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

CERTIFIED MAIL 7000 0520 0025 3711 8096
RETURN RECEIPT REQUESTED

February 10, 2006

In Reply Refer To: CWA-307-9-06-007

Tim Grandcolas, President
Reid Metal Finishing, Incorporated
3110 West Harvard, Suite #14
Santa Ana, California 92704

Dear Mr. Grandcolas:

This administrative order establishes a schedule of corrective actions to achieve consistent compliance with new source Federal standards. EPA made the initial findings in an inspection report last November regarding the affirmative application of new source Federal standards to Reid Metal Finishing and the resulting violations in the sample record primarily for cadmium and total cyanide. Most of these violations previously were not identified because the Orange County permit did not correctly apply new source standards.

The Order requires Reid Metal Finishing to achieve consistent compliance with the new source standards, to provide continuous final pH monitoring, and to self-monitor for one year. The key dates are as follows:

KEY DATES	ADMINISTRATIVE ORDER CWA-307-9-06-007
03/28/06	1. Submit preliminary engineering plans for achieving consistent compliance with the new source Federal standards for cadmium, cyanide, and nickel. 4. Submit preliminary engineering plans for continuous pH monitoring.
04/01/06	6-9. Begin one year of self-monitoring under this Order. Daily pH measurements. Monthly sampling for most metals, cyanide, and flow rate Twice per year self-monitoring for total toxic organics and some metals. Continuous pH and flow monitoring beginning in July 2006.
06/28/06	2. Submit progress report on achieving consistent compliance with Fed stds. 5. Install continuous pH metering – Submit a notice of completion.
09/28/06	3. Achieve consistent compliance with new source Federal standards for cadmium, cyanide, and nickel – Submit a notice of completion.
03/31/07	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 Reid Metal Finishing 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 Reid Metal Finishing 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. Reid Metal Finishing 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:
Alexis Strauss

Alexis Strauss
Director, Water Division

Enclosure

cc: Chris Pelletier, Orange County Sanitation District
Julio Lara, RWQCB-Santa Ana

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 9

In the Matter of	)	
	)	
Reid Metal Finishing, Incorporated	)	FINDING OF VIOLATION
Santa Ana, 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-307-9-06-007
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-307-9-06-007) 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 Reid Metal Finishing in Santa Ana 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 metal finishing in 40 CFR 433 which require the new source metal finishing operations that perform electroplating, electroless plating, anodizing, chemical coating, or chemical etching, to comply with the daily-maximum and monthly-average standards for cadmium, chromium, copper, lead, nickel, silver, zinc, total or amenable cyanide, and toxic organics, in 40 CFR 433.17;

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. Reid Metal Finishing is a corporation and therefore a person within the meaning of Section 502(5) of the Act, [33 U.S.C. Section 1362(5)]. Reid Metal Finishing owns and operates a metal finishing job-shop at 3110 West Harvard in Santa Ana, California. Reid Metal Finishing 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 City of Santa Ana domestic sewer system and Orange County 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). Reid Metal Finishing 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 June 21, 2005, EPA, the Regional Water Quality Control Board ("RWQCB-Santa Ana"), and the Orange County Sanitation District ("Orange County") conducted a compliance evaluation inspection of Reid Metal Finishing, and determined the following:

a. Facility Description: Reid Metal Finishing owns and operates a job-shop metal finishing facility operating in two industrial bays, Suite #14 and Suite #9, of a commercial building in Santa Ana:

1. The metal finishing operations in Suite #14 comprise alkaline soap cleaning, deoxidation, alkaline etching, acid activation, chromic acid anodizing, sulfuric acid anodizing, chrome conversion coating, nickel acetate sealing, color dyeing, and acid stripping;
2. The metal finishing operations in Suite #9 comprise alkaline degreasing, alkaline cleaning, permanganate descaling, acid etching, acid activation, cyanide-cadmium plating, dull cyanide-cadmium plating, cyanide-zinc plating, cyanide-copper strike, bright nickel plating, nickel strike, chrome conversion coating, passivation, zinc/cobalt plating, electroless nickel plating, zinc/nickel plating, and acid stripping;
3. Operations began in 1978. In 1985, a spill release resulted in the removal of the entire shop, the installation of secondary containment and the reinstallation and replumbing of the metal finishing operations;

b. Wastewater Discharges to the Sewer: Reid Metal Finishing discharges process-related wastewater into the domestic sewers feeding into the Orange County wastewater treatment plants for discharge into the Pacific Ocean and for reuse and reclaim:

