

**STEPHEN HOLZER, ESQ., SBN 74561
HANNAH SWEISS, ESQ., SBN 291804
LEWITT, HACKMAN, SHAPIRO,
MARSHALL & HARLAN**

**16633 Ventura Boulevard, 11th Floor
Encino, California 91436-1865**

Telephone: (818) 990-2120

Telecopier: (818) 981-4764

E-MAIL: sholzer@lewitthackman.com; hsweiss@lewitthackman.com



**Attorneys for Petitioners COMMUNITY RECYCLING & RESOURCE
RECOVERY, INC. and CROWN DISPOSAL COMPANY, INC.**

BEFORE THE STATE WATER RESOURCES CONTROL BOARD

**In the Matter of Appeal of CLEANUP
AND ABATEMENT ORDER NO. R4-
2015-0010**

VIA: Electronic Submission with Hardcopy
to Follow

**PETITION FOR REVIEW AND
REQUEST FOR STAY OF ORDER**

Pursuant to Section 13320 of California Water Code and Section 2050 of Title 23 of the California Code of Regulations (CCR), Petitioners **COMMUNITY RECYCLING & RESOURCE RECOVERY, INC.**¹ and **CROWN DISPOSAL COMPANY, INC.** ("Petitioners") petition the State Water Resources Control Board ("State Board") to review and vacate Cleanup and Abatement Order No. R4-2015-0010 issued on March 6, 2015 ("Order") by the California Regional Water Quality Control Board for the Los Angeles Region ("Regional Board"). The Order, a copy of which is attached hereto, and filed concurrently, as Exhibit "1"², requires Petitioners to take a series of steps to implement additional Best Management Practices,

¹ Community has formally amended its Articles of Incorporation to change its name to Maintenance Services, Inc., effective March 3, 2015.

² All documents attached hereto are in the Regional Board's files and Petitioner requests the State Board to take notice that the documents are admissible in this proceeding.

testing and reporting requirements at Petitioners' former waste recycling and waste transfer facility located at 9189 De Garmo Avenue and related addresses in Sun Valley, California ("facility"). See pages 1 and 8-14 of the Order.

However, the Order was issued two days after Petitioners sold their businesses to Recology Los Angeles and ceased all operations at the facility (the sale was completed on March 4, 2015). See Petitioners' Notice of Termination ("NOT") submitted to the Regional Board on March 5, 2015 and approved by the Regional Board on March 25, 2015; the NOT and Regional Board notification of approval are attached hereto, and filed concurrently, as Exhibit "2". Therefore, Petitioners have no ability to take the actions required by the Order and the Order is moot.

The issues raised in this Petition have been raised before the Regional Board, as further discussed below. Moreover, Recology Los Angeles, the new operator of the facility, has filed its Notice of Intent and is operating under a separate, active permit (WDID 419 1025389); the Regional Board can still accomplish the goals of the Order by communicating in the regular course of business with the new operator of the facility.

I. NAME AND ADDRESS OF THE PETITIONERS:

COMMUNITY RECYCLING & RESOURCE RECOVERY, INC. and
CROWN DISPOSAL COMPANY, INC.
P.O. Box 1063
Sun Valley, California 91352
Attn: Mr. John Richardson

II. THE SPECIFIC ACTION OR INACTION OF THE REGIONAL BOARD WHICH THE STATE BOARD IS REQUIRED TO REVIEW AND A COPY OF ANY ORDER OR RESOLUTION OF THE REGIONAL BOARD WHICH IS REFERRED TO IN THE PETITION:

Petitioners seek review, and an immediate stay, of Cleanup and Abatement Order No. R4-2015-0010 issued on March 6, 2015 (as noted above, shortitled the "Order"), Exhibit "1" hereto.

III. THE DATE ON WHICH THE REGIONAL BOARD ACTED OR REFUSED TO ACT OR ON WHICH THE REGIONAL BOARD WAS REQUESTED TO ACT:

March 6, 2015

IV. A FULL AND COMPLETE STATEMENT OF THE REASONS THE ACTION OR FAILURE TO ACT WAS INAPPROPRIATE OR IMPROPER

On March 4, 2015, Petitioners sold their businesses to Recology Los Angeles; as of 11:59 pm on March 4, Petitioners no longer operate at the facility (as defined in the Background section, item "2. Site Location", of the Order). Consequently, Petitioners are no longer discharging and, as noted above, have submitted their NOT to the Regional Board, which NOT has been accepted.

Petitioners' complete cessation of business activities at the facility make inappropriate the following provisions of the Order: Pages 9-14, requiring Petitioners (A) immediately to cease the discharge of storm water and unauthorized non-storm water offsite, (B) to implement effective interim BMP's (including prevention of vehicle track-off from the Site), (C) to install permanent BMP's (including the preclusion of vehicle track-off from the Site), (D) to sample for specified parameters and (E) to update and submit a Storm Water Pollution Prevention Plan and to implement a Monitoring and Reporting Program. Additionally, the sale of the business and the NOT should moot the requirement that Crown submit a Change of Information form and a Compliance Report.

Since the Order requires Petitioners to take immediate steps beginning as early as April, 2015 (see pages 9-10 and 12 of the Order), enforcement of the Order should at least be stayed pending the State Board's action on this Petition.

V. THE MANNER IN WHICH THE PETITIONERS ARE AGGRIEVED.

The Order is requiring Petitioners to take various actions at the facility but Petitioners no longer control or operate the facility. This being the case, absent vacation or at least a stay of the Order pending State Board review, the Order places Petitioners in the position of becoming

liable for penalties under the Order for noncompliance when in fact Petitioners have no ability to comply.

VI. THE SPECIFIC ACTION BY THE STATE OR REGIONAL BOARD WHICH PETITIONERS REQUEST

Petitioners request an immediate stay of the Order, while the State Board reviews this Petition.

Further, Petitioners request the State Board vacate the Order.

VII. A STATEMENT OF POINTS AND AUTHORITIES IN SUPPORT OF LEGAL ISSUES RAISED IN THE PETITION

California Water Code section 13267 confers authority on Regional Boards to issue orders only to "any person who has discharged, discharges, or is suspected of having discharged or, discharging, or who proposes to discharge waste into its region ..." The Order is not directed to any cleanup of alleged past discharge; since Petitioners no longer operate at the facility, they are not discharging; nor, for the same reason, do Petitioners propose future discharges. Therefore, under Section 13267 the Order does not qualify for enforcement.

As established in prior State Board precedent, the Regional Board must show "substantial evidence" to name a party as a discharger. See WQ 86-16 (Stinnes-Western Chemical Corp.) and WQ 85-7 (Exxon). At the time (March 6, 2015) the Regional Board issued the Order directing Petitioners to take future actions, however, Petitioners were no longer dischargers. Therefore, there is no evidence supporting the Order's imposition of future requirements.

VIII. A STATEMENT THAT THE PETITION HAS BEEN SENT TO THE APPROPRIATE REGIONAL BOARD AND TO THE DISCHARGERS, IF NOT THE PETITIONER

A true and correct copy of this Petition and all supporting documentation were sent via overnight delivery to:

State Water Resources Control Board Members
Dorene D'Adamo; Vice Chair
Frances Spivy-Weber; Chair
Felicia Marcus; Steven Moore, and Tam Doduc
1001 I Street
Sacramento, CA 95812
(via only overnight delivery)

State Water Resources Control Board
Office of Chief Counsel
Jeanette L. Bashaw, Legal Analyst
1001 "I" Street, 22nd Floor
Sacramento, CA 95812-0100
jbashaw@waterboards.ca.gov
(also sent via electronic mail without attachments)

State Water Resources Control Board
Laura J. Drabandt, Staff Counsel III
Office of Enforcement
1001 I Street
Sacramento, CA 95814
laura.drabandt@waterboards.ca.gov
(also sent via electronic mail without attachments)

Regional Water Quality Control Board-Los Angeles Region
Alireza Rahmani
Environmental Scientist, Enforcement Unit II
320 W. 4th Street, Suite 200
Los Angeles, California 90013
alireza.rahmani@waterboards.ca.gov
(also sent via electronic mail without attachments)

Regional Water Quality Control Board Los Angeles Region
Mr. Samuel Unger, P.E.
Executive Officer
320 W. 4th Street, Suite 200
Los Angeles, CA 90013
sunger@waterboards.ca.gov
(also sent via electronic mail without attachments)

Recology Los Angeles
50 California Street, 24th Floor
San Francisco, CA 94111
Attention: Legal Department
Cary Chen, General Counsel
cchen@recology.com
(also sent via electronic mail without attachments)

Recology Los Angeles
9189 De Garmo Avenue
Sun Valley, CA 91352
Attn: Joe Matz
jmatz@recology.com
(also sent via electronic mail without attachments)

Tatiana Gaur, Esq.
Los Angeles Waterkeeper
120 Broadway, Suite 105
Santa Monica, CA 90401
TGaur@lawwaterkeeper.org
(also sent via electronic mail without attachments)

IX. A STATEMENT THAT THE ISSUES RAISED IN THE PETITION WERE PRESENTED TO THE REGIONAL BOARD BEFORE THE REGIONAL BOARD ACTED, OR AN EXPLANATION OF WHY THE PETITIONER COULD NOT RAISE THOSE OBJECTIONS BEFORE THE REGIONAL BOARD.

As discussed, the sale of Petitioners' business did not close until March 4, 2015. Petitioners could not argue the points raised herein until Petitioners were sure the sale would, in fact, close. Shortly after the sale did close, Petitioners requested the Regional Board to reconsider the Order based on the circumstances presented in this Petition. See counsel's letter to the Regional Board of March 24, 2015, attached hereto, and filed concurrently, as Exhibit "3".

As of submitting this Petition, however, the Regional Board has not acted on this request.

DATED: March 31, 2015

**LEWITT, HACKMAN, SHAPIRO,
MARSHALL & HARLAN**

By:



STEPHEN T. HOLZER
Attorneys for Petitioners

EXHIBIT 1



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Los Angeles Regional Water Quality Control Board

March 6, 2015

Mr. John Richardson
Community Recycling & Resource Recovery, Inc.
Crown Disposal Co., Inc.
9189 De Garmo Avenue
Sun Valley, CA 91352

Certified Mail
Return Receipt Requested
Claim No. 7014 2120 0004 7562 0764

SUBJECT: CLEANUP AND ABATEMENT ORDER NO. R4-2015-0010

SITE/CASE: CROWN DISPOSAL COMPANY, INC. AND COMMUNITY RECYCLING & RESOURCE RECOVERY, INC., 9189 DE GARMO AVENUE, LOS ANGELES, CALIFORNIA (WDID NO. 4 19I004715)

Dear Mr. Richardson:

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) is the public agency with primary responsibility for the protection of ground and surface water quality for all beneficial uses within major portions of Los Angeles County and Ventura County, including the above-referenced site.

Enclosed is Cleanup and Abatement Order No. R4-2015-0010 (CAO), directing you to assess, monitor, cleanup, and abate the effects of discharges of waste from industrial activities located at 9189, 9147, 9143, 9132, 9136, 9146, 9150, and 9158 De Garmo Avenue, 11300 Pendleton Street, and 11219, 11213, 11211, 11201, 11141 and 111555 Randall Street in Sun Valley, Los Angeles County, California. This Order is issued under section 13304 and section 13267 of the California Water Code. Should the Crown Disposal Company, Inc. and Community Recycling & Resources Recovery, Inc. (jointly Discharger) fail to comply with any provision of this Order, it may be subject to further enforcement action, including injunction and civil monetary remedies, pursuant to applicable California Water Code sections including, but not limited to, sections 13304, 13308, and 13350.

A draft of this CAO was provided to you on July 2, 2014, inviting comments. On September 2, 2014, you provided your comments via email, through your attorney, Stephen T. Holzer of Lewitt, Hackman, Shapiro, Marshland, and Harlan Law Corporation. Comments were also received from the Los Angeles Waterkeeper. The attached document, Response to Comments - Draft Cleanup and Abatement Order R4-2015-0010, summarizes the comments and how we addressed them in the attached CAO.

CHARLES STRINGER, CHAIR | SAMUEL UNGER, EXECUTIVE OFFICER

320 West 4th St., Suite 200, Los Angeles, CA 90013 | www.waterboards.ca.gov/losangeles

Mr. John Richardson
Crown Disposal Co., Inc.
Community Recycling & Resource Recovery, Inc.

- 2 -

March 6, 2015

If you need assistance or have questions, please contact Ali Rahmani at alireza.rahmani@waterboards.ca.gov, (213) 620-2122 or Staff Counsel Laura Drabandt at laura.drabandt@waterboards.ca.gov, (916) 341-5180.

Sincerely,


Samuel Unger, P.E.
Executive Officer

Enclosure: Cleanup and Abatement Order No. R4-2015-0010
Response to Comments - Cleanup and Abatement Order R4-2015-0010

cc: (via email)

Laura Drabandt, Staff Counsel, State Water Resources Control
Stephen T. Holzer, Lewitt, Hackman, Shapiro, Marshland, and Harlan Law
Corporation
Tatiana Gaur, Los Angeles Waterkeeper
Steven Pedersen, City of Los Angeles

STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION

CLEANUP AND ABATEMENT AND CALIFORNIA WATER CODE
SECTION 13267 INVESTIGATIVE ORDER NO. R4-2015-0010
REQUIRING

CROWN DISPOSAL COMPANY, INC.
AND COMMUNITY RECYCLING & RESOURCE RECOVERY, INC.

TO CLEANUP AND ABATE WASTE DISCHARGED TO
WATERS OF THE STATE AND UNITED STATES
PURSUANT TO CALIFORNIA WATER CODE SECTION 13304 AND 13267

FOR THE PROPERTY LOCATED AT:
9189, 9147 AND 9143 DE GARMO AVENUE, 11300 PENDLETON STREET, AND
11219, 11213, 11211, 11201 RANDALL STREET
SUN VALLEY, LOS ANGELES COUNTY, CALIFORNIA, 91352

Cleanup and Abatement Order No. R4-2015-0010 (hereafter Order) is issued pursuant to California Water Code section 13304 and 13267 requiring Crown Disposal Company, Inc. and Community Recycling & Resource Recovery, Inc. (jointly Discharger), to cleanup waste and abate the effects of discharges of waste from their industrial activities located at 9189, 9147, 9143 9132, 9136, 9146, 9150, and 9158 De Garmo Avenue, 11300 Pendleton Street, and 11219, 11213, 11211, 11201, 11141, and 11155 Randall Street (Site) in Sun Valley, Los Angeles County, California.

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) herein finds:

BACKGROUND

- 1. Discharger Operations:** Crown Disposal Company, Inc. (Crown Disposal) and Community Recycling & Resource Recovery, Inc. (Community Recycling) are responsible parties engaged in waste collection, sort, and transfer. They jointly operate on an 11 acre site (Site). The Discharger has caused or permitted waste to be discharged or deposited where it is, or probably will be discharged into the waters of the state which creates, or threatens to create, a condition of pollution.
- 2. Site Location:** The Site consists of 8.5 acres of adjoining lots¹ on 9189, 9147, and 9143 De Garmo Avenue, 11300 Pendleton Street, and 11219, 11213, 11211, 11201 Randall Street (referred to as the main area), plus another 2.5 acres of adjoining

¹ Los Angeles County Assessor Identification Numbers (AIN) 2408-034-042, 2408-034-002, 2408-034-001, 2408-035-031, 2408-034-043, 2408-035-034, 2408-034-038, 2408-035-037, 2408-035-038, 2408-035-036, and 2408-035-039

lots² on 9132, 9136, 9146, 9150, and 9158 De Garmo Avenue and 11141 and 111555 Randall Street (referred to as the auxiliary area) in an industrial neighborhood in the community of Sun Valley. The main area and the auxiliary area are bisected by De Garmo Avenue. They are referred to jointly as the "Site". The geographic boundaries of the Site are: Pendleton Street to the northwest, De Garmo Avenue to the northeast, Randall Street to the southeast, and industrial sites to the eastern corner and the southwest edge of the main area, and an industrial site to the northwest and northeast, Randall Street to the southeast, and De Garmo Avenue to the southwest of the auxiliary area (see Attachment A herein incorporated by reference).

3. **Site Description and Activities:** At the Site, Crown Disposal operates a refuse collection service and a truck yard; Community Recycling operates a solid waste transfer station which receives mixed and source-separated municipal solid waste from residential, commercial, and industrial sources including produce and other food waste, construction and demolition waste, and yard and green waste. The Discharger processes the waste to recover recyclables. The Discharger used to wash recovered plastic film in an outdoor area and then takes it to an indoor area at the Site where the Discharger converts it into plastic pellets. However, the plastic pellet production operation was shut down on March 20, 2013 (see Attachments B, C, and D herein incorporated by reference).
4. **Site Drainage Description:** The Site slopes southward so that any runoff from the Site flows into De Garmo Avenue, Randall Street, the northeastern part of Pendleton Street and the southwestern part of Pendleton Street for approximately 6 miles and ultimately discharges into Reach 4 of the Los Angeles River, a water of the state and United States. The Discharger currently collects storm water samples only from the main area's southwestern driveway on Pendleton Street, the main area's southeastern driveway on De Garmo Avenue, and the main area's driveway on Randall Street. The drainage pattern within the Site is as follows:
 - a. At the northeastern portion, the Site slopes partially towards the east into a three-stage clarifier and partially to the northern corner to a series of trenches that lead to another three-stage clarifier. Both clarifiers connect to the sanitary sewer. When a storm event produces more than 0.1 inch of rain, automatic valves disconnect the clarifiers from the sewer lines and effluent from the clarifier at the eastern corner will discharge onto De Garmo Avenue, and effluent from the clarifier at the northern corner will discharge onto Pendleton Street.
 - b. At the southwestern portion, the Site slopes partially toward Randall Street and partly toward Pendleton Street.
5. **Watershed:** The Site is located in the Sun Valley sub-watershed. Any runoff (storm water or non-storm water) from the Site flows along surface roads to Reach 4 of the Los Angeles River, and ultimately to the Pacific Ocean. According to the Los Angeles Region's Water Quality Control Plan (Basin Plan), the beneficial uses of the

² The southeastern half of AIN 2408-034-047

Los Angeles River include wetland habitat for a variety of marine life, habitat for migratory wild life and for threatened or endangered species, and contact and non-contact water recreation. Non-contact water recreation activities include fishing, picnicking, sunbathing, hiking and other uses for aesthetic enjoyment.³ The 2010 Clean Water Act's List of Impaired Water Bodies lists Reach 4 of the Los Angeles River as impaired and subject to TMDLs due to the following pollutants: ammonia, coliform bacteria, copper, lead, nutrients, and trash⁴.

6. **Permit Coverage:** Crown Disposal submitted a Notice of Intent to Comply with the statewide General Permit to Discharge Storm Water Associated with Industrial Activity, WQ Order No. 97-03-DWQ (Industrial Permit) in 1992. The permitted area included only 1.78 acres of the Site with SIC code 4226 (Special Warehousing and Storage, Not Elsewhere Classified). The State Board assigned to the Site the waste discharge identification (WDID) number 4 19I004715. On August 7, 2002, the Discharger submitted a Change of Information form for WDID 4 19I004715 to add "Community Recycle" to the facility name, change the SIC code from 4226 to 4212 (Local Trucking without Storage), and increase the Site area from 1.78 acres to 8.5 acres. On February 27, 2004, the Discharger submitted another Change of Information form for WDID 4 19I004715 to add SIC code 5093 (Scrap and Waste Material).

EVIDENCE OF WASTE DISCHARGE AND BASIS FOR SECTION 13304 ORDER

7. **Basis for Order:** On March 14, 2013, Regional Board staff inspected the Site to determine compliance with the Industrial Permit. During the inspection, Regional Board staff observed ineffective Best Management Practices (BMPs), an unauthorized non-storm water discharge onto Randall Street, vehicle maintenance, waste collection, processing, and storage activities conducted outdoors in uncontained and uncovered areas, and sediment tire track-out to the street from vehicles leaving the Site. Storm water sampling data indicated that the Discharger has frequently exceeded total suspended solids and specific conductance benchmark values, which are indicative of ineffective BMPs. Also during the inspection, Regional Board staff determined that the Site had an incomplete Storm Water Pollution Prevention Plan (SWPPP) and an incomplete storm water Monitoring and Reporting Program. Additionally, Regional Board staff observed plastic pellet production which falls under SIC code 3089; the Discharger failed to report this additional operation and SIC code to the Regional Board (see Attachment B). On November 26, 2013, Regional Board staff visited the Site again to review the Discharger's 2012-2013 Annual Report, which the Discharger submitted on January 21, 2014, after the July 1 deadline required by the Industrial Permit. During that inspection, Regional Board staff walked and drove around the Site and observed continued permit violations including ineffective BMPs and non-storm water discharges onto Randall and Pendleton Streets (see Attachment C). On October 1, 2014, Regional Board staff visited the Site again and re-inspected the

³ Water Quality Control Plan Los Angeles Region. Chapter 2: Beneficial Uses. Available at: http://www.waterboards.ca.gov/rwqcb4/water_issues/programs/basin_plan/basin_plan_documentation.shtml

⁴ 2010 California 303(d) List of Water Quality Segments; Category 5

BMPs implemented at the Site. During that inspection, Regional Board staff discovered that the Discharger has added the auxiliary area to its operations and Site without filing a Change of Information with the Regional Board to amend its permit coverage. Regional Board staff walked through the Site and observed continued permit violations including ineffective BMPs (see Attachment D).

