City of Berkeley Transfer Station & Recycling Center
Attn.: Leticia Jauregui
1201 2nd Street
Berkeley, CA 94710
Sent electronically to jauregui@cityofberkeley.info

Subject: Report of January 4, 2023, Inspection and Notice of Violations of the Industrial Stormwater General Permit, City of Berkeley Transfer Station & Recycling Center, Berkeley, Alameda County

Dear Ms. Jauregui:

On January 4, 2023, staff from the San Francisco Bay Regional Water Quality Control Board (Water Board) inspected the City of Berkeley Transfer Station and Recycling Center, located at 1201 2nd Street, Berkeley (Facility), to evaluate compliance with the Industrial Stormwater General Permit1 (Permit). During the inspection, staff observed violations of the following Permit sections, as discussed in the attached inspection report:

- Good Housekeeping for stormwater discharge locations and drainage areas (Permit section X.H.1.a.i) and containment of recyclable materials (Permit sections X.H.1.a.vi and X.H.1.d.ii)
- Spill and Leak Prevention and Response for the diesel fueling area (Permit sections X.H.1.c.i, ii, and iv)
- Material Handling and Waste Management for containment of recyclable materials (Permit section X.H.1.d.ii)

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In addition, staff understands that a portion of the facility may flood during high flow conditions in Codornices Creek or due to backwater conditions along 2nd Street.

To avoid continuing violations and risk of increasing penalties, the City of Berkeley (Discharger) should take immediate steps to comply with the Permit. The Discharger must complete corrective actions to address all violations discussed in the attached inspection report and compile a summary of the actions taken, including the date the corrective action was completed and corresponding photo documentation. The Discharger must also provide additional information related to Facility operations and implementation of the Facility SWPPP, listed in the attached inspection report. The summary of corrective actions and the additional information must be uploaded in a portable document format (PDF) file to SMARTS² by March 3, 2023. The Facility SWPPP must be updated as appropriate and uploaded to SMARTS by April 3, 2023.

**Consequences for Not Correcting Violations**
The Discharger is in violation of the Permit and may be subject to monetary penalties (administrative civil liability). Pursuant to California Water Code section 13385, the Water Board may impose civil liability of up to $10,000 per day for each violation and up to $10 per gallon discharged in excess of 1,000 gallons. Days of violation for penalty calculations may run from the date the violation was initially observed and continue until there is a return to compliance with the Permit.

When determining whether to pursue enforcement action for noncompliance, we consider the promptness with which corrective actions are taken and the effectiveness of those actions.

**Closing**
If you have any questions regarding this letter, please contact Jerry Xu by email to jerry.xu@waterboards.ca.gov.

Please respond by email to let us know that you received this correspondence.

Sincerely,

Keith H. Lichten, P.E.
Division Manager
Watershed Management Division

Attachment: Report of January 4, 2023, Inspection
Cc: Khalil Phelan Abusaba, Khalilabusaba@wsp.com
Mary Skramstad, mskramstad@cityofberkeley.info

² Water Boards Stormwater Multiple Application and Report Tracking System:
https://smarts.waterboards.ca.gov/
San Francisco Bay Regional Water Quality Control Board

Industrial Stormwater Inspection Report

FACILITY INFORMATION

<table>
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<td>Berkeley City Transfer Station</td>
<td>4212 – Local Trucking without Storage; 5093 – Scrap and Waste Materials</td>
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<tbody>
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<td>Berkeley</td>
<td>94710</td>
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<thead>
<tr>
<th>OWNER OR SITE REPRESENTATIVE</th>
<th>PHONE NUMBER</th>
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<tbody>
<tr>
<td>Leticia Jauregui</td>
<td>510-981-6362</td>
<td><a href="mailto:ljauregui@CityofBerkeley.info">ljauregui@CityofBerkeley.info</a></td>
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INSPECTION LOGISTICS

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<th>DATE</th>
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<th>WEATHER CONDITIONS</th>
<th>INSPECTION PRE-ANNOUNCED?</th>
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INSPECTOR CONTACT INFORMATION

