California Regional Water Quality Control Board
San Francisco Bay Region

1515 Clay Street, Suite 1400, Oakland, California 94612
(510) 622-2300 • Fax (510) 622-2460
http://www.waterboards.ca.gov/sanfranciscobay

Linda S. Adams
Secretary for
Environmental Protection

Arnold Schwarzenegger
Governor

Certified Mail No: 7008 1830 0003 0496 1909
Return Receipt Requested

March 9, 2010
SMARTS NFID: 2 01IN600224

Uni Poly Corporation
Attention: Tommy Law, Agent for Service of Process
1651 Aurora Drive
San Leandro, CA 94577

Subject: Notice of violation for storm water exposure and discharging Without Industrial Storm Water General Permit coverage; Corrective actions required

Facility: 2020 Williams Street, San Leandro, CA 94577

Dear Mr. Law:

State Water Resources Control Board (State Water Board) and Regional Water Quality Control Board (Regional Water Board) staff inspected your facility at 2020 Williams Street, San Leandro, CA 94577 (the Facility) on January 13, 2010. See attached Inspection report for our findings.

During the inspection, we explained to you that the Facility must have coverage under the State Water Resources Control Board's (State Water Board) National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges of Storm Water Associated with Industrial Activities, Water Quality Order No. 97-03-DWQ, the (General Permit[1]). We also explained to you that the Facility was in gross violation of stormwater requirements. This letter is formal follow-up to what was communicated in the inspection.

Summary of required corrective actions

You are required to do the following:

1. Obtain General Permit coverage (see below for details of how to do this);
2. Correct the problems noted during the inspection (see attached inspection report); and,
3. Submit photographs and a brief written description of your corrective actions to document compliance by March 30, 2010.

You remain out of compliance until you address these issues; therefore, we urge you to respond as soon as possible.

[1] General Permit: http://www.waterboards.ca.gov/water_issues/programs/stormwater/industrial.shtml

The Facility is violating California Water Code for operating without General Permit coverage

The Facility must apply for coverage under and comply with the General Permit. California Water Code section 13376 requires certain facilities to obtain coverage under the General Permit. A list of facilities required to have General Permit coverage can be found in Attachment 1 of the General Permit. For the most part, these facilities are identified in the Federal regulations by a Standard Industrial Classification (SIC) code[2].

Upon inspecting the Facility, Regional Water Board staff determined the Facility's SIC code as 2673: Plastics, Foil, and Coated Paper Bags[3]. Facilities with this SIC code fall under the General Permit's Category 10 Dischargers. Category 10 Dischargers must obtain permit coverage if they have industrial materials, equipment, or activities exposed to storm water. We determined during the inspection that the Facility has industrial materials, equipment, or activities exposed to storm water, and therefore, the Facility is required to obtain coverage under the General Permit. Our records indicate the Facility does not yet have General Permit coverage.

The Facility is violating Basin Plan Prohibitions

Additionally, the Facility is violating the San Francisco Bay Water Quality Control Plan (Basin Plan[4]). The Basin Plan is the Regional Water Board's master water quality control planning document. The Basin Plan applies to all facilities regardless of whether they currently have permit coverage. Therefore, the Basin Plan applies to the Facility. We observed during the January 13, 2010, inspection that the Facility is in violation of Basin Plan Prohibitions 6 and 7:

- **Prohibition 6** 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.

- **Prohibition 7** prohibits rubbish, refuse, bark, sawdust, or other solid wastes into surface waters or at any place where they would contact or where they would be eventually transported to surface waters, including flood plain areas.

Water Board staff observed plastic pellets and other debris on the ground at your facility such that the debris could be transported into storm drains and the receiving water bodies. Therefore, the Facility is in violation of Basin Plan Prohibitions 6 and 7.

Steps for coming into compliance

By March 30, 2010, we anticipate that you will come into compliance, as described below, and provide the following deliverables. Please note that you continue to be in violation, each day, until you address the violations noted in this letter and attached inspection report. Each violation is considered separately.

[2] Standard Industrial Classification (SIC) code: http://www.osha.gov/pls/imis/sicsearch.html
[3] Visit OSHA's website (see previous footnote) for a full description of SIC code 2673
[4] Basin Plan: http://www.waterboards.ca.gov/sanfranciscobay/basin_planning.shtml

A. Obtain coverage under and comply with the General Permit

Please refer to the permit for details on how to correctly prepare the following items:

1. You are required to submit a completed NOI form for coverage under the General Permit and the appropriate fee to one of the addresses shown below:[5]

U.S. Postal Service Address	**Overnight Mailing Address**
State Water Resources Control Board	State Water Resources Control Board
Division of Water Quality	Division of Water Quality
Attn: Storm Water Section	Attn: Storm Water, 15th Floor
P.O. Box 1977	1001 I Street
Sacramento, CA 95812-1977	Sacramento, CA 95814

2. You must submit a copy of your NOI form to both the Regional Water Board and the local agency at the following addresses:

Regional Water Quality Control Board	City of San Leandro
Attn: Cecil Felix	Attn: John Camp
1515 Clay Street, Suite 1400	835 E. 14th Street
Oakland, CA 94612	San Leandro, CA 94577

3. You must develop and implement a Storm Water Pollution Prevention Plan (SWPPP) and storm water monitoring program consistent with the General Permit. The SWPPP must be maintained and in use on site. We also require you to submit a copy of your SWPPP to the attention of Regional Water Board and City of San Leandro staff (see above). If you need guidance, the California Stormwater Quality Association (CASQA) publishes a handbook for Industrial Stormwater Best Management Practices, which includes a chapter on SWPPP preparation[6].

The SWPPP shall describe how the Facility will maintain compliance with the General Permit and Basin Plan Prohibitions 6 and 7. The SWPPP is considered a "living document", in that it must be modified if changes to Best Management Practices need to be made in order to protect stormwater at the Facility. By obtaining coverage under and complying with the General Permit, the Facility shall also achieve compliance with the Basin Plan.

