North Coast Regional Water Quality Control Board

January 5, 2023

Mr. Godo Mora, staff
West Coast Metals
470 Caletti Avenue
Windsor, CA 95492

Certified Mail No. 7021 0950 0001 6500 0301

Mr. Jack Gardner, owner
PO Box 791
Windsor, CA 95492
brogard@comcast.net

Dear Mr. Gardner and Mr. Mora:

Subject: **Notice of Violation** of State Water Resources Control Board Order No. 2014-0057 DWQ General Permit for Storm Water Discharges Associated with Industrial Activities (Industrial General Permit/IGP) for the West Coast Metals

File: West Coast Metals, 470 Caletti Avenue, Windsor, Sonoma County, WDID No. 1 49I018939

As the operator of the West Coast Metals, you are hereby given notice that you have violated the following sections of the Industrial General Permit:

- Section X. SWPPP/Site Map
- Section X. SWPPP, Subsection H.1.a through g
- Section XI. SWPPP, Subsection B.2

These provisions are included in detail in Attachment A.

Background

The West Coast Metals facility (Facility) is a waste and scrap metal recycling facility where various metals are sorted, stored, and transported off the property. The Facility's runoff discharges to multiple storm drain inlets within the yard which then

drain to an underground two stage filtration system located on the west side of the Facility. The runoff ultimately captured with two stage filtration system followed by a wet vault is pumped out automatically and drains into Pruitt Creek, a tributary to the Mark West Creek and Russian River, located on the northwest side of the property via a stormwater conveyance pipe.

On November 1, 2022, Regional Water Board staff inspected the Facility during a rain event and observed several violations of the IGP requirements.

Alleged Violations

1) Per Section X of the IGP, all SWPPP elements shall be included and be revised whenever necessary to reflect current conditions of the site. Also, the Discharger is required to implement the SWPPP and retain a copy of the SWPPP onsite. Furthermore, the site map requirement shall be met in accordance with Section X.E of the IGP. Per the Facility's information uploaded into SMARTS, the SWPPP has not been updated since 2015 to include the required and most updated Facility information. Additionally, the elements shown and required by the SWPPP are not implemented. A copy of the SWPPP was not available on-site during the inspection. Furthermore, the site map does not reflect the current condition of the site.

2) Per Section X.H.1.a through g of the IGP, good housekeeping, preventative maintenance, spill prevention and response, material handling, and waste management, employee training program and quality assurance and record keeping must be implemented as minimum BMPs. These required elements are not implemented at the Facility. Significant amount of metal debris and wastes were observed on the ground exposed to rain. Scrap metals are kept inside of the broken, rusty and non-lidded dumpsters or bins exposed to rain. Oil sheens were observed at several locations on the surface of stormwater runoff and hydrocarbon spills were seen on the ground. No drip pans or absorbent materials were utilized to address the spills. Facility's employees are not trained by QISP to implement the Industrial Stormwater Permit requirements. Also, the Discharger does not implement management procedures to ensure that appropriate staff implements all elements of the SWPPP, including the Monitoring Implementation Plan.

3) Per Section XI.B.2 of the IGP, a minimum of four samples shall be collected during a reporting year. However, only two samples were collected during each reporting year for the last two years.

Potential Liabilities

We encourage you to take immediate steps to correct the violations and fully comply with the IGP. Please note that the existing conditions, as observed and documented in the inspection report documenting the November 1, 2022 inspection, may represent

continuing violations, and are subject to administrative liabilities assessed for each day of violation beginning with the first day of violation.

Correcting the conditions of non-compliance at the Facility does not preclude enforcement for the violations alleged in this notice. As noted above, the Regional Water Board reserves its right to fully enforce the law against any violation and threatened violation by taking enforcement actions such as a cleanup and abatement order, time schedule order, administrative civil liabilities, and referral to the California Attorney General's office.

Administrative civil liabilities may be assessed by the Regional Water Board on a daily basis in the amount up to $10,000 for each day a violation occurs, in addition to up to $10 per gallon of waste discharged, pursuant to California Water Code section 13385.

If you have questions about this Notice of Violation (NOV) letter, please contact Regional Water Board Staff Farzad Kasmaei at Farzad.Kasmaei@waterboards.ca.gov.

