

# **Schnitzer Stormwater Improvement Project Initial Study/Negative Declaration**

Prepared for  
**Schnitzer Steel Industries, Inc.**

December 2014

Prepared by  
**Parametrix**



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*Prepared for*

**Schnitzer Steel Industries, Inc.**

1101 Embarcadero West  
Oakland, CA 94607

*Prepared by*

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# TABLE OF CONTENTS

- 1. INTRODUCTION.....1-1**
  - 1.1 INTRODUCTION AND REGULATORY GUIDANCE ..... 1-2
  - 1.2 PURPOSE, NEED, AND OBJECTIVES..... 1-2
  
- 2. PROJECT DESCRIPTION AND BACKGROUND.....2-1**
  - 2.1 OVERVIEW OF THE PROPOSED PROJECT..... 2-1
  - 2.2 WATER TREATMENT SYSTEM.....2-1
    - 2.2.1 Storage and Preliminary Clarification .....2-2
    - 2.2.2 Electrocoagulation .....2-2
    - 2.2.3 Clarification .....2-2
    - 2.2.4 Filtration and Carbon Polish.....2-2
  - 2.3 CONSTRUCTION ACTIVITIES .....2-3
    - 2.3.1 Construction Schedule and Methods .....2-3
    - 2.3.2 Project-incorporated Best Management Practices and Hazardous Materials Management .....2-4
  
- 3. ENVIRONMENTAL THRESHOLDS AND DISCUSSION .....3-1**
  - 3.1 AESTHETICS .....3-1
    - 3.1.1 Environmental Setting .....3-1
    - 3.1.2 Discussion.....3-1
  - 3.2 AGRICULTURAL AND FOREST RESOURCES .....3-2
    - 3.2.1 Environmental Setting .....3-3
    - 3.2.2 Discussion.....3-3
  - 3.3 AIR QUALITY .....3-4
    - 3.3.1 Environmental Setting .....3-4
    - 3.3.2 Discussion.....3-5
  - 3.4 BIOLOGICAL RESOURCES.....3-6
    - 3.4.1 Environmental Setting .....3-7
    - 3.4.2 Discussion.....3-7
  - 3.5 CULTURAL RESOURCES.....3-8
    - 3.5.1 Environmental Setting .....3-8
    - 3.5.2 Discussion.....3-8
  - 3.6 GEOLOGY/SOILS .....3-9
    - 3.6.1 Environmental Setting .....3-9
    - 3.6.2 Discussion.....3-10
  - 3.7 GREENHOUSE GAS EMISSIONS .....3-11
    - 3.7.1 Environmental Setting .....3-12
    - 3.7.2 Discussion.....3-12
  - 3.8 HAZARDS/HAZARDOUS MATERIALS.....3-13
    - 3.8.1 Environmental Setting .....3-14

3.8.2	Discussion.....	3-14
3.9	HYDROLOGY/WATER QUALITY .....	3-16
3.9.1	Environmental Setting .....	3-17
3.9.2	Discussion.....	3-17
3.10	LAND USE/PLANNING .....	3-19
3.10.1	Environmental Setting .....	3-19
3.10.2	Discussion.....	3-19
3.11	MINERAL RESOURCES.....	3-20
3.11.1	Environmental Setting .....	3-20
3.11.2	Discussion.....	3-20
3.12	NOISE .....	3-21
3.12.1	Environmental Setting .....	3-21
3.12.2	Discussion.....	3-21
3.13	POPULATION/HOUSING .....	3-22
3.13.1	Environmental Setting .....	3-23
3.13.2	Discussion.....	3-23
3.14	PUBLIC SERVICES .....	3-23
3.14.1	Environmental Setting .....	3-23
3.14.2	Discussion.....	3-24
3.15	RECREATION.....	3-24
3.15.1	Environmental Setting .....	3-24
3.15.2	Discussion.....	3-24
3.16	TRANSPORTATION/TRAFFIC.....	3-25
3.16.1	Environmental Setting .....	3-26
3.16.2	Discussion.....	3-26
3.17	UTILITIES/SERVICE SYSTEMS .....	3-27
3.17.1	Environmental Setting .....	3-27
3.17.2	Discussion.....	3-28
3.18	MANDATORY FINDINGS OF SIGNIFICANCE.....	3-29
3.18.1	Discussion.....	3-29
<b>4.</b>	<b>ENVIRONMENTAL DETERMINATION .....</b>	<b>4-1</b>
<b>5.</b>	<b>REFERENCES.....</b>	<b>5-1</b>
<b>6.</b>	<b>LIST OF PREPARERS .....</b>	<b>6-1</b>
 <b>LIST OF TABLES</b>		
1-1	Environmental Checklist Form.....	1-1
2-1	Proposed Construction Details .....	2-2
2-2	Project Construction Best Management Practices.....	2-4

## TABLE OF CONTENTS (CONTINUED)

3-1	Aesthetics .....	3-1
3-2	Agriculture and Forest Resources .....	3-2
3-3	Air Quality .....	3-4
3-4	Biological Resources .....	3-6
3-5	Cultural Resources .....	3-8
3-6	Geology and Soils .....	3-9
3-7	Greenhouse Gas Emissions .....	3-11
3-8	Hazards/Hazardous Materials.....	3-13
3-9	Hydrology/Water Quality .....	3-16
3-10	Land Use/Planning .....	3-19
3-11	Mineral Resources .....	3-20
3-12	Noise.....	3-21
3-13	Population/Housing .....	3-22
3-14	Public Services .....	3-23
3-15	Recreation.....	3-24
3-16	Transportation/Traffic .....	3-25
3-17	Utilities/Service Systems.....	3-27
3-18	Mandatory Findings of Significance .....	3-29

### APPENDICES

Vicinity Map  
Site Layout Figure  
Signed CAO  
Typical Treatment System Photographs

### LIST OF EXHIBITS

1. Vicinity Map
2. Site Layout Figure
3. Signed CAO
4. Typical Treatment System Photographs
5. Soil Management Plan

## ACRONYMS

ARB	California Air Resources Board
BAAQMD	Bay Area Air Quality Management District
BCDC	San Francisco Bay Conservation and Development Commission
BMP	Best Management Practices
CAO	Cleanup and Abatement Order
CAP	Bay Area Clean Air Plan
CCR	California Code of Regulations
CEQA	California Environmental Quality Act
CFR	Code of Federal Regulations
DOC	California Department of Conservation
DTSC	California Department of Toxic Substances Control
EA	Environmental Assessment
EBMUD	East Bay Municipal Utility District
EIR	Environmental Impact Report
FMMP	Farmland Monitoring and Mapping Program
GHG	Greenhouse Gases
gpm	gallons per minute
IS	Initial Study
LUST	leaking underground storage tank
mph	miles per hour
ND	Negative Declaration
NPDES	National Pollution Discharge Elimination System
OSCAR	Open Space, Conservation and Recreation Element
PRC	Public Resources Code
UBC	Uniform Building Code
USGS	United States Geological Service



# 1. INTRODUCTION

The Initial Study/Negative Declaration was prepared pursuant to the California Environmental Quality Act (CEQA) (Public Resource Code, Section 21000 et seq.) and the CEQA Guidelines found in Chapter 14 of the California Code of Regulations.

**Table 1-1. Environmental Checklist Form**

<b>Project Title:</b>	<b>Stormwater Improvement Project</b>
Lead Agency Name and Address:	Port of Oakland (Port) Environmental Programs and Planning Division 530 Water Street Oakland, California 94607
Contact Person and Phone Number:	Tim Leong 510-627-1537
Responsible Agencies:	San Francisco Bay Regional Water Quality Control Board, City of Oakland and San Francisco Bay Conservation and Development Commission
Project Location:	The Schnitzer Steel Industries, Inc. (Schnitzer) site, located at 1101 Embarcadero West, is within the Port of Oakland, which is in the City of Oakland as depicted in the Project Vicinity Map – Exhibit 1.
Project Sponsor's Name and Address:	Chris Orsolini Schnitzer Steel Regional Environmental Manager 1101 Embarcadero West Oakland, CA 94607
General Plan Designation:	General Industrial
Zoning:	The Proposed Project is located within both the City of Oakland (M-40) and Port of Oakland zoning jurisdiction – as shown in the Site Layout – Exhibit 2.
Description of Project:	Schnitzer is proposing to implement a Stormwater Improvement Project which includes a new electrocoagulation water treatment plant, new water conveyance pipes, upgrade to the existing water clarifier, and new storm and sanitary sewer connections.
Surrounding Land Uses and Settings:	The Schnitzer Steel site is located within an urbanized industrial, transportation-related development. Surrounding the site are a Union Pacific Railroad to the north, SSA Terminals to the east, Oakland Inner Harbor to the south, and American President Lines Limited and Port of Oakland to the west. The general vicinity consists of a mix of commercial, industrial, and residential properties, including Interstate 880 and the City of Oakland to the north and east, the City of Alameda to the south, and San Francisco Bay to the west.
Other public agencies whose approval is required:	<ul style="list-style-type: none"> <li>• East Bay Municipal Utility District (EBMUD), Wastewater Discharge Permit, Application Submitted</li> <li>• City of Oakland, Planning/Zoning Authorization, Approved August 14, 2014</li> <li>• City of Oakland, Building Permit, Application Submitted</li> <li>• City of Oakland, CEQA Notice of Exemption, Approval Received August 5, 2014</li> <li>• City of Oakland, PZ Permit, Application Submitted</li> <li>• Port of Oakland, Building Permit, Awaiting Approval</li> <li>• San Francisco Bay Conservation and Development Commission, BCDC (Shoreline) Permit, Application Submitted.</li> </ul>

## 1.1 INTRODUCTION AND REGULATORY GUIDANCE

This Initial Study/Negative Declaration was prepared pursuant to CEQA. As provided in Section 15063 of the CEQA Guidelines, a Lead Agency shall conduct an Initial Study to determine if a project may have a significant effect on the environment. CEQA is a public disclosure law that is intended to inform the public of the potential environmental effects of government decisions and to encourage informed decision-making by public agencies. CEQA is a statute that requires state and local agencies to identify the significant environmental impacts of their actions and to avoid or mitigate those impacts, if feasible. The Port of Oakland (Port) is the Lead Agency, as defined under CEQA Guidelines Section 15050.

The purpose of an Initial Study (IS) is to provide the Lead Agency with information to use as the basis for deciding whether to prepare an Environmental Impact Report (EIR) or a Negative Declaration (ND) for the proposed Stormwater Treatment System Improvement Project (Proposed Project). An ND is a written statement by the Lead Agency that briefly describes the reason that a proposed action would not result in a significant effect on the environment and the basis of the decision to not prepare an EIR.

This IS was prepared in accordance with CEQA, Public Resources Code Section 2100 et seq.; the State CEQA Guidelines, California Code of Regulations Section 15000 et seq.; and the Port's Guidelines for implementing CEQA. The IS is an evaluation of the potential impacts associated with the Proposed Project and describes the Port's efforts to ensure all resource impacts are negligible, thus qualifying for an ND.

This IS provides the Port, its Board of Port Commissioners (Board), and the public with an understanding of the potential environmental impacts associated with the Proposed Project and all other activities related to ensuring compliance with the Regional Water Quality Control Board Cleanup and Abatement Order (CAO) No. R2-2013-1001 (See Exhibit 3).

## 1.2 PURPOSE, NEED, AND OBJECTIVES

Schnitzer Steel Industries, Inc. (Schnitzer) plans to conduct investigations, perform design studies and pilot tests, and install and operate water treatment systems and other potential soil cleanup activities in compliance with the Regional Water Quality Control Board CAO No. R2-2013-1001 (See Exhibit 3).

A Stormwater Treatment System Improvement is the primary activity planned at this time. The Proposed Project's purpose is to capture and treat all stormwater collected on the Schnitzer property, as detailed in Site Layout - Exhibit 2. Currently, the facility contains all stormwater onsite and does not discharge stormwater offsite. This creates areas of ponded water during large storm events. One of the objectives of the CAO No. R2-2013-1001 is to minimize the amount of ponded water retained onsite. An outlet to discharge this water is therefore needed. The project need is to ensure that the discharge of stormwater offsite to the City of Oakland storm sewer or the EBMUD sanitary sewer is in compliance with the above referenced CAO, stormwater Industrial General NPDES permit CAS000001, and EBMUD's Wastewater Discharge Permit.

Detailed work plans will be prepared, in accordance with Section 15 of the CAO, for individual cleanup activities.

Goals for stormwater improvements:

- Minimize ponded stormwater impounded onsite.
- Treat the 85th-percentile storm event, as required by the State Water Resources Control Board's (Water Board) draft Stormwater General Permit, tentatively effective in 2015.

- Meet requirements of the East Bay Municipal District's wastewater discharge limitations.
- Meet Water Board's requirements for discharge of treated stormwater to storm drain (Oakland Inner Harbor).

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## 2. PROJECT DESCRIPTION AND BACKGROUND

### 2.1 OVERVIEW OF THE PROPOSED PROJECT

Schnitzer plans to construct the Proposed Project at its Oakland facility. The Proposed Project is designed to enhance the current water treatment system for the site. Currently, stormwater, process cooling water, dust suppression, and wash water are directed into an existing 1.2-million gallon holding tank, then to a clarifier and either evaporated or reclaimed for process use.

The new system will allow Schnitzer to further treat and discharge water previously evaporated and reclaimed and provide the ability to handle larger storm events. The new system includes electrocoagulation treatment, new water conveyance pipes, upgrade to the existing water clarifier, and new storm and sanitary sewer connections. A detailed description of the water treatment system is provided in Section 2.2. The new treatment system, plus existing onsite stormwater storage, will enable the facility to contain and treat the 85th-percentile storm event,<sup>1</sup> as required by the Water Board's draft Stormwater General Permit, tentatively effective in 2015.

