Yana Garcia
Secretary for
Environmental Protection

Department of Toxic Substances Control

Meredith Williams, Ph.D., Director
700 Heinz Avenue
Berkeley, California 94710-2721

Gavin Newsom
Governor

November 1, 2023

Ms. Pamela Gray, Compliance Manager
Schnitzer Steel Products (Schnitzer Oakland)
1101 Embarcadero West
Oakland, California 94607

ISSUANCE OF INSPECTION REPORT AND NOTICE OF PROVISIONAL INSPECTION VIOLATION SCORE

Dear Ms. Gray:

On August 10, 2023, the Department of Toxic Substances Control (DTSC) conducted a Focused Compliance Inspection of Schnitzer Steel Products (Schnitzer Oakland), CAD981634496, located at 1101 Embarcadero West, Oakland, CA 94707. The purpose of this letter is to notify Schnitzer Oakland of the results of this inspection and provide notice of the provisional inspection violation score calculated by DTSC for this inspection pursuant to California Code of Regulations (CCR), title 22, section 66271.53, subdivision (a).

As detailed in the enclosed inspection report, DTSC discovered violations of the Hazardous Waste Control Law and its implementing regulation during this inspection.

Schnitzer Oakland is required by Health and Safety Code section 25185, subdivision (c)(3) to submit a written response to DTSC as specified in the inspection report, describing the corrective actions that you have taken or propose to take to bring Schnitzer Oakland into compliance.

The corrective actions taken by Schnitzer Oakland are documented in the inspection report. DTSC has determined that corrective action is still required for Violation 1 and for Violation 3 (a new violation detailed in the inspection report). The corrective action responses are **due within five (5) calendar days of the date of the inspection report cover letter (October 6, 2023).**

In addition, a new issue of concern is identified in the inspection report as New Issue of Concern #2. Schnitzer Oakland shall respond as directed in the inspection report **within five (5) calendar days of the date of the inspection report cover letter (October 6, 2023).**

If Schnitzer Oakland disputes any of the violations or proposed corrective actions, Schnitzer Oakland should explain the disagreement in a written response within 60 days or as specified by DTSC. The issuance of this letter does not preclude DTSC from taking administrative, civil, or criminal action as a result of the violations noted in this inspection report.

All pertinent information derived by DTSC from this inspection, including documents and photographs, are included as attachments to the enclosed inspection report. Please note that the enclosed inspection report will become a public document. Pursuant to Health and Safety Code section 25173 (https://codes.findlaw.com/ca/health-and-safety-code/hsc-sect-25173.html), you may request that any trade secret or facility security information be withheld from public disclosure.

If you wish to assert the trade secret privilege, please provide DTSC with detailed, written responses to each of the following questions within 10 days of receipt of this letter:

- To what extent is there knowledge of the information conveyed by the photograph/document outside of your business?
- To what extent is there knowledge of the information conveyed by the photograph/document, by employees and others in your business?
- To what extent have measures been taken to guard the secrecy of the information?
- Is the information valuable to competitors? If so, why?
- Has there been substantial monetary expenditure in the development of the information?
- Could the information be easily and properly acquired or duplicated by others?

DTSC will review your response to these questions to determine if the information should be treated as a trade secret and will notify you of its decision prior to making the enclosed inspection report available to the public.

Provisional Inspection Violation Score: 25.00

Concurrent with this report, DTSC is providing you with the provisional inspection violation score calculated by DTSC for this inspection in the enclosed Violation Scoring Matrix. (See 22 CCR § 66271.53, subd. (b).) A provisional inspection violation score is the sum of the initial score of each Class I violation that occurred during this compliance inspection,[1] including any adjustment to an initial Class I violation score based on repeat violations.[2] (See 22 CCR § 66271.53, subd. (a).) The basis for the score for each Class I violation is also provided in the enclosed Violation Scoring Matrix.

Provisional Inspection Violation Score Dispute

An owner or operator of a facility may dispute a provisional inspection score pursuant to CCR, title 22, section 66271.53, subdivision (c) by filing a Provisional Inspection Violation Score Dispute Document (template available at https://dtsc.ca.gov/violations-scoring-procedure/ under "VSP Links") within sixty (60) calendar days of this notice. All of the following information must be enclosed with the Dispute Document cover letter:

- A statement that describes in detail the factual and legal basis of the dispute and the relief sought;
- Any claimed erroneous facts, assumptions, approaches, or conclusions of law made by DTSC;

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[1] A "compliance inspection" includes, but is not limited to, scheduled and unscheduled inspections by DTSC during which DTSC evaluates a "hazardous waste facility's compliance with any operating hazardous waste management requirement set out in statute, regulation, permit, order, stipulation, agreement, settlement document, judgment, decree, grant of authorization issued by DTSC, or other document establishing requirements upon operations at the facility." (22 CCR § 66271.50, subd. (a).) A compliance inspection may include, but is not limited to, the following inspection types: Compliance Evaluation Inspection, Facility Self Disclosure, Financial Record Review, Focused Compliance Inspection, and Follow-Up Inspection.

If a subsequent inspection is conducted that is considered by DTSC to be part of this compliance inspection, DTSC will issue an updated provisional inspection score concurrent with the related inspection report or findings. Once issued, the owner or operator of the facility can follow the dispute process outlined in this letter with respect to any newly scored Class I violations.

[2] For purposes of calculating a facility's inspection violation score, DTSC may also consider Class II violations that meet the definition of a Class I violation as specified in CCR, title 22, section 66260.10. (See 22 CCR § 66271.50, subd. (d)(1).)

- A statement describing in detail any efforts already made by the owner or operator to resolve the dispute with DTSC; and
- Any photographs, documents, or any other material that supports the owner's or operator's position regarding the disputed provisional inspection violation score.

The owner or operator of a facility may request a one-time extension of up to sixty (60) calendar days to submit a dispute document (template available at https://dtsc.ca.gov/violations-scoring-procedure/ under "VSP Links").

DTSC will issue a written decision, granting or denying, in whole or in part, the relief sought by the owner or operator of a facility disputing a provisional inspection violation score. A provisional inspection violation score will become the final inspection violation score consistent with DTSC's written decision. A provisional inspection violation score will also become the final inspection violation score if the owner or operator of a facility does not file a Dispute Document within sixty (60) calendar days of this notice.

Submit any questions regarding the provisional inspection violation score to VSP_Info@dtsc.ca.gov. If you have any questions regarding the dispute process, please contact VSP_Dispute_Inbox@dtsc.ca.gov.

If you have any questions regarding the inspection report, or if you wish to meet with DTSC to discuss any questions or concerns you have with the inspection or the report, please email or call Mr. Ryan Miya, Senior Environmental Scientist (Sup), at Ryan.Miya@dtsc.ca.gov or (510) 292-9253.

Sincerely,
Original signature redacted.