You may also contact Heaven Moore at Heaven.Moore@waterboards.ca.gov . Additionally, we are available to meet with you if you wish to discuss this letter or the facility permit requirements in further detail.

Sincerely,

C.E. Reed for Water Boards
Digitally signed by Charles Reed_Sep2020
Date: 2023.01.05 08:44:40 -08'00'

Heaven Moore, P.E.
NPDES Unit

Enclosures
Attachment A – Regulatory Citations
Attachment B – November 1, 2022, Facility Stormwater Inspection Report

cc: North Coast Regional Water Quality Control Board
Claudia Villacorta, Claudia.Villacorta@waterboards.ca.gov
Heaven Moore, Heaven.Moore@waterboards.ca.gov
Jeremiah Puget, jeremiah.puget@waterboards.ca.gov
Nathan Jacobsen, Nathan.Jacobsen@waterboards.ca.gov
Farzad Kasmaei, Farzad.Kasmaei@waterboards.ca.gov

cc: Town of Windsor
Elizabeth Cargay, ecargay@townofwindsor.com

Attachment A – Regulatory Citations

Regulatory Section	Citation
Industrial General Permit Section X. SWPPP, Subsection B, C, D and E	B. SWPPP implementation and Revision C. SWPPP Performance Standards D. Planning and Organization E. Site Map

Industrial General Permit Section X. SWPPP, Subsection H.1.a through g	a. Good Housekeeping: The Discharger shall: i. Observe all outdoor areas associated with industrial activity; including storm water discharge locations, drainage areas, conveyance systems, waste handling/disposal areas, and perimeter areas impacted by off-facility materials or storm water run-on to determine housekeeping needs. Any identified debris, waste, spills, tracked materials, or leaked materials shall be cleaned and disposed of properly; ii. Minimize or prevent material tracking; iii. Minimize dust generated from industrial materials or activities; iv. Ensure that all facility areas impacted by rinse/wash waters are cleaned as soon as possible; v. Cover all stored industrial materials that can be readily mobilized by contact with storm water; b. Preventative Maintenance: i. Identify all equipment and systems used outdoors that may spill or leak pollutants; ii. Observe the identified equipment and systems to detect leaks, or identify conditions that may result in the development of leaks; iii. Establish an appropriate schedule for maintenance of identified equipment and systems; and, iv. Establish procedures for prompt maintenance and repair of equipment, and maintenance of systems when conditions exist that may result in the development of spills or leaks. c. Spill and Leak Prevention and Response The Discharger shall: i. Establish procedures and/or controls to minimize spills and leaks;

	Develop and implement spill and leak response procedures to prevent industrial materials from discharging through the storm water conveyance system. Spilled or leaked industrial materials shall be cleaned promptly and disposed of properly; iii. Identify and describe all necessary and appropriate spill and leak response equipment, location(s) of spill and leak response equipment, and spill or leak response equipment maintenance procedures; and, iv. Identify and train appropriate spill and leak response personnel. d. Material Handling and Waste Management i. Prevent or minimize handling of industrial materials or wastes that can be readily mobilized by contact with storm water during a storm event; ii. Contain all stored non-solid industrial materials or wastes (e.g., particulates, powders, shredded paper, etc.) that can be transported or dispersed by the wind or contact with storm water; iii. Cover industrial waste disposal containers and industrial material storage containers that contain industrial materials when not in use; iv. Divert run-on and storm water generated from within the facility away from all stockpiled materials; v. Clean all spills of industrial materials or wastes that occur during handling in accordance with the spill response procedures (Section X.H.1.c); and, vi. Observe and clean as appropriate, any outdoor material or waste handling equipment or containers that can be contaminated by contact with industrial materials or wastes. f. Employee Training Program The Discharger shall: i. Ensure that all team members implementing the various compliance activities of this General Permit are properly trained to implement the requirements of this General Permit, including but not limited to: BMP implementation, BMP effectiveness evaluations, visual observations,