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<tr>
<th>INSPECTOR NAME (LEAD)</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Jerry Xu</td>
<td>510-622-2469</td>
<td><a href="mailto:Jerry.xu@waterboards.ca.gov">Jerry.xu@waterboards.ca.gov</a></td>
</tr>
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<tr>
<th>INSPECTOR NAME</th>
<th>PHONE NUMBER</th>
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<tbody>
<tr>
<td>Margaret Monahan</td>
<td>510-622-2377</td>
<td><a href="mailto:Margaret.Monahan@Waterboards.ca.gov">Margaret.Monahan@Waterboards.ca.gov</a></td>
</tr>
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Inspection Summary

Margaret Monahan and I conducted an inspection of the above Facility to assess flood protection measures and compliance with the Industrial Stormwater General Permit (Permit).¹

Facility Description

As described in the City of Berkeley (Discharger) Transfer Station and Recycling Center Stormwater Pollution Prevention Plan (SWPPP), the Facility consists of two operations: the Transfer Station in the northern and central portion of the site and the Recycling Center in the southern portion of the site. The total Facility area is 7.1 acres; almost all

of the site is paved with asphalt or concrete, or covered by buildings or other structural facilities.

The Transfer Station is owned and operated by the City of Berkeley and accepts municipal, commercial, and private solid waste and transfers it to a sanitary landfill. It accepts scrap metals, construction debris, refrigerated appliances, electronic waste, mattresses and box springs, used tires, propane cylinders, and green waste. It does not accept hazardous waste or infectious materials. Additional industrial activities include vehicle and equipment maintenance and fueling.

The Recycling Center is owned by the City and operated by the Community Conservation Center. The Recycling Center accepts recyclable materials from the pickup of recyclables by the Ecology Center and from the general public, including paper, glass, and universal waste. Equipment maintenance is performed on-site and fueling takes place at the Transfer Station.

Site Drainage

Site drainage is conveyed through the City storm drain system and drains into the San Francisco Bay at the Gilman Street outfall. Refer to Site Map figures 1-4 below to view the referenced locations of Facility areas, structures, and stormwater collection, storage, and discharge points.

There are four discharge points that discharge directly into the municipal storm drain system from onsite catch basins and stormwater treatment vaults (DP-1A, DP-2A, DP-3A, and DP-8A). There are six additional discharge points indicated on the Site Map figures that discharge via sheet flow runoff to the adjacent City streets (DP-4, DP-5, DP-5A, DP-6, DP-7, and DP-9). Berms have been installed to eliminate discharges at DP-5. DP-7 is shown in gray on the Site Map figure to indicate that sampling is not conducted from DP-7 since stormwater runoff is from the employee parking area, and not an industrial area.

Stormwater and wastewater from four areas of the Facility is discharged to the East Bay Municipal Utility District (EBMUD) sanitary sewer. Within the Recycling Center, stormwater (and any spills or leaks) from the Commingled Container Storage area and Glass Sorting Area in Catchment Areas E and F is collected and temporarily stored in storage tanks prior to discharge to the sanitary sewer. Within the Transfer Station, stormwater and dust suppression water from Catchment Area B, vehicle wash water from the Wash Rack area in Catchment Area C, and wastewater from the roofed Tipping Floor and Vactor Truck Wash Area is discharged to the sanitary sewer. Stormwater from Catchment Area B is held in a stormwater tank prior to discharge to the sanitary sewer.

The site is divided into six catchment areas, A through F.

- **Catchment Area A**: stormwater flows west across this catchment area towards Second Street. Trench drain 1 (TD-1) collects stormwater that is routed to catch
basin 1 (CB-1) and a stormwater treatment vault prior to discharge. It is sampled after the treatment vault at discharge point 1A (DP-1A).

- **Catchment Area B**: stormwater is collected in two trench drains (TD-3 and TD-4) and routed to a 21,000 gallon above-ground stormwater holding tank for discharge into EBMUD sanitary sewer during dry days. TD-3 is in front of the Construction Debris Receiving Area, and TD-4 is near the General/Electronic Waste Storage Area that delineates Catchment Areas A and B.

- **Catchment Area C**: stormwater is collected in one of three catch basins within Catchment Area C. On the west side of the catchment area, two trench drains (TD-2 and TD-2A) route stormwater to CB-2 and a stormwater treatment vault prior to discharge at DP-2A. In the central portion and east side of the catchment area, CB-3 and CB-3A collect stormwater; these two catch basins feed a single stormwater treatment vault prior to discharge at DP-3A. The Wash Rack area is located within Catchment Area C. There is a drain grate within the Wash Rack and a gate valve that can direct discharges to the sanitary sewer or to a stormwater treatment vault that discharges to the storm drain.

