

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R02791

Certified Mailer # P 062 127 702

November 3, 1989

DEPARTMENT OF ENVIRONMENTAL HEALTH
Hazardous Materials Program
80 Swan Way, Rm. 200
Oakland, CA 94621
(415)

Mr. Peter Zaklan, President
Western Forge and Flange
780 Reed St.
P.O. Box 327
Santa Clara, CA 95052

NOTICE OF VIOLATION

Dear Mr. Zaklan:

On October 31, 1989, the Alameda County Department of Environmental Health, Hazardous Materials Division, conducted a brief inspection of the Western Forge and Flange facility at 540A Cleveland Ave. in Albany. Because the plant manager appeared quite busy, the Division was unable to conduct a thorough inspection of the premises. However, several violations of state hazardous material/waste laws contained in the California Code of Regulations (CCR) were noted nonetheless. These are described below.

Title 19, CCR

1. Sec. 25503.5(a) - All facilities that handle hazardous materials or wastes with a quantity that at any time exceeds 500 pounds