CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

TENTATIVE CLEANUP AND ABATEMENT ORDER NO. R2-2012-00XX AND RESCISSION OF ORDER NO. 88-023

SCHNITZER STEEL INDUSTRIES, INCORPORATED
ALSO KNOWN AS SCHNITZER STEEL PRODUCTS COMPANY

FOR THE PROPERTY LOCATED AT:
1101 EMBARCADERO WEST, OAKLAND,
ALAMEDA COUNTY, CALIFORNIA, 94607

AND FOR THE WATERS OF THE STATE LOCATED AT:
THE OAKLAND ESTUARY AND INNER HARBOR OF THE
SAN FRANCISCO BAY, ALAMEDA COUNTY, CALIFORNIA

This Order is issued to SCHNITZER STEEL INDUSTRIES, INC., also known as SCHNITZER STEEL PRODUCTS COMPANY, (hereafter "Discharger"), based on provisions of California Water Code sections 13304 and 13267, which authorize the California Regional Water Quality Control Board, San Francisco Bay Region ("Regional Water Board") or its delegate, the Executive Officer, to issue a Cleanup and Abatement Order ("Order") where a discharger has caused or permitted waste to be discharged or deposited where it is or probably will be discharged into waters of the State and United States, and to require a discharger to submit technical and monitoring reports.

1. **Purpose of Order:** This Order requires the cleanup and abatement of wastes, including process sediment, industrial process waste water, and metal shredding by-products that the Discharger has discharged into the estuary and waterway areas of the Oakland Estuary and Inner Harbor of the San Francisco Bay. This order also requires the Discharger to implement best management practices ("BMPs") to prevent future discharges, and to submit technical and monitoring reports for use in determining the extent of necessary cleanup and abatement and the success of measures preventing additional discharges. The Discharger is currently violating Site Cleanup Requirement Order No. 88-023 ("SCR") issued by the Regional Water Board, the Industrial Storm Water General Permit Order 97-03-DWQ National Pollutant Discharge Elimination System General Permit No. CAS000001 ("Industrial General Permit") issued by the State Water Resources Control Board ("State Water Board"), the Water Quality Control Plan for the San Francisco Bay Basin ("Basin Plan"), and the federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.; "Clean Water Act"). The requirements of this Order supersede those of Order No. 88-023, except for the purpose of enforcing violations of Order No. 88-023. Nothing in this Order shall be construed as a bar to the Regional Water Board and/or the State Water Board taking appropriate enforcement action for violations of Order No. 88-023.

Site Locations and Descriptions: The Discharger at 1101 Embarcadero West, in Oakland, California (the "Site") operates a scrap metal recovery, shredding and recycling business. According to the Discharger's 2005 Storm Water Pollution Prevention Plan ("SWPPP"), at any one time the amount of metal products on the ground is estimated to be between 70,000 to 80,000 tons and the amount of treated shredder residue is estimated to be 350 tons. Industrial activities include receiving metals; storing metals for processing by shredder; shear or torch cutting; separating ferrous and non-ferrous metals; removing and treating auto shredder residue (also referred to as shredder fluff); and loading separated metals for transport for sale. Shredder fluff is treated with cement and silicate prior to disposal.

Cleanup of shredder waste and heavy metal residue is needed at the Site and neighboring properties to protect water quality. The Site is bounded to the south by the Oakland Inner Harbor, to the west by American President Lines Limited ("APL Limited") and Port of Oakland, to the north by the Union Pacific Railroad, and to the east by SSA Terminals. Schnitzer occupies 26.5 acres of flat lying land adjacent to the Oakland Inner Harbor, which is a water of the United States. The Site is situated within a mixed commercial/industrial area. The areas requiring cleanup include the conveyor loading system and pier crane dock on the Site, surfaces near and/or above the Oakland Estuary and Inner Harbor, including docks, along Embarcadero West from the Site to Market Street, including contaminated soil on SSA Terminals property, and shredder fluff on neighboring properties SSA Terminals, Port of Oakland, and APL Limited.

2. **Responsible Party:** The Discharger is the responsible party to clean up the Site and neighboring locations because wastes, including process sediment, industrial waste water, and shredder fluff entering the waters of the State and United States originate from the Discharger's metal shredding business at the Site.

3. **Basis of Order:** Process sediment, industrial waste water, and metal shredder fluff from the Site continue to pollute waters of the State and United States. The Discharger has permit coverage under the Industrial General Permit. Permit compliance inspections by State Water Board and Regional Water Board staff (collectively Water Board staff unless otherwise specified) have revealed that the Discharger has failed to contain process sediment, industrial waste water, and/or shredder fluff. (See Attachment A, March 29, 2012, Inspection Report for more information.)

   a. <u>Process Sediment Discharges:</u> The Discharger is causing process sediment and other sediments to be deposited into the Oakland Estuary and Inner Harbor of the San Francisco Bay from the Site's ship loading conveyor belt and pier crane dock.

      i. The ship loading conveyor transports product from the Site onto docked ships, and is sprayed with water for dust control while it is moving to the ship. The dock underneath, various rubber mats, and sweeping practices are not

fully containing the process waste water, process sediment, or other sediments from discharging into waters below. Water Board staff observed process sediment and/or sediment on the wooden dock beyond the containment lip edge, and there were visible gaps between the wood slats in the dock. The surface is not sufficiently watertight to capture process sediment or dust control process water runoff during conveyor operation in "dry weather" conditions. Stormwater flows would increase the discharges.

ii. The pier crane dock bridge is used for vehicles to transport materials to the crane to load ships. Water Board staff observed the paved bridge with wood borders and rubber molding at the edges fail to fully contain process sediment and dust. Process sediment was outside of the roadway containment border, and on the riprap and bridge foundation, on the sides of the bridge railing, on lower bridge supports, and on pipes running the length of the bridge. The process sediment is deposited where it probably will be directly discharged, and the discharge is likely compounded by stormwater washing it off into the waters below.

b. Industrial Waste Water Discharges: Stormwater and facility process water are effectively comingled at the Site, as all onsite water (including potable water used in cooling and dust control) has the potential to contact industrial product, waste, and equipment, becoming contaminated with any pollutants and wastes associated with these materials.

i. Standing water was in contact with scrap, product and waste piles and errant debris throughout the Site. Various sheens were seen on the standing water, indicating the presence of pollutants.

ii. Wet shredder debris and process sediment were observed between K-rails and chain link fences on the western perimeter of the Site, where it is likely to have discharged off-site, and is not prevented from discharging off-site in the future.

iii. Trucks entering the main entrance gate drive through unpaved muddy areas with standing water that is in contact with scrap, product, and waste piles. Trucks directed to dry areas generate fugitive dust. Water Board staff observed the access road leading from the Site exit to Embarcadero West had wet sediment tracks from outgoing truck traffic, beyond installed rumble strips. Embarcadero West had a layer of sediment and dust on the road from trucks exiting the Site. The Discharger's street-sweeping is not sufficient to remove the track-out and dust deposited on the street and at the neighboring SSA Terminals property. Process sediment and/or other sediments and water tracked out by vehicles onto Embarcadero West are being deposited where they will discharge off-site, likely compounded by any storm events, and potentially discharge into storm drains.

c. Shredder Fluff Discharges: A byproduct of the metal shredding operations is shredder waste or "shredder fluff." Shredder fluff consists of glass, fiber, rubber, automobile fluids, dirt and plastics found in automobiles and household appliances that remain after the recyclable metals have been removed. Shredder fluff has been found to contain lead, copper, zinc, cadmium, and polychlorinated bisphenyls.[1] On April 10, 2012, State Water Board staff saw a large amount of accumulated shredder fluff on the perimeter SSA Terminals property east of the Site that looked identical to the shredder fluff on the Site. Shredder fluff was found adjacent to two storm drains on the SSA Terminals property, and was likely discharging or had the potential to discharge into these drains. Additional accumulated shredder fluff was observed throughout the Port of Oakland paved lot and on the APL Limited property, both west of the Site. These wastes have been deposited where they are susceptible to storm water washing them into storm drains or directly into the Oakland Estuary and Inner Harbor. (See Attachment B, April 10, 2012, Video Surveillance Summary.)

4. Regulatory Status: The Site is regulated by SCR Order No. 88-023, and the Industrial General Permit. The Industrial General Permit provides waste discharge requirements for stormwater discharges association with industrial activities.

a. **SCR Order No. 88-023:** The Discharger and the Site are subject to Regional Water Board Site Cleanup Requirement Order No. 88-023 adopted by the Regional Water Board on February 17, 1988. The SCR was issued to prevent polluted soil from migrating to the Oakland Inner Harbor, tributary to Central San Francisco Bay and to cleanup and abate the soil and groundwater pollution at the Site. The SCR prohibits 1) the discharge of pollutants in any manner that will degrade the water quality or adversely affect the beneficial uses of the waters of the State, 2) the migration of pollutants through subsurface transport to deeper water bearing zones, and 3) the lateral migration of pollutants through subsurface transport to the Inner Harbor that will degrade water quality or adversely affect its beneficial uses. The SCR also required the Discharger to install four groundwater monitoring wells inland of the concrete cap at the Site, and screened in the top five feet of the first water bearing zone. The Discharger was to sample the wells quarterly for heavy metals and PCBs. The Regional Water Board approved sampling reduction from quarterly, to semi-annually, and then to annually in 1994 and 1998, respectively. The latest sampling occurred in July 2011. No PCBs have been detected and the metal detections have been below levels of concern. The four groundwater wells at the Site are considered sentinel wells, just inside the shoreline concrete cap. Their results do not necessarily reflect the groundwater conditions closer to the areas where waste discharges have been observed by Water Board staff.

b. **Industrial General Permit Coverage:** The Discharger has had Industrial General Permit coverage since May 9, 1997. Section A.1. of the General Permit prohibits discharges of material other than stormwater either directly or indirectly

[1] http://www.dtsc.ca.gov/HazardousWaste/upload/HWMP_REP_ASW_draft.pdf

to waters of the United States. On November 17, 1997, the Regional Water Board staff approved a sampling and analysis reduction. The Discharger was only required to sample the first storm event of the 1998-1999 and 2000-2001 rainy seasons. The Discharger has re-certified its Sampling and Analysis Reduction as part of its Annual Report each year since.

c. **Violations:** The Discharger is violating SCR Order No. 88-023 and the Industrial General Permit by discharging wastes, including process sediment, industrial waste water, and shredder fluff off-site to where it has discharged, and/or potentially will discharge to waters of the State and United States.

