



STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

4601 N. Monroe Street • Spokane, Washington 99205-1295 • (509) 456-2926

November 15, 2004

CERTIFIED MAIL (7003 1680 0007 1546 1724)

Mr. Peter S. Bunin
Vice President and General Manager Flat Rolled Products Division
Kaiser Aluminum and Chemical Corporation
Trentwood Works
P.O. Box 15108
Spokane, WA 99215-5108

Dear Mr. Bunin:

RE: Trentwood Works located at 15000 E. Euclid Avenue, Spokane, WA 99215

Enclosed is Order No. 1788 requiring you to submit a scope of work for the identification and cleanup of PCBs in your wastewater system and to increase monitoring and reporting related to the functioning of your Black Walnut Shell Filtration System. All correspondence relating to this document should be directed to Michael Hepp at the Department of Ecology, Eastern Regional Office, 4601 N. Monroe Street, Spokane, Washington 99205. Please contact Pat Hallinan, Kaiser Permit Manager at (509) 329-3500 if you have any questions concerning the content of the document.

Sincerely,

A handwritten signature in cursive script that reads "James M. Bellatty".

James M. Bellatty
Section Manager
Water Quality Program
Eastern Regional Office

JMB:MH:slt

Enclosure

cc: Len Bramble, Ecology/Spokane Office
Janis Gilbert, Public Information Officer/Spokane Office
Michael Hepp, Ecology/Spokane Office
Pat Hallinan, Ecology/Spokane Office

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

IN THE MATTER OF AN) ORDER No. 1788
ADMINISTRATIVE ORDER)
AGAINST:)
Kaiser Aluminum and Chemical)
Corporation Trentwood Works)

To: Mr. Peter S. Bunin
Vice President and General Manager Flat Rolled Products Division
Kaiser Aluminum and Chemical Corporation
Trentwood Works
P.O. Box 15108
Spokane, WA 99215-5108

For the site located at Kaiser Aluminum and Chemical Corporation Trentwood Works, 15000 E. Euclid Avenue, Spokane, WA 99215

This is an Administrative Order requiring Kaiser Aluminum and Chemical Corporation to comply with RCW 90.48.120 (2) by taking certain actions which are described below. RCW 90.48.120 (2) authorizes the Department of Ecology to issue Administrative Orders requiring compliance whenever it determines that a person has violated any provision of RCW 90.48.

The Department's determination that a violation has occurred is based on the following facts:

Violation 1: During the months of November and December 2002 the Kaiser Aluminum and Chemical Corporation Trentwood Work discharged significant amounts of PCBs to the Spokane River. Specifically; 14.78 million gallons (MG) @ 25.9 mg/l PCBs on November 18, 2002, 8.77 MG @ 3.22 mg/l PCBs on December 2, 2002, 16.93 MG @ 48.2 mg/l PCBs on December 16, 2002 and 16.46 MG @ 3.42 mg/l PCBs on December 29, 2004. These amounts are much greater than previously indicated for the Trentwood Works in your March 29, 2002 engineering report and are at concentrations which calculate as greatly exceeding Human Health criteria of 170 pg/l contained in 40 CFR 131.36 (known as the National Toxics Rule) and referenced in chapter 173-201A-040 (5) WAC.

Corrective Action 1: For these reasons, and in accordance with RCW 90.48.120 (2) it is ordered that the Kaiser Aluminum and Chemical Corporation take the following actions.

1. Submit a scope of work for the identification and cleanup of PCBs in the facility's wastewater collection and treatment system for Ecology review and approval by February 1, 2005. This scope of work shall, at a minimum, include:
 - a) an evaluation of causes for the high PCB values in November and December 2002;
 - b) a diagram of the wastewater collection system;
 - c) procedures for identifying PCBs within wastewater collection and treatment system;
 - d) procedures for sediment PCB sampling within the wastewater collection and treatment system;

- e) proposed sampling locations;
- f) proposed collection and disposal alternatives for any PCB sediment within the wastewater collection and treatment system; and
- g) a proposed schedule for the above items.

All activities related to the identification and cleanup of PCBs in the wastewater collection and treatment system shall be completed according to the schedule in the approved scope of work.

These actions are required at the location known as Trentwood Works located at 15000 E. Euclid Avenue, Spokane, WA 99215.