8. **Adverse Impacts to Humans and Animals:** When it rains, storm water transports wastes processed at the Site and pollutants associated with the waste to Reach 4 of the Los Angeles River, detrimentally impacting the beneficial uses of the river.
 - a. The Discharger's monitoring data from the Site show that storm water discharges from the Site to De Garmo Avenue, Randall Street, and Pendleton Street have high levels of specific conductance and total suspended solids. High levels of specific conductance are indicative of inorganic dissolved solids such as chloride, nitrate, sulfate, phosphate ions, or sodium, magnesium, calcium, iron, or aluminum ions in the water and this could result in altering the naturally occurring levels of specific conductance of the receiving water (Los Angeles River Reach 4) making it not suitable for certain species of fish or macroinvertebrates to survive and thrive. Total suspended solids in high amounts increase turbidity, which leads to decreases in the food supply, and also interfere with the spawning of fish, may cause respiratory organ damage in fish, and can also increase absorption of phosphorous, increasing the level of nutrients in a water body. High concentrations of nutrients in a water body accelerate eutrophication, further degrading the health of the ecosystem.⁵
 - b. In addition to specific conductance and total suspended solids, the activities conducted at the Site may be a source for additional pollutants of concern, such as plastic pellets, iron, lead, aluminum, copper, zinc, and chemical oxygen demand. Plastic pellets pose a threat to wild life such as sea birds, sea turtles and other biota through ingestion. In addition to potential chemical toxicity, once ingested, plastic pellets can cause a reduction in stomach volume and a potential reduction in hunger, which can lead to starvation.⁶ When consumed by humans, metals accumulate in vital organs and cause numerous serious health disorders. These disorders may be toxic, neurotoxic, carcinogenic, mutagenic or teratogenic.⁷ Typically, high chemical oxygen demand in water indicates a reduction in dissolved oxygen in water, which negatively impact the survival of fish by increasing their susceptibility to diseases, retardation in growth, hampered swimming ability, alteration in feeding and migration, and, when extreme, lead to rapid death.⁸

⁵ Atasoy, M., Palmquist, R. B., & Phaneuf, D. J. (2005). Estimating the effects of urban residential development on water quality using microdata. *Journal of Environmental Management*, 79, 399-408

⁶ U.S. Environmental Protection Agency. Plastic Pellets in the Aquatic Environment Sources and Recommendation. Available at: http://water.epa.gov/type/oceb/marinedebris/upload/plastic_pellets_final_report.pdf

⁷ Singh, A., Sharma, R. K., Agrawal, M., & Marshall, F. M. (2010). Health risk assessment of heavy metals via dietary intake of foodstuffs from the wastewater irrigated site of a dry tropical area of India. *Food and Chemical Toxicology*, 48, 611-619

⁸ Akpor, O. B., & Muchie, M. (2011). Environmental and public health implications of wastewater quality. *African Journal of Biotechnology*, 10, 2379-2387

9. **Specific Industrial Permit Violations:** Staff has observed the following violations of the Industrial Permit at the Site.
- a. Unauthorized non-storm water discharges from the Site in violation of section A.6.a.v (p.16).
 - b. Pollution prevention team responsibilities were not stated in the SWPPP in violation of section A.3.a (p. 12).
 - c. The SWPPP was not signed by a legally responsible corporate officer, a general partner or proprietor, or a duly authorized representative with a certifying statement in violation of sections C.9.b and C.10 (pp. 48-49).
 - d. Vehicle maintenance activity was conducted outdoors. Fuel and chemical containers were seen stored outdoors without implementing effective BMPs. Waste was collected, processed, and stored outdoors without implementing effective BMPs. Sediment and tracking controls to retain sediment on site were inadequate. These are violations of section B.3 (p. 4).
 - e. In February of 2004, the Discharger submitted a Change of Information adding SIC code 5093 to its list of SIC codes. Industrial Permit section B.5.c.iii (page 27), in conjunction with Table D (page 43), requires permittees with SIC code 5093 to analyze storm water discharge samples for iron, lead, aluminum, copper, zinc, and chemical oxygen demand. The Discharger has not been submitting these sampling results to the Regional Board in violation of Industrial Permit section B.5.c.iii (p. 27).
 - f. The Discharger has been sampling and monitoring from three identified discharge points from the Site: on Randall Street, on De Garmo Avenue, and on Pendleton Street. However, on March 14, 2013, Regional Board staff observed that there are actually two points of discharge along Pendleton Street, at the exit/entrance located at the northwest corner of the Site, and at the northern clarifier. The Discharger has only been sampling storm water discharge from the northern clarifier. This is in violation of Industrial Permit section B.7.a (p. 28).
 - g. The Discharger failed to notify the Regional Board of adding the auxiliary area to its operations, and additional SIC codes that may apply to activities conducted in it. This is in violation of Industrial Permit section C.11.a (p. 49) and Attachment 3.
 - h. The site map included in the SWPPP does not show the Site boundaries, on-site surface water bodies, areas of soil erosion and impervious areas, and nearby water bodies. This is in violation of Industrial Permit section A.4 (p. 12).

AUTHORITY - LEGAL REQUIREMENTS

10. Section 13304(a) of the Water Code provides in part that:

"Any person who has discharged or discharges waste into the waters of this state in violation of any waste discharge requirement or other order or prohibition issued by a regional board or the state board, or who has caused or permitted, causes or permits, or threatens to cause or permit any waste to be discharged or deposited where it is, or probably will be, discharged into the waters of the state and creates, or threatens to create, a condition of pollution or nuisance, shall upon order of the regional board, clean up the waste or abate the effects of the waste, or, in the case of threatened pollution or nuisance, take other necessary remedial action, including, but not limited to, overseeing cleanup and abatement efforts."

11. Section 13304(c)(1) of the California Water Code provides that:

"the person or persons who discharged the waste, discharges the waste, or threatened to cause or permit the discharge of the waste within the meaning of subdivision (a), are liable to that government agency to the extent of the reasonable costs actually incurred in cleaning up the waste, abating the effects of the waste, supervising cleanup or abatement activities, or taking other remedial actions. . ."

12. Section 13267(b)(1) of the California Water Code provides in part that:

"In conducting an investigation . . . the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region . . . shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports."

13. The State Water Resources Control Board (hereafter State Water Board) has adopted Resolution No. 92-49, the Policies and Procedures for Investigation and Cleanup and Abatement of Discharges Under Water Code section 13304. This Policy sets forth the policies and procedures to be used during an investigation or cleanup of a polluted site and requires that cleanup levels be consistent with State Water Board Resolution 68-16, the Statement of Policy With Respect to Maintaining High Quality of Waters in California. Resolution 92-49 and the Basin Plan establish the cleanup levels to be achieved. Resolution 92-49 requires the waste to be cleaned up to background, or if that is not reasonable, to an alternative level that is the most stringent level that is economically and technologically feasible in accordance with title 23, California Code of Regulations (CCR) section 2550.4. Any alternative cleanup level to background must (1) be consistent with the maximum benefit to the people of the state; (2) not unreasonably affect present and anticipated beneficial use of such water; and (3) not result in water quality less than that prescribed in the Basin Plan and applicable Water Quality Control Plans and Policies of the State Water Board.

14. This Order requires the Discharger to submit various technical and monitoring reports pursuant to Water Code section 13267 because existing information about the Site indicates that contaminants associated with the processed waste have been discharged, are discharging, and are suspected of discharging at the property, where the Discharger operates. The required reports are necessary to determine the extent of the contaminants that have discharged from the Site to areas where storm water likely carried, or threatens to carry, the contaminants to waters of the state and United States. Therefore, the burden on the Discharger, including costs, to produce these required technical and monitoring reports, is outweighed by the Regional Board's need for them to determine compliance with the applicable laws, regulations, and policies to protect the water quality of the state and United States.
15. The Water Quality Control Plan for the Los Angeles Region (Basin Plan) identifies beneficial uses and establishes water quality objectives to protect those uses. The Site discharges and poses a threat if it continues to discharge food waste, construction and demolition waste, yard and green waste, plastic pellets, and/or byproducts of hereafter mentioned as Waste to Reach 4 of the Los Angeles River and to the Pacific Ocean. Over the past few decades, the Los Angeles River has become a vital recreational area for the communities that surround with uses including hiking, walking, wading, fishing and bicycling. The Los Angeles River also provides habitat for migratory wild life and endangered species.

DISCHARGER LIABILITY

16. Based on the above findings, the Discharger is subject to an order pursuant to Water Code section 13304 because the Discharger has discharged or is discharging waste into the waters of this state in violation of the Industrial Permit and is creating or threatening to create a condition of pollution. In addition, the discharged wastes threaten beneficial uses of waters of the state in violation of the federal Clean Water Act (33 U.S.C. section 1251 et seq). This Order, therefore, contains tasks for cleaning up waste and abating existing and future impacts to the Sun Valley sub-watershed and Los Angeles River watershed.
17. This Order requires the Discharger to submit various technical and monitoring reports pursuant to Water Code section 13267 because existing information about the Site indicates that waste has been discharged, is discharging, or is suspected of discharging at the property, where the Discharger operates. The required reports are necessary to determine the extent of the wastes that have discharged from the Site to waters of the state or to areas where storm water likely carried, or threatens to carry, the wastes to waters of the state and United States. Therefore, the burden on the Discharger, including costs, to produce these required technical and monitoring reports is outweighed by the Regional Board's need for them to determine compliance with the applicable laws, regulations, and policies to protect the water quality of the state and United States.

CONCLUSIONS

18. **California Environmental Quality Act:** This enforcement action is being undertaken by a regulatory agency to enforce a water quality law. Such action is categorically exempt from provisions of the California Environmental Quality Act (CEQA) according to Guidelines section 15321 in Article 19, Division 3, Title 14 of the California Code of Regulations. If implementation of any work plan subject to this Order may result in significant adverse physical impacts to the environment that may need to be evaluated under CEQA, the appropriate lead agency will address CEQA requirements prior to the Discharger implementing the work plan.
19. **Cost Recovery:** The Discharger is and shall be liable, pursuant to California Water Code section 13304, to the Regional Board for all reasonable costs actually incurred by the Regional Board and associated agencies to investigate unauthorized discharges of waste and to oversee cleanup of such waste, abatement of the effects thereof, or other remedial action, required by this Order. Such costs include, but are not limited to, staff time for investigation of the discharge, preparation of this Order, review of reports and correspondence submitted pursuant to this Order, work to complete the directives specified in this Order, and communications between Regional Board staff and parties associated with the cleanup and abatement of the discharged waste, including the Discharger, interested members of the public, and other regulatory agencies.
20. **State Water Board Petition:** Any person aggrieved by this action of the Regional Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at:

http://www.waterboards.ca.gov/public_notices/petitions/water_quality

or will be provided upon request.

21. REQUIRED ACTIONS

THEREFORE, IT IS HEREBY ORDERED, pursuant to California Water Code sections 13304 and 13267, the Discharger shall cleanup and abate the effects of the waste discharging and threatening to discharge from the Site.

More specifically, the Discharger shall:

A. Immediately Cease the Discharge of Unauthorized Non-storm Water Off-Site

Starting immediately upon receiving notice of this Order being adopted by the Regional Water Board, the Discharger shall eliminate the discharge of unauthorized non-storm water from the Site.

B. Implement Effective Interim BMPs

Compliance Date: 30 days after Regional Board's issuance of this Order

Until the Discharger installs effective permanent BMPs, required below, the Discharger shall implement effective interim BMPs that employ Best Available Technology Economically Achievable (BAT) and Best Conventional Pollutant Control Technology (BCT) to prevent storm water and un-authorized non-storm water from discharging from the Site. BMPs must also be applied to eliminate vehicle track-off from the Site. In determining whether BMPs are effective, the Regional Board considers how much run off was prevented from discharging from the Site, and whether EPA's benchmark values are met or exceeded, among other factors.

C. Install Effective Permanent BMPs

Compliance Date: 60 days after Regional Board's issuance of this Order

- a. Install permanent, effective BMPs that employ Best Available Technology Economically Achievable (BAT) and Best Conventional Pollutant Control Technology (BCT) to prevent storm water and un-authorized non-storm water from discharging from the Site. BMPs must also be applied to eliminate vehicle track-off from the Site. In determining whether BMPs are effective, the Regional Board considers how much run off was prevented from discharging from the Site, and whether EPA's benchmark values are met or exceeded, among other factors.
- b. The BMPs shall address processed and unprocessed waste, and any other activities at the Site exposed to storm water. At a minimum, the BMPs shall address the following:
 - i. Vehicle maintenance, unless the vehicle maintenance is moved indoors or ceases at the Site.
 - ii. Storage of all hazardous and non-hazardous waste and chemical, non-chemical, and liquid substances found on Site. All hazardous and non-hazardous waste shall be easily identifiable.
 - iii. Control of various plastics and plastic pellets and their associated potential pollutants exposed to storm water and non-storm water discharges.
- c. Implement BMPs at all exits and entrances to prevent tracking of sediment onto the streets.

D. Additional Sampling Parameters

Compliance Date: Beginning with October 1, 2014

- a. Industrial Permit section B.5.c.iv (p. 27) authorizes Regional Board to require a permittee to analyze storm water discharge samples for additional parameters. Since the Site processes restaurant and produce waste, the Discharger shall analyze storm water samples for nitrate and nitrite nitrogen pursuant to the permit section and Water Code section 13267, and include the results in its reports to the Regional Board.
- b. Industrial Permit section B.5.c.iii (page 27), requires permittees with SIC Code 5093 to analyze all storm water samples for the additional parameters listed in Table D of the Industrial Permit (p. 43). Since the Discharger's operations are categorized under SIC codes 4212 (Local Trucking without Storage) and 5093 (Scrap and Waste Materials) the Discharger shall comply with Table D, Sector N. of the Industrial Permit (p. 43) and analyze the listed additional parameters: total suspended solids, iron, lead, aluminum, copper, zinc, and chemical oxygen demand. These analyses shall be in addition to the analyses already required in the Industrial Permit: pH, total suspended solids, specific conductivity, and total organic carbon (oil and grease may be substituted for total organic carbon).

E. Update and Submit the Site's Storm Water Pollution Prevention Plan and Monitoring and Reporting Program

Compliance Date: 30 days after Regional Board's issuance of this Order

Storm Water Pollution Prevention Plan:

The Discharger shall review, update, and amend the SWPPP to include the following:

- a. A current site map in accordance with Attachment 3, section VIII of the Industrial Permit. Include Site boundaries, on-site surface water bodies, areas of soil erosion and impervious areas, and nearby water bodies. The site map shall include the auxiliary area.
- b. A description of the responsibilities of the pollution prevention plan team.
- c. A description of all structural and non-structural BMPs the Discharger has installed and will implement at the Site, the rationale for selecting the BMPs, and the maintenance activities the Discharger will implement to ensure the proper operation of the BMPs. The description should include, but not be limited to the following:

- i. Frequency of implementation
 - ii. Vehicle Speed (if vehicles, such as street sweepers, are used)
 - iii. Quantity of pollutant removal
- d. A certification and signature in the Site's SWPPP in accordance with section C.9 of the Industrial Permit.

Monitoring and Reporting Program:

The Discharger shall review, update, and amend the Monitoring and Reporting Program to include the following:

- a. A narrative stating that the Discharger will collect storm water samples from any and all discharge locations at the Site. At the main site, these discharge locations include, but may not be limited to: three driveways on Pendleton Street, two driveways on De Garmo Avenue, one driveway on Randal Street, and two clarifiers that discharge onto the streets during rain events greater than 0.1 inch. At the auxiliary site, these discharge locations include, but may not be limited to: a driveway on De Garmo Avenue, and a driveway on Randal Street. The Discharger shall visually inspect during all rain events for any additional discharge locations at the Site. Sample collection and analysis shall be in accordance with the Industrial Permit section B.5 (p. 26) and B.7 (p. 28). In the alternative, if the Discharger claims the Site discharge does not discharge storm water or un-authorized non-stormwater, the Discharger shall provide the Regional Board with supporting documentation and documentation certified by a California registered professional engineer demonstrating that the Site will not discharge runoff from the maximum historic precipitation event (or series of events) using the precipitation data collected from the National Oceanic and Atmospheric Agency's website (or other nearby precipitation data available from other government agencies) so that there will be no discharge of industrial storm water to waters of the United States.
- b. A narrative that the Discharger will conduct visual observations of the non-storm water and storm water discharges from the Site in accordance with the Industrial Permit sections B.3 (p. 25), B. 4 (p. 25) and B.14 (p. 35).
- c. A narrative that the Discharger will conduct an annual comprehensive site compliance evaluation that is in accordance with the Industrial Permit sections A.9 (p. 21) and B.14 (p. 35).

F. Submit a Change of Information Form

Compliance Date: 30 days after Regional Board's issuance of this Order submit a Change of Information form to report the following:

- a. The increase in the size of the Site due to the addition of the auxiliary area.
- b. Any additional SIC codes due to the activities conducted in the auxiliary area or not already accounted for at the main site.
- c. The addition of SIC code 4953 if hazardous waste is stored at the Site for more than 90 days.

The Discharger shall submit a change of information form to the State Water Resources Control Board at the following address:

State Water Resources Control Board
Division of Water Quality
Attn: Storm Water Section
Sacramento, CA 95812-1977

The Discharger shall also submit an electronic copy of the change of information form to Mr. Alireza Rahmani via electronic mail to Alireza.Rahmani@waterboards.ca.gov or as a hard copy format to:

Los Angeles Regional Water Quality Control Board
320 W. Fourth Street, Suite 200
Los Angeles, CA 90013
Attn: Alireza Rahmani

The Discharger shall file additional Changes of Information in the future if there are any changes in the size of the Site, SIC codes for activities conducted at the Site, or the Discharger's information, within 30 days prior to the change.

G. Compliance Report

Compliance Date: 30 days after Regional Board's issuance of this Order.

The Discharger shall submit a final report to the Regional Board describing the actions taken to comply with this Order. The report shall include photos of BMPs, a description of any change in operating procedures, such as moving vehicle maintenance indoors, and any other corrective actions the Discharger implemented. The Discharger shall send the final report to Mr. Rahmani's attention at the email or office address listed in directive F, above.

Compliance Date: On-going until notified by the Regional Board.

For any BMPs that will take more than 30 days after Regional Board's issuance of this Order to implement, the Discharger shall submit monthly updates and supporting documents on implementation progress until fully installed and functioning. These supporting documents may include, but not be limited to the following:

- i. Purchase orders or work orders
- ii. Signed contracts
- iii. Invoices

PROVISIONS

- H. Authority to Modify:** The Regional Board, through its Executive Officer, may revise this Order as additional information becomes available. Upon request by the Discharger, and for good cause shown, the Executive Officer may defer, delete or extend the date of compliance for any action required of the Discharger under this Order.
- I. Extension:** In the event compliance cannot be achieved within the terms of this Order, the Discharger has the opportunity to request, in writing, an extension of the time specified. The extension request shall include an explanation why the specified date could not or will not be met and justification for the requested period of extension. Any extension request shall be submitted as soon as the situation is recognized and no later than the compliance date. Extension requests not approved in writing with reference to this Order are denied.
- J. No Limitation of Regional Board Authority:** This Order in no way limits the authority of this Regional Board to institute additional enforcement actions or to require additional investigation and cleanup of the Site consistent with the California Water Code.
- K. Enforcement for Noncompliance with this Order:** If, in the opinion of the Regional Board or its delegate, the Discharger fails to comply with the provisions of this Order, the Regional Board may pursue further enforcement action. The Executive Officer or Assistant Executive Officer or other delegate may issue a complaint for administrative civil liability, or take any other applicable enforcement action. Failure to comply with this Order may result in the assessment of an administrative civil liability up to \$1,000 per violation per day, pursuant to California Water Code section 13268; and/or \$5,000 per violation per day, pursuant to Water Code section 13350. Any discharge to waters of the United States may result in an administrative civil liability up to \$10,000 per discharge violation per day and \$10 per gallon over 1,000 gallons not cleaned up pursuant to section 13385. The Regional Board may refer this matter to the Attorney General for judicial enforcement. The Regional Board reserves its right to take any enforcement actions authorized by law.

L. Signatory Requirements: All reports required under this Order shall be signed and certified by a duly authorized representative of the Discharger. A person is a duly authorized representative of the Discharger only if: (1) the authorization is made in writing by the Discharger and (2) the authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity. (A duly authorized representative may thus be either a named individual or any individual occupying a named position).

M. Certifications: California Business and Professions Code sections 6735, 7835, and 7835.1 require that engineering and geologic evaluations and judgments be performed by or under the direction of licensed professionals. The Regional Board, under the authority given Water Code section 13267(b)(1), requires the Discharger to include a perjury statement in all reports submitted under this Order, including the change of information form required in Order No. 5. The perjury statement shall be signed by duly authorized representative (not by a consultant). The perjury statement shall be in the following format:

"I, [NAME], certify under penalty of law that this document and all attachments were prepared by me, or under my direction or supervision, in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitted false information, including the possibility of fine and imprisonment for knowing violations."

N. This Order is effective upon the date of signature.

Ordered by:



Samuel Unger, PE
Executive Officer

Date: March 6, 2015

Attachment A: Site Map
Attachment B: March 14, 2013 Inspection Report and Photographs
Attachment C: November 26, 2013 Inspection Report and Photographs
Attachment D: October 1, 2014 Inspection Report and Photographs

Response to Comments

Cleanup and Abatement Order No. R4-2015-0010

Community Recycling & Resource Recovery, Inc. and Crown Disposal Co., Inc.

Commenters

1. Los Angeles Waterkeeper
2. Stephen T. Holzer, Esq. (attorney for Community Recycling & Resource Recovery, Inc. and Crown Disposal Co., Inc.)

No.	Author	Date	Comment	Response
1.1	Los Angeles Waterkeeper	09/30/2014	<p>The requirements of the Draft CAO appear to be directed at making general improvements at the site. Nevertheless, we [LA Waterkeeper] believe that, given Community Recycling's persistent and egregious violations of the General Industrial Storm Water Permit and the Clean Water Act outlined in the Draft CAO and Waterkeeper's August 4, 2014 Notice of Violation and Intent to File Suit, a more comprehensive solution is needed to ensure Community Recycling comes into compliance with its Permit and violations do not recur in the future.</p>	<p>Enforcement staff considers the CAO as a comprehensive solution to address the Industrial Permit violations observed during the March 14, 2013, November 26, 2013, and October 1, 2014 Regional Board inspections.</p> <p>On October 31, 2014 the Regional Board issued an NOV requiring the facility to implement adequate BMPs that address the violations found during the Regional Board staff's inspection on October 1, 2014. The NOV required the facility to submit a written response by December 1, 2014, demonstrating corrective actions for the violations listed in the NOV. The Discharger submitted their revised storm water pollution prevention plan (SWPPP) and change of information.</p> <p>Paragraphs 7, 9.g, Order E.a and E.c of the CAO are amended to address the additional violations observed during the October 1, 2014 inspection including the auxiliary site for a more comprehensive set of actions.</p>

Response to Comments

Cleanup and Abatement Order No. R4-2015-0010

Community Recycling & Resource Recovery, Inc. and Crown Disposal Co., Inc.