1. The metal finishing lines in Suite #14 and Suite #9 generate metal finishing spents, rinses, sump-captured drainages, fume scrubber blowdown, and tramp oils from parts degreasing;
2. Spent solutions from cyanide-bearing plating and chromic anodizing, and tramp oils from parts degreasing are hauled off-site for disposal;
3. The remaining process-related wastewaters from Reid Metal Finishing discharge under Orange County permit No. 5-11-376 through a single sewer connection, designated in this Order by the permit number as IWD-511376;

4. All process-related wastewaters discharges to the sewers through IWD-511376 undergo treatment (cyanide destruction, sulfide metals precipitation, settling, acid nuetralization, equalization, chromium reduction, flocculant-aided plate settling, polish filtering, and solids filter press dewatering);

5. The reported discharge flow rate to the sewers of treated process-related wastewaters averages ~8,000 gallons per day through IWD-511376;

c. Categorical Standards: The Federal categorical pretreatment standards in 40 CFR 433 for new source metal finishing operations apply to all of the process-related wastewater discharges from Reid Metal Finishing since all metal finishing lines were rebuilt after August 31, 1982:

1. Applicability: Because Reid Metal Finishing performs the core operations of electroplating, electroless plating, anodizing, chemical coating, and etching, the Federal categorical pretreatment standards in 40 CFR 433 apply to all process wastewaters from the core operations or any other on-site operation, such as cleaning, associated with metal finishing and specifically listed in 40 CFR 433.10(a);

2. Adjustments: The Federal categorical pretreatment standards for cyanide in 40 CFR 433 must be adjusted to account for dilution from non-cyanide bearing waste streams. No other adjustment are required and domestic sewage discharges into the Santa Ana sewers downstream of the compliance sampling point.

5. Reid Metal Finishing 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 Reid Metal Finishing at IWD-511376:

Regulated Pollutants (mg/l)		Fed Categorical Standards		Local Limits
		daily-max	month-avg	instant-max
Cd	cadmium	0.11	0.07	1.0
Cr	chromium	2.77	1.77	2.0
Cu	copper	3.38	2.07	3.0
Pb	lead	0.69	0.43	2.0
Ni	nickel	3.98	2.38	10.0
Ag	silver	0.43	0.24	5.0
Zn	zinc	2.61	1.48	10.0
CNt	total cyanide	0.30	0.16	5.0
CNa	amenable cyanide	0.22	0.08	1.0
TTO	total toxic organics	2.13	-	0.58

b. EPA reviewed the 2003-2005 Orange County sample record for Reid Metal Finishing at IWD-511376 and determined that Reid Metal Finishing violated effluent limits on at least the following 31 occasions:

Violations of Effluent Limits @ IWD-511376 January 2003 – June 2005								
sample date	type	sampler	standards and limits (mg/l) violation					viol days
Mar 2005	24-hr	OCSD	Fed	Cd mo-avg	0.07	0.195		31
03/28/05	24-hr	OCSD	Fed	Cd d-max	0.11			
Mar 2005	24-man	OCSD	Fed	CNa mo-avg	0.08	1.53		31
03/28/05	24-man	OCSD	Fed	CNa d-max	0.22			
			local	CNa inst	1.0			
Dec 2004	24-hr	OCSD	Fed	Cd mo-avg	0.07	0.208		31
12/28/04	24-hr	OCSD	Fed	Cd d-max	0.11			
Sep 2004	24-hr	OCSD	Fed	Cd mo-avg	0.07	0.265		30
09/27/04	24-hr	OCSD	Fed	Cd d-max	0.11			
Sep 2004	24-man	OCSD	Fed	CNa mo-avg	0.08	0.29		30
09/27/04	24-man	OCSD	Fed	CNa d-max	0.22			
Mar 2004	24-hr	OCSD	Fed	Cd mo-avg	0.07	0.08		31
Mar 2004	24-man	OCSD	Fed	CNa mo-avg	0.08	0.12		31
Feb 2004	24-hr	Reid	Fed	Cd mo-avg	0.07	0.145		28
02/16/04	24-hr	Reid	Fed	Cd d-max	0.11			