April Ranney, Ph.D., Environmental Program Manager I (Sup)
Enforcement & Emergency Response Division
Berkeley Enforcement and State Oversight – Berkeley/Clovis Branch

Enclosure(s)

Inspection Report
Violation Scoring Matrix

Return Receipt Requested

CC via email:

Ms. April Ranney, Ph.D., EPM 1 (Sup); April.Ranney@dtsc.ca.gov
Mr. Colin Roberts, Attorney III-Spec; Colin.Roberts@dtsc.ca.gov
Ms. Linda Shaffer, West Coast Environmental Operations Director; Lshaffer@rdus.com

Yana Garcia
Secretary for
Environmental Protection

Department of Toxic Substances Control

Meredith Williams, Ph.D., Director
700 Heinz Avenue
Berkeley, California 94710-2721

Gavin Newsom
Governor

INSPECTION REPORT

FACILITY INSPECTED

Schnitzer Steel Industries, Inc.

FACILITY ADDRESS

1101 Embarcadero West, Oakland, CA 94607

INSPECTION DATE

August 10, 2023

INSPECTED BY

Ryan Miya, Senior Environmental Scientist Specialist (Supervisor),
Ryan.Miya@dtsc.ca.gov

Nicholas Chang, Senior Environmental Scientist (Specialist),
Nicholas.Chang@dtsc.ca.gov

REV: 12/14/2021

FACILITY GENERAL INFORMATION

Company Name:	Schnitzer Steel Industries, Inc. (Schnitzer Oakland)
State or Fed EPA ID #:	CAD981634496
CalEnviroScreen Score:	N/A
Type of Business:	Metal Shredder
Site Map Attached:	Yes
Facility or Site Name:	N/A
Facility/Site Physical Address:	1101 Embarcadero West
City, State, Zip Code:	Oakland, CA 94607
Facility Telephone Number:	(510) 444-3919
Facility/Site Mailing Address:	1101 Embarcadero West
City, State, Zip Code:	Oakland, CA 94607
Facility Representative Name:	Ms. Pamela Gray
Facility Representative Title:	Compliance Manager
Facility Representative Email:	Pgray@rdus.com
Facility Rep. Identity Confirmed:	Yes, business card
Number of Employees:	Approximately 200
Employees Handling Hazardous Waste:	Unknown

Additional Facility Information: Schnitzer Oakland shreds scrap metal in a hammermill and subsequently processes the metal shredder aggregate to recover ferrous and non-ferrous metals through ferrous magnets, eddy currents, and mechanical sorting processes. The metal recovery processes result in Metal Shredder Residue ("MSR"), which is subsequently treated with silicate and cement resulting in a waste termed as Chemically Treated Metal Shredder Residue ("CTMSR"). There is some indication that Schnitzer Oakland is currently in the process of changing the faciltiy name to Radius Recycling, but no documents have been received by DTSC to date supporting the formal name change.

INSPECTION INFORMATION

DTSC Personnel: Ryan Miya, Senior Environmental Scientist (Supervisor), Ryan.Miya@dtsc.ca.gov

Nicholas Chang, Senior Environmental Scientist (Specialist), Nicholas.Chang@dtsc.ca.gov

Ashely Gage, Senior Environmental Scientist (Specialist), Ashley.Gage@dtsc.ca.gov

Nicole Guaglione, Environmental Scientist, Nicole.Guaglione@dtsc.ca.gov

Bonny Lew, Environmental Scientist, Bonny.Lew@dtsc.ca.gov

Other Agency Personnel: Michael Brown, Inspector, Alameda County District Attorney's Office

Matthew Soby, Senior Hazardous Materials Specialist, Alameda County Department of Environmental Health

Facility/Site Personnel: Pamela Gray, Compliance Manager, Pgray@rdus.com

Mark Silverman, Regional Environmental Manager, Msliverman@rdus.com

Linda Shaffer, West Coast Environmental Operations Director (virtually via telephone), Lshaffer@rdus.com

Facility/Site Personnel Identity Confirmed: Yes, business card and/or employee ID badge.

Workplan Type(s): Other

Inspection Type: Focused Compliance Inspection (FCI)

Regulatory Status: Generator

Inspection Date(s): 8/10/2023

Arrival and Exit Time(s): Arrival time - 11:55 AM. Exit time - 3:50 PM

Consented to Inspection: Pamela Gray, Compliance Manager, Pgray@rdus.com

Consent Time(s): 12:01 PM

Pursuant to Health and Safety Code 25185, consent to perform an inspection includes, but is not limited to: conducting a walkthrough of the facility, inspecting hazardous waste handling areas and vehicles, interviewing personnel, taking photographs, sampling, document review, and retaining copies of documents.

Additional Inspection Information:

DTSC conducted a Focused Compliance Inspection in response to an onsite fire that occurred on August 9, 2023 and began at approximately 5:35 PM. DTSC collected samples during the onsite inspection on August 10, 2023 to further evaluate whether Schnitzer Oakland is properly managing hazardous waste(s) potentially generated from the fire. DTSC also conducted additional sampling of a storm drain area at the Port of Oakland's adjacent property located at 1401 Middle Harbor Road on August 14, 2023 to determine the potential extent of contamination of hazardous constituents that may have migrated and drained into the offsite storm drain system.

Report Author: Ryan Miya, Senior Environmental Scientist (Supervisor)

Author's Signature: Original signature redacted

Date Signed: October 23, 2023

INSPECTION HISTORY

Has this site been inspected before? Yes

Inspection Date: 1/23/2023

Lead Inspector: Robert Easley

Total Violations: 0

Total Class I Violations: 0

Comments (Enforcement, Unresolved Issues, etc.): DTSC conducted a follow-up to the inspection conducted on May 16, 2022 and collected samples to further evaluate whether Schnitzer Oakland is properly managing wastes at the facility.

Inspection Date: 5/16/2022

Lead Inspector: Kevin Abriol

Total Violations: 9

Total Class I Violations: 7

Comments (Enforcement, Unresolved Issues, etc.): DTSC conducted a focused compliance inspection on May 16, 2022. The Class 1 violations included the following: unauthorized hazardous waste storage consisting of chemically treated metal shredder residue (CTMSR) without a permit or authorization from DTSC; unauthorized hazardous waste treatment of metal shredder residue without a permit or authorization from DTSC; transportation of hazardous waste consisting of CTMSR without a manifest; causing the disposal of hazardous waste consisting of CTMSR at a facility that does not have a permit or authorization from DTSC; accumulation of hazardous waste in a container that is in poor condition; failure to minimize to possibility of a release; and failure to furnish records upon request.

Inspection Date: 6/18/2020

Lead Inspector: Dylan Clark

Total Violations: 2

Total Class I Violations: 2

Comments (Enforcement, Unresolved Issues, etc.): Ongoing matter regarding violations cited by DTSC's Office of Criminal Investigation (OCI) related to the fire that occurred at Schnitzer Oakland on June 17, 2020.

Inspection Date: 6/5/2018

Lead Inspector: Dylan Clark

Total Violations: 1

Total Class I Violations: 1

Comments (Enforcement, Unresolved Issues, etc.): Ongoing matter regarding violations cited by OCI related to the fire that occurred at Schnitzer Oakland on June 2, 2018.

Inspection Date: 3/17/2015

Lead Inspector: Van-Anh Le

Total Violations: 3

Total Class I Violations: 2

Comments (Enforcement, Unresolved Issues, etc.): DTSC cited Schnitzer Oakland for failure to obtain a hazardous waste facilities permit for acceptance, storage, treatment, and disposal of hazardous waste, and for failure to maintain and operate the facility to minimize the possibility of a release of hazardous waste or hazardous waste constituents to the environment. Schnitzer Oakland addressed these violations via the February 3, 2021, Final Judgment and Stipulation for Entry of Final Judgment and Order on Consent in the case *People of the State of California v. Schnitzer Steel Industries, Inc.*, Alameda County Superior Court, Case No. RG21087468.