- **Catchment Area D**: stormwater sheet flows towards Second Street and is sampled at DP-4.

- **Catchment Area E**: stormwater sheet flows towards Gilman Street and is sampled at DP-9. A trench drain (referred in the SWPPP as “Valley Trench”) is installed in front of the Glass Sorting area (GSA-VG). Stormwater from this trench drain goes to a sump (GSA-VGS) that is pumped to two 4,000 gallon tanks for temporary storage prior to discharging to EBMUD sanitary sewer during dry days.

- **Catchment Area F**: stormwater sheet flows towards Second Street and is sampled at DP-5A and DP-6. A trench drain (Valley Trench) is also installed in front of the Commingled Container Storage area (CCS-VG); stormwater from this trench drain goes to a sump (CCG-VGS) that is pumped to the temporary storage tanks described above prior to discharging to EBMUD sanitary sewer during dry days. Stormwater in the southwest corner of this catchment area is collected in a catch basin at DP-8A (note: this catch basin is not labeled on the site map as “CB,” but the SWPPP describes DP-8A as a catch basin that is directly connected to the City storm drain system).

**Inspection Observations**

We met with Ms. Leticia Jauregui and Mr. Levi Hardwick of the Facility. Ms. Jauregui provided consent to conduct the inspection and take photographs. During the inspection, we were joined by the Facility consultant, Mr. Khalil Phelan Abusaba of WSP.
We made the following observations during the inspection:

**General**

- Ponded water from the December 31, 2022, storm event was noted in several areas of the Facility (Container Storage Area, Stormwater Holding Tank, General Waste Storage, Equipment Maintenance Building, and Comingle Container Storage).
- Sediment wattles were laid on the pavement along the west Facility perimeter (Second Street) (photograph 1).
- The Facility entrance/exits appeared clear of tracking (photograph 2).

**Recycling Center**

- Recyclable materials overflowed outside of the designated Commingled Container Storage area and Glass Sorting Area during our inspection (photographs 3-7). Both areas contain recyclable materials with a berm on the open side and walls on the other three sides. Trench drains are located just inside of the berms for each area, designed to collect spills, leaks, and stormwater and route to two 4,000 gallon holding tanks (photographs 8-9) which discharge to the sanitary sewer on dry days. During our inspection, recyclable materials were piled to the top of the side walls with no additional containment best management practices (BMPs). Wind during the inspection blew materials from the Commingled Container Storage area outside of the containment area (photograph 9). The trench drain at the Commingled Container Storage area was partially clogged with sediment and recyclable material debris. There was standing water on top of the trench drain (photographs 4-5). Ms. Jauregui immediately contacted maintenance personnel to address the clogged drain. Ms. Jauregui explained that due to the December and January holidays when the Facility was closed, materials were piled higher than usual. She said that typically the recyclable material piles were kept below the height of the side walls.
- In the Customer Recyclable Area, the public can bring plastic, glass, aluminum containers, cans, non-ferrous metal, and appliances for recycling through a buyback program. During the inspection, we observed cars entering the area from Second Street and driving in a circle around a canopy structure to drop off their items. The sorting bins were under a canopy structure, and all recyclable materials in this area were contained under the canopy structures during the inspection.
- The Paper Recycling Warehouse, located to the east of the Customer Recycable Area, is a building that is mostly open on the west side for heavy equipment to access. Paper and cardboard for recycling are baled and stored inside the warehouse for transfer. Paper materials were contained within the warehouse during the inspection.
• The driveway behind the Paper Recycling Warehouse (Catchment Area E) leading to DP-9 was empty; no industrial materials were being stored there and the area was free of debris.

Transfer Station

• The Wash Rack area has walls on both sides and is graded and bermed to direct flow to a drain (photograph 10). Mr. Abusaba stated that the drain discharged to the sanitary sewer. According to the Facility SWPPP, there is a gate valve that is turned to divert stormwater to a stormwater treatment vault that discharges to the storm drain. The SWPPP states that the Wash Rack and drain grate are cleaned prior to storm events, and no washing occurs during storm events.

