STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
SANTA ANA REGION

IN THE MATTER OF:

Complaint No. R8-2005-0105
for
Mandatory Penalties

Adams Steel)
3200 East Frontera Street)
Anaheim, CA 92806)
)
Attn: George Adams, Owner)

YOU ARE HEREBY GIVEN NOTICE THAT:

1. Adams Steel is alleged to have violated provisions of law for which the California Regional Water Quality Control Board, Santa Ana Region (hereinafter Board), must impose liability under Sections 13385(h) and (i) of the California Water Code.

2. A hearing concerning this Complaint will be held before the Board within 90 days of the date of issuance of this complaint, unless Adams Steel waives its right to a hearing. Waiver procedures are specified on Page 2, Item 9, of this complaint. If the hearing in this matter is not waived, the hearing will be scheduled for the regular Board meeting on September 30, 2005, at the Orange County Sanitation District, 10844 Ellis Avenue, Fountain Valley, CA. Adams Steel or its representatives will have an opportunity to appear and be heard and to contest the allegations in this Complaint and the imposition of mandatory penalties by the Board. An agenda for the meeting and the staff report for this item will be mailed to you not less than 10 days prior to the hearing date.

3. If the September 30, 2005 hearing is held, the Board will consider whether to affirm, reject or modify the proposed mandatory penalties or whether to refer the matter to the Attorney General for recovery of judicial civil liability.

4. This Complaint is based on the following facts:

   a. Adams Steel operates a metals recycling facility in Anaheim, California. On March 6, 1998, the Board adopted Waste Discharge Requirements Order No. 98-4, NPDES No. CA 8000277, (Permit) for Adams Steel. The Permit regulates the discharge of treated storm water commingled with process wastewater associated with industrial activities from the Adams Steel facility.

   b. Adams Steel submitted an annual self-monitoring report for discharges from the facility for the 2004-2005 rainy season. This monitoring report shows serious and/or chronic effluent limit violations for pH, total petroleum hydrocarbons, cadmium, copper, hexavalent chromium, lead, and zinc. These violations are summarized on Attachment 1, which is hereby made a part of this Complaint.

5. Water Code Sections 13385(h) and (i) requires the Board to assess a mandatory minimum penalty of three thousand dollars ($3,000) for each serious and/or chronic violation.

6. As indicated on Attachment 1, there are 13 serious and/or chronic violations that meet the mandatory minimum penalty criteria specified in Sections 13385(h) and (i).

7. Pursuant to Section 13385(c) of the California Water Code, the Board may also impose administrative civil liability for the violations cited above. The maximum administrative civil liability that may be imposed for these violations is $160,000 (a total of 16 days of violations @ $10,000 per day for each day of violation). The Board may also impose additional penalties based on the discharge volume.

8. The Executive Officer proposes that mandatory penalties of $39,000 be imposed on Adams Steel by the Board for the violations cited in Item 6, above.

9. You may waive your right to a hearing. If you waive your right to a hearing, please sign the attached waiver form and mail it, together with a check payable to the State Water Resources Control Board, for $39,000, as specified on the waiver form.

If you have any questions, please contact Mark Smythe at (951) 782-4998, or Patrice Copeland (951) 321-4576. For legal questions, contact the Regional Board's legal counsel, Jorge Leon at (916) 341-5180.

8/8/05
Date

Gerard J. Thibeault
Executive Officer

Attachment 1
MPC R8-2005-0105
Adams Steel, Anaheim, Orange County
Summary of MPC Violations

Constituent (Pollutant Group Identification)	Effluent Limit	Calculated TRC Limit	MPC Serious Violations Concentration (Date of Violation)	MPC Chronic Violations Concentration (Date of Violation)	Total Violations Subject to MPC
pH (Other Pollutant)	6.5 to 8.5 pH units	NA	None	9.50 (2/18/05) 9.51 (2/23/05)	2
Total Petroleum Hydrocarbons (Group II)	100 µg/L (30-day average)	120 µg/L	352.88 µg/L (10/20/04-10/27/04) 3,879 µg/L (1/7/05-1/11/05) 5,983.5 µg/L (2/11/05-2/23/05)		3
Cadmium (Group II)	13 µg/L (1-hour average)	15.6	75 µg/L (10/20/04)		1
Copper (Group II)	48 µg/L (1-hour average)	57.6	133 µg/L (10/20/04)		1
Hexavalent Chromium (Group II)	11 µg/L (4-day average)	13.2 µg/L	13.8 µg/L (2/11/05-2/12/05) 13.3 µg/L (2/18/05-2/23/05)	None	2
Lead (Group II)	12 µg/L (4-day average)	14.4 µg/L (4-day average)	22 µg/L (10/20/04) 24 µg/L (10/26/04-10/27/04)	None	2
Zinc (Group II)	288 µg/L (1-hour average)	345.6 µg/L (1-hour average)	1350 µg/L (10/20/04) 400 µg/L (1/7/05)	None	2
				Total Violations:	**13**

GRAND TOTAL OF PENALTIES:

13 violations x $3,000 per violation = $39,000