No.	Author	Date	Comment	Response
1.2	Los Angeles Waterkeeper	09/30/2014	The Crown facility owners are in violation of the Stormwater Permit by failing to include the auxiliary site and all regulated industrial activities conducted at the Crown Facility in the Crown Facility NOI. The Crown Facility Owners and/or Operators have been in daily and continuous violation of the requirement to comply with the Stormwater Permit every day since beginning operations at the auxiliary site and every day since beginning regulated activities (June, 2007) not included in the Crown Facility NOI.	Since the activities conducted at the auxiliary site are part of Crown Disposal and Community Recycling's activities, they must be included in the Discharger's Notice of Intent and SWPPP for permit coverage. Paragraphs 9 and Order E of the CAO are amended to address the Discharger's failure to include the auxiliary site in the Notice of Intent and SWPPP and require the Discharger to submit a Change of Information to report the addition of the auxiliary site and amend its SWPPP to this effect.
1.3	Los Angeles Waterkeeper	09/30/2014	The Crown Facility's SWPPP and a Regional Board inspection report indicate that since at least 2004, the Crown Facility Owners and /or Operators have been conducting activities at the facility subject to SIC 4231, 3089, 4959, and 4953, but the Crown Facility Owners and/or Operators failed to identify the associated SIC codes in the Crown Facility NOI. The Crown Facility NOI lists SIC 4212 and SIC 5093 as the only codes applicable to the industrial activities conducted at the Crown Facility.	The facility's currently listed SIC codes are 4212 (Local Trucking Without Storage) and 5093 (Scrap and Waste Materials). Both of these SIC codes apply to activities at the site. SIC code 3089 (Plastics Products, Not Elsewhere Classified) no longer applies to the facility because the plastic pellet production at the site ceased March 2013. This was reported by the Discharger and verified by Enforcement staff during the October 1, 2014 inspection. The CAO is amended to remove the requirement for the Discharger to include

Response to Comments

Cleanup and Abatement Order No. R4-2015-0010
Community Recycling & Resource Recovery, Inc. and Crown Disposal Co., Inc.

No.	Author	Date	Comment	Response
				<p>SIC code 3089 in its Storm Water Pollution Prevention Plan.</p> <p>SIC code 4231 (Terminal and Joint Terminal Maintenance Facilities for Motor Freight Transportation) does not apply to facilities that operate a terminal for their own motor freight transportations. Facilities that operate a terminal for their own motor freight transportations (i.e. Crown Disposal) are covered under SIC 421X. Since Crown Disposal is not engaged in storage of goods being transported, SIC code 4212 (Local Trucking Without Storage) is most applicable.</p> <p>SIC 4959 (Sanitary Services, Not Elsewhere Classified) applies to cleanup activities which are not conducted by the Discharger.</p> <p>SIC 4953 (Refuse Systems) applies to Hazardous Waste Treatment, Storage, and Disposal Facilities or landfills. The facility is not a Hazardous Waste Treatment, Storage, or Disposal Facility or a landfill. Therefore, SIC 5093 (Scrap and Waste Materials) better applies to the activities conducted by the Discharger.</p>

Response to Comments

Cleanup and Abatement Order No. R4-2015-0010

Community Recycling & Resource Recovery, Inc. and Crown Disposal Co., Inc.

No.	Author	Date	Comment	Response
1.4	Los Angeles Waterkeeper	09/30/2014	<p>The Crown Facility Owners and/or Operators failed to develop and implement BMPs at the Crown Facility that achieve compliance with BAT/BCT standards. At the main site, vehicle and equipment maintenance and cleaning is conducted outdoors; fuel and chemical containers are stored outdoors without containment, rusted spare parts and components are stored outdoors without containment cover, or containment; piles of waste are stored outdoors without cover or containment; and the Crown Facility uses inadequate sediment and tracking controls to retain sediment on site.</p>	<p>The CAO does not need to include any additional SIC code requirements in response to this comment. However, see also Comment 2.8, pertaining to SIC code 4953 for further discussion and amendments to the CAO.</p> <p>Paragraph 9 of the CAO addresses all sources of pollution, including piles of waste, track off, vehicle and equipment maintenance and cleaning, fueling stations and chemical containers, rusted spare parts and components, debris, and oil spots observed at the facility.</p>
1.5	Los Angeles Waterkeeper	09/30/2014	<p>The analytical results of stormwater sampling conducted by the Crown Facility Owners and/or Operators and Waterkeeper demonstrate that stormwater discharges from the Crown Facility contain concentrations of pollutants above the EPA</p>	<p>Orders B (Implement Effective Interim BMPs) and C (Install Effective Permanent BMPs) of the CAO require the Discharger to implement BMPs that employ BAT/BCT, which is consistent with the Industrial Permit section B.3 (page 4) and are amended to better define BAT/BCT standards and BMP effectiveness.</p> <p>Orders B (Implement Effective Interim BMPs) and C (Install Effective Permanent BMPs) of the CAO require the Discharger to implement BMPs that employ BAT/BCT, which is consistent with the Industrial Permit section B.3 (page 4) and are amended to better define BAT/BCT</p>

Response to Comments

Cleanup and Abatement Order No. R4-2015-0010

Community Recycling & Resource Recovery, Inc. and Crown Disposal Co., Inc.

No.	Author	Date	Comment	Response
1.6	Los Angeles Waterkeeper	09/30/2014	<p>The repeated and significant exceedances of EPA benchmarks demonstrate that the Crown Facility Owners and/or Operators have failed and continue to fail to develop and/or implement BMPs at the Crown Facility as required to achieve BAT/BCT standards.</p> <p>Stormwater sampling demonstrates that discharges from the Crown Facility contain elevated concentrations of pollutants such as copper, zinc, mercury, and magnesium which can be acutely toxic and/or have sub-lethal impacts on the avian and aquatic wildlife in the receiving waters. The storm water sampling at the Crown facility also demonstrates that discharges contain concentrations of pollutants that cause or contribute to an exceedance of the applicable water quality standards.</p>	<p>standards and BMP effectiveness.</p> <p>Section B.5.c.iii of the Industrial Permit requires the Discharger to analyze its stormwater discharge samples for copper and zinc.</p> <p>Order D.b of the CAO directs the Discharger to comply with this requirement.</p> <p>Order D.a of the CAO requires the Discharger to analyze its stormwater discharge samples for nitrate and nitrite nitrogen.</p> <p>The CAO does not direct the Discharger to analyze its stormwater discharge samples for mercury and magnesium because supporting documents for exceedance of these constituents were not provided to the Regional Board.</p>
1.7	Los Angeles Waterkeeper	09/30/2014	<p>Fugitive dust, dirt and/or debris discharges from the Main Site when Crown Facility</p>	<p>Paragraph 9, and Orders B and C of the CAO address all sources of pollution.</p>

Response to Comments

Cleanup and Abatement Order No. R4-2015-0010

Community Recycling & Resource Recovery, Inc. and Crown Disposal Co., Inc.

No.	Author	Date	Comment	Response
1.8	Los Angeles Waterkeeper	09/30/2014	<p>Owners and/or Operators grind green/wood waste outdoors without adequate cover or containment. Without adequate cover and containment, the dust, dirt and/or debris is indirectly deposited into receiving waters via storm drains. Debris and waste are tracked off the Main Site via driveways. Non storm water is sprayed over construction refuse for purposes of dust control and then discharged onto city streets via the Main Site's Randall Street driveway.</p> <p>Crown Facility Owners and/or Operators have not developed, revised and/or implemented an adequate Monitoring and Reporting Program that meets the requirements of the Stormwater Permit by failing to analyze stormwater samples for all pollutants required by the permit. Crown Owners and/or Operators also failed to sample stormwater discharges as required by the Permit by collecting samples at only three of the seven discharge locations and failing to collect samples during the first hour of discharge; Crown Owners and/or Operators also failed to collect stormwater</p>	<p>including piles of waste, track off, vehicle and equipment maintenance and cleaning, fueling stations and chemical containers, rusted spare parts and components, debris, and oil spots.</p> <p>Order A of the CAO requires the Discharger to cease the discharge of unauthorized non-stormwater.</p>
			<p>Crown Facility Owners and/or Operators have not developed, revised and/or implemented an adequate Monitoring and Reporting Program that meets the requirements of the Stormwater Permit by failing to analyze stormwater samples for all pollutants required by the permit. Crown Owners and/or Operators also failed to sample stormwater discharges as required by the Permit by collecting samples at only three of the seven discharge locations and failing to collect samples during the first hour of discharge; Crown Owners and/or Operators also failed to collect stormwater</p>	<p>Order D of the CAO requires the Discharger to analyze its stormwater discharge samples for all parameters required by the Industrial Permit, and nitrate and nitrite nitrogen.</p> <p>Order E, Monitoring and Reporting, of the CAO requires the Discharger to update its Monitoring and Reporting Program to include sample collection from additional discharges on Pendleton Street. This section is amended to include all discharge locations at the site, which includes the discharge locations at the auxiliary site.</p> <p>Order E, Monitoring and Reporting, of the</p>

Response to Comments

Cleanup and Abatement Order No. R4-2015-0010

Community Recycling & Resource Recovery, Inc. and Crown Disposal Co., Inc.

No.	Author	Date	Comment	Response
1.9	Los Angeles Waterkeeper	09/30/2014	<p>The Crown Facility Owners and/or Operators failed to conduct visual monitoring at two of the discharge locations at Pendleton Street and at two of the discharge locations at the De Garmo Avenue; the Crown Facility Owners and/or Operators failed to conduct visual monitoring at the auxiliary site's three discharge locations. The Crown Facility Owners and /or Operators failed to conduct observations of stormwater discharges within the first hour of discharge from one qualifying storm event per month from the period spanning 2009-2013 wet seasons; the Owners and/or Operators claimed and documented that they made visual observations on days that had no rainfall.</p>	<p>CAO is amended to require the Discharger to update its Monitoring and Reporting Program to comply with the Industrial Permit sections B.3, B.4, B5, and B.7. These sections outline requirements for visual monitoring, sample collection location and time, and sample analysis.</p> <p>Order E, Monitoring and Reporting, of the CAO is amended to require the Discharger to update its Monitoring and Reporting Program to comply with the Industrial Permit sections B.3, B.4, B5, and B.7. These sections outline requirements for visual monitoring, sample collection location and time for all discharge locations at the facility, and sample analysis.</p>
1.10	Los Angeles Waterkeeper	09/30/2014	<p>Crown Facility's storm water sampling data indicates that the Crown Facility Owner's</p>	<p>See responses to comments 1.2, 1.4, and 1.5.</p>

Response to Comments

Cleanup and Abatement Order No. R4-2015-0010

Community Recycling & Resource Recovery, Inc. and Crown Disposal Co., Inc.

No.	Author	Date	Comment	Response
1.11	Los Angeles Waterkeeper	09/30/2014	<p>and/or Operators certifications are erroneous. The Crown Facility Owners and/or Operators have not included an inspection and evaluation of the Auxiliary Site in any of their Annual Comprehensive Site Compliance Evaluations, developed and/or implemented required BMPs at the Crown Facility, or made any revisions to the Crown Facility since February 26, 2004.</p> <p>Crown Facility Owners and/or Operators have been conducting and continue to conduct operations at the Crown Facility with an inadequately developed, implemented, and/or revised SWPPP. The SWPPP fails to include a site map, fails to include the auxiliary site, fails to identify pollution prevention team responsibilities, and the SWPPP fails to be certified and signed. The Crown Facility Owners and/or Operators failed to revise or evaluate the SWPPP to implement adequate BMPs.</p>	<p>Order E, Storm Water Pollution Prevention, of the CAO requires the Discharger to update and amend the SWPPP to include a site map (in accordance with the Industrial Permit), a description of the responsibilities of the pollution prevention team, a description of the structural BMPs the Discharger will install including the rationale explaining the effectiveness of the BMPs, and a signed certification page.</p>
2.1	Stephen T. Holzer, Esq.	09/02/2014	<p>Crown/Community ("Crown") will put in a drain across the Randall Street driveway to direct runoff to a clarifier and then to the sewer.</p>	<p>To date, the Regional Board has not received any documentation of the installation of any structure that will redirect runoff to a clarifier and then to a sewer.</p>

Response to Comments

Cleanup and Abatement Order No. R4-2015-0010

Community Recycling & Resource Recovery, Inc. and Crown Disposal Co., Inc.

No.	Author	Date	Comment	Response
2.2	Stephen T. Holzer, Esq.	09/02/2014	Crown will immediately begin work to bring discharge levels of pollutants down.	Order B of the CAO requires the Discharger to implement effective interim BMPs until effective permanent BMPs are installed. If the drain is a permanent BMP, interim BMPs must be implemented until such time as when this permanent BMP is installed.
2.3	Stephen T. Holzer, Esq.	09/02/2014	Crown will immediately implement additional sweeping of driveways to help eliminate track-off from Site	Order E.c of the CAO requires a description of the structural BMPs the Discharger will install, the rationale explaining the effectiveness of the BMPs, and the maintenance activities the Discharger will implement to ensure the proper operation of the BMPs. For sweeping to be considered an effective BMP, the frequency and amount of debris removed must be quantified and proven to be the maximum amount of debris that can be removed.
2.4	Stephen T. Holzer, Esq.	09/02/2014	Crown has moved barrels stored outside to indoor storage.	Order E.c of the CAO is amended to require that the BMP frequency of implementation, speed, and amount of pollutant removal be quantified. Order E.c, Storm Water Pollution Prevention, of the CAO is amended to require the SWPPP to include the structural and nonstructural BMPs implemented at the facility, the rationale for selecting the BMP, and the maintenance

Response to Comments

Cleanup and Abatement Order No. R4-2015-0010

Community Recycling & Resource Recovery, Inc. and Crown Disposal Co., Inc.

No.	Author	Date	Comment	Response
2.5	Stephen T. Holzer, Esq.	09/02/2014	Crown has received approval from the Los Angeles planning Commission to construct a building over the entire facility; construction will likely not be finished within 60 days after issuance of the order but will be finished ASAP. The construction process will be staged to complete the building over the backyard operations first and then the front yard. Construction will take approximately 18 months to 24 months to complete.	activities the Discharger will implement to ensure proper operation. The enclosure will be a permanent BMP. Order B of the CAO requires the Discharger to implement effective interim BMPs until effective permanent BMPs are installed. These BMPs must address the violations listed in the CAO and in the NOV of October 31, 2014. These BMPs must also be included in the facility's SWPPP and must comply with Orders B, C and E, Storm Water Pollution Prevention Plan, and Order G of the CAO.
2.6	Stephen T. Holzer, Esq.	09/02/2014	Crown will employ best available technology (BAT) either to prevent contaminants from leaving the site or at least to ensure that any contaminants leaving the site are at levels acceptable to the RWQCB.	Order E.c, Storm Water Pollution Prevention Plan, of the CAO requires a description of the structural BMPs, the rationale explaining the effectiveness of the BMPs, and the maintenance activities the Discharger will implement to ensure the proper operation of the BMPs that will satisfy the requirements of Orders B and C of the CAO. See response to comment 2.5.
2.7	Stephen T. Holzer, Esq.	09/02/2014	Vehicle maintenance will be moved indoors as soon as construction of the new building is completed.	The new building will be a permanent BMP. Until the building is constructed and vehicle maintenance is moved indoors, the Discharger shall implement effective interim BMPs that address the outdoor vehicle maintenance activities. These

Response to Comments

Cleanup and Abatement Order No. R4-2015-0010
 Community Recycling & Resource Recovery, Inc. and Crown Disposal Co., Inc.

No.	Author	Date	Comment	Response
2.8	Stephen T. Holzer, Esq.	09/02/2014	Storage of hazardous substances shall be moved indoors. All hazardous and non-hazardous waste will be appropriately labeled.	interim BMPs must also be included in the facility's SWPPP. These BMPs must comply with Orders B, C, E, Storm Water Pollution Prevention Plan, and G of the CAO. See response to comment 2.5. If the facility receives and/or stores hazardous waste onsite longer than 90 days, it falls under SIC code 4953. If these activities are conducted at the facility, SIC code 4953 must be added to the Discharger's Notice of Intent. Samples of stormwater discharges from the site must also be analyzed for the additional parameters listed in Table D, Sector L of the Industrial Permit, for total suspended solids and iron. These changes, including labeling and relocation of hazardous waste indoors must be reflected in the amended SWPPP. Section F of the CAO requires the Discharger to submit a Change of Information to add SIC code 4953 if hazardous waste is stored at the facility for more than 90 days.
2.9	Stephen T. Holzer, Esq.	09/02/2014	Plastic/pellet production ceased at the site about 1 ½ years ago and all pellets have been moved offsite.	Paragraph 3 of the CAO is amended to reflect that plastic pellet production activities have ceased.

Response to Comments

Cleanup and Abatement Order No. R4-2015-0010
Community Recycling & Resource Recovery, Inc. and Crown Disposal Co., Inc.

No.	Author	Date	Comment	Response
2.10	Stephen T. Holzer, Esq.	09/02/2014	Crown will institute more frequent sweeping procedures as BMP's at exits/entrances to prevent sediment tracking into streets.	See response to comment 2.2.
2.11	Stephen T. Holzer, Esq.	09/02/2014	Crown will arrange to analyze storm water samples for nitrate and nitrate nitrogen with the understanding that Crown cannot actually do the analysis until we have a rain event.	Regional Board staff understands the facility cannot collect storm water samples if there is no rain. In addition to nitrate and nitrate nitrogen, the Discharger shall analyze all additional parameters required by the Industrial Permit and the CAO. This must be reflected in the Discharger's updated and amended Monitoring and Reporting Program.
2.12	Stephen T. Holzer, Esq.	09/02/2014	Crown will comply with all appropriate General Industrial Permit sampling parameters.	The Discharger must comply with all the required sampling parameters listed in Table D of the Industrial Permit and the additional parameters the required in amended Order D of the CAO. This must be reflected in the Discharger's updated and amended Monitoring and Reporting Program.
2.13	Stephen T. Holzer, Esq.	09/02/2014	Crown will comply with updating and submitting the SWPPP and Monitoring and Reporting Program within 30 days after issuance of Order, with the caveat noted immediately below: Under the Monitoring and Reporting Program discussion, the proposed Order asks that Crown commit to	The Regional Board recognizes that rain events that have occurred in the past may not have been of high enough intensity to result in a discharge from all of the facility's planned discharge locations. However, the Regional Board disagrees that lack of rain is a reason to eliminate any potential discharge location from the monitoring plan. The Discharger must conduct visual inspections of all discharge

Response to Comments

Cleanup and Abatement Order No. R4-2015-0010

Community Recycling & Resource Recovery, Inc. and Crown Disposal Co., Inc.

No.	Author	Date	Comment	Response
2.14	Stephen T. Holzer, Esq.	09/02/2014	<p>collecting storm water samples from the "additional discharge point" at the western exit/entrance along Pendleton Street unidentified prior to the issuance of the proposed Order. However, there is no discharge from this exit/entrance; the slope from the sidewalk is away from Pendleton Street and so no water is being discharged at this location into the street.</p>	<p>locations and collect samples from all the discharge locations where storm water is leaving the Site, regardless of whether or not they are the engineered designed discharge points typically sampled.</p> <p>Order G of the CAO is amended to require supporting documentation and plans certified by a Professional Civil Engineer demonstrating that the discharge locations will not discharge runoff from the maximum historic precipitation event (or series of events) using the precipitation data collected from the National Oceanic and Atmospheric Agency's website (or other nearby precipitation data available from other government agencies) so that there will be no discharge of industrial storm water to waters of the United States. This requirement is consistent with the no-discharge requirement of the new Industrial General Permit that takes effect July 1, 2015 (see Order 2014-0057-DWQ, II.D.2.b, p. 16.)</p> <p>The October 31, 2014 NOV requires the facility to submit a Change of Information form by December 1, 2014, which is prior to the issuance of the final CAO. On January 5, 2015, the Discharger submitted a Change of Information which addressed</p>

Response to Comments

Cleanup and Abatement Order No. R4-2015-0010

Community Recycling & Resource Recovery, Inc. and Crown Disposal Co., Inc.

