



# United States Department of the Interior



**U.S. FISH AND WILDLIFE SERVICE**  
San Francisco Bay National Wildlife Refuge Complex  
1 Marshlands Road  
Fremont, California 94555

December 15, 2011

Mr. L. Steven Shinn, President – Northwest  
Sims Metal Management  
600 S. 4<sup>th</sup> Street  
Richmond, CA 94804

Dear Mr. Shinn:

The U.S. Fish and Wildlife Service is the manager of the Don Edwards San Francisco Bay National Wildlife Refuge. The Bair Island Unit of the refuge is located across from the Port of Redwood City. We have recently learned that automobile shedder residue (ASR) is being deposited from your operation into wetlands located on the Bair Island Unit. Our staff observed ASR deposition on the Bair Island Unit at a location approximately 800 feet west of Sims Metal Recycling Facility (Sims). We understand that this ASR is being produced by operations of Sims located at 699 Seaport Boulevard in Redwood City, California. Due to your company's location, this material is apparently being deposited in the wetlands of the refuge directly via wind and indirectly via tides and wind when the fibrous material falls or is blown into the Redwood Creek channel waters. Prevailing winds, especially in winter, blow from the south and southeast putting the Bair Island Unit's wetlands directly downwind of your facility. The Bair Island wetlands are home to numerous fish and wildlife species, including the salt marsh harvest mouse (*Reithrodontomys raviventris raviventris*) and California clapper rail (*Rallus longirostris obsoletus*), both listed as endangered under the Federal Endangered Species Act, as amended (16 U.S.C. 1531 *et seq.*).

We understand that this fibrous ASR may contain plastics, rubber, foam, residual metal pieces, paper, fabric, glass, sand, and dirt. ASR is typically contaminated by such metals as lead, cadmium, chromium, zinc, copper, mercury, as well as petroleum hydrocarbons (PAHs), polychlorinated biphenyls (PCBs), and polybrominated diphenyl ethers (PBDEs). We have been provided a technical report analyzing samples of ASR recently collected on Bair Island indicating elevated levels of metals, as well as trace levels of PCB's and Phthalates which pose a health risk to fish and wildlife in the area. The deposition of this material has impacted refuge lands directly and has also threatened the pending transfer of 140 acres from Pacific Shores that was planned as an addition to the refuge (*see attachment A*). Due to deposition of ASR on this 140 acre tract, we have been unable to accept transfer of this property.

We first notified your company on May 12, 2011 and visited the site with Mark Madden, Sims Regional Director of Government Relations, on September 19, 2011 and there has been no

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apparent action since that time. We are very concerned at the impacts caused by the continued deposition of ASR from your shredding operation onto sensitive wetlands located on the Refuge. We seek your assurance that the deposition will cease and that current impacts caused by your operation will be adequately remediated. We hope to resolve this serious situation without resorting to legal or other further action.

Please contact me or Eric Mruz at (510) 792-0222, Extension 123 or 125, respectively no later than January 13, 2012.

Sincerely,

A handwritten signature in blue ink that reads "G. Mendel Stewart". The signature is fluid and cursive, with the first name "G." and last name "Stewart" clearly legible.

G. Mendel Stewart  
Manager,  
San Francisco Bay  
National Wildlife Refuge Complex

cc:

Ken Greenberg, Supervisor, Clean Water Act Compliance Office, U.S. Environmental Protection Agency, San Francisco, CA

David Wampler, Team Leader, Clean Water Act Compliance Office, U.S. Environmental Protection Agency, San Francisco, CA

Tom Maurer, Chief, Investigations and Prevention Branch, U.S. Fish and Wildlife Service, Sacramento, CA

Pat Mapelli, Manager - Real Property, Cargill Salt, Newark, CA

William Moyer, General manager – Pacific Shores Center, Redwood City

Deborah Bardwick, Office of the Solicitor, U.S. Department of the Interior, San Francisco, CA

Cay Goude, Assistant Field Supervisor, Sacramento Fish and Wildlife Office, U.S. Fish and Wildlife Service