B. Correct specific violations noted in the inspection report

1. You must correct all violations noted in the attached inspection report.
2. You must submit photographs and written description of corrective actions to Regional Water Board staff and City of San Leandro staff at the addresses noted above in line A.2.

[5] For more information about the program and for NOI forms, see: http://www.waterboards.ca.gov/water_issues/programs/stormwater/industrial.shtml

[6] CASQA BMP Handbook: http://www.cabmphandbooks.com/Industrial.asp Please note that the Water Board does not endorse any particular guidance document and your use of the CASQA manual does not guarantee compliance.

Consequences for Not Complying

Failure to obtain coverage under the General Permit is a violation of federal and state laws. The Prosecution Team at the Regional Water Board intends to pursue enforcement actions against facilities that are not covered by and/or are not in compliance with the General Permit. California Water Code section 13385 authorizes the Regional Water Board to administer civil liability for up to $10,000 per day of violation. Where there is a discharge, you may be liable for an additional $10 per gallon for any portion that is not cleaned up that exceeds 1,000 gallons.

Please note that the City of San Leandro and the State and Regional Water Boards enforce the State's regulations and the requirements for storm water pollution prevention. Therefore, staff from any or all of these agencies may follow up regarding the Facility's compliance with storm water regulations.

If you have any questions regarding this letter, please contact Cecil Felix by email at cfelix@waterboards.ca.gov or by phone at (510) 622-2343.

Sincerely,

Christine Boschen
Section Leader
Watershed Management Division

Encl: January 13, 2010, Inspection Report with photographs
Operation Clean Sweep Zero Pellet Loss brochure
Printout of General Permit website

cc: City of San Leandro
Attn: John Camp
JCamp@ci.san-leandro.ca.us
(via email)

Attn: Tommy Law
2020 Williams Street #C
San Leandro, CA 94577

Attn: Tommy Law
2040 Williams Street
San Leandro, CA 94577

Attn: Peter Kung, Registered Agent
1651 Aurora Drive
San Leandro, CA 94577

State Water Resources Control Board
Attn: Greg Gearheart, Laura Drabandt, Mark Bradley, Chris Haynes, Dylan Seidner
GGearheart@waterboards.ca.gov,
LDrabandt@waterboards.ca.gov,
MBradley@waterboards.ca.gov,
CHaynes@waterboards.ca.gov,
DSeidner@waterboards.ca.gov
(via email)

CA Department of Fish and Game
Attn: Kyle Hiatt, Janna Rinderneck, Paul Hamilton
KHiatt@ospr.dfg.ca.gov,
JRinder@ospr.dfg.ca.gov
PHamilto@ospr.dfg.ca.gov
(via email)

Attachment 1

January 13, 2010,
Inspection Report with
photographs

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

INDUSTRIAL STORM WATER INSPECTION REPORT

FACILITY INFORMATION

2 01IN600223	N/A	2673	Plastics, Foil, and Coated Paper Bags
WDID NUMBER	NOI PROCESSING DATE	SIC CODE(S)	TYPE(S) OF INDUSTRIAL ACTIVITY

Uni Poly Corporation	2020 Williams St	San Leandro	94577	Unknown
FACILITY NAME	ADDRESS	CITY	ZIP	FACILITY SIZE

Peter Kung	President	(510) 357-9898	
OWNER OF SITE REPRESENTATIVE PRESENT DURING INSPECTION	TITLE	PHONE NUMBER	EMAIL

INSPECTION LOGISTICS

01/13/2010	1:45 PM	3:05 PM	Clear
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 on page 8)
- ☐ 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 (see checklist on pages 6-7)
- ☐ Sampling and Analysis Reduction

☐ PREVIOUS INSPECTION/ENFORCEMENT FOLLOW-UP

Compliance due date _____

☒ OTHER REASON FOR INSPECTION (PLEASE SPECIFY): DEPARTMENT OF FISH AND GAME WAS INSPECTING THEIR OTHER FACILITY AT 1651 AURORA, FOUND OUT THEY HAD ANOTHER FACILITY IN SAME CITY AND CALLED US TO INSPECT.

Michelle Rembaum-Fox & Cecil Felix	Michelle Rembaum-Fox	01/13/2010
INSPECTOR NAME	SIGNATURE	REPORT DATE

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

INDUSTRIAL STORM WATER INSPECTION REPORT

A. STORM WATER POLLUTION PREVENTION PLAN EVALUATION – Did the Permittee:						
	Yes	**No**	**N/A**	**Check if Violation**	**Comments/Violation Description**	**Corrective Action and Due Date**
1 Develop a SWPPP and retain on-site [Section A.1* & A.10]	☐	☒	☐	☒	Non Filer. Metro Poly representatives were unaware of any stormwater regulations and unaware that they needed a permit. The facility representatives could provide no SWPPP or other environmental compliance documents.	By March 5, 2010, obtain Permit coverage and develop Stormwater Pollution Prevention Plan and monitoring plan, retain on-site, implement the Plan, and meet the requirements of the Permit and the Permit sections cited herein.
2 Identify and/or promptly update pollution prevention team [Section A.3]	☐	☒	☐	☒	Not available. See A.1 above. The facility representatives indicated that there are no on-site personnel specifically assigned to manage stormwater or other environmental issues.	As above.
3 Identify pollution prevention team responsibilities [Section A.3]	☐	☒	☐	☒	Not available. See A.1 above. The facility representatives indicated that all releases of materials on-site were cleaned up by the janitor. See A.2 above.	As above.
4 Develop and/or promptly update site map [Section A.4]	☐	☒	☐	☒	Not available. See A.1 above	As above.
5 List significant materials handled and stored on-site [Section A.5]	☐	☒	☐	☒	Not available. See A.1 above.	As above.
6 Describe industrial activities and associated potential pollutant sources [Section A.6]	☐	☒	☐	☒	Not available. See A.1 above. The building has a city permit under the warehouse SIC code. Metro Poly is a tenant; 2 other units are located in the building, one of which is vacant. Metro Poly operates 24 hr/7day week. The representatives indicated that they use 200,000 pounds of pre-production pellets per month. The facility representatives, upon our questioning, did not convey a clear and complete description of facility operations and pollution controls. Facility representatives mentioned that the raw material used onsite was high-density plastic pellet, and that there was also an internal recycling and reuse of materials.	As above.