The portion of the Proposed Project within Port zoning jurisdiction is limited to the new conveyance line between the existing clarifier and the new treatment system, as depicted in Exhibit 2. The portion of the Proposed Project between the new treatment system and the proposed connections to the storm and sanitary sewers is within City zoning jurisdiction.

The Proposed Project activities are summarized below and are depicted in Exhibit 2 and the typical treatment system pictures in Exhibit 4:

- Placement of treatment container with treatment cells and media filters.
- Installation of concrete slab for new treatment equipment
- Installation of new pretreatment and backwash holding tanks.
- Construction of new conveyance line connecting the new treatment system to the existing stormwater clarifier.
- Connection of new treatment system effluent to the (1) EBMUD sanitary sewer, and (2) City's stormwater line upstream of the 72 inch outfall located on the Schnitzer shoreline.
- Demolition – one existing day tank will be removed and replaced with a new day tank and pumps.

### 2.2 WATER TREATMENT SYSTEM

A multistage water treatment system is being designed and constructed to treat stormwater which comes into contact with stockpiled metal shred, as well as to treat other process effluent from the metal processing, joint product operations, and material handling/shipping areas. The system is designed to discharge to both the sanitary and storm sewers. The system is also designed to treat up to 600 gallons per minute (gpm), but the actual flow rate will be determined in the Wastewater Discharge Permit from the East Bay Municipal Utility District (EBMUD) with the balance discharged under an NPDES permit to the storm sewer. Typical photos of the

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<sup>1</sup> Largest storm event to occur over rolling 10 year cycle during a 24 hour period – currently 3.85 inches

water treatment system components are included as Exhibit 4 and include the following stages of water treatment:

1. Storage and preliminary clarification
2. Electrocoagulation
3. Clarification
4. Filtration and carbon polish

As detailed below, the discharge to the sanitary sewer follows the clarification stage of treatment, whereas discharges to the storm sewer will undergo an additional filtration and carbon polish stage.

### 2.2.1 Storage and Preliminary Clarification

All process water effluent is pumped into an existing 1.2-million gallon storage tank. Following the storage tank, water is pumped into an existing 60,900-gallon preliminary clarifier. Water is drained to a new 39,000-gallon day tank prior to being pumped to the electrocoagulation stage of treatment.

### 2.2.2 Electrocoagulation

Electrocoagulation is a water treatment technology that uses an electrical charge to force chemical reactions in order to remove contaminants from aqueous solutions. The WaveIonics electrocoagulation treatment system is capable of coagulating fine particles, oxidizing metals, precipitating contaminants, and de-emulsifying emulsified oils for broad spectrum treatment. Water is conveyed from the pre-settling tank to the WaveIonics treatment system where it is distributed through a series of electrocoagulation treatment cells.

### 2.2.3 Clarification

As water leaves the electrocoagulation treatment cells, it enters into the clarification system where non-settleable solids, fines, and heavy metal ions begin to coagulate due to cationic particle charges and electron surplus causing ionic/covalent bonding and agglomeration. These coagulated particles are removed in the clarification system.

### 2.2.4 Filtration and Carbon Polish

All effluent not discharged to the sanitary sewer will be passed through additional filtration and granular activated carbon polishing to ensure lower benchmark levels are met under Schnitzer’s Industrial General National Pollution Discharge Elimination System (NPDES) permit. These two final stages (filtration and carbon polish) of treatment are not anticipated to be necessary to meet EBMUD’s effluent discharge limits to the sanitary sewer.

Table 2-1 shows construction quantity details for the proposed multi-stage water treatment system.

**Table 2-1. Proposed Construction Details**

Description	Quantity
Grading disturbance area	499 square yards
Total excavation quantity	<ul style="list-style-type: none"> <li>• Slab preparation – 499 cubic yards</li> <li>• Trench excavation – 209 cubic yards</li> </ul>
Total length of pipe trenching	1,110 linear feet

Description	Quantity
Electrical wiring, conductor, and conduit	8,712 linear feet
Storage and preliminary clarification	<ul style="list-style-type: none"> <li>• Day tank – 39,000 gallons</li> <li>• Steel tank – approx. 30,000 gallons</li> </ul>
Clarification – all located on new treatment system concrete slab	<ul style="list-style-type: none"> <li>• Settling tanks – 3 total, each 25,000 gallons</li> <li>• Sanitary flowmeter – totalizing flowmeter and flow rate control</li> <li>• Sampling port</li> </ul>
Electrocoagulation – all located on new treatment system concrete slab	<ul style="list-style-type: none"> <li>• Pre-treatment tank – one 30,000-gallon steel tank with pretreatment circulation and aeration</li> <li>• Containerized electrocoagulation system – includes media filters along with associated programmable logic control systems</li> <li>• Managed water quality system – re-circulation setup interlocked with pH, conductivity, and turbidity readings including influent and effluent flow meters</li> <li>• pH management system – includes equipment for monitoring and controlling influent and effluent water pH levels</li> <li>• Conductivity management system – includes equipment for monitoring and controlling influent water conductivity levels</li> <li>• System pump – one pump to transfer effluent from electrocoagulation system and pre-treatment tank</li> </ul>
Filtration and carbon polish – all located on new treatment system concrete slab	<ul style="list-style-type: none"> <li>• Six carbon vessels rated at 100 gpm each</li> <li>• Backwash tank – one 10,000-gallon steel tank with bulkheads, valves, and fittings</li> <li>• Media filtration system</li> </ul>

## 2.3 CONSTRUCTION ACTIVITIES

### 2.3.1 Construction Schedule and Methods

The construction work is anticipated to start in January 2015 with substantial completion by April 2015. Construction, testing, and commissioning would take approximately three months. Construction personnel are expected to range between 5 to 10 workers on the site between 6 a.m. and 6 p.m.

The construction activities are estimated to generate no more than 300 vehicular trips over a three-month period. Most of these trips would be less than 100 miles long, transporting project materials and supplies or construction equipment, and would likely occur during daytime hours (between 6 a.m. and 6 p.m.).

Construction activities will include trenching to install the conveyance line and electrical conduits underground, electrical installation, discharge connections to sanitary sewer and storm drain, concrete slab for equipment and piping, and potentially shallow grading to prepare surface for concrete slab.

One new conveyance line connecting the existing stormwater clarifier and the new stormwater treatment system will be installed via open trench construction. A significant portion of this line will be in-bedded in concrete sidewalk. An additional two conveyance lines of similar size and trenching methodology will be installed in parallel from the new stormwater treatment system to the respective storm and sanitary sewer connections within the Schnitzer site. Both

storm and sanitary sewer connections will take place within the Schnitzer site as shown in the Site Layout – Exhibit 2. The stormwater effluent connection will be made at an existing manhole to the City’s 72-inch stormwater outfall, whereas the sanitary effluent connection will be made by connecting into an existing sanitary manhole that discharges into the City’s sanitary system.

Electricity will be provided from an existing on-site power source, and all wiring above and below ground will meet City of Oakland building codes.

As the treatment system and related holding tanks are modular in nature, the only grading required will be to level the ground for the concrete pad. The equipment will be anchored to the concrete pad. No footings and/or subground structural reinforcement is planned.

Construction activities are scheduled to take place in the fall to avoid the rainy season as much as possible. Any stormwater generated during construction will be captured and contained by the existing stormwater treatment system.

### 2.3.2 Project-incorporated Best Management Practices and Hazardous Materials Management

Measures to avoid and or substantially reduce environmental impacts are incorporated into the Proposed Project, as listed in Table 2-2. These practices and procedures are intended to protect the environment by avoiding and or minimizing potential adverse environmental impacts.

**Table 2-2. Project Construction Best Management Practices**

Resource	Measure
<b>Air Quality</b>	
Dust Control Measures	<ul style="list-style-type: none"> <li>• All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) will be watered as necessary to control dust</li> <li>• All haul trucks transporting soil, sand, or other loose material off-site will be covered.</li> <li>• All construction vehicles will use a truck wheel wash when leaving the site.</li> <li>• All vehicle speeds on unpaved roads will be limited to 15 mph.</li> <li>• Building Concrete pad and sidewalk will be laid as soon as possible after grading.</li> </ul>
Exhaust Control Measures	<ul style="list-style-type: none"> <li>• Idling times will be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage will be provided for construction workers at all access points.</li> <li>• All construction equipment will be maintained and properly tuned in accordance with manufacturer’s specifications. All equipment will be checked by a certified mechanic and determined to be running in proper condition prior to operation.</li> </ul>
<b>Water Quality</b>	
	<ul style="list-style-type: none"> <li>• All stormwater will be contained, stored, and reclaimed or evaporated with the current treatment system during construction.</li> <li>• All outbound trucks pass through a wheel wash when leaving the site.</li> <li>• A sweeper truck sweeps internal roads and Embarcadero West daily.</li> <li>• Construction contractor will keep a clean and safe workplace. Good housekeeping procedures will include locating fueling and equipment maintenance activities away from the bay, avoiding spills through employee training, and cleaning accidental spills of construction-related</li> </ul>



Resource	Measure
	<p>materials (such as concrete, equipment fuel, hydraulic fluid, etc.) immediately.</p> <ul style="list-style-type: none"> <li>• Dispose of construction debris in accordance with all relevant laws and regulations.</li> </ul>
<b>Noise</b>	
	<ul style="list-style-type: none"> <li>• Construction contractor will meet City of Oakland construction noise standards set in the Oakland Planning Code, including limits on the hours of noise-generating activities, limits on the number of consecutive days of noisy construction activities, and limits on the maximum noise at receiving properties.</li> </ul>
<b>Soil Management and Hazards</b>	
	<ul style="list-style-type: none"> <li>• Construction contractor will prepare a health and safety plan for approval by the Schnitzer’s regional environmental manager.</li> <li>• Construction contractor will implement the Soil Management Plan as outlined in Exhibit 5.</li> <li>• All excavated material will be properly stored on site pending chemical analysis and designation for proper offsite disposal. <ul style="list-style-type: none"> <li>➢ Construction contractor will notify Schnitzer’s regional environmental manager if contamination is encountered in the field.</li> <li>➢ Excess excavated soils with known or suspected contamination should be stored immediately adjacent to the excavation, placed on plastic sheeting, and covered with plastic sheeting. Stockpiled soil should be covered with plastic and secured from human contact.</li> <li>➢ All equipment that comes in contact with potentially contaminated soil or water will be decontaminated before and after each use. Residual substances generated during cleaning and decontamination procedures will be containerized, labeled, and stored pending chemical analysis and designation as a clean material or hazardous waste.</li> <li>➢ Storage, labeling, and inspections of potentially hazardous materials/waste will be in compliance with applicable sections of 40 Code of Federal Regulations (CFR Parts 260-270) and Chapter 15, Division 3, of Title 23, CCR. The area designated for storage of potentially hazardous waste will be secured and clearly identified in the site health and safety plan. Hazardous waste storage time limits will not be exceeded.</li> <li>➢ Areas designated for storage of potentially hazardous waste will be secured and are clearly identified in the Soil Management Plan (see Exhibit 5).</li> <li>➢ If the generated materials are designated as hazardous waste, it will be transported for off-site disposal at a permitted disposal facility. The generator and transporter will have a valid Environmental Protection Agency identification number for storage, disposal, and transportation of hazardous waste. The hazardous waste will be transported under a uniform hazardous waste manifest. All containers will be properly packaged, labeled, marked, and placarded on the waste transport vehicle.</li> </ul> </li> <li>• Construction contractor will implement measures to prevent soil contamination as a result of project construction activities. Pollutants will not come in contact with on-site soil. Best management practices will be employed to prevent soil contamination. Well-maintained equipment will be used to perform the work. Handling and storing of chemicals will be in accordance with guidance provided by Schnitzer’s regional environmental manager.</li> </ul>

Resource	Measure
<b>Cultural Resources</b>	<ul style="list-style-type: none"><li>• Construction contractor will prepare an emergency plan of action for approval by Schnitzer’s regional environmental manager for discoveries of unknown historic or archaeological resources, should workers encounter any unidentified resources during digging/trenching activities.</li><li>• During all excavations, construction workers/crews will be especially alert for cultural resources any time they observe the following conditions: (1) soil and deposit changes such as color or type; (2) presence of charcoal particles in soil; (3) presence of any buried objects or structures; (4) a cluster, cache, or deposit (i.e., lens) of materials should be considered historically or archaeologically important by the crew until it has been assessed otherwise; and (5) isolates (a bottle or two, a tool, fragments of a plate, etc.), will be put aside until a qualified cultural resources specialist can properly examine them.</li></ul>

### 3. ENVIRONMENTAL THRESHOLDS AND DISCUSSION

This section provides a discussion about the environmental setting, potential impacts, and a threshold determination for each resource area.

#### 3.1 AESTHETICS

**Table 3-1. Aesthetics**

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect on a scenic vista?				✓
b) Substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				✓
c) Substantially degrade the existing visual character or quality of the site and its surroundings?				✓
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?				✓

##### 3.1.1 Environmental Setting

The Proposed Project is located within an urbanized, industrial, and transportation-related development. Views include fences, utility poles, street lighting, and vehicular traffic. Directly surrounding the Proposed Project site are Union Pacific Railroad to the north, SSA Marine terminals to the east, Oakland Inner Harbor to the south, and American President Lines Limited and Port of Oakland to the west. The general vicinity consists of a mix of commercial and industrial properties, including Interstate 880 and the City of Oakland to the north and east, the City of Alameda to the south, and San Francisco Bay to the west. No unique scenic vistas or state scenic highways occur near the Proposed Project. Viewers in the project area include maritime, rail, and other transportation industry employees, and travelers along nearby roadways and waterways.

