



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

DEC 16 2011

Via Certified Mail (Return Receipt) and Email
7008 1140 0004 5420 5643
In Reply Refer to: CWA-309(a)-12-002

Steven Shinn
Regional General Manager
Sims Metal Management
600 S. 4th Street
Richmond, CA 94804

Dear Mr. Shinn,

EPA's review of operations at the Sims Metal Management scrap metal yard at 699 Seaport Boulevard within the Port of Redwood City (Facility) has revealed violations of the Clean Water Act (CWA or Act) and the National Pollution Discharge Elimination System (NPDES) permit regulating storm water and non-storm water discharges from the Facility. EPA performed a facility inspection on March 4, 2011 and collected residue samples from publicly accessible areas adjacent to the facility on August 25, 2011. Given the nature and extent of the violations, an Order for Compliance is necessary to assure that operations comply with the pertinent CWA and NPDES permit requirements within a reasonable timeframe.

Therefore, please find enclosed our Findings of Violation and Order for Compliance associated with the activities at the Facility. Also enclosed are our inspection reports with site photos and photo logs, and laboratory analysis reports of residue samples collected from areas we believe are affected by the industrial activities at the Facility.

A table summarizing the key deliverables required by the Order for Compliance is set forth below:

Timeframe	Order Provisions
Immediately	Take all necessary measures to fully and properly comply with all terms and conditions of the General Permit. [Order ¶ 25]
Within 30 days of receipt of this Order	Submit a revised SWPPP that fully complies with the General Permit. [Order ¶ 26]
With the first 24-hour rainfall event greater than 0.1 inch after the revised SWPPP has been submitted to EPA, and ongoing through May, 2012	Collect and analyze samples of storm water from all points of discharge at the Facility for the identified parameters using specified methods. [Order ¶ 27]
Within 90 days of receipt of this Order	Submit a "Compliance Plan" detailing the steps and schedule to achieve compliance within 12 months of the effective date of this order. [Order ¶ 30]
Within 12 months of the effective date of this Order	1. Eliminate or otherwise address all non-storm water discharges from the facility; and 2. Prevent or reduce pollutants from the facility in storm water discharges. [Order ¶ 30]

As EPA's investigation of operations at the Facility is ongoing, further requirements for compliance may be forthcoming.

EPA has used its best efforts to ensure that its Findings of Violation and Order for Compliance are accurate and appropriate. However, you may have information that you wish us to consider regarding provisions of this Order. If so, please submit such information for our consideration. We are prepared to discuss any concerns you may have with the provisions of the Findings of Violation and Order of Compliance. To the extent we determine that modifications are warranted, we may modify the t of CWA-309(a)-12-002 based on information that you submit and other information available to EPA.

If you have any questions, please call me or Luis Garcia-Bakarich at (415) 972-3237; his email is garcia-bakarich.luis@epa.gov.

Sincerely yours,

 16 Dec. 2012
Alexis Strauss
Director, Water Division

Enclosures

cc (w/enclosures) via email:

S. Lee, Regional Water Quality Control Board

S. Mih, San Mateo County Environmental Health Services Division