

June 10, 2011

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RETURN RECEIPT REQUESTED

In Reply Refer To: CWA-309(a)-11-012

Mr. John Merritt
Facilities and Environmental Manager
Coast Plating, Inc.
128 W. 154th St.
Gardena, California 90248

Dear Mr. Merritt:

The enclosed Finding of Violation and Order addresses Coast Plating, Inc.'s ("Coast Plating's") violations of national pretreatment standards at the 417 W. 164th Street facility. These standards, including the federal categorical standard for electroplating, apply to the facility's wastewater discharges into the Sanitation Districts of Los Angeles County's sewer system and Joint Water Pollution Control Plant.

The Administrative Order ("Order"), which is a part of the enclosed document, requires that Coast Plating have an effective treatment system in place to achieve consistent compliance with the federal categorical metal finishing pretreatment standard, and conduct self-monitoring for one year.

Following are the key milestones and associated deadline dates of the Order:

Item No. in the Order	Requirement	Deadline Date
1	Submit facility process information	7/31/11
2,3	Submit a preliminary engineering plan for providing effective treatment for metals. Submit a preliminary cost estimate.	8/31/11
4	Submit notice of construction for the proposed treatment system.	Upon commencement of construction
5	Complete installation and startup of the proposed system. Submit notice of completion.	12/31/11
6-10	Begin one year of self-monitoring under this Order.	8/1/11
6-10	End self-monitoring under this Order.	7/31/12

The enclosed Finding of Violation and Order is issued pursuant to Sections 308(a) and 309(a)(3), (a)(4) and (a)(5)(A) of the Clean Water Act (“the Act”) as amended [33 U.S.C. § 1318(a) and 1319(a)(3), (a)(4), and (a)(5)(A)]. Any violation of the terms of this Order or pretreatment standards could subject Coast Plating to a civil action for appropriate relief pursuant to Section 309(b) of the Act [33 U.S.C. § 1319(b)] and/or penalties under Section 309(d) of the Act [33 U.S.C. § 1319(d)] of up to \$32,500 per day of violation for violations occurring between March 15, 2004 and January 12, 2009, and up to \$37,500 per day of violation for violations occurring after January 12, 2009. In addition, under Section 309(g) of the Act [33 U.S.C. § 1319(g)], any violation of the pretreatment standards could subject Coast Plating to an administrative penalty action of up to \$11,000 per day of violation, not to exceed \$157,500, if it occurred between March 15, 2004 and January 12, 2009. For violations occurring after January 12, 2009, Coast Plating may be subjected to an administrative penalty of up to \$16,000 per day per violation, not to exceed \$177,500. Sections 309(c)(1), (c)(2), and (c)(4) of the Act [33 U.S.C. § 1319(c)(1), (c)(2), and (c)(4)] also provide penalties for negligent violations, knowing violations, and knowingly making false statements.

If you have any questions regarding this matter, please contact Jamie Marincola of my staff at (415) 972-3520 or at Marincola.jamespaul@epa.gov.

Sincerely,

//s//

Alexis Strauss
Director, Water Division

Enclosure

cc: Rob Wienke, Sanitation Districts of Los Angeles County
Brandi Outwin-Beals, Los Angeles Regional Water Quality Control Board
Leo Sarmiento, State Water Resources Control Board (by e-mail)

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 9

In the Matter of)	
)	
Coast Plating, Inc.)	FINDING OF VIOLATION
Gardena, California)	
)	AND ORDER
Proceedings under Section 308(a) and 309(a)(3),)	
(a)(4) and (a)(5)(A) of the Clean Water Act, as)	Docket No. CWA-309(a)-11-012
amended, 33 U.S.C. Section 1318(a) and)	
1319(a)(3), (a)(4) and (a)(5)(A))	

STATUTORY AUTHORITY

The following Finding of Violation and Order (Docket No. CWA-309(a)-11-012) is issued under the authority vested in the Administrator of the U.S. Environmental Protection Agency (“EPA”) pursuant to Sections 308(a) and 309(a)(3), (a)(4), and (a)(5)(A) of the Clean Water Act [33 U.S.C. § 1318(a) and 1319(a)(3), (a)(4), and (a)(5)(A)] (hereinafter “the Act”). This authority has been delegated by the Administrator and the Regional Administrator of EPA Region 9 to the Director of the Water Division of EPA Region 9.