##### 3.1.2 Discussion

**a) Have a substantial adverse effect on a scenic vista?**

**No Impact.** No scenic vistas, view corridors, scenic highways, or scenic resources were identified in the Proposed Project area. Therefore, the Proposed Project would not impact any scenic vistas.

**b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?**

**No Impact.** No scenic vistas, view corridors, scenic highways, or scenic resources were identified in the Proposed Project area. Therefore, the Proposed Project would not damage any scenic resources.

**c) Substantially degrade the existing visual character or quality of the site and its surroundings?**

**No Impact.** Construction activities would temporarily alter the appearance of the Proposed Project site; however, it would remain consistent with the industrial character of the Proposed Project site and its surroundings upon completion. The proposed improvements are consistent with existing conditions and would not substantially alter or degrade the visual character of the site.

**d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?**

**No Impact.** Small area lights may be used at night to illuminate equipment controls for a short duration if repairs or equipment modifications are necessary. This light would only illuminate the equipment and would not affect day or nighttime views of the area. The Proposed Project would not include installing additional permanent lighting to the site and therefore would have no impact on the Proposed Project site or the surrounding area.

### 3.2 AGRICULTURAL AND FOREST RESOURCES

**Table 3-2. Agriculture and Forest Resources**

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?				✓
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				✓
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				✓
d) Result in the loss of forest land or conversion of forest land to non-forest use?				✓

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use or conversion of forest land to non-forest use?				✓

### 3.2.1 Environmental Setting

The Proposed Project is located within an urbanized, industrial, and transportation-related setting. The area accommodates primarily industrial, marine terminal, and transportation uses.

### 3.2.2 Discussion

- a) **Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?**

**No Impact.** There are no agricultural areas or farms located within the Proposed Project area. Based on a review of maps prepared pursuant to the Farmland Mapping and Monitoring Program (FMMP) of the California Department of Conservation (DOC), the Proposed Project site and surrounding areas are mapped as Urban and Built-up Land and do not contain any land designated as Prime Farmland or Unique Farmland (DOC 2014).

- b) **Conflict with existing zoning for agricultural use, or a Williamson Act contract?**

**No Impact.** There is no existing zoning for agricultural use or a Williamson Act land use contract associated with the Proposed Project area (DOC 2014).

- c) **Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?**

**No Impact.** Forest land in the Public Resources Code (PRC) is defined as “land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits;” additionally, timberland is defined as land “...which is available for, and capable of, growing a crop of trees of any commercial species used to produce lumber and other forest products...” The Proposed Project site is fully developed with a commercial metal recycling operation and only consists of developed and disturbed lands; therefore, no forest land or timberland activity could be supported on the Proposed Project site or in the vicinity of the site, which precludes the possibility of changes to forest land or timberland zoning resulting from the Proposed Project. For these reasons, no impact would occur.

- d) **Result in the loss of forest land or conversion of forest land to non-forest use?**

**No Impact.** The Proposed Project site is fully developed and consists of only developed and disturbed lands; therefore, no forest land or timberland activity could be supported

on the Proposed Project site or in the vicinity of the site. This precludes the possibility of changes to forest land or timberland zoning or use resulting from the Proposed Project.

- e) **Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?**

**No Impact.** Given there are no agricultural areas or farms located within the Proposed Project area or within the vicinity, the proposed stormwater improvements would not result in the conversion of Farmland to non-agricultural use or of forest land to non-forest use.

### 3.3 AIR QUALITY

**Table 3-3. Air Quality**

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?				✓
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				✓
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?				✓
d) Expose sensitive receptors to substantial pollutant concentrations?				✓
e) Create objectionable odors affecting a substantial number of people?				✓

#### 3.3.1 Environmental Setting

The Proposed Project is located in Alameda County and is part of the San Francisco Bay Area Air Basin, which is under the jurisdiction of the Bay Area Air Quality Management District (BAAQMD). The BAAQMD is responsible for preparing plans for attaining and maintaining ambient air quality standards in the region. Air quality plans adopted and implemented by the BAAQMD include the Bay Area 2005 Ozone Strategy and the Bay Area Clean Air Plan.

Air quality in this basin is subject to a combination of climatic and topographical factors. The San Francisco Bay Area Air Basin is classified as a Mediterranean climate with warm, dry summers and mild, wet winters. Marine air traveling through the Golden Gate, as well as across San Francisco and through the San Bruno Gap, is a dominant weather factor in the sub-region that includes northern Alameda County. The prevailing winds for most of this sub-region are from the west and northwest. Air pollution potential is lowest for the parts of the sub-region

that are closest to the bay, due largely to good ventilation and less influx of pollutants from upwind sources.

Major sources of air pollution in Alameda County include major freeway and industrial facilities. Motor vehicle emissions from traffic congestion on the local freeways and roadways contribute to the deterioration of ambient air quality. Some industries are quite close to residential areas. The West Oakland neighborhood is the closest residential area to the Proposed Project.

### 3.3.2 Discussion

**a) Conflict with or obstruct implementation of the applicable air quality plan?**

**No Impact.** The Proposed Project does not conflict with or obstruct the Bay Area Clean Air Plan (CAP). There are no air emissions and no increased operational throughput as a result of the Proposed Project. Temporary air emissions are anticipated during the construction phase and best management practices, such as dust suppression and traffic control measures, would be implemented to ensure compliance with applicable air quality requirements. See Table 2-2, Project Construction Best Management Practices.

BAAQMD generally does not recommend a detailed air quality analysis for projects generating fewer than 10,000 vehicle trips per day or 1,000 trucks per day unless warranted by the specific nature of the project or project setting (BAAQMD 2011). The Proposed Project would generate well below 2,000 vehicle trips per day; therefore, the increase in vehicle emissions would not result in impacts on air quality and would not exceed state or federal standards for carbon monoxide, ozone precursors, or fine particulates. In addition, the Proposed Project's specific nature does not warrant a detailed air quality analysis.

**b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?**

**No Impact.** Per the Section 3.3 (a) analysis above, the project would not violate any air quality standard nor contribute substantially to an existing or projected air quality violation.

**c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?**

**No Impact.** The construction activities for the Proposed Project could result in localized impacts from dust generated by excavation, grading, demolition, and vehicle travel on paved and unpaved surfaces. However, these activities are similar in nature to the existing site operations, and current and planned construction BMPs would be adequate to control air related impacts. Exceedance of quantitative thresholds for ozone precursors is not anticipated.

**d) Expose sensitive receptors to substantial pollutant concentrations?**

**No Impact.** Per the Section 3.3 (a) impact analysis above, the Proposed Project would not expose sensitive receptors to substantial pollutant concentrations.

Any air-related project impacts would be temporary during construction. The project would follow the BAAQMD recommendation to implement effective BMPs to reduce dust emissions that could temporarily result during construction, as referenced in Table 2-2, Project Construction Best Management Practices.

e) **Create objectionable odors affecting a substantial number of people?**

**No Impact.** Construction equipment could generate short-term transient fuel odors during construction, which could temporarily affect the workers. However, the odors would likely be no different than fuel odors coming from existing equipment operating on site.

**3.4 BIOLOGICAL RESOURCES**

**Table 3-4. Biological Resources**

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				✓
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				✓
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				✓
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?				✓
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				✓
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				✓



### 3.4.1 Environmental Setting

The Proposed Project is located in proximity to the Oakland Estuary-Inner Harbor Channel, Outer Harbor Channel, and Middle Harbor in San Francisco Bay. Several listed federal and/or state-protected animal or plant species may occur in the Oakland Harbor area.

The Open Space, Conservation and Recreation Element (OSCAR) of the City of Oakland's General Plan contains a number of policies related to protection of biological resources. The City also has tree protection and creek protection ordinances.

The Proposed Project site is located in a continuously disturbed, partially paved, urban and industrial setting which does not provide the ability for wetlands or other sensitive natural communities to exist on the site.

### 3.4.2 Discussion

- a) **Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?**
- b) **Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?**
- c) **Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**
- d) **Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?**
- e) **Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**
- f) **Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?**

**No Impact** (Items a-f). The construction and operation of the Proposed Project would occur within a highly developed industrial area that is devoid of vegetation and habitat areas. Therefore, the Proposed Project would not result in a substantially adverse effect, either directly or through habitat modifications, on any candidate, sensitive, or special status species.

### 3.5 CULTURAL RESOURCES

**Table 3-5. Cultural Resources**

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?				✓
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?				✓
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				✓
d) Disturb any human remains, including those interred outside of formal cemeteries?				✓

#### 3.5.1 Environmental Setting

Many historic structures and related facilities dating from the 1870s through the 1940s have been observed within and immediately adjacent to the Port of Oakland. However, given the developed nature of the Proposed Project site, there is a very low potential for encountering significant archaeological resources during project construction.

#### 3.5.2 Discussion

- a) **Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?**
- b) **Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?**
- c) **Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**
- d) **Disturb any human remains, including those interred outside of formal cemeteries?**

**No Impact** (Items a-d). Marine and heavy industrial activities have occurred at the Proposed Project site since the early 1900s. Due to the site changes over time, and associated demolition and new construction, some remnants of past structures may still be present below the ground surface. Schnitzer Steel is not aware of any archeological or paleontological resources existing in the subsurface of the Proposed Project site. There is a very low potential for encountering significant archeological resources during project construction. Similarly, no human remains are likely to be found in this area. Cultural BMPs listed in Table 2-2 will be followed during construction.

### 3.6 GEOLOGY/SOILS

**Table 3-6. Geology and Soils**

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				✓
ii) Strong seismic ground shaking?				✓
iii) Seismic-related ground failure, including liquefaction?				✓
iv) Landslides?				✓
b) Result in substantial soil erosion or the loss of topsoil?				✓
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				✓
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				✓
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				✓

#### 3.6.1 Environmental Setting

The Proposed Project is located in a seismically active region of California. The Franciscan Assemblage forms the bedrock underlying the surrounding area and is composed of sedimentary, volcanic, and metamorphic rocks. The Hayward Fault, located approximately 4 miles northeast of the site, is the nearest major active fault. Other active faults in the region include the San Andreas Fault, approximately 13 miles to the west, and the Calaveras Fault, approximately 20 miles to the east. The 2007 Working Group on California Earthquake Probabilities has estimated that there is a 63 percent probability that one or more large earthquakes (magnitude 6.7 or greater) will occur along one of the major fault zones (San

Andreas, San Gregorio, Hayward, Calaveras, or Rodgers Creek) and minor faults in the San Francisco Bay area during the 30 years between approximately 2008 and 2038 (USGS 2008).

The site is underlain by artificial fill overlying tidal flat deposits. Approximately 14 to 17 feet of fill overlie approximately 12 to 15 feet of Bay Mud, which overlies Merritt Sand.

Based on USGS maps, the subsurface profile within the Proposed Project area corresponds to a Site Class E.

### 3.6.2 Discussion

a) **Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:**

i) **Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.**

**No Impact.** The Proposed Project is located within Alquist-Priolo Earthquake Fault Zone. Faults within the project's vicinity that are included in the Alquist-Priolo Earthquake Fault Zoning Map include the San Andreas Fault, Hayward Fault, and the Calaveras Fault. These faults are considered to be potentially active and present a moderate fault rupture hazard to developments in their vicinity. The Proposed Project site's distance from these faults and the nearest fault zone precludes the occurrence of fault rupture on the site. Therefore, no impact would occur.

ii) **Strong seismic ground shaking?**

**No Impact.** The Proposed Project is located in an area that has experienced historical seismic activity and is subject to potentially strong ground shaking. Because of the site's proximity to nearby faults, particularly the Hayward Fault, severe ground shaking has the potential to occur on the project site. The Proposed Project would obtain a structural building permit from the City of Oakland and Port of Oakland and subsequently adhere to the most current seismic design requirements to minimize impacts from ground shaking.

Infrastructure and project elements of the Proposed Project would meet Uniform Building Code seismic zone design standards or better to withstand expected earthquake ground shaking, liquefaction, or other ground failures. Appropriate construction practices would be implemented during construction to ensure the safety of workers and/or equipment during strong seismic shaking. Loose to medium soils exist in the subsurface at the Proposed Project site. During a liquefaction event, lateral spreading and seismically induced settlement could take place at the Proposed Project site. These potential impacts would be reduced by designing and constructing the improvements in compliance with recommendations contained in the final geotechnical evaluation for the Proposed Project, which would minimize the potential for structural deformation during liquefaction.

iii) **Seismic-related ground failure, including liquefaction?**

**No Impact.** See the impact analysis in Section 3.6 (a)(ii) above.

iv) **Landslides?**

**No Impact.** Areas susceptible to landslides are typically characterized by steep, unstable slopes in weak soil or bedrock units. The topography of the site and

surrounding area is relatively flat, therefore it is not susceptible to slope failures and landslides.

**b) Result in substantial soil erosion or the loss of topsoil?**

**No Impact.** Construction activities associated with the Proposed Project would involve only minor trenching and potentially shallow grading. The construction contractor would follow construction BMPs outlined in Table 2-2 to ensure no impact would occur.

**c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?**

**No Impact.** See the impact analysis in Section 3.6 (a)(ii) above. The site could be subject to liquefaction during strong ground shaking. The Proposed Project activities would involve minor impacts to the soils in the project area. Therefore, the Proposed Project would not make the soil unstable, or cause landslides, lateral spreading, subsidence, liquefaction, or collapse.

