



Matthew Rodriguez
Secretary for
Environmental Protection

Department of Toxic Substances Control

Deborah O. Raphael, Director
1001 "I" Street
P.O. Box 806
Sacramento, California 95812-0806



Edmund G. Brown Jr.
Governor

October 10, 2013

City, County, and District Local Enforcement Agencies
(See Attached List of Addressees)

REQUEST FOR PARTICIPATION IN REVIEW OF METAL SHREDDER RESIDUE (MSR) MANAGEMENT PRACTICES

Dear Local Enforcement Agencies:

The Department of Toxic Substances Control (DTSC) has initiated a re-evaluation of the environmental regulation of the metal shredding industry and the waste it generates: metal shredder residue (MSR, aka auto shredder waste or ASW). DTSC recognizes that this re-evaluation may have impacts on your agency and the environmental and public health protection programs you implement, so I would like to invite your agency's participation in this process.

Seven major metal shredders/recyclers currently operate in California under the terms of decisions made by DTSC in the late 1980s. Since DTSC made those decisions, industry practices and the composition of automobiles and appliances have been changing. DTSC has also become aware of several smaller shredders operating in the state, including mobile shredding operations, conducting operations similar to the major shredding facilities. These changes have raised a number of questions about whether DTSC's previous decisions about the MSR and regulation of metal shredding operations are still valid.

The primary factors that DTSC intends to evaluate include the following:

- The differences between MSR now being generated by the seven major shredders different and the MSR that DTSC evaluated in the late 1980s;
- The differences between MSR being generated by other metal recycling or shredder operations and the MSR generated by the seven major shredders;
- The effectiveness of the chemical treatment being conducted by the seven major shredders and the ability of the treatment to achieve even better results;
- The potential impact of DTSC's decisions on other agencies' regulatory decisions related to MSR and the metal shredding operations;
- The release or potential for release of hazardous wastes or hazardous waste constituents from the metal shredding operations and treatment activities; and
- The appropriate level of regulation that should be applied to the metal shredding operations, treatment activities and MSR to address any identified concerns.

City, County, and District Local Enforcement Agencies

October 10, 2013

Page 2

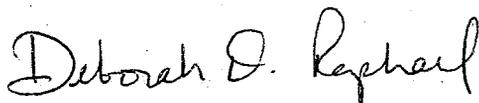
To assist in this evaluation, DTSC has asked the seven major shredders to develop a treatability study workplan that, when it is carried out, will produce information and analytical data about the MSR. DTSC has received a draft of the workplan and has begun reviewing the plan for completeness and adequacy. A copy of the workplan has also been shared with your staff for your review and consideration as well.

As I mentioned above, DTSC would like to invite you and your agency to participate in the evaluation to ensure that your agency's requirements are fully considered. DTSC is also inviting the participation of various affected local agencies, and is organizing two regional meetings tentatively planned for late October or early November 2013 (one to be held in the San Francisco Bay area and one in the Los Angeles area, in the vicinity of the seven major metal shredders). The purpose of these meetings is to share information about DTSC's efforts with the local agencies that have jurisdiction over the metal shredding industry and MSR, discuss DTSC's proposed workplan, and solicit feedback and participation from the local agencies. DTSC has already been in contact with members of your staff about the evaluation, and will share logistics and other information about these meetings in the very near future.

DTSC is also planning to host community informational workshops in Los Angeles and Oakland, tentatively scheduled for November 2013. As currently envisioned, workshop participants will receive an overview of the metal shredding industry, the existing regulations that apply to the metal shredding industry and MSR, and the draft workplan. Participants will be given an opportunity to provide their feedback on any of the information presented. DTSC would also like to invite your agency to take advantage of this opportunity to present information about your agency's efforts related to metal shredders and MSR at the workshops.

DTSC looks forward to working with you and your agency as we move forward with this important evaluation. If you have any questions or need additional information, and to provide the name of the appropriate contact person in your agency for us to work with, please contact Mr. Rick Brausch, Chief, Policy and Program Support Division, Hazardous Waste Management Program, at (916) 327-1186, or via email at Rick.Brausch@dtsc.ca.gov.

Sincerely,



Deborah O. Raphael
Director

cc: See next page.

City, County, and District Local Enforcement Agencies
October 10, 2013
Page 3

cc: Mr. Reed Sato
Chief Counsel
Office of Legal Affairs
Department of Toxic Substances Control
1001 I Street, 23rd Floor
P.O. Box 806
Sacramento, California 95812-0806

Mr. Brian Johnson
Deputy Director
Hazardous Waste Management Program
Department of Toxic Substances Control
1001 I Street, 11th Floor
P.O. Box 806
Sacramento, California 95812-0806

Mr. Rick Brausch, Chief
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. Tyrone Smith
Senior Environmental Scientist (Specialist)
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

List of Addressees

Same letter sent to following List of Addressees and ccs.