FINDING OF VIOLATION

The Director of the Water Division of EPA Region 9 finds that Coast Plating, Inc. (“Coast Plating”) in Gardena, California, is in violation of Section 307(d) of the Act [33 U.S.C. § 1317(d)]. This Finding is based on the following facts:

1. Section 307(d) of the Act [33 U.S.C. § 1317(d)] prohibits any owner or operator of any source from introducing pollutants into publicly owned treatment works (“POTWs”) in violation of any effluent standard or prohibition or pretreatment standard promulgated under Section 307 of the Act.

2. Under Section 307(b) of the Act [33 U.S.C. § 1317(b)], EPA promulgated the following general pretreatment regulations:
 - a. The federal categorical pretreatment standards for job-shop electroplating in 40 CFR 413, specifically, Subparts D, E, and F which require existing job-shop metal finishers that perform anodizing, chemical coating, or chemical etching and discharge 10,000 gallons per day or more to comply with the standards for cyanide, copper, nickel, chromium, zinc, lead, cadmium, total metals, and total toxic organics which are listed in 40 CFR 413.44, 413.54, and 413.64.
 - b. The national pretreatment standards in 40 CFR 403.12(e) and (g) for industrial dischargers into POTWs which require categorical industrial users to submit, at least twice per year, periodic reports of sampling that is representative of the discharge to the sewers and indicate both the concentration of the discharge for all federally-regulated parameters and the flowrate of the discharge.
 - c. The definitions in 40 CFR 403.3 including the following term:
 - i. The term, Pretreatment Standard, means any regulation containing pollutant discharge limits promulgated by EPA in accordance with Section 307 (b) and (c) of the Act, [33 U.S.C. § 1317(b) and (c)], including the specific prohibitions and local limits established pursuant to 40 CFR 403.5(b) and (d).
3. Coast Plating is a corporation and, therefore, a person within the meaning of Section 502(5) of the Act [33 U.S.C. § 1362(5)]. Coast Plating is a non-domestic wastewater source in Gardena, California. Coast Plating introduces pollutants within the meaning of Section 502(6) of the Act [33 U.S.C. § 1362(6)] into the Sanitation Districts of Los

Angeles County (LACSD) domestic sewer system and the Joint Water Pollution Control Plant, which is a POTW within the meaning of Section 307(b) of the Act and the pretreatment regulation in 40 CFR 403.3(q). Coast Plating is therefore subject to the provisions of the Act [33 U.S.C. § 1251 et seq., including Section 307, 33 U.S.C. § 1317] including Pretreatment Standards as that term is described above.

4. On August 26, 2010, inspectors representing EPA and LACSD conducted an industrial user inspection of Coast Plating:
 - a. Facility Description: Coast Plating owns and operates a job-shop metal finishing facility at 417 W. 164th St. in Gardena, California:
 - i. The facility generates, for discharge to the sewers, wastewater from rinses for anodizing, chemical coating, and chemical etching operations, as well as water with penetrant oil from a penetrant testing booth and air compressor condensate, primarily for the aerospace industry.
 - ii. The facility was constructed before 1982. After a period of dormancy, the facility's pretreatment permit was voided in 1994. Coast Plating purchased the site and began operations at this facility in 1997.
 - iii. Coast Plating is a job shop because it does not own greater than 50% of the materials undergoing metal finishing.
 - iv. LACSD issued an Industrial Wastewater Discharge Permit ("IWD Permit"; Permit No. 20326) to Coast Plating, authorizing the discharge of treated wastewaters through one connection to the sewer system.

