



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

CERTIFIED MAIL 7007 0710 0003 6240 3602
RETURN RECEIPT REQUESTED

March 24, 2008

In Reply Refer To: CWA-309-08-028

Michael Young, General Manager
Faith Plating Company
7141 Santa Monica Boulevard
West Hollywood, California 90046

Dear Mr. Young:

This administrative order, issued under the authority of the Clean Water Act, establishes a schedule of corrective actions to achieve consistent compliance with Federal standards. EPA made the initial findings in an inspection report issued on March 10, 2008.

The Order requires Faith Plating to achieve consistent compliance with the Federal standards, to provide final pH adjustment and continuous monitoring, and to self-monitor for one year. These requirements are necessary because sampling over the past two years documented a number of violations of Federal standards caused by the inconsistent performance of the existing model treatment at Faith Plating. This inconsistent performance appears related to operational deficiencies in the on-site treatment and control of wastewaters. The key dates are as follows:

KEY DATES	ADMINISTRATIVE ORDER CWA-309-08-028
04/28/08	1. Submit preliminary engineering plans for compliance with Fed standards.
05/01/08	6-9. Begin one year of self-monitoring under this Order. Daily pH measurements. Monthly sampling for chromium, copper, lead, nickel, and flow rate. Twice per year sampling for cadmium, zinc, and total cyanide.. Twice per year sampling or self-certification for total toxic organics. Continuous pH monitoring beginning in November 2008.
05/28/08	2. Submit preliminary engineering plans for compliance with Fed standards. 4. Submit preliminary engineering plans for pH adjustment / monitoring
10/28/08	3. Achieve compliance with Fed standards – Submit a notice of completion. 6. Install final pH adjustment and continuous monitoring – Submit notice.
04/30/09	End self-monitoring under this Administrative Order.
* * *	Self-monitoring reports are due on the 28th day of each month for the samples collected during the previous calendar month.

The enclosed Finding of Violation and Administrative Order is issued pursuant to Sections 308(a) and 309(a)(3), (a)(4) and (a)(5)(A) of the Clean Water Act ("the Act") as amended [33 U.S.C. Sections 1318(a) and 1319(a)(3), (a)(4) and (a)(5)(A)]. Any violation of the terms of this Administrative Order or pretreatment standards could subject Faith Plating to a civil action for appropriate relief pursuant to Section 309(b) of the Act [33 U.S.C. Section 1319(b)] and/or penalties under Section 309(d) of the Act [33 U.S.C. Section 1319(d)] of up to \$31,500 per day of violation. In addition, under Section 309(g) of the Act [33 U.S.C. Section 1319(g)], any violation of the pretreatment standards could also subject Faith Plating to an administrative penalty action of up to \$12,000 per day of violation not to exceed \$157,500. Sections 309(c)(1), (c)(2) and (c)(4) of the Act [33 U.S.C. Section 1319(c)(1), (c)(2) and (c)(4)] also provide penalties for negligent violations, knowing violations and knowingly making false statements.

The request for information included in this Administrative Order is not subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act because it is not an "information collection request" within the meaning of 44 U.S.C. Sections 3502(4), 3502(11), 3507, 3512, and 3518. Furthermore, it is exempt from OMB review under the Paperwork Reduction Act because it is directed to fewer than ten persons [44 U.S.C. Section 3502(4), 3502(11) and 5 CFR Section 1320.5(a)].

EPA has promulgated regulations to protect the confidentiality of the business information it receives. These regulations are set forth in 40 CFR Part 2, Subpart B and in the Federal Register at 41 F.R. 36902 (September 1, 1976) and 43 F.R. 40000 (September 8, 1978). A claim of business confidentiality may be asserted in the manner specified by 40 CFR Section 2.203(b) for part or all of the information requested. EPA will disclose business information covered by such a claim only as authorized under 40 CFR Part 2, Subpart B. If no claim accompanies the business information at the time EPA receives it, EPA may make it available to the public without further notice. Faith Plating may not withhold from EPA any information on the grounds that it is confidential.

