From: Rich Vaille
To: Jared Blumenfeld
Cc: Teddy Ryerson; Kathleen Johnson; Amy Miller; Jeff Scott
Subject: Fw: Metal recycling firms burgeon in state; regulators can't keep up - latimes.com
Date: 08/17/2012 10:17 AM

Good morning Jared

Jeff ask that I provide you follow up information on the LA Times article which highlighted the environmental and safety problems caused by metal recycling firms. It took me a couple of days of phone tag with Brian Johnson, DTSC Director in charge of enforcement. Here is the quick story:

What regulations apply to these facilities and which agency has the lead?

Any hazardous waste these facilities generator is regulated by RCRA, however RCRA does not permit the operation of these facilities. Storm water runoff and worker safety regulations also apply to these facilities. Furthermore the state requires a "dismantling certification" for this type of operation. There may also be local use requirements.

The State (DTSC and the Water Board) and local agencies (CUPAs) are the lead regulatory agencies for assuring compliance with these requirement.

What is being done?

DTSC and local agencies are already working together to target these facilities for multi statute inspections/actions. There are also some state criminal investigations underway.

Brian Johnson is forming and will lead a DTSC fucus group to develop and implement a strategy to resolve these metal recycling facility issues. The group will have its first meeting next week; Brian will call me after the group meets appraise us of what the next steps will be.

Suggested EPA role at this point.

The State and CUPAs are the lead regulators for these facilities and are aggressively addressing the problems. We are tracking these efforts and will offer assistance as needed.

We (Waste Division) are also a member of the Cal-EPA lead steering committee which oversees CUPA programs. This steering committee will also address this issue.

Note: In RCRA we do inspect these types of facilities and find some RCRA violations with the handling of the waste generated. But the material being recycled is not a hazardous waste and the recycling operation itself is not regulated by a RCRA permit.

----- Original Message -----
From: Jared Blumenfeld [jaredblumenfeld@comcast.net]
Sent: 08/12/2012 09:10 PM MST
To: Kathleen Johnson; Teddy Ryerson; Amy Miller; Jeff Scott
Subject: Metal recycling firms burgeon in state; regulators can't keep up - latimes.com

http://www.latimes.com/news/local/la-me-recycle-20120812,0,7688222.story

Sent from my iPad