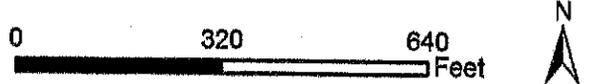
No.	Author	Date	Comment	Response
2.15	Stephen T. Holzer, Esq.	09/02/2014	Crown agrees to submit a final report within 30 days after RWQCB issuance of Order, with the understanding that some items will require a rain event and that the building will take 18-24 months to complete.	<p>the requirement of the October 31, 2014.</p> <p>Order F of the CAO is amended to require the Discharger to submit a Change of Information for any changes in the facility's contact information, billing information, size, and SIC codes. This amendment also requires the Discharger to submit a Change of Information for the addition of the auxiliary site and its applicable SIC codes.</p> <p>The construction of the building is a permanent BMP; interim BMPs must be implemented to ensure compliance with the Industrial Permit. The CAO requires the Discharger to install interim BMPs, to update the SWPPP, and to update the Monitoring and Reporting Program.</p> <p>Order G of the CAO is amended to require the Discharger to submit bi-weekly updates with supporting documents (e.g., purchase order, signed contracts, invoices, etc.) for any BMPs that will require more than 30 days after the issuance of the CAO. The Discharger is required to submit updates until the subject BMP is fully installed and functioning.</p>

Attachment A

Crown Disposal and Community Recycling & Resource Recovery Site



Source: Earth Imagery, GeoEye, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, IGP, Swisstopo and the GIS User Community - and HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, Esri, FINE, DeLorme, TomTom, MapmyIndia, © OpenStreetMap contributors, and the GIS user community



Attachment B

INDUSTRIAL STORM WATER INSPECTION REPORT
 (State Board Order 97-03-DWQ, NPDES No. CAS000001)

FACILITY INFORMATION

419I004715 WOID NUMBER:	4/7/1992 NOI PROCESSING DATE	4212 & 5093 SIC CODE	Local Trucking Without Storage & Scrap and Waste Materials TYPE(S) OF INDUSTRIAL ACTIVITY	
Crown Disposal FACILITY NAME	9189 De Garmo Ave. ADDRESS	Sun Valley CITY	91352 ZIP	8.5 Acres FACILITY SIZE
John Richardson OPERATOR OF FACILITY REPRESENTATIVE PRESENT DURING INSPECTION		Vice President TITLE	818-504-1431 PHONE NUMBER	

INSPECTION LOGISTICS

3/14/2013 DATE	9:50 AM ARRIVAL TIME	11:45 AM DEPARTURE TIME	Sunny WEATHER CONDITION
-------------------	-------------------------	----------------------------	----------------------------

INSPECTION PRE-ANNOUNCED: YES NO PICTURES TAKEN: YES NO SAMPLES COLLECTED: YES NO

PURPOSE OF INSPECTION / CONCLUSION

<input checked="" type="checkbox"/> COMPLIANCE	<input type="checkbox"/> COMPLAINT	<input type="checkbox"/> ENFORCEMENT
<input type="checkbox"/> IN COMPLIANCE ON DATE OF INSPECTION		CORRECTIVE ACTION DUE DATE
<input type="checkbox"/> MINOR VIOLATION(S) OBSERVED		<input type="checkbox"/> VIOLATIONS FULLY CORRECTED & OPERATOR IS IN COMPLIANCE
<input checked="" type="checkbox"/> MAJOR VIOLATION(S) OBSERVED		<input type="checkbox"/> VIOLATIONS PARTIALLY CORRECTED ()%
<input type="checkbox"/> UNDETERMINED		
<input type="checkbox"/> NOTICE OF TERMINATION		<input type="checkbox"/> NOTICE OF NON-APPLICABILITY
<input type="checkbox"/> NEW OPERATOR/OWNER (WDID #:)		<input type="checkbox"/> LIGHT INDUSTRY (SIC CODE:)
<input type="checkbox"/> VACANT <input type="checkbox"/> CLEAN		<input type="checkbox"/> NO EXPOSURE
<input type="checkbox"/> OTHER - EXPLAIN:		<input type="checkbox"/> OTHER - EXPLAIN:
<input type="checkbox"/> OTHER TYPE OF INSPECTION - EXPLAIN:		

INSPECTION LOGISTICS

<input type="checkbox"/> ISSUE NOTICE TO COMPLY
<input type="checkbox"/> ISSUE NOTICE OF VIOLATION
<input type="checkbox"/> APPROVE NOT OR NNA
<input type="checkbox"/> REINSPECT ON:
<input checked="" type="checkbox"/> OTHER. Issue a CAO

Ali Rahmani
INSPECTOR NAME

Sotomayor, Eric
REVIEWER NAME

Ali Rahmani
SIGNATURE

[Signature]
SIGNATURE

3/18/2013
REPORT DATE

3/21/13
REVIEW DATE

OUTSTANDING INVOICE(S):

YES NO

FY	INVOICE #	BILLING DATE	AMOUNT DUE	DEMAND LETTER	NOV LETTER

COMMENTS:

STORM WATER SAMPLING DATA

Parameter	pH	TSS	SC	OG	Fe	Pb	Al	Cu	Zn	COD	Comments
Benchmark	6-9	100	200	15	1.00	0.0816	0.75	0.0636	0.117	120	
Units	s.u.	mg/L	umhos/cm	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L	
Yr.: 2011-12	7.07	106	136	8.5							Site 1 on 1/23/2012
	7.06	104	121	6.7							Site 2 on 1/23/2012
	6.71	250	258	9.4							Site 3 on 1/23/2012
	7.58	133	480	6.6							Site 1 on 11/4/2011
	7.17	190	333	7.6							Site 2 on 11/4/2011
	7.36	520	933	7.6							Site 3 on 11/4/2011
Yr.: 2010-11	7.03	40	85	6.1							Site 1 (Pendleton St.) on 12/22/2010
	6.77	63	110	6.3							Site 2 (De Garmo Ave.) on 12/22/2010
	6.58	57	101	8.7							Site 3 (Randall St.) on 12/22/2010
	3.22	84	347	22.5							Site 1 (Pendleton St.) on 10/19/2010
	6.53	111	542	18.4							Site 2 (De Garmo Ave.) on 10/19/2010
	6.32	190	259	11.3							Site 3 (Randall St.) on 10/19/2010
Yr.: 2009-10	5.9	330	48	17							Site 1 (Pendleton St.) on 1/19/2010
	6.4	800	55	10							Site 2 (De Garmo Ave.) on 1/19/2010
	6.6	452	152	12							Site 3 (Randall St.) on 1/19/2010
	8	103	466	28							Site 1 (Pendleton St.) on 10/13/2009
	7.6	259	715	20							Site 2 (De Garmo Ave.) on 10/13/2009
	6.7	228	818	27							Site 3 (Randall St.) on 10/13/2009
Yr.: 2008-09	7	95	289	<10							Site 1 on 12/15/2008
	6.7	70	71.4	<10							Site 2 on 12/15/2008
	6.6	98	91.3	13							Site 3 on 12/15/2008
	6.7	45	133	13							Site 1 on 11/26/2008
	6.8	44	158	<10							Site 2 on 11/26/2008
	7	55	162	13							Site 3 on 11/26/2008
Yr.: 2007-08	7.1	151	137	4.9							Site 1 on 2/22/2008
	7	73	181.2	5.6							Site 2 on 2/22/2008
	6.8	147		7							Site 3 on 2/22/2008
	7.8	75	69	5							Site 1 on 1/24/2008
	8.5	76	119	8.7							Site 2 on 1/24/2008
	6.9	441	337	10.3							Site 1 on 11/30/2007
	6.5	642	293	11.5							Site 2 on 11/30/2007
	6.5	642	293	11.5							Site 3 on 11/30/2007

Parameter	pH	TSS	SC	CG	Fa	Pb	Al	Cu	Zn	COD	Comments
Benchmark	6.9	100	200	18	1.00	0.0010	0.75	0.0336	0.117	120	
Units	s.u.	mg/L	umhos/cm	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L	
Yr.: 2006-07	6.67	131	160.7	6.2							Site 1 on 2/22/2007
	6.71	139	133.2	4.9							Site 2 on 2/22/2007
	5.8	140	214	4.1							Site 3 on 2/22/2007
Yr.: 2005-06	8.01	472.0	231.0	18.3							Site 1 on 3/28/2006
	7.81	122.0	199.1	15.5							Site 2 on 3/28/2006
	7.92	262.0	203.0	17.2							Site 3 on 3/28/2006
	6.86	27.0	84.9	4.9							Site 1 on 11/10/2005
	6.96	63.0	119.4	3.1							Site 2 on 11/10/2005
	6.90	113.0	158.1	3.0							Site 3 on 11/10/2005
Yr.: 2004-05	7.26	19.0	98.4	3.4							Site 1 on 10/26/2005
	7.85	26.0	99.8	5.8							Site 2 on 10/26/2005
	7.20	102.0	800	14.1							Site 3 on 10/26/2005
	7.30	16.0	115.5	6.4							Site 1 on 1/7/2005
	6.88	8.5	50.5	9.0							Site 2 on 1/7/2005
	7.59	28.0	216.3	14.5							Site 3 on 1/7/2005
Yr.: 2003-04	7.42	53.0	243	9.8							Site 1 on 2/22/2004
	7.45	21.5	186	6.3							Site 2 on 2/22/2004
	8.02	91.0	380	5.5							Site 3 on 2/22/2004
	6.96	2,250	828	13.8							Site 1 on 2/18/2004
	6.98	2,190	736	13.2							Site 2 on 2/18/2004
	7.24	2,765	1,153	8.8							Site 3 on 2/18/2004
Yr.: 2002-03	8.4	29.5	110.7	1.2							Site 1 on 2/12/2003
	7.68	9.0	93.3	< 1.0							Site 2 on 2/12/2003
	7.3	6.5	81.4	< 1.0							Site 3 on 2/12/2003
	7.22	4,040	1,111	6.7							Site 1 on 11/8/2002
	7.48	2,360	422	8.5							Site 2 on 11/8/2002
	6.34	4,990	2,882	9.0							Site 3 on 11/8/2002
Yr.: 2001-02	7.30	98	919	3.4							Site 1 on 11/29/2001; No qualifying rain events for additional samples
	7.27	57	396	1.9							Site 2 on 11/29/2001; No qualifying rain events for additional samples
	6.58	124	954	5.6							Site 3 on 11/29/2001; No qualifying rain events for additional samples
Yr.: 2000-01	6.90	544	940	< 10.0							Site 1 on 2/28/2001
	6.99	352	880	< 10.0							Site 2 on 2/28/2001
	10.70	1,304	1,036	< 10.0							Site 3 on 2/28/2001
	6.23	194	157	< 10.0							Site 1 on 1/11/2001
	6.29	226	560	37							Site 2 on 1/11/2001
	8.70	1,004	218	< 10.0							Site 3 on 1/11/2001

ARE SAMPLES COLLECTED WITHIN US EPA BENCHMARKS?

YES NO

COMMENTS:

See report for details

	Yes	No	N/A	COMMENTS
A. STORM WATER POLLUTION PREVENTION PLAN EVALUATION – Did the Permittee:				
1. Develop a SWPPP and retain on-site [Section A.1 & A.10]	✓			August 1993
2. Identify and/or promptly update pollution prevention team [Section A.3]	✓			
3. Identify pollution prevention team responsibilities [Section A.3]		✓		Team responsibilities is in the personnel file and not in the SWPPP
4. Develop and/or promptly update site map [Section A.4]	✓			
5. List significant materials handled and stored on-site [Section A.5]	✓			
6. Describe industrial activities and associated potential pollutant sources [Section A.6]	✓			
7. Assess activities, pollutant sources, pollutants [Section A.7]	✓			
8. Describe (narrative) site-specific BMPs [Section A.8]	✓			
9. Conduct Annual Comprehensive Site Compliance Evaluation [Section A.9]	✓			
10. Sign and certify SWPPP [Section C.9]		✓		DATE:
B. STORM WATER MONITORING PROGRAM EVALUATION – Did the Permittee:				
1. Develop a Monitoring Program and retain on-site [Section B.1]	✓			
2. Schedule Non-Storm Water Discharge Visual Observations [Section B.3]	✓			
3. Schedule Storm Water Discharge Visual Observations [Section B.4]	✓			
4. Describe sampling and analysis methodology [Section B.5]	✓			
5. Sample two storm events. If not, explain. [Section B.5.a]	✓			
6. Sample for additional parameters. If not, explain. [Section B.5.c.iii]	✓			See report
7. Sample ALL storm water discharge points. If not, explain. [Section B.7]	✓			
8. Describe monitoring methods [Section B.10]	✓			
9. Describe quality assurance and quality control methods [Section B.10.b]	✓			
10. Retain records of all storm water monitoring and reports for at least five years [Section B.13]	✓			

Industrial Activities or Pollutant Sources and the Corresponding Basic BMPs		BMP specified in SWPPP	Implemented			Comments
			N	P	A	
Industrial Processing Areas	Overhead roofs or cover			✓		
	Isolation of activities and/or materials from rain			✓		
	Proper grading to divert runoff from source areas			✓		
	Collect and/or treat storm water (specify)				✓	A 3-stage Clarifier connected to the sewer
	Frequent inspections to identify problem areas				✓	
Material Handling and Storage Areas, Including Shipping and Loading Areas	Overhead roofs or cover			✓		
	Isolation of activities and/or materials from rain			✓		
	Proper grading to divert runoff from source areas			✓		
	Collect and/or treat storm water (specify)				✓	A 3-stage Clarifier connected to the sewer
	Frequent inspections to identify problem areas				✓	
	Spill and leak prevention and control measures			✓		
	Inventory and labeling of raw materials and wastes				✓	
Vehicle and Equipment Maintenance Areas	Overhead roofs or cover				✓	
	Isolation of activities and/or materials from rain				✓	
	Proper grading to divert runoff from source areas			✓		
	Collect and/or treat storm water (specify)				✓	A 3-stage Clarifier connected to the sewer
	Frequent inspections to identify problem areas				✓	
	Spill and leak prevention and control measures			✓		
Significant Spills and Leaks	Spill prevention plan and team			✓		
	Proper containment of potential spill and leak areas			✓		
	Use of spill control materials			✓		
	Prompt clean-up of spill control materials			✓		
	Frequent inspections to identify spills and leaks			✓		
Soil Erosion, Dust and Particulate Generating	Proper grading and/or pavement			✓		
	Tracking prevention	✓				
	Planting and maintenance of vegetation	✓				
	Sediment control devices (specify)	✓				
Non-storm water discharge	Eliminate sources of non-storm water discharges			✓		
	Separate permit for non-storm water discharges	✓				
	Contain non-storm water discharges	✓				
	Collect & treat non-storm water discharge			✓		
Non-Structural BMPs and Record Keeping	Good Housekeeping (specify)			✓		
	Preventive Maintenance			✓		
	Material Handling and Storage			✓		
	Employee Training				✓	
	Waste Handling and Recycling				✓	
	Proper documentation of significant spills and leaks				✓	
	Documentation of inspections				✓	

BMP Effectiveness: N= Not Implemented; P= Partially Implemented; A= Adequately Implemented

INSPECTION REPORT DETAILS**FACILITY INFORMATION:**

The subject facility is a waste recycling/transfer station and truck yard. It is about 8.5 acres, located east of De Garmo Avenue, between Pendleton Street and Randall Street in Sun Valley, California (figure 1). The recycling/transfer operation is conducted by Community Recycling & Resource Recovery, Inc. (Community Recycling) and the truck yard operation is conducted by Crown Disposal Company, Inc. (Crown Disposal). Community Recycling and Crown Disposal are sister companies, both operating at subject site.

About 98% of the site is impervious. Only a portion at the western corner of the site is pervious. The site can be divided into two portions; the northeast portion and the southwest portion (figure 3).

Northeastern Portion:

The truck yard is located at the northern corner of the site (figure 3). Stormwater from this area is conveyed to a three-stage clarifier via trenches located at the northern corner of the site (figures 2 and 3 and photo 3). Stormwater from the northeastern portion of the site flows eastwards into an inlet which conveys it to another three-stage clarifier located at the eastern corner of the site (figures 2 and 3). Both clarifiers are connected to sanitary sewer. However, during storm events producing more than 0.1 inch of stormwater, automatic valves disconnect the clarifiers from the sewer lines. In such events, effluent from the northern clarifier is discharged onto Pendleton Street, and effluent from the eastern clarifier is discharged onto De Garmo Avenue.

Southwestern Portion:

Stormwater from the southwestern portion of the site flows towards a center swale and then southeastward where it is discharged onto Randall Street (figure 2).

Stormwater discharge from the site is conveyed to a catchment at Tuxford Street and Bradley Avenue (about 0.4 miles south of the subject site) via gutters.

INSPECTION NOTES:

Upon arriving at the subject site's proximity, I circled the area to observe the site's surroundings. I detected a strong scent of rotten food within the subject site's proximity. I then entered the office building where I met with Mr. John Richardson (Vice President and LRP of Crown Disposal). After introducing myself and stating the nature of my visit, I requested to review the site's SWPPP. The SWPPP was not signed and certified and was missing the pollution prevention team's responsibilities. These responsibilities are listed in the personnel file, but not in the SWPPP. After reviewing the SWPPP, I proceeded with the site inspection while accompanied by Mr. Richardson who gave consent for photos to be taken.

Northeastern Portion:

The office building, truck yard and maintenance shop, and machine shop are located at the northern corner. Most of the truck maintenance activities are conducted indoors (photo 1). However, I observed some maintenance activities conducted outdoors (photo 2). The truck yard also contains an uncovered diesel pump, which is fed by an underground diesel tank (photo 3). Stormwater from the truck yard is conveyed to the northern clarifier, as mentioned in the Facility Information section above (photo 4). Waste material brought to the site via collection trucks is received in the tipping area, which is located almost at the center of the site, in the northeastern portion (figure 3, photos 5 and 6). Waste is sorted and stored in different locations for either recycling or transfer to landfill. Immediately northwest of the tipping area is a covered structure where bales of recovered paper are stored (figure 3 and photo 7). I observed an uncovered diesel pump with several uncontained chemical containers stored next to this covered structure (photo 8).

In front of the tipping area is an area where recovered plastic films are washed, processed, and converted into plastic pellets (figure 3 and photo 9). The water from washing the films is collected through an inlet and reused in the process (photo 10). Plastic pellets are produced indoors and no pellets were observed outdoors (photo 11). Southeast of the plastic pellet production area is an exit/entrance onto De Garmo Avenue (figure 3). This is where stormwater discharges onto De Garmo Avenue. It is also sampling location 2. Immediately southeast of this exit/entrance is where food waste is piled (figure 3 and photo 12). I observed a very strong rancid scent in this area. Food waste is piled adjacent to De Garmo Avenue and adjacent to one of the inlets of the eastern clarifier (photo 13).

The majority of stormwater from the northeastern portion sheet flows toward an inlet located between the tipping area and the De Garmo Avenue exit/entrance (figure 2 and photo 14). Water collected by the inlet is conveyed to the eastern clarifier. Only an area in the northern part of the southeast portion drains directly onto Pendleton Street (figure 2). This area is uncovered and uncontained and used to store rusted spare parts and components (photo 15).

Southwestern Portion:

Trimming from the city are stored at the western corner of the site, which is pervious (figure 3 and photo 16). There is an exit immediately adjacent to this area which lacks tracking controls. As a result, sediment is tracked off the site (photo 17). Unsalable produce is received from super markets and is stored at a location east of the trimming storage (figure 3 and photo 18). I observed a very strong rancid odor in this area. Liquid from the expired produce accumulated underneath the pile is pumped into an above ground holding tank next to the pile of expired produce. This liquid is hauled off site via trucks to be mixed with compost. Adjacent to the expired produce area is an area where private trimmings are received and piled (figure 3 and photo 19). The trimmings are processed and prepared to produce compost. The processed trimmings are stored across the private trimming receiving area and ready to get hauled off site via trucks (figure 3 and photo 20). The southern part of the southwestern portion is dedicated to construction material. Construction refuse is brought in through the Randall Street exit/entrance, via trucks and piled immediately adjacent to the exit/entrance (figure 3 and photo 21). The refuse is then processed and segregated for recycling, based on composition and use and stored northwest of the receiving area (figure 3 and photo 22). Municipal tap water is sprayed over the construction waste for dust control (photo 23). Additionally, a cloth curtain is used around the construction waste receiving area to contain the dust on site (photo 24).

In conclusion, the subject site does impose a threat to quality of stormwater discharged, as confirmed by the results of annual report review in the Storm Water Sampling Data section of this report. Besides occasional exceedances in pH and Oil and Grease (OG), there is a consecutive history of elevated Total Suspended Solids (TSS) and Specific Conductance (SC). The discharger was issued an Annual Report Reviewed-Benchmark Exceedance letter (Benchmark Exceedance letter) dated April 13, 2010 showing SC exceedance in the 2008-09 Annual Report. On May 12, 2010, the discharger responded to the Benchmark Exceedance letter by increasing the sweeping activities. However, based on a review of results from subsequent annual reports, the additional sweeping was ineffective. In fact, in the 18 individual samples that were contained in the three subsequent annual reports (2009-10 through 2011-12), there were 2 counts of pH exceedances, 14 counts of TSS exceedances, 10 counts of SC exceedances, and 6 counts of OG exceedances. Additionally, per SIC code 4212, only pH, TSS, SC, and OG are analyzed. However, according to the SWPPP, SIC code 5093 also applies to the activities conducted at the site. The SWPPP also lists SIC codes 4953, 4959, and 4231 as auxiliary SIC codes. Based on these additional SIC codes and table D of the General Industrial Stormwater Permit (General Permit), the following constituents must also be analyzed and reported in annual reports:

- Iron (Fe)
- Lead (Pb)
- Aluminum (Al)
- Copper (Cu)
- Zinc (Zn)
- Chemical Oxygen Demand (COD)
- Magnesium (Mg)
- Ammonia (NH₃)
- Arsenic
- Cadmium (Cd)
- Cyanide (CN)
- Mercury (Hg)
- Selenium (Se)
- Silver (Ag)

Almost all activities, save the bale paper storage and some truck maintenance activities, are conducted outdoors. Only a portion of the stormwater is collected and treated via clarifiers. However, even after passing through clarifiers, stormwater discharge from the site remains polluted, as supported by the annual report results. As observed during the inspection and after reviewing, the BMPs implemented at the subject site are inadequate. A more effective and environmental friendly BMP may be capturing, treating, and reclaiming about 85% of discharge from the site. The reclaimed water can be used for dust control spraying.

Also, the SWPPP incorporates both Community Recycling and Crown Disposal along with all applicable SIC codes, activities, BMPs, and etc. However, our records indicate that WDID 4 19I004715 only pertains to Crown Disposal and

SIC code 4212, only. Additionally, the site area entered into SMARTS is only 2 acres, whereas the actual acreage, as confirmed by the SWPPP, is 8.5 acres. The discharger must either submit a new notice of intent (NOI) for Community Recycling and revise the current SWPPP to cover Crown Disposal only or update SMARTS to incorporate both companies, all applicable SIC codes, and the correct area of the entire site. Furthermore, the permittee is liable to analyze for the additional parameters stated above, per table D of the General Permit.