INDUSTRIAL STORM WATER INSPECTION REPORT

A. STORM WATER POLLUTION PREVENTION PLAN EVALUATION – Did the Permittee:						
					Site activities observed: -plastic bag manufacturing in interior of building; -unloading of raw product and recycled product from rail via vacuum hoses -bulk transport of plastic products into trucks	
7 Assess activities, pollutant sources, pollutants [Section A.7]	☐	☒	☐	☒	Not available. See A.1 above.	As above.
8 Describe (narrative) site-specific BMPs [Section A.8]	☐	☒	☐	☒	Not available. See A.1 above. No effective Best Management Practices (BMPs) in place at the facility. No stormwater diversions or conveyances (i.e. berms or grading) were present on site to prevent unauthorized discharges. All stormdrains inlets were unprotected. The underside of the roof structure covering the RR loading dock was flaking large amounts of paint chips, which were found throughout the dock and in/around storm drains. Non-structural BMPs were not implemented on the site. The extent of plastic materials throughout the interior, exterior, and in/adjacent to stormdrains indicated no regular containment or cleanup. We asked for a description of waste disposal protocol and to be shown waste collection and storage areas but the facility representatives were unable to convey this or show us the areas. We observed plastic debris in/on/adjacent to the grates of a large storm drain located at the north end of the rail spur near a door to the factory floor, which appeared to be deliberately disposed into the stormdrain. See Photo A.8.1.	As above.

INDUSTRIAL STORM WATER INSPECTION REPORT

A. STORM WATER POLLUTION PREVENTION PLAN EVALUATION – Did the Permittee:						
					We asked the facility representatives why the debris was there and what they did with their waste products. They indicated that the material was recycled or properly disposed. We indicated that their explanation was inconsistent with our observations, and that deliberately placing the materials into the stormdrain was a violation; their response was that they would do 'whatever it takes' to clean it up.	
9 Conduct Annual Comprehensive Site Compliance Evaluation [Section A.9]	☐	☒	☐	☒	See A.1 above. The facility representatives indicated that no regular site evaluations are conducted, only that 'cleanup is done by the janitor as needed'.	As above.
10 Sign and certify SWPPP [Section C.9]	☐	☒	☐	☒	See #1 above.	As above.

*References correspond to the NPDES General Permit for Discharges of Storm Water associated with Industrial Activities, Order No. 97-03-DWQ

INDUSTRIAL STORM WATER INSPECTION REPORT

B. MONITORING PROGRAM EVALUATION – Did the Permittee:						
	Yes	**No**	**N/A**	**Check if Violation**	**Comments/Violation Description**	**Corrective Action and Due Date**
1 Develop a Monitoring Program and retain on-site [Section B.1*]	☐	☒	☐	☒	The facility representatives could not provide a monitoring program (or program equivalent) for the facility. They also indicated that they kept no records pertaining to stormwater issues. They indicated that the extent of their monitoring is to observe site conditions and to instruct the janitor to sweep materials as spills occur.	By March 5, 2010, develop the monitoring program, retain on-site, and implement all requirements per the permit and in the permit sections cited herein.
2 Schedule Non-Storm Water Discharge Visual Observations [Section B.3]	☐	☒	☐	☒	See B.1 above.	As above.
3 Schedule Storm Water Discharge Visual Observations [Section B.4]	☐	☒	☐	☒	See B.1 above.	As above.
4 Describe sampling and analysis methodology [Section B.5]	☐	☒	☐	☒	See B.1 above.	As above.
5 Sample two storm events. If not, explain. [Section B.5.a]	☐	☒	☐	☒	See B.1 above.	As above.
6 Sample for additional parameters. If not, explain. [Section B.5.c.iii]	☐	☒	☐	☒	See B.1 above.	As above.
7 Sample ALL storm water discharge points. If not, explain. [Section B.7]	☐	☒	☐	☒	See B.1 above.	As above.
8 Describe monitoring methods [Section B.10]	☐	☒	☐	☒	See B.1 above.	As above.
9 Describe quality assurance and quality control methods [Section B.10.b]	☐	☒	☐	☒	See B.1 above.	As above.
10 Retain records of all storm water monitoring and reports for at least five years [Section B.13]	☐	☒	☐	☒	See B.1 above.	As above.

*References correspond to the NPDES General Permit for Discharges of Storm Water associated with Industrial Activities, Order No. 97-03-DWQ

INDUSTRIAL STORM WATER INSPECTION REPORT

C. BMP IMPLEMENTATION EVALUATION – Did the Permittee:

Industrial Activities or Pollutant Sources and the Corresponding Basic BMPs		BMP specified in SWPPP?		BMP Implemented?	Check if Violation	Comments/Violation Description	Corrective Action and Due Date
		YES	NO	(Not / Partially / Adequate)			
Industrial Processing Areas	1 Overhead roofs or cover	☐	☒	Partially Implemented	☒	See comment C.7.	By March 5, 2010, develop BMPs for industrial processing areas, include them in the SWPPP, and implement them, as per the Permit and the Permit sections cited herein.
	2 Isolation of activities and/or materials from rain	☐	☒	Partially Implemented	☒	Manufacturing areas contained within building; however, large of materials is transported out of building doorways.	As above.
	3 Proper grading to divert runoff from source areas	☐	☒	Not Implemented	☒	See comment in C.9.	As above.
	4 Collect and/or treat storm water (specify)	☐	☒	Not Implemented	☒	No pretreatment system for separating plastic materials from stormwater. Additional information needed in order to determine whether advanced treatment is required. Consider screening inlets.	As above.
	5 Frequent inspections to identify problem areas	☐	☒	Not Implemented	☒	Extent of plastic materials discharged throughout site indicates that problem areas are not identified or mitigated.	As above.
	6	☐	☐		☐		