5. Federal Clean Water Act: The Clean Water Act requires any person who discharges any pollutant into a water of the United States to have a National Pollutant Discharge Elimination System ("NPDES") permit. The purpose of the Clean Water Act is to restore and maintain the chemical, physical, and biological integrity of the nation's waters.

a. **Violations:** The Discharger is violating Clean Water Act section 301 because it has discharged and/or is likely to discharge process sediment, industrial wastewater, and shredder fluff into the waters of the State and United States without complying with the NPDES program. (See 33 U.S.C. 1311.)

6. Basin Plan: The Basin Plan is the Regional Water Board's master water quality control planning document. It designates beneficial uses and water quality objectives for waters of the State, including surface waters and groundwater. It also includes programs of implementation to achieve water quality objectives. The Basin Plan was duly adopted by the Water Board and approved by the State Water Board, Office of Administrative Law and the U.S. EPA, where required.

a. The potential beneficial uses of groundwater underlying and adjacent to the site include:

i. Municipal and domestic water supply[2]
ii. Industrial process water supply
iii. Industrial service water supply
iv. Agricultural water supply
v. Freshwater replenishment to surface waters

b. The existing and potential beneficial uses of Central San Francisco Bay include:

i. Industrial process supply or service supply
ii. Water contact and non-contact recreation
iii. Ocean, commercial, and sport fishing

[2] Only applies to the northern half of site based on monitoring well data. Conductivity values at MW-1 and MW-2 (in the southern half) are high enough to meet exclusion criterion in the Basin Plan for drinking water beneficial use. Conductivity values at MW-3 and MW-4 (in the northern half) meet the conductivity criterion to be suitable for drinking water beneficial use. At present, there is no known use of groundwater underlying the site for the above purposes.

iv. Wildlife habitat
v. Cold freshwater and warm freshwater habitat
vi. Fish migration and spawning
vii. Navigation
viii. Estuarine habitat
ix. Shellfish harvesting
x. Preservation of rare and endangered species

7. **Basin Plan Discharge Prohibitions:** The Basin Plan designates beneficial uses and water quality objectives for waters of the State, and includes programs to achieve water quality objectives.[3] The Basin Plan contains prohibitions on certain discharges to waters with beneficial uses.

   a. **Discharge Prohibition 6[4]:** Prohibits all conservative toxics and deleterious substances to waters of the Basin above those levels which can be achieved by a program acceptable to the Regional Water Board. The process sediment, industrial waste water, and shredder fluff are potentially deleterious, possibly toxic, materials since they likely contain heavy metals (e.g., lead, copper, zinc, and cadmium) from the metal products and processes conducted on the Site.

   b. **Discharge Prohibition 7:** Prohibits the discharge of rubbish, refuse, bark, sawdust, or other solid wastes into surface waters or at any place where they could contact or where they would eventually be transported to surface waters, including flood plain areas. The discharged process sediment and shredder fluff are a solid waste in that they are associated with human habitation from manufacturing/processing operations in accordance with California Water Code section 13050(d).

   c. **Violations:** The Discharger is violating these Basin Plan Prohibitions, and/or continues to threaten to violate these Prohibitions, by discharging process sediment, industrial waste water, and shredder fluff into the Oakland Estuary and Inner Harbor. The wastes may contain heavy metals that negatively impact the waters' beneficial uses.

8. **Recordation of Deed Restrictions:** The SCR stated that the Department of Public Health required a deed restriction for the Site in accordance with California Health and Safety Code, section 25221.1. The deed restriction is to ensure that a concrete cap is not disturbed or removed and that human health and the environment are protected. The deed restriction may need to be amended as appropriate, depending on the scope of proposed cleanup action for areas of the Site that do not meet unrestricted use standards. This Order requires the Discharger to submit a deed restriction amendment for the Regional Water Board's Executive Officer's review and approval after an acceptable remedy has been successfully completed pursuant to this Order.

[3] The Basin Plan may be found at www.waterboards.ca.gov/sanfranciscobay/basin_planning.shtml
[4] See Basin Plan Table 4-1 for a list of the prohibitions.

9. **Other Regional Water Board Policies**: Regional Water Board Resolution No. 88-160 allows discharges of extracted, treated groundwater from site cleanups to surface waters only if it has been demonstrated that neither reclamation nor discharge to the sanitary sewer is technically and economically feasible.

   Regional Water Board Resolution No. 89-39, "Sources of Drinking Water," defines potential sources of drinking water to include all groundwater in the region, with limited exceptions for areas of high total dissolved solids, low yield, or naturally-high contaminant levels.

10. **State Water Board Policies**: State Water Board Resolution No. 68-16, "Statement of Policy with Respect to Maintaining High Quality of Waters in California," applies to this discharge and requires attainment of background levels of water quality, or the highest level of water quality which is reasonable if background levels of water quality cannot be restored. Cleanup levels other than background must be consistent with the maximum benefit to the people of the State, not unreasonably affect present and anticipated beneficial uses of such water, and not result in exceedance of applicable water quality objectives. Given the Regional Water Board's past experience with groundwater pollution cases of this type, it is unlikely that background levels of water quality can be restored. This initial conclusion will be verified when a remedial action plan is prepared. This Order and its requirements are consistent with Resolution No. 68-16.

    State Water Board Resolution No. 92-49, "Policies and Procedures for Investigation and Cleanup and Abatement of Discharges under Water Code Section 13304," applies to this discharge. This Order and its requirements are consistent with the provisions of Resolution No. 92-49, as amended.

11. **Need for Technical and Monitoring Reports:** This Order requires the Discharger to submit various technical and monitoring reports pursuant to Water Code section 13267. The required reports are necessary to determine the extent of contaminants that have discharged from the Site to waters of the State or to areas where storm water likely carried, or threatens to carry, the contaminants to waters of the State and United States. Process water and/or sediment from metal shredding and recycling activities is known to often carry heavy metal pollutants that may harm the beneficial uses of waters or even cause harm to human life. Therefore, the burden on the Discharger, including costs, to produce these required technical and monitoring reports is outweighed by the Regional Water Board's need for them to determine compliance with the above-mentioned laws and regulations to protect the water quality of State and United States waters.

12. **Remedial Investigation**: Observations from the inspections described above include evidence of past and present discharges of waste, which is potentially polluted, if not hazardous, to waters of the State. The information required by this Order is needed for the Discharger and the Regional Water Board to determine appropriate cleanup methods for the Site that will not cause any additional

unauthorized discharges of potentially polluted and/or hazardous waste. The standing water on the Site that has been in contact with the shredding and recycling processes indicates that the heavy metals and other pollutants have likely leached into the groundwater below.

13. **Preliminary Cleanup Goals**: The Discharger will need to make assumptions about future cleanup standards for soil and groundwater in order to determine the necessary extent of remedial investigation, interim remedial actions, and the draft remedial action plan. Pending the establishment of site-specific cleanup standards, the following preliminary cleanup goals should be used for these purposes:

    a. Groundwater: Applicable screening levels such as the Regional Water Board's Environmental Screening Levels (ESLs) document. Groundwater screening levels should incorporate at least the following exposure pathways: groundwater ingestion and vapor intrusion to indoor air. For groundwater ingestion, use applicable water quality objectives (e.g., lower of primary and secondary maximum contaminant levels or MCLs) or, in the absence of a chemical-specific objective, equivalent drinking water levels based on toxicity and taste and odor concerns.

    b. Soil: Applicable screening levels such as the Regional Water Board's ESLs document. Soil screening levels are intended to address a full range of exposure pathways, including direct exposure, nuisance, and leaching to groundwater. For purposes of this subsection, the Discharger should assume that groundwater is a potential source of drinking water.

    c. Soil gas: Applicable screening levels such as the Regional Water Board's ESLs document. Soil gas screening levels are intended to address the vapor intrusion to indoor air pathway.

14. **Notification**: The Regional Water Board has notified the discharger and all interested agencies and persons of its intent under California Water Code Section 13304 to prescribe site cleanup requirements for the discharge, and has provided them with an opportunity to submit their written comments.

15. **CEQA:** 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. This Order requires the submittal of detailed work plans that address cleanup activities. The proposed activities under the work plans are not yet known, but implementation of the work plans may result in potentially significant physical impacts to the environment that must be evaluated under CEQA. The Discharger must have the appropriate lead agency address CEQA requirements prior to implementing any work plan that may have a significant impact on the environment.

16. **Summary:** Based on the above findings, the Discharger has caused or permitted waste to be discharged, or deposited where it can be and has been discharged, and/or has threatened to discharge waste into waters of the State and the United States, and has created and threatened to create a condition of pollution (Water Code section 13304). The discharged wastes have likely resulted in unnecessary and avoidable adverse impacts to beneficial uses of waters of the State and United States in violation of SCR 88-023, the Industrial General Permit, the federal Clean Water Act and the Basin Plan. This Order, therefore, contains directives needed to investigate, cleanup and abate existing and future impacts to the Oakland Estuary and Inner Harbor.