If you have any questions regarding this matter, please contact Greg V. Arthur of my staff at (415) 972-3504 or at arthur.greg@epa.gov.

Sincerely,

Original signed by:

Nancy Woo, for

Alexis Strauss
Director, Water Division

Enclosure

cc: Frank Chin, Los Angeles County Department of Public Works
David Hung, RWQCB-Los Angeles

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 9

In the Matter of)	
)	
Faith Plating)	FINDING OF VIOLATION
West Hollywood, California)	
)	AND ORDER
Proceedings under Section 308(a) and 309(a)(3),)	
(a)(4) and (a)(5)(A) of the Clean Water Act, as)	Docket No. CWA-309-08-028
amended, 33 U.S.C. Section 1318(a) and)	
1319(a)(3), (a)(4) and (a)(5)(A))	

STATUTORY AUTHORITY

The following Finding of Violation and Order (Docket No. CWA-309-08-028) is issued under the authority vested in the Administrator of the U.S. Environmental Protection Agency (EPA) pursuant to Sections 308(a) and 309(a)(3), (a)(4) and (a)(5)(A) of the Clean Water Act [33 U.S.C. Sections 1318(a) and 1319(a)(3), (a)(4) and (a)(5)(A)] (hereinafter the Act). This authority has been delegated by the Administrator and the Regional Administrator of EPA Region 9 to the Director of the Water Division of EPA Region 9.

FINDING OF VIOLATION

The Director of the Water Division of EPA Region 9 finds that Faith Plating in West Hollywood is in violation of Section 307(d) of the Act [33 U.S.C. Section 1317(d)]. This Finding is made on the basis of the following facts:

1. Section 307(d) of the Act [33 U.S.C. Section 1317(d)] prohibits any owner or operator of any source from introducing pollutants into publicly owned treatment works (POTWs) in violation of any effluent standard or prohibition or pretreatment standard promulgated under Section 307 of the Act.
2. Under Section 307(b) of the Act [33 U.S.C. 1317(b)], EPA promulgated the following general pretreatment regulations and categorical pretreatment standards:

- a. The Federal categorical pretreatment standards for job-shop electroplating in 40 CFR 413 which require existing source job-shop metal finishing facilities that perform common metals plating and discharge over 10,000 gallons per day (“gpd”), to comply with the daily-maximum and four-day-average standards for cadmium, chromium, copper, lead, nickel, silver, zinc, total cyanide, toxic organics, and total metals in 40 CFR 413.14(c)(g);
 - b. The national pretreatment standards in 40 CFR 403.12(e)(g) for all industrial dischargers into POTWs which require categorical industrial users to submit, at least twice per year, periodic reports of sampling that is representative of the discharge to the sewers and indicate both the concentration of the discharge for all Federally-regulated parameters and the flow rate of the discharge.
3. Faith Plating is a corporation and therefore a person within the meaning of Section 502(5) of the Act, [33 U.S.C. Section 1362(5)]. Faith Plating owns and operates a job-shop metal finishing shop operating at 7141 Santa Monica Blvd in West Hollywood, California. Faith Plating is a non-domestic source and introduces pollutants within the meaning of Section 502(6) of the Act [33 U.S.C. Section 1362(6)], into the West Hollywood and Los Angeles County domestic sewer system and the City of Los Angeles Hyperion wastewater treatment plants, which together are a POTW within the meaning of Section 307(b) and the pretreatment regulations in 40 CFR 403.3(o). Faith Plating is therefore subject to the provisions of the Act, [33 U.S.C. Section 1251 et seq., including Section 307, 33 U.S.C. Section 1317].
4. On October 9, 2007, EPA, and the Los Angeles County Department of Public Works conducted a compliance evaluation inspection of Faith Plating, and determined the following:
 - a. Facility Description: Faith Plating owns and operates a job-shop metal finishing facility in West Hollywood:

1. The metal finishing operations comprise alkaline cleaning, acid activation, bright nickel plating, acid-copper plating, acid-copper strike, chromium plating, zincate coating, acid pickling, caustic stripping, acid electrostripping, and acid nickel/chrome stripping;
 2. The operations began in 1948, and although significant changes in the configuration and capabilities have been instituted since 1983, these changes, which included anodizing, have since been removed;
 3. Faith Plating is a job-shop and does not own the parts it metal finishes.
 4. The Los Angeles County Department of Public Works issued permit No. P12557 to Faith Plating authorizing the discharge of treated wastewaters through one connection to the sewers;
- b. Wastewater Discharges to the Sewer: Faith Plating discharges process-related wastewaters into the domestic sewers feeding into the Los Angeles Hyperion wastewater treatment plants for discharge into the Pacific Ocean:
1. The metal finishing lines generate metal finishing spents, rinses, polishing dust, tank bottom sludges, spent filter and carbon cartridges;
 2. The process-related wastewaters from Faith Plating discharge through a single connection to the sewers;
 3. The process-related wastewaters discharged to the sewers consist of treated rinses from a rinse water treatment unit (chrome reduction, metals precipitation, flocculation, settling, and sludge dewatering) intermittently commingled with treated spents from a small batch treatment unit (metals precipitation, flocculation, and settling);
 4. The Los Angeles County Department of Public Works permit issued to Faith Plating listed an average discharge flow rate of 9,346 gallons per day ("gpd") based on water billing records and calculated losses.

5. The 2007 water billing averages were 12,685 gpd;
 6. The discharges of process-related wastewater to the sewers are monitored at a sample point after an outside clarifier, designated in this Order and the March 10, 2008 EPA inspection report by permit number as IWD-12557;
 7. There is no documentation in the sample record that the sampling at IWD-12557 required by the permit captured and is representative of the intermittent release of batch treated spents through the rinse water treatment unit.
- c. Categorical Standards: The Federal categorical pretreatment standards in 40 CFR 413 for existing source job-shop electroplating operations discharging more than 10,000 gpd apply to all of the process-related wastewater discharges from the metal finishing lines at Faith Plating operating unchanged in configuration since August 31, 1982:
1. 40 CFR 413 Applicability: Because Faith Plating does not own more than 50% of the parts processed, the Federal job-shop electroplating standards in 40 CFR 413 apply to all process wastewaters from the metal finishing lines at Faith Plating involving common metals plating, precious metals plating, anodizing, chemical coating, chemical etching, electroless plating, and their related operations of alkaline cleaning, stripping, sealing, and coloring, that were in operation in their present configuration before August 31, 1982, and that together discharge more than 10,000 gpd;
 2. Adjustments: The Federal categorical pretreatment standards in 40 CFR 413 do not need to be adjusted to account for dilution or multiple categories since all discharges through IWD-12557 qualify for regulation under 40 CFR 413;

3. Certifications: Faith Plating has not submitted or received approval of a solvent management plan as allowed under 40 CFR 413.03, and so cannot certify in lieu of self-monitoring for toxic organics;
4. Domestic sewage discharges into the Santa Ana sewers downstream of the compliance sampling point.
5. Faith Plating violated Section 307(d) of the Act [33 U.S.C. Section 1317(d)] in that:
 - a. The following Federal categorical pretreatment standards and local limits apply to the discharges from Faith Plating at IWD-12557:

Faith Plating - Stds and Limits @ IWD-12557		Federal Standards		Local Limits	
		daily-max	4day-avg	inst-max	daily-max
As	arsenic (mg/l)	-	-	-	3.0
Cd	cadmium (mg/l)	1.2	0.7	-	15.0
Cr	chromium (mg/l)	7.0	4.0	-	10.0
Cu	copper (mg/l)	4.5	2.7	-	15.0
Pb	lead (mg/l)	0.6	0.4	-	40
Ni	nickel (mg/l)	4.1	2.6	-	12.0
Ag	silver (mg/l)	-	-	-	5.0
Zn	zinc (mg/l)	4.2	2.6	-	25.0
CNt	total cyanide (mg/l)	1.9	1.0	-	10.0
CNa	amenable CN (mg/l)	-	-	-	2.0
TM	total metals (mg/l)	10.5	6.8	-	-
TTO	toxic organics (mg/l)	2.13	-	-	-
S ⁼	dissolved sulfides (mg/l)	-	-	-	0.1
O&G	oil & grease (mg/l)	-	-	-	600
pH	pH min/max (s.u.)	-	-	6.0-11.0	-

- b. EPA reviewed the 2005-2007 Los Angeles County Department of Public Works sample record for Faith Plating of grabs and 24-hour composite samples collected at IWD-12557 and determined that Faith Plating violated the Federal standards in 40 CFR 413 on at least the following 17 occasions as listed on the next page;
 - c. The violations of the Federal standards resulted in 25 days of violation under the Clean Water Act (no day is double-counted by pollutant).

Violations of Effluent Limits 2005-2007 Faith Plating @ IWD-12557					
sample dates	type	sampler	Federal standards	viols	days
06/13/07	24-hr	FP	Cu d-max 4.5 mg/l	6.75	1
[06/13/07-02/19/07] [01/05/07-12/26/06]	24-hr	FP-LAC	Cu 4d-avg 2.7 mg/l	4.71	3
[02/19/07-01/05/07] [12/26/06-10/23/06]	24-hr	FP-LAC	Cu 4d-avg 2.7 mg/l	3.06	1
01/05/07	24-hr	LAC	Cu d-max 4.5 mg/l	11.0	-
[01/05/07-12/26/06] [10/23/06-10/02/06]	24-hr	FP-LAC	Cu 4d-avg 2.7 mg/l	3.06	1
[06/13/07-02/19/07] [01/05/07-12/26/06]	24-hr	FP-LAC	Pb 4d-avg 0.4 mg/l	1.56	4
[02/19/07-01/05/07] [12/26/06-10/23/06]	24-hr	FP-LAC	Pb 4d-avg 0.4 mg/l	1.56	1
01/05/07	24-hr	LAC	Pb d-max 0.6 mg/l	6.20	-
[01/05/07-12/26/06] [10/23/06-10/02/06]	24-hr	FP-LAC	Pb 4d-avg 0.4 mg/l	1.56	1
06/13/07	24-hr	FP	Ni d-max 4.1 mg/l	6.75	1
[06/13/07-02/19/07] [01/05/07-12/26/06]	24-hr	FP-LAC	Ni 4d-avg 2.6 mg/l	3.25	3
[03/15/06-12/12/05] [09/26/05-09/22/05]	24-hr	FP	Ni 4d-avg 2.6 mg/l	2.65	4
09/22/05	24-hr	FP	Ni d-max 4.1 mg/l	5.40	-
06/13/07	24-hr	FP	TM d-max 10.5 mg/l	22.0	1
[06/13/07-02/19/07] [01/05/07-12/26/06]	24-hr	FP-LAC	TM 4d-avg 6.8 mg/l	11.71	2
01/05/07	24-hr	FP	TM d-max 10.5 mg/l	19.8	1
[01/05/07-12/26/06] [10/23/06-10/02/06]	24-hr	FP-LAC	TM 4d-avg 6.8 mg/l	7.05	1
Index Key 4d-avg • Four-day averages are calculated by averaging four consecutive samples, collected by either Faith Plating or LACo DPW. TM • Total Metals - chromium, copper, nickel, zinc FP • Faith Plating Company LAC • Los Angeles County Department of Public Works					25

6. The March 10, 2008 EPA report of the inspection of Faith Plating is by reference made part of this Finding of Violation and Administrative Order.