NON-PERMITTED AREAS INSPECTED

DTSC did not conduct a formal inspection of any of the hazardous waste management units. DTSC conducted this Focused Compliance Inspection in response to an onsite fire that occurred on August 9, 2023 and to collect samples to further evaluate whether Schnitzer Oakland is properly managing hazardous waste(s) potentially generated from the fire. See the DISCUSSIONS WITH THE FACILITY REPRESENTATIVES section for more information.

PERMITTED AREAS/UNITS INSPECTED

Does this facility or site have permitted units? No.

The facility submitted a Permit Part A application to DTSC on June 29, 2022. Per California Code of Regulations (CCR), title 22, section 66270.70(a), the facility has interim status authorization and was informed of this authorization by DTSC's Permitting Division in a letter dated August 25, 2023. Per 22 CCR 66270.71(b), during interim status, owners or operators shall comply with the interim status standards in chapter 15 of California Code of Regulations, title 22.

DOCUMENT REVIEW

DTSC did not conduct a document review for this focused compliance inspection.

VIOLATIONS

Total Number of Violations: 3

Total Class I Violations: 1

Total Class II Violations: 2

Total Minor Violations: 0

Proximity to Humans: Schnitzer Oakland is located in an area zoned industrial with the nearest residential area approximately one-half mile to the north of the facility. The Port of Oakland is located directly to the east and the west of the facility. Additional businesses operate as close as 200 feet north of the facility on the northside of the Union Pacific Railroad tracks.

Proximity to Animals: Schnitzer Oakland is located adjacent to the Port of Oakland in an industrial area of Oakland. The facility handles and treats scrap metal that generates dust and debris that contains hazardous constituents (metals). The southern portion of Schnitzer Oakland boarders the Oakland Estuary located within the larger San Francisco Bay and inhabited by aquatic animals. I did not observe any animals during the inspection.

Proximity to Water: Schnitzer Oakland's facility is located southwest of the Oakland terminal and abuts the Oakland Harbor which directly feeds into the San Francisco Bay. Stormwater is collected onsite in a weir pit and reused onsite for cooling the hammermill.

Proximity to Sensitive Receptors: Saint Vincent's Day Home (preschool) is approximately 2,200 feet north of Schnitzer Oakland. Martin Luther King Jr. Elementary School is approximately 3,000 feet north of Schnitzer Oakland. The Third Street Out-Patient Clinic is approximately 2,300 feet east of Schnitzer Oakland. There are approximately 18 daycare centers, 10 parks, 8 schools, 4 senior centers, and 2 hospitals located within one mile of the Facility.

Violation Number: 1

Date: 8/11/2023

Violation Classification: Class I

Justify Violation Classification: The deviation is significant enough that it could result in a failure to prevent releases of hazardous waste or constituents to the environment during the active or postclosure period of facility operation.

Violation: Schnitzer Oakland failed to maintain and operate the facility to minimize the possibility of fire and/or release of hazardous waste or hazardous waste constituents to the air, soil, or surface water which could threaten human health or the environment. To Wit: A fire broke out at approximately 5:35 PM on Wednesday August 9, 2023, in

the tin pile located in the vicinity of the wooden conveyor pier. Schnitzer Oakland staff observed smoke and fire before responding with water application. Oakland Fire crews were still onsite at the time of the inspection on Thursday August 10, 2023. The fire was contained within the tin pile from which it originated.

Citation(s): California Code of Regulations, Title 22 (22 CCR), Sections 66262.10(h), 66262.34(a)(4), and 66265.31

Citation(s) Text:

22 CCR Section 66262.10(h): A generator who treats, stores, or disposes of hazardous waste on-site shall comply with the applicable standards and permit requirements set forth in chapters 14, 15, 16, 18 and 20 of this division.

22 CCR Section 66262.34(a)(4): (a) Except as provided in subsections (c) and (d) of this section and section 66262.35, a generator may accumulate hazardous waste on-site for 90 days or less without a permit or grant of interim status, provided that: (4) the generator complies with the requirements for owners or operators in articles 3 and 4 of chapter 15 of this division and with section 66265.16, and with section 66268.7(a)(5).

22 CCR Section 66265.31: Facilities shall be maintained and operated to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment.

Repeat Violation: Yes

Waste: Fire-impacted metal debris

Characteristic(s) or Listed Number: Toxic

Waste Quantification: Unknown

Photograph Evidence: Photographs 4 through 10 document the site conditions on August 10, 2023, which is the day after the onsite fire started. Schnitzer Oakland facility grounds were significantly flooded by emergency response fire management activities.

Statement Evidence: Ms. Pamela Gray, Compliance Manager, stated that Schnitzer Oakland “observed high wind conditions onsite” and at 5:36 PM on August 9, 2023, 9-1-1 was called to report the onsite fire. Ms. Grey stated that Schnizter deployed their own water trucks to spray down the affected area (tin pile) with water until local fire department staff arrived onsite.

Sample Evidence: Two samples (8-10-2023RADIUS-1B and sample 8-10-2023RADIUS-2B) exceeded hazardous waste regulatory thresholds specified in the Title 22 California Code of Regulations for total metals in Zinc and Copper.

Observation Evidence: I observed several areas of Schnitzer Oakland's facility to be flooded by fire response activities. I observed the entrance to the facility, leading to the conveyor pier to be flooded with standing water. Immediately east of the conveyor pier, I observed Oakland Fire Department spraying a large mass (approximately half the size of a car) that appeared to be a smoldering piece of metal impacted by the fire. Large portions of the scrap metal pile located immediately east of conveyor pier showed signs of ash and had a charred appearance consistent with fire-impacted material.

Amended Corrective Actions: Schnitzer Oakland shall immediately minimize the potential for fire, explosion, and release(s) of hazardous waste or hazardous waste constituents to the air, soil, or surface water. In addition, Schnitzer Oakland shall develop a written plan that describes the additional actions Schnitzer Oakland will immediately implement to prevent fires in the future that includes an implementation timeframe. The plan shall be submitted to DTSC within 30 calendar days of the date of the Summary of Violations. Following implementation of each plan component, Schnitzer Oakland shall then provide substantiating documentation to DTSC within five (5) calendar days.

Scheduled Compliance Date: 9/30/2023

Return to Compliance Date: In progess

Additional information: On September 13, 2023, Schnitzer Oakland requested an extension to provide a response to this violation via email and DTSC granted the extension to from September 11, 2023 to September 30, 2023. On September 29, 2023, Schnitzer Oakland provided a response to the Summary of Violations via email to DTSC (**Attachment C**). A portion of Schnitzer Oaklands's response states "Radius Recycling is working on a comprehensive review of the site Emergency Action Plan which will take more than 30 days to complete. When the review is complete, the updated plan will be distributed to the DTSC as well as the other regulatory agencies that have made the same request. In the meantime, Radius is adhering strictly to all current fire prevention, detection and response protocols."