At this point, my recommendation is to issue a Cleanup and Abatement Order (CAO) based on the following:

- Two sister entities are operating at the subject site. The recycling activities at the subject site are conducted by Community Recycling and Resource Recovery, Inc. The trucking operation is conducted by Crown Disposal Co, Inc. The existing permit coverage pertains to Crown Disposal Co, Inc. and SIC code 4212 (local trucking without storage), only. This is in violation of General Permit Attachment 3.
- Non-stormwater is sprayed over construction refuse and discharged directly onto city streets. This is in violation of General Permit Section A.6.a.v.
- Pollution prevention team responsibilities not stated in the SWPPP. This is in violation of General Permit Section A.3.a
- The SWPPP was not certified and signed. This is in violation of General Permit Sections C.9 and 10.
- Vehicle maintenance conducted outdoors. This is in violation of General Permit Sections A.8.a.iv, b.i, and iii.
- Fuel and Chemical containers stored outdoors without containment. This is in violation of General Permit Sections A.8.a.iv, b.i, iii, and iv.
- Piles of waste stored outdoors without containment. This is in violation of General Permit Sections A.8.a.iv, vi, b.i, and iii.
- Inadequate sediment and tracking controls to retain sediment on site. This is in violation of General Permit Section A.8.a.viii.
- Benchmark exceedances were observed in the annual reports, indicative of inadequate BMPs. This is in violation of General Permit Sections A.8 and C.4.
- Additional SIC codes are associated with the activities conducted at the site. As a result, analysis of additional parameters is required based on table D of the General Permit. The required additional parameters have not been analyzed and reported. This is in violation of General Permit Section B.5.iii.

Inspection Photos

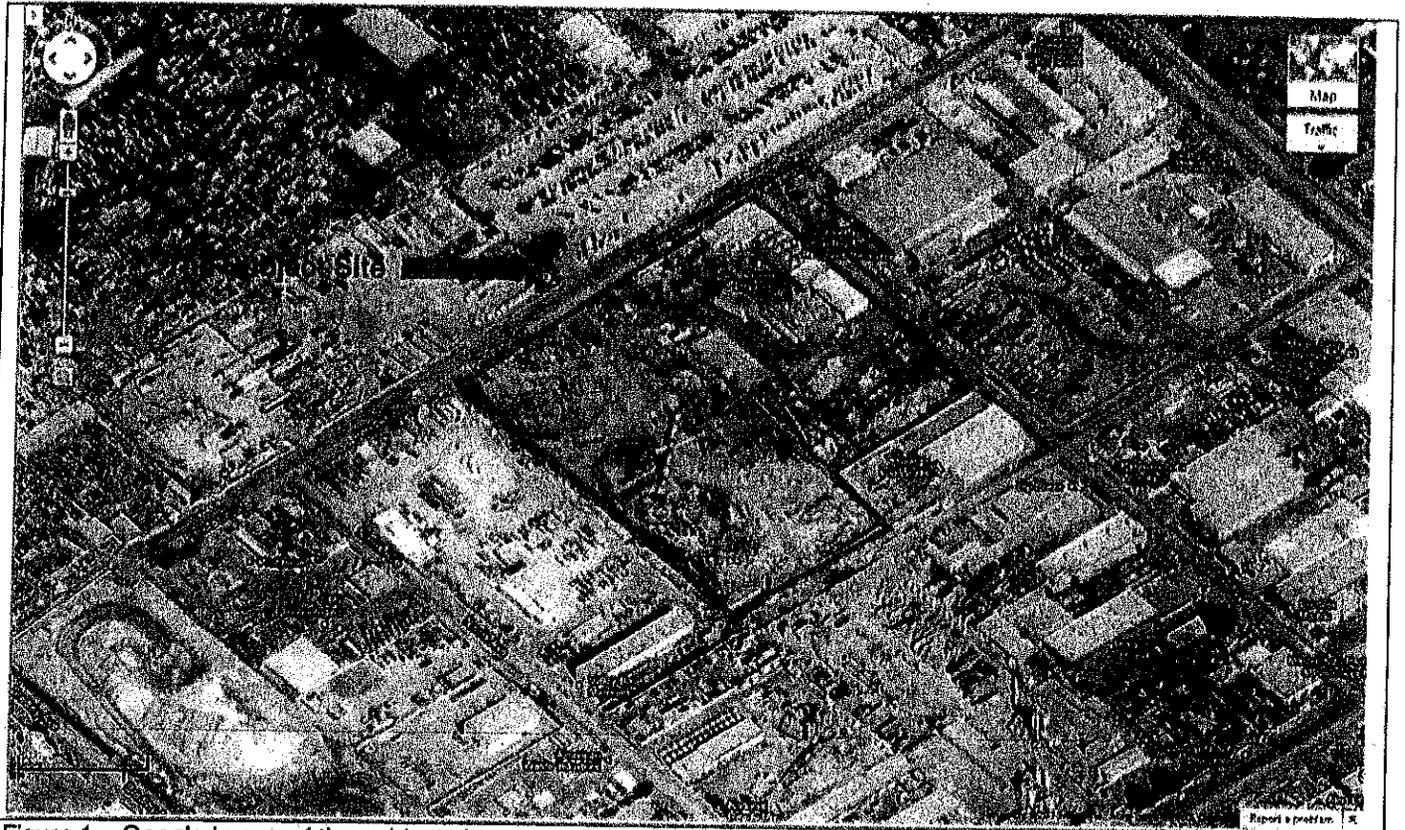


Figure 1 – Google image of the subject site.

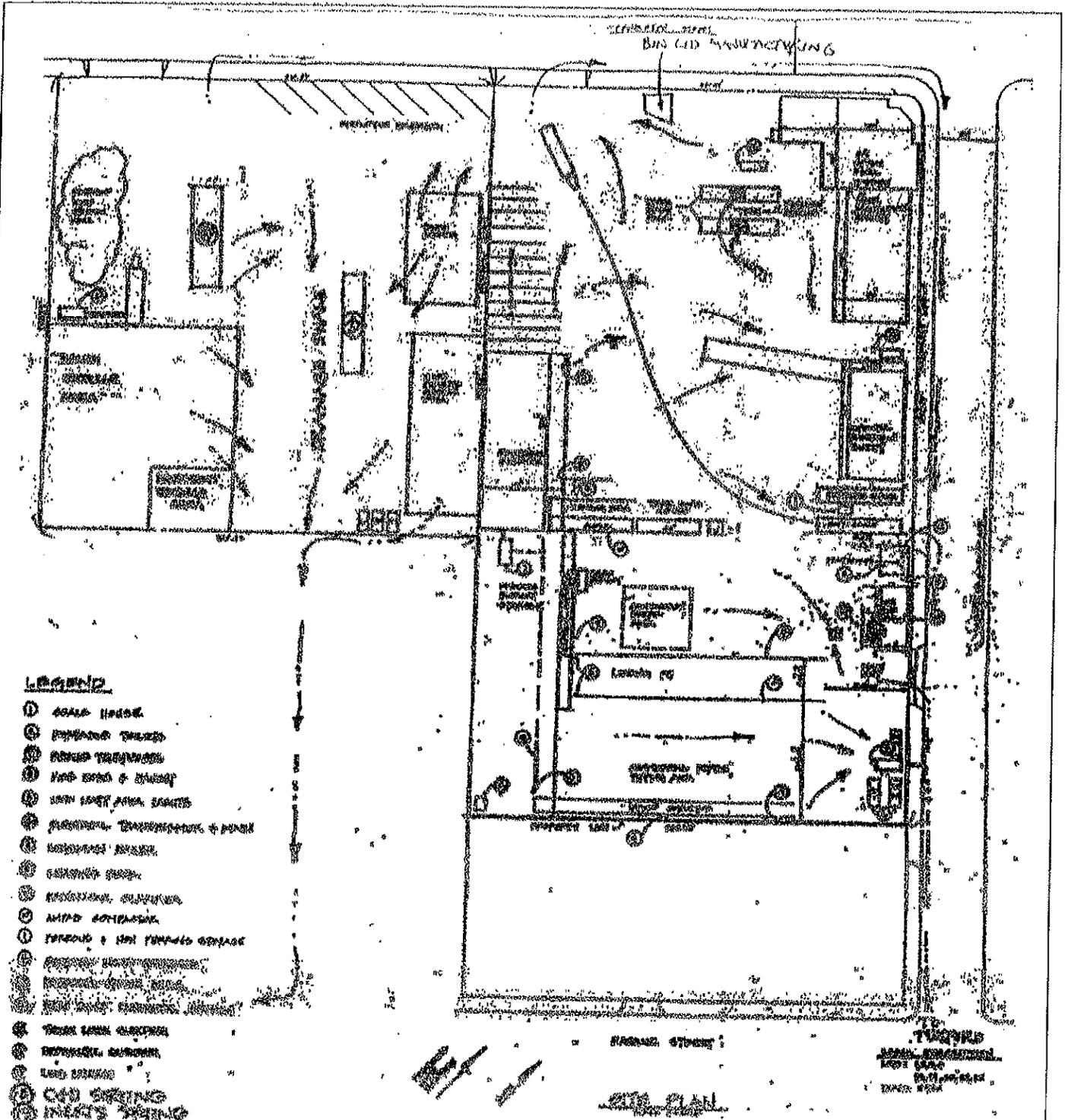


Figure 2 – The site plane showing surface water flow direction (provided by the permittee). Although not shown in the map, the bottom left quadrant is a part of the subject site.

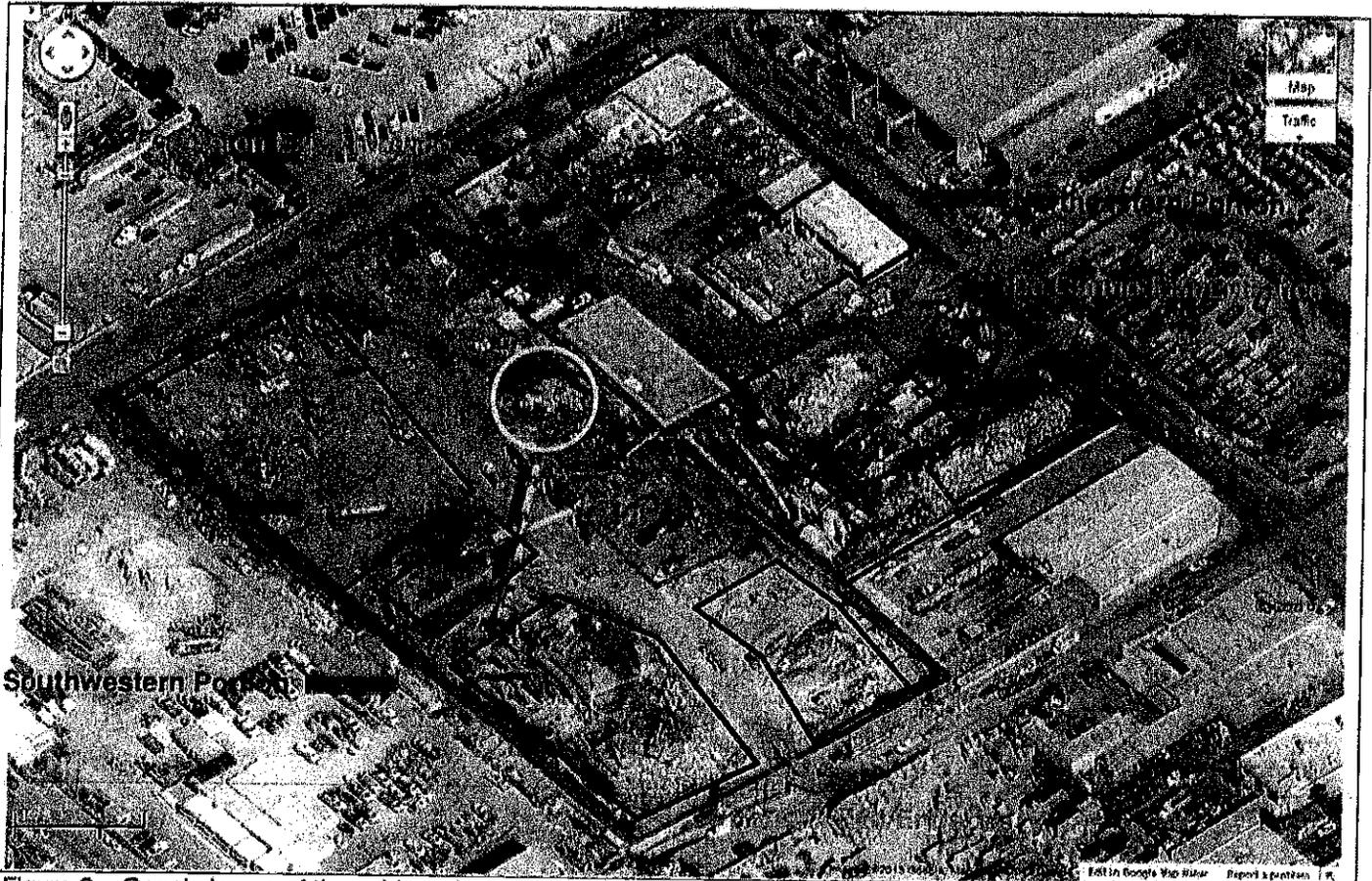


Figure 3 – Google image of the subject site used to demonstrate the subject site's layout.

Legend

- Light Blue Outline: Truck Yard
- Dark Blue Outline: Plastic Film Processing and Pellet Production Area
- Purple outline: Tipping Area
- Orange Outline: Covered Area for Recovered Bale Paper Storage
- Brown Outline: Food Waste
- Dark Green Outline: City Trimmings
- Light Green Outline: Private Trimmings
- Yellow Outline: Produce Waste
- Navy Blue Outline: Processed Trimmings
- Black Outline: Construction Waste
- Red Solid Circle: Clarifier
- Green Solid Square: Inlet to Eastern Clarifier



Photo 1 – Covered truck maintenance area used by Crown Disposal's trucks.



Photo 2 – Some truck maintenance was observed being conducted outdoors.

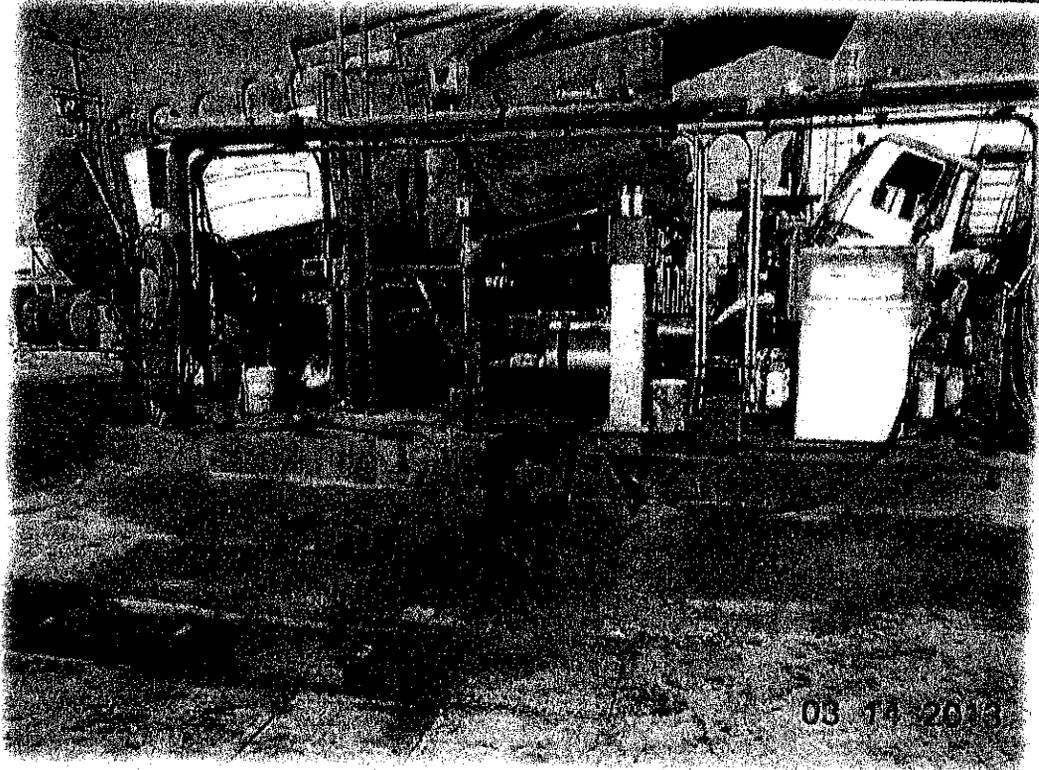


Photo 3 – An uncovered diesel station in the truck yard. Metal plates with inlets cover the trenches that convey surface water to the northern clarifier.

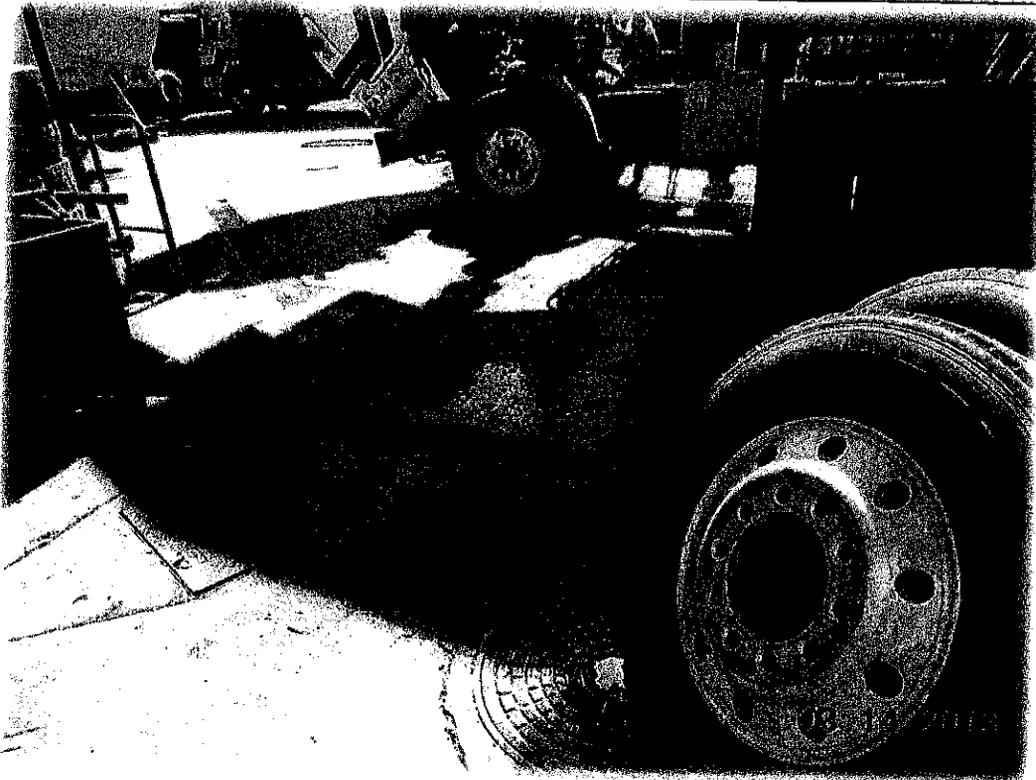


Photo 4 – The northern clarifier's first stage cover.

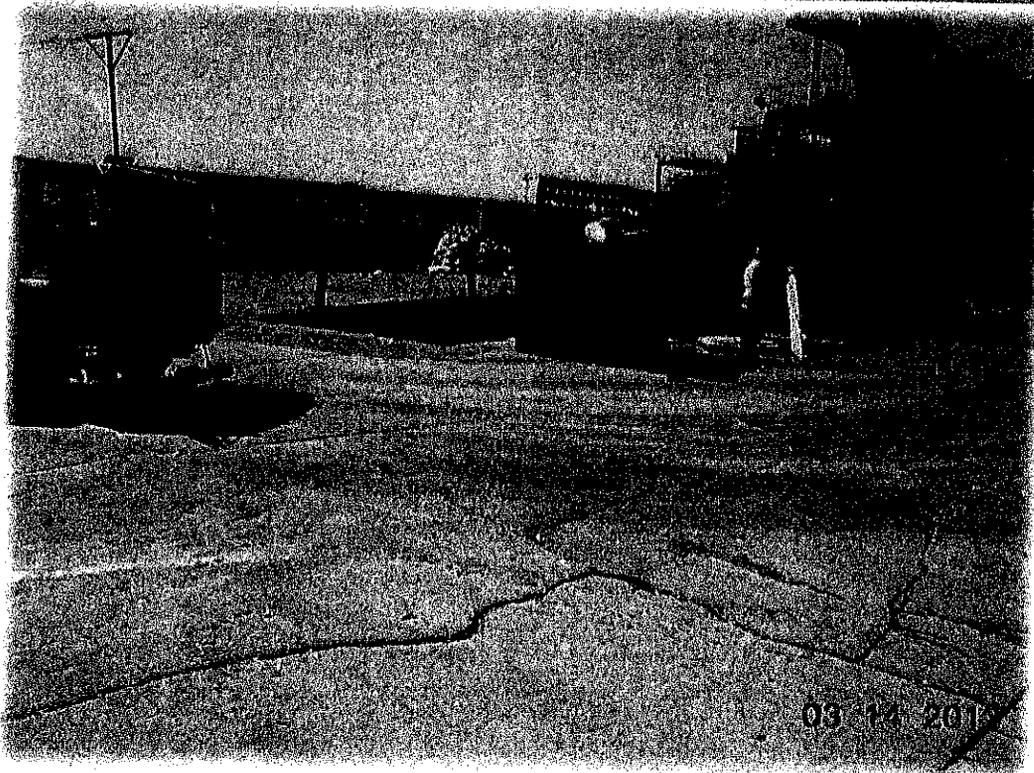


Photo 5 – Southern half of the tipping area. Left side of the photos shows the sweeper truck in operation.