ADMINISTRATIVE ORDER

Taking these Findings into consideration and considering the potential environmental and human health effects of the violations and all good faith efforts to comply, EPA has determined that compliance in accordance with the following requirements is reasonable. Pursuant to Section 308(a) and 309(a)(3), (a)(4) and (a)(5)(A) of the Act [33 U.S.C. Section 1318(a) and 1319(a)(3), (a)(4) and (a)(5)(A)], IT IS HEREBY ORDERED that Faith Plating comply with the following requirements:

Consistent Compliance with Federal Standards

1. By **APRIL 28, 2008**, Faith Plating shall submit a short response to the findings in Sections 2 through 5 of the March 10, 2008 EPA inspection report.
2. By **MAY 28, 2008**, Faith Plating shall submit a preliminary engineering plan of the steps to be taken in order to achieve consistent compliance with the Federal standards. This preliminary engineering plan shall include:
 - a. A detailed description of all plant, equipment, hardware, upgrades, management plans, and operating procedures to be used to achieve consistent compliance with the Federal standards;
 - b. A schedule of all corrective actions to be made in order to achieve consistent compliance with the Federal standards, not to extend beyond the deadlines specified in Item 3 of this Order.
3. By **OCTOBER 28, 2008**, Faith Plating shall complete the steps necessary to achieve consistent compliance with the Federal standards, and submit a notice of completion.

Final pH Adjustment and Monitoring

4. By **MAY 28, 2008**, Faith Plating shall submit a preliminary engineering plan of the steps to be taken in order to provide final pH adjustment of all process-related wastewater discharges to the sewers. This preliminary engineering plan shall include:

- a. A detailed description of all plant, equipment, hardware, management plans and operating procedures to be used to provide final pH adjustment of all process-related wastewater discharges to the sewers;
 - b. A description of all equipment and procedures to be used to provide continuous pH monitoring of all process-related wastewater discharges to the sewers;
 - c. A schedule of all corrective actions to be made to provide pH adjustment and continuous pH monitoring of all process-related wastewater discharges to the sewers, not to extend beyond the deadline specified in Item 5 of this Order.
5. By **OCTOBER 28, 2008**, Faith Plating shall complete the steps necessary to provide pH adjustment and continuous monitoring for pH of all process-related wastewater discharges to the sewers, and submit a notice of completion.

Self-Monitoring

6. **Sampling Schedule:** For a year, from **MAY 1, 2008 THROUGH APRIL 30, 2009**, Faith Plating shall self-monitor the process-related wastewater discharges at IWD-12557, in accordance with the following schedule:
- a. **ONCE EVERY DAY**, Faith Plating shall self-monitor the process-related wastewater discharges to the sewers for pH;
 - b. **ONCE EVERY MONTH**, Faith Plating shall self-monitor all process-related wastewater discharges to the sewers for chromium, copper, lead, nickel, total metals, and discharge flow rate;
 - c. **ONCE EVERY SIX MONTHS** (once before June 30 and once between July 1 and December 31), Faith Plating shall self-monitor the process-related wastewater discharges to the sewers for cadmium, zinc, total cyanide, and toxic organics;
 - d. **CONTINUOUSLY BEGINNING NOVEMBER 1, 2008**, Faith Plating shall self-monitor the process-related wastewater discharges for pH;