Schnitzer Oakland remains out of compliance with respect to this violation. Every day Schnitzer Oakland is not in compliance is a continuing violation subjecting Schnitzer Oakland to additional penalties for each day of non-compliance. Schnitzer Oakland shall immediately provide to DTSC a written plan that describes the additional actions Schnitzer Oakland will immediately implement to prevent fires in the future that includes an implementation timeframe.

DTSC is imposing additional interim requirements to operate their facility in a manner to minimize the possibility of fire. Schnitzer Oakland shall immediately cease placement of any material pile (both pre-shredder and post-shredder material) that is not positioned

for continuous monitoring by a thermal imaging camera / Forward Looking InfraRed (FLIR) Camera. In addition, Schnitzer Oakland shall immediately move any current material piles that are not positioned for continuous monitoring by a thermal imaging camera / FLIR Camera. Schnitzer Oakland shall incorporate into the fire prevention plan the placement of material piles only in areas positioned for continuous monitoring by a thermal imaging camera / FLIR Camera.

Within five (5) calendar days of the date of the inspection report cover letter, Schnitzer Oakland shall provide to DTSC: (1) a facility map that identifies current thermal imaging camera / FLIR camera coverage areas as well as all onsite areas where material piles shall NOT be placed; and (2) a written statement certifying that no material piles are currently are, or will be, placed in any onsite area that is not continuously monitored with a thermal imaging camera / FLIR camera.

Violation Number: 2

Date: 8/11/2023

Violation Classification: Class II

Justify Violation Classification: A Class II violation is a deviation from the requirements specified in Health and Safety Code, or regulations, permit or interim status document conditions standards, or requirements adopted pursuant to that chapter, that is not a Class I violation.

Violation: On August 9, 2023, Schnitzer Oakland failed to immediately notify the State Office of Emergency Services upon discovery of a fire at their facility identifying, at a minimum, the name and telephone number of the reporter; name and address of the facility; time and type of incident (e.g., release, fire); name and quantity of material(s) involved, to the extent known; extent of injuries, if any; and the possible hazards to human health, or the environment, outside of the facility. To Wit: On Wednesday August 9, 2023, upon discovery of a fire at approximately 5:35 PM, Schnitzer Oakland failed to immediately notify the State Office of Emergency Services.

Citation(s): 22 CCR Section 66265.56(d)(2)

Citation(s) Text:

22 CCR Section 66265.56(d)(2):

(d) If the emergency coordinator determines that the facility has had a release, fire, or explosion which could threaten human health, or the environment, outside the facility, the emergency coordinator shall report the findings as follows.

(2) The emergency coordinator shall, in every situation, immediately notify the State Office of Emergency Services. The report shall include:

(A) name and telephone number of reporter;
(B) name and address of facility;
(C) time and type of incident (e.g., release, fire);
(D) name and quantity of material(s) involved, to the extent known;
(E) the extent of injuries, if any; and
(F) the possible hazards to human health, or the environment, outside the facility.

Repeat Violation: No

Waste: Fire-impacted metal debris

Characteristic(s) or Listed Number: Toxic

Waste Quantification: Unknown

Document Evidence: DTSC obtained a hazardous materials spill report from the Governor's Office of Emergency Services (OES) on August 10, 2023 at 2:41 PM. The OES report states that the United States Coast Guard Sector San Francisco reported the fire incident at Schnitzer Oakland. The potential release statement: "Per NRC Report: Caller states the suspected responsible party's facility is experiencing a fire due to an unknown cause at this time. Caller states there has not been a report of a material release at this time. Caller also states they do not think the structure is on fire but it is unknown what exactly caught on fire. Remedial Actions: Fire Department is on scene fighting the fire." The Coast Guard notification was received at OES on August 9, 2023 at 7:51 PM and was the only OES notification received regarding the fire as of Friday August 11, 2023 at 10:52 AM.

Statement Evidence: In a letter dated September 29, 2023, Schnitzer Oakland stated that 9-1-1 had been contacted immediately following the detection of a fire. The Oakland Fire Department set up incident command station and contacted OES. Further, the letter states "Radius Recycling did not initially contact the OES because it had been done by the Incident Commander and duplicative notification by Radius was unnecessary."

Sample Evidence: Two samples (8-10-2023RADIUS-1B and sample 8-10-2023RADIUS-2B) exceeded hazardous waste regulatory thresholds specified in the Title 22 California Code of Regulations for total metals in Zinc and Copper.

Corrective Actions: Schnitzer Oakland shall immediately notify the State Office of Emergency Services regarding the August 9, 2023, fire at their facility. Upon completion of notification, Schnitzer Oakland shall certify this completion in a response to DTSC that will include the following language: I certify under penalty of law that notification to the State Office of Emergency Services regarding the August 9, 2023, fire at the Schnitzer Steel Products facility in Oakland, CA was completed on [DATE]. This

notification was prepared and submitted under my direction or supervision. Based on my inquiry of the person or persons directly responsible for gathering and submitting the information, the information submitted is, to be the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

Scheduled Compliance Date: 8/11/2023

Return to Compliance Date: 9/29/2023

Schnitzer Oakland did not immediately notify and as of 8/17/2023 it had been at least 7 days since the fire on August 9, 2023. In a letter dated September 29, 2023, Schnitzer Oakland reported that Ms. Linda Schaffer had called OES to notify of the incident on August 11, 2023, but that OES declined opening a second report since it had already been reported previously. Ms. Shaffer also provided the signed certification statement as requested in the corrective action in Schnitzer Oakland's September 29, 2023 response. DTSC considers this violation corrected and no further action with regards to this violation is necessary at this time.

However, in the future moving forward, Schnitzer Oakland must notify OES immediately upon discovery of a fire at their facility identifying, at a minimum, the name and telephone number of the reporter; name and address of the facility; time and type of incident (e.g., release, fire); name and quantity of material(s) involved, to the extent known; extent of injuries, if any; and the possible hazards to human health, or the environment, outside of the facility.

New Violation Number: 3

Date: 8/24/2023

Violation Classification: Class II

Justify Violation Classification: A Class II violation is a deviation from the requirements specified in Health and Safety Code, or regulations, permit or interim status document conditions standards, or requirements adopted pursuant to that chapter, that is not a Class I violation.

Violation: Within fifteen (15) days after the fire (August 24, 2023), Schnitzer Oakland failed to submit a written report of the incident to DTSC, which included at a minimum, (1) name, address, and telephone number of the owner or operator; (2) name, address, and telephone number of the facility; (3) date, time, and type of incident (e.g., fire, explosion); (4) name and quantity of material(s) involved; (5) the extent of injuries, if any; (6) an assessment of actual or potential hazards to human health or the environment, where this is applicable; and (7) estimated quantity and disposition of

recovered material that resulted from the incident. To Wit: Upon discovery of a fire on Wednesday August 9, 2023, Schnitzer Oakland failed to submit a written report of the incident to DTSC within fifteen (15) days of the incident pursuant to 22 CCR Section 66265.56(j).