IT IS HEREBY ORDERED, pursuant to California Water Code sections 13304 and 13267 that the Discharger, or their agents, successors, or assigns, shall clean up and abate the effects described in the above findings as follows:

A. Prohibitions

1. Discharging any pollutant, including process sediment, industrial waste water, and shredder fluff, in violation of this Order is prohibited.
2. Discharging any pollutant, including process sediment, industrial waste water, and shredder fluff, in violation of the Industrial General Permit is prohibited.
3. Discharging any pollutant, including process sediment, industrial waste water, and shredder fluff, without complying with the NPDES permit program is prohibited.
4. Discharging any wastes, including solid wastes such as process sediment and shredder fluff, that will degrade, or threaten to degrade, water quality or adversely affect, or threaten to affect beneficial uses of the waters in violation of the Basin Plan is prohibited.

B. Tasks

1. List of Potential Pollutants

COMPLIANCE DATE**:** [2 weeks from the date of the Order]

Submit a list acceptable to the Executive Officer of potential contaminants and/or pollutants that may come into contact with any of the process water, soil, groundwater and/or stormwater on the Site. The list shall include, but not be limited to, any contaminants that the Discharger treats in its waste prior to hauling it off-site. This technical report is necessary to identify what contaminants to sample for in the following required sampling plan.

2. Source Identification and Site Investigation

COMPLIANCE DATE: [45 days from the date of the Order]

Submit a sampling plan acceptable to the Executive Officer to identify all pollution sources on the Site, including waste transport and storage areas, sumps, underground tanks, utility lines, and related facilities. The sampling plan shall specify approach, methods and a proposed time schedule.

Sample results that indicate pollution shall be followed up with subsequent sampling to define the lateral and vertical extent of pollution. It is imperative that sampling takes place prior to altering conditions at the Site. Sampling shall include, but is not limited, to the following description in Table 1.

Table 1. Sampling Plan

Sample
Soil, process sediment, dust and other sediments at: - Conveyor Loading System and ground beneath it - Pier Crane Dock and ground beneath and around it - Track out sediment at and near Embarcadero West - Track out sediment on SSA Terminals property
Industrial process and wastewater, stormwater, and/or groundwater at: - The holding tank prior to use in the shredder - Standing stormwater onsite - Water used to spray metal products immediately prior to loading onto ships - Water that runs off of the Conveyor Loading System and the Pier Crane Dock after metal products are sprayed - Any stormwater outfalls - Storm drain on Embarcadero West
Shredder waste and/or fluff at: - The shredder - SSA Terminals, Port of Oakland, and APL Limited - Locations where this material is stored onsite

3. Completion of Identification and Investigation of Pollution Sources

COMPLIANCE DATE: [6 months from the date the Sampling Plan is approved by the Executive Officer]

Submit a technical report acceptable to the Executive Officer documenting completion of necessary tasks identified in Tasks B.1 and B.2 including results of analyses for all potential pollutants in sampled soils, sediments, waters, and wastes. The report shall describe the vertical and lateral extent of pollution in soil and groundwater beneath the Site down to concentrations at or below typical cleanup standards for soil and groundwater. The report shall also include a proposed Groundwater Monitoring Program to recurringly assess the status and migration of pollution.

4. Interim Corrective Action Plan

COMPLIANCE DATE: [30 days after EO requires]

Submit an Interim Corrective Action Plan to clean up the soil and groundwater on the Site and process sediment, industrial waste water, and shredder fluff on the Site, on Embarcadero West, and on neighboring properties. Work may be phased to allow the investigation to proceed efficiently. Any method of clean up used shall prevent any unauthorized discharge or threatened discharge, from entering into the Oakland Estuary Inner Harbor, storm drains, any waters of the State, or discharging off-site. The Interim Corrective Action Plan shall include work plans and time schedules to clean up each of the areas as described below.

a. Conveyor Loading System: Clean up the process sediment, dust and other sediments on the conveyor belt loading system and related affected areas. Areas to be cleaned include, but are not limited to, the conveyor belt itself, the metal structure supporting the belt, the surrounding dock/wooden areas, the landing, and the surrounding rip rap areas.

b. Pier Crane Dock: Clean up the process sediment, dust and other sediments on the pier crane dock and related affected areas. Areas include, but are not limited to, all surfaces such as the bridge and its sides, rails, pipes, fire hose box, the surrounding dock/wooden areas, and the surrounding ground below. Clean up shall also include any truck track out in the roads and areas in the approach to the dock.

c. Track Out Along Embarcadero West: Clean up Embarcadero West from the Site to Market Street, and the neighboring property, SSA Terminals. Clean up shall include removing the process sediment, dust and other sediments on the street, along the road shoulder, and caught behind the cyclone fences and abutments along Embarcadero West caused by trucks entering and exiting the Site.

d. Shredder Fluff at Neighboring Properties: Clean up all shredder fluff in addition to cleaning up the process sediment, dust and other sediments from the Site that have migrated to neighboring properties. Cleanup shall include removing all shredder sediment and debris from SSA Terminals, the Port of Oakland, and APL Limited.

5. Completion of Interim Corrective Action Plan

COMPLIANCE DATE: [6 months after EO approval of the Interim Corrective Action Plan]

Submit a technical report acceptable to the Executive Officer documenting completion of necessary tasks identified in Task B.4. For ongoing tasks, such as soil vapor or groundwater extraction, the report shall document start-up as opposed to completion.

6. Best Management Practices ("BMPs") Plan for Stormwater and Authorized Non-Stormwater Discharges

COMPLIANCE DATE: [45 days from the date of this Order]

Submit a BMPs Plan acceptable to the Executive Officer to reduce or prevent pollutants associated with industrial activity in stormwater discharges and authorized non-stormwater discharges through implementation of best available technology (BAT) for toxic and non-conventional pollutants and best conventional pollutant control technology (BCT) for conventional pollutants. The BMPs Plan shall include engineering design standards, dimensions, and rated effectiveness and proposed schedules for installation and ongoing maintenance and update.

Areas needing BMPs and types of BMPs include, but are not limited to, the following:

a. Site-Wide: Preventing materials, wastes, and associated pollutants from moving around the Site will significantly reduce pollutant discharges into State and United States waters. BMPs shall include procedures designed to sequester pollutants within the shredder waste, bulk metals, non-ferrous metals and ferrous metals recycled material processes, and reducing their exposure to conveyance methods to waters.

b. Property Boundaries: Berms and grading presently employed for containment at property boundaries are insufficient to claim full containment and allow debris and water to discharge. BMPs shall include watertight measures if the Site is to continue to manage stormwater by complete containment and treatment.

c. Conveyor Loading System, and Pier Crane Dock and Bridge: Rubber mats and molding, sweeping practices, and raised edges on the docks are not sufficiently preventing process sediment and other sediments from dropping into the water below. There is no containment for the water that is sprayed onto product for dust control and cooling. BMPs shall include capturing process sediment, any additional sediments and process water from entering into waters below, and water tight measures to ensure full process water and storm water containment.

d. Exit onto Embarcadero West: Presently, truck traffic on the Site is routed through unpaved areas with standing water that has been in contact with product and waste piles. The trucks then track out the sediment that likely contains pollutants onto Embarcadero West. The rumble strips in place near the exit are not sufficient to prevent discharge of sediment from the Site. Current street sweeping of Embarcadero West is not preventing the contaminated sediment from entering neighboring SSA Terminal property or discharging into off-site storm water systems. BMPs shall minimize on-site truck traffic contact with contaminated sediments and standing water and include measures to further reduce truck track out off of the Site.

7. Install, Maintain and Update BMPs

COMPLIANCE DATE: [upon Executive Officer's approval of the BMPs Plan]

Install, maintain, and update BMPs identified in the Task 6. BMPs Plan.

8. Update and Maintain Stormwater Pollution Prevention Plan (SWPPP)

COMPLIANCE DATE: [45 days from the date of this Order]

Continually update and maintain a SWPPP to include all of the BMPs identified, installed, and implemented in accordance with Tasks B.6 and B.7. Also include in the SWPPP the exact business name, property owner, and current contact person. The Industrial General Permit requires operators to develop and implement a SWPPP identifying measures to prevent discharges and reach the BAT/BCT standards. (See Industrial General Permit para.10.)

C. Technical and Monitoring Reports

1. Onsite Water Recycling System and Stormwater Controls

COMPLIANCE DATE**:** [60 days from the date of this Order]

Submit a technical report acceptable to the Executive Officer that describes and evaluates the onsite water recycling system. This report is required because process and stormwater are essentially commingling on the Site and has, or threatens to discharge off-site to or near the Oakland Estuary and Inner Harbor.

The report shall include the following:

a. An updated map;

b. Description of how process water is routed throughout the Site in a manner that prevents infiltration/deposition of contaminated process water and sediments to underlying soils and aquifers and an assessment, including measurements, of the effectiveness of preventive measures;

c. An updated standard operating procedure for the stormwater recycling system that accounts for how much water is used, what kinds of treatment occurs, and what happens to the residual sludge;

d. Identification of the source of water in spray trucks, and in any additional dust control measures implemented on the pier crane and conveyors docks, including description of any containment and/or disposal measures used when spraying water;

e. Verification if and where there are connections to a stormwater outfall;

f. An updated standard operating procedure for management of the onsite stormwater as it ponds that includes a description of when and how pumps are used to prevent flooding of on-site water; and If using a clarifier, description of standard operations and maintenance.