**d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?**

**No Impact.** The Proposed Project site is situated on bay-derived fill, overlain by imported fill, with a relatively low expansion potential. There would be no substantial risk to life or property created by the Proposed Project.

**e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?**

**No Impact.** The Proposed Project does not include the installation or use of septic tanks or alternative wastewater disposal systems. Wastewater from the project would be directed to the existing wastewater disposal system. As such, no impacts to soils or wastewater disposal would occur.

### 3.7 GREENHOUSE GAS EMISSIONS

**Table 3-7. Greenhouse Gas Emissions**

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?				✓
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?				✓

### 3.7.1 Environmental Setting

In 2008, the California Air Resources Board (ARB) developed an initial AB 32 Scoping Plan (Scoping Plan) which contained strategies the state will use to reduce the greenhouse gases (GHG) that cause climate change. The scoping plan was updated in 2014 along with the preparation of an environmental assessment (EA) for the plan (ARB 2014).

The CEQA Guidelines do not identify a threshold of significance for GHG emissions, nor does it prescribe assessment methodologies or specific mitigation measures. Instead, it calls for a “good-faith effort, based on available information, to describe, calculate or estimate the amount of greenhouse gas emissions resulting from the project.” The amendments encourage lead agencies to consider many factors in performing a CEQA analysis and preserve lead agencies’ discretion to make their own determinations based upon substantial evidence. The amendments also encourage public agencies to determine the programmatic mitigation plans and programs from which to tier when they perform individual project analyses. Greenhouse gases include, but are not limited to: carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

### 3.7.2 Discussion

- a) **Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**

**No Impact.** Based on the Proposed Project activities, limited quantities of GHG emissions would occur during the construction period. However, these emissions would be minimal and temporary. During the operation of the Proposed Project, some electricity would be required to operate the new water treatment system.

- b) **Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?**

**No Impact.** The Proposed Project is consistent with the scoping plan’s goal of improving water quality with the construction of an updated water treatment system. Additionally, the long-term operation of the water treatment system would not conflict with the scoping plan or any other applicable plan, policy, or regulation of an agency that was adopted for the purpose of reducing the emissions of GHGs. The construction impacts would be temporary in nature and BMPs in Table 2-2 would be followed.

### 3.8 HAZARDS/HAZARDOUS MATERIALS

**Table 3-8. Hazards/Hazardous Materials**

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			✓	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?			✓	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				✓
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			✓	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working the project area?				✓
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				✓
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				✓
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				✓

### 3.8.1 Environmental Setting

Hazardous materials from past industrial activities may potentially be found in the subsurface areas of the Proposed Project site.

Exhibit 3 contains the Cleanup and Abatement Order R2-2013-1001 and Rescission of Order No. 88-023 which require the cleanup and abatement of wastes, including sediment, industrial process wastewater, and metal shredding by-products, which have discharged to adjacent waterways of the Proposed Project site.

Additionally, the Proposed Project site includes the following historical and current cases pertaining to environmental contamination:

- A former leaking underground storage tank (LUST), northeast of the Proposed Project. The LUST cleanup (Case ID: T0600101666) was initiated in November 1988 and completed in February 1996.  
([https://geotracker.waterboards.ca.gov/profile\\_report.asp?global\\_id=T0600101666](https://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T0600101666))
- An active site for metals and PCB contamination (Case ID: SL0600116612) in soil and groundwater from contaminants traced to the site from Berkeley Landfill. Investigation and cleanup activities at this site are ongoing.  
([https://geotracker.waterboards.ca.gov/profile\\_report.asp?global\\_id=SL0600116612](https://geotracker.waterboards.ca.gov/profile_report.asp?global_id=SL0600116612)).

### 3.8.2 Discussion

- a) **Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?**

**Less Than Significant Impact.** Any potential impacts are specific to construction activities; there are no impacts anticipated during the operation of the water treatment system. Hazardous materials may be present in the site subsurface, therefore hazardous waste may be generated during trenching, excavation, and other soil removal activities, with quantities detailed in Table 2-1. Any waste material meeting the definition of a hazardous waste by the California Department of Toxic Substances Control would be transported off-site for hazardous waste disposal. Handling, packaging, transport, and disposal of hazardous wastes may pose significant hazards to the public and/or the environment if appropriate procedures are not implemented to prevent the release of the hazardous materials to the environment and/or prevent the exposure of the public to such materials.

The construction BMPs in Table 2-2 outline hazardous waste storage, transport, and disposal procedures along with the implementation of the (1) Soil Management Plan (see Exhibit 5) and development and implementation of a (2) site health and safety plan. These measures would ensure proper storage, treatment, and disposal of any hazardous materials and/or waste generated during the Proposed Project and would reduce the hazards associated with the transport and disposal of hazardous materials and/or wastes generated during construction of the Proposed Project.

- b) **Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?**

**Less Than Significant Impact.** Public and environmental safety will be ensured during construction of the Proposed Project per the impact analysis in Section 3.8 (a) and by following the measures subsequently referenced BMPs in Table 2-2.



- c) **Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

**No Impact.** No existing or proposed schools are located within 0.25 mile of the Proposed Project.

- d) **Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

**Less Than Significant Impact.** The Proposed Project site is under an active CAO from the Water Board and has been identified as meeting the “Cortese List” requirements of Section 65962.5(a). The site also has known contaminated locations have been documented at the site as noted in the Environmental Setting section above. Per the impact analysis in Section 3.8 (a), the construction BMPs noted in Table 2-2 would be followed to ensure the safety of the public and environment.

- e) **For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?**

**No Impact.** The Proposed Project site is not located within an airport land use plan area. The closest airport to the site is Oakland International Airport, which is approximately 10 miles from the Proposed Project site. Additionally, the project features area low-profile in nature and would not affect air traffic. The Proposed Project, therefore, would not result in a safety hazard for people living or working in the project area.

- f) **For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?**

**No Impact.** The Proposed Project is not located within the vicinity of a private landing facility; therefore, no safety hazards exist for people residing or working in the project area, and no impacts would occur.

- g) **Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

**No Impact.** No project construction activities would occur outside the private property boundaries of the Proposed Project site, other than movement of trucks and vehicles. Therefore, the Proposed Project would not result in interference with any adopted emergency response plans or evacuation plans.

- h) **Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?**

**No Impact.** The Proposed Project is in an urbanized industrial area and not within or adjacent to a State Responsibility Area managed by the California Department of Forestry. The closest natural area is the San Francisco Bay and Middle Harbor Shoreline Park, but neither area is heavily vegetated or has the type of fuel susceptible to fires. As a result, the risk for wildfires is unlikely.

### 3.9 HYDROLOGY/WATER QUALITY

**Table 3-9. Hydrology/Water Quality**

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
Would the project:				
a) Violate any water quality standards or waste discharge requirements?				✓
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				✓
c) Substantially alter the existing drainage pattern of area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				✓
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?				✓
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				✓
f) Otherwise substantially degrade water quality?				✓
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				✓
h) Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?				✓
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				✓

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
j) Inundation by seiche, tsunami, or mudflow?				✓

### 3.9.1 Environmental Setting

The Proposed Project purpose is to improve water quality related to the discharge of commingled process and stormwater discharges from the metal shredding operation.

Exhibit 3 contains the Cleanup and Abatement Order R2-2013-1001 and Rescission of Order No. 88-023 which require the cleanup and abatement of wastes, including sediment, industrial process wastewater, and metal shredding by-products which have discharged to adjacent waterways of the Proposed Project site.

Schnitzer currently holds an NPDES General Permit for its current operation which allows discharge of stormwater from the site. Schnitzer has also applies for an EBMUD Wastewater Discharge Permit.

### 3.9.2 Discussion

**a) Violate any water quality standards or waste discharge requirements?**

**No Impact.** All stormwater generated during construction would be collected and reclaimed or evaporated within the existing treatment system. The water quality construction BMPs detailed in Table 2-2 would be followed to minimize potential impacts during construction. During operation, there are expected to be no impacts as the water treatment system has been designed to ensure effluent discharge meets water quality standards for surface water and EBMUD sanitary sewer discharge.

**b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted?)**

**No Impact.** Shallow groundwater underlying the Proposed Project site is not currently used as a source of drinking water, and no groundwater is planned for the Proposed Project. The Proposed Project would not substantially change the amount of precipitation that currently infiltrates to the shallow groundwater table.

**c) Substantially alter the existing drainage pattern of area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?**

**No Impact.** During operation, the Proposed Project would result in an increase in sanitary flow to EBMUD and/or the surface water under an NPDES permit. Both discharges would occur via existing storm and sanitary conveyance lines and not result in erosion associated with undisturbed areas. The combined flow of up to 600 gpm is not significant enough to alter the large adjacent water body of the Oakland Inner Harbor.

**d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase**

**the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?**

**No Impact.** See the impact analysis in Section 3.9 (c). The Proposed Project would not result in a significant net increase in impervious surface area. Precipitation would continue to run off into the existing storm sewer system, and would not result in flooding on or off site.

**e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?**

**No Impact.** See the impact analysis in Section 3.9 (c). The proposed surface water discharge location is the within 500 feet of the Oakland Inner Harbor via a 72 inch diameter sewer at no more than 600 gpm. Due to the close proximity of the Oakland Inner Harbor, moderate flow rate, and large pipe diameter, the probability that the system capacity would be exceeded is low.

**f) Otherwise substantially degrade water quality?**

**No Impact.** See the impact analysis in Section 3.9 (a).

**g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?**

**No Impact.** The Proposed Project is an industrial area, and no residential housing is planned, therefore this is not applicable.

**h) Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?**

**No Impact.** The Proposed Project activities take place landward of the 100-year flood hazard area.

**i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?**

**No Impact.** No levee or dam is proposed as part of this Proposed Project, therefore this is not applicable.

**j) Inundation by seiche, tsunami, or mudflow?**

**No Impact.** According to the City of Oakland General Plan, the Proposed Project is located in an area mapped as a “Tsunami Run-up Zone;” therefore, it is potentially subject to inundation by tsunami (City of Oakland 1974). Tsunamis are large ocean waves produced by an offshore earthquake, volcanic eruption, or landslide. They are commonly caused by vertical faulting beneath the ocean. They can be destructive upon reaching exposed coastlines.

The highest tsunami recorded in the San Francisco Bay by the United States Coast Guard and Geodetic Survey occurred in March 1964 as a result of the Alaskan earthquake. This wave reached a height of 7.5 feet at Fort Point. By comparison, the wave created by the 1906 earthquake at the San Andreas Fault was measured as 0.5 foot at Fort Point (Port of Oakland 2010).

The risk of tsunamis to the Proposed Project site is low due to the type of fault lines at the site—vertical rather than horizontal, as well as the buffering of waves from the open ocean to the shallow and sheltered bay results in a lessened wave size.

### 3.10 LAND USE/PLANNING

**Table 3-10. Land Use/Planning**

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community?				✓
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				✓
c) Conflict with any applicable habitat conservation plan or natural communities conservation plan?				✓

#### 3.10.1 Environmental Setting

The Proposed Project is located within an urbanized industrial, transportation-related development and is zoned for Heavy Industrial uses.

#### 3.10.2 Discussion

**a) Physically divide an established community?**

**No Impact.** The Proposed Project is located within an industrial area. No established community would be physically divided by the Proposed Project.

**b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?**

**No Impact.** The Proposed Project is consistent with the allowable uses for the site. Implementation of the project would not conflict with any applicable land use plan, policy, or regulation of any agency with jurisdiction over the project.

**c) Conflict with any applicable habitat conservation plan or natural communities conservation plan?**

**No Impact.** The Proposed Project is not located within any habitat conservation plan or natural community conservation plan area.

### 3.11 MINERAL RESOURCES

**Table 3-11. Mineral Resources**

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				✓
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				✓

#### 3.11.1 Environmental Setting

There are no known mineral resources within the Proposed Project site or area (USGS 1971).

#### 3.11.2 Discussion

- a) **Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?**

**No Impact.** Since no known mineral resources exist within the project site, the Proposed Project would not result in loss of availability of a mineral resource.

- b) **Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?**

**No Impact.** Since no known mineral resources exist within the project site, the Proposed Project would not result in loss of availability of mineral resource or a locally important resource recovery site.

### 3.12 NOISE

**Table 3-12. Noise**

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
Would the project:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				✓
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				✓
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				✓
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				✓
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				✓
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				✓

#### 3.12.1 Environmental Setting

The Proposed Project is located at an active metal shredding facility. The majority of the Proposed Project site is more than 1,500 feet from sensitive receptors such as schools, hospitals, or residences. Potential existing noise sources that occur within the Proposed Project area include current site activities such as metal shredding and shearing, airplane over-flights, truck and car traffic, train traffic and horns, crane operations, and ship and boat traffic in the Inner Harbor. Noise levels fluctuate constantly, depending on the time, day, noise source, and location at the time it is generated.

#### 3.12.2 Discussion

- a) **Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**

**No Impact.** Operation and construction noise associated the Proposed Project is expected to be similar to or less than the metal shredding and shearing which currently take place at the site during normal operations.

- b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?**

**No Impact.** See impact analysis in Section 3.12 (a).

- c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?**

**No Impact.** See impact analysis in Section 3.12 (a).

- d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?**

**No Impact.** See impact analysis in Section 3.12 (a).

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?**

**No Impact.** The Proposed Project is not located within 2 miles of an airport or within an airport land use plan area.

- f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?**

**No Impact.** The Proposed Project is not located within the vicinity of an airport land use plan or in the vicinity of a private airstrip.