INDUSTRIAL STORM WATER INSPECTION REPORT

C. BMP IMPLEMENTATION EVALUATION – Did the Permittee:

Industrial Activities or Pollutant Sources and the Corresponding Basic BMPs		BMP specified in SWPPP? YES	BMP specified in SWPPP? NO	BMP Implemented? (Not / Partially / Adequate)	Check if Violation	Comments/Violation Description	Corrective Action and Due Date
Material Handling and Storage Areas, Including Shipping and Loading Areas	7 Overhead roofs or cover	☐	☒	Partially Implemented	☒	Overhead roof is present over western portion of site where loading docks and RR cars are located; however, the underside is peeling large amounts of paint which is discharged into the stormdrain (See Photo C.7.1).	By March 5, 2010, develop BMPs for material handling and storage areas, including shipping and loading areas, include them in the SWPPP, and implement them, as per the Permit and the Permit sections cited herein.
	8 Isolation of activities and/or materials from rain	☐	☒	Not Implemented	☒	Nurdle and plastic materials is handled/spilled/stored in both covered and uncovered areas of the site and is transported into stormdrains and adjacent off-site areas by stormwater run-off and run-on. See Photos C.8.1, C.8.2, C.8.3, and C.8.4. Four bags of finer plastic flakes of recycled and/or waste material in uncovered bags on steps of loading rail side of loading dock were spilling and stored close to a storm drain. See Photos C.8.5 and C.8.6. Eight 55-gallon drums of PT-HD Poly Tech high gloss jet black ink stacked 2-high on side on loading dock near roll-up door. Site representative told us they were empty. On the back side of the facility main building, we observed green pellets and plastic debris along the fence line and outside back door. See Photos C.8.7 and C.8.8. A large storm drain inlet on east side (where trucks were) had no inlet protection and had debris, plastics, and pre-production plastics in and around it.	As above.

INDUSTRIAL STORM WATER INSPECTION REPORT

C. BMP IMPLEMENTATION EVALUATION – Did the Permittee:

Industrial Activities or Pollutant Sources and the Corresponding Basic BMPs		BMP specified in SWPPP? YES	BMP specified in SWPPP? NO	BMP Implemented? (Not / Partially / Adequate)	Check if Violation	Comments/Violation Description	Corrective Action and Due Date
Material Handling and Storage Areas, Including Shipping and Loading Areas	9 Proper grading to divert runoff from source areas	☐	☒	Not Implemented	☒	Grading on eastern portion of property is toward the truck loading docks. No stormwater diversions or conveyances (i.e. berms or grading) were present on site to prevent unauthorized discharges. Run-on throughout site exterior comes into contact with spilled plastic materials and improperly disposed waste product, especially beneath the roofed area over the rail spurs.	As above.
	10 Collect and/or treat storm water (specify)	☐	☒	Not Implemented	☒	No pretreatment system for separating plastic materials from strormwater. Additional information needed in order to determine whether advanced treatment is required.	As above.
	11 Frequent inspections to identify problem areas	☐	☒	Not Implemented	☒	Extent of plastic materials discharged throughout site indicates that problem areas are not identified or mitigated.	As above.
	12 Spill and leak prevention and control measures	☐	☒	Not Implemented	☒	Extent of plastic materials discharged throughout site indicates that problem areas are not identified or mitigated. All storm drain inlets were unprotected. "Operation Clean Sweep" label on one of the RR cars (See Photo C.12.1).	As above.
	13 Inventory and labeling of raw materials and wastes	☐	☒	Not Implemented	☒	Unlabeled bags of waste material located at loading docks and doorways on western portion of property. No clearly defined area for storage and disposal of raw and waste materials.	As above.
	14 Storm Drain inlet protection	☐	☒	Not Implemented	☒	No inlet protection. Plastic pellets, processed plastic material, and trash observed in and around storm drain (See Photos C.13.1, C.13.2, and C.13.3).	As above.

INDUSTRIAL STORM WATER INSPECTION REPORT

C. BMP IMPLEMENTATION EVALUATION – Did the Permittee:

Industrial Activities or Pollutant Sources and the Corresponding Basic BMPs		BMP specified in SWPPP? YES	BMP specified in SWPPP? NO	BMP Implemented? (Not / Partially / Adequate)	Check if Violation	Comments/Violation Description	Corrective Action and Due Date
Vehicle and Equipment Maintenance Areas	15 Overhead roofs or cover	☐	☒	Partially Implemented	☒	Overhead roof is present over western portion of site where loading docks and RR cars are located; however, the underside is peeling large amounts of paint which is discharged into the stormdrain.	By March 5, 2010, develop BMPs for vehicle and equipment maintenance areas, include them in the SWPPP, and implement them, as per the Permit and the Permit sections cited herein.
	16 Isolation of activities and/or materials from rain	☐	☒	Not Implemented	☒	Nurdle and plastic materials is handled/spilled/stored in both covered and uncovered areas of the site and is transported into stormdrains and adjacent off-site areas by stormwater run-off and run-on.	As above.
	17 Proper grading to divert runoff from source areas	☐	☒	Not Implemented	☒	Grading on eastern portion of property is toward the truck loading docks.	As above.
	18 Collect and/or treat storm water (specify)	☐	☒	Not Implemented	☒	No pretreatment system for separating plastic materials from strormwater. Additional information needed in order to determine whether advanced treatment is required.	As above.
	19 Frequent inspections to identify problem areas	☐	☒	Not Implemented	☒	Extent of plastic materials discharged throughout truck and RR areas of the site indicates that problem areas are not identified or mitigated.	As above.
	20 Spill and leak prevention and control measures	☐	☒	Not Implemented	☒	Extent of plastic materials discharged throughout truck and RR areas of the site indicates that problem areas are not identified or mitigated.	As above.
	21	☐	☐		☐		