- b. Wastewater Discharges to the Sewer: Coast Plating discharges process-related wastewaters into the domestic sewers feeding into the Joint Water Pollution Control Plant for discharge into the Pacific Ocean:
- i. The metal finishing lines generate metal finishing spents, rinses, and tank bottom sludges.
 - ii. The rinses from the metal finishing lines are conveyed through one common line to the onsite wastewater treatment system while the water with penetrant oil is piped directly to the clarifier of the onsite wastewater treatment system.
 - iii. Treatment of the process-related wastewaters includes pH adjustment, chromium reduction, precipitation, clarification and solids removal.
 - iv. The discharges of process-related wastewater to the sewers are monitored at a sample box located immediately downstream of the clarifier. This compliance sample point is hereinafter referred to as compliance sample point 20326A, as labeled in Coast Plating's IWD Permit.
- c. Categorical Standards: The federal categorical pretreatment standards in 40 CFR 413 for existing source job-shop metal finishing operations apply to process-related wastewater discharges from Coast Plating.
- i. 40 CFR 413 Applicability: Because Coast Plating is a job shop that performs metal finishing operations of anodizing, chemical coating, and chemical etching, Coast Plating is subject to the federal electroplating standards in 40 CFR 413. Because the facility was constructed prior to August 31, 1982, with renovations to the facility after 1982 not meeting

criteria that would trigger applicability of 40 CFR 433, Coast Plating is considered an existing source subject to 40 CFR 413.

- ii. The following table contains Coast Plating’s IWD permit limits, which are based on the federal categorical pretreatment limits in 40 CFR 413.44, 413.54, and 413.64. These limits apply to the discharges from Coast Plating at compliance sample point 20326A:

Pollutants		Daily Average Maximum	4-Day Average Limit
		(mg/l)	(mg/l)
Cd	Cadmium	1.2	0.7
Cr	Chromium	7.0	4.0
Cu	Copper	4.5	2.7
Pb	Lead	0.6	0.4
Ni	Nickel	4.1	2.6
Zn	Zinc	4.2	2.6
CN (T)	Total cyanide	1.9	1.0
-	Total Metals (Cr, Cu, Ni & Zn)	10.4	6.8
TTO	Total toxic organics	2.12	-

5. Coast Plating has not complied with Section 307(d) of the Act and with the standards of 40 CFR 413. Upon review of LACSD’s compliance monitoring data record for Coast Plating, for composite samples taken at compliance sample point 20326A for the period of July 2008 through January 2011, EPA discovered four instances of violation of federal standards for chromium and four instances for total metals, as summarized below:

Date	Chromium (mg/L)		Total Metals (mg/L)	
	Daily	4-Day	Daily	4-Day
Federal 40 CFR 413 Limits*	7.0	4.0	10.4	6.8
March 2, 2010	9.37		11.1	
July 14, 2010	12.2		14.3	
October 13, 2010	24.3		27.8	
8/12/09-10/13/10		11.7		13.6

*Results from composite sampling only are evaluated to determine compliance with the federal pretreatment limits for metals.

6. Coast Plating has not complied with local limits in their pretreatment permit. Upon review of LACSD’s compliance monitoring data record for Coast Plating, for samples taken at compliance sample point 20326A for the period of July 2008 through February 2011, EPA discovered five instances of violation of local limits for chromium, as summarized below:

Date	Sample Type	Chromium (mg/L)
Local Limit		10
January, 20, 2009	Grab	63.1
June 29, 2009	Grab	13.8
July 14, 2010	Composite	12.2
October 13, 2010	Composite	24.3
February 1, 2011	Grab	92.9

7. EPA’s November 22, 2010 report on its August 26, 2010 inspection of Coast Plating is, by reference, made part of this Finding of Violation and Order.

ORDER FOR COMPLIANCE

Considering the foregoing Finding of Violation, the potential environmental and human health effects of the violations, and all good faith efforts to comply, EPA has determined that compliance in accordance with the following requirements is reasonable. Pursuant to Section 308(a) and 309(a)(3), (a)(4) and (a)(5)(A) of the Act [33 U.S.C. § 1318(a) and 1319(a)(3), (a)(4) and (a)(5)(A)], It is hereby ordered that Coast Plating comply with the following requirements:

Information Requirements

1. By **JULY 31, 2011**, Coast Plating shall submit the following:
 - a. A list of all chromium-bearing wastewaters and the process or rinse tank associated with each wastewater stream; and
 - b. A tank layout and schedule for the tanks identified above. The tank schedule shall include, at a minimum, a tank identifier, tank dimensions or volume, and tank contents.

