABER	Aqueous colorant	Tints, paints	107-21-1, 14807-96-6, 1333-86-4	40%, 40%, 10%	1, 3
730	99004384	COLORTREND LAMP BLACK SE	Aqueous colorant	Tints, paints	107-21-1, 14807-96-6, 1333-86-4	40%, 40%, 10%	1, 3
847	CFO526Q	COLORTREND LAMP BLACK SE	Aqueous colorant	Tints, paints	107-21-1, 14807-96-6, 1333-86-4	40%, 40%, 10%	1, 3
730	99004385	COLORTREND LAMP BLACK	Aqueous colorant	Tints, paints	107-21-1, 14807-96-6, 1333-86-4	40%, 40%, 10%	1, 3
847	CFO526P	COLORTREND LAMP BLACK	Aqueous colorant	Tints, paints	107-21-1, 14807-96-6, 1333-86-4	40%, 40%, 10%	1, 3
730	99004536	AQUACHEM LF ORANGE	Aqueous colorant	Tints, paints	111-76-2	3%	1, 3
847	CFO148Q	AQUACHEM LF ORANGE	Aqueous colorant	Tints, paints	111-76-2	3%	1, 3
730	99004537	LEAD FREE ORANGE	Aqueous colorant	Tints, paints	111-76-2	3%	1, 3
847	CFO148P	LEAD FREE ORANGE	Aqueous colorant	Tints, paints	111-76-2	3%	1, 3
730	99004541	AQUACHEM RED IRON OX SE	Aqueous colorant	Tints, paints	1309-37-1, 111-76-2, 8052-41-3	60%, 3%, 1%	1, 3
847	CFO148Q	AQUACHEM RED IRON OX SE	Aqueous colorant	Tints, paints	1309-37-1, 111-76-2, 8052-41-3	60%, 3%, 1%	1, 3
730	99004565	AQUACHEM LF MED YELLOW	Aqueous colorant	Tints, paints	78-83-1	3%	1, 3
847	CFO150Q	AQUACHEM ORG YELL GS SE	Aqueous colorant	Tints, paints	111-76-2	3%	1, 3
730	99004578	AQUACHEM ORG YELL GS SE	Aqueous colorant	Tints, paints	111-76-2	3%	1, 3
847	CFO150Q	AQUACHEM PHT GREEN SE	Aqueous colorant	Tints, paints	111-76-2	3%	1, 3
730	99004579	AQUACHEM PHT GREEN SE	Aqueous colorant	Tints, paints	111-76-2	3%	1, 3
730	99004579	AQUACHEM PHT GREEN	Aqueous colorant	Tints, paints	111-76-2	3%	1, 3
730	99004603	AQUACHEM LAMP BLACK	Aqueous colorant	Tints, paints	111-76-2, 1333-86-4	3%, 40%	1, 3
847	CFO152P	AQUACHEM LAMP BLACK	Aqueous colorant	Tints, paints	111-76-2, 1333-86-4	3%, 40%	1, 3
730	99014944	B LAMP BLACK	No VOC Aqueous colorant	Tints, paints	14807-96-6, 1333-86-4	40%, 10%	1, 3
847	CFO088G	LAMP BLACK 808-9907	No VOC Aqueous colorant	Tints, paints	14807-96-6, 1333-86-4	40%, 10%	1, 3
730	99014960	C YELLOW OXIDE	No VOC Aqueous colorant	Tints, paints	14807-96-6, 1333-86-4	40%, 10%	1, 3
847	CFO070L	C YELLOW OXIDE	No VOC Aqueous colorant	Tints, paints	107-21-1	10%	1, 3
730	99015060	C YELLOW OXIDE RND 8171880	Aqueous colorant	Tints, paints	107-21-1	5%	1, 3
730	99015066	COLORTREND RED OXDE	Aqueous colorant	Tints, paints	1309-37-1, 107-21-1, 14807-96-6	60%, 20%, 3%	1, 3
730	99015077	LAMP BLACK RND	Aqueous colorant	Tints, paints	107-21-1, 14807-96-6, 1333-86-4	40%, 40%, 10%	1, 3
847	CRO526G	LAMP BLACK RND	Aqueous colorant	Tints, paints	107-21-1, 14807-96-6, 1333-86-4	40%, 40%, 10%	1, 3
730	99017061	KX TITANIUM WHITE	Aqueous colorant	Tints, paints	14807-96-6, 1309-37-1	50%, 5%	1, 3