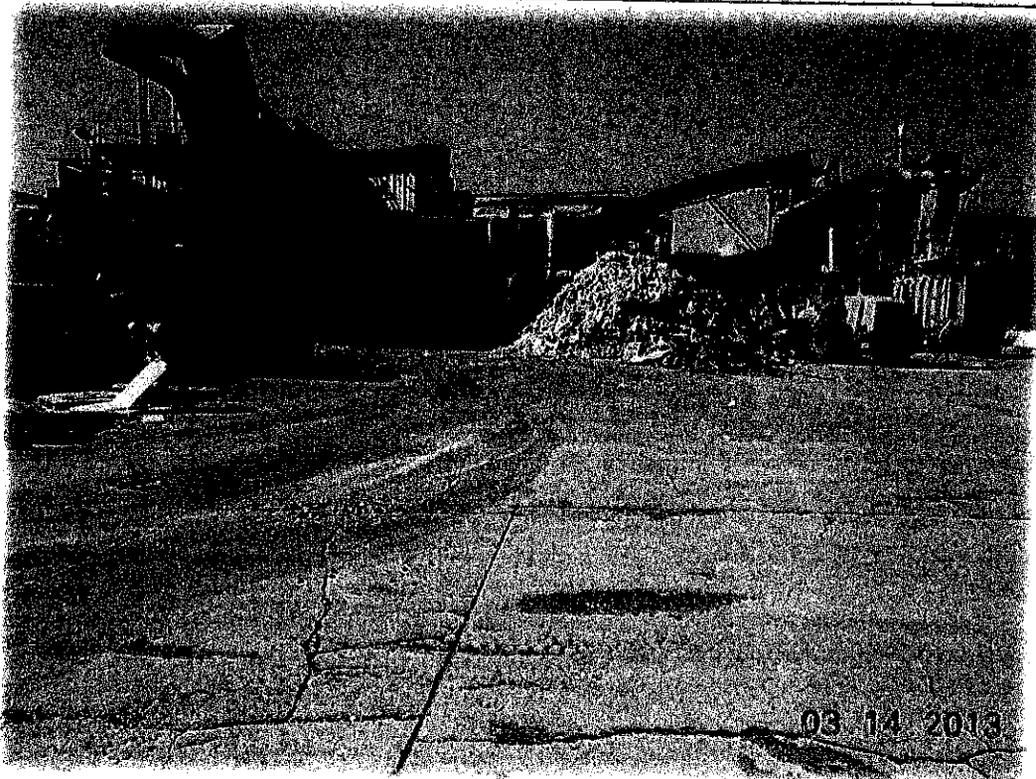


Photo 6 – Northern half of the tipping area. Received waste is sorted and distributed using conveyer belts and bulldozers.

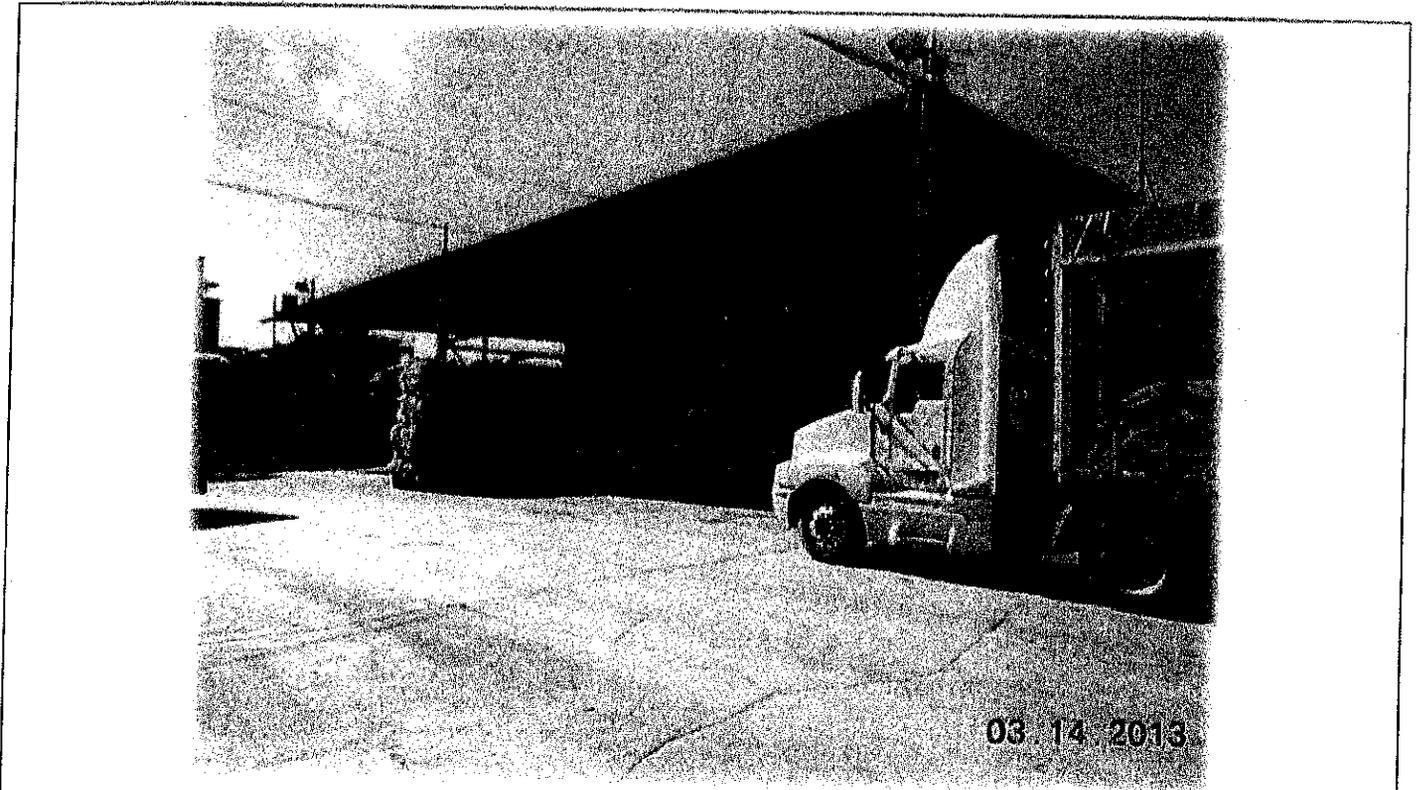


Photo 7 – The covered area where bales of recovered paper are stored before shipment.

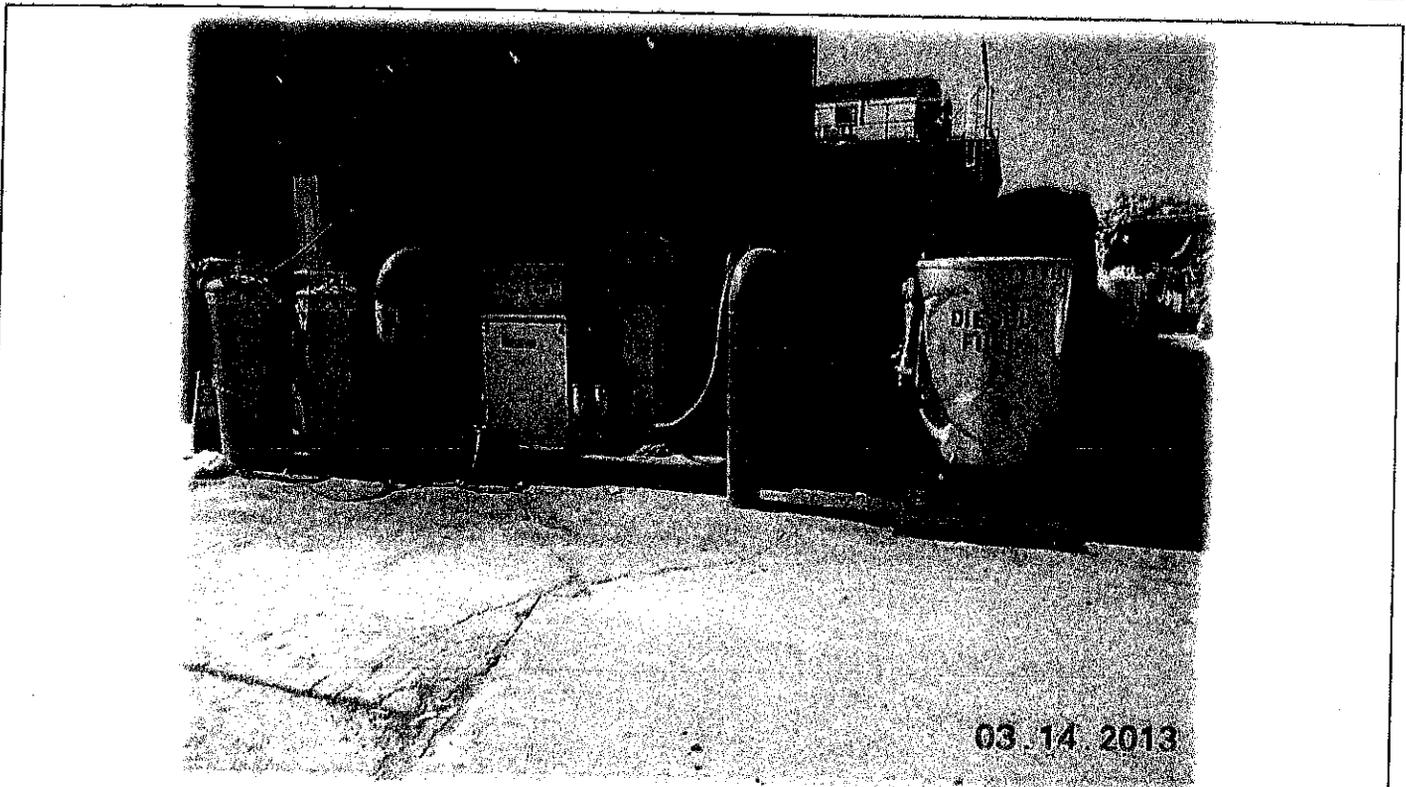


Photo 8 – A pump station located next to the covered area depicted in photo 7. The station is uncovered and uncontained. Also, a diesel fuel and two chemical containers are stored without secondary containment.

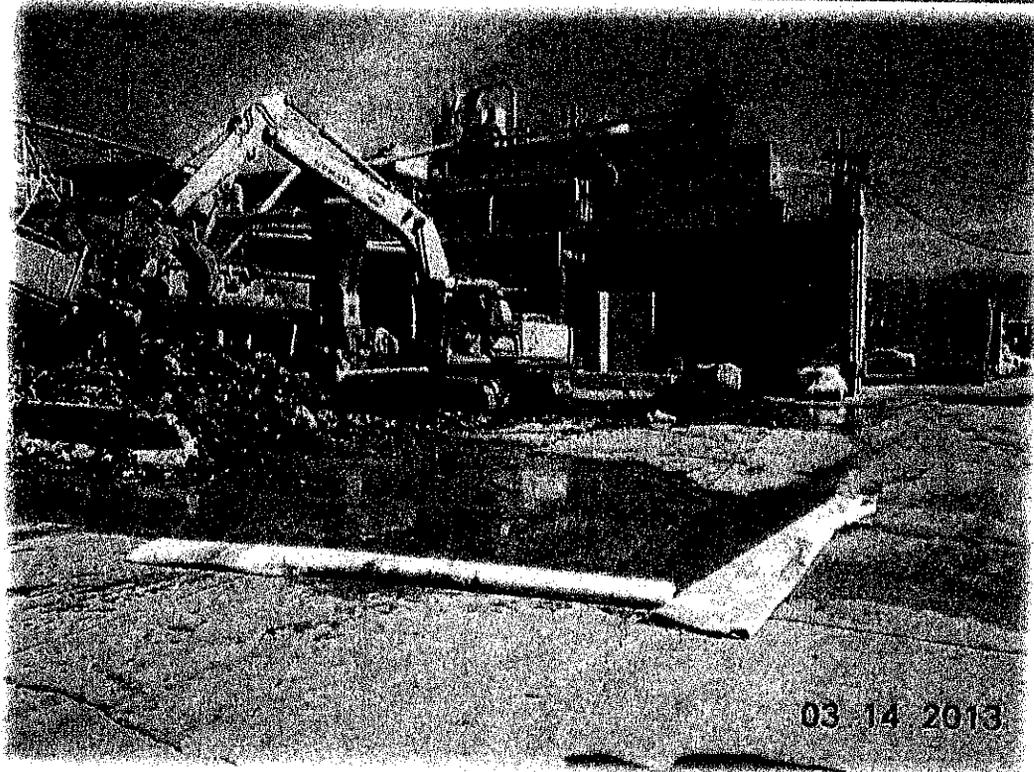


Photo 9 – An area where plastic films are washed and prepared for plastic pellet production.



Photo 10 – Runoff from the plastic washing process is collected via an inlet and returned to the washer.

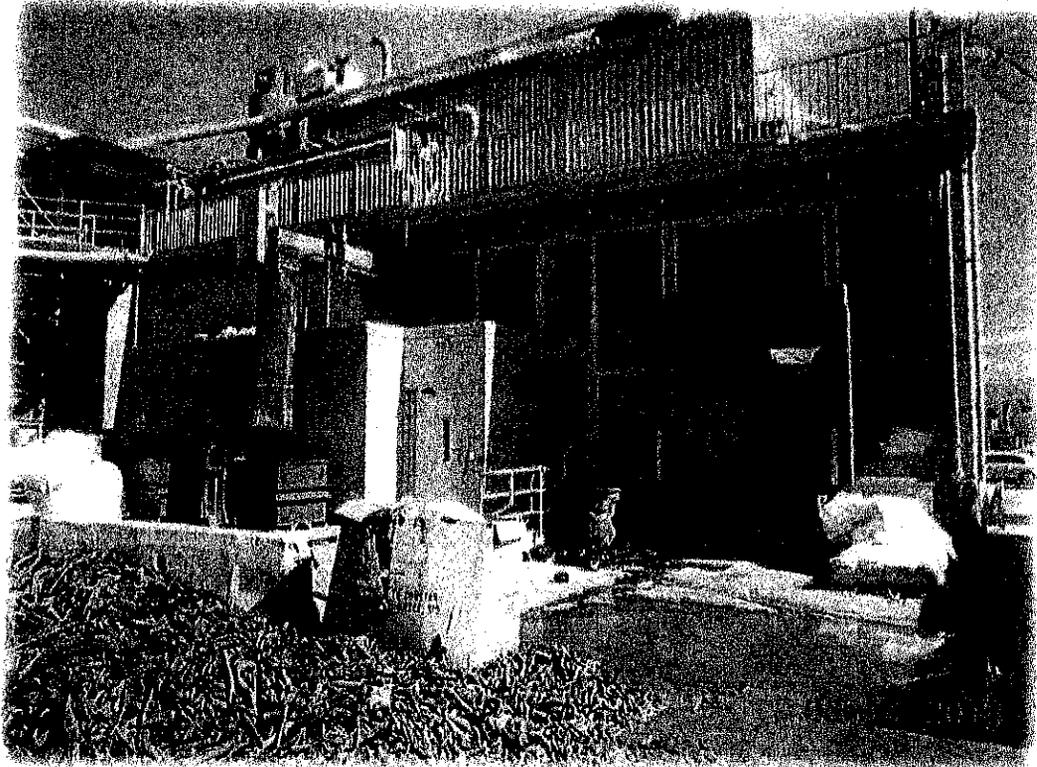


Photo 11 – The building in which plastic pellets are produced.



Photo 12 – Restaurant food waste is piled at the eastern corner of the site.



Photo 13 – The eastern clarifier's cover, immediately adjacent to the pile of food waste depicted in photo 12.



Photo 14 – Main surface water inlet in the northeastern portion.

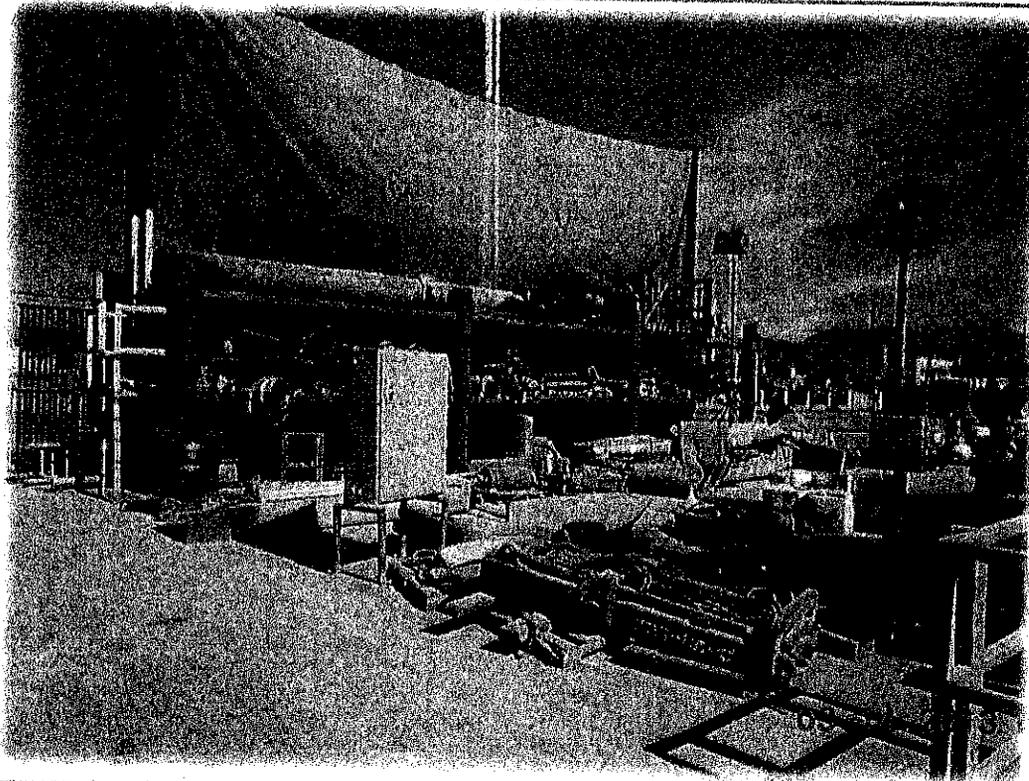


Photo 15 –Rusted metal and spare parts stored outdoors, in an unconfined area.

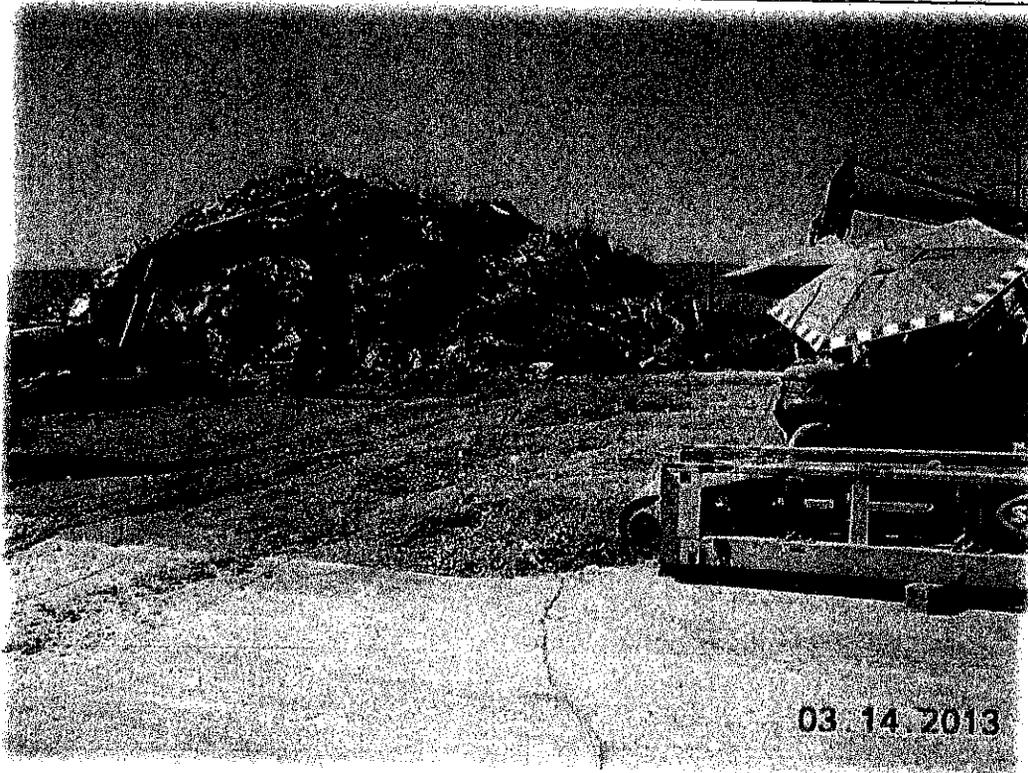


Photo 16 – City trimming storage area. The ground in this area is composed of loose soil.



Photo 17 – An exit/entrance onto Pendleton Street, located adjacent to the city trimming storage area. Tire tracks on the concrete indicate tracking of loose soil onto Pendleton Street.



Photo 18 – Produce waste stored on the ground. The liquid accumulated at the bottom is pumped into a holding tank and hauled off site for compost production.



Photo 19 – Receiving area for waste and vegetative trimmings. Area is exposed and uncovered.

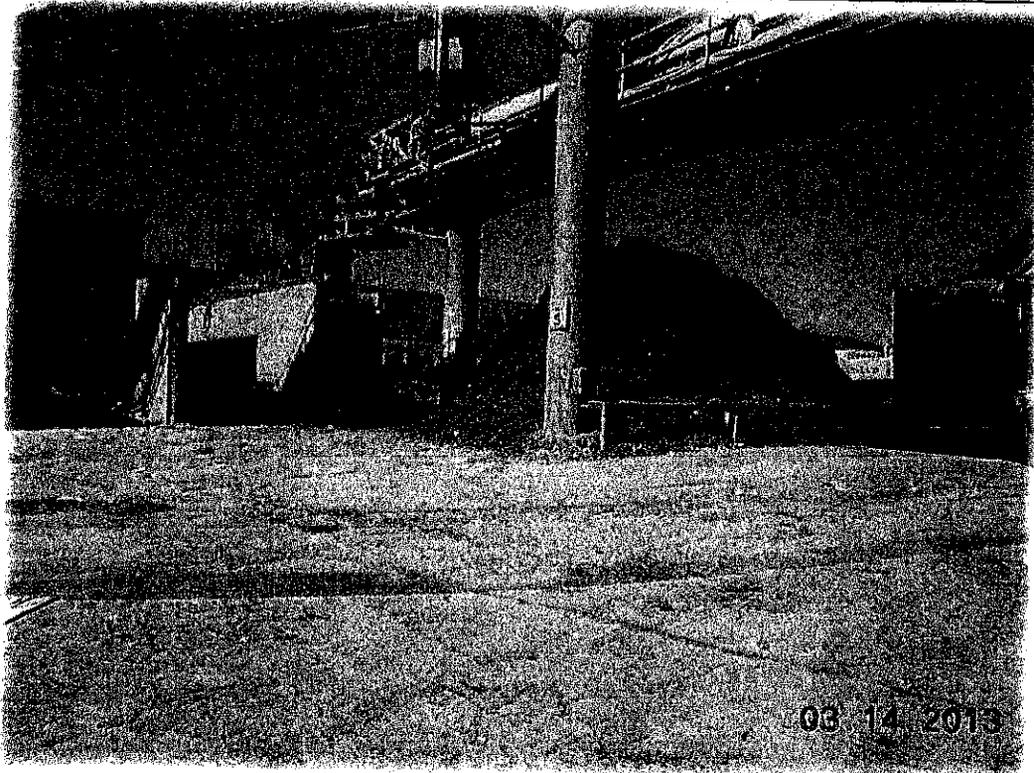


Photo 20 – A pile of processed trimming prepared to be hauled off site for compost production.



