APR 04 2019

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

CERTIFIED MAIL: 7018 0360 0000 6461 0723
RETURN RECEIPT REQUESTED
In Reply Refer to: ENF 3-2

Mr. Scott Miller, Esq.
Chief Corporate Counsel
Sims Metal Management
555 Theodore Fremd Avenue, Suite C-300
Rye, New York 10580

Re: United States v. Sims, Consent Decree 3:14-cv-04209 (12/1/2014)

Dear Mr. Miller:

I am writing to provide the U.S. Environmental Protection Agency's (EPA) comments on the October 16, 2018, Draft Sediment Remediation Plan (Draft SRP) and Revised Draft Ecological Risk Assessment (ERA) for Sims Metal Management's Port of Redwood City Wharf 3 Area. Sims prepared the Draft SRP in accordance with paragraphs 18 and 19 of the above-referenced Consent Decree, which requires Sims to describe how it intends to remediate sediment within its EPA-approved Sediment Sampling and Analysis Plan's (SSAP) sampling area. The conclusion reached by Sims in its Draft SRP was that the preferred remedial alternatives for the riprap and subtidal areas are the placement of a sand cap and micro-dredging (diver-assisted dredging), respectively, in the areas of highest constituent concentrations, as identified in EPA's letter to Sims, dated August 23, 2018.

The following is a summary of EPA's comments on the revised Draft SRP. The comments are specific to the work proposed for the riprap and the subtidal areas. In the riprap area, EPA would like Sims to consider implementing both a sand cap and ABM mat to reduce long-term erosion, risks, along with periodic monitoring to ensure these measures remain in place over time. Use of both these methods in the upper and lower rip-rap areas - where metals concentrations exceed California Hazardous Waste Levels (Total Threshold Limit Concentrations, or TTLC) – should significantly reduce the further release of these pollutants to the marine environment. In the subtidal area, EPA would like Sims to consider implementing mechanical dredging where feasible along with diver-assisted hydraulic dredging and include a description of how Sims intends to treat and contain the wastewater. A combination of both these techniques would be a more effective method to address existing contaminants in the sub tidal area. In addition to employing these methods, Sims must remain compliant with the TSCA requirements when considering the disposal of sediment contaminated with PCBs from the remediated area.

EPA would like to meet with Sims to further discuss the implementation of these remediation approaches and the methods of sediment disposal from both the riprap and subtidal areas. In the coming weeks, Lawrence Torres will schedule a conference call to address and finalize the Draft SRP and ERA. If you have any questions, please don't hesitate to call Mr. Torres in the Enforcement Division at (415) 947-4211, or Rich Campbell in our Office of Regional Counsel at (415) 972-3870.

Sincerely,

David Wampler, Chief
Water Enforcement Section II

cc: Meg Rosegay, Esq.