Citation(s): 22 CCR Section 66265.56(j)

Citation(s) Text:

22 CCR Section 66265.56(j):

(j) The owner or operator shall note in the operating record the time, date, and details of any incident that requires implementing the contingency plan. Within 15 days after the incident, the owner or operator shall submit a written report on the incident to the Department. The report shall include:
(1) name, address, and telephone number of the owner or operator;
(2) name, address, and telephone number of the facility;
(3) date, time, and type of incident (e.g., fire, explosion);
(4) name and quantity of material(s) involved;
(5) the extent of injuries, if any;
(6) an assessment of actual or potential hazards to human health or the environment, where this is applicable; and
(7) estimated quantity and disposition of recovered material that resulted from the incident.

Repeat Violation: No

Waste: Fire-impacted metal debris

Characteristic(s) or Listed Number: Toxic

Waste Quantification: Unknown

Document Evidence: The requisite documentation has not been provided to DTSC as of the date of this inspection report.

Statement Evidence: Not applicable

Sample Evidence: Not applicable

Corrective Actions: Within five (5) calendar days of the date of the inspection report cover letter, Schnitzer Oakland shall provide DTSC with the requisite documentation pursuant to the requirements identified in 22 CCR Section 66265.56(j).

Scheduled Compliance Date: Within five (5) calendar days of the date of the inspection report cover letter.

Return to Compliance Date: In progress

SAMPLING

Was sampling performed during the inspection? Yes

Sample Dates: 8/10/2023 and 8/14/2023

Sampling Information:

DTSC inspectors Ms. Bonnie Lew, Ms. Ashley Gage, and Ms. Nicole Guaglione collected two onsite solid debris samples (8-10-2023RADIUS-1B and 8-10-2023RADIUS-2B) and one onsite surface water sample (8-10-2023RADIUS-3B) in the vicinity of the bottom of the tin pile immediately east of the conveyor pier on 8/10/2023 that had caught fire on 8/09/2023. Ms. Lew collected each of the samples into clean glass jars while Ms. Gage assisted and Ms. Guaglione labeled, closed, and sealed each jar with evidence tape. Mr. Nicholas Chang took photos. Personal Protective Equipment (PPE) for Ms. Lew, Ms. Gage, and Ms. Guaglione included Tyvek suits, steel-toed boots, protective eyewear, and latex inner and outer gloves. Outer latex gloves were changed out between each sample collected.

Onsite co-located solid samples were also collected and provided to the facility upon request (8-10-2023RADIUS-1A and 8-10-2023RADIUS-2A) as well as one co-located surface water sample (8-10-2023RADIUS-3A). Schnitzer Oakland's sample receipt was documented on an Official Sample Receipt form (**Attachment D**). Schnitzer Oakland was provided with the "A" co-located onsite samples.

DTSC inspector Mr. Hansen Pang collected offsite stormwater drain samples on August 14, 2023 from three storm drains (8-14-2023SW-1A and -1B, 8-14-2023SW-2A, and 8-14-2023SW-3A and -3B) at the Port of Oakland's adjacent facility located at 1401 Middle Harbor Road in Oakland. Consent to conduct the sampling was requested and granted by Mr. Eric Englehart, Port Associate Environmental Planner/Scientist on August 14, 2023 at 9:00 AM. Mr. Pang collected each of the samples into clean glass jars and sealed each jar with evidence tape. Mr. Nicholas Chang took photos. PPE for Mr. Pang included Tyvek suits, steel-toed boots, protective eyewear, and latex inner and outer gloves. Outer latex gloves were changed out between each sample collected.

Each sample was sealed with evidence tape after collection and a Chain of Custody was established for each sample (See **Attachment E**). Samples collected were then transported by Mr. Ryan Miya for analysis to the Berkeley Environmental Chemistry Laboratory.

TABLE 1: TOTAL METALS (Liquid Samples)

(all in units of milligrams per liter (mg/L))

Total Metals - Total Threshold Limit Concentration (TTLC)

Sample / Analyte	8-14-2023SW-1A/B	8-14-2023SW-2A	8-14-2023SW-3A/B	8-10-2023RADIUS-3B	Quantitation Limit*	Hazardous Waste Threshold
Antimony (Sb)	ND	ND	ND	ND	1.00	500
Arsenic (As)	ND	ND	ND	ND	1.00	500
Barium (Ba)	1.16	ND	1.19	ND	1.00	10,000
Beryllium (Be)	ND	ND	ND	ND	0.200	75
Cadmium (Cd)	ND	ND	ND	ND	1.00	100
Chromium (Cr)	ND	ND	ND	ND	1.00	2,500
Cobalt (Co)	ND	ND	ND	ND	1.00	8,000
Copper (Cu)	ND	ND	ND	ND	1.00	2,500
Lead (Pb)	ND	ND	ND	ND	1.00	1,000
Molybdenum (Mo)	ND	ND	ND	ND	1.00	3,500
Nickel (Ni)	ND	ND	ND	ND	1.00	2,000
Selenium (Se)	ND	ND	ND	ND	1.00	100
Silver (Ag)	ND	ND	ND	ND	0.200	500
Thallium (Tl)	ND	ND	ND	ND	1.00	700
Vanadium (V)	ND	ND	ND	ND	1.00	2,400
Zinc (Zn)	ND	12.8	ND	2.60	1.00	5,000

ND = Not Detected; value at a level below the laboratory Quantitation Limit

TABLE 2: TOTAL METALS (Solid Samples)

(all in units of milligrams per kilogram (mg/kg))

Total Metals - Total Threshold Limit Concentration (TTLC)

Sample / Analyte	8-10-2023RADIUS-1B	8-10-2023RADIUS-2B	Quantitation Limit*	Hazardous Waste Threshold
Antimony (Sb)	35.5	28.4	24.9	500
Arsenic (As)	ND	ND	24.9	500
Barium (Ba)	541	354	24.9	10,000
Beryllium (Be)	ND	ND	4.98	75
Cadmium (Cd)	ND	ND	24.9	100
Chromium (Cr)	601	614	24.9	2,500
Cobalt (Co)	ND	ND	24.9	8,000
Copper (Cu)	894	**2,950**	24.9	2,500
Lead (Pb)	710	579	24.9	1,000
Mercury (Hg)	0.390	0.327	1.00	20
Molybdenum (Mo)	86.1	ND	24.9	3,500
Nickel (Ni)	274	386	24.9	2,000
Selenium (Se)	ND	ND	24.9	100
Silver (Ag)	ND	ND	4.98	500
Thallium (Tl)	ND	ND	24.9	700
Vanadium (V)	48.3	ND	24.9	2,400
Zinc (Zn)	**5,660**	**8,290**	24.9	5,000

ND = Not Detected; value at a level below the laboratory Quantitation Limit

TABLE 3: TOXICITY CHARACTERISTIC LEACHING PROCEDURE (TCLP) METALS (Solid Samples)

(all in units of milligrams per Liter (mg/L))

Sample / Analyte	8-10-2023RADIUS-1B	8-10-2023RADIUS-2B	Quantitation Limit*	Hazardous Waste Threshold
Arsenic (As)	ND	ND	1.00	5
Barium (Ba)	ND	1.01	1.00	100
Cadmium (Cd)	ND	ND	1.00	1
Chromium (Cr)	ND	ND	1.00	5
Lead (Pb)	ND	ND	1.00	5
Selenium (Se)	ND	ND	1.00	1
Silver (Ag)	ND	ND	1.00	5

ND = Not Detected; value at a level below the laboratory Quantitation Limit

TABLE 4: FISH BIOASSAY (Liquid Samples)

(all in units of milligrams per Liter (mg/L))

Sample	Result LC50*	Hazardous Waste Threshold**
8-14-2023SW-1A/B	>750	<500
8-14-2023SW-2A	>750	<500
8-14-2023SW-3A/B	>750	<500
8-10-2023RADIUS-3B	>750	<500

* LC50 = Concentration at which fish survival rate is below 50%.

