UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7
11201 Renner Boulevard
Lenexa, Kansas 66219

JUN 06 2013

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
Article No.: 7012 1640 0001 7091 5428

Mr. Donald H. Sexton II
Director of Environmental, Health, and Safety
Pick-n-Pull, A Division of Schnitzer Steel
10850 Gold Center Drive, Suite 325
Rancho Cordova, California 95670

Re: Pick-n-Pull, Inc.
NPDES Permit No. MOR60A347

Dear Mr. Sexton:

The U.S. Environmental Protection Agency, Region 7, has reviewed the report for the EPA inspection conducted at your Kansas City, Missouri, facility on December 19 and 21, 2012, under the authority of Section 308(a) of the Clean Water Act. A copy of the inspection report was transmitted to you on March 12, 2013. The EPA needs to evaluate additional information to determine the current compliance status of the Pick-n-Pull facility with the CWA, implementing regulations, and your National Pollutant Discharge Elimination System permit. The purpose of this letter is to request the additional information necessary to complete the evaluation.

Section 308 of the CWA authorizes the EPA to collect information for the purpose of carrying out the objectives of the CWA, including but not limited to, determining the compliance of a person with industrial storm water regulations. Your response to this request according to the instructions below is required and enforceable. Under Section 308 of the CWA, please provide the following information **within 14 calendar days** of receipt of this letter:

- At the time of the EPA inspection, Pick-n-Pull lacked documentation of employee training on the subjects of material handling/storage and housekeeping of dismantling, repair, rebuilding, or storage areas. Pursuant to your NPDES permit, Requirements, Paragraph 2, please submit documentation of any training that Pick-n-Pull's Kansas City facility has provided to its employees in these subject areas. Training documentation must describe which topics were covered, who attended the training, and the date(s) the training occurred.

- Part I Standard Conditions of your NPDES Permit, Section A, Paragraph 7, requires that copies of all records and reports produced in accordance with the permit must be maintained for a period of at least three years. Please submit a copy of any records or reports, aside from any training information specified in the previous paragraph, that you have produced since Pick-n-Pull acquired the Kansas City facility.

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With your submission of the above information, please identify the person who prepared the information and the title of that person. You must also include the enclosed certification statement to be completed by an authorized representative of Pick-n-Pull.

Information submitted pursuant to this Section 308 information request shall be sent within 14 calendar days of receipt of this letter by first class certified mail, return receipt requested, or by Overnight Express or Priority Mail and shall be addressed as follows:

Michael Boeglin (WWPD/WENF)
U.S. Environmental Protection Agency, Region 7
11201 Renner Boulevard
Lenexa, KS 66219

The information required herein must be submitted notwithstanding any claim you may have concerning confidentiality. If you wish to assert a claim of confidentiality concerning information submitted in response to this letter, you may do so pursuant to the provisions of 33 U.S.C. § 1318 and 18 U.S.C § 1905. The EPA will consider and process such a request pursuant to said statutes and EPA regulations at 40 C.F.R. Part 2, Subpart B.

Please be advised that failure to respond accurately and within the above time period, or submission of false information, may subject you to civil or criminal penalties under Section 309 of the CWA, 33 U.S.C. § 1319, and/or 18 U.S.C. § 1001.

Also please note that EPA reserves its right to pursue appropriate enforcement actions, including penalties, for violations discovered as a result of EPA's December 2012 inspection.

If you have any questions regarding this matter, please contact Michael Boeglin at (913) 551-7252 or have your attorney contact Ray Bosch, the attorney assigned to this matter, at (913) 551-7501.

Sincerely,

Karen A. Flournoy
Director
Water, Wetlands and Pesticides Division

Enclosure

cc: James Helgason, Missouri Department of Natural Resources, Kansas City Regional Office
Paul Dickerson, Missouri Department of Natural Resources

Enclosure

CERTIFICATION STATEMENT

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based upon my inquiry of the person or persons who managed the system, or those persons directly responsible for gathering the information, the information is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

NAME (print or type) _____

TITLE (print or type) _____

SIGNATURE _____

DATE _____

Sec. 122.22(a). Signatories to permit applications and reports.

(1) For a corporation. By a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
Note: EPA does not require specific assignments or delegations of authority to responsible corporate officers identified in Sec. 122.22(a)(1)(i). The Agency will presume that these responsible corporate officers have the requisite authority to sign permit applications unless the corporation has notified the Director to the contrary. Corporate procedures governing authority to sign permit applications may provide for assignment or delegation to applicable corporate positions under Sec. 122.22(a)(1)(ii) rather than to specific individuals.

(2) For a partnership or sole proprietorship. By a general partner or the proprietor, respectively; or

(3) For a municipality, State, Federal, or other public agency. By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes: (i) The chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

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Sent To Mr. Donald H. Sexton II
Dir. Environmental Health & Safety
Street, Ap or PO Bo Pick-n-Pull, Division of Schnitzer Steel
City, State 10850 Gold Center Dr. SUITE 325
Rancho Cordova, CA 95670

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