847	CF00351	KX TITANIUM WHITE	Aqueous colorant	Tints, paints	14807-96-6, 1309-37-1	30%, 3%	1, 3
720	99017062	V MAGENTA	Aqueous colorant	Tints, paints	14807-96-6, 1309-37-1	40%, 3%	1, 3
847	CF0038L	V MAGENTA	Aqueous colorant	Tints, paints	14807-96-6, 1309-37-1	40%, 3%	1, 3
730	99017064	R ORGANIC RED	Aqueous colorant	Tints, paints	14807-96-6, 1309-37-1	40%	1, 3
847	CF0061L	R ORGANIC RED	Aqueous colorant	Tints, paints	14807-96-6	40%	1, 3
730	99017065	F RED OXIDE	Aqueous colorant	Tints, paints	14807-96-6	40%	1, 3
847	CF0064L	F RED OXIDE	Aqueous colorant	Tints, paints	1309-37-1	60%	1, 3
720	99017066	I BROWN OXIDE	Aqueous colorant	Tints, paints	1309-37-1, 14807-96-6, 1333-86-4	40%, 20%, 3%	1, 3
847	CF0067L	I BROWN OXIDE	Aqueous colorant	Tints, paints	1309-37-1, 14807-96-6, 1333-86-4	40%, 20%, 3%	1, 3
730	99017070	L RAW UMBER	Aqueous colorant	Tints, paints	14807-96-6, 1309-37-1, 1333-86-4	40%, 100%, 1%	1, 3
847	CF00373L	L RAW UMBER	Aqueous colorant	Tints, paints	14807-96-6	86-4	1, 3
730	99017071	T MED YELLOW	Aqueous colorant	Tints, paints	14807-96-6	10%	1, 3
847	CF0076L	T MED YELLOW	Aqueous colorant	Tints, paints	14807-96-6	10%	1, 3
730	99017072	AXX ORGANIC YELLOW	Aqueous colorant	Tints, paints	14807-96-6	40%	1, 3
847	CF0079L	AXX ORGANIC YELLOW	Aqueous colorant	Tints, paints	14807-96-6	40%	1, 3
730	99017073	D PHHALO GREEN	No VOC Aqueous colorant	Tints, paints	148807-96-6, 1328-53-6	40%, 10%	1, 3
847	CF0082L	D PHHALO GREEN	No VOC Aqueous colorant	Tints, paints	148807-96-6, 1328-53-6	40%, 10%	1, 3
730	99017074	E PHHALO BLUE	Aqueous colorant	Tints, paints	14807-96-6	40%	1, 3
847	CF0085L	E PHHALO BLUE	Aqueous colorant	Tints, paints	14807-96-6	40%	1, 3
730	99018474	YELLOW OXIDE 8.171880	Aqueous colorant	Tints, paints	14807-96-6, 107-21-1	5%, 1%	1, 3
847	CF0115L	LAMP BLACK 808-9957	Aqueous colorant	Tints, paints	14807-96-6, 1333-86-4	40%, 10%	1, 3
847	RTV920D	VANSL W-20	Additive	Ceramics	13983-17-0	99%	1
847	BUA030	LAPONTE RDS	Rheological additive for water-borne systems	Surface coatings, household products, general industrial	7722-88-5	8%	1
847	CATH890	RED P400 NR	Inorganic pigment	Maintenance paints, coatings, stains	12001-26-2	10%	1
847	CAT196	RED RA-14	Inorganic pigment	Architectural paints, industrial coatings, product finishes	1309-37-1	10%	1
847	CF0109L	PHHALO BLUE 808-7055	Aqueous colorant	Architectural paints, industrial coatings, product finishes	14807-96-6	20%	1
847	CAT256	RED RA17	Inorganic pigment	Architectural paints, industrial coatings, product finishes	1309-37-1	10%	1
847	CAT171	RED RA11A	Red iron oxide pigment	Architectural paints, industrial coatings, product finishes	1309-37-1	10%	1
847	CAT1016	RED RAI1YDA	Red iron oxide pigment	Architectural paints, industrial coatings, product finishes	7631-86-9, 1309-37-1	10%, 90%	1, 3
847	CF0073L	RAW UMBER (808-2009)	Aqueous colorant	Tints, paints	14807-96-6, 1309-37-1	40%, 10%	1, 3
847	CF0081L	LAMP BLACK 808-9907	No VOC Aqueous colorant	Tints, paints	14807-96-6, 1333-86-4	40%, 10%	1, 3
857	I	CLARISTYACCS023C	Thickener	Personal care (shampoos, shower gels, facial cleansers)	75-65-0	5%	3
730	99004537	LEAD FREE ORANGE	Aqueous colorant	Tints, paints	111-76-2	3%	1, 3
730	99004541	RED IRON OXIDE (8961001)	Aqueous colorant	Tints, paints	1309-37-1, 111-76-2	60%, 3%	1, 3
847	CF0148Q	RED IRON OXIDE (8961001)	Aqueous colorant	Tints, paints	1309-37-1, 111-76-2	60%, 3%	1, 3
849	MGOJU40050PBGN	MAGNESIUM OXIDE POWDER	Supplement	Medical uses such as supplements, antacid, or laxative	1309-48-4	100%	3
849	PIRCC-P40020K8GN	SILICON DIOXIDE	Food grade additive	Antibaking and anti-humectant agent	7631-86-9	98%	3
847	GHC001	ZINC OXIDE	Additive	Medical uses such as topical treatment of skin irritations minor burns	1314-13-2	100%	3
730	99018354	VIOLET (8088994)	Aqueous colorant	Tints, paints	14807-96-6	40%	1, 3
847	CF0112L	VIOLET (8088994)	Aqueous colorant	Tints, paints	14807-96-6	40%	1, 3
803	50222930	COMPERLAN KD	Thickener in surfactant preparations	Shampoos, liquid soap, baby care cleansing products	11-42-2	7%	3
776	50248647	QUINACRIDONE VIOLET	Pigment preparation	Tints, paints	14807-96-6, 1310-73-2	10%, 1%	1, 3
730	99003485	HIGH HIDE RED	Pigment preparation	Tints, paints	14807-96-6, 107-21-1	10%, 1%	1, 3
847	CF00382	PHHALO GREEN 830-5515	Aqueous colorant	Tints, paints	107-21-1, 14807-96-6	40%, 40%	1, 3
776	50288644	HIGH HIDE RED	Pigment preparation	Tints, paints	107-21-1, 14807-96-6	40%, 40%	1, 3
730	99003379	L GREEN 830-4333	Aqueous colorant	Tints, paints	14807-96-6, 107-21-1	10%, 1%	1, 3
847	CF00348	L GREEN 830-4333	Aqueous colorant	Tints, paints	107-21-1, 14807-96-6	40%, 40%	1, 3
776	50248643	RL PERMANENT RED	Pigment preparation	Tints, paints	14807-96-6	3%	1, 3
730	99003366	EXT M YELLOW 830-2024	Aqueous colorant	Tints, paints	14807-96-6, 107-21-1, 12673-8	40%, 20%, 3%	1, 3
847	CF0025B	EXT M YELLOW 830-2024	Aqueous colorant	Tints, paints	14807-96-6	40%, 20%, 3%	1, 3
776	50528287	RL PERMANENT RED	Pigment preparation	Tints, paints	14807-96-6	3%	1, 3
776	50263429	RAW UMBER VOC LL	Pigment preparation	Tints, paints	1309-37-1, 1333-86-4	15%, 1%	1, 3
776	50302624	RAW UMBER VOC LL	Pigment preparation	Tints, paints	1309-37-1, 1333-86-4	15%, 1%	1, 3
776	50248635	RAW UMBER VOC LL	Pigment preparation	Tints, paints	1309-37-1, 107-21-1, 14807-96-6, 1333-86-4	40%, 20%, 10%	1, 3
730	99003362	RAW UMBER 830-2009	Aqueous colorant	Tints, paints	1309-37-1, 107-21-1, 14807-96-6, 1333-86-4	40%, 20%, 10%	1, 3
847	CF0022B	RAW UMBER 830-2009	Aqueous colorant	Tints, paints	1309-37-1, 107-21-1, 14807-96-6, 1333-86-4	40%, 20%, 10%	1, 3
730	99003358	RAW SIENNA 830-1824	Aqueous colorant	Tints, paints	14807-96-6, 1309-37-1	10%, 3%	1, 3