Violation 2: Kaiser Trentwood's NPDES Permit No. WA-0000892 General Condition G5 says "Facilities shall be constructed and operated in accordance with the approved plans". The Department of Ecology's June 22, 2002 approval of Kaiser Trentwood's BWSF PCB treatment system called for effluent PCB concentrations per the engineering report (13 ng/l maximum) and flows of 11 million gallons per day. An additional BWSF unit was to be added to the treatment system if flows were higher 11 million gallons per day.

Kaiser Trentwood has not reported influent PCB sample results, but the effluent results prior to startup of the BWSF system show values up to 48,200 ng/l and 8 out of 30 results over 13 ng/l. One out of 19 effluent PCB samples after startup of the BWSF system was above 13 ng/l. Discharge monitoring data is not specific enough to determine if the 11 million gallons per day flow design is being met.

Corrective Action 2: For these reasons and in accordance with RCW 90.48.120 (2) it is ordered that the Kaiser Aluminum and Chemical Corporation take the following actions.

1. Flow from the Black Walnut Shell Filtration system shall be monitored on a daily basis and reported to their Department of Ecology facility manager on the 25th day of the subsequent month. The flows may be calculated from other flow data until May 31, 2005. A flow meter for the BWSF system shall be installed by May 31, 2005.
2. Kaiser Aluminum and Chemical Corporation shall respond to receiving any analysis results above 3 ng/ l total PCBs from their discharge by immediately (fax or email) reporting these results to their Department of Ecology facility manager. A follow-up written report as to what steps have been and are being taken to control the higher PCB values shall be submitted to the department within 30 days.
3. Every other week PCB sampling events required in Agreed Order No. 02WQER-3487 subsequent to a report above 3ng/l shall also include BWSF influent sampling until at least two consecutive effluent samples are below 3 ng/l. Every other week PCB sampling events subsequent to a report above 3ng/l PCB shall be submitted for analysis immediately until at least two consecutive effluent samples are below 3 ng/l.

These actions are required at the location known as Trentwood Works located at 15000 E. Euclid Avenue, Spokane, WA 99215.

Violation 3: Agreed Order No. 02WQER-3487 section III part 3 requires Kaiser to report PCB analysis results to Ecology within 15 days of receipt of final certified analysis results. Without actual laboratory reports it is not possible to determine for certain if this requirement is being met. However, results for the last two December 2002 PCB samples were reported 14 days after samples from January 2003 and more than two months after a sample taken February 9, 2003. These delays strongly suggest that Kaiser is exceeding the 15 day limit.

Corrective Action 3: For these reasons and in accordance with RCW 90.48.120 (2) it is ordered that the Kaiser Aluminum and Chemical Corporation take the following actions:

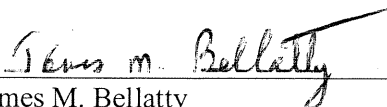
1. Kaiser Aluminum and Chemical Corporation shall report to Ecology by the 25th day of each month the dates and types of PCB samples taken during the previous month, if and which PCB samples were submitted for analysis during the previous month, and any PCB analysis results that were received during the previous month. Copies of laboratory reports shall be included with any PCB analysis.

These actions are required at the location known as Trentwood Works located at 15000 E. Euclid Avenue, Spokane, WA 99215.

Failure to comply with this Order may result in the issuance of civil penalties or other actions, whether administrative or judicial, to enforce the terms of this Order.

This Order may be appealed. Your appeal must be filed with the Pollution Control Hearings Board, P.O. Box 40903, Olympia, Washington 98504-0903 within thirty (30) days of your receipt of this Order. At the same time, a copy of your appeal must be served on the Department of Ecology, Fiscal Office, P.O. Box 47615, Olympia, Washington 98504-7615. In addition, please send a copy of your appeal to Michael Hepp, Department of Ecology, Water Quality Program, 4601 N. Monroe Street, Spokane, Washington, 99205. The notice of appeal shall contain a copy of the order or decision appealed from, and if the order or decision followed an application, a copy of the application. Your appeal alone will not stay the effectiveness of this Order. Stay requests must be submitted in accordance with RCW 43.21B.320. These procedures are consistent with Ch. 43.21B RCW.

DATED this 15th day of November 2004 at Spokane, Washington.



James M. Bellatty
Section Manager
Water Quality Program
Eastern Regional Office