2. Storage Piles and Controls

COMPLIANCE DATE**:** [60 days from the date of this Order]

Submit a technical report acceptable to the Executive Officer that identifies how the storage piles are managed and controlled. The storage piles include shredder waste(s), sorted product, incoming scrap, and other types of piles. This report is required because water on the Site is likely washing pollutants off of these piles and into the water recycling system and/or being discharged offsite.

The report shall describe if the piles are treated with water, what type of water, and whether or how the water is contained. The report shall also describe procedures for how to fight fires that start in the piles and provisions for containment and/or treatment of water or chemicals used in fire suppression.

D. Provisions

1. **Cost Recovery:** The Discharger is and shall be liable, pursuant to California Water Code section 13304, to the Regional Water Board for all reasonable costs actually incurred by the Regional Water 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 Water 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.

2. **Contractor/Consultant Qualifications:** The Discharger's reliance on qualified professionals promotes proper planning, implementation, and long-term cost-effectiveness of investigation, and cleanup and abatement activities. Professionals shall be qualified, licensed where applicable, and competent and proficient in the fields pertinent to the required activities. 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.

3. **Report Any Changes in Ownership or Occupancy:** The Discharger shall file a written report on any changes in the Site's ownership or occupancy associated

with this Order. This report shall be filed with the Regional Water Board within 30 days following a change in site occupancy or ownership.

4. **Document Distribution:** The Discharger shall provide electronic or hard copies of all correspondence, technical reports, and other documents pertaining to compliance with this Order upon request within two weeks of the established directive deadline to the following recipients. Correspondence, technical reports, and other documents pertaining to groundwater shall be electronically submitted to Geotracker database system. The Executive Officer may modify this distribution list as needed.

   a. SSA Terminals
   b. Port of Oakland
   c. APL Limited
   d. Alameda County
   e. California Department of Toxic Substances Control
   f. California Environmental Protection Agency
   g. California Department of Fish and Game
   h. U.S. Environmental Protection Agency
   i. U.S. Army Corps of Engineers
   j. U.S. Fish and Wildlife Service

5. **Delayed Compliance:** The Discharger shall notify the Executive Officer if they are delayed, interrupted or prevented from meeting any of the compliance dates specified in this Order or a key milestone in their approved Corrective Action Plans. The Discharger may request in writing an extension for compliance dates, stating the basis for their request and what new compliance dates they are requesting. The Regional Water Board has the authority to revise this Order.

6. **Enforcement:** If the Discharger fails to comply with the provisions of this Order, the Regional Water Board or the State Water Board may pursue further enforcement action. The Regional Board may refer this matter to the California Attorney General for judicial enforcement, and either the Regional Water Board or the State Water Board may issue a complaint for administrative civil liability or any take any other applicable enforcement action. Failure to comply with this Order may result in the assessment of an administrative civil liability up to $10,000 per violation per day, pursuant to California Water Code sections 13350, 13385, and/or 13268. The Regional Water Board and the State Water Board reserves their rights to take any enforcement actions authorized by law.

7. **No Nuisance:** The storage, handling, treatment, or disposal of polluted soil or groundwater shall not create a nuisance as defined in California Water Code section 13050(m).

8. **Access to Site and Records**: In accordance with California Water Code section 13267(c), the discharger shall permit the Regional Water Board or its authorized representative:

a. Entry upon premises in which any pollution source exists, or may potentially exist, or in which any required records are kept, which are relevant to this Order;

b. Access to copy any records required to be kept under the requirements of this Order;

c. Inspection of any monitoring or remediation facilities installed in response to this Order; and

d. Sampling of any groundwater or soil which is accessible, or may become accessible, as part of any investigation or remedial action program undertaken by the discharger.

9. **Groundwater Monitoring Program:** The Discharger shall comply with the Groundwater Monitoring Program as approved by and as may be amended by the Executive Officer.

10. **Lab Qualifications**: All samples shall be analyzed by State-certified laboratories or laboratories accepted by the Regional Water Board using approved U.S. EPA methods for the type of analysis to be performed. All laboratories shall maintain quality assurance/quality control (QA/QC) records for Regional Water Board review. This provision does not apply to analyses that can only reasonably be performed onsite (e.g., temperature).

11. **Reporting of Hazardous Substance Release**: If any hazardous substance is discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, the discharger shall report such discharge to the Regional Water Board by calling (510) 622-2369. A written report shall be filed with the Regional Water Board within five working days. The report shall describe: the nature of the hazardous substance, estimated quantity involved, duration of incident, cause of release, estimated size of affected area, nature of effect, corrective actions taken or planned, schedule of corrective actions planned, and persons/agencies notified.

12. **Rescission of Existing Order:** This Order supersedes and rescinds SCR Order No. 88-023.

13. **State Water Board Petition:** Any person aggrieved by this action may petition the State Water Board to review the action in accordance with California Water Code section 13320 and Title 23, California Code of Regulations, section 2050 et al. The State Water Board, Office of Chief Counsel, must receive the petition by 5:00 p.m. 30 days after the date this Order becomes final (if the thirtieth day falls on a weekend or state holiday, the petition must be received by the next business day).[5] This Order is effective upon the date of signature.

[5] Instructions for petitioning will be provided upon request or you may view them at: www.waterboards.ca.gov/public_notices/petitions/water_quality/index.shtml

14. **Periodic Cleanup and Abatement Order Review**: The Regional Water Board may review this Order periodically and may revise it when necessary. The Discharger may request revisions and upon review the Executive Officer may recommend that the Regional Water Board revise these requirements.

_____ _____

Bruce H. Wolfe Date
Executive Officer

Attachment A: March 29, 2012, Inspection Report
Attachment B: April 10, 2012, State Water Board Video Surveillance Summary

State of California – Environmental Protection Agency
California Regional Water Quality Control Board – San Francisco Bay Region

INDUSTRIAL STORM WATER INSPECTION REPORT

SITE INFORMATION

201I003365	4/3/92	5093	scrap and waste materials
WDID NUMBER	NOI PROCESSING DATE	SIC CODE(S)	TYPE(S) OF INDUSTRIAL ACTIVITY

Schnitzer Steel Products Co.	1101 Embarcadero West	Oakland	CA	27
FACILITY NAME	ADDRESS	CITY	ZIP	FACILITY SIZE

Luc Ong	Reg.Env. Mgr.	444-3919 x 352	long@schn.com
OWNER OF SITE REPRESENTATIVE PRESENT DURING INSPECTION	TITLE	PHONE NUMBER	EMAIL

INSPECTION LOGISTICS

3/29/2012	09:40	13:00	cloudy
DATE	ARRIVAL TIME	DEPARTURE TIME	WEATHER CONDITIONS

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

PURPOSE OF INSPECTION

☐ ROUTINE COMPLIANCE ASSESSMENT

☐ COMPLAINT/REFERRAL FOLLOW-UP

☐ NOTICE OF TERMINATION REQUESTED

- ☐ Facility Closed (date _____) **and** completely cleaned
- ☐ Light industry (SIC code(s) _____) **and** no exposure (see checklist in Attachment A)
- ☐ No stormwater discharge because site ☐ *drains to sanitary* ☐ *drains to treatment pond*
- ☐ Permit not required for this industry (SIC code(s) _____)
- ☐ Regulated by another NPDES permit that covers Stormwater discharge
- ☐ New Facility Operator

☐ MONITORING REDUCTION REQUESTED

- ☐ No Exposure Certification
- ☐ Sampling and Analysis Reduction

☒ PREVIOUS INSPECTION/ENFORCEMENT FOLLOW-UP

Compliance due date _____

☐ OTHER REASON FOR INSPECTION (PLEASE SPECIFY):

INSPECTOR'S FINDINGS

Outcome of inspection

☐ ISSUE NOTICE TO COMPLY
☒ ISSUE NOTICE OF VIOLATION
☐ APPROVE NOTICE OF TERMINATION
☐ APPROVE MONITORING REDUCTION
☐ SITE IN COMPLIANCE

Recommendation for follow up or reinspection

☒ REINSPECT ON: date 2-3 months
☐ REFER TO LOCAL AGENCY FOR FOLLOW UP

NOTES: I confirmed by the site inspection that the violations identified and verbally conveyed to discharger during a 11/22/2011 site inspection continue at the facility.

Prior to the field inspection I met with with Luc Ong and Bruce Rieser (Reg. Env. Dir. For Schnitzer Steel). They indicated that the former on-site manager, Melissa Cohen, is no longer employed by Schnitzer Steel. Mr. Reiser also indicated that Schnitzer is awaiting written notification from the Water Board regarding the violations identified during the previous site inspection.

Dylan Seidner and Taro Murano of SWRCB Office of Enforcement

State of California – Environmental Protection Agency
California Regional Water Quality Control Board – San Francisco Bay Region

INDUSTRIAL STORM WATER INSPECTION REPORT

☐ **OTHER** (describe in notes section)	accompanied me during the inspection. Following the meeting we indicated that we would like to obtain samples of stormwater, process water, sediment, and dust from the site. Mr. Rieser indicated his opposition to this; his position was that we had no authority to obtain such samples.