847	CF0202B	RAW SIENNA 830-1324	Aqueous colorant	Tints, paints	14807-96-6, 1309-37-1	10%, 3%	1, 3
776	50302638	LAMP BLACK VOC BL	Pigment preparation	Tints, paints	14807-96-9, 1333-86-4, 1310	15%, 10%, 1%	1, 3
776	50263215	LAMP BLACK VOC BL	Pigment preparation	Tints, paints	14807-96-9, 1333-86-4, 1310	15%, 10%, 1%	1, 3
776	50247965	LAMP BLACK VOC BL	Pigment preparation	Tints, paints	14807-96-9, 1333-86-4, 1310	15%, 10%, 1%	1, 3
730	99003534	BURNT UMBER 830-1313	Aqueous colorant	Tints, paints	1309-37-1, 107-21-1, 1333-86-4	40%, 20%, 3%	1, 3
847	CF0016B	BURNT UMBER 830-1313	Aqueous colorant	Tints, paints	1309-37-1, 107-21-1, 1333-86-4	40%, 20%, 3%	1, 3
730	99003350	BURNT SIENNA 830-1109	Aqueous colorant	Tints, paints	1309-37-1, 107-21-1	40%, 20%	1, 3
847	CF0013B	BURNT SIENNA 830-1109	Aqueous colorant	Tints, paints	1309-37-1, 107-21-1	40%, 20%	1, 3
730	99003346	PERM ORANGE 830-0979	Aqueous colorant	Tints, paints	14807-96-6, 107-21-1	40%, 40%	1, 3
847	CF0007B	PERM ORANGE 830-0979	Aqueous colorant	Tints, paints	14807-96-6, 107-21-1	40%, 40%	1, 3
730	99003343	BULL RED 830-0802	Aqueous colorant	Tints, paints	14807-96-6, 107-21-1	40%, 40%	1, 3
847	CF0004B	BULL RED 830-0802	Aqueous colorant	Tints, paints	14807-96-6, 107-21-1	40%, 40%	1, 3
865	SONETA1708	SODIUM METABISULFITE	Food grade additive	Redeining agent, whitening agent	14807-96-6, 107-21-1	40%, 40%	1, 3
814	HG	HEXYLENE GL YCOL	Solvent	Surfactant or emulsifying agent in lacquers, varnishes, printing inks and paints	107-41-5	99%	1
832	22102X	ZIRMAX HARDENER	Zirconium grain refiner	Grain refining and improved castability/casting integrity of alloys	7439-92-4, 7440-67-7	75%, 25%	4
823	1307110035AA	BENZYL ACETATE	Food additive	Flavor and fragrance ingredient	140-11-4	100%	3
839	130480047G	CALAVINE USP POWDER	Asuriting and skin protection	Medical, personal care - used for minor skin irritations	1314-13-2	100%	3
839	57211006	VITAMIN 3 500 PG	Food additive	Vitamins, food additives	7631-86-9	5%	3
816	U7P801-B	AGITAN P 801	Antifoam agent/Defoamer	Construction and industrial adhesives	7631-86-9	60%	1, 2
816	M5516-D	EDAPL AN 516	Dispersing agent	Stabilizer/dispersing agent for pigments and fillers	1305-62-0	10%	1
816	M5516-T	EDAPL AN 516	Dispersing agent	Stabilizer/dispersing agent for pigments and fillers	1305-62-0	10%	1
816	U7P833-B	AGITAN P 833	Antifoam agent/Defoamer	Used in waterborne coatings such as varnishes and wood coatings.	7631-86-9	60%	1
731	15	DYHARD 100S	Raw material for industrial manufacturing	Latent hardener for epoxy resin systems used in adhesive, composite, electrical and powder coating industry	7631-86-9	5%	1
731	140001546	DYHARD 100M	Raw material for industrial manufacturing	Curing agent for thermosetting epoxy resin compositions in the adhesive and composite industry	7631-86-9	5%	1
839	50466305	LU7AVIT A 1000	Raw material for industrial manufacturing	Animal feed vitamin A additive	128-37-0, 7558-79-4	15%, 3%	3
731	140001557	DYHARD 50EP	Aqueous colorant	Curing agent for thermosetting epoxy resin compositions in the adhesive and composite industry	7631-86-9	5%	1, 2
730	99004350	888-5511 PHthalO GREEN D	Aqueous colorant	Tints, paints	107-21-1, 14807-96-6	40%, 40%	1, 3
847	CF0514D	888-5511 PHthalO GREEN D	Aqueous colorant	Tints, paints	107-21-1, 14807-96-6	40%, 40%	1, 3
789	0433001	ALTA X MBTS	Accelerator for rubber	Used in tires, hoses, rubber mats, taps	120-78-5, 8042-47-5	95%, 4%	2
789	2083001	DURAX (CBS) POWDER	Accelerator for rubber	Rubber accelerator commonly used in metal, lab and building industries	95-53-0	99%	2
789	4090501	ETHYL TUADS TEID P	Accelerator/vulcanizer for rubber	Cure modifier for neoprene	14324-55-1, 8042-47-5	95%, 2%	2
789	7311401	ETHYL ZIMATE DUSTLESS	Accelerator for rubber	Stabilizer in thermoplastic rubbers and hot melts	137-26-8, 8042-47-5	95%, 3%	2
789	4185001	METHYL TUADS TM1TD	Accelerator for rubber	Accelerator and vulcanizer for NR and synthetic rubbers	97-74-5	98%	2
789	4576801	VANAX TM1M	Accelerator for rubber	Processing and curing rubbers, neoprenes	1332-37-2, 8052-41-3, 12713-30%	30%, 10%	2
730	99003247	8241302 BURNT UMBER FT	Non-aqueous colorant	Tints, paints	03-0, 1309-34-1, 14807-96-6	10%, 10%	1, 3
847	CF01033Q	8241302 BURNT UMBER FT	Non-aqueous colorant	Tints, paints	03-0, 1309-34-1, 14807-96-6	10%, 10%	1, 3
826	CHC0532066P	CHIGUARD 5330	UV absorber for polymers	UV light absorber for automotive and industrial coatings	104810-48-2, 104810-47-1	55%, 45%	1, 2
810	1007017	CAPRIC ACID 99%	Food grade additive	Lubricant, binder, degassing coatings used on fresh fruits and manufacturing of other food grade additives			
814	DB	DIETHYLENE GL YCOL MONOBUUTYL ETHER	Solvent	Cleaners, inks, paints, coatings and lacquers			
782	11-1031-60	PERMETHYL 101 A	Emollient	Emollient and moisturizer used in personal care, cosmetics			
837	NOBETANNEC450DR	CHEMBETADE C	Surfactant	Used in hand soaps and industrial cleaners			
803	50283593	CA BABY 450 DCL (Phanex 450 DCL)	Non-ionic surfactant	Used in shower and bath preparations, hand soaps, shampoos, toothpastes and cleaning wipes			
865	ZSLJ18651	ZINC SULPHATE MONOHYDRATE PWD35	Laboratory chemical	Manufacture substances used for medicinal purpose			
810	1006545	PHENOXETHANOL PRESERVE	Personal Care preservative	used as perfume fixative, insect repellent, antiseptic consumer products such as packaging films, cosmetic formulations, toiletries and medical treatment tubing			
823	13044903299AA	DIETHYL PHTHALATE	Plasticizer	Personal care (antiperspirant, deodorant)			
849	ACUDIC60035KDRN	ALUMINUM CHLORIDE HEXAHYDRATE	Chemical	Food preservative, natural flavor enhancer, antioxidant (canned fruits, vegetables, jams, jellies)			
808	CAA	CITRIC ACID ANHYDROUS	Food and Pharmaceutical additive	Opacifier in shampoos, emollient, emulsifier or thickening agent in skin creams & lotions, metal			
810	1001546	alcohol, 1689 cetyl alcohol	Thickener for lithium grease				
810	1003214	12 hydroxyl stearic acid and flakes					

