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

APR 2 5 2016

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Via Certified Mail No.
Return Receipt Requested

Melisa Cohen
SHEC Director, West Region
Sims Metal Management
600 South 4th Street
Richmond, CA 94804

Dear Ms. Cohen,

We received from your contractor, Terraphase Engineering Inc., via email on March 31, 2016, the document titled *Final Sediment Sampling and Analysis Plan and Quality Assurance Project Plan, Sims Group USA Corporation, Redwood City, CA*, hereafter referred to as the "Final SSAP." Thank you for submitting the document to us in a timely matter as we requested after our March 8, 2016 on-site meeting. Sims provided the Final SSAP in accordance with Section V, Paragraph 12, of the Consent Decree between USEPA and Sims, entered on December 1, 2014, (the Consent Decree), and in response to our subsequent meetings and comments on the two previous draft SSAPs that Sims submitted, dated January 22, 2016, and March 1, 2015.

To reiterate, in order to adequately characterize the marine sediment and determine the extent of contamination underneath and proximate to Sims's ship-loading Conveyor, it has been emphasized and agreed upon that after reviewing the results of the sampling data that will be obtained, collected and analyzed consistent with the Final SSAP, EPA may require that additional samples be taken and analyzed either from deeper sediments, or samples from locations further away from the sampling required in the Final SSAP, or both. Likewise, EPA may require additional background samples to be taken and analyzed from deeper in the sediment and/or from different locations from those in the initial sites approved in the Final SSAP.

With the agreement that additional sampling may be deemed necessary, EPA conditionally approves the Final SSAP in accordance with Section V, Paragraph 13.b of the Consent Decree. The following specified conditions accompany our approval and have been communicated recently between Juliet Hannafin from our office and Peter Zawislanski from Terraphase Engineering:

1.5.1 *Work Tasks and Products*: This section of the Final SSAP is adequate except that photographs of the grab samples must also be provided as described in section 2.3.1.1 of the Final SSAP.

2.3.1 *Sediment Sample Collection*: This section of the Final SSAP is adequate except that photographs need to be specified as information to be logged at each sample location.

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2.3.1.2 *Sediment Coring Protocol*: The protocol description in the Final SSAP is adequate except it must be understood that the 6-inch discrete samples (three from each core) will individually be homogenized separately before the sub-samples are extracted from them.

2.3.1.3 *Trowel Sampling Protocol*: The trowel sampling protocol in the Final SSAP has inconsistencies with the Petite Ponar Sampling Protocol for grab samples. Individual trowel grab samples will be described, photographed, homogenized, and handled identical to the Petite Ponar Sampling Protocol described in 2.3.1.1 of the Final SSAP, including removing, photographing, and containerizing debris larger than 1/8-inch prior to placement of the sub-samples into sample containers (as opposed to removing debris larger than ¼- inch and discarding it as Investigation-Derived Waste as specified in the March 31, 2016 plan).

2.5.1.1 *Metals:* For sediment samples, EPA approves of EPA Method 6010B being used to analyze for metals, including iron and aluminum, and EPA Method 7471C being used to analyze for mercury.

2.5.1.2 *Polychlorinated Biphenyls*: The Final SSAP states that sediment samples will be analyzed for PCBs as Aroclors and total PCBs, but it does not include analyzing for congeners. While not absolutely necessary, we recommend that Sims include analyzing for congeners associated with Aroclors in the Final SSAP. It would make the data more useful for comparing to possible subsequent sampling and other ongoing PCB studies (e.g. from San Francisco Estuary Institute). If additional sampling is deemed necessary, EPA congeners will need to be analyzed and at the appropriate screening and reporting limits.

Thank you again for providing us the Final SSAP. As stated above, this letter is the formal EPA approval of the Final SSAP with the six specified conditions listed. The implementation of the Final SSAP must be completed within 120 days of your receipt of this approval letter in accordance with Section V, Paragraph 12.h of the Consent Decree. If additional sampling and/or analyses are deemed necessary, the Consent Decree allows for both parties to enter into a written agreement to extend the deadline (Section XVI, Paragraph 75).

Should you have any comments or questions, please contact Juliet Hannafin at 415-972-3094 or hannafin.juliet@epa.gov, or Rich Campbell regarding legal questions at 415-972-3870. We look forward to Sims coordinating with us the implementation of the Final SSAP so that the sediment characterization can commence.

Sincerely,

Claire Trombadore, Assistant Director
Water and Pesticides Branch
Enforcement Division

cc: Christine Boschen, SFRWQCB