California Regional Water Quality Control Board
San Francisco Bay Region

RESPONSE TO WRITTEN COMMENTS

On the Tentative Order for
Schnitzer Steel Industries, Inc.

The Regional Water Board received written comments from Schnitzer Steel Industries, Inc. on a tentative order distributed for public comment. The comments are summarized below in *italics* (paraphrased for brevity) and followed by a staff response. For the full content and context of the comment, please refer to the comment letter. To request a copy of the comment letter, see the contact information provided in Fact Sheet section 8.7 of the Revised Tentative Order.

Revisions are shown with ~~strikethrough~~ for deletions and <u>underline</u> for additions.

Comment 1: *Schnitzer requests we specify in more places that the discharge goes through the Oakland municipal separate storm sewer system (MS4) before discharge to Oakland Inner Harbor. Schnitzer says this clarification is important because it is subject to requirements imposed by Oakland under its MS4 permit. Specifically, Schnitzer requests updates to Table 1 of the tentative order, Attachments B and C, and Fact Sheet sections 1.1 and 2.2.*

Response
We did not update Table 1 because the MS4 information is already described in the Fact Sheet. However, we updated Attachments B-2 and C-1 with updated figures provided by Schnitzer.

We also revised Fact Sheet section 1.1 of the tentative order as follows:

> The Facility intermittently discharges treated stormwater and process wastewater to <u>the City of Oakland's municipal separate storm sewer system, which discharges to</u> Oakland Inner Harbor, a water of the United States within the South Bay Basin watershed.

We revised Fact Sheet section 2.2 of the tentative order as follows:

> Fully treated effluent not used onsite or discharged to the sanitary sewer is discharged to a 60-inch diameter storm drain that traverses the eastern side of the Facility. The storm drain discharges from Discharge Point 001 to the <u>City of Oakland's municipal separate storm sewer system, which discharges to</u> Oakland Inner Harbor, which is part of Lower San Francisco Bay. Due to the addition of the 981,000-gallon storage tank (completed in December 2019), which can accommodate a 10-year, 24-hour storm, discharges to the Oakland Inner Harbor only occur during extreme weather events.

Comment 2: *Schnitzer requests that we not consider 2017 discharge data for the reasonable potential analysis because it conducted its Optimization Study after 2017, as required by the previous order to improve treatment. If the tentative order did not consider the 2017 data, Schnitzer indicates that it would have a less stringent copper effluent limit. Schnitzer asks that we revise Table 2 of the tentative order and Fact Sheet Tables F-2 and F-5.*

Response
We did not make changes in response to this request. While we agree that Schnitzer improved its treatment system, Schnitzer has only sampled its discharge three times since making the improvements. During those three discharges, lead and zinc still exceeded water quality objectives. Two of the three discharges also had acute toxicity results below 25 percent survival. It is unclear whether the treatment system is as optimized as it could be. As for copper, censoring the 2017 data point would not result in a different effluent limit. Basin Plan section 7.2.1.2 requires that we include water quality-based effluent limits for copper with each permit reissuance. These copper effluent limits are more stringent in this permit reissuance because they correct a technical mistake from the previous order. The effluent limit calculations can be found in Fact Sheet section 4.3.4.2. Therefore, we did not revise Table 2 of the tentative order, or Fact Sheet Tables F-2 and F-5.

Comment 3: *Schnitzer requests that we only consider acute water quality criteria, as opposed to both acute and chronic criteria, to conduct the reasonable potential analysis because the facility discharges infrequently. Schnitzer does not believe the four-day discharge in December 2021 is representative of normal operations. Schnitzer also cited the fact that the tentative order excluded the chronic ammonia criterion and did not propose chronic toxicity limits to support its case.*

Response
We disagree. Because Schnitzer discharges during major storm events, it is possible for discharges to last several days, as shown by the four-day event that occurred on December 2021, one of Schnitzer's five discharges during the previous permit term. Most chronic water quality objectives are expressed as four-day averages. We took a different approach for ammonia because the chronic ammonia criterion is expressed as an annual median. We did not propose chronic toxicity effluent limits because chronic toxicity tests require up to seven days to complete, which is longer than most major storm events would be expected to be. To clarify this point, we revised the chronic toxicity language in Fact Sheet section 4.3.3.3 as follows:

> The discharge will occur only during precipitation, when EBMUD does not allow discharge to the sanitary sewer system and when flows exceed the Facility's storage capacity. As such, discharge durations will <u>likely</u> be ~~too~~ short<u>er than the time needed</u> to <u>test for chronic toxicity.</u> ~~result in chronic exposures, and~~ <u>Therefore, there is</u> ~~here is~~ no reasonable potential that the discharge could cause chronic toxicity in the Oakland Inner Harbor.