Photo 21 – An exposed pile of construction waste material located adjacent to the Randall Street exit/entrance.



Photo 22 – Exposed piles of sorted and segregated construction material were observed on the ground.



Photo 23 – Water being sprayed over the construction waste for dust control.

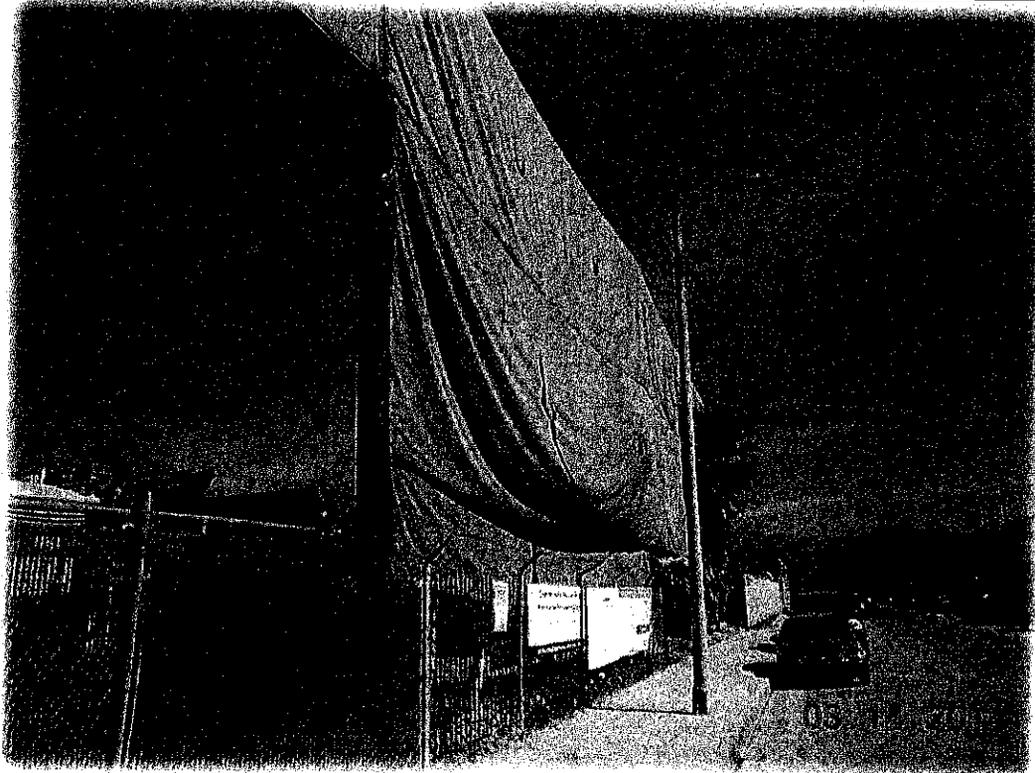


Photo 24 – A cloth screen hung along the site's boundaries around the construction waste to contain dust on site.



John Richardson

9189 De Garmo Avenue • P.O. Box 1082 • Sun Valley, CA 91352

Tel: 818-504-1431 • Fax: 818-768-0541

E-mail: jrichardson@communityrecycling.net

© Printed on recycled paper

Attachment C

State of California -- Environmental Protection Agency
California Regional Water Quality Control Board -- Los Angeles Region

INDUSTRIAL STORM WATER INSPECTION REPORT

FACILITY INFORMATION

4 191004715 04/07/1992 4212 Local Trucking Without Storage
WDID NUMBER NOI PROCESSING DATE SIC CODE TYPE(S) OF INDUSTRIAL ACTIVITY

Crown Disposal 9189 De Garmo Ave. Sun Valley 91352 2 Acres
FACILITY NAME ADDRESS CITY ZIP FACILITY SIZE

Cathy McDonald Controller 818-767-6000
OPERATOR OF FACILITY REPRESENTATIVE PRESENT DURING INSPECTION TITLE PHONE NUMBER

INSPECTION LOGISTICS

11/26/2013 10:00 AM 11:00AM Sunny and Fair
DATE ARRIVAL TIME DEPARTURE TIME WEATHER CONDITION

INSPECTION PRE-ANNOUNCED: YES NO PICTURES TAKEN: YES NO SAMPLES COLLECTED: YES NO

PURPOSE OF INSPECTION / CONCLUSION

<input type="checkbox"/> COMPLIANCE	<input type="checkbox"/> COMPLAINT	<input type="checkbox"/> ENFORCEMENT FOLLOW-UP
<input type="checkbox"/> IN COMPLIANCE ON DATE OF INSPECTION		CORRECTIVE ACTION DUE DATE: _____
<input type="checkbox"/> MINOR VIOLATION(S) OBSERVED		<input type="checkbox"/> VIOLATIONS FULLY CORRECTED & OPERATOR IS IN COMPLIANCE
<input type="checkbox"/> MAJOR VIOLATION(S) OBSERVED		<input type="checkbox"/> VIOLATIONS PARTIALLY CORRECTED (_____ %)
<input type="checkbox"/> UNDETERMINED		
<input type="checkbox"/> NOTICE OF TERMINATION		<input type="checkbox"/> NOTICE OF NON-APPLICABILITY
<input type="checkbox"/> NEW OPERATOR/OWNER (WDID#: _____)		<input type="checkbox"/> LIGHT INDUSTRY (SIC CODE _____)
<input type="checkbox"/> VACANT <input type="checkbox"/> CLEAN		<input type="checkbox"/> NO EXPOSURE
<input type="checkbox"/> OTHER - EXPLAIN _____		<input type="checkbox"/> OTHER - EXPLAIN _____
<input checked="" type="checkbox"/> OTHER TYPE OF INSPECTION - EXPLAIN		

Annual Report Review

RECOMMENDATION

ISSUE NOTICE TO COMPLY

ISSUE NOTICE OF VIOLATION

APPROVE NOT OR NNA

REINSPECT ON: _____

OTHER No additional actions at this time

Ali Rahmani 12/02/2013
INSPECTOR NAME SIGNATURE REPORT DATE

Soleman, E. J. [Signature] 11/24/13
REVIEWER NAME SIGNATURE REVIEW DATE

State of California - Environmental Protection Agency
 California Regional Water Quality Control Board - Los Angeles Region

INDUSTRIAL STORM WATER INSPECTION REPORT

OUTSTANDING INVOICE(S): YES NO

FY	INVOICE #	BILLING DATE	AMOUNT DUE	DEMAND LETTER	NOV LETTER

COMMENTS:

STORM WATER SAMPLING DATA

Parameter	pH	TSS	SC	oortoc	Cu	Pb	Zn	Al	Fe	Ni	N+N	COD/BOD		
Benchmark	6-9	100	200	15/110	0.0636	0.0816	0.117	0.75	1.0	1.147	0.68	120/30		
Units	s.u.	mg/L	umhos/cm	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L	mg/L		
Yr: _____														
Yr: _____														
Yr: _____														
Yr: _____														
Yr: _____														
Yr: _____														
Yr: _____														
Yr: _____														
Yr: _____														
Yr: _____														
Yr: _____														
Yr: _____														
Yr: _____														
Yr: _____														
Yr: _____														

ARE SAMPLES COLLECTED WITHIN US EPA BENCHMARKS? YES NO

COMMENTS:

Please see attachment A

State of California – Environmental Protection Agency
California Regional Water Quality Control Board – Los Angeles Region

INDUSTRIAL STORM WATER INSPECTION REPORT

	Yes	No	N/A	COMMENTS
A. STORM WATER POLLUTION PREVENTION PLAN EVALUATION – Did the Permittee:				
1 Develop a SWPPP and retain on-site [Section A.1 & A.10]			✓	Date:
2 Identify and/or promptly update pollution prevention team [Section A.3]				
3 Identify pollution prevention team responsibilities [Section A.3]				
4 Develop and/or promptly update site map [Section A.4]				
5 List significant materials handled and stored on-site [Section A.5]				
6 Describe industrial activities and associated potential pollutant sources [Section A.6]				
7 Assess activities, pollutant sources, pollutants [Section A.7]				
8 Describe (narrative) site-specific BMPs [Section A.8]				
9 Conduct Annual Comprehensive Site Compliance Evaluation [Section A.9]				
10 Sign and certify SWPPP [Section C.9]				Date:
B. MONITORING PROGRAM EVALUATION – Did the Permittee:				
1 Develop a Monitoring Program and retain on-site [Section B.1]				
2 Schedule Non-Storm Water Discharge Visual Observations [Section B.3]				
3 Schedule Storm Water Discharge Visual Observations [Section B.4]				
4 Describe sampling and analysis methodology [Section B.5]				
5 Sample two storm events. If not, explain. [Section B.5.a]				
6 Sample for additional parameters. If not, explain. [Section B.5.c.ii]				
7 Sample ALL storm water discharge points. If not, explain. [Section B.7]				
8 Describe monitoring methods [Section B.10]				
9 Describe quality assurance and quality control methods [Section B.10.b]				
10 Retain records of all storm water monitoring and reports for at least five years [Section B.13]				

INDUSTRIAL STORM WATER INSPECTION REPORT

Industrial Activities or Pollutant Sources and the Corresponding Basic BMPs		BMP specified in SWPPP	Implemented			Comments
			N	P	A	
Industrial Processing Areas	Overhead roofs or cover			✓		
	Isolation of activities and/or materials from rain			✓		
	Proper grading to divert runoff from source areas		✓			
	Collect and/or treat storm water (specify)					
	Frequent inspections to identify problem areas					
Material Handling and Storage Areas, Including Shipping and Loading Areas	Overhead roofs or cover			✓		
	Isolation of activities and/or materials from rain			✓		
	Proper grading to divert runoff from source areas		✓			
	Collect and/or treat storm water (specify)					
	Frequent inspections to identify problem areas					
	Spill and leak prevention and control measures					
Vehicle and Equipment Maintenance Areas	Overhead roofs or cover			✓		
	Isolation of activities and/or materials from rain			✓		
	Proper grading to divert runoff from source areas		✓			
	Collect and/or treat storm water (specify)					
	Frequent inspections to identify problem areas					
	Spill and leak prevention and control measures					
Significant Spills and Leaks	Spill prevention plan and team					
	Proper containment of potential spill and leak areas					
	Use of spill control materials					
	Prompt clean-up of spill control materials					
	Frequent inspections to identify spills and leaks					
Soil Erosion, Dust and Particulate Generating	Proper grading and/or pavement					
	Tracking prevention					
	Planting and maintenance of vegetation					
	Sediment control devices (specify)					
Non-storm water discharge	Eliminate sources of non-storm water discharges		✓			
	Separate permit for non-storm water discharges		✓			
	Contain non-storm water discharges		✓			
	Collect & treat non-storm water discharge		✓			
Non-Structural BMPs and Record Keeping	Good Housekeeping (specify)			✓		
	Preventive Maintenance					
	Material Handling and Storage					
	Employee Training					
	Waste Handling and Recycling					
	Proper documentation of significant spills and leaks					
Documentation of inspections						

BMP Effectiveness: N= Not Implemented; P= Partially Implemented; A= Adequately Implemented

INDUSTRIAL STORM WATER INSPECTION REPORT

ADDITIONAL SPACE

FACILITY INFORMATION:

INSPECTION NOTES:

~~Please see attached inspection details.~~

Crown Disposal Inspection Details

WDID: 4 191004715

Inspection Date: November 26, 2013

Crown Disposal (permittee) and Community Recycling, both occupying the same site in Sun Valley (the Site), were inspected on March 14, 2013. During that inspection, major violations were observed which resulted in commencement of enforcement actions. This inspection was conducted to review the permittee's annual reports.

Upon arriving at the Site, I met with Ms. Cathy McDonald (Crown Disposal's controller). Ms. McDonald provided me with permittees annual reports prior to the 2012-13 Annual Report. A summary of the annual report review is tabulated in attachment A.

According to Ms. McDonald, the 2012-13 Annual Report, which was due by July 1, 2013, has not been submitted to the Water Board. Ms. McDonald requested information on procedures for submitting annual reports via SMARTS. I gave Ms. McDonald Water Board staff, Ms. Harumi Goya's contact information for assistance in submitting annual reports via SMARTS.

After I left the Site, I walked around the Site for an off-site inspection. While on public roads, I took photos of the Site. I observed sources of pollution stored within close proximities to public roads, sediment track-off onto public roads, and evidence of non-stormwater discharge onto public roads (photos 1 through 4).

Since this inspection follows the March 14, 2013 inspection of the Site and the violations observed during this inspection complement the violations observed during that inspection, I recommend proceeding with enforcement actions pertaining to the March 14, 2013 inspection.

Inspection Photos



Photo 1 – Standing on De Garmo Avenue, facing south. Piles of restaurant waste are located as close as about 55 feet away from De Garmo Avenue. Track-off of polluted water onto De Garmo Avenue was evident.



Photo 2 – Standing on Randall Street, facing west. A large pile of construction material waste located as close as about 80 feet away from Randall Street. Evidence of non-stormwater discharge onto Randall Street was observed.



Photo 3 – Standing on Pendleton Street, facing south. A pile of soil located about 30 feet away from Pendleton Street. Evidence of non-stormwater discharge and soil track-off onto Pendleton Street was observed. Pendleton Street is to the right of the photo.



Photo 4 – Same position as photo number 3, showing non-stormwater discharge and soil tracking onto Pendleton Street.

Storm Water Sampling Data

Parameter	pH	TSS	SC	OG	Comments
Benchmark	6-9	100	200	15	
Units	s.u.	mg/L	umhos/cm	mg/L	
Yr.: 2011-12	7.07	106	136	8.5	Site 1 on 1/23/2012
	7.06	104	121	6.7	Site 2 on 1/23/2012
	6.71	250	258	9.4	Site 3 on 1/23/2012
	7.58	133	480	6.6	Site 1 on 11/4/2011
	7.17	190	333	7.6	Site 2 on 11/4/2011
	7.36	529	933	7.6	Site 3 on 11/4/2011
	Yr.: 2010-11	7.03	40	85	6.1
6.77		63	110	6.3	Site 2 (De Garmo Ave.) on 12/22/2010
6.58		57	101	8.7	Site 3 (Randall St.) on 12/22/2010
3.22		84	847	22.5	Site 1 (Pendleton St.) on 10/19/2010
6.53		111	542	18.4	Site 2 (De Garmo Ave.) on 10/19/2010
6.32		190	259	11.3	Site 3 (Randall St.) on 10/19/2010
Yr.: 2009-10		6.9	330	48	17
	6.4	800	55	10	Site 2 (De Garmo Ave.) on 1/19/2010
	6.6	462	152	12	Site 3 (Randall St.) on 1/19/2010
	8	103	466	28	Site 1 (Pendleton St.) on 10/13/2009
	7.6	259	715	20	Site 2 (De Garmo Ave.) on 10/13/2009
	6.7	228	818	27	Site 3 (Randall St.) on 10/13/2009
	Yr.: 2008-09	7	95	289	<10
6.7		70	71.4	<10	Site 2 on 12/15/2008
6.6		98	91.3	13	Site 3 on 12/15/2008
6.7		45	133	13	Site 1 on 11/26/2008
6.8		44	158	<10	Site 2 on 11/26/2008
7		55	162	13	Site 3 on 11/26/2008
Yr.: 2007-08		7.1	151	137	4.9
	7	73	181.2	5.6	Site 2 on 2/22/2008
	6.8	147		7	Site 3 on 2/22/2008
	7.8	75	69	5	Site 1 on 1/24/2008
	8.5	76	119	8.7	Site 2 on 1/24/2008
	6.9	441	337	10.3	Site 1 on 11/30/2007
	6.5	642	293	11.5	Site 2 on 11/30/2007
	6.5	642	293	11.5	Site 3 on 11/30/2007
Yr.: 2006-07	6.67	131	160.7	6.2	Site 1 on 2/22/2007
	6.71	139	133.2	4.9	Site 2 on 2/22/2007
	5.8	140	214	4.1	Site 3 on 2/22/2007
Yr.: 2005-06	8.01	472.0	231.0	18.3	Site 1 on 3/28/2006
	7.81	122.0	199.1	15.5	Site 2 on 3/28/2006
	7.92	262.0	203.0	17.2	Site 3 on 3/28/2006
	6.86	27.0	84.9	4.9	Site 1 on 11/10/2005
	6.96	62.0	119.4	3.1	Site 2 on 11/10/2005
	6.90	113.0	158.1	3.0	Site 3 on 11/10/2005

Parameter	pH	TSS	SC	OG	Comments
Benchmark	6-9	100	200	15	
Units	s.u.	mg/L	umhos/cm	mg/L	
Yr.: 2004-05	7.26	19.0	98.4	3.4	Site 1 on 10/26/2005
	7.85	26.0	99.8	5.8	Site 2 on 10/26/2005
	7.20	102.0	800	14.1	Site 3 on 10/26/2005
	7.30	16.0	115.5	6.4	Site 1 on 1/7/2005
	6.88	8.5	50.5	9.0	Site 2 on 1/7/2005
	7.59	28.0	216.3	14.5	Site 3 on 1/7/2005
Yr.: 2003-04	7.42	53.0	243	9.8	Site 1 on 2/22/2004
	7.45	21.5	186	6.3	Site 2 on 2/22/2004
	8.02	91.0	380	5.5	Site 3 on 2/22/2004
	6.96	2,250	828	13.8	Site 1 on 2/18/2004
	6.98	2,190	736	13.2	Site 2 on 2/18/2004
	7.24	2,765	1,153	8.8	Site 3 on 2/18/2004
Yr.: 2002-03	8.4	29.5	110.7	1.2	Site 1 on 2/12/2003
	7.68	9.0	93.3	< 1.0	Site 2 on 2/12/2003
	7.3	6.5	81.4	< 1.0	Site 3 on 2/12/2003
	7.22	4,040	1,111	6.7	Site 1 on 11/8/2002
	7.48	2,360	422	8.5	Site 2 on 11/8/2002
	8.34	4,990	2,882	9.0	Site 3 on 11/8/2002
Yr.: 2001-02	7.30	98	919	3.4	Site 1 on 11/29/2001; Only one qualifying rain event
	7.27	57	396	1.9	Site 2 on 11/29/2001; Only one qualifying rain event
	6.58	124	954	5.6	Site 3 on 11/29/2001; Only one qualifying rain event
Yr.: 2000-01	6.90	544	940	< 10.0	Site 1 on 2/28/2001
	6.99	352	880	< 10.0	Site 2 on 2/28/2001
	10.70	1,304	1,036	< 10.0	Site 3 on 2/28/2001
	6.23	194	157	< 10.0	Site 1 on 1/11/2001
	6.29	226	560	37	Site 2 on 1/11/2001
	8.70	1,004	218	< 10.0	Site 3 on 1/11/2001

Cathy McDonald



Commercial • Industrial • Apartments
Roll-Off Containers • Recycling Services

818-767-0675 • 323-875-0587 • Fax 818-768-3930
PO Box 1081 • Sun Valley, CA 91353
www.crowndisposal.com



Attachment D



Los Angeles Regional Water Quality Control Board

INSPECTION REPORT

Facility Name: Crown Disposal Co., Inc. and Community Recycling & Resource Recovery, Inc.

Facility Address: 9189 De Garmo Ave, Sun Valley, CA 91352

Inspection Date: October 1, 2014

Weather Condition: Sunny and warm

Report Prepared by: Ali Rahmani

Report Prepared Date: October 28, 2014

Purpose of Inspection: The inspection was conducted to verify compliance with General Permit for Discharges of Storm Water Associated with Industrial Activities; Order No. 97-03-DWQ; NPDES No. CAS000001 (General Permit) and the draft Cleanup and Abatement Order (CAO) dated July 2, 2014.

Representatives Present During Inspection: Hugh Marley, Pavlova Vitale, and Ali Rahmani from the Regional Board Enforcement Unit (collectively hereafter referred to as Regional Board inspectors). John Richardson, vice president of Community Recycling and Resource Recovery, Inc.

Background:

Crown Disposal Co., Inc. and Community Recycling & Resource Recovery, Inc. (jointly referred to hereafter as the permittee) are enrolled in the General Permit and identified by WDID number 4 19I004715. The permittee operates at an 8.5-acre main site and at a 2.5-acre annex site located in the community of Sun Valley in the City of Los Angeles. The main site and the annex site are separated by De Garmo Avenue (Figures 1 and 2). The facility is a solid waste transfer station and truck yard. These industrial activities are identified by Standard Industrial Classification Codes 5093 (Scrap and Waste Materials) and 4212 (Local Trucking Without Storage). Restaurant waste, produce waste, construction waste, and green waste are collected and separated at the main site. The recyclables are recovered and the residual waste is transferred off the main site.

On March 14, 2013, I, Ali Rahmani, conducted a compliance inspection of the main site. During the inspection, I noticed the facility had an incomplete Storm Water Pollution Prevention Plan (SWPPP) and an incomplete storm water Monitoring and Reporting Program. I also observed ineffective Best Management Practices (BMPs) throughout the main site, unauthorized non-storm water discharges onto Randal Street and Pendleton Street, vehicle maintenance activities conducted without BMPs, waste collection, processing, and storage activities conducted outdoors in uncontained and uncovered areas, and sediment track-out to the streets from vehicles leaving the main site. The permittee's annual reports demonstrated frequent benchmark exceedances that indicated inadequate BMPs.

