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Secretary for
Environmental Protection

Department of Toxic Substances Control

Barbara A. Lee, Director
1001 "I" Street
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Edmund G. Brown Jr.
Governor

March 13, 2015

Mr. Richard Josephson
Senior Vice President, General Counsel and Secretary
Schnitzer Steel Industries Inc.
3200 NW Yeon Avenue
Portland, Oregon 97210

RE: IMPLEMENTATION OF SENATE BILL (SB) 1249 (Hill, Chapter 756, Statutes of 2014)

Dear Mr. Josephson:

The purpose of this letter is to inform you that your metal shredding facility at 1101 Embarcadero W, Oakland, California 94607-2536 and its activities are subject to evaluation by the Department of Toxic Substances Control (DTSC) under recently enacted SB 1249.

On January 1, 2015, SB 1249 became law, which requires DTSC to evaluate thoroughly metal shredding facilities and the metal shredder waste they generate to ensure these activities do not harm public health and the environment. Based on the findings from the evaluation, DTSC will determine if management requirements can be developed specifically for metal shredding activities and wastes as an alternative to full hazardous waste management requirements while still remaining protective of human health and the environment.

DTSC is developing a draft Work Plan that will detail the specific activities DTSC intends to carry out as part of its evaluation of metal shredding facilities and to prepare the comprehensive analysis required by SB 1249. When ready, DTSC will post its draft Work Plan on its web page and will welcome your feedback on the plan.

DTSC acknowledges that some of the information it anticipates needing to conduct its evaluation will become available with the implementation of the treatability study work plan developed and submitted by the metal shredding industry in 2013. However, DTSC may be more actively involved in the implementation of the study to ensure the findings can be used to evaluate the risks and hazards posed by wastes treated using the treatment methods identified in the study.

DTSC thanks you for your cooperation thus far related to the treatability study. In addition to the treatability study, SB 1249 requires DTSC to evaluate other activities at metal shredding facilities. To carry out the other elements of the evaluation and analysis required by SB 1249, DTSC will be seeking additional information from you regarding the metal shredding activities that occur at your facility. Your cooperation in responding to these requests will assist DTSC in its efforts and allow DTSC to meet the deadlines established in SB 1249. Very soon, DTSC will send a detailed request for information, and asks that you provide the requested information as quickly as possible.

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For your information, DTSC has also created a new web page that summarizes SB 1249 and DTSC's responsibilities under the bill. The web page also includes previously posted historical information regarding the metal shredding industry, the treatability study work plan, and other documents related to that study. DTSC welcomes your feedback and suggestions on the web page as well.

Thank you in advance for your cooperation. If you have any comments or questions about this letter, the information DTSC will be seeking, DTSC's draft Work Plan (once posted), or DTSC's new web page content, please feel free to contact Mr. Kevin Sanchez of my staff at (916) 322-8677 or Kevin.Sanchez@dtsc.ca.gov.

Sincerely,

Rick Brausch, Chief
Policy and Program Support Division
Hazardous Waste Management Program

cc: Ms. Margaret Rosegay
Pillsbury Winthrop Shaw Pittman, LLP
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San Francisco, California 94105-2228

Mr. Christopher Cho
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Mr. Kevin Sanchez
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