** Hazardous waste acute aquatic toxicity criteria established in Title 22 California Code of Regulations Section 66261.24(a)(6).

TABLE 5: Particle Size Distribution (Solid Samples)

(all results in percentage (%))

Sample / Particle Size fraction	8-10-2023RADIUS-1B	8-10-2023-RADIUS-2B
< 100µ	6.47	10.9
< 100µ - 2mm	39.5	28.0
2mm – 9.5mm	51.3	22.4
> 9.5mm	2.32	37.8

Summary of results:

Laboratory analyses were conducted on samples (8-14-2023SW-1A/B, 8-14-2023SW-2A, 8-I4-2023SW-3A/B, 8-10-2023RADIUS-3B, 8-10-2023RADIUS-1B and 8-10-2023RADIUS-2B) in order to determine if any of the samples exceeded hazardous waste threshold concentrations in accordance with applicable California hazardous waste statutes and regulations.

None of the samples collected exceeded regulatory hazardous waste thresholds specified in the Title 22 California Code of Regulations for TCLP metals, mercury, and fish bioassay.

Two solid samples (8-10-2023RADIUS-1B and sample 8-10-2023RADIUS-2B) collected onsite exceeded hazardous waste regulatory thresholds specified in the Title 22 California Code of Regulations for total metals in Zinc and Copper. All other samples tested for total metals did not exceed regulatory hazardous waste thresholds specified in the Title 22 California Code of Regulations.

DISCUSSION WITH FACILITY REPRESENTATIVES

Upon arrival, I met in an onsite conference room with Ms. Gray, Mr. Silverman, Mr. Brown, Mr. Soby, Mr. Chang, Ms. Guaglione, Ms. Lew, and Ms. Gage at approximately 11:55 AM. I requested consent to conduct the inspection and it was provided by Ms. Gray, Schnitzer Oakland Compliance Manager, at 12:01 PM. Ms. Linda Shaffer, West Coast Environmental Operations Director, also joined us via conference call.

I began by asking Ms. Gray if the cause of the fire was known yet. Ms. Gray responded that the cause of the fire was still under investigation. She then stated that the fire originated within a scrap tin pile located adjacent to the wooden conveyor pier onsite at approximately 5:35 PM. The Incident Commander was the Oakland Fire Department that arrived onsite soon thereafter. The facility staff had to move portions of the tin pile out of the way in order to assist fire fighters in order to access and extinguish the portion of the original pile that was on fire. I asked Ms. Gray if the fire spread from the tin pile to other onsite locations. According to Ms. Gray, the fire was entirely contained within the original tin pile and did not spread to any other onsite locations. Oakland Fire Department crews were still onsite at the time of our inspection the following day.

Ms. Gray stated that the metal shredder was not online (and continued to be out of operation at the time of the inspection) due to repairs, and so the unprocessed tin pile where the fire originated was placed in a location that was not the usual place onsite just east of the wood conveyor pier. Ms. Gray continued stating that only some of the normal tin pile management procedures were implemented. The FLIR camera was not positioned to monitor for fires at this new temporary tin pile location.

I asked Ms. Gray how the fire-impacted material would be managed and she replied that “it will be fed through the shredder.” The tin pile material was intended to be placed into the shredder before the fire occurred. I also asked Ms. Gray if the tin pile material had been sampled and she replied “No, and there are no plans of doing sampling.”

I then asked Ms. Gray if any water from the fire response migrated offsite and into the bay. Ms. Gray replied that she did not know for sure, but under normal conditions, all surface water is collected into two tanks (one 1.2 million-gallon capacity tank and another 900,000 gallon capacity tank), and that a wall around the facility perimeter usually contains any accumulated surface water. Ms. Gray stated that “the site is designed for 100% capture” but that in this incident, the pumps were overwhelmed due to the large volume of water added in such a short time in order to fight the fire. The captured surface water is then either reused onsite to cool the shredder, or treated and discharged under their National

Pollutant Discharge Elimination System (NPDES) permit to the bay or to the sewer system under their East Bay Municipal Utility District wastewater permit. As a part of this current fire response, Ms. Gray stated that water was pulled from the bay and placed on the fire using fire boats (Alameda arrived first and then a larger boat from San Francisco arrived and took over subsequently).

We all then left the office and proceeded to the onsite location where the fire was in order to observe what remained of the raw tin pile adjacent to the wooden conveyor pier at approximately 12:32 PM. On the way to the tin pile, I was able to visually confirm that the metal shredder was not currently operating at the time of the inspection. I also observed Oakland Fire Department crews spraying water on a smoldering chunk of material of unknown origin right next to the remaining portion of the tin pile. Schnitzer Oakland crews were actively in the process of moving portions of the pile using a metal grabber and small front-end loader. I requested that the crew stop so that we could collect samples. The DTSC inspectors and I proceeded to walk around the portion of the pile that remained that Ms. Gray identified as the origin of the fire. I selected two locations from which we collected solid debris samples and one location where I selected one liquid sample. Schnitzer Oakland requested split samples to be collected and provided to them, and requested what analyses we would be conducting. I told Ms. Gray that we would be conducting metal analyses and particle size analysis on the solid samples, as well as fish bioassays on the liquid sample.

After sampling was completed at approximately 2:45 PM, we removed PPE, and provided the split samples to Schnitzer Oakland.

At approximately 3:15 PM, I described and provided a Summary of Observations (SOO) to Ms. Gray that identified two issues of concern: (1) Potential failure to make a hazardous waste determination, and (2) failure to maintain and operate the facility to minimize the possibility of fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents. Ms. Gray and I signed the SOO (**Attachment A**). We departed the facility at approximately 3:50 PM.

The following day, August 11, 2023, upon further review of the information obtained during the August 10, 2023 inspection, I proceeded to draft and discuss two violations cited (violations 1 and 2 described above) for (1) failure to maintain and operate the facility to minimize the possibility of fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents, and (2) failure to notify the State Office of Emergency Services immediately upon discovery of a facility fire. I discussed these violations and the associated corrective actions with Ms. Shaffer via telephone and

provided a Summary of Violations (SOV) that we both signed on August 11, 2023 (**Attachment B**).

ADDITIONAL OBSERVATIONS

OTHER ISSUES/CONCERNS

The following issues/concerns were identified during this inspection. Further research may identify additional violations. Any additional violations, with the prescribed corrective action and schedule for compliance, will be identified in a Summary of Violations and/or the Violation section of the inspection report.

#1 - Potential failure to make a hazardous waste determination. Schnitzer Oakland may have violated 22 CCR Section 66262.11 in that Schnitzer Oakland may have failed to make a hazardous waste determination for the tin pile material located in the vicinity of the conveyor pier where the August 9, 2023 fire originated. All hazardous waste must be managed in accordance with the Hazardous Waste Control Law and its implementing regulations.