810	1007167	ISOPROPYL PALMITATE NF	Skin, Cosmetics, pharma excipient						
810	1007200	BIOSECUR CI 60S	Cosmetics, personal care products						3
810	1003839	GLYCERINE USP 99.7% KOSH	NF Excipient						3
810	1003840	GLYCERINE USP 99.7% KOSH	NF Excipient						3
810	1004268	CASTOR OIL, SD STANDARD	Lubricants; Natural Polyol in urethane applications						3
810	1004269	BACK CASTOR OIL	Hair care applications; personal care products						2, 3
			Per FDA 21CFR - Coatings on fresh citrus fruit, fatty acids, in foods as a lubricant, binder, & defoaming agent & as a component in manufacturing of other "Food Grade" additives, surface lubricants used in manufacture of metallic articles						3
810	1004346	LAURIC ACID 99% FGK FLAKES	Per FDA 21CFR - Coatings on fresh citrus fruit, chewing gum base, fatty acids, defoaming agents, adhesives, resinous and polymeric coatings, stearic acid						3
			resinous and polymeric coatings, components of paper and paperboard in contact with aqueous and fatty foods, rubber articles intended for repeated use, surface lubricants used in the manufacture of metallic articles						3
810	1004769	STEARIC ACID 50 NF KOSHER POWDER							3
810	1005219	RGSA 02 60R TALLOW BASED FLAKES 50#							3
810	1005476	METHYL PARABEN NF USP FINE PWD	Antimicrobial - cosmetics and personal care products						3
			Per FDA 21CFR - Coatings on fresh citrus fruit, fatty acids, in foods as a lubricant, binder, & defoaming agent & as a component in manufacturing of other "food grade" additives; mono- and divalents						3
810	1005819	PALMITIC ACID 98 % FGK FLAKES	Personal Care Preservative						3
810	1006545	PHENOXYETHANOL PRESERVE LIQ	Per FDA 21CFR - Coatings on fresh citrus fruit, Fatty acids, in foods as a lubricant, binder, &						3
810	1007017	CAPRIC ACID 99%	Per FDA 21CFR - Coatings on fresh citrus fruit, Fatty acids, in foods as a lubricant, binder, &						3
			Per FDA 21CFR - Coatings on fresh citrus fruit, Fatty acids, in foods as a lubricant, binder, & defoaming agent & as a component in manufacturing of other "food grade" additives; Sanitizing Solutions						3
810	1007943	PALE PRESSED CASTOR STD LIQ	Cosmetics; Personal Care products						3
810	1008107	SHARONIX EG 14	Cosmetics; Personal Care products						3
810	1008110	SHARONIX AM14	Cosmetics; Personal Care products						3
810	1008112	SHARONSENSE PLUS 181	Cosmetics; Personal Care products						3
810	1008576	PROPYL PARABEN NF KOSH PWD	Antimicrobial - cosmetics and personal care products						3
			Biocide; Chemical Intermediate;						
810	1008582	COCONUT FATTY 745 FGH	Tanning Agents; Lubricant; Intermediate; Laboratory Chemical						1, 2, 3
810	1008700	COCONUT FATTY 99% FGH	Tanning Agents; Lubricant; Intermediate; Laboratory Chemical						1, 2, 3
810	1008701	COCONUT FATTY 99% FGH	Biocide; Chemical Intermediate; Tanning Agents; Lubricant; Intermediate; Laboratory Chemical						1, 2, 3
810	1008734	NO 1 CASTOR OIL STANDARD	Lubricants; Adhesives; Coatings; Urethane applications; FDA cited application						1, 2, 3
810	1008736	NO 1 CASTOR WBHT STD LIQ	Cosmetic						3
810	1008737	NO 1 CASTOR STD LIQ	Cosmetic						3