### 3.13 POPULATION/HOUSING

**Table 3-13. Population/Housing**

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
Would the project:				
a) Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?				✓
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				✓
c) Displace substantial numbers of people necessitating the construction of replacement housing elsewhere?				✓



### 3.13.1 Environmental Setting

The Proposed Project is located within an urban industrial/developed area. Its designated land use is for Heavy Industrial uses. There are no residences located within the Proposed Project site.

### 3.13.2 Discussion

- a) **Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?**

**No Impact.** The Proposed Project would not involve constructing new housing or infrastructure that could directly or indirectly induce a substantial growth in population or housing. The proposed work would require construction personnel on the site. Workers would be on site temporarily, just to work on the Proposed Project, and are expected to live within commuting distance from the site.

- b) **Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?**

**No Impact.** No existing housing would be displaced as a result of the Proposed Project.

- c) **Displace substantial numbers of people necessitating the construction of replacement housing elsewhere?**

**No Impact.** The Proposed Project would not displace people or result in the construction of replacement housing.

## 3.14 PUBLIC SERVICES

**Table 3-14. Public Services**

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire Protection?				✓
b) Police Protections?				✓
c) Schools?				✓
d) Parks?				✓
e) Other public facilities?				✓

### 3.14.1 Environmental Setting

The Proposed Project is located in the City of Oakland. The City provides police and fire protection services for the Port area, with additional security provided by the U.S. Department of Homeland Security, U.S. Customs, and the U.S. Coast Guard. Each marine terminal also has an internal security system. The response times vary depending upon the number of calls, at any given time, and the distance that responders have to travel. The police response time to the

site for life-threatening emergencies is usually less than 5 minutes and for the fire department it is approximately 3 to 5 minutes. There are no schools or parks located within the Proposed Project site.

### 3.14.2 Discussion

- a) **Fire Protection?**
- b) **Police Protections?**
- c) **Schools?**
- d) **Parks?**
- e) **Other public facilities?**

**No Impact** (Items a-e). The Proposed Project would not result in impacts to any public services such as fire protection, police protection, schools, parks or other public facilities.

### 3.15 RECREATION

**Table 3-15. Recreation**

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
Would the project:				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				✓
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?				✓

#### 3.15.1 Environmental Setting

The Proposed Project site is designated for heavy industrial use. Parks in the vicinity of the Proposed Project site are Middle Harbor Shoreline Park and Port View Park, which are Port-owned parks located along the Middle Harbor shoreline and surrounded by seaport facilities.

#### 3.15.2 Discussion

- a) **Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?**

**No Impact.** The Proposed Project would not cause an increase in use of existing neighborhood and regional parks or other nearby recreational facilities. It does not include construction of new or an expansion of existing facilities. The Proposed Project is not expected to affect population growth and would not significantly alter the number

of employees working at the project site (one new employee as a result of project); thus it would not result in an increased demand on recreational facilities.

- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?**

**No Impact.** See impact analysis in Section 3.15 (a) above.

### 3.16 TRANSPORTATION/TRAFFIC

**Table 3-16. Transportation/Traffic**

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
Would the project:				
a) Exceed the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designated in a general plan policy, ordinance, etc.), taking into account all relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?				✓
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?				✓
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				✓
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				✓
e) Result in inadequate emergency access?				✓
f) Conflict with adopted policies, plans or programs supporting alternative transportation (e.g. bus turnouts, bicycle racks)?				✓

### 3.16.1 Environmental Setting

The access streets to and from the Proposed Project site are Embarcadero West and Market Street. Truck traffic follows local routes as designated in Section 10.52.070 of the City of Oakland Municipal Code. Trucks that serve the Proposed Project site can easily reach Interstates 880 and 80 via the access streets.

### 3.16.2 Discussion

- a) **Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?**

**No Impact.** There would be fewer than 20 construction workers on the site between 6 a.m. and 6 p.m. during construction for the Proposed Project.

The construction phase would generate fewer than 300 trips over a 3-month construction period. Most of these trips would be less than 100 miles long during normal working hours.

Truck traffic is not expected to increase enough to result in impacts on traffic flows during peak construction periods. No equipment would be parked on the street. Access to the surrounding properties would not be blocked as a result of the project. Temporary parking for vehicles and equipment associated with construction would be accommodated on site during construction.

- b) **Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?**

**No Impact.** See impact analysis in Section 3.16 (a) above. The project is not expected to result in an impact on the level-of-service standards on nearby roadways or highways.

- c) **Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?**

**No Impact.** No increase or change in air traffic would occur as a result of the Proposed Project.

- d) **Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?**

**No Impact.** No increase or change in hazards would occur due to a design feature or incompatible use as a result of the Proposed Project.

- e) **Result in inadequate emergency access?**

**No Impact.** See impact analysis in Section 3.16 (a) above. The Proposed Project would not have an effect on emergency access as the proposed work would not change existing emergency access for the Proposed Project site.

- f) **Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?**

**No Impact.** The Proposed Project would not affect nor be affected by adopted policies, plans, or programs supporting alternative transportation.

### 3.17 UTILITIES/SERVICE SYSTEMS

**Table 3-17. Utilities/Service Systems**

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				✓
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				✓
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				✓
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				✓
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				✓
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				✓
g) Comply with federal, state, and local statutes and regulations related to solid waste?				✓

#### 3.17.1 Environmental Setting

The Proposed Project includes modifications to Port- and City-owned sanitary sewer and City-owned storm sewer conveyance pipes located on the Proposed Project site. Building permits will be obtained from the City of Oakland and Port of Oakland with respect to the sewer connections. Additionally, a wastewater discharge permit will be secured from EBMUD.

### 3.17.2 Discussion

- a) **Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?**

**No Impact.** See impact analysis in Section 3.9 of this document. The contractor will follow construction BMPs outlined in Table 2-2 and NPDES and/or EBMUD discharge permits will be secured prior to discharging stormwater off site.

- b) **Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**

**No Impact.** The Proposed Project is a new water treatment system as detailed in the project description, Section 2.2. See impact analysis in Section 3.17 (a).

- c) **Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**

**No Impact.** See impact analysis in Section 3.17 (b).

- d) **Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?**

**No Impact.** Existing water supplies will be used for operation and construction of the Proposed Project. No new or expanded entitlements are needed.

- e) **Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?**

**No Impact.** See impact analysis in Section 3.17 (a).

- f) **Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?**

**No Impact.** Solid waste demand is not expected to increase, and the Proposed Project would comply with federal, state, and local statutes and regulations related to solid waste.

- g) **Comply with federal, state, and local statutes and regulations related to solid waste?**

**No Impact.** See impact analysis in Section 3.17 (f).

### 3.18 MANDATORY FINDINGS OF SIGNIFICANCE

**Table 3-18. Mandatory Findings of Significance**

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
Would the project:				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?				✓
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)				✓
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?				✓

#### 3.18.1 Discussion

- a) **Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?**

**No Impact.** All impacts associated with the Proposed Project have been fully identified in this document. The project would not degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.

- b) **Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a**

**project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)**

**No Impact.** No project impacts have been identified that would be cumulatively considerable, and no mitigation is required. Therefore, the project would not have cumulative impacts.

- c) **Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?**


**No Impact.** No environmental effects would occur that would cause substantial adverse effects on human beings, either directly or indirectly.



#### 4. ENVIRONMENTAL DETERMINATION

Based upon the evidence in light of the whole record documented in the attached environmental checklist explanation, cited incorporations and attachments:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measure based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.
- I find that the proposed project constitutes a minor technical change or addition to a project previously analyzed by an earlier EIR or NEGATIVE DECLARATION which was adopted/certified pursuant to State and lead agency CEQA Guidelines where all potentially significant effects were avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION. Only minor additions and/or clarifications are needed to make the previous documentation adequate to cover the project which is documented in this addendum to the earlier CEQA document (CEQA §15164).

  
\_\_\_\_\_  
Signature  
Tim Leong  
\_\_\_\_\_  
Printed Name  
Port of Oakland  
\_\_\_\_\_  
Agency

12/22/14  
\_\_\_\_\_  
Date  
Port Associate Environmental Scientist  
\_\_\_\_\_  
Title

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## **5. REFERENCES**

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## **6. LIST OF PREPARERS**

### **Parametrix Environmental Consultant**

Project Manager	Derik Vowels
Environmental Analyst	Lori Bernardini
Editor	Becky Mellinger
GIS/Graphics	Josh Ahmann

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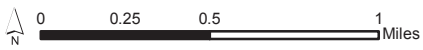
**EXHIBIT 1**  
**Vicinity Map**







Parametrix

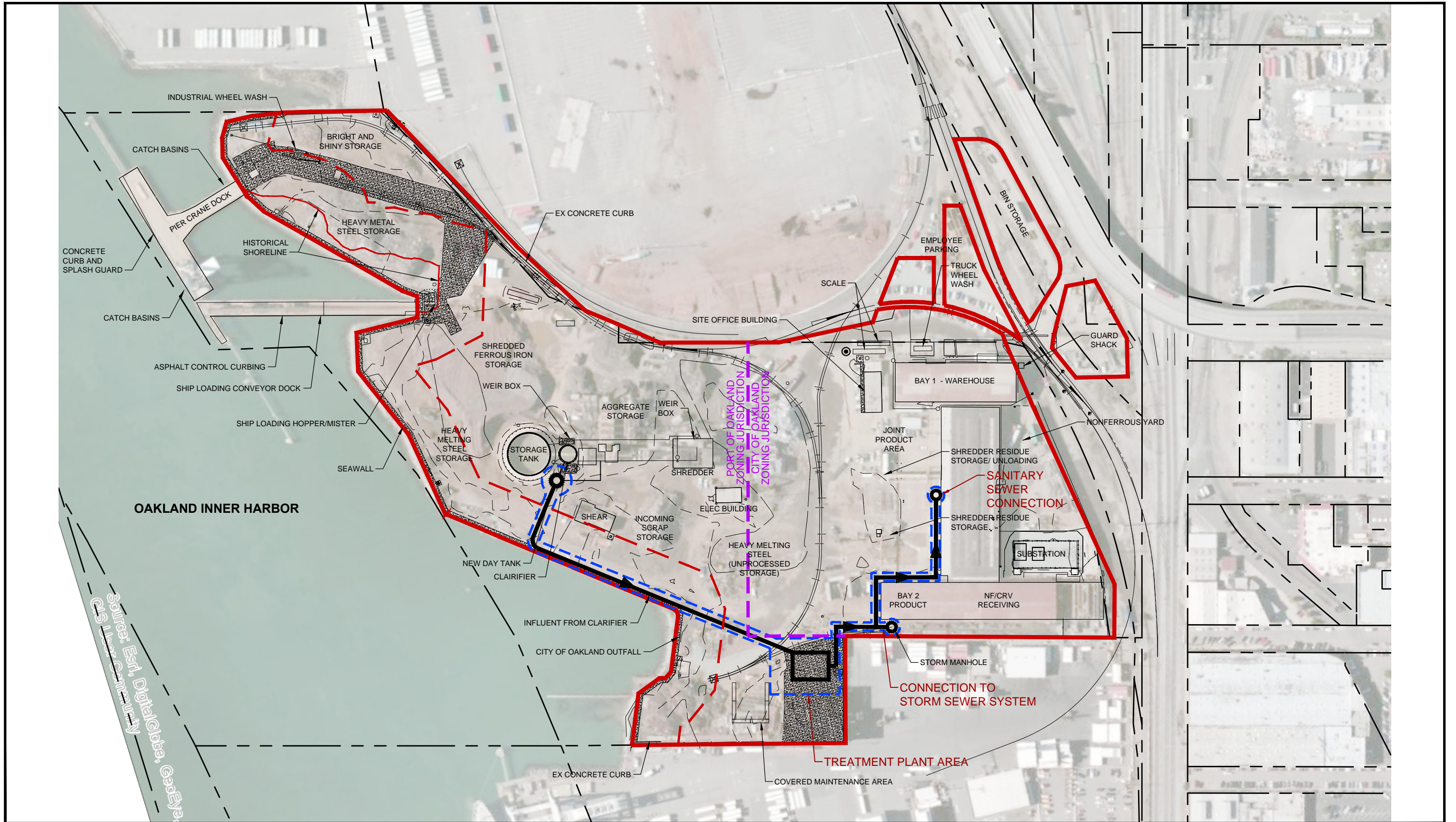


**Exhibit 1  
Vicinity Map**  
Schnitzer Steel Industries, Inc.  
Oakland, California



**EXHIBIT 2**  
**Site Layout Figure**





Parametrix DATE: July 28, 2014 FILE: XBR3312-PH1-F10



**LEGEND:**

- SITE BOUNDARY
- PROPOSED NEW STORMWATER CONVEYANCE
- PROJECT AREA/LIMIT OF DISTURBANCE
- SHORELINE BUFFER
- HISTORICAL SHORELINE
- RAILROAD TRACKS
- EXISTING PAVEMENT
- EXISTING STRUCTURE
- PROPERTY LINE

**Exhibit 2**  
**Site Layout - Agency Coordination**  
Schnitzer Steel Industries, Inc  
Oakland, California



**EXHIBIT 3**  
**Signed CAO**





**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION**

**CLEANUP AND ABATEMENT ORDER NO. R2-2013-1001  
AND RESCISSION OF ORDER NO. 88-023**

**SCHNITZER STEEL INDUSTRIES, INCORPORATED  
ALSO KNOWN AS SCHNITZER STEEL PRODUCTS COMPANY**

FOR THE PROPERTY LOCATED AT:  
1101 EMBARCADERO WEST, OAKLAND,  
ALAMEDA COUNTY

AND FOR THE WATERS OF THE STATE LOCATED AT:  
THE OAKLAND ESTUARY AND INNER HARBOR OF THE  
SAN FRANCISCO BAY, ALAMEDA COUNTY

This Order is issued to SCHNITZER STEEL INDUSTRIES, INC., also known as SCHNITZER STEEL PRODUCTS COMPANY, (hereafter "Discharger"), based on provisions of California Water Code sections 13304 and 13267, which authorize the California Regional Water Quality Control Board, San Francisco Bay Region ("Regional Water Board") or its delegate, the Executive Officer, to issue a Cleanup and Abatement Order ("Order") where a discharger has caused or permitted waste to be discharged or deposited where it is or probably will be discharged into waters of the State and United States, and to require a discharger to submit technical and monitoring reports.