• We observed the Equipment Maintenance Building and Used Tire Storage area. All maintenance is reported to occur indoors; we did not observe any activity outdoors. Murky stormwater was noted flowing into several storm drain inlets with wattles (photographs 11-12). Mr. Abusaba stated that the sediment was from the roof material of the Equipment Maintenance Building.

• The entrances to the General Waste Storage building and Green Waste Receiving Area were free of trash or debris. Trucks are able to pull all the way in to the covered area prior to offloading; trash and green waste is also loaded into trucks for offsite disposal under cover via a ramp and tunnel on the west side of the building. We observed oil sheen outside of the Green Waste Receiving Area. Stormwater generally flowed south towards CB-3A. The Vactor Truck Wash Area inside the Green Waste Receiving Area was bermed and connected to sanitary sewer (photograph 13). According to the Facility SWPPP, storm drain and sewer cleanout material is emptied and cleaned within this area.

• Trench drains TD-3 and TD-4, outside of the Construction Debris Receiving Area (photograph 14), were covered with ponded water (photographs 15-16). According to Mr. Abusaba, these trench drains are connected to a 21,000 gallon stormwater holding tank (photograph 17) that discharges to the sanitary sewer on dry days. Both trench drains were fitted with a filter fabric that appeared to prevent stormwater from passing. We did not observe sediment accumulation on the filter fabric. Mr. Abusaba stated that the Facility has been considering different filter fabric to address this.

• We observed some ponding in Catchment Area A where containers and bins are stored (photograph 18). Codornices Creek is to the north of the Facility; Mr. Abusaba explained that when the creek floods, there is run-on into this area that impacts DP-1A. The Facility representatives stated that flooding from the creek has not extended beyond Catchment Area A, but does often flood Second Street, which could cause run-on to the Facility. However, Mr. Hardwick stated that run-on from Second Street has not occurred in his memory of more than 20 years working at the Facility. He explained that the street flooding impacts operations since the Facility’s entrances are located along Second Street.

• Ms. Jauregui stated that the recent storms caused flooding around the 21,000 gallon stormwater holding tank. We observed flood water around the tank.
(photograph 17). The Facility had mobile pumps to pump and discharge the flood water into the municipal storm drain system (photograph 19).

- We observed oil sheens at the Diesel Fueling Station (photograph 20). Spill kits were placed at the fueling station and in several other locations around the Facility.
- One of the wattles along the Facility perimeter was torn open, and we noted that it needed replacement. It was replaced during the inspection (photographs 21-22).

## Actions Required

After the inspection, Ms. Monahan and I summarized our findings and required corrective actions with Ms. Jauregui and Mr. Abusaba, including the need to immediately address the trench drains TD-3, TD-4, and CCS-VG, improve recyclable material containment, and clean the Diesel Fueling area to eliminate the sheen. All corrective actions required are listed below.

The Discharger must complete any outstanding corrective actions to comply with the Permit and compile a summary of the actions taken, including the date the corrective action was completed and corresponding photo documentation. The Discharger must also provide additional information related to Facility operations and implementation of the Facility SWPPP, listed below. The summary of corrective actions and the additional information must be uploaded in a portable document format (PDF) file to SMARTS² by March 3, 2023.

### Corrective Actions Required

1. **Maintain storm drain inlets.** Clean and maintain trench drains TD-3, TD-4, and CCS-VG to prevent ponding. Replace filter fabric used at TD-3 and TD-4 with a suitable filter that allows stormwater to drain.

2. **Identify and implement effective BMPs to contain recyclable materials.** Provide additional information regarding standard operating procedures to contain materials, including the maximum allowable height of piles compared to height of side walls. Consider additional BMPs to prevent materials and debris from spilling or blowing outside of the containment areas.

3. **Clean spills at Diesel Fueling Station.** Clean diesel spills noted at the diesel fueling station. Describe additional steps that will be taken to prevent and clean spills in the Facility SWPPP.

### Additional Information Required

1. Provide sampling results from the flood water that was pumped and discharged to DP-1A, observed during the inspection.

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² Water Boards Stormwater Multiple Application and Report Tracking System: [https://smarts.waterboards.ca.gov/](https://smarts.waterboards.ca.gov/)
2. Describe any flooding that occurred at the Facility in January 2023 and the mitigation measures implemented.