810	1009191	TRIPPLE PRESS STEARIC ACID 1 FKG FLK	Per FDA 21CFR: Coatings on fresh citrus fruit, chewing gum, Personal Care Products - Emulsifier for Creams and Lotions, and Shaving Cream Formulations					3
810	1009639	OLEIC ACID FKG LIQ	Per FDA 21CFR: Coatings on citrus fruit, fatty acids, chemicals used in washing or to assist in the peeling of fruits and vegetables, defoaming agents, adhesives, resins and polymeric coatings, surface lubricants used in the manufacture of metallic articles, substances migrating from cotton and cotton fabrics used in dry food packaging.					3
810	1009640	OLEIC ACID FKG LIQ	Per FDA 21CFR: Coatings on citrus fruit, fatty acids, chemicals used in washing or to assist in the peeling of fruits and vegetables, defoaming agents, adhesives, resins and polymeric coatings, surface lubricants used in the manufacture of metallic articles, substances migrating from cotton and cotton fabrics used in dry food packaging.					3
810	1009700	VEROH 20	Non-ionic surfactant					3
810	5000102	HYDRESIA G2	Cosmetic Ingredient For the fortification of foods, ingredient/additive for dietary supplements					3
854	5015193322	MEG-3 30% POWDER	For the fortification of foods, ingredient/additive for dietary supplements					3
854	5015280322	MEG-3 DHA POWDER	For the fortification of foods, ingredient/additive for dietary supplements					3
7178	50157969	MS-6SN	POLY FILM					2
7178	50157970	MS-65 7/4" 1.88M	POLY FILM					2
7178	50157982	XLR-55-W-A-G2 (1.58M)	POLY FILM					2
7178	50158098	XLR-75-W-A-G3 (1.58M)	POLY FILM					2
789	130301	Agentie MA Powder 35	Antioxidant for rubber	Wire & Cable, Adhesives & Cements, Hot Melts, Latex				2
789	290901	Agentie Selahe S 55# Bag	Antioxidant for rubber	Hoses & Belts, Auto & Appliance, Wire & Cables, Footwear, Adhesives & Cements, Hot Melts, Latex				2
789	320501	Agentie Superflex Solid G	Antioxidant for rubber	Tires, Auto & Appliance, Wire & Cables, Footwear, Adhesives & Cements	68411-46-1	25%		2
789	370502	Agentie TMO Powder	Antioxidant for rubber	Wire & Cable	122-39-4	<20%		2
789	370601	Agentie TMO Pastilles	Antioxidant for rubber	Wire & Cable				2
789	370701	Agentie TMO Ultra Powder	Antioxidant for rubber	Wire & Cable				2
789	435001	Alux MBTS 55 # Bag	Accelerator	General purpose rubber				2
789	1221100	Chlorobutyl Rubber	Rubber Compound	Adhesive, Automotive Application, Pharmaceutical, Rubber applications				2
789	127301	Cure-Rite 18 Powder	Accelerator	Rubber applications such as natural rubber (NR) compounds.	128-37-0	<15%		2
789	139501	Duran WAO Extra HP	Rubber additive	Rubber applications such as natural rubber (NR) compounds.				2
789	2085001	Durax (CBS) Powder	Accelerator	For industrial use only.	1310-73-2	<0.2%		2
789	2910502	Molyvan L450 MDM	Fraction Reducer	Non-discoloring, primary, delayed-action accelerator for NR and synthetic rubbers.				2,4
789	2916001	Molyvan 822 (425 lb drum)	Fraction Reducer	Provides oxidation protection to engine oils, industrial oils and greases.				2,4
789	2917102	Molyvan 822 NT	Fraction Reducer	Maintain or improve the anti-friction properties of an engine oil				2,4
789	2917801	Molyvan 855	Fraction Reducer	Used to maintain or improve the anti-friction				2,4
789	2920001	Morflex (50# Bag)	Accelerator	An excellent oil soluble molybdenum ester/amide friction reducer.				2,4
789	3724101	Sabosab UV62 Powder	Stabilizer	Accelerators for the Vulcanization of Rubber				2
789	3797603	Songpox OPS 3021 PW	Antioxidants	Stabilizer for plastics, coatings and other materials.				1
			Antioxidants	Antioxidants to prolong the life of plastics				2