- 1. Purpose of Order:** This Order requires the cleanup and abatement of wastes, including process sediment, industrial process wastewater, and metal shredding by-products that the Discharger has discharged into the estuary and waterway areas of the Oakland Estuary and Inner Harbor of the San Francisco Bay. This Order also requires the Discharger to implement best management practices ("BMPs") to prevent future discharges and to submit technical and monitoring reports for use in determining the extent of necessary cleanup and abatement and the success of measures preventing additional discharges. The Discharger is currently violating Site Cleanup Requirement ("SCR") Order No. 88-023 issued by the Regional Water Board, the Industrial Storm Water General Permit Order 97-03-DWQ National Pollutant Discharge Elimination System General Permit No. CAS000001 ("Industrial General Permit") issued by the State Water Resources Control Board ("State Water Board"), the Water Quality Control Plan for the San Francisco Bay Basin ("Basin Plan"), and the federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.; "Clean Water Act"). The requirements of this Order supersede those of Order No. 88-023, except for the purpose of enforcing violations of Order No. 88-023. Nothing in this Order shall be construed as a bar to the Regional Water Board and/or the State Water Board taking appropriate enforcement action for violations of Order No. 88-023.

**Site Locations and Descriptions:** The Discharger at 1101 Embarcadero West, Oakland (the “Site”), operates a scrap metal recovery, shredding and recycling business. According to the Discharger’s 2005 Storm Water Pollution Prevention Plan (“SWPPP”), at any one time the amount of metal products on the ground is estimated to be between 70,000 to 80,000 tons and the amount of treated shredder residue is estimated to be 350 tons. Industrial activities at the Site include receiving metals, storing metals for processing by shredder, shear or torch cutting, separating ferrous and non-ferrous metals, removing and treating auto shredder residue (also referred to as shredder fluff), and loading separated metals for transport for sale. Shredder fluff is treated with cement and silicate prior to disposal.

Cleanup of shredder waste and heavy metal residue is needed at the Site and neighboring properties to protect water quality. The Site is bounded to the south by the Oakland Inner Harbor, to the west by American President Lines Limited (“APL Limited”) and the Port of Oakland, to the north by the Union Pacific Railroad, and to the east by SSA Terminals. Schnitzer occupies 26.5 acres of flat lying land adjacent to the Oakland Inner Harbor, which is a water of the State and United States. The Site is situated within a mixed commercial/industrial area. The areas requiring cleanup include the conveyor loading system and pier crane dock on the Site, surfaces near and/or above the Oakland Estuary and Inner Harbor, including docks, along Embarcadero West from the Site to Market Street, including contaminated soil on SSA Terminals’ property, and shredder fluff on the neighboring properties of SSA Terminals, Port of Oakland, and APL Limited.

2. **Responsible Party:** The Discharger is the responsible party to clean up the Site and neighboring properties because wastes, including process sediment, industrial wastewater, and shredder fluff entering the waters of the State and United States originate from the Discharger’s metal shredding business at the Site.
3. **Basis of Order:** Process sediment, industrial wastewater, and shredder fluff from the Site continue to pollute waters of the State and United States. The Discharger has permit coverage under the Industrial General Permit. Permit compliance inspections by State Water Board and Regional Water Board staff (collectively Water Board staff unless otherwise specified) have revealed that the Discharger has failed to contain process sediment, industrial wastewater, and/or shredder fluff. (See Attachment A, March 29, 2012 Inspection Report for more information.)
  - a. **Process Sediment Discharges:** The Discharger is causing process sediment and other sediments to be deposited into the Oakland Estuary and Inner Harbor of the San Francisco Bay from the Site’s ship loading conveyor belt and pier crane dock.
    - i. The ship loading conveyor transports product from the Site onto docked ships and is sprayed with water for dust control while it is moving to the ship. The dock underneath, various rubber mats, and sweeping practices are not fully containing the process wastewater, process sediment, or other sediments from discharging into waters below. Water Board staff observed process

sediment and/or sediment on the wooden dock beyond the containment lip edge, and there were visible gaps between the wood slats in the dock. The surface is not sufficiently watertight to capture process sediment or dust control process water runoff during conveyor operation in “dry weather” conditions. Stormwater flows would increase the discharges.

- ii. The pier crane dock bridge is used for vehicles to transport materials to the crane to load ships. Water Board staff observed that the paved bridge with wood borders and rubber molding at the edges fail to fully contain process sediment and dust. Process sediment was outside of the roadway containment border, and on the riprap and bridge foundation, on the sides of the bridge railing, on lower bridge supports, and on pipes running the length of the bridge. The process sediment is deposited where it probably will be directly discharged, and the discharge is likely compounded by stormwater washing it off into the waters below.
- b. Industrial Wastewater Discharges: Stormwater and facility process water are effectively comingled at the Site, as all onsite water (including potable water used in cooling and dust control) has the potential to contact industrial product, waste, and equipment, becoming contaminated with any pollutants and wastes associated with these materials.
- i. Standing water was in contact with scrap, product and waste piles and errant debris throughout the Site. Various sheens were seen on the standing water, indicating the presence of pollutants.
  - ii. Wet shredder debris and process sediment were observed between K-rails and chain link fences on the western perimeter of the Site, where it is likely to have discharged offsite, and is not prevented from discharging offsite in the future.
  - iii. Trucks entering the main entrance gate drive through unpaved muddy areas with standing water that is in contact with scrap, product, and waste piles. Trucks directed to dry areas generate fugitive dust. Water Board staff observed the access road leading from the Site exit to Embarcadero West had wet sediment tracks from outgoing truck traffic, beyond installed rumble strips. Embarcadero West had a layer of sediment and dust on the road from trucks exiting the Site. The Discharger’s street-sweeping is not sufficient to remove the track-out and dust deposited on the street and at the adjacent SSA Terminals property. Process sediment and/or other sediments and water tracked out by vehicles onto Embarcadero West are being deposited where they will discharge offsite, likely compounded by any storm events, and potentially discharge into storm drains.
- c. Shredder Fluff Discharges: A byproduct of the metal shredding operations is shredder waste or “shredder fluff.” Shredder fluff consists of glass, fiber, rubber, automobile fluids, dirt and plastics found in automobiles and household

appliances that remain after the recyclable metals have been removed. Shredder fluff has been found to contain lead, copper, zinc, cadmium, and polychlorinated bisphenyls.<sup>1</sup> On April 10, 2012, State Water Board staff saw a large amount of accumulated shredder fluff on the adjacent SSA Terminals' property east of the Site that looked identical to the shredder fluff on the Site. Shredder fluff was found adjacent to two storm drains on SSA Terminals' property and was likely discharging or had the potential to discharge into these drains. Additional accumulated shredder fluff was observed throughout the Port of Oakland's paved lot and on APL Limited's property, both west of the Site. These wastes have been deposited where they are susceptible to stormwater washing them into storm drains or directly into the Oakland Estuary and Inner Harbor. (See Attachment B, April 10, 2012 Video Surveillance Summary.)

4. **Regulatory Status:** The Site is regulated by SCR Order No. 88-023 and the Industrial General Permit. The Industrial General Permit provides waste discharge requirements for stormwater discharges association with industrial activities.
  - a. **SCR Order No. 88-023:** The Discharger and the Site are subject to SCR Order No. 88-023 adopted by the Regional Water Board on February 17, 1988. SCR Order No. 88-023 was issued to prevent polluted soil from migrating to the Oakland Inner Harbor, tributary to Central San Francisco Bay, and to cleanup and abate the soil and groundwater pollution at the Site. SCR Order No. 88-023 prohibits 1) the discharge of pollutants in any manner that will degrade the water quality or adversely affect the beneficial uses of the waters of the State, 2) the migration of pollutants through subsurface transport to deeper water bearing zones, and 3) the lateral migration of pollutants through subsurface transport to the Inner Harbor that will degrade water quality or adversely affect its beneficial uses. SCR Order No. 88-023 also required the Discharger to install four groundwater monitoring wells inland of the concrete cap at the Site and screened in the top five feet of the first water bearing zone. The Discharger was to sample the wells quarterly for heavy metals and PCBs. The Regional Water Board approved sampling reductions from quarterly, to semi-annually, and then to annually, in 1994 and 1998, respectively. The latest sampling occurred in July 2011. No PCBs have been detected and the metal detections have been below levels of concern. The four groundwater wells at the Site are considered sentinel wells, just inside the shoreline concrete cap. Their results do not necessarily reflect the groundwater conditions closer to the areas where waste discharges have been observed by Water Board staff.
  - b. **Industrial General Permit Coverage:** The Discharger has had Industrial General Permit coverage since May 9, 1997. Section A.1. of the Industrial General Permit prohibits discharges of material other than stormwater either directly or indirectly to waters of the United States. On November 17, 1997, Regional Water Board staff approved a sampling and analysis reduction. The Discharger was only required to sample the first storm event of the 1998-1999

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<sup>1</sup> [http://www.dtsc.ca.gov/HazardousWaste/upload/HWMP\\_REP\\_ASW\\_draft.pdf](http://www.dtsc.ca.gov/HazardousWaste/upload/HWMP_REP_ASW_draft.pdf)

and 2000-2001 rainy seasons. The Discharger has re-certified its Sampling and Analysis Reduction as part of its Annual Report each year since.

- c. **Violations:** The Discharger is violating SCR Order No. 88-023 and the Industrial General Permit by discharging wastes, including process sediment, industrial wastewater, and shredder fluff, offsite to where it has discharged and/or potentially will discharge to waters of the State and United States.

**5. Federal Clean Water Act:** The Clean Water Act requires any person who discharges any pollutant into a water of the United States to have a National Pollutant Discharge Elimination System (“NPDES”) permit. The purpose of the Clean Water Act is to restore and maintain the chemical, physical, and biological integrity of the nation’s waters.

- a. **Violations:** The Discharger is violating Clean Water Act section 301 because it has discharged and/or is likely to discharge process sediment, industrial wastewater, and shredder fluff into the waters of the State and United States without complying with the NPDES program. (See 33 U.S.C. 1311.)

**6. Basin Plan:** The Basin Plan is the Regional Water Board's master water quality control planning document. It designates beneficial uses and water quality objectives for waters of the State, including surface waters and groundwater. It also includes programs of implementation to achieve water quality objectives. The Basin Plan was duly adopted by the Regional Water Board and approved by the State Water Board, Office of Administrative Law and U.S. EPA, where required.

- a. The potential beneficial uses of groundwater underlying and adjacent to the site include:
  - i. Municipal and domestic water supply<sup>2</sup>
  - ii. Industrial process water supply
  - iii. Industrial service water supply
  - iv. Agricultural water supply
  - v. Freshwater replenishment to surface waters
- b. The existing and potential beneficial uses of Central San Francisco Bay include:
  - i. Industrial process supply or service supply
  - ii. Water contact and non-contact recreation
  - iii. Ocean, commercial, and sport fishing
  - iv. Wildlife habitat
  - v. Cold freshwater and warm freshwater habitat
  - vi. Fish migration and spawning

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<sup>2</sup> Only applies to the northern half of the Site based on monitoring well data. Conductivity values at MW-1 and MW-2 (in the southern half) are high enough to meet exclusion criterion in the Basin Plan for drinking water beneficial use. Conductivity values at MW-3 and MW-4 (in the northern half) meet the conductivity criterion to be suitable for drinking water beneficial use. At present, there is no known use of groundwater underlying the Site for the above purposes.

- vii. Navigation
- viii. Estuarine habitat
- ix. Shellfish harvesting
- x. Preservation of rare and endangered species

**7. Basin Plan Discharge Prohibitions:** The Basin Plan designates beneficial uses and water quality objectives for waters of the State and includes programs to achieve water quality objectives.<sup>3</sup> The Basin Plan contains prohibitions on certain discharges to waters with beneficial uses:

- a. **Discharge Prohibition 6<sup>4</sup>:** Prohibits all conservative toxics and deleterious substances to waters of the Basin above those levels that can be achieved by a program acceptable to the Regional Water Board. The process sediment, industrial wastewater, and shredder fluff are potentially deleterious, possibly toxic, materials since they likely contain heavy metals (e.g., lead, copper, zinc, and cadmium) from the metal products and processes conducted on the Site.
- b. **Discharge Prohibition 7:** Prohibits the discharge of rubbish, refuse, bark, sawdust, or other solid wastes into surface waters or at any place where they could contact or where they would eventually be transported to surface waters, including flood plain areas. The discharged process sediment and shredder fluff are a solid waste in that they are associated with human habitation from manufacturing/processing operations in accordance with California Water Code section 13050(d).
- c. **Violations:** The Discharger is violating these Basin Plan Prohibitions, and/or continues to threaten to violate these Prohibitions, by discharging process sediment, industrial wastewater, and shredder fluff into the Oakland Estuary and Inner Harbor. The wastes may contain heavy metals that negatively impact the waters' beneficial uses.