Regulatory Section	Citation
	and monitoring activities. If a Discharger enters Level 1 status, appropriate team members shall be trained by a QISP; ii. Prepare or acquire appropriate training manuals or training materials; iii. Identify which personnel need to be trained, their responsibilities, and the type of training they shall receive; iv. Provide a training schedule; and, v. Maintain documentation of all completed training classes and the personnel that received training in the SWPPP. g. Quality Assurance and Record Keeping The Discharger shall: i. Develop and implement management procedures to ensure that appropriate staff implements all elements of the SWPPP, including the Monitoring Implementation Plan; ii. Develop a method of tracking and recording the implementation of BMPs identified in the SWPPP; and iii. Maintain the BMP implementation records, training records, and records related to any spills and clean-up related response activities for a minimum of five (5) years (Section XXI.J.4).
Industrial General Permit Section XI. Monitoring, Subsection B.2	Sampling and analysis: The Discharger shall collect and analyze storm water samples from two (2) QSEs within the first half of each reporting year (July 1 to December 31), and two (2) QSEs within the second half of each reporting year (January 1 to June 30).

Attachment B: November 1, 2022, Facility Stormwater Inspection Report

North Coast Regional Water Quality Control Board

Industrial Stormwater Inspection Review Checklist

FACILITY INFORMATION
Facility Name: West Coast Metals
Facility WDID: 1 49I018939
Facility Address: 470 Caletti Ave., Windsor, Sonoma County
SIC Codes and Type of Industrial Activities: 5093 – Scrap and Waste Materials
Legally Responsible Person: Jack Gardner
Operator: West Coast Metals
Facility Status: Level 2 for TSS, Zn, Al, Fe and Cu
Compliance Group: No
History of Compliance: BMP deficiencies and incomplete SWPPP
INSPECTION INFORMATION
Inspection Date: November 1, 2022 Start time: 7:00 End time: 10:30 a.m.
Inspector Name: Farzad Kasmaei
Weather: Wet weather
Type of Inspection: B Type Compliance
Purpose of Inspection: Routine inspection
Parties Present During Inspection: Brian Belsardi and Godo Mora
Was Consent Provided for: **Inspection:** Yes (Brian Belsardi) **Photos:** Yes (Brian Belsardi)

Facility's information:

The West Coast Metals facility (Facility) is a waste and scrap metal recycling facility where various metals are sorted, stored, and transported off the property. The Facility's runoff discharges to multiple storm drain inlets within the yard which then drain to an underground two stage filtration system located on the west side of the Facility. The runoff ultimately captured with two stage filtration system followed by a wet vault is pumped out automatically and drains into Pruitt Creek located on the northwest side of the property via a stormwater conveyance pipe.

The Facility is currently at level 2 status for Total Suspended Solids (TSS), Copper (Cu), Aluminum (Al), Zinc (Zn) and Iron (Fe) and has been enrolled under the IGP since July 30, 2004.

Inspection observation:

On November 1, 2022, I conducted an unannounced inspection during rain to conduct a site evaluation. I arrived at 7:00 am and met Mr. Brian Belsardi, Facility staff, at the office.

Prior to the inspection, I asked for a copy of the SWPPP and monthly visual observation reports for review. The facility staff provided me the hard copies of the annual reports only; however, the SWPPP and the required reports were not available on-site.

When I asked questions regarding the monitoring and sampling at the Facility, Brian Belsardi informed me that their consultant, Greg Puccioni, is the only person who is responsible for monitoring, sampling, and reporting. However, he was not present on-site to conduct monitoring during the inspection. I had a phone conversation with Mr. Puccioni during my inspection and he notified me that he was updating the SWPPP and site map and that effort was in progress. Also, he stated that he would be on-site shortly. I reminded him to collect samples if the Facility discharged.

I noticed that there are several issues with the current site map. A portion of the Facility which is shown on the current site map is actually no longer in use by West Coast Metal and per Brian, it is operated by BoDean Company. Also, the storm drain drop inlets located on the west side of the Facility's main shop are not shown on the existing site map. Furthermore, the location of the roofed metal storage area onsite is in a different location that shown on the current site map. The site map and Storm Water Pollution Prevention Plan (SWPPP) must be updated to reflect the current condition of the Facility.

Significant amount of rusty scrap metal and metal chips were observed on the ground during the storm event. Also, I observed oil sheen in facility's runoff. The Discharger has failed to identify and cleanup debris, waste, spills, or leaked materials as required by IGP.