Explanation #	Reasoning
1	<p data-bbox="1356 357 1388 1113"><u>Tints, Paints, Epoxies, Resins, Sealants, and Other Coating Materials</u></p> <p data-bbox="1193 357 1323 1869">By analogy, any tints, paints, epoxies, resins, sealants, and other coating materials are permissible under CMC section 9141.1's storage designations that specifically allow for the storage of: (i) glass, lumber (no boxes or crates), naval stores, plaster, empty barrels, metal (no scrap), machinery, equipment; (ii) warehousing of furniture, household goods, dry goods, clothing, textiles, durable goods, no perishable foods; (iii) clay and clay products; and (iv) petroleum and petroleum products.</p> <p data-bbox="933 357 1161 1869">Next, storage and use of the above materials, whether specifically identified or as a precursor to a specifically identified material, are necessarily included in CMC section 9141.1's manufacturing designations that specifically allow for: (i) perfume, cosmetics, toiletries (except soap); (ii) ink, polish, putty, enamel (except lacquer, synthetic enamel, polyurethane), ethylene glycol; (iii) novelties, buttons, brushes, toys, candles; (iv) ceramics, pottery, statuary; (v) jewelry, watches, clocks, optical goods, musical instruments, electronic instruments, phonographs, phonograph records, radios, television sets, electronic parts, precision metal products, wire, springs, tools, sandpaper, emery cloth, grinding wheels, printer's type; (vi) furniture, bedsprings, boxes, coffins, fences, sash and doors, venetian blinds, window shades; and (vii) automobiles, trailers, boats, aircraft, heavy equipment.</p> <p data-bbox="795 357 901 1869">The same logic also applies to allow the above materials as necessarily included in CMC section 9141.1's designation for "Manufacturing of Products from the Following Materials": (i) textiles, wool, yarn fur, felt, canvases, leather, hair, feathers, paper, cloth; (ii) bone, horn, shells, cellophane, casein (except glue); (iii) wood, cork, fiberglass, clay, glass (no blast furnace), plastic (no pyroxylin); and (iv) rubber.</p> <p data-bbox="576 357 771 1869">The same logic also applies to allow the above materials as necessarily included in CMC section 9141.1's designation for "Manufacturing of the Following Materials" and "Industrial Activities Involving the Following Processes": (i) cloth, textiles, upholstery, felt, canvases; (ii) sewing, weaving and knitting of textiles, dyeing of yarn and fabrics; (iii) photo-finishing, film developing and processing, photoengraving, lithography, block printing, silk screening, printing, book binding; (iv) furniture redecorating and restoration, antique restoration, cabinet making, wood carving; (v) raw rubber processing; and (vi) starch mixing and bottling, paint spray booth, shellac mixing (no cooking), paint or enamel mixing (except lacquer, synthetic enamel, polyurethane).</p>