Cecilio Felix
INSPECTOR NAME

SIGNATURE

4/6/2012
REPORT DATE

State of California – Environmental Protection Agency
California Regional Water Quality Control Board – San Francisco Bay Region

INDUSTRIAL STORM WATER INSPECTION REPORT

WDID: _____

Line Number	"V" if in violation	File Review (FR) Questions	(Y/N)	Notes
FR 1	V	**Does the facility have a site map?** (Request a copy) *If no map, draw one on provided page to be used for the site walk.*	Y	See Photo 2
FR 2		Does the site map identify the following:		
FR 3	V	Drainage paths, storm drains, discharge points	Y	Map indicates no off-site discharges of stormwater; however, I identified areas along perimeter and site egress where stormwater flows off-site. See sections below.
FR 4	V	Impervious areas	Y	Much of the paved areas are worn and broken and thus permeable. Determining the extent and condition of paved areas is difficult due to the accumulation of sediment and storm water.
FR 5	V	Locations with direct exposure, leaks, or spills	N	Unspecified on map.
FR 6		Industrial activity areas	Y	
FR 7	V	*Additional specific comments regarding the map*		Map does not show location of product or waste materials unrelated to auto-shredding, eg. fuels, lubes, solvents, cleaners, general refuse storage, etc. Map does not clearly show and/or define all stormwater containment and conveyance systems. Map does not show areas where process water (including fire suppression water) is stored, disposed, applied, and discharged, nor structural controls for containing process water.

State of California – Environmental Protection Agency
California Regional Water Quality Control Board – San Francisco Bay Region

INDUSTRIAL STORM WATER INSPECTION REPORT

WDID: _____

Line Number	"V" if in violation	File Review (FR) Questions	(Y/N)	Notes
				Map does not show location of spill containment/clean materials.
FR 8		**Does the facility have a SWPPP?**	Y	See Photo 1
FR 9		Is the SWPPP site-specific and coordinated with the site map?	NE	
FR 10		Does the SWPPP identify the specific members (and responsibilities) of the Pollution Prevention Team?	NE	
FR 11		Does the SWPPP discuss Industrial Processes, Material Handling and Storage Areas, Dust and Particulate Generating Activities, Significant Spills and Leaks, Non-Storm Water Discharges, and Soil Erosion?	NE	
FR 12		*Additional specific comments regarding the SWPPP*		I performed a cursory review of the SWPPP, which contains the main elements required by the permit.
FR 13	V	Does the facility have **readily available monitoring records** for the past five years?	N	Only the Dec 2011 and Jan 2012 rain activity reports and the weekly BMP evaluation reports for the prior 4 weeks were included with the SWPPP. See Photo 55. Mr. Ong indicated that he is still working on 'getting caught up' with record maintenance since taking over the position from Melissa Cohen, who left late November 2011.
FR 14		Spot check the 12 months of monitoring records:		
FR 15	V	Has the discharger visually inspected, **quarterly**, for unauthorized non-storm water discharges?	N	See FR13 above.

State of California – Environmental Protection Agency
California Regional Water Quality Control Board – San Francisco Bay Region

INDUSTRIAL STORM WATER INSPECTION REPORT

WDID: _____

Line Number	"V" if in violation	File Review (FR) Questions	(Y/N)	Notes
FR 16	V	Has the discharger visually inspected storm water discharges in **one storm event per month** during the wet season?	N	See FR13 above.
FR 17		Do the above records indicate person conducting the sampling, date and time, observation and corrective actions if needed?	NA	See FR13 above.
FR 18		Has the discharger collected storm water samples during the first storm event of the year and one other storm event after?	NA	See FR13 above.
FR 19		Which constituents were sampled and analyzed?	NA	See FR13 above.
FR 20		Are any on-site monitoring devices used? If yes,	NA	See FR13 above.
FR 21		➢ For which constituents?	NA	See FR13 above.
FR 22		➢ Does the discharger have calibration and maintenance records for each on-site monitoring device used?	NA	See FR13 above.
FR 23		*Additional specific comments regarding the monitoring records*		I conveyed to Mr. Ong that the Permit requires that all records be maintained for 5 years in order to establish a compliance record and to obtain data necessary to assess BMP performance and if necessary, BMP modifications .

State of California – Environmental Protection Agency
California Regional Water Quality Control Board – San Francisco Bay Region

INDUSTRIAL STORM WATER INSPECTION REPORT

WDID: _____

Site Map – Remember to take photographs as you walk the site and mark the location on the map: take wide shots that depict general area as well as specific shots of discharges, pollutants, or BMPs. If raining, take shots showing flow of storm water through the site. Also, mark on site map area corresponding to each line completed in the inspection form.

See attached map

State of California – Environmental Protection Agency
California Regional Water Quality Control Board – San Francisco Bay Region

INDUSTRIAL STORM WATER INSPECTION REPORT

WDID: _____

Prohibited Non-Storm Water Discharges (*anything other than fire hydrant flushing; potable water sources; drinking fountain water; atmospheric condensates; irrigation drainage; landscape watering; springs; ground water; foundation or footing drainage; and sea water infiltration where the sea waters are discharged back into the sea water source) ***Use additional page(s) as needed.***

Row Number	Mark "V" if in violation	Directly observed prohibited non-storm water discharge (Yes or No)	Evidence present of prohibited non-storm water discharge (Yes or No)	Photo(s) taken (Yes or No)	Location and Description (mark site map with row number)
NS – 1	V	yes	yes	See Photos 44, 46-47	Off-site tracking of sediment out of main truck exit area. Sediment accumulation is highest on eastbound lane of West Embarcadero Ave. Dust becomes airborne as trucks pass over the sediment on road. See also DP-1 below.
NS - 2	V	no	yes	See Photos 46, 52-53	Sediment from the site interior is transported by truck traffic and stormwater flowing to lower elevation areas outside the main truck entrance. Airborne dust necessitates use air filters by personnel. See also DP-2 below.
NS - 3	V	yes	yes	See Photos 49-51	Off-site tracking of sediment out of non-ferrous storage/shipping area. Sediment accumulation is highest on eastbound lane of West Embarcadero Ave. Dust becomes airborne as trucks pass over the sediment on road.
NS - 4	V	yes	yes	See Photos 44-45, 47	Off-site tracking of sediment out of non-ferrous peddler customer entrance. Sediment accumulation is highest on eastbound lane of West Embarcadero Ave. Dust becomes airborne as trucks pass over the sediment on road.

NS - 5	V	yes	yes	See Photos 23-25	Dust and sediment is accumulated on perimeter walkway, which slopes outward toward bay. The dust and sediment is discharged in stormwater runoff to the bay, which is immediately adjacent to the perimeter walkway.
NS-6	V	no	yes	See Photos 25, 57	Dust and sediment is discharged in stormwater to the bay via conduits under the sidewalk which connect the site interior to the bay.
NS-7	V	no	yes	See Photos 13-18	Dust and sediment is discharged from roadway leading to the ship loading area. Excessive dust and sediment on roadway is discharged through opening in curb and into estuary waters below. Airborne dust also discharged into estuary waters, as evidenced by accumulation of dust on side railing and adjacent fence.
NS-8	V	no	yes	See Photos 20-21	Dust and sediment is discharged from the conveyor belt and underlying wooden dock utilized to transport materials to ships. Excessive dust and sediment is discharged from area into estuary waters via wind and stormwater as evidenced by accumulation of dust and sediment throughout the entire conveyance structure, including side railings and adjacent fence.
NS-9	V	no	yes	See Photos 28-30, 32	Process water, which includes recycled stormwater, is utilized for dust control and cooling in the conveyor and auto shredding systems. Process water below shredder system is uncontained. The process water and shredded materials are discharged from the systems into the immediately adjacent areas, which include traffic lanes and stormwater collection areas. The process water, shredded materials, and associated dust and sediment are tracked off-site by trucks. No structural controls for preventing stormwater from contacting process water and materials associated with the conveyor and

					shredder systems, and no controls for containing such waters.
NS-10	V	no	yes	Photo 3	Auto-related waste materials discharged beyond containment structure at western site boundary.
NS-11	V	yes	yes	Photo 34	Airborne dust generated by trucks in traffic lanes containing excessive accumulations of sediment and dust. Once airborne the dust travels across the site and into off-site areas.
NS-12	V	no	yes	Photos 38, 40-42	Equipment maintenance areas contain extensive stains; stains appear to be oil and other vehicle and heavy-equipment related fluids.

State of California – Environmental Protection Agency
California Regional Water Quality Control Board – San Francisco Bay Region

INDUSTRIAL STORM WATER INSPECTION REPORT

WDID: _____

Reduction or Prevention of Pollutants in Storm Water by Achieving "Best Available Technology/Best Conventional Technology";
Implementation of adequate SWPPP and BMPs –

In the Row Number Column, please mark the number with one of the following prefixes:
Material Handling, Storage (MH,S) **Dust and Particulate Generating Activities (D,P)** **Industrial Processes (IP)** **Soil Erosion (SE)** **Other (O)**

Row Number	Mark "V" if in violation	Pollutant description and location	Isolated from storm water (Y/N)	Captured/ contained (Y/N)	Treated and/or routed to sanitary (Y/N)	General House-keeping and Mainten-ance (Good/Bad)	Photo(s) taken (Y/N)	Notes
DP-1	V	Sediment, dust, auto-related pollutants	N	N	N	Bad	Y	Inadequate street cleaning. More frequent cleaning necessary. See notes and photos in NS-1 above.
DP-2	V	Sediment, dust, auto-related pollutants	N	N	N	Bad	Y	Inadequate off-site tracking controls. More effective controls necessary. See notes and photos in NS-2 above.
DP-3	V	Sediment, dust, auto-related pollutants	N	N	N	Bad	Y	Inadequate street cleaning. More frequent cleaning necessary. See notes and photos in NS-3 above.
DP-4	V	Sediment, dust, auto-related pollutants	N	N	N	Bad	Y	Inadequate street cleaning. More frequent cleaning necessary. See notes in photos in NS-4 above.