INDUSTRIAL STORM WATER INSPECTION REPORT

C. BMP IMPLEMENTATION EVALUATION – Did the Permittee:

Industrial Activities or Pollutant Sources and the Corresponding Basic BMPs		BMP specified in SWPPP? YES	BMP specified in SWPPP? NO	BMP Implemented? (Not / Partially / Adequate)	Check if Violation	Comments/Violation Description	Corrective Action and Due Date
Significant Spills and Leaks	22 Spill prevention plan and team	☐	☒	Not Implemented	☒	See A.2 above.	By March 5, 2010, develop BMPs for spills and leaks, include them in the SWPPP, and implement them, as per the Permit and the Permit sections cited herein.
	23 Proper containment of potential spill and leak areas	☐	☒	Not Implemented	☒	Plastic materials and processed plastic products spilled throughout interior and exterior of site. Extent of spills indicate that spills are frequent and that cleanup is infrequent.	As above.
	24 Use of spill control materials	☐	☒	Not Implemented	☒	Spill control is sweeping; sweeping not frequent or thorough enough. We observed employees sweeping pellets and processed plastic product from the exterior portions of the site (along RR tracks, on loading docks, and paved access and parking areas; DFG informed us that when they arrived at the site they also observed them sweeping. It was apparent by the wetted asphalt that employees attempted to clean up the site just prior our visit.	As above.
	25 Prompt clean-up of spill control materials	☐	☒	Not Implemented	☒	Extent of spills indicates that cleanup is infrequent. The piping and connections from the rail cars are not sealed (gaps of several inches); thus it appears that spillage of materials is frequent. See Photos C.25.1, C.25.2, and C.25.3.	As above.
	26 Frequent inspections to identify spills and leaks	☐	☒	Not Implemented	☒	See B.1, C.5, C.11, C.19	As above.
	27	☐	☐		☐		

INDUSTRIAL STORM WATER INSPECTION REPORT

C. BMP IMPLEMENTATION EVALUATION – Did the Permittee:

Industrial Activities or Pollutant Sources and the Corresponding Basic BMPs		BMP specified in SWPPP? YES	BMP specified in SWPPP? NO	BMP Implemented? (Not / Partially / Adequate)	Check if Violation	Comments/Violation Description	Corrective Action and Due Date
Soil Erosion, Dust and Particulate Generating	28 Proper grading and/or pavement	☐	☒	Not Implemented	☒	No BMPs in place to prevent nurdles or other plastic from tranport off site.	By March 5, 2010, develop BMPs for dust and particulate generating activities, include them in the SWPPP, and implement them, as per the Permit and the Permit sections cited herein.
	29 Tracking prevention	☐	☒	Not Implemented	☒	Plastic product tracked thoughout site interior and exterior.	As above.
	30 Planting and maintenance of vegetation	☐	☐		☐		
	31 Sediment control devices (specify)	☐	☐		☐		
	32	☐	☐		☐		

INDUSTRIAL STORM WATER INSPECTION REPORT

C. BMP IMPLEMENTATION EVALUATION – Did the Permittee:

Industrial Activities or Pollutant Sources and the Corresponding Basic BMPs		BMP specified in SWPPP? YES	BMP specified in SWPPP? NO	BMP Implemented? (Not / Partially / Adequate)	Check if Violation	Comments/Violation Description	Corrective Action and Due Date
Non-storm water discharge	33 Eliminate sources of non-storm water discharges	☐	☒	Not Implemented	☒	Cooling system water is discharged to stormdrain inlet on western site boundary.	By March 5, 2010, develop BMPs for non-storm water discharges, include them in the SWPPP, and implement them, as per the Permit and the Permit sections cited herein. The BMPs must include verification that non-storm water does not contain constituents that may impact receiving waters and include provisions for any treatment and permitting in addition to that required for stormwater discharges.
	34 Separate permit for non-storm water discharges	☐	☒	Not Implemented	☐	See C.33 above.	As above.
	35 Contain non-storm water discharges	☐	☒	Not Implemented	☐	See C.33 above.	As above.
	36 Collect & treat non-storm water discharge	☐	☒	Not Implemented	☐	See C.33 above.	As above.
	37	☐	☐		☐		

INDUSTRIAL STORM WATER INSPECTION REPORT

C. BMP IMPLEMENTATION EVALUATION – Did the Permittee:

Industrial Activities or Pollutant Sources and the Corresponding Basic BMPs		BMP specified in SWPPP? YES	BMP specified in SWPPP? NO	BMP Implemented? (Not / Partially / Adequate)	Check if Violation	Comments/Violation Description	Corrective Action and Due Date
Non-Structural BMPs and Record Keeping	38 Good Housekeeping (specify)	☐	☒	Not Implemented	☒	Plastic materials and processed product spilled throughout buiding interior and exterior. Spills associated with all major site activities: transport, storage, processing, disposal. Only 1 person observed sweeping on entire site. That person was sweeping plastic pellets and processed plastic debris from the exterior portions of the site. DFG inspectors informed us that they observed an employee sweeping upon their arrival.The wetted asphalt indicated that employees attempted to clean up the site just prior to our visit. Non-structural BMPs were not implemented on this site. The extent of plastic materials throughout the interior, exterior, and in/adjacent to the stormdrains indicated no regular containment or cleanup.	By March 5, 2010, develop non-structural BMPs and a methodology for record keeping, include them in the SWPPP, and implement them, as per the Permit and the Permit sections cited herein.
	39 Preventive Maintenance	☐	☒	Not Implemented	☒	None. See Table A.	As above.
	40 Material Handling and Storage	☐	☒	Not Implemented	☒	Plastic materials and processed product spilled throughout material handling and storage areas and tracked throughout site and/or transported via stormwater runoff and run-on. We asked for a description of waste disposal protocol and to be shown waste collection and storage areas but the facility representatives were unable to convey this or show us the areas.	As above.
	41 Employee Training	☐	☒	Not Implemented	☒	None. See Table A.	As above.