Rubber and Rubber-based Materials

By analogy, rubber (natural or synthetic) and its precursor materials are permissible under CMC section 9141.1's storage designations that specifically allow for the storage of: (i) glass, lumber (no boxes or crates), naval stores, plaster, empty barrels, metal (no scrap), machinery, equipment; (ii) warehousing of furniture, household goods, dry goods, clothing, textiles, durable goods, no perishable foods; and (iii) petroleum and petroleum products.

Next, storage and use of the above materials, whether specifically identified or as a precursor to a specifically identified material, are necessarily included in CMC section 9141.1's manufacturing designations that specifically allow for: (i) perfume, cosmetics, toiletries (except soap); (ii) ink, polish, putty, enamel (except lacquer, synthetic enamel, polyurethane), ethylene glycol; (iii) novelties, buttons, brushes, toys, candles; (iv) ceramics, pottery, stannary; (v) jewelry, watches, clocks, optical goods, musical instruments, electronic instruments, phonographs, phonograph records, radios, television sets, electronic parts, precision metal products, wire, springs, tools, sandpaper, emery cloth, grinding wheels, printer's type; (vi) electric and gas fixtures, electric appliances, electric motors and generators, batteries (including rebuilding), signs (electric, neon, billboards, etc.); (vii) Clothing, dry goods, draperies, bedding, rugs, upholstery, automobile seat covers, awnings, bags, rope, baskets; (viii) furniture, bedsprings, boxes, coffins, fences, sash and doors, venetian blinds, window shades; and (ix) automobiles, trailers, boats, aircraft, heavy equipment.

The same logic also applies to allow the above materials as necessarily included in CMC section 9141.1's designation for "Manufacturing of Products from the Following Materials": (i) textiles, wool, yarn fur, felt, canvas, leather, hair, feathers, paper, cloth; (ii) bone, horn, shells, cellophane, casein (except glue); (iii) wood, cork, fiberglass, clay, glass (no blast furnace), plastic (no pyroxylin); and (iv) rubber.

The same logic also applies to allow the above materials as necessarily included in CMC section 9141.1's designation for "Manufacturing of the Following Materials" and "Industrial Activities Involving the Following Processes": (i) cloth, textiles, upholstery, felt, canvas; (ii) sewing, weaving and knitting of textiles, dyeing of yarn and fabrics; (iii) photo-finishing, film developing and processing, photoengraving, lithography, block printing, silk screening, printing, book binding; (iv) furniture redecorating and restoration, antique restoration, cabinet making, wood carving; (v) plastic molding (including hydraulic press); (vi) tire retreading and recapping; and (vii) raw rubber processing.

Cosmetics, Hygiene, Personal Care, Shampoo, Vitamins, Food Additives, and Animal Feed

Both explicitly and by analogy, cosmetics, hygiene, personal care, shampoo, vitamins, food additive, and animal feed with their precursor materials are permissible under CMC section 9141.1's storage designations that specifically allow for the storage of: (i) **warehousing of furniture, household goods, dry goods, clothing, textiles, durable goods, no perishable foods**; (ii) **clay and clay products**; and (iii) **petroleum and petroleum products**.

Next, storage and use of the above materials, whether specifically identified or as a precursor to a specifically identified material, are necessarily included in CMC section 9141.1's manufacturing designations that specifically allow for: (i) **perfume, cosmetics, toiletries (except soap)**; (ii) **ink, polish, putty, enamel (except lacquer, synthetic enamel, polyurethane), ethylene glycol**; (iii) **novelties, buttons, brushes, toys, candles**; (iv) **ceramics, pottery, statuary**; (v) **jewelry, watches, clocks, optical goods, musical instruments, electronic instruments, phonographs, phonograph records, radios, television sets, electronic parts, precision metal products, wire, springs, tools, sandpaper, emery cloth, grinding wheels, printer's type**; (vi) **furniture, bedsprings, boxes, coffins, fences, sash and doors, venetian blinds, window shades; and (vii) automobiles, trailers, boats, aircraft, heavy equipment**.