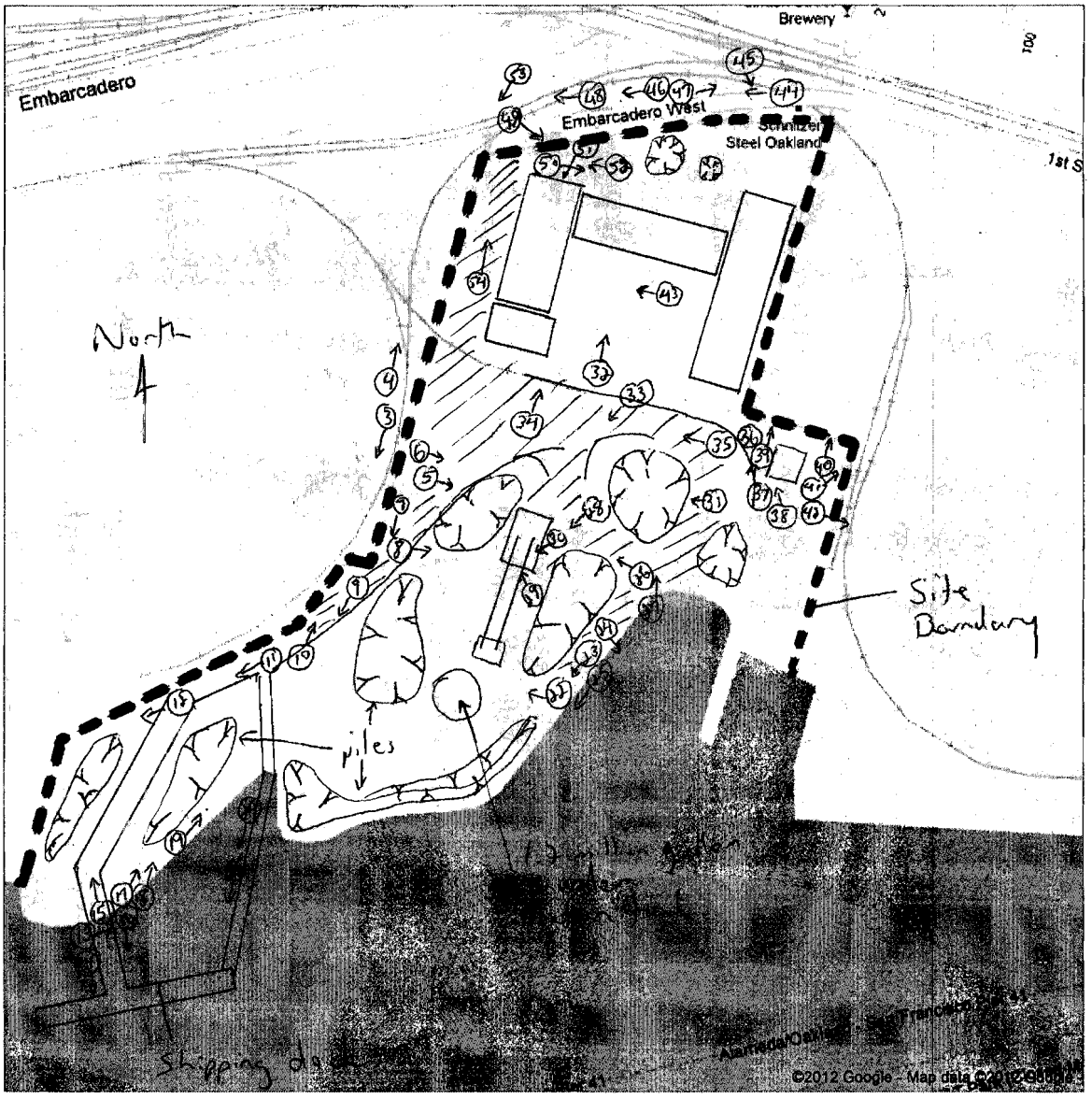
DP-5	V	Sediment, dust, auto-related pollutants	N	N	N	Bad	Y	Inadequate sweeping. Inadequate containment controls. See notes and photos in NS-5 above.
DP-6	V	Sediment, dust, auto-related pollutants	N	N	N	Bad	Y	Inadequate exposure and containment controls, inadequate sweeping and housekeeping. See notes and photos in NS-6 above.
DP-7	V	Sediment, dust, auto-related pollutants	N	N	N	Bad	Y	Inadequate exposure and containment controls, inadequate sweeping and housekeeping. See notes and photos in NS-7 above.
DP-8	V	Sediment, dust, auto-related pollutants	N	N	N	Bad	Y	Inadequate exposure and containment controls, inadequate sweeping and housekeeping. See notes and photos in NS-8 above.
DP-9	V	Sediment, dust, auto-related pollutants	N	N	N	Bad	Y	Inadequate controls for isolating stormwater from both process water and from sediment, dust, and auto-related pollutants. Inadequate controls for isolating stormwater from truck traffic. Inadequate controls for minimizing vehicle track-out of pollutants.

								Inadequate street cleaning. See notes and photos in NS-9 above.
O-10	V	Auto-related pollutants	N	N	N	Bad	yes	Inadequate housekeeping. See notes and photos in NS-10 above.
DP-11	V	Dust, auto-related pollutants	N	N	N	Bad	yes	Inadequate sweeping. Inadequate source control. See notes and photos in NS-11 above.
O-12	V	Auto-related pollutants	N	N	N	Bad	yes	Inadequate housekeeping. Inadequate exposure and containment controls. See notes and photos in NS-12 above.
O-13 All areas of site	V	Sediment, dust, auto-related pollutants	N	N	N	bad	Y See photos 4, 9-11, 13-15, 17, 20-21, 25, 27-28, 31-37	Excessive sediment and dust accumulations throughout the site, especially in established truck traffic lanes. Most of the site is unpaved. Most of the paved areas are broken and uneven. Significant tracking of sediment across the entire site. The very heavy vehicle tracking and the accumulation of sediment and dust renders the sweeping operations

O-13 (cont'd)								ineffective. Moisture conditioning at traffic routes is ineffective. Extensive dry areas generate airborne dust. Extensive saturated areas generate mud which is tracked off-site
MHS-14	V	Sediment, dust, auto-related pollutants	N	N	N	bad	Yes See photos 5-8, 26-28	Stormwater collection system does not minimize contact between stormwater, process water, and pollutants. Auto-related material piles and stormwater are co-located.
O-15	V	Auto-related pollutants	N	N	N/A	bad	Yes See photos 5-8, 26-28, 35-36	Inefficient and ineffective stormwater collection system. Broken and unmaintained paving and sheet flow through/around material piles and truck traffic prevents efficient drainage and prolongs contact with pollutants, and increases potential for off-site tracking of pollutants. Lack of stormwater collection system maintenance and the lack of effective conveyances reduces site drainage and increases ponding, which also prolongs contact between stormwater and pollutants and increases the potential for off-site tracking of pollutants.

Google

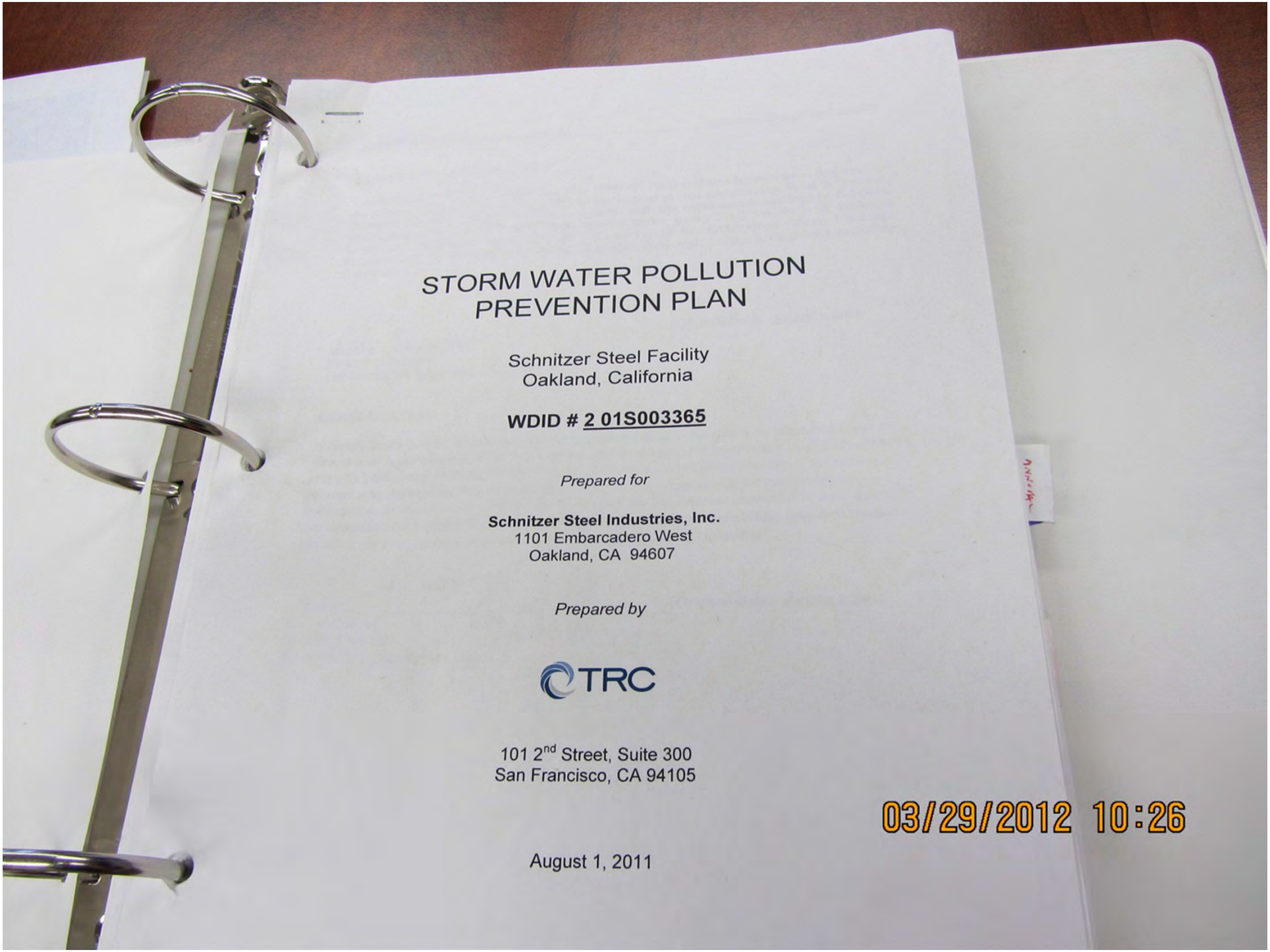
Address **1101 Embarcadero**
Oakland, CA 94606