Treatment for Chromium

2. By **AUGUST 31, 2011**, Coast Plating shall submit a preliminary engineering plan of the steps to be taken to provide effective treatment for chromium such that Coast Plating consistently complies with the applicable chromium limits in 40 CFR 413.
 - a. The preliminary engineering plan shall include the design of a proposed system that will be installed and operated to achieve consistent compliance with applicable Pretreatment Standards including federal categorical pretreatment standards:

- i. The proposed system engineering plan shall include the entire treatment system, including existing, modified, and new components, that Coast Plating will use to achieve consistent compliance with the federal categorical pretreatment standards. Components include, but are not limited to, equipment, hardware, monitoring, instrumentation and telemetry.
 - ii. Submittal of the design of the proposed system shall include the following:
 - (a) A written explanation of the design and operation of the proposed system, including identification of any chemicals to be added, setpoints for metering of pH and ORP reaction endpoints.
 - (b) A schematic of the proposed system, with all components labeled. Specifically, the pH and ORP reaction endpoint metering shall be labeled.
 - (c) A written explanation of how the installation of the proposed system will result in compliance with applicable chromium limits in 40 CFR 413.
 - b. The preliminary engineering plan shall also include a schedule of construction which results in completion of installation and startup of the proposed system no later than December 31, 2011.
3. Concurrent with the submittal of the preliminary engineering plan of Item 2 of this Order, Coast Plating shall submit a preliminary cost estimate of the steps that will be taken to provide effective treatment for chromium, as addressed in Item 2 of this Order. The cost

estimate shall include major line items and shall provide enough details to identify costs for each of the following (if applicable): (i.) new treatment system components, and (ii.) modifications to the existing treatment system. In addition, the cost estimate shall break costs down into capital costs, installation costs, and operation and maintenance (O&M) costs. O&M costs shall include costs of labor, power, water, raw materials and supplies, and recurring training of employees.

4. Coast Plating shall submit a notice of construction upon commencement of construction of the proposed system.
5. By **DECEMBER 31, 2011**, Coast Plating shall complete installation and startup of the proposed system to consistently comply with metal finishing pretreatment standards, as required by Item 2 of this Order, and Coast Plating shall submit a notice of completion.

Self-Monitoring Requirements

6. From **AUGUST 1, 2011 THROUGH JULY 31, 2012**, Coast Plating shall self-monitor the process-related wastewater discharges at compliance sample point 20326A.
 - a. **ONCE EVERY MONTH**, Coast Plating shall self-monitor for discharge flow rate, cadmium, chromium, copper, lead, nickel, zinc, and total cyanide.
 - b. **ONCE EVERY QUARTER**, Coast Plating shall self-monitor for oil and grease.
 - c. **ONCE EVERY SIX MONTHS**, Coast Plating shall self-monitor for total toxic organics.
 - d. **CONTINUOUSLY**, Coast Plating shall monitor for pH. **ONCE EACH MONTH**, Coast Plating shall prepare summaries of pH as follows:
 - (1) The number of minutes each day in which the pH is below 2.0;

- (2) The number of minutes each day in which the pH is below 5.0;
- (3) The number of minutes each day in which the pH is below 6.0; and
- (4) The number of minutes each day in which the pH is above 12.5.

7. Coast Plating shall self-monitor and analyze using the sampling protocols listed below and the EPA-approved analytical methods (or equivalent) necessary to achieve detection limits no greater than those indicated below:

Parameters and Pollutants	Sampling Protocols	Detection Limits no greater than:
Cadmium	24-hour composite*	10 µg/l
Chromium	24-hour composite*	10 µg/l
Copper	24-hour composite*	10 µg/l
Lead	24-hour composite*	10 µg/l
Nickel	24-hour composite*	10 µg/l
Zinc	24-hour composite*	10 µg/l
Cyanide	24-hour manual composite grabs	10 µg/l
Total toxic organics	Grab	10 µg/l
Discharge flowrate	Unspecified	--

* 24-hour composites may be replaced by grabs if the discharge is from a once-per-day batch discharge.

8. The total toxic organics self-monitoring required by Item 6.c. may be replaced by self-certifications, after approval by EPA of a toxic organics management plan as provided for in 40 CFR 433.12(a).