Comment 4: *Schnitzer requests that we revise Fact Sheet section 2.4 because the facility did not experience 10 violations during the previous order.*

Response
We agree and revised Fact Sheet section 2.4 as follows:

> Since January 1, 2017, the Discharger has violated its effluent limits ~~10~~ seven times. In 2017, there were ~~eight~~ four copper violations and one pH violation.

Comment 5: *Schnitzer requests we add language to Provision 6.3.2.1 that the Effluent Characterization Study and Report needs to be executed only to the extent feasible, given the low frequency of discharges.*

Response
We disagree. Provision 6.3.2.1 is reasonable in that the Revised Tentative Order requires only one priority pollutant scan during the permit term and the Effluent Characterization Study and Report is only required if Schnitzer discharges via Discharge Point 001. The language Schnitzer suggests would leave it to Schnitzer to determine whether characterizing its discharge were infeasible.

Comment 6: *Schnitzer requests to change the due date for its maintenance procedures and Toxicity Reduction Evaluation (TRE) work plan to align with the due date for its Water Pollution Prevention Plan.*

Response
We agree with the request to revise the maintenance procedures due date and revised Provision 6.3.4.1 of the tentative order as follows:

> By ~~September~~ November 1, 2022, the Discharger shall submit its updated standard operation and maintenance procedures for the wastewater storage and treatment system as described below (in addition to complying with the operations and maintenance requirements of Attachments D and G, sections 1.4).

We did not revise the TRE work plan due date because Schnitzer needs to develop a TRE work plan before the next wet weather season. This is because Schnitzer's acute toxicity results showed less than 25 percent survival in October and December 2021.

Comment 7: *Schnitzer requests to decrease the frequency of Dioxin-TEQ sampling from once per year to once per permit term.*

Response
We agree and revised Monitoring and Reporting Program Table E-2 as follows:

Table E-2. Effluent Monitoring

Parameter	Unit	Sample Type	Minimum Sampling Frequency
Flow [1]	MGD	Continuous	Continuous
⋮	⋮	⋮	⋮
Cyanide, Total	µg/L	Grab	1/Event
Dioxin-TEQ	µg/L	Grab	~~1/Year~~ Once
Iron	µg/L	Grab	1/Event
⋮	⋮	⋮	⋮
Other Priority Pollutants [4]	µg/L	Grab	Once

Comment 8: *Schnitzer requests editorial changes to Fact Sheet section 2.1 under Wastewater Generation, Ship Loading, and Onsite Water Recycling.*

Response

We agree and revised Fact Sheet section 2.1.2 as follows:

> Wastewater is generated through multiple facility operations, including dust suppression and heat control during ship loading, shredding, and materials handling, wheel washing, oil-water separation, and firefighting. Domestic wastewater is separately discharged to the local sanitary sewer system.

We also revised Fact Sheet section 2.1.2.1 as follows:

> Ships are loaded directly from trucks on the concrete pier crane dock with a skip pan. ~~Approximately 30,000 gallons per day of potable~~ Potable water is sprayed on the dock to minimize fugitive dust generated by ship loading operations, which typically occurs twice per month for an average of three to four days per event. Runoff from dust suppression is captured and routed to the wastewater treatment system.

We also revised Fact Sheet section 2.1.3 as follows:

> The Discharger retains stormwater and process wastewater onsite for recycling and reuse…. The Discharger uses potable water only when necessary (on rare occasions, typically during the dry season). During the wet season, when the stormwater and process wastewater exceeds (or could exceed) the combined storage capacity of the Facility's water storage tanks (2,181,000 gallons) and discharge to EBMUD is not permitted (i.e., during and within 24 hours after a storm event), the Discharger discharges treated wastewater to municipal separate storm sewer system, which discharges to Oakland Inner Harbor via Discharge Point 001.

Comment 9: *Schnitzer requests that we add acute toxicity control when discussing the State Implementation Policy in Fact Sheet section 3.3.3.*

Response
We did not revise the tentative order because State Implementation Policy section 4 only includes provisions related to chronic toxicity control.

Comment 10: *Schnitzer requests that we consider dilution within the Oakland municipal separate storm sewer system in the reasonable potential analysis.*

Response
We did not revise the tentative order. Because we do not have monitoring data for Schnitzer's discharge after it combines with municipal stormwater, we cannot undertake a quantitative reasonable potential analysis for the combined discharge from the storm sewer system in accordance with State Implementation Policy section 1.3. As most of the stormwater in the storm sewer system does not come from the Schnitzer facility, the analysis and effluent limitations in the Revised Tentative Order more appropriately focus on the pollutants under Schnitzer's control.