CHARLES STRINGER, CHAIR | SAMUEL UNGER, EXECUTIVE OFFICER

320 West 4th St., Suite 200, Los Angeles, CA 90013 | www.waterboards.ca.gov/losangeles

Crown Disposal and Community Recycling
Inspection Report

October 28, 2014

On November 26, 2013, I re-inspected the main site and observed continued General Permit violations including ineffective BMPs and non-storm water discharges. I also reviewed the permittee's 2012-2013 annual report, which the permittee submitted on January 21, 2014, after the July 1 deadline required by the General Permit.

On July 2, 2014, the Regional Board's Assistant Executive Officer issued a draft (CAO) to address the violations noted on March 14, 2013. The draft CAO required the permittee to:

- Immediately cease the discharge of unauthorized non-stormwater.
- Install effective permanent BMPs.
- Implement effective interim BMPs until the permanent BMPs are installed.
- Analyze stormwater samples for all additional parameters required by the General Permit.
- Analyze stormwater samples for nitrate and nitrite nitrogen.
- Commence collecting stormwater samples from all of the discharge points at the facility.
- Update and submit to the Regional Board the facility's SWPPP, Monitoring and Reporting Program, and site map.
- Report any changes by submitting a Change of Information form to the Regional Board.
- Submit a final report to the Regional Board describing the actions taken to comply with the CAO.

Inspection findings: Upon arriving at the facility, Regional Board inspectors met with Mr. John Richardson. After introductions, Mr. Richardson described the permittee's future plans to fully enclose the facility, except for the area in the northern quadrant of the main site. After the preliminary meeting, Mr. Richardson gave Regional Board inspectors consent to inspect and to take photographs of the main site.

Regional Board inspectors noticed that the plastic pellet production activities originally observed during the March 14, 2013 inspection was no longer active. Although the machinery was still present at the main site, according to Mr. Richardson, the plastic pellet production had ceased for over a year. Mr. Richardson further stated that the permittee plans to relocate the machinery in the near future.

According to Mr. Richardson, the annex site is used by Crown Disposal for vehicle storage only. However, Regional Board inspectors observed an uncovered container of recovered glass and an uncovered container of construction waste at the annex site (photos 18 and 19). Mr. Richardson stated that the waste containers will be removed from the annex site shortly.

During the inspection, Regional Board inspectors noticed a street sweeper operating on the streets around the main site and the annex site, as a BMP. However, Regional Board inspectors also observed the General Permit violations listed below:

Crown Disposal and Community Recycling
Inspection Report

October 28, 2014

- Track off of sediment and other pollutants of concern onto Pendleton Street, De Garmo Avenue, and Randall Street (photos 1 through 7).
- Oil stains and a pool of oil on the ground underneath a decommissioned machine (photos 8 and 9).
- Spare parts and equipment covered with rust stored outdoors without BMPs, along the northwestern edge of the main site (photo 10).
- Piles of waste were observed outdoors, throughout the main site, without adequate BMPs (photos 11 through 17).
- Uncovered bins of recycled waste were observed at the annex site (photos 18 and 19).
- The fuel station about the center of the main site and the fuel station in the northern quadrant of the main site were uncovered, without secondary containment (photos 20 and 21).
- Vehicle washing was observed at the fueling station located at the northern quadrant of the facility (photo 21).
- An uncovered trash bin, debris, a cart covered by oil, and uncovered containers were observed in the vicinity of the two fuel stations (photos 22 and 23).
- The permittee only collects stormwater discharge samples from three claimed points of discharge: its driveway on Randal Street, one of its two driveways (southeastern driveway) on De Garmo Avenue, and one of its three driveways (the northeastern driveway) on Pendleton Street. However, in addition to the three driveways claimed as points of discharge, the main site and the annex site have an additional five driveways that are possible points of discharge: another driveway on De Garmo Avenue (northwestern driveway), two other driveways on Pendleton Street (the center and the southwestern driveways), and the two driveways of the annex site. Furthermore, in rain events of greater than 0.1 inch, the two clarifiers in the main site discharge onto the street. Therefore, they become two additional discharge points that must be sampled. The permittee has not sampled from these seven additional points of discharge.

In addition to the violations observed, Regional Board inspectors discovered the following General Permit violations from reviewing documents:

- The Permittee's Notice of Intent (NOI), SWPPP, and site map do not include the annex site and operations conducted in it.
- In addition to benchmark exceedances reported in the permittee's 2000-01 through 2011-12 annual reports (listed in the March 14, 2013 inspection report), the permittee's 2012-13 and 2013-14 also revealed multiple benchmark value exceedances in total suspended solids, specific conductance, and oil and grease (Attachment A).

Crown Disposal and Community Recycling
Inspection Report

October 28, 2014

- The permittee has failed to analyze its stormwater discharge samples for zinc, lead, aluminum, iron, and chemical oxygen demand, as required by Table D of the General Permit.

At the end of the inspection, Regional Board Inspectors held a closing meeting with Mr. Richardson to briefly inform him of the concerns observed during the inspection.

Conclusions: Following the inspection, Regional Board inspectors came to the following conclusions:

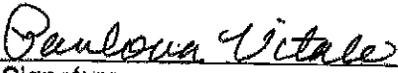
- The activities observed at the facility can cause or threaten to cause pollution, contamination, or nuisance.
- The BMPs observed during the inspection are not adequate to reduce or prevent pollutants in stormwater discharges from the uncovered machinery and parts, trash, recycled material, compost piles, and open overflowing trash bins observed at the facility.
- Continuous benchmark exceedances reported in permittee's annual reports indicates that BMPs implemented at the facility are inadequate.
- The permittee has increased the size of its facility without filing a Change of Information form and without updating its SWPPP to reflect the changes.
- The permittee does not collect stormwater discharge samples from all discharge points at the main site and the annex site, including discharge from the clarifiers during rain events greater than 0.1 inch.
- The permittee does not analyze stormwater discharge samples for all required parameters per the General Permit.
- The permittee was not in full compliance with the requirements in the draft CAO at the time of the inspection.

Ali Rahmani
Written By


Signature

10/28/2014
Date

Pavlova Vitale
Reviewed By


Signature

10/28/14
Date

Figures and Photos

Crown's Main Site



Legend

- | | | | |
|--------------------|---------------------------------------|-------------------------------|---------------------|
| Main Site | Covered Storage for Baled Recyclables | Old Plastic Pellet Production | Tipping Area |
| Clarifier | Fueling Pump | Produce Waste | Vehicle Repair Shop |
| Compost | Green Waste | Restaurant Waste | Possible Discharge |
| Construction Waste | Office | Spare Part Storage | |

0 140 280 Feet



Figure 1 – The main site. Map created using ArcGIS 10.2 by ESRI.

Annex Site



Copyright © 2014 Esri. All rights reserved. Esri, the Esri logo, ArcGIS, and the Esri name are trademarks of Esri. All other marks, names, and logos are the property of their respective owners.



Legend

- Crown Disposal
- Tuxford Maintenance Services
- Possible Discharge

Figure 2 – The annex site. Map created using ArcGIS 10.2 by ESRI.



Photo 1 – Standing on Pendleton Street, outside Exit/Entrance 1, facing east. Sediment track-off is observed from the Site onto the Pendleton Street.

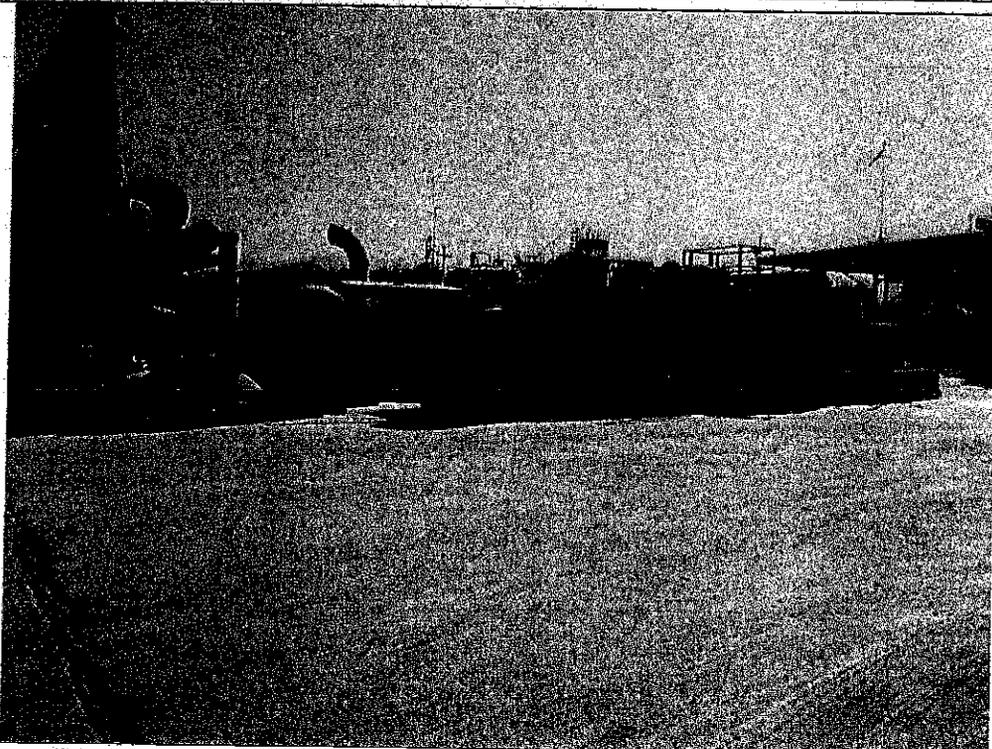


Photo 2 – Standing on the driveway of Exit/Entrance 2, facing east. There is evidence of tracking on the ground.



Photo 3 – Standing on Pendleton Street, outside Exit/Entrance 3, facing east. Track-off is observed from the Site onto the Pendleton Street.



Photo 4 – Standing on De Garmo Avenue, by Exit/Entrance 5, facing south. Tracking onto De Garmo Avenue was observed.

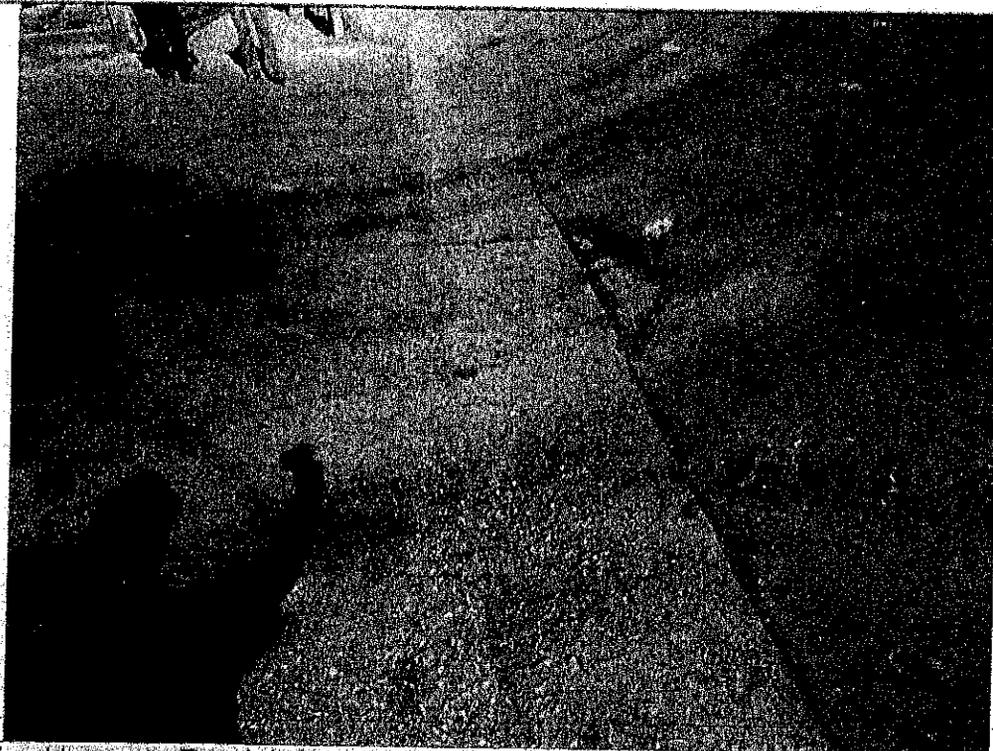


Photo 5 – Tracking onto Randall Street was observed at Exit/Entrance 6.



Photo 6 – Track-off on to De Garmo Avenue and some oil stains were observed at Exit/Entrance 1 of the annex site.

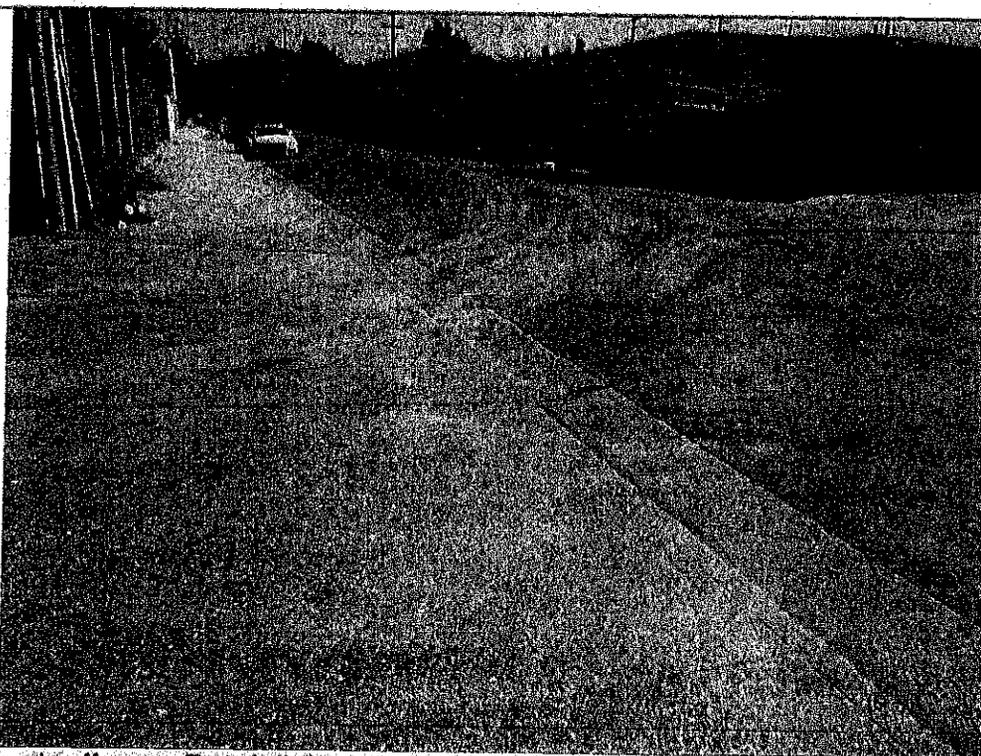


Photo 7 – Track-off on to Randall Street was observed at Exit/Entrance 2 of the annex site.

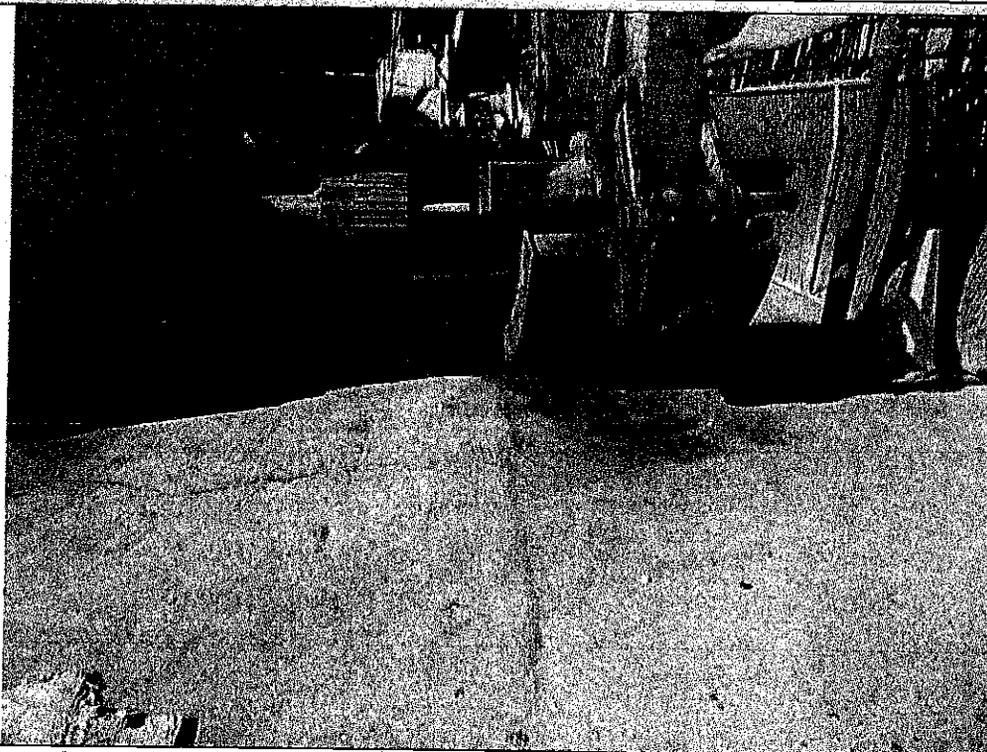


Photo 8 – Out-of-commission equipment was stored at the western corner of the site, immediately adjacent to Pendleton Street and Exit/Entrance 3. Oil stains from the equipment were observed on the ground.

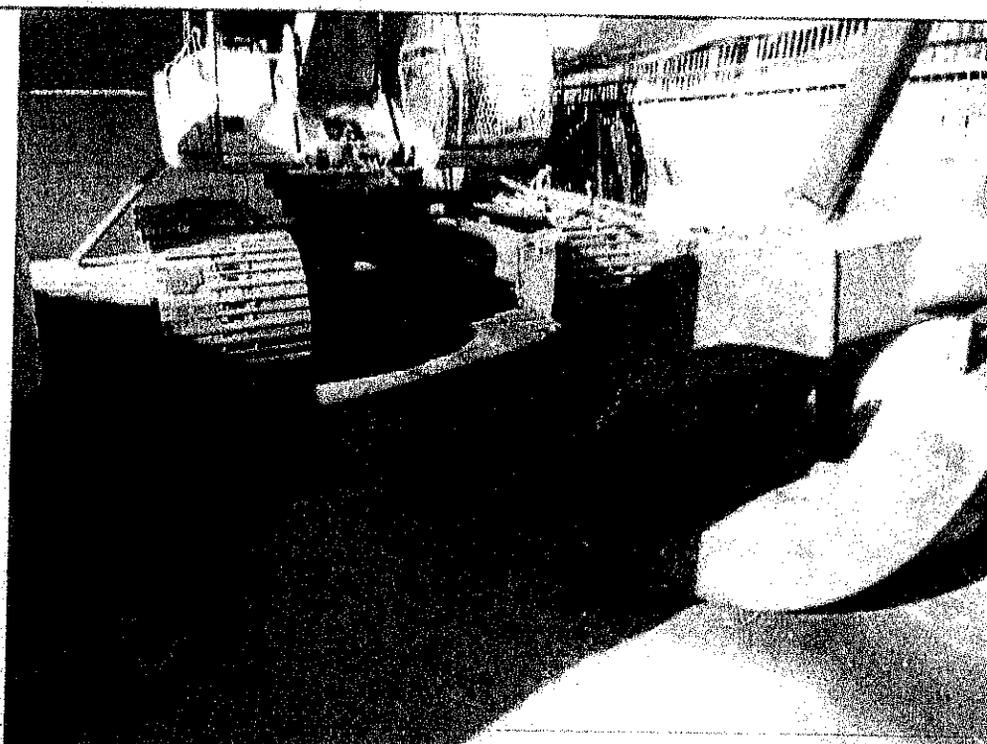


Photo 9 – A pool of oil was observed underneath the equipment depicted in photo 8.

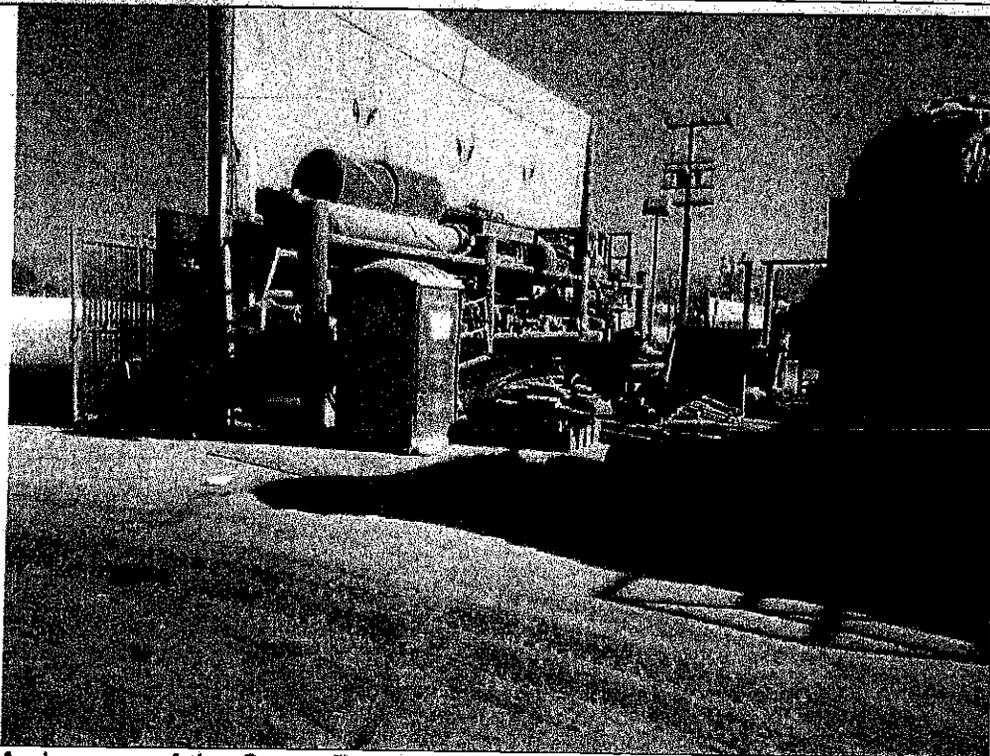


Photo 10 – A close-up of the Spare Part Storage area. Metal components are stored outdoors without BMPs.