City, County, and District Local Enforcement Agencies

Cities

Mr. Randy Bruegman
Fire Chief
Anaheim City Fire Department
Anaheim West Tower
201 South Anaheim Boulevard, Suite 300
Anaheim, California 92805

cc: Mr. Frederick Chun
Supervising Hazardous Materials Specialist
Anaheim City Fire Department
Anaheim West Tower
201 South Anaheim Boulevard, Suite 300
Anaheim, California 92805

Mr. Wayne Tsuda
Program Manager
Environmental Affairs Officer
Environmental Affairs Division
Code Enforcement Bureau
City of Los Angeles Department of Building & Safety
3550 Wilshire Boulevard, 18th Floor, MS 115
Los Angeles, California 90010

Ms. Teresa Deloach Reed
Fire Chief
Oakland City Fire Department
1605 Martin Luther King Jr. Way
Oakland, California 95612

cc: Mr. Leroy Griffin
Assistant Fire Marshall
Hazardous Materials Program
Oakland City Fire Department
1605 Martin Luther King Jr. Way
Oakland, California 95612

Mr. Joseph K. Horwedel, Director
San Jose City Department of Planning, Building,
and Code Enforcement
200 E. Santa Clara Street 3rd Floor Tower
San Jose, California 95113

cc: Mr. Paul Tavares
Program Manager
San Jose City Department of Planning, Building,
and Code Enforcement
200 E. Santa Clara Street 3rd Floor Tower
San Jose, California 95113

Counties

Mr. Ariu Levi, Director
Environmental Health
Alameda County Environmental Health Department
1131 Harbor Bay Parkway Suite 200
Alameda, California 94502-6577

cc: Mr. Jorge Goitia
Supervising Environmental Health Specialist
Solid and Medical Waste Program
Alameda County Environmental Health Department
1131 Harbor Bay Parkway Suite 200
Alameda, California 94502-6577

Mr. Matthew Constantine, Director
Environmental Health Division
Kern County Public Health Services Department
2700 M Street, Suite 300
Bakersfield, California 93301

cc: Mr. Brian Pitts, Chief
Hazardous and Solid Waste Division
Environmental Health Division
County of Kern Public Health Services
Department
2700 M Street, Suite 300
Bakersfield, California 93301

Mr. Dan Starkey
Hazardous Materials Specialist III
Hazardous Materials Division
County Kern Public Health Services Department
2700 M Street, Suite 300
Bakersfield, California 93301

Local Enforcement Agencies - List of Addressees (continued)

Mr. Jeff Taber
Deputy Health Director
Kings County Environmental Health Services
Department of Public Health
330 Campus Drive
Hanford, California 93230

Mr. Angelo J. Bellomo, Director
Environmental Health
Los Angeles County Department of Public Health
5050 Commerce Drive
Baldwin Park, California 91706

cc: Ms. Jacqueline Taylor
Bureau Director
Bureau of Environmental Protection
Los Angeles County Department of Public Health
5050 Commerce Drive
Baldwin Park, California 91706

Mr. Kenneth Murray, Director
Bureau of District Surveillance & Enforcement
Environmental Health Division
Los Angeles County Department of Public Health
5050 Commerce Drive
Baldwin Park, California 91706

Ms. Cindy Chen, Chief
Solid Waste Management Program
Los Angeles County Department of Public Health
5050 Commerce Drive
Baldwin Park, California 91706

Mr. Daryl L. Osby
Fire Chief
Los Angeles County Fire Department
5825 Rickenbacker Road
Commerce, California 90040

cc: Mr. Lance Ralston
Supervising Hazardous Materials Specialist
Health Hazardous Materials Division
Los Angeles County Fire Department
5825 Rickenbacker Road
Commerce, California 90040

Mr. Mark A. Hartwig
Fire Chief/Fire Warden
Hazardous Materials Division
San Bernardino County Fire Department
620 South E Street
San Bernardino, California 92415

cc: Mr. Greg Beach
Supervising Hazardous Materials Specialist
Hazardous Materials Division
San Bernardino County Fire Department
620 South E Street
San Bernardino, California 92415

Mr. Jack Miller, Director
San Diego County Department of
Environmental Health
5500 Overland Avenue, Suite 110
San Diego, California 92123

cc: Ms. Rebecca Lafreniere, Chief
Community Health Division
San Diego County Department of
Environmental Health
5500 Overland Avenue, Suite 110
San Diego, California 92123

Mr. Mike Vizzier, Chief
Hazardous Materials Division
San Diego County Department of
Environmental Health
5500 Overland Avenue, Suite 110
San Diego, California 92123

Mr. Dean Peterson, Director
San Mateo County Environmental Health
2000 Alameda De Las Pulgas, Suite 100
San Mateo, California 94403

cc: Mr. Bill Lent
Hazardous Materials Program Manager
San Mateo County Environmental Health
2000 Alameda De Las Pulgas, Suite 100
San Mateo, California 94403

Mr. Bill Emlen, Director
Solano County
Department of Resource Management
675 Texas Street, Suite 5500
Fairfield, California 94533

cc: Mr. Terry Schmidtbauer
Program Manager
Environmental Health Division
Solano County Department of Resource
Management
675 Texas Street, Suite 5500
Fairfield, California 94533

Mr. William Stratton
Deputy Director
Environmental Health Division
Ventura County Resource Management Agency
800 S Victoria Avenue
Ventura, 93009-1730

cc: Mr. Darrell Siegrist
Program Manager
Hazardous Materials/Waste Section
Environmental Health Division
Ventura County Resource Management Agency
800 S Victoria Avenue
Ventura, 93009-1730

Local Enforcement Agencies - List of Addressees (continued)

Local Districts

Mr. Jack P. Broadbent, Chief
Executive Officer/Air Pollution Control Officer
Bay Area Air Quality Management District
939 Ellis Street
San Francisco, California 94109

Mr. Seyed Sadredin
Executive Director/Air Pollution Control Officer
San Joaquin Valley Air Pollution Control District
San Joaquin Valley Air Basin
1990 E. Gettysburg Road
Fresno, California 93762

Mr. Glen Stephens, P.E.
Air Pollution Control Officer
Eastern Kern Air Pollution Control District
2700 "M" Street, Suite 302
Bakersfield, California 93301-2370

Dr. Barry R. Wallerstein
Executive Officer
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, California 91675-4178