**8. Recordation of Deed Restrictions:** SCR Order No. 88-023 stated that the Department of Public Health required a deed restriction for the Site in accordance with California Health and Safety Code, section 25221.1. The deed restriction is to ensure that a concrete cap is not disturbed or removed and that human health and the environment are protected. The deed restriction may need to be amended as appropriate, depending on the scope of proposed cleanup action for areas of the Site that do not meet unrestricted use standards. This Order requires the Discharger to submit a deed restriction amendment for the Regional Water Board's Executive Officer's review and approval after an acceptable remedy has been successfully completed pursuant to this Order.

**9. Other Regional Water Board Policies:** Regional Water Board Resolution No. 88-160 allows discharges of extracted, treated groundwater from site cleanups to

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<sup>3</sup> The Basin Plan may be found at [www.waterboards.ca.gov/sanfranciscobay/basin\\_planning.shtml](http://www.waterboards.ca.gov/sanfranciscobay/basin_planning.shtml)

<sup>4</sup> See Basin Plan Table 4-1 for a list of the prohibitions.

surface waters only if it has been demonstrated that neither reclamation nor discharge to the sanitary sewer is technically and economically feasible.

Regional Water Board Resolution No. 89-39, "Sources of Drinking Water," defines potential sources of drinking water to include all groundwater in the region, with limited exceptions for areas of high total dissolved solids, low yield, or naturally-high contaminant levels.

**10. State Water Board Policies:** State Water Board Resolution No. 68-16, "Statement of Policy with Respect to Maintaining High Quality of Waters in California," applies to this discharge and requires attainment of background levels of water quality or the highest level of water quality that is reasonable if background levels of water quality cannot be restored. Cleanup levels other than background must be consistent with the maximum benefit to the people of the State, not unreasonably affect present and anticipated beneficial uses of such water, and not result in exceedance of applicable water quality objectives. Given the Regional Water Board's past experience with groundwater pollution cases of this type, it is unlikely that background levels of water quality can be restored. This initial conclusion will be verified when a remedial action plan is prepared. This Order and its requirements are consistent with Resolution No. 68-16.

State Water Board Resolution No. 92-49, "Policies and Procedures for Investigation and Cleanup and Abatement of Discharges under Water Code Section 13304," applies to this discharge. This Order and its requirements are consistent with the provisions of Resolution No. 92-49, as amended.

**11. Need for Technical and Monitoring Reports:** This Order requires the Discharger to submit various technical and monitoring reports pursuant to Water Code section 13267. The required reports are necessary to determine the extent of contaminants that have discharged from the Site to waters of the State or to areas where stormwater likely carried, or threatens to carry, the contaminants to waters of the State and United States. Process water and/or sediment from metal shredding and recycling activities is known to often carry heavy metal pollutants that may harm the beneficial uses of waters or even cause harm to human life. Therefore, the burden on the Discharger, including costs, to produce these required technical and monitoring reports is outweighed by the Regional Water Board's need for them to determine compliance with the above-mentioned laws and regulations to protect the water quality of State and United States waters.

**12. Remedial Investigation:** Observations from the inspections described above include evidence of past and present discharges of waste, which is potentially polluted, if not hazardous, to waters of the State. The information required by this Order is needed for the Discharger and the Regional Water Board to determine appropriate cleanup methods for the Site that will not cause any additional unauthorized discharges of potentially polluted and/or hazardous waste. The standing water on the Site that has been in contact with the shredding and recycling

processes indicates that the heavy metals and other pollutants have likely leached into the groundwater below.

**13. Preliminary Cleanup Goals:** The Discharger will need to make assumptions about future cleanup standards for soil and groundwater in order to determine the necessary extent of remedial investigation, interim remedial actions, and the draft remedial action plan. Pending the establishment of site-specific cleanup standards, the following preliminary cleanup goals should be used for these purposes:

- a. Groundwater: Applicable screening levels such as the Regional Water Board's Environmental Screening Levels (ESLs) document. Groundwater screening levels should incorporate at least the following exposure pathways: groundwater ingestion and vapor intrusion to indoor air. For groundwater ingestion, use applicable water quality objectives (e.g., lower of primary and secondary maximum contaminant levels) or, in the absence of a chemical-specific objective, equivalent drinking water levels based on toxicity and taste and odor concerns.
- b. Soil: Applicable screening levels such as the Regional Water Board's ESLs document. Soil screening levels are intended to address a full range of exposure pathways, including direct exposure, nuisance, and leaching to groundwater. For purposes of this subsection, the Discharger should assume that groundwater is a potential source of drinking water.
- c. Soil gas: Applicable screening levels such as the Regional Water Board's ESLs document. Soil gas screening levels are intended to address the vapor intrusion to indoor air pathway.

**14. Notification:** The Regional Water Board has notified the Discharger and all interested agencies and persons of its intent under California Water Code section 13304 to prescribe site cleanup requirements for the discharge and has provided them with an opportunity to submit their written comments.

**15. CEQA:** This enforcement action is being undertaken by a regulatory agency to enforce a water quality law. Such action is categorically exempt from provisions of the California Environmental Quality Act ("CEQA") according to Guidelines section 15321 in Article 19, Division 3, Title 14 of the California Code of Regulations. This Order requires the submittal of detailed work plans that address cleanup activities. The proposed activities under the work plans are not yet known, but implementation of the work plans may result in potentially significant physical impacts to the environment that must be evaluated under CEQA. The Discharger must have the appropriate lead agency address CEQA requirements prior to implementing any work plan that may have a significant impact on the environment.

**16. Summary:** Based on the above findings, the Discharger has caused or permitted waste to be discharged, or deposited where it can be and has been discharged, and/or has threatened to discharge waste into waters of the State and the United States, and has created and threatened to create a condition of pollution (Water



Code section 13304). The discharged wastes have likely resulted in unnecessary and avoidable adverse impacts to beneficial uses of waters of the State and United States in violation of SCR Order No. 88-023, the Industrial General Permit, the Clean Water Act, and the Basin Plan. This Order, therefore, contains directives needed to investigate, cleanup and abate existing and future impacts to the Oakland Estuary and Inner Harbor.

**IT IS HEREBY ORDERED**, pursuant to California Water Code sections 13304 and 13267 that the Discharger, or their agents, successors, or assigns, shall clean up and abate the effects described in the above findings as follows:

**A. Prohibitions**

1. Discharging any pollutant, including process sediment, industrial wastewater, and shredder fluff, in violation of this Order is prohibited.
2. Discharging any pollutant, including process sediment, industrial wastewater, and shredder fluff, in violation of the Industrial General Permit is prohibited.
3. Discharging any pollutant, including process sediment, industrial wastewater, and shredder fluff, without complying with the NPDES permit program is prohibited.
4. Discharging any wastes, including solid wastes such as process sediment and shredder fluff, that will degrade, or threaten to degrade, water quality or adversely affect, or threaten to affect beneficial uses of the waters in violation of the Basin Plan is prohibited.

**B. Tasks**

**1. List of Potential Pollutants**

COMPLIANCE DATE: January 18, 2013

Submit a list acceptable to the Executive Officer of potential contaminants and/or pollutants that may come into contact with any of the process water, soil, groundwater and/or stormwater on the Site. The list shall include, but not be limited to, any contaminants that the Discharger treats in its waste prior to hauling it offsite. This technical report is necessary to identify what contaminants to sample for in the following required sampling plan.

**2. Source Identification and Site Investigation**

COMPLIANCE DATE: February 15, 2013

Submit a sampling plan acceptable to the Executive Officer to identify all pollution sources on the Site, including waste transport and storage areas, sumps, underground tanks, utility lines, and related facilities. The sampling plan shall specify approach, methods and a proposed time schedule.

Sample results that indicate pollution shall be followed up with subsequent sampling to define the lateral and vertical extent of pollution. It is imperative that sampling takes place prior to altering conditions at the Site. Sampling shall include, but is not limited, to the following description in Table 1.

**Table 1. Sampling Plan**

<b>Sample</b>
Soil, process sediment, dust and other sediments at: <ul style="list-style-type: none"> <li>- Conveyor Loading System and ground beneath it</li> <li>- Pier Crane Dock and ground beneath and around it</li> <li>- Track out sediment at and near Embarcadero West</li> <li>- Track out sediment on SSA Terminals' property</li> </ul>
Industrial process and wastewater, stormwater, and/or groundwater at: <ul style="list-style-type: none"> <li>- The holding tank prior to use in the shredder</li> <li>- Standing stormwater onsite</li> <li>- Standing water onsite--regardless of origin, but taking into account all types</li> <li>- Water used to spray metal products immediately prior to loading onto ships</li> <li>- Water that runs off of the Conveyor Loading System and the Pier Crane Dock after metal products are sprayed</li> <li>- Any stormwater outfalls</li> <li>- Storm drain on Embarcadero West</li> </ul>
Shredder waste and/or fluff at: <ul style="list-style-type: none"> <li>- The shredder</li> <li>- SSA Terminals, Port of Oakland, and APL Limited</li> <li>- Locations where this material is stored onsite</li> <li>- Pathways of airborne dispersion and deposition</li> </ul>

**3. Completion of Identification and Investigation of Pollution Sources**

COMPLIANCE DATE: 6 months from the date the Sampling Plan required by Task B.2 is approved by the Executive Officer

Submit a technical report acceptable to the Executive Officer documenting completion of necessary tasks identified in Tasks B.1 and B.2 including results of analyses for all potential pollutants in sampled soils, sediments, waters, and wastes. The report shall describe the vertical and lateral extent of pollution in soil and groundwater beneath the Site down to concentrations at or below typical cleanup standards for soil and groundwater. The report shall also include a proposed Groundwater Monitoring Program to recurringly assess the status and migration of pollution.

#### 4. Interim Corrective Action Plan

COMPLIANCE DATE: 30 days after requested by the Executive Officer

Submit an Interim Corrective Action Plan to clean up the soil and groundwater on the Site and process sediment, industrial wastewater, and shredder fluff on the Site, on Embarcadero West, and on neighboring properties. Work may be phased to allow the investigation to proceed efficiently. Any method of cleanup used shall prevent any unauthorized discharge or threatened discharge, from entering into the Oakland Estuary and Inner Harbor, storm drains, any waters of the State, or discharging offsite. The Interim Corrective Action Plan shall include work plans and time schedules to clean up each of the areas as described below:

- a. Conveyor Loading System: Clean up the process sediment, dust and other sediments on the conveyor belt loading system and related affected areas. Areas to be cleaned include, but are not limited to, the conveyor belt itself, the metal structure supporting the belt, the surrounding dock/wooden areas, the landing, and the surrounding rip rap areas.
- b. Pier Crane Dock: Clean up the process sediment, dust and other sediments on the pier crane dock and related affected areas. Areas include, but are not limited to, all surfaces such as the bridge and its sides, rails, pipes, fire hose box, the surrounding dock/wooden areas, and the surrounding ground below. Cleanup shall also include any truck track out in the roads and areas in the approach to the dock.
- c. Track Out Along Embarcadero West: Clean up Embarcadero West from the Site to Market Street, and the neighboring property, SSA Terminals. Cleanup shall include removing the process sediment, dust and other sediments on the street, along the road shoulder, and caught behind the cyclone fences and abutments along Embarcadero West caused by trucks entering and exiting the Site.
- d. Shredder Fluff at Neighboring Properties: Clean up all shredder fluff in addition to cleaning up the process sediment, dust and other sediments from the Site that have migrated to neighboring properties. Cleanup shall include removing all shredder sediment and debris from the neighboring properties of SSA Terminals, the Port of Oakland, and APL Limited.
- e. Waste Shredder Fluff: All shredder fluff that is waste and not intended for further processing shall be visually monitored and managed onsite and during transportation to a permitted landfill to prevent airborne, wind, or water migration.

#### 5. Completion of Interim Corrective Action Plan

COMPLIANCE DATE: 6 months from the date the Interim Corrective Action Plan required by Task B.4 is approved by the Executive Officer

Submit a technical report acceptable to the Executive Officer documenting completion of necessary tasks identified in Task B.4. For ongoing tasks, such as soil vapor or groundwater extraction, the report shall document startup as opposed to completion.

**6. Best Management Practices (“BMPs”) Plan for Stormwater and Authorized Non-Stormwater Discharges**

COMPLIANCE DATE: February 15, 2013

Submit a BMPs Plan acceptable to the Executive Officer to reduce or prevent pollutants associated with industrial activity in stormwater discharges and authorized non-stormwater discharges through implementation of best available technology (BAT) for toxic and non-conventional pollutants and best conventional pollutant control technology (BCT) for conventional pollutants. The BMPs Plan shall include engineering design standards, dimensions, and rated effectiveness and proposed schedules for installation and ongoing maintenance and update.

Areas needing BMPs and types of BMPs include, but are not limited to, the following:

- a. Site-Wide: Preventing materials, wastes, and associated pollutants from moving around the Site will significantly reduce pollutant discharges into State and United States waters. BMPs shall include procedures designed to sequester pollutants within the shredder waste, bulk metals, non-ferrous metals, and ferrous metals recycled material processes, and reducing their exposure to conveyance methods to waters.
- b. Site Boundaries: Berms and grading presently employed for containment at the Site’s boundaries are insufficient to claim full containment and allow debris and water to discharge. BMPs shall include watertight measures if the Site is to continue to manage stormwater by complete containment and treatment.
- c. Conveyor Loading System and Pier Crane Dock and Bridge: Rubber mats and molding, sweeping practices, and raised edges on the docks are not sufficiently preventing process sediment and other sediments from dropping into the water below. There is no containment for the water that is sprayed onto product for dust control and cooling. BMPs shall include capturing process sediment, any additional sediments, and process water from entering into waters below, and water tight measures to ensure full process water and storm water containment.
- d. Exit onto Embarcadero West: Presently, truck traffic on the Site is routed through unpaved areas with standing water that has been in contact with product and waste piles. The trucks then track out the sediment that likely contains pollutants onto Embarcadero West. The rumble strips in place near the exit are not sufficient to prevent discharge of sediment from the Site. Current street sweeping of Embarcadero West is not preventing the

contaminated sediment from entering the neighboring SSA Terminal property or discharging into offsite stormwater systems. BMPs shall minimize onsite truck traffic contact with contaminated sediments and standing water and include measures to further reduce truck track out off of the Site.