New Issue of Concern #2 – Per the sample results listed in the SAMPLING section of this report, the soil and ash generated as a result of the August 9, 2023 fire exh

- Has Schnitzer Oakland made a hazardous waste determination on the fire-impacted soil and ash to date?
- How is the soil and ash generated from the fire being managed onsite?
- Has the fire-impacted soil and ash been disposed onsite or at an offsite location? Provide a written description of how and where the fire-impacted soil and ash was disposed.
- If the fire-impacted soil and ash has not been disposed, what is Schnitzer Oakland's future plan(s) for disposal?

- Provide any and all documentation regarding the management, storage, and disposal of the fire-impacted soil and ash that remains onsite, including but not limited to hazardous waste manifest(s), bills of lading, and inspection logs.

PHOTO LOG

Photo Number: **1**

Photo Identification Number: IMG_0128
Photo Taken By: Nicholas Chang

Caption: Perimeter fence line along the northern facility entrance - flood water observed, 8/10/23, Schnitzer.

Photo Number: 2

Photo Identification Number: IMG_0129
Photo Taken By: Nicholas Chang

Caption: Sampling container- 32 oz Jar- lot number documented, 8/10/23, Schnitzer.

Photo Number: 3

Photo Identification Number: IMG_0130
Photo Taken By: Nicholas Chang

Caption: Sampling container- 128 oz Jar- lot number documented, 8/10/23, Schnitzer.

Photo Number: 4

Photo Identification Number: IMG_0131
Photo Taken By: Nicholas Chang

Caption: Tin pile immediately east of the Conveyor Pier, 8/10/23, Schnitzer.

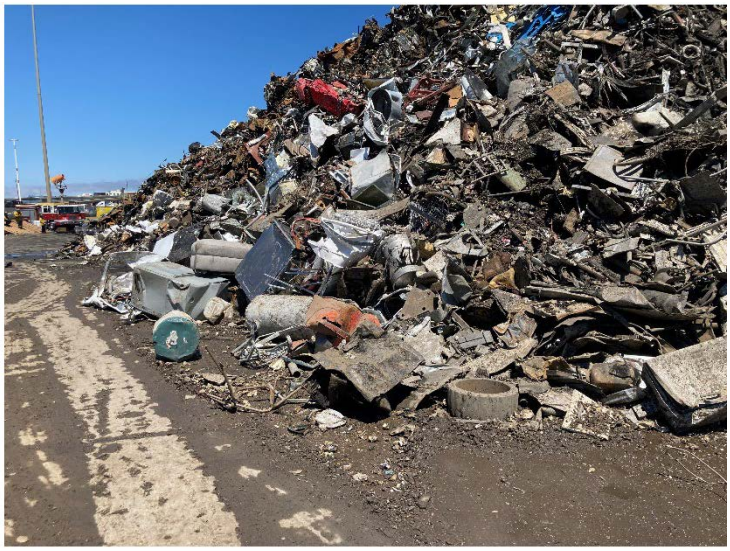
Photo Number: 5

Photo Identification Number: IMG_0132
Photo Taken By: Nicholas Chang

Caption: Tin pile - sample area 1, 8/10/23, Schnitzer.

Photo Number: 6

Photo Identification Number: IMG_0133
Photo Taken By: Nicholas Chang



Caption: Tin pile - sample area 2, 8/10/23, Schnitzer.

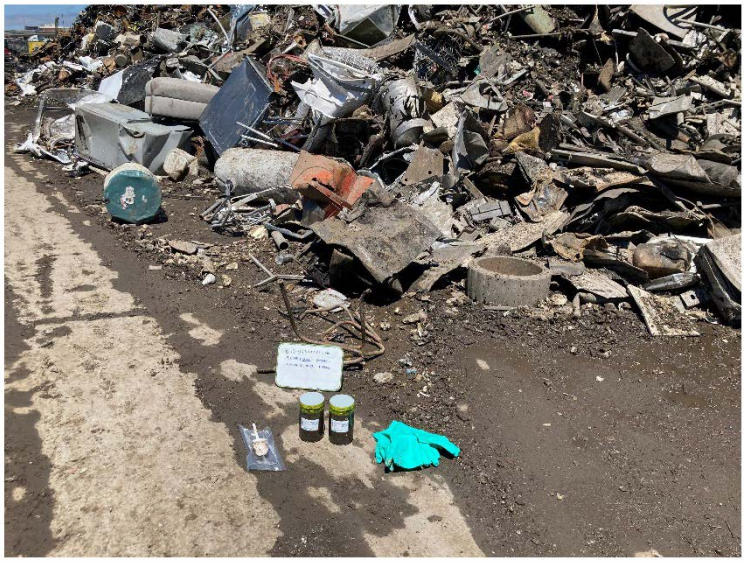
Photo Number: 7

Photo Identification Number: IMG_0136
Photo Taken By: Nicholas Chang

Caption: Tin pile – solid samples 8-10-2023RADIUS-1A/B, 8/10/23, Schnitzer.

Photo Number: 8

Photo Identification Number: IMG_0137
Photo Taken By: Nicholas Chang



Caption: Tin pile – solid samples 8-10-2023RADIUS-1A/B, 8/10/23, Schnitzer.

Photo Number: 9

Photo Identification Number: IMG_0138
Photo Taken By: Nicholas Chang

Caption: Tin pile - Scrap metal mixed with burned material, 8/10/23, Schnitzer.

Photo Number: 10

Photo Identification Number: IMG_0147
Photo Taken By: Nicholas Chang

Caption: Tin pile - Liquid samples 8-10-2023-3A/B, 8/10/23, Schnitzer.

Photo Number: 11

Photo Identification Number: IMG_0151
Photo Taken By: Nicholas Chang

Caption: Storm drain sampling - Space K22, 8/14/2023, Port of Oakland.

Photo Number: 12

Photo Identification Number: IMG_0152
Photo Taken By: Nicholas Chang

Caption: Storm drain sampling- Space K22- Open, 8/14/2023, Port of Oakland.

Photo Number: 13

Photo Identification Number: IMG_0153
Photo Taken By: Nicholas Chang

Caption: Storm drain sampling- Space K22- depth measurement, 8/14/2023, Port of Oakland.

Photo Number: 14

Photo Identification Number: IMG_0157
Photo Taken By: Nicholas Chang

Caption: Storm drain sampling - Space K22- Sample 8-14-2023SW-1A/B, 8/14/2023, Port of Oakland.

Photo Number: 15

Photo Identification Number: IMG_0156
Photo Taken By: Nicholas Chang

Caption: Storm drain sampling - Space K22 – Sample 8-14-2023SW-1A/B, 8/14/2023, Port of Oakland.

Photo Number: 16

Photo Identification Number: IMG_0155
Photo Taken By: Nicholas Chang

Caption: Storm drain sampling- Space X69/121, 8/14/2023, Port of Oakland.

Photo Number: 17

Photo Identification Number: IMG_0159
Photo Taken By: Nicholas Chang

Caption: Storm drain sampling- Space X69/121-open, 8/14/2023, Port of Oakland.

Photo Number: 18

Photo Identification Number: IMG_0160
Photo Taken By: Nicholas Chang

Caption: Storm drain sampling- Space X69/121-depth measurement, 8/14/2023, Port of Oakland.