Violations of Effluent Limits @ IWD-511376 (continued)
January 2003 – June 2005

sample date	type	sampler	standards and limits (mg/l) violation				viol days
Dec 2003	24-hr	OCSD	Fed	Cd mo-avg	0.07	0.367	31
12/22/03	24-hr	OCSD	Fed	Cd d-max	0.11		
Dec 2003	24-hr	OCSD	Fed	Ni mo-avg	2.38	3.45	31
Nov 2003	24-hr	Reid	Fed	Cd mo-avg	0.07	0.125	30
11/20/03	24-hr	Reid	Fed	Cd d-max	0.11		
Nov 2003	24-man	Reid	Fed	CNa mo-avg	0.08	2.64	30
11/20/03	24-man	Reid	Fed	CNa d-max	0.22		
			local	CNa inst	1.0		
Sep 2003	24-hr	OCSD	Fed	Cd mo-avg	0.07	0.114	30
09/25/03	24-hr	OCSD	Fed	Cd d-max	0.11		
Sep 2003	24-man	OCSD	Fed	CNa mo-avg	0.08	1.16	30
09/25/03	24-man	OCSD	Fed	CNa d-max	0.22		
			local	CNa inst	1.0		
Aug 2003	24-hr	Reid	Fed	Cd mo-avg	0.07	0.085	31
May 2003	24-hr	Reid	Fed	Cd mo-avg	0.07	0.077	31
Mar 2003	24-hr	OCSD	Fed	Cd mo-avg	0.07	0.168	31
03/26/03	24-hr	OCSD	Fed	Cd d-max	0.11		
Mar 2003	24-man	OCSD	Fed	CNa mo-avg	0.08	0.52	31
03/26/03	24-man	OCSD	Fed	CNa d-max	0.22		

Index Key

- mo-avg • Monthly-averages calculated by averaging all samples in a calendar month, even if there is just one.
- d-max • Daily-maximums based on 24-hr automatic or manual composites.
- 24-hr • Automatic 24-hour composite sampling.
- 24-man • Manual 24-hour composites of grab samples.

6. The November 9, 2005 EPA report of the inspection of Reid Metal Finishing 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 Reid Metal Finishing comply with the following requirements:

Achieve Consistent Compliance

1. By **MARCH 28, 2006**, Reid Metal Finishing shall submit a preliminary engineering plan of the steps to be taken to achieve consistent compliance with all Federal categorical pretreatment standards and local limits, including those for cadmium, cyanide, and nickel. This preliminary engineering plan shall include:

    a. A detailed description of all plant, equipment, hardware, management plans and operating procedures to be used to achieve consistent compliance with all Federal standards and local limits. This detailed description shall address for consideration the following recommendations first made in the November 9, 2005 EPA inspection report:

        1. The cadmium plating line should be retrofitted to employ only static rinses so that all cadmium-bearing wastewaters are hauled off-site;
        2. Batch treatment should be upgraded to include cyanide destruction, chromium reduction, metals precipitation, and flocculation, with the treated batches metered directly to the filter press;
        3. Batch treated wastewaters should be metered into the filter press only after first verifying compliance with the cyanide standards through testing;
        4. All cyanide-bearing spents, rinses, floor drainage, and drag-out should be

identified by source and traced to the point(s) of disposal or discharge;

5. The alkaline chlorination treatment steps should specifically exclude complexed-cyanides (alodine, etc.), as well as any wastewaters that could form stable cyanide complexes;

6. Testing prior to metered batch discharge to the sewers should be instituted through the installation of final equalization large enough to impound a day's discharge;

b. A schedule of all corrective actions to be made in order to achieve consistent compliance with Federal standards and local limits, not to extend beyond the deadlines specified in Items 2 and 3 of this Order.

2. By **JUNE 28, 2006**, Reid Metal Finishing shall submit a progress report regarding the steps necessary to achieve consistent compliance with all Federal categorical pretreatment standards and local limits.