The same logic also applies to allow the above materials as necessarily included in CMC section 9141.1's designation for "Manufacturing of Products from the Following Materials": (i) **textiles, wool, yarn fur, felt, canvas, leather, hair, feathers, paper, cloth**; (ii) **bone, horn, shells, cellophane, casein (except glue)**; (iii) **wood, cork, fiberglass, clay, glass (no blast furnace), plastic (no pyroxylin)**; and (iv) **rubber**.

The same logic also applies to allow the above materials as necessarily included in CMC section 9141.1's designation for "Manufacturing of the Following Materials" and "Industrial Activities Involving the Following Processes": (i) **dextrin**; (ii) **cloth, textiles, upholstery, felt, canvas**; (iii) **sewing, weaving and knitting of textiles, dyeing of yarn and fabrics**; (iv) **photo-finishing, film developing and processing, photoengraving, lithography, block printing, silk screening, printing, book binding**; (v) **furniture redecorating and restoration, antique restoration, cabinet making, wood carving**; (vi) **raw rubber processing**; (vi) **oil canning and packaging**; and (vii) **starch mixing and bottling, paint spray booth, shellac mixing (no cooking), paint or enamel mixing (except lacquer, synthetic enamel, polyurethane)**.

The same logic also applies to allow the above materials as necessarily included in CMC section 9141.1's designation for "Food Manufacturing and Processing": (i) **ice, soft drinks, beer, wine, malt products, dairy products, candy, confections, pastries, bread, oleomargarine, sodium glutamate, honey, nuts, and similar food products (no lard, pickles, sauerkraut, or vinegar)**; (ii) **box lunch preparation**; (iii) **fruits and vegetables – packing, canning, processing or extracting or bottling of juices (must be at least 100 feet from any residential zone, public school, public park, hospital or long-term health care facility)**; (iv) **fish barbecuing or smoking (oven less than 10 cubic feet, no fish cleaning, retail sales only)**; (v) **dressing of poultry or rabbits (must be at least 100 feet away from any residential zone, public school, public park, hospital or long-term health care facility)**; and (vi) **cigars, cigarettes**.

Industrial Materials

Both explicitly and by analogy, industrial materials like metals, paper, and their precursors are permissible under CMC section 9141.1's storage designations that specifically allow for the storage of: (i) **glass, lumber (no boxes or crates), naval stores, plaster, empty barrels, metal (no scrap), machinery, equipment;** (ii) **warehousing of furniture, household goods, dry goods, clothing, textiles, durable goods, no perishable foods;** (iii) petroleum and petroleum products; and (iv) clay and clay products.

Next, storage and use of the above materials, whether specifically identified or as a precursor to a specifically identified material, are necessarily included in CMC section 9141.1's manufacturing designations that specifically allow for: (i) perfume, cosmetics, toiletries (except soap); (ii) ink, polish, putty, enamel (except lacquer, synthetic enamel, polyurethane), ethylene glycol; (iii) novelties, buttons, brushes, toys, candles; (iv) ceramics, pottery, statuary; (v) jewelry, watches, clocks, optical goods, musical instruments, electronic instruments, phonographs, phonograph records, radios, television sets, electronic parts, precision metal products, wire, springs, tools, sandpaper, emery cloth, grinding wheels, printer's type; (vi) furniture, bedsprings, boxes, coffins, fences, sash and doors, venetian blinds, window shades; and (vii) automobiles, trailers, boats, aircraft, heavy equipment.

The same logic also applies to allow the above materials as necessarily included in CMC section 9141.1's designation for "Manufacturing of Products from the Following Materials": (i) **aluminum, sheet metal, ornamental iron, steel;** (ii) textiles, wool, yarn fur, felt, canvas, leather, hair, feathers, paper, cloth; (iii) bone, horn, shells, cellophane, casein (except glue); (iv) wood, cork, fiberglass, clay, glass (no blast furnace), plastic (no pyroxylin); and (v) rubber.

The same logic also applies to allow the above materials as necessarily included in CMC section 9141.1's designation for "Manufacturing of the Following Materials" and "Industrial Activities Involving the Following Processes: (i) **cloth, textiles, upholstery, felt, canvas;** (ii) **sewing, weaving and knitting of textiles, dyeing of yarn and fabrics;** (iii) **photo-finishing, film developing and processing, photoengraving, lithography, block printing, silk screening, printing, book binding;** (iv) **furniture redecorating and restoration, antique restoration, cabinet making, wood carving;** (v) **raw rubber processing;** (vi) **metal plating and finishing;** (vii) **metal engraving, metal fabrication (no snap riveting) metal spinning, tool tempering, welding;** (viii) **foundry (no brass or bronze) – precision investment casting, die casting;** and (ix) **grinding, dressing or cutting of stone, granite or marble, sand washing.**