Submittals

9. By the **TWENTY-EIGHTH (28th) DAY OF EACH MONTH**, Coast Plating shall submit self-monitoring results for the previous month. The first monthly report is due on September 28, 2011 for the August 2011 self-monitoring. The 12th-and-last monthly

report is due on August 28, 2012 for the July 2012 self-monitoring. If Coast Plating does not discharge during a particular calendar month, they shall report “no discharge” in accordance with items 11 and 12 below.

10. For each sample, Coast Plating shall record and submit to EPA the following:
 - a. the sample results, including an indication when a result is out of compliance with applicable limits in the Pretreatment Standards;
 - b. the EPA analytical methods used;
 - c. the date, time, location of sampling, and sample point;
 - d. the type of sample (i.e., 24-hour composite, grab, or manual composite);
 - e. a listing of discharged wastewaters accounted for by the sample (e.g., rinse water from which process);
 - f. the name of the laboratory used; and
 - g. self-certifications in lieu of self-monitoring as allowed by Item 8 of this Order.
11. All reports submitted pursuant to this Order shall be signed by a principal executive officer of Coast Plating and shall include the following statement:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, I certify that the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I certify that all wastewater samples analyzed and reported herein are representative of the ordinary process wastewater flow from this facility. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

12. All submittals shall be mailed to the following addresses:

U.S. ENVIRONMENTAL PROTECTION AGENCY, Region 9
75 Hawthorne Street
San Francisco, California 94105
Attn: Anna Yen (WTR-7)

SANITATION DISTRICTS OF LOS ANGELES COUNTY
Industrial Waste Section
1955 Workman Mill Road
Whittier, CA 90601
Attn: Rob Wienke

LOS ANGELES REGIONAL WATER QUALITY CONTROL BOARD
320 West 4th Street, Suite 200
Los Angeles, CA 90013
Attn: Brandi Outwin-Beals

General Provisions

13. This Order shall be binding upon Coast Plating and its officers, directors, agents, employees, contractors, heirs, successors, and assigns.
14. This Order is not and shall not be interpreted to be a National Pollutant Discharge Elimination System permit under Section 402 of the Act, [33 U.S.C. § 1342], nor an LACSD or Regional Water Quality Control Board sewer discharge permit under 40 CFR 403.8(f)(1)(iii). In addition, this Order shall not in any way extinguish, waive, satisfy, or otherwise affect Coast Plating's obligation to comply with the Act or its regulations, as well as any other Federal, State or local law.
15. This order is not deemed an election by EPA to forgo any remedies available to it under the law, including without limitation, any administrative, civil, or criminal action to seek penalties, fines, or other appropriate relief under the Act. EPA reserves all rights and remedies, legal and equitable, available to enforce any violations cited in this Order and to enforce this Order.

16. Requests for information contained with this Order are not subject to review by the Office of Management and Budget under the Paperwork Reduction Act because it is not “collection of information” within the meaning of 44 U.S.C. § 3502(3). It is directed to fewer than ten persons and is an exempt investigation under 44 U.S.C. § 3518(c)(1) and 5 CFR 1320.4(a)(2).
17. Respondent may not withhold from EPA any information on the grounds that it is confidential business information. However, EPA has promulgated, under 40 CFR Part 2, Subpart B, regulations to protect confidential business information it receives. If legally supportable, a claim of business confidentiality may be asserted in the manner specified by 40 CFR 2.203(b) for all or part of the information requested by EPA. EPA will disclose business information covered by such claim only as authorized under 40 CFR Part 2, Subpart B. If no claim of business confidentiality accompanies the information at the time EPA receives it, EPA may make it available to the public without further notice.
18. Section 309(a), (b), (d), and (g) of the Act, 33 U.S.C. § 1319(a), (b), (d), and (g), provides administrative and/or judicial relief for failure to comply with the CWA. In addition, Section 309(c) of the Act, 33 U.S.C. § 1319(c), provides criminal sanctions for negligent or knowing violations of the CWA and for knowingly making false statements.
19. This Order takes effect upon the date of receipt by Coast Plating.

June 10, 2011
Date

//s//
Alexis Strauss
Director, Water Division

