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

DEC 30 2016

Via Certified Mail No. 7016 1370 0000 2235 1107
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., on December 9, 2016, the document titled *Response to Comments, Sediment Investigation Results and Proposed Additional Sediment Sampling, Sims Group USA Corporation, Redwood City, CA*, hereafter referred to as the "Supplemental SSAP." Thank you for submitting the document to us in a timely matter as we requested in our October 26, 2016 comments letter. Sims provided the Supplemental 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 review of the Sims document titled *Sediment Investigation Results and Proposed Additional Sediment Sampling* (submitted to us on August 31, 2016).

After reviewing the results of the sampling data that will be obtained, collected and analyzed consistent with the Supplemental 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 Supplemental 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 Supplemental SSAP. This is the same process we used with the original Sims SSAP (conditionally approved by EPA, dated April 25, 2016).

With the agreement that additional sampling may be deemed necessary, EPA conditionally approves the Supplemental 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:

PROJECT AREA SAMPLING

Core Locations: Along with the 10 core samples that Sims proposed, Sims has agreed to add the 8 core samples for lateral distribution that EPA requested to be added to the scope of work.

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Core Depths: Sims has agreed to take contingency samples for archiving from the lowermost one foot interval of the recovered core from the vibracore 10-foot core barrel, driven to the maximum extent possible.

Surface Samples: Along with the 5 more surface samples that Sims proposed, Sims has agreed to take at least one other grab sample south of location 19, as EPA requested.

BACKGROUND AREA SAMPLING

Surface Samples: Sims proposed taking 6 additional grab samples from each of the 3 background areas. We were concerned that those samples would not be at the same elevation from the mean high water line (MHW) as the surface samples in the project area. Sims commissioned a professional land surveyor to determine the MHW and mapped out the 6 additional grab samples.

EPA Comment: Sims must assure EPA that the 6 additional grab samples from each of the 3 background areas will be taken at elevations reasonably equivalent to the elevations of the grab samples taken in the project area.

SSAP/QAPP: It is agreed that Sims will use the same techniques, procedures, and protocol as was conditionally approved by EPA on June 9, 2016, however, it is understood and agreed upon that for the Supplemental SSAP Sims will now operate the vibracore sampling device (consistent with the manufacturer's SOPs) instead of the piston core sampler it used before.

Thank you again for providing us the Supplemental SSAP. As stated above, this letter is the formal EPA approval of the Supplemental SSAP . The implementation of the Supplemental 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,

Elizabeth Berg, Acting Assistant Director
Water and Pesticides Branch
Enforcement Division

cc: Christine Boschen, SFRWQCB