



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

**Pacific Southwest Region**

**75 Hawthorne Street**

**San Francisco, California 94105-3901**

Office of the  
Regional Administrator

December 13, 1993

Honorable Dianne Feinstein  
United States Senate  
Washington, D.C. 20510-0504

Dear Senator Feinstein:

Thank you for your letter of November 17, 1993, and the accompanying correspondence from Mr. Jim Janda, President of Ambitech, Inc. and Mr. Daniel Wax of McKenna and Cuneo. Ambitech's inquiry concerns the water pollution requirements that apply to it under the Clean Water Act. On May 11, 1993, we found that Ambitech is subject to the new source metal finishing requirements under the Act.

The Act imposes more stringent requirements on new sources of water pollution based on the concept that, for new facilities, a company will be able to install the best and most efficient production processes and wastewater treatment technologies. Ambitech constructed new plating lines using a mixture of new components and old components that had been parts of plating lines in its old wet processing area. Ambitech retained an engineering consultant to generate the engineering drawings, permit applications and other engineering services related to facilities preparation.

Ambitech provided the City of Los Angeles with extensive documentation in a November 23, 1992, petition supporting its view that the changes at its facility did not constitute a new source. The City provided this information to us and requested that we make a determination as to the applicability of pretreatment standards for new sources to the Ambitech facility. We concluded that the design and construction of the new plating lines, in accordance with the regulatory definitions, constitute a new source and are subject to the pretreatment standards for new sources. Our decision is contained in a May 11, 1993, letter to the City and a copy is enclosed for your information.

Under the Act, the Environmental Protection Agency must perform an extensive economic impact analysis to support the Agency's rulemaking. The economic impact assessment for the metal finishing industry is presented in *Economic Impact Analysis of Effluent Standards and Limitations for the Metal Finishing Industry*. The analysis supports the metal finishing requirements and details the investment and annual costs that the industry will incur as a result of the discharge regulations.

We were surprised to learn from your letter that Ambitech wishes to meet with us. We have now been involved with this issue concerning Ambitech for more than a year and we have fully and carefully considered Ambitech's information including its November 23, 1993, petition

and its August 21, 1993, letter to us. Although Ambitech has never agreed with our finding, we believe that our May 11, 1993, letter and Mr. Wax's telephone conversations with my technical staff and attorneys have sufficiently addressed this issue. Based on the written material Ambitech has provided to us and our conversations with Mr. Wax, we continue to find that Ambitech is subject to the new source metal finishing requirements under the Act. We are, of course, available to meet with Ambitech to discuss in more detail the reasons for our decision. However, rather than to consume resources by prolonging this discussion, I prefer that this dialogue cease and that Ambitech now focus its efforts toward achieving full compliance with the new source requirements.

I trust this information will be helpful in responding to your constituent's concerns. If I can be of further assistance, please call me or my Congressional Liaison Officer, Sunny Nelson, at (415) 744-1562.

Sincerely yours,

*Original Signed By:*

John C. Wise  
Deputy Regional Administrator

Enclosure

cc: Mr. Vincent J. Varsh  
Enforcement Division Manager  
Bureau of Sanitation  
Department of Public Works  
City of Los Angeles