Some of the industrial materials that are stored outside can be readily mobilized by contact with stormwater; however, they were not covered to minimize the exposure of industrial materials to rain. A general lack of good housekeeping was observed throughout the facility.

In addition to the oil sheen observed in facility's runoff, I observed hydrocarbon spills on the ground from the dozers and other equipment on the site. Preventative maintenance as well as spill prevention and response are not properly implemented to prevent these types of discharges.

Also, the IGP requirements related material handling and waste management is not implemented in a manner to prevent or minimize handling of industrial materials or wastes that can be readily mobilized by contact with stormwater during a storm event. As shown in the attached photos all sorted industrial materials are stored inappropriately in open, very old, broken, rusty, and non-sealed bins. Rusty bins such as these can be considered as source of pollutants, and are likely a source related to the Facility's past Numeric Action Level (NAL) exceedances for Aluminum, Iron, Zinc and Copper.

After discussion with Brian Belsardi and Godo Mora, facility's staff, I realized that the staff are not familiar with sampling collection, monitoring, reporting or any other IGP permit requirements. This is a level 2 status facility for TSS and heavy metals; therefore, the Facility staff must be trained by a QISP. The Discharger must ensure that all team members implementing the various compliance activities of the Industrial General Permit are properly trained to implement the requirements of this General Permit, including but not limited to: BMP implementation, BMP effectiveness evaluations, visual observations, and monitoring activities. The Pollution Prevention Team section of the existing SWPPP may need to be updated to properly identify trained staff.

Conclusion:

The SWPPP and Site Map have not been updated for several years. Therefore, the required documents must be revised in a manner to reflect the current condition of the site. Facility staff must be trained to comply with the permit requirements and implement the SWPPP.

A copy of the SWPPP along with other required documents such as a signed stormwater training log and monthly visual observation reports must be retained on-site and the Discharger must have them available upon request.

Minimum BMPs including good housekeeping, spill prevention and response, materials handling and waste management and employee training are not implemented at the Facility.

Post inspection:

During the inspection, I reminded the consultant, Greg Puccioni, to collect the samples since I observed runoff discharging into the underground filtration system and the downstream inline wet vault which discharges offsite to Pruitt Creek.

After my inspection, Mr. Puccioni, Facility consultant, emailed me a couple of photos from the outlet pipe under the green poly manhole cover that I could not get into during my inspection (Picture 16). Per his explanation, two small pipes shown on the photos are where the auto-pumped water from the storage vault enters the outlet area. And the large pipe is the gravity fed outlet pipe that ties into the downstream) stormwater conveyance system that serves the Facility as well as neighboring parcels before heading to Pruitt Creek. He stated that the outlet bottom is sealed so water level can only drop below the bottom of the outlet pipe by evaporation. So, with the water level in the area clearly below the outlet pipe, it shows there was no recent discharge from the site during the rain event. However, the Discharger notified me that the runoff was manually pumped out from filtration system and samples were collected on the same day after I left the site.

Attachments:

- **Photos**
- **Site Map**

Photos:

Picture 1- Broken and rusty metal storages/bins stored outside exposed to rain. Picture taken by Farzad Kasmaei.

Picture 2 – View of white aluminum chips on the ground adjacent to metal bins. Picture taken by Farzad Kasmaei.

Picture 3 – View of Drop inlet that receives runoff from the metal bin storage areas shown on the previous pictures. Picture taken by Farzad Kasmaei.

Picture 4 – View of the vditch that drains the facility runoff from the processing area into the filtration system. Picture taken by Farzad Kasmaei.

Picture 5 – View of sheen on the surface. Picture taken by Farzad Kasmaei.

Picture 6 – View of sorted metals inside of the very old and rusty bins exposed to rain. The inlet under the steel plate receives the runoff and then it drains to filtration system. Picture taken by Farzad Kasmaei.

Picture 7 – View of sheen in facility's runoff prior to discharging into a DI. Picture taken by Farzad Kasmaei.

Picture 8 – View of radiators and other scrap metals all stored inappropriately in the non-sealed and rusty bins exposed to rain. Picture taken by Farzad Kasmaei.

Picture 9 – View of sorted scrap metals stored in broken and rusty bins next to the inlet. Picture taken by Farzad Kasmaei.