3. Provide a log that lists the dates and volumes of stormwater from the holding tanks discharged to the sanitary sewer during January. Provide details of whether and when overflow from the tank occurred in January.

4. Provide the standard operating procedures for cleaning the Wash Rack area prior to directing flow to the storm drain and for the gate valve; clarify the gate valve standard mode of operation (i.e., directed to the storm drain or to the sanitary sewer).

5. Provide the standard operating procedures for the gate valve at the Construction Debris Receiving Area; clarify the gate valve standard mode of operation (i.e., directed to the storm drain or to the sanitary sewer).

6. Provide a log of the weekly inspections that were conducted to determine filter efficiencies and filter fabric/media change-outs for December 2022 through present.

7. Describe the stormwater treatment vaults including the size and capacity and treatment mechanism/s employed in the vaults.

Update the Facility SWPPP in SMARTS as appropriate to reflect changes and additional detail by April 3, 2023.

Site Map

Figures 1-4 below are enlarged portions of the Facility Site Map (contained in the Facility SWPPP) as labeled.

Figure 1: North area of Facility showing Catchment Areas A and B

Figure 2: Central area of Facility showing Catchment Area C
Figure 3: South area of Facility showing Catchment Areas D, E, and F

Figure 4: Site Map Legend (applicable to Figures 1-3)
### Photo Log

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<tr>
<th>Photograph 1</th>
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<td><img src="image1" alt="View of west Facility perimeter lined with sediment wattles (along Second Street)" /></td>
<td><img src="image2" alt="Facility entrance/exit from the administration building" /></td>
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<td>View of west Facility perimeter lined with sediment wattles (along Second Street)</td>
<td>Facility entrance/exit from the administration building</td>
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<td><img src="image3" alt="View of the Comingled Container Storage area. Materials were overflowing out of the containment area." /></td>
<td><img src="image4" alt="View of Comingled Container Storage area facing south towards the warehouse. The containment area consisted of three cinderblock walls and a berm on the west side. Materials were overflowing out of the berm." /></td>
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<tr>
<td>View of the Comingled Container Storage area. Materials were overflowing out of the containment area.</td>
<td>View of Comingled Container Storage area facing south towards the warehouse. The containment area consisted of three cinderblock walls and a berm on the west side. Materials were overflowing out of the berm.</td>
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<tr>
<td><strong>Photograph 5</strong></td>
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<tr>
<td>Trench drain inside the berm of the Comingled Container Storage area.</td>
<td>Recyclable material overflowing outside of containment.</td>
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<th><strong>Photograph 7</strong></th>
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<td>Recycling material overflowing out of containment structure at the Glass Sorting Area.</td>
<td>Stormwater storage tanks to hold stormwater collected from trench drains at the Comingled Container Storage area and Glass Sorting Area.</td>
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<td>Photograph 9</td>
<td>Photograph 10</td>
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<tr>
<td>Recyclable materials blown outside of the containment area and deposited around the stormwater storage tanks.</td>
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<td>Storm drain inlet protected with wattle. Murky stormwater flowed into storm drain from Equipment Maintenance.</td>
<td>Stormwater going around drain inlet in Photograph 11 and around the Used Tire Storage shed.</td>
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<td>Photograph 13</td>
<td>Photograph 14</td>
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<tr>
<td>Vactor Truck Wash area bermed with trench drains connected to Sanitary Sewer.</td>
<td>Construction Debris Receiving Area.</td>
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<td>Photograph 15</td>
<td>Photograph 16</td>
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<td>Ponding at the trench drain at the Construction Debris Receiving Area.</td>
<td>Ponding at the trench drain 4 (TD-4) near the General/Electronic Waste Storage Area that delineates Catchment Areas A and B.</td>
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Flood water surrounding the stormwater storage tank that holds stormwater and dust suppression water collected from trench drains 3 and 4. The storage tank discharges to the sanitary sewer system. The white PVC pipe and flexible hose in the photo lead to a pump that the Facility was running to pump flood water from around the tank into the nearby storm drain inlet, DP-1A.

Catchment Area A where containers and bins are stored.

Discharge location DP-1A for flood water around the stormwater storage tank shown in photograph 17.

Oil sheen at the Diesel Fueling Station. Spill kit located next to the pump.
Photograph 21
Wattles damaged and needed replacing.

Photograph 22
Photo taken of the replaced wattle from photograph 19.