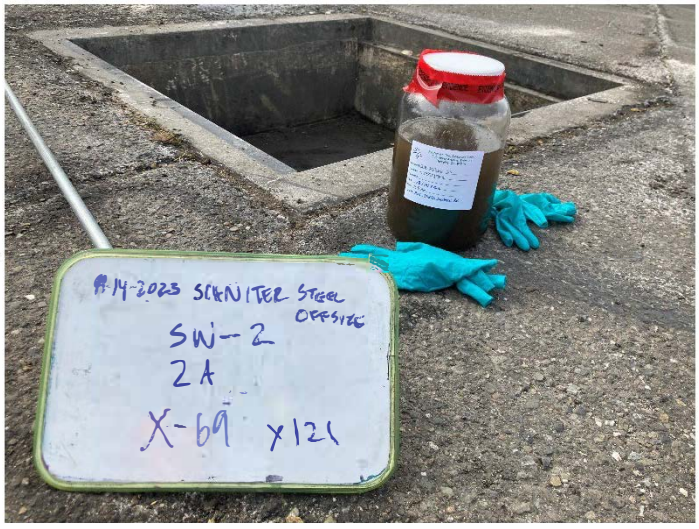
Photo Number: 19

Photo Identification Number: IMG_0161
Photo Taken By: Nicholas Chang

Caption: Storm drain sampling - Space X69/121- oily sheen observed, 8/14/2023, Port of Oakland.

Photo Number: 20

Photo Identification Number: IMG_0163
Photo Taken By: Nicholas Chang



Caption: Storm drain sampling - Space X69/121 – Sample 8-14-2023SW-2A, 8/14/2023, Port of Oakland.

Photo Number: 21

Photo Identification Number: IMG_0162
Photo Taken By: Nicholas Chang

Caption: Storm drain sampling - Space X69/121 - Sample 8-14-2023SW-2A, 8/14/2023, Port of Oakland.

Photo Number: 22

Photo Identification Number: IMG_0158
Photo Taken By: Nicholas Chang

Caption: Storm drain sampling- Space X86/87, 8/14/2023, Port of Oakland.

Photo Number: 23

Photo Identification Number: IMG_0165
Photo Taken By: Nicholas Chang

Caption: Storm drain sampling - Space X86/87 - open, 8/14/2023, Port of Oakland.

Photo Number: 24

Photo Identification Number: IMG_0166
Photo Taken By: Nicholas Chang

Caption: Storm drain sampling - Space X86/87 - depth measurement, 8/14/2023, Port of Oakland.

Photo Number: 25

Photo Identification Number: IMG_0168
Photo Taken By: Nicholas Chang

Caption: Storm drain sampling - Space X86/87 - oily sheen, 8/14/2023, Port of Oakland.

Photo Number: 26

Photo Identification Number: IMG_0171
Photo Taken By: Nicholas Chang

Caption: Storm drain sampling - Space X86/87 - Sample 8-14-2023SW-3A/B, 8/14/2023, Port of Oakland.

Photo Number: 27

Photo Identification Number: IMG_170
Photo Taken By: Nicholas Chang

Caption: Storm drain sampling - Space X86/87 - Sample 8-14-2023SW-3A/B, 8/14/2023, Port of Oakland.

INSPECTION REPORT ATTACHMENTS

Attachment A: 8/10/2023 DTSC Summary of Observations

Attachment B: 8/11/2023 DTSC Summary of Violations

Attachment C: 9/29/2023 Schnitzer response to 8/11/2023 DTSC Summary of Violations

Attachment D: Official Sample Receipt for co-located samples

Attachment E: Laboratory Reports

Department of Toxic Substances Control

Violation Scoring Matrix

Facility Name:	**SCHNITZER STEEL PRODUCTS COMPANY**			**10 Year Date Range:**		**n/a**		**Permit Effective Date:**		**Interim Status**			Link to EnviroStor (Inspection Reports, SOVs, etc.)	
Address:	**1101 EMBARCADERO WEST, OAKLAND, CA 94607**			**Number of Inspections:**		**1**		**Permit Expiration Date:**		**N/A**				
EPA ID:	**CAD981634496**			**Total Number of Violations Scored:**		**1**		**Date VSP Completed:**		**10/20/2023**				
Inspection Date:	**8/10/2023**	**Class I Justification**	**Citation**	**Violation**	**Potential for Harm**	**Potential for Harm Justification**	**Extent of Deviation**	**Extent of Deviation Justification**	**Initial Score**	**Repeat (Yes/No)**	**Date(s) of Previous Violation**	**Adjustment Factor (%)**	**Adjusted Score**	
Inspection Type:	**FCI**													
Class I Violations:	1	The deviation is significant enough that it could result in a failure to prevent releases of hazardous waste or constituents to the environment during the active or postclosure period of facility operation.	California Code of Regulations, Title 22 (22 CCR), Sections 66262.10(h), 66262.34(a)(4), and 66265.31	The facility failed to maintain and operate the facility to minimize the possibility of fire and/or release of hazardous waste or hazardous waste constituents to the air, soil, or surface water which could threaten human health or the environment.	Major	On August 9th, 2023, a fire broke out at the facility at approximately 5:35 PM in the tin pile located in the vicinity of the wooden conveyor pier. The facility observed high wind conditions on that day. Two samples were taken that exceeded hazardous waste regulatory thresholds for zinc and copper. The waste quanitification was unavailable. Zinc is very toxic to aquatic life. It is also harmful to the eyes, and if inhaled, can cause metal fume fever. Copper is harmful to the lungs, kidneys, and blood if inhaled, and is very toxic to aquatic life. The facility is within approximately 200 feet of other businesses. The southern portion of the facility borders the Oakland Estuary, which is inhabited by aquatic animals. The potential for harm was designated as major due to the toxicity of the hazardous waste and close proximities to other businesses and to aquatic animals.	Major	The facility failed to maintain and operate in a manner that would minimize the possibility of a fire. On August 9th, 2023, a fire broke out at approximately 5:35 PM in the tin pile located in the vicinity of the wooden conveyor pier. The facility deployed its own water trucks to spray down the affected area (tin pile) with water until the Oakland Fire Department arrived onsite. The extent of deviation was designated as major because the function of the requirement is rendered ineffective because some of its provisions are not complied with.	25	No	n/a	0	25.00
											Provisional Inspection Violation Score:			25.00

CCR = California Code of Regulations
CDI = Case Development Inspection
CEI = Compliance Evaluation Inspection
CI = Complaint Investigation
DTSC = Department of Toxic Substances Control
EPA ID = Environmental Protection Agency Identification
FCI = Focused Compliance Inspection
FRR = Financial Records Review
FSD = Facility Self Disclosure
FUI = Follow-Up Inspection
GAR = Groundwater Audit Report
GME = Groundwater Monitoring Evaluation
HSC = Health and Safety Code
HW = Hazardous Waste
HWFP = Hazardous Waste Facility Permit
n/a = Not Applicable
NFRR = Non-Financial Record Review
OAM = Operations and Maintenance
RCRA = Resource Conservation and Recovery Act
SOV = Summary of Violations
VSP = Violations Scoring Procedure