INDUSTRIAL STORM WATER INSPECTION REPORT

C. BMP IMPLEMENTATION EVALUATION – Did the Permittee:

Industrial Activities or Pollutant Sources and the Corresponding Basic BMPs		BMP specified in SWPPP? YES	BMP specified in SWPPP? NO	BMP Implemented? (Not / Partially / Adequate)	Check if Violation	Comments/Violation Description	Corrective Action and Due Date
Non-Structural BMPs and Record Keeping	42 Waste Handling and Recycling	☐	☒	Not Implemented	☒	Facility representatives unable to clearly describe waste handling and recycling procedures nor show areas designated for waste. No designated waste management areas observed. We observed plastic debris in/on/adjacent to the grates of a large storm drain located at the north end of the rail spur near a door to the factory floor, which appeared to be deliberately disposed into the stormdrain. We asked the facility representatives why the debris was there and what they did with their waste products. They indicated that the material was recycled or properly disposed. We indicated that their explanation was inconsistent with our observations, and that deliberately placing the materials into the stormdrain was a violation; their response was that they would do 'whatever it takes' to clean it up.	As above.
	43 Proper documentation of significant spills and leaks	☐	☒	Not Implemented	☒	None. See Table A and B.	As above.
	44 Documentation of inspections	☐	☒	Not Implemented	☒	None. See Table A and B.	As above.
	45	☐	☐		☐		

Uni Poly Corporation
2020 Williams St
San Leandro CA

NFID# 2 01IN600223

Inspected 01/13/2010

Photo C.7.1

Photo C.8.1

Photo C.8.2

Photo C.8.3

Photo C.8.4

Photo C.8.5

Photo C.8.6

Photo C.8.7

Photo C.8.8


✓ Keep Plastics Off Ground
✓ Close and Lock Caps When Outlets Not In Use
✓ Pick Up All Spills
Operation Clean Sweep
✓ No Deje Caer El Plástico Al Piso
✓ Cierre Y Asegure Todas Las Válvulas Cuando No Se Esten Usando
✓ Recoja Todo Lo Que Se Ha Tirado