Schnitzer Steel 1101 Embarcadero Rd, Oakland
Site Inspection 4/3/12

(11) Location and direction of photograph

//// Areas of heavy truck traffic



STORM WATER POLLUTION PREVENTION PLAN

Schnitzer Steel Facility
Oakland, California

WDID # 2 01S003365

Prepared for

Schnitzer Steel Industries, Inc.
1101 Embarcadero West
Oakland, CA 94607

Prepared by

TRC

101 2nd Street, Suite 300
San Francisco, CA 94105

August 1, 2011

03/29/2012 10:28


03/29/2012 10:48


0K76
TENNANT
03/29/2012 10:50


03/29/2012 10:51


GNTX
295430
SPRG 7 OC 25 7 AC 05
2 B-353 2 B-354
36 INCH WHLS
NO. 24 BRAKE BEAMS
03/29/2012 10:52


03/29/2012 10:52


Port of Oakland
03/29/2012 10:53


03/29/2012 10:58


ELGIN
03/29/2012 10:58


03/29/2012 10:59


03/29/2012 11:07


FIRE HOSE
03/29/2012 11:11


FIRE HOSE
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03/29/2012 11:11


03/29/2012 11:13


03/29/2012 11:14


03/29/2012 11:14


03/29/2012 11:15


SCHNITZER
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03/29/2012 11:21


03/29/2012 11:27


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03/29/2012 11:48


03/29/2012 11:51


Matson
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Matson
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03/29/2012 11:58


CLEMENT
03/29/2012 11:59


6
PRO SE SERVICES, INC.
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03/29/2012 12:01


03/29/2012 12:03


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JOSX
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DJJX
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SHOP
SHOP
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SHOP
SHOP
03/29/2012 12:13


Matson
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Bobcat
Bobcat
VOLV
LW 186
03/29/2012 12:15


03/29/2012 12:17


03/29/2012 12:24


CRV
UNAUTHORIZED ENTRY
OPEN
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CHECK IN
WITH GUARD
BEFORE
PROCEEDING
03/29/2012 12:25


03/29/2012 12:26


03/29/2012 12:26


EVERGREEN
03/29/2012 12:26


03/29/2012 12:28


03/29/2012 12:28


WARNING
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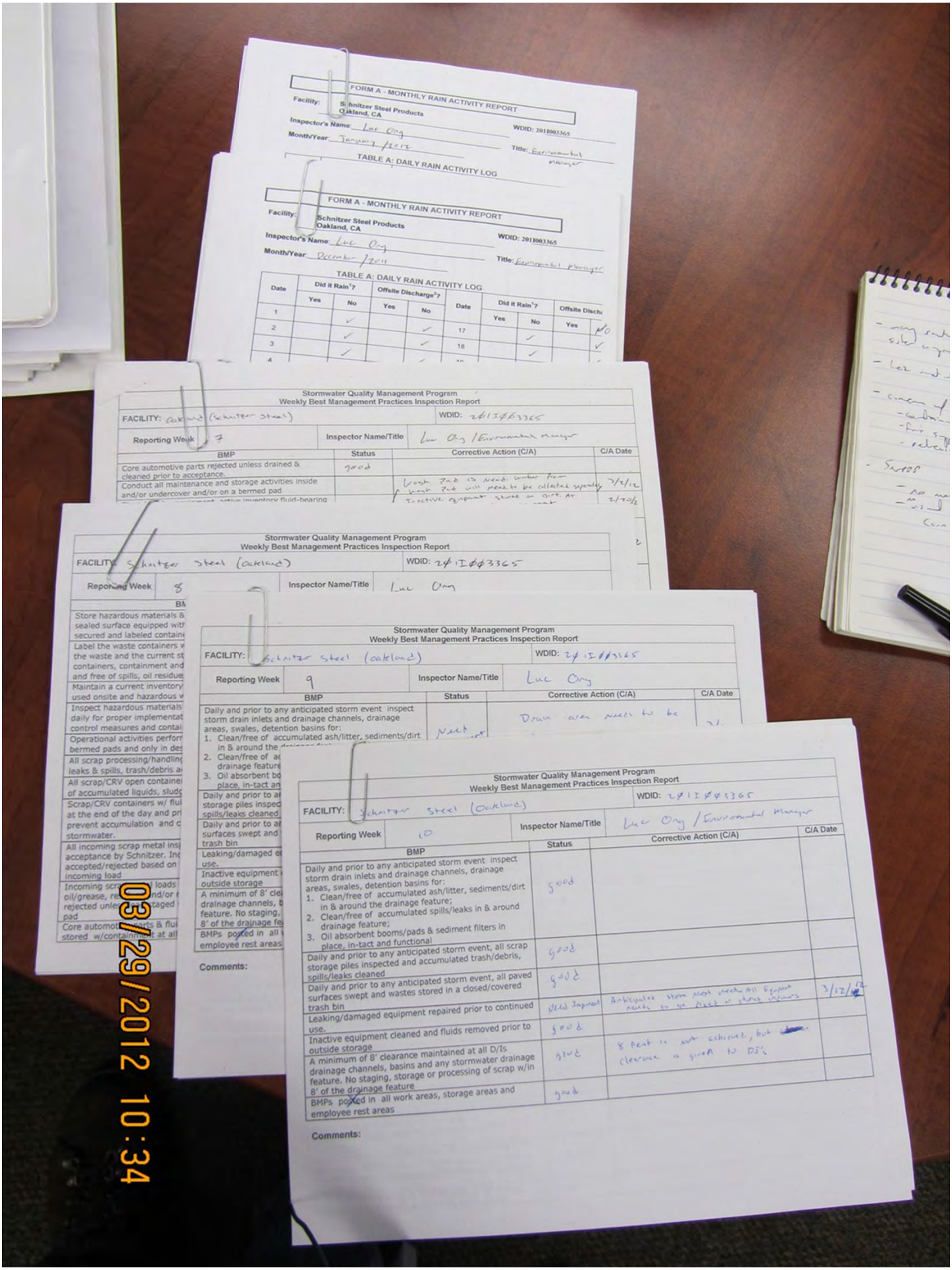
STOP
STOP
03/29/2012 12:31


TS9264
03/29/2012 12:32


03/29/2012 12:34



FORM A - MONTHLY RAIN ACTIVITY REPORT

Facility: Schnitzer Steel Products, Oakland, CA — WDID: 2011003365

Inspector's Name: Luc Ong — Title: Environmental Manager

Month/Year: January 2012

TABLE A: DAILY RAIN ACTIVITY LOG

FORM A - MONTHLY RAIN ACTIVITY REPORT

Facility: Schnitzer Steel Products, Oakland, CA — WDID: 2011003365

Inspector's Name: Luc Ong — Title: Environmental Manager

Month/Year: December 2011

TABLE A: DAILY RAIN ACTIVITY LOG

Date	Did it Rain[1]?		Offsite Discharge[2]?		Date	Did it Rain[1]?		Offsite Discharge[2]?	
	Yes	No	Yes	No		Yes	No	Yes	No
1		✓		✓	17		✓		✓
2		✓		✓	18		✓		✓
3		✓		✓					
4									

Stormwater Quality Management Program
Weekly Best Management Practices Inspection Report

FACILITY: Oakland (Schnitzer Steel) — WDID: 2 01 I 00 3365

Reporting Week: 7 — Inspector Name/Title: Luc Ong / Environmental Manager

BMP	Status	Corrective Action (C/A)	C/A Date
Core automotive parts rejected unless drained & cleaned prior to acceptance.	good		
Conduct all maintenance and storage activities inside and/or undercover and/or on a bermed pad		Work Pad is Need. Water from Work Pad will need to be collected separately	2/2/12
		Inactive equipment stored on Dirt. At	2/20/12

Stormwater Quality Management Program
Weekly Best Management Practices Inspection Report

FACILITY: Schnitzer Steel (Oakland) — WDID: 2 01 I 00 3365

Reporting Week: 8 — Inspector Name/Title: Luc Ong

BM
Store hazardous materials & sealed surface equipped with secured and labeled containe
Label the waste containers v the waste and the current st containers, containment and and free of spills, oil residue
Maintain a current inventory used onsite and hazardous w
Inspect hazardous materials daily for proper implementat control measures and contai
Operational activities perfor bermed pads and only in des
All scrap processing/handlin leaks & spills, trash/debris a
All scrap/CRV open containe of accumulated liquids, sludg
Scrap/CRV containers w/ flui at the end of the day and pr prevent accumulation and c stormwater.
All incoming scrap metal insp acceptance by Schnitzer. Inc accepted/rejected based on incoming load
Incoming scr loads oil/grease, r nd/or rejected unle taged pad
Core automo ards & flui stored w/containment at all