3. By **SEPTEMBER 28, 2006**, Reid Metal Finishing shall complete the necessary steps to achieve consistent compliance with all Federal categorical pretreatment standards and local limits, and submit a notice of completion.

Installation of Continuous pH Monitoring

4. By **MARCH 28, 2006**, Reid Metal Finishing shall submit a preliminary engineering plan of the steps to be taken in order to provide continuous pH monitoring of all process-related wastewater discharges to the sewers. This preliminary engineering plan shall include:

a. A description of all equipment and operating procedures to be used to provide continuous pH monitoring of all process-related wastewater discharges to the sewers;

b. A schedule of all actions to be made to provide 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 **JUNE 28, 2006**, Reid Metal Finishing shall complete the steps necessary to provide continuous pH monitoring of all process-related wastewater discharges to the sewers, and submit a notice of completion.

Self-Monitoring

6. Sampling Schedule: For a year, from **APRIL 1, 2006 THROUGH MARCH 31, 2007**, Reid Metal Finishing shall self-monitor the process-related wastewater discharges at the designated compliance sampling point, IWD-511376, in accordance with the following schedule:

a. **ONCE EVERY DAY**, Reid Metal Finishing shall self-monitor the process-related wastewater discharges to the sewers for pH;

b. **ONCE EVERY MONTH**, Reid Metal Finishing shall self-monitor all process-related wastewater discharges to the sewers for cadmium, chromium, copper, nickel, silver, zinc, total cyanide, and discharge flow rate;

c. **ONCE EVERY SIX MONTHS** (before June 28, 2006 and December 28, 2006, Reid Metal Finishing shall self-monitor the process-related wastewater discharges to the sewers for lead, silver, amenable cyanide, and total toxic organics;

d. **CONTINUOUSLY BEGINNING JULY 1, 2006**, Reid Metal Finishing shall self-monitor the process-related wastewater discharges for pH.

7. pH Self-Monitoring Summaries: **ONCE EACH MONTH**, Reid Metal Finishing shall prepare summaries of the pH self-monitoring required by Items 6(a) and 6(d) of this Order above, for the designated compliance sampling point, IWD-511376, in accordance with the following schedule:

a. **THROUGH JUNE 30, 2006**, Reid Metal Finishing shall summarize all pH measurements by date, time, and sampling location;

b. **BEGINNING JULY 1, 2006**, Reid Metal Finishing 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 12.0;
5. The number of minutes each day in which the pH is above 12.5.

8. Sampling and Analysis: Reid Metal Finishing 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:

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
amenable cyanide	24-hour manual composite grabs	10 µg/l
total toxic organics	grab	1 mg/l
discharge flow rate (gpd)	water meter	-
pH (s.u.)	field grabs (continuous after 7/01)	0.1 s.u.

9. Self-Certifications: The toxic organics self-monitoring required by Item 6(b), above, may be replaced by self-certifications after approval, by EPA or Orange County, of a toxic organics management plan as provided for in 40 CFR 433.12(a) and 40 CFR 413.03(a).

Submittals

10. By the **TWENTY-EIGHTH (28th) DAY OF EACH MONTH**, Reid Metal Finishing shall submit all self-monitoring results for the previous month. The first monthly report is due on May 28, 2006 for the April 2006 self-monitoring. The 12th-and-last monthly report is due on April 28, 2007 for the March 2007 self-monitoring.

11. For each sample, Reid Metal Finishing shall record the following:

    a. The sample results;

    b. The EPA analytical methods used;

    c. The date, time, location of sampling;

    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 Reid Metal Finishing 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 an Orange County or RWQCB-Santa Ana sewer discharge permit under 40 CFR 403.8(f)(iii), nor shall it in any way relieve Reid Metal Finishing of obligations imposed by the Act, or any other Federal, State or local law, including the Orange 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
3737 Main Street, Suite 500
Riverside, California 92501-3348
Attn: Julio Lara

ORANGE COUNTY SANITATION DISTRICT
10844 Ellis Avenue
Fountain Valley, California 92708-7018
Attn: Chris Pelletier

15. This Order takes effect upon signature.

Original signed by:
Alexis Strauss

Alexis Strauss
Director, Water Division

February 10, 2006

Dated