Photo C.12.1

Photo C.13.1

Photo C.13.2

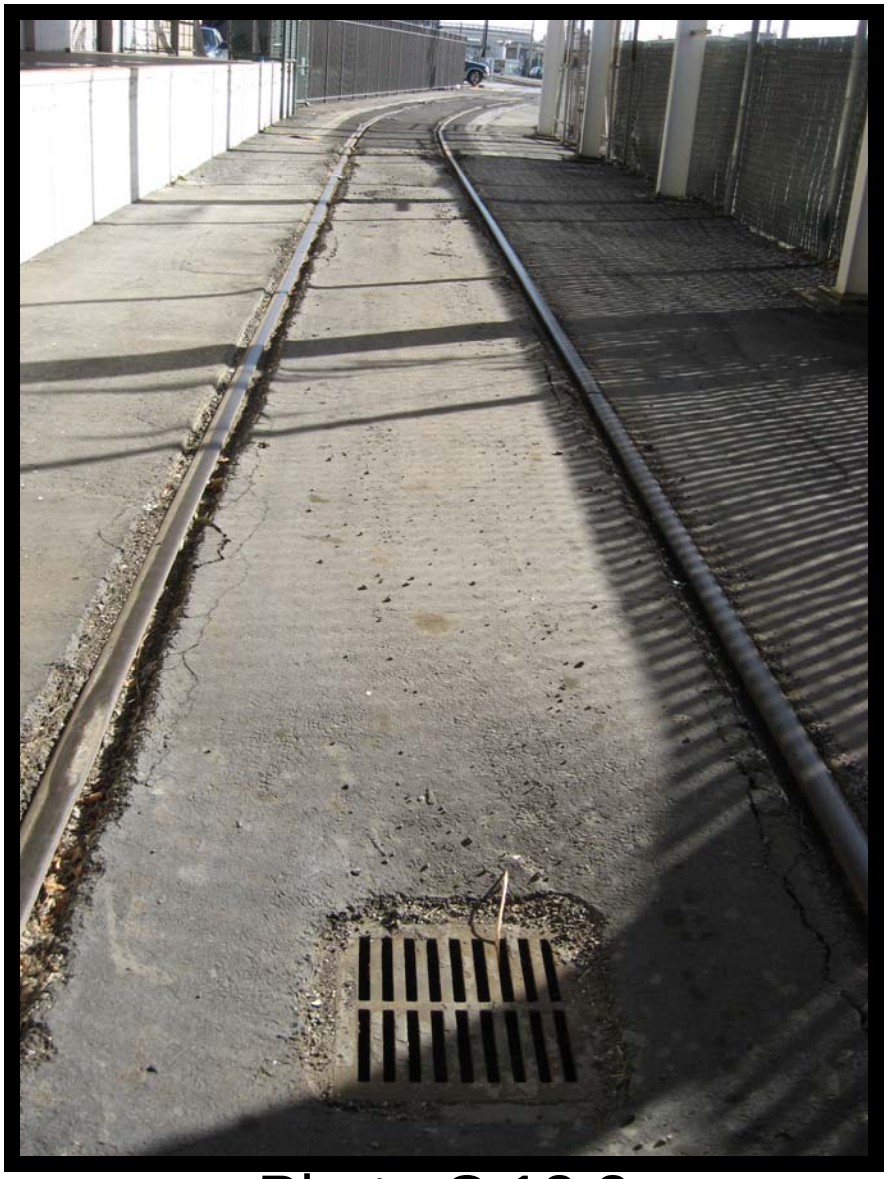


Photo C.13.3

Photo C.25.1

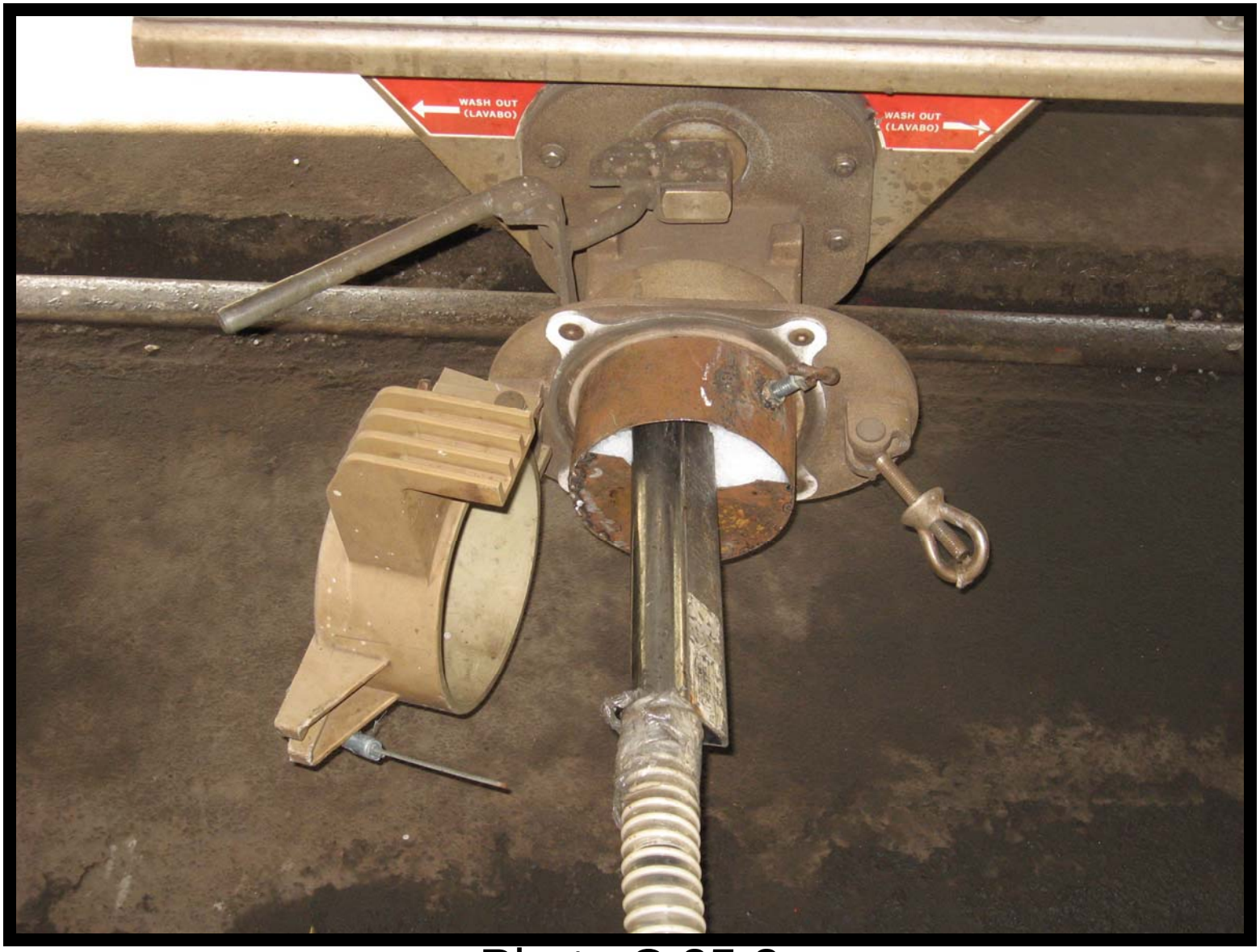


Photo C.25.2

Photo C.25.3

Attachment 2

Operation Clean Sweep
Zero Pellet Loss
brochure

Operation Clean Sweep® Tools and Resources

OCS Materials are available in both English and Spanish

Pellet Handling Manual

2' x 3' Posters

6" x 18"
Railcar Stickers

"One of the greatest benefits of implementing OCS was that most of what we did was easy and inexpensive to implement. Now our shop is cleaner, safer and more efficient."

- Kevin Clyde, Materials/Secondary Operations Manager
Jatco, Incorporated

For more information and to order free materials go to www.opcleansweep.org

Take the Operation Clean Sweep® Pledge

PLEDGE

Our company recognizes the importance of preventing the loss of resin pellets into the environment and we are committed to implementing the Operation Clean Sweep® program.

We will be an OCS Program Partner, strive towards zero pellet loss and:

- Make changes wherever possible and practical to:
  - Improve our worksite set-up to prevent and address spills;
  - Create and publish internal procedures to achieve zero pellet loss goals;
  - Provide employee training and accountability for spill prevention, containment, cleanup and disposal;
- Review our performance regularly; and
- Comply with all applicable federal, state and local regulations governing pellet containment.

Zero Pellet Loss

Register your company OCS Pledge online at www.opcleansweep.org

Operation Clean Sweep®

Zero Pellet Loss

Practical steps for containing plastic pellets at your facility

Sponsored by the
Plastics Division of the American Chemistry Council
and The Society of the Plastics Industry, Inc.

spi the plastics industry trade association

American Chemistry Council®

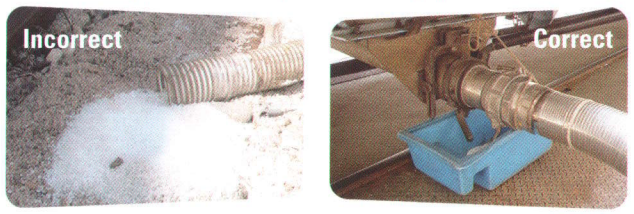
Pellet containment: Good for the environment. Good for business.