## **7. Install, Maintain and Update BMPs**

COMPLIANCE DATE: Commencing immediately upon the Executive Officer's approval of the BMPs Plan required by Task B.6

Install, maintain, and update BMPs identified in the Task B.6 BMPs Plan.

## **8. Update and Maintain Stormwater Pollution Prevention Plan (SWPPP)**

COMPLIANCE DATE: February 15, 2013

Continually update and maintain a SWPPP to include all of the BMPs identified, installed, and implemented in accordance with Tasks B.6 and B.7. Also include in the SWPPP the exact business name, property owner, and current contact person. The Industrial General Permit requires operators to develop and implement a SWPPP identifying measures to prevent discharges and reach BAT/BCT standards. (See Industrial General Permit para.10.)

## **C. Technical and Monitoring Reports**

### **1. Onsite Water Recycling System and Stormwater Controls**

COMPLIANCE DATE: March 1, 2013

Submit a technical report acceptable to the Executive Officer that describes and evaluates the onsite water recycling system. This report is required because process and stormwater are essentially commingling on the Site and has, or threatens to discharge offsite to or near the Oakland Estuary and Inner Harbor.

The report shall include the following:

- a. An updated map;
- b. Description of how process water is routed throughout the Site in a manner that prevents infiltration/deposition of contaminated process water and sediments to underlying soils and aquifers and an assessment, including measurements, of the effectiveness of preventive measures;
- c. An updated standard operating procedure for the stormwater recycling system that accounts for how much water is used, what kinds of treatment occurs, and what happens to the residual sludge;
- d. Identification of the source of water in spray trucks and in any additional dust control measures implemented on the pier crane and conveyors docks,

- including description of any containment and/or disposal measures used when spraying water;
- e. Verification if and where there are connections to a stormwater outfall; and
- f. An updated standard operating procedure for management of the onsite stormwater as it ponds that includes a description of when and how pumps are used to prevent flooding of onsite water; and, if using a clarifier, description of standard operations and maintenance.

## 2. Storage Piles and Controls

COMPLIANCE DATE: March 1, 2013

Submit a technical report acceptable to the Executive Officer that identifies how the storage piles are managed and controlled. The storage piles include shredder waste(s), sorted product, incoming scrap, and other types of piles. This report is required because water on the Site is likely washing pollutants off of these piles and into the water recycling system and/or being discharged offsite.

The report shall describe if the piles are treated with water, what type of water, and whether or how the water is contained. The report shall also describe procedures for how to fight fires that start in the piles and provisions for containment and/or treatment of water or chemicals used in fire suppression.

## D. Provisions

1. **Cost Recovery:** The Discharger is and shall be liable, pursuant to California Water Code section 13304, to the Regional Water Board for all reasonable costs actually incurred by the Regional Water Board and associated agencies to investigate unauthorized discharges of waste and to oversee cleanup of such waste, abatement of the effects thereof, or other remedial action, required by this Order. Such costs include, but are not limited to, staff time for investigation of the discharge, preparation of this Order, review of reports and correspondence submitted pursuant to this Order, work to complete the directives specified in this Order, and communications between Regional Water Board staff and parties associated with the cleanup and abatement of the discharged waste, including the Discharger, interested members of the public, and other regulatory agencies.
2. **Contractor/Consultant Qualifications:** The Discharger's reliance on qualified professionals promotes proper planning, implementation, and long-term cost-effectiveness of investigation, and cleanup and abatement activities. Professionals shall be qualified, licensed where applicable, and competent and proficient in the fields pertinent to the required activities. California Business and Professions Code sections 6735, 7835, and 7835.1 require that engineering and geologic evaluations and judgments be performed by or under the direction of licensed professionals.

- 3. Report Any Changes in Ownership or Occupancy:** The Discharger shall file a written report on any changes in the Site's ownership or occupancy associated with this Order. This report shall be filed with the Regional Water Board within 30 days following a change in Site occupancy or ownership.
- 4. Document Distribution:** The Discharger shall provide electronic or hard copies of all correspondence, technical reports, and other documents pertaining to compliance with this Order upon request within two weeks of the established directive deadline to the following recipients. Correspondence, technical reports, and other documents pertaining to groundwater shall be electronically submitted to the Geotracker database system. The Executive Officer may modify this distribution list as needed.

  - a. SSA Terminals
  - b. Port of Oakland
  - c. APL Limited
  - d. Alameda County
  - e. California Department of Toxic Substances Control
  - f. California Environmental Protection Agency
  - g. California Department of Fish and Game
  - h. U.S. Environmental Protection Agency
  - i. U.S. Army Corps of Engineers
  - j. U.S. Fish and Wildlife Service
- 5. Delayed Compliance:** The Discharger shall notify the Executive Officer if it is delayed, interrupted or prevented from meeting any of the compliance dates specified in this Order or a key milestone in its approved Corrective Action Plans. The Discharger may request in writing an extension for compliance dates, stating the basis for its request and what new compliance dates it is requesting. The Regional Water Board has the authority to revise this Order.
- 6. Enforcement:** If the Discharger fails to comply with the provisions of this Order, the Regional Water Board or the State Water Board may pursue further enforcement action. The Regional Water Board may refer this matter to the California Attorney General for judicial enforcement, and either the Regional Water Board or the State Water Board may issue a complaint for administrative civil liability or any take any other applicable enforcement action. Failure to comply with this Order may result in the assessment of an administrative civil liability up to \$10,000 per violation per day, pursuant to California Water Code sections 13350, 13385, and/or 13268. The Regional Water Board and the State Water Board reserve their rights to take any enforcement actions authorized by law.
- 7. No Nuisance:** The storage, handling, treatment, or disposal of polluted soil or groundwater shall not create a nuisance as defined in California Water Code section 13050(m).

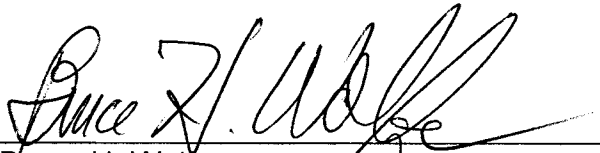
- 8. Access to Site and Records:** In accordance with California Water Code section 13267(c), the Discharger shall permit the Regional Water Board or its authorized representative:

  - a. Entry upon premises in which any pollution source exists, or may potentially exist, or in which any required records are kept, which are relevant to this Order;
  - b. Access to copy any records required to be kept under the requirements of this Order;
  - c. Inspection of any monitoring or remediation facilities installed in response to this Order; and
  - d. Sampling of any groundwater or soil which is accessible, or may become accessible, as part of any investigation or remedial action program undertaken by the Discharger.
- 9. Groundwater Monitoring Program:** The Discharger shall comply with the Groundwater Monitoring Program as approved by and as may be amended by the Executive Officer.
- 10. Lab Qualifications:** All samples shall be analyzed by State-certified laboratories or laboratories accepted by the Regional Water Board using approved U.S. EPA methods for the type of analysis to be performed. All laboratories shall maintain quality assurance/quality control records for Regional Water Board review. This provision does not apply to analyses that can only reasonably be performed onsite (e.g., temperature).
- 11. Reporting of Hazardous Substance Release:** If any hazardous substance is discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, the Discharger shall report such discharge to the Regional Water Board by calling (510) 622-2369. A written report shall be filed with the Regional Water Board within five working days. The report shall describe: the nature of the hazardous substance, estimated quantity involved, duration of incident, cause of release, estimated size of affected area, nature of effect, corrective actions taken or planned, schedule of corrective actions planned, and persons/agencies notified.
- 12. Rescission of Existing Order:** This Order supersedes and rescinds SCR Order No. 88-023.
- 13. State Water Board Petition:** Any person aggrieved by this action may petition the State Water Board to review the action in accordance with California Water Code section 13320 and Title 23, California Code of Regulations, section 2050 et al. The State Water Board, Office of Chief Counsel, must receive the petition by 5:00 p.m. 30 days after the date this Order becomes final (if the thirtieth day falls



on a weekend or state holiday, the petition must be received by the next business day).<sup>5</sup> This Order is effective upon the date of signature.

**14. Periodic Cleanup and Abatement Order Review:** The Regional Water Board may review this Order periodically and may revise it when necessary. The Discharger may request revisions and upon review the Executive Officer may recommend that the Regional Water Board revise these requirements.

  
\_\_\_\_\_  
Bruce H. Wolfe  
Executive Officer

January 2, 2013  
Date

Attachment A: March 29, 2012, Inspection Report

Attachment B: April 10, 2012, State Water Board Video Surveillance Summary

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<sup>5</sup> Instructions for petitioning will be provided upon request or you may view them at:  
[www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality/index.shtml](http://www.waterboards.ca.gov/public_notices/petitions/water_quality/index.shtml)



**EXHIBIT 4**  
**Typical Treatment System Photographs**



# Typical Treatment System Photographs



**Storage and Preliminary Clarification (Pre-Treatment Tank)**



**Electrocoagulation (Treatment Cells and Media Filter)**



**Clarification (Clarifier Tank)**



**Filtration and Carbon Polish (Backwash Tank)**

**EXHIBIT 5**  
**Soil Management Plan**





# SOIL MANAGEMENT PLAN

Schnitzer Steel Products  
1101 Embarcadero West  
Oakland, CA 94607

PREPARED BY:

Schnitzer Steel Products

December 2014

## 1.0 BACKGROUND

Schnitzer Steel operates a metal recycling and export facility in Oakland, CA. At times, construction projects and routine maintenance activities will result in waste soil being generated. Due to the long industrial history of the facility, excess or waste excavated soil has the potential to require special disposal. As such, this Soil Management Plan (SMP) is being prepared to outline environmental protection measures that will be implemented during these events.

The SMP is organized into the following sections:

- **Section 1.0** – Introduction: Describes the purpose of the document and the organization.
- **Section 2.0** – Soil Management: Describes how soil will be managed at the site including proper storage, handling, soil profiling, and disposal.
- **Section 3.0** – Project Personnel Training Requirements: Describes the training requirements and necessity to comply with the approved SMP.

All activities related to material management, sampling, disposal, and documentation are described in this SMP. Any proposed deviations from this plan will be approved by Schnitzer Steel prior to implementation.

## 2.0 SOIL MANAGEMENT

The following sections describe how excavated soil will be managed on site, how the material will be characterized for disposal, and where excavated soil will be taken for final disposal.

### 2.1 Storage of Excavated Soil

All excavated soils will be placed upon heavy duty polyethylene plastic sheeting. (Minimum of 10 mil thickness). If rain is anticipated, soil will be covered with a layer of heavy duty polyethylene sheeting (or equivalent) to reduce potential environmental exposures. The stockpile cover will be secured with sand bags, used tires, or another similar material to reduce wind disturbance. All excavated soils will be contained at the base of the piles with straw wattles to minimize the migration of soils from the stockpiles.

### 2.2 Excavated Soil Disposal Profiling

Upon completion of excavating activities, soil samples will be collected to profile the material for proper disposal. Two composite soil samples will be recovered for each 100 cubic yards of soil requiring disposal.

Each soil sample will be analyzed for the constituents of concern (COC), and any other constituents required by the disposal facility. All analyses will be performed by a lab certified in California. At a minimum, the following tests will be performed on each sample:

- 1) Polychlorinated Biphenyls (EPA Method 8082)
- 2) Total Petroleum Hydrocarbons (TPH):
  - TPH as Gasoline (EPA 8620)
  - TPH as Diesel and Motor Oil (EPA 8015)

- 3) Total Metals (Title 22 Metals- EPA 6010/7470)
- 4) Soluble Threshold Limit Concentration (STLC) analysis on metals as required by total metals results.
- 5) Toxicity Characteristic Leaching Procedure (TCLP) analysis on Resource Conservation and Recovery Act (RCRA) metals as required by total metals results.

### **2.3 Excavated Soil Disposal**

Proper soil disposal methods will be evaluated once profiling analytical results have been received. Soil containing non-hazardous concentrations of each of the above-referenced analytes (and other constituents, if applicable) may be disposed at a properly permitted and approved municipal solid waste landfill. If the excavated material designates as a State Hazardous Waste, or a Federal Hazardous Waste, the material will be disposed of a permitted and approved hazardous waste landfill. Excavated soil will be transported for disposal within 90 days of generation, regardless of its regulatory designation. Any soil that does not profile as a hazardous waste may be used as backfill material for project excavations.

### **3.0 PROJECT PERSONNEL TRAINING REQUIREMENTS**

A training session discussing all components of this SMP will be conducted with all project supervisory personnel during a pre-construction meeting to be held no less than one week prior to the commencement of construction activities. This lead time is required to allow construction personnel to ensure availability of equipment, materials and services necessary to guarantee compliance with the SMP.

Project supervisory personnel are required to ensure that all work is conducted in compliance with this SMP, including completing additional training of their subordinates. Copies of the SMP will be made available in the project construction office for easy access. Any questions related to plan content should be directed to the Regional Environmental Manager.