- e. **ONCE EVERY SIX-MONTHS** (once before June 30 and once between July 1 and December 31), the sampling required by Items 6(a), 6(b), and 6(c) of this Order above must account for and be representative of the contributions from the intermittent discharge of treated wastewaters from the batch treatment unit.
7. pH Self-Monitoring Summaries: **ONCE EACH MONTH**, Faith Plating shall prepare summaries of the pH self-monitoring required by Items 6(a) and 6(d) of this Order above, for IWD-12557, in accordance with the following schedule:
- a. **THROUGH OCTOBER 30, 2008**, Faith Plating shall summarize all pH measurements by date, time, and sampling location;
- b. **BEGINNING NOVEMBER 1, 2008**, Faith Plating shall summarize continuous pH meter strip charts by date and sampling location to reflect the following:
1. The number of minutes each day in which the pH is below 2.0;
 2. The number of minutes each day in which the pH is below 5.0;
 3. The number of minutes each day in which the pH is below 6.0;
 4. The number of minutes each day in which the pH is above 11.0;
 5. The number of minutes each day in which the pH is above 12.5.
8. Sampling and Analysis: Faith Plating shall self-monitor and analyze using the sampling protocols listed below, and the EPA approved analytical methods (or equivalent) necessary to achieve the detection limits indicated below and on the next page:

parameters and pollutants	sampling method protocols	detection limits
cadmium	24-hour composite	10 µg/l
chromium	24-hour composite	10 µg/l
copper	24-hour composite	10 µg/l
lead	24-hour composite	10 µg/l
nickel	24-hour composite	10 µg/l
silver	24-hour composite	10 µg/l
zinc	24-hour composite	10 µg/l
total cyanide	24-hour manual composite grabs	10 µg/l
total toxic organics	grab	10 µg/l
toxic metals	calculated sum of Cr, Cu, Ni, and Zn	10 µg/l

parameters and pollutants	sampling method protocols	detection limits
discharge flow rate (gpd) pH (s.u.)	water meter field grabs (continuous after 12/01/08)	- 0.1 s.u.

9. Self-Certifications: The toxic organics self-monitoring required by Item 6(c), above, may be replaced by self-certifications after approval, by the Los Angeles County Department of Public Works, of toxic organics management plans as provided for in 40 CFR 413.03(a).

Submittals

10. By the **TWENTY-EIGHTH (28th) DAY OF EACH MONTH**, Faith Plating shall submit all self-monitoring results for the previous month. The first monthly report is due on June 28, 2008 for the May 2008 self-monitoring. The 12th-and-last monthly report is due on May 28, 2009 for the April 2009 self-monitoring.
11. For each sample, Faith Plating shall record the following:
- a. The sample results;
 - b. The EPA analytical methods used;
 - c. The date, time, location of sampling, and sampling point (ie: IWD-12557);
 - d. Whether the sample accounts for contributions from the batch treatment unit;
 - e. The type of sample (ie. 24-hour composite, grab);
 - f. The name of the laboratory used; and
 - g. Self-certifications in lieu of self-monitoring as allowed by Item 9 of this Order.
12. All reports submitted pursuant to this Order shall be signed by a principal executive officer of Faith Plating and shall include the following self-certifying statement:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, I certify that the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I certify that all wastewater samples

analyzed and reported herein are representative of the ordinary process wastewater flow from this facility. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

13. This Order is not and shall not be interpreted to be an NPDES permit under Section 402 of the Act [33 U.S.C. Section 1342], nor a Los Angeles County Department of Public Works or RWQCB sewer discharge permit under 40 CFR 403.8(f)(iii), nor shall it in any way relieve Faith Plating of obligations imposed by the Act, or any other Federal, State or local law, including the Los Angeles County sewer use ordinances.

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

U.S. ENVIRONMENTAL PROTECTION AGENCY
75 Hawthorne Street
San Francisco, California 94105
Attn: Greg V. Arthur (WTR-7)

REGIONAL WATER QUALITY CONTROL BOARD
320 West Fourth Street, Suite 200
Los Angeles, California 90013
Attn: David Hung

LOS ANGELES COUNTY DEPARTMENT OF PUBLIC WORKS
P.O. Box 1460
Alhambra, California 91802-1460
Attn: Frank Chin

15. This Order takes effect upon signature.

Original signed by:
Nancy Woo, for

Alexis Strauss
Director, Water Division

March 24, 2008

Dated