The proper containment of plastic pellets is a critical issue for the environment - and a priority for the plastics industry.

Whether a spill happens in Iowa or at a seaside facility, lost pellets can get into local waterways, wind up in our oceans and pose a hazard to marine wildlife. The impact of plastic pellets in our waterways is a serious issue that must be addressed.

Fortunately, there are a number of practical low cost steps facilities can take to contain plastic pellets. The U.S. plastics industry's Operation Clean Sweep® (OCS) program can help your facility get started.

How is your facility handling pellets today?



When facilities implement OCS:

- Pellets are kept out of the natural environment
- Companies enhance their reputation with customers and the community
- Accidents can be reduced
- More material becomes product rather than waste, improving efficiency
- Savings can be realized in high cost items such as insurance
- Penalties and fines can be avoided

Your participation is critical.

"We have found that Operation Clean Sweep®, while comprehensive, is an easy program to implement."

- Peter M. Grande, President, Command Packaging

All parts of the plastic distribution chain - resin producers, transporters, transloaders, packagers and plastics processors - have an important role to play in preventing pellet loss.

The OCS program provides a flexible, voluntary approach and offers specific tools, techniques and management practices for all types of pellet handling operations. The OCS manual makes it easy to follow a program for your facility's operations.

Here's how OCS works.

Individual facilities commit to uphold basic pellet containment principles by signing on as OCS Pledge Partners. By taking the OCS Pledge, facilities agree to:

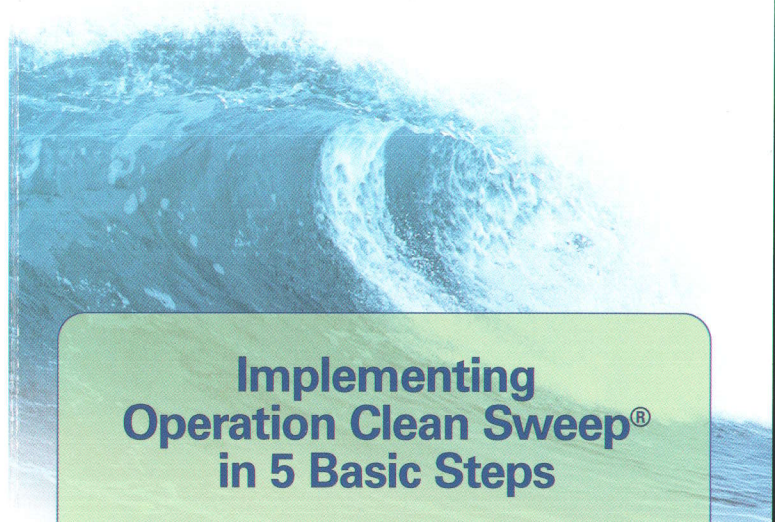
- Avoid spills
- Contain any spills that do occur
- Properly dispose of collected materials

An OCS manual of best management practices is available online at www.opcleansweep.org.

It costs nothing to Pledge and all materials are free.

A framed OCS Pledge Partner certificate is sent to all participating companies.

Knowledgeable staff can answer questions about the program. For more information, please call 800-2-HELP-90 (800-243-5790).



Implementing Operation Clean Sweep® in 5 Basic Steps

1. **Become an OCS Pledge Partner and commit to making zero pellet loss a priority.**
   On behalf of your facility, complete the "Company Pledge" form available online at www.opcleansweep.org.
2. **Assess your facility's situation and needs.**
   Use the OCS Manual's sample worksheets and checklists to conduct a site audit.
3. **Make needed upgrades in facilities and equipment as appropriate.**
   In some cases, small changes (such as putting catch bins in unloading areas) make it easier for employees to maintain a clean environment.
4. **Raise employee awareness and create accountability.**
   Use the OCS Manual to establish written procedures and train your employees.
5. **Follow up and enforce procedures - when management cares, employees will too.**
   Give employees feedback on areas for improvement and compliment jobs well done.

"Employees basically want to do the right thing and making it easy for them to accomplish the goals ensures the success of the program."

- Doug Nuttall, Director of Special Projects, Crown Poly, Inc.

Operation Clean Sweep®

Attachment 3

Printout of General Permit website

Storm Water Program

INDUSTRIAL STORM WATER

The Industrial Storm Water General Permit Order 97-03-DWQ (General Industrial Permit) is an NPDES permit that regulates discharges associated with 10 broad categories of industrial activities. The General Industrial Permit requires the implementation of management measures that will achieve the performance standard of best available technology economically achievable (BAT) and best conventional pollutant control technology (BCT). The General Industrial Permit also requires the development of a Storm Water Pollution Prevention Plan (SWPPP) and a monitoring plan. Through the SWPPP, sources of pollutants are to be identified and the means to manage the sources to reduce storm water pollution are described. The General Industrial Permit requires that an annual report be submitted each July 1. Facility operators may be able to participate in group monitoring program.

To apply for coverage under the General Permit, see Industrial General Permit and Forms and download the Current Industrial Activities Storm Water General Permit. The Notice of Intent is an attachment within the General Permit.

- Electronic Registering and Filing of Storm Water Annual Reports (updated 6/12/06)
- Public Hearing Comments on 2005 Draft Industrial Activities Storm Water Permit (3/17/05)
- Industrial General Permit and Forms
- Annual Report Storm Water Data - The Water Board staff has collected and merged all available Regional Board electronic annual report data into one Access table. Please note that much of this data has been entered with little or no QA/QC, and that the data does not represent all Regional Boards or compliance years. (updated 2/16/05)
- Annual Report
  - Login to SMARTS (SWARM) to submit the annual report electronically
- Frequently Asked Questions
- Industrial Permit Databases
- **New!** Preproduction Plastic Debris Program Page
- Industrial Historical Documents

(Updated 1/12/10)