Stormwater Quality Management Program
Weekly Best Management Practices Inspection Report

FACILITY: Schnitzer Steel (Oakland) — WDID: 2 01 I 00 3365

Reporting Week: 9 — Inspector Name/Title: Luc Ong

BMP	Status	Corrective Action (C/A)	C/A Date
Daily and prior to any anticipated storm event inspect storm drain inlets and drainage channels, drainage areas, swales, detention basins for: 1. Clean/free of accumulated ash/litter, sediments/dirt in & around the 2. Clean/free of ac drainage feature 3. Oil absorbent bo place, in-tact an	Need	Drain area need to be	
Daily and prior to at storage piles inspec spills/leaks cleaned.			
Daily and prior to at surfaces swept and trash bin			
Leaking/damaged e use.			
Inactive equipment outside storage			
A minimum of 8' clea drainage channels, b feature. No staging, 8' of the drainage fe			
BMPs posted in all employee rest areas			

Comments:

Stormwater Quality Management Program
Weekly Best Management Practices Inspection Report

FACILITY: Schnitzer Steel (Oakland) — WDID: 2 01 I 00 3365

Reporting Week: 10 — Inspector Name/Title: Luc Ong / Environmental Manager

BMP	Status	Corrective Action (C/A)	C/A Date
Daily and prior to any anticipated storm event inspect storm drain inlets and drainage channels, drainage areas, swales, detention basins for: 1. Clean/free of accumulated ash/litter, sediments/dirt in & around the drainage feature; 2. Clean/free of accumulated spills/leaks in & around drainage feature; 3. Oil absorbent booms/pads & sediment filters in place, in-tact and functional	good		
Daily and prior to any anticipated storm event, all scrap storage piles inspected and accumulated trash/debris, spills/leaks cleaned	good		
Daily and prior to any anticipated storm event, all paved surfaces swept and wastes stored in a closed/covered trash bin	good		
Leaking/damaged equipment repaired prior to continued use.	Need Improvement	Anticipated Storm Most Needs All Equipment needs to be Check or storage Inventory	3/12/12
Inactive equipment cleaned and fluids removed prior to outside storage	good		
A minimum of 8' clearance maintained at all D/Is drainage channels, basins and any stormwater drainage feature. No staging, storage or processing of scrap w/in 8' of the drainage feature	good	8 Feet is not achieved, but clearance is given to DI's	
BMPs posted in all work areas, storage areas and employee rest areas	good		

Comments:

03/29/2012 10:34


03/29/2012 11:39


03/29/2012 11:37

May 1, 2012

State Water Resources Control Board's Video Surveillance Summary

April 10, 2012
at
Schnitzer Steel Products Inc.

SWRCB Staff Performing Surveillance:
Video surveillance was recorded by Taro Murano, Environmental Scientist, Office of Enforcement. Photo documentation during the Schnitzer surveillance was taken by Dylan Seidner, Environmental Scientist, Office of Enforcement. The photos are documented in a separate report written by Dylan Seidner.

Video Surveillance Purpose:
The purpose of the surveillance was to video document the east and west perimeter conditions of the Schnitzer Steel (Schnitzer) facility during a storm event. The video surveillance was conducted from the SSA Terminals (SSA) facility (Schnitzer's east neighbor) and APL facility (Schnitzer's west neighbor).

Video Surveillance Location:
On April 10, 2012 at 9:10 a.m., SSA facility access was granted to Dylan Seidner and I to video and photo document our observations from the SSA facility by Peter Kiestoff, Operations Manager. SSA's west perimeter borders Schnitzer's east perimeter. We began intermittently video recording Schnitzer's east perimeter at 9:15 a.m., by walking north to south along the fence line that separated Schnitzer's property from SSA. The red dashed line in Figure #1 is the pathway we walked. The two blue circles are the approximate locations of storm drains at the SSA facility. Storm drain #1 can be seen at the video record time 11:04. A close up of storm drain #2 can be seen in Figure #2.

Figure #1

Figure #2

After leaving the SSA facility at 10:03 a.m., we arrived at the Port of Oakland pad-locked gate at 10:09 a.m. Chris Peterson, Chief Warfinger of the Port of Oakland granted us access the property and provided Dylan Seidner the combination to the locked gate on April 9, 2012. Mr. Peterson granted us access to the Port of Oakland's paved lot verbally over the phone so we could photo and video document our observations of the Schnitzer's west perimeter through a chain link fence. We began video recording our observations at 10:14 a.m., starting from the northeast corner of the Port of Oakland paved lot and proceeded southward until we reached a chain link fence separating the Port of Oakland paved lot from the APL leased area, please refer to Figure #3. We left the Port of Oakland facility at 10:30 a.m.

The southern portion of the Port of Oakland paved lot is leased to APL. APL is an international container shipping company. We had made arrangements with Jack Murphy, Security and Environment Manager for Eagle Marine Services Ltd., on April 9, 2012, to access the APL's leased Port of Oakland property. We arrived at the APL facility at 10:35 a.m. Mr. Murphy escorted us in his company car to APL's east perimeter so that we could photo and video document our observations of Schnitzer's west perimeter. We resumed video recording Schnitzer's west perimeter at 10:40 a.m. Video recording began from the north east corner of the APL's leased property and proceeded southward until we reached a chain linked fence at the south east corner. We left the APL facility at 11:32 a.m.

On Figure #3 the red dashed line shows the pathway we walked. The green dashed line represents the Port of Oakland's property. The blue solid line represents the property APL leases from the Port of Oakland.

Figure #3

Surveillance Timeline:
A total of 28 minutes and 1 second of intermittent video was recorded on April 10, 2012. Intermittent video was taken to capture our observations of the Schnitzer facility perimeter

during our walk and was periodically stopped to orient our position, safety or to reduce repetitious video.

The first 18 minutes and 53 seconds of video was recorded from the SSA Terminal facility. Video recording counter for video recorded from the SSA Terminal facility begin at the recording time of 0:00 to 18:53. Another 6 minutes and 19 seconds of video was recorded from the Port of Oakland property. Video recording counter for video recorded from the Port of Oakland property begin at the recording time of 18:54 to 25:12. The final 2 minutes and 49 seconds of video was recorded from the APL leased property (property). Video recording counter for video recorded at the APL properties begin at the recording time of 25:13 to 28:01. The following is a narrative summary of the video recording.

Surveillance Observation Summary:

SSA Facility Video Observations

Observations from Section #1 on Figure #1
Video observations taken at section #1 begin at the record time 0:00 to 10:49. Storm water containment ranged from no storm water containment to a raised concrete containment berm. Portions of the Schnitzer facility were above gradient from the SSA facility. Debris and accumulated sediment was observed on the SSA facility along the chain link fence that borders Schnitzer's east perimeter (video record time 1:17 to 3:40). Material that closely resembled shedder residue (fluff) was observed on the SSA facility and on the Schnitzer facility (video record time 3:41 to 10:50).

Observations from Section #2 on Figure #1
Video observations taken at section #2 begin at the record time 10:50 to 14:10. Schnitzer's storm water containment structures included portions of raised concrete containment, corrugated metal siding, to no containment. Portions of the concrete containment berm had large cracks. In this section, the Schnitzer facility was entirely above gradient from the SSA facility. Fluff material was observed on the SSA facility (video record time at 11:53). Two storm drains (refer to blue circles on Figure #1) were observed on the SSA facility (video record time from 10:52 to 14:11). Possible fluff material can be seen on top of both storm drains (video record time at 11:03 for storm drain #1, video record time at 13:03 for storm drain #2). Figure #2 shows a photo of storm drain #2.

Section #3, Figure #1 - Observations
The video observations taken at section #3 begin at the record time 14:11 to 18:53. Storm water containment on the Schnitzer facility included corrugated metal siding, rail cars aligned in succession to no storm water containment structures in place. Accumulated debris, sediment and overgrown vegetation were observed along the Schnitzer facility perimeter. The Schnitzer facility is above gradient from the SSA facility (video record time at 15:58). A large amount of accumulated fluff was observed along the SSA facility perimeter (video record time from 14:36 to18:53).

Port of Oakland Video Observations:

Video observations made from the Port of Oakland paved lot begin at the record time 18:54 to 23:38. The K-rail border marked the Port of Oakland east perimeter. Rail tracks are adjacent to the Port of Oakland east perimeter and Schnitzer's west perimeter. The rail tracks run parallel (north to south) to the Schnitzer west perimeter. Breaks in the Schnitzer K-rail containment berm were observed from the Port of Oakland paved lot (video record times at 20:30, 20:54, 21:08, 21:33, 21:40, 21:56 and 22:04). The Schnitzer west facility perimeter was above gradient from the rail tracks. Accumulated fluff mixed with sediment was observed throughout the Port of Oakland paved lot (video record times at 19:33, 21:21, 21:25, 22:08 to 22:28, and 23:22 to 23:39).

APL Video Observations:
Video observations made from the APL property begin at the record time 23:39 to 28:01. Storm water containment ranged from K-rail containment berms to no storm water containment structures (video record time from 23:39 to 24:50). We observed Schnitzer workers sand bagging the area where there was no storm water containment in addition to sand bagging beneath the K-rail containment berms (video record time at 25:02, 26:07 and 27:22). Portions of the Schnitzer facility were above gradient to the APL property. Fluff was observed on the APL property (video record time at 23:59). An outfall pipe was observed in the Oakland Inner Harbor located between the APL property and the Schnitzer west perimeter (video record time at 27:49 to 28:01).