



Matthew Rodriguez
Secretary for
Environmental Protection



Department of Toxic Substances Control

Barbara A. Lee, Director
1001 "I" Street
P.O. Box 806
Sacramento, California 95812-0806



Edmund G. Brown Jr.
Governor

June 9, 2016

Ms. Margaret Rosegay
Pillsbury Winthrop Shaw Pittman, LLP
Four Embarcadero Center, 22nd Floor
San Francisco, California 94111-5998

SUMMARY OF CONFERENCE CALL REGARDING THE PROPOSED PILOT TEST FOR THE METAL SHREDDER WASTE TREATABILITY STUDY

Dear Ms. Rosegay:

This letter reflects the decisions and outcomes from the May 27, 2016 conference call between the Department of Toxic Substances Control (DTSC), you, representing the California Chapter of the Institute of Scrap Recycling Industries (ISRI), and Peter Zawislanski of Terraphase Engineering Inc. (Terraphase), regarding the proposed pilot test for the Metal Shredder Residue Treatability Study (Treatability Study).

1. Sample Collection Procedures

Terraphase personnel will collect the samples using sample containers provided by Terraphase, and provide DTSC with duplicates of all discrete and composite samples collected. Terraphase has provided the container specifications and DTSC's Environmental Chemistry Laboratory (ECL) is evaluating their use for this project.

2. Separate Waste Treatment Systems at Sims Metal Management

Terraphase stated that it was developing a plan to characterize the overall treatment using limited sampling of the combined waste stream, along with data on the contribution of each system to the overall waste generation. You expressed concerns about doubling the costs of sampling and analysis at Sims Metal Management. DTSC is willing to consider a methodology Terraphase would propose to allow contribution of proportional amounts of both waste streams. Terraphase was to provide DTSC a copy of its methodology to consider.

3. Sample Preparation

DTSC's Environmental Chemistry Laboratory (ECL) has received the protocol submitted by Terraphase for sample preparation. Upon the completion of their review, DTSC will provide you with their comments and additional guidance.

4. Frequency of Sampling

It was agreed that Terraphase would take samples at a frequency of at least once per hour during an 8-hour shift, for each day of the demonstration, as well as one composite sample representing the entire 8-hour shift. For facilities that operate for less than an 8-hour shift, Terraphase will collect samples at a frequency that results in a minimum of eight samples collected, both upstream and downstream of the treatment system, during the period of facility operation, and a composite sample that represents the entire shift.

5. Number of Days to Sample per Reagent Dosage

It was agreed that, at a minimum, three sampling events, of one day each, would be conducted at each facility following standard start up procedures for the treatment system for each reagent dosage to be demonstrated.

6. Sharing of Analytical Data Generated by DTSC

DTSC agrees that data generated by DTSC's ECL would be made available to Terraphase once the necessary analytical, quality control, and quality assurance testing procedures have been completed.

7. Number of Dosages to be Tested

In the call, there was a discussion regarding how many reagent combinations or dosages should be demonstrated during the Treatability Study. In DTSC's May 12, 2016 letter to you, DTSC stated that Terraphase is required to select and use the treatment application rate that has the highest likelihood to achieve soluble concentrations that are consistently below STLCs for all constituents. You and Terraphase asked about evaluating other treatment dosages. It wasn't clear to DTSC what other dosages were being proposed, or the purpose of other dosages. You offered some rationale, but committed to discussing it more thoroughly and providing DTSC a proposal with supporting information.

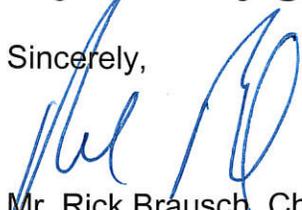
For any of the above that have not been communicated to DTSC, please do so as quickly as possible. DTSC will also need to review the Health and Safety Plans for each facility prior to the sampling events. Please include each of the required changes detailed above in an updated work plan for the Treatability Study which includes the

Ms. Margaret Rosegay
June 9, 2016
Page 3

revised implementation schedule. Please provide the updated work plan and schedule, and the required Health and Safety Plans for each facility, no later than June 20, 2016.

If you have any questions or need to discuss any of these issues further, please contact Ms. Megan Cambridge of my staff at (916) 322-4233 or Megan.Cambridge@dtsc.ca.gov.

Sincerely,



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

cc: Mr. Christopher Cho
Staff Attorney
Office of Legal Affairs
Department of Toxic Substances Control
1001 I Street, 23rd Floor
P.O. Box 806
Sacramento, California 95812-0806

Ms. Megan Cambridge
Senior Environmental Scientist (Supervisory)
Research and Policy Development Branch
Policy and Program Support Division
Hazardous Waste Management Program
Department of Toxic Substances Control
1001 I Street, 11th Floor
P.O. Box 806
Sacramento, California 95812-0806

Mr. Ed Benelli
Hazardous Substances Engineer
Research and Policy Development Branch
Policy and Program Support Division
Hazardous Waste Management Program
Department of Toxic Substances Control
1001 I Street, 11th Floor

Ms. Margaret Rosegay
June 9, 2016
Page 4

P.O. Box 806
Sacramento, California 95812-0806