Picture 10 – View of scrap metal stockpiles within the eastern portion of the facility's yard. The aggregate stockpile on the background belongs to adjacent facility that is operated by BoDean Company. Picture taken by Farzad Kasmaei.

Picture 11 – View of a rusty bin full of wires. Debris and wastes are on the ground around the bin. Picture taken by Farzad Kasmaei.

Picture 12 – View of hydrocarbon leaks from a dozer that was parked within the facility's yard. Drip pans are not used to capture any potential spills. Picture taken by Farzad Kasmaei.

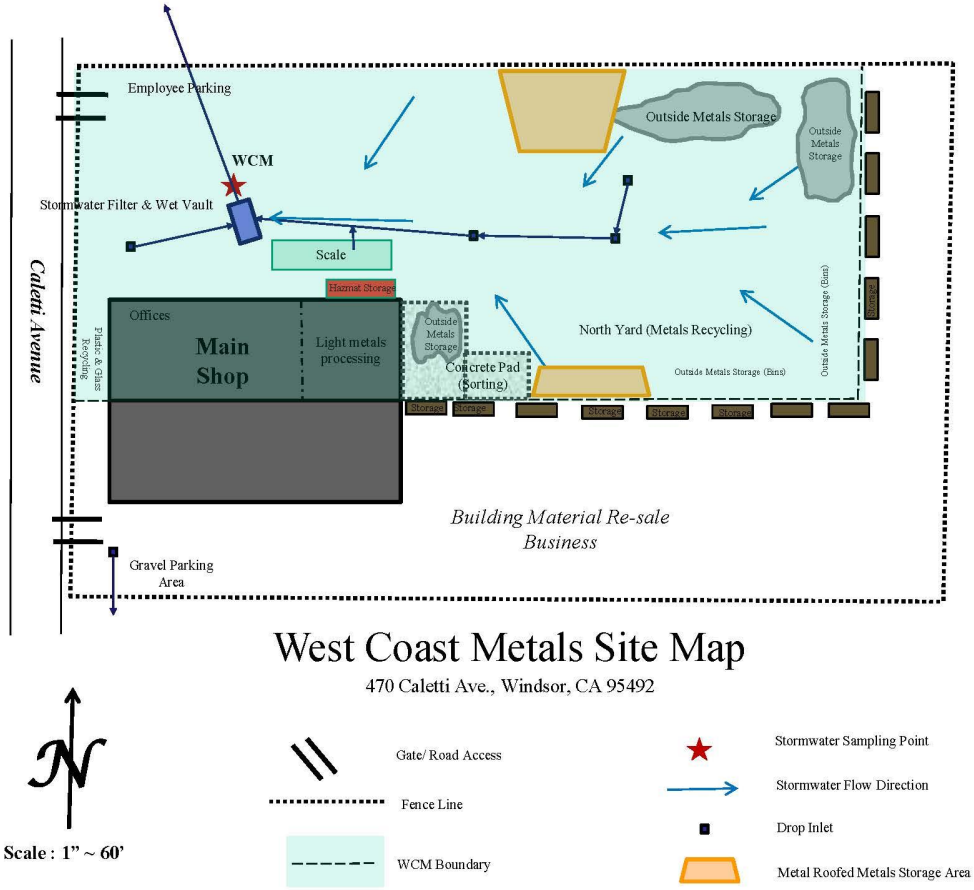
Picture 13 – View of sorted auto metal parts stored in a very old and rusty bin. Picture taken by Farzad Kasmaei.

Picture 14a and 14b – View of the absorbent socks placed on top of a DI beneath the steel plate in the central portion of the facility. Picture taken by Farzad Kasmaei.

Picture 15 – View of sorted metals stored in rusty bins adjacent to a DI. Picture taken by Farzad Kasmaei.

Picture 16: The two small pipes are where the auto-pumped water from the storage vault enters the outlet area. Post inspection picture taken by Facility's consultant (Greg Puccioni)

Site Map:



Site Map: The old Site map has been prepared by the Discharger's consultant that indicates the water flow directions and the storm drain inlets. However, the site map must be revised to include the drop inlets that are not shown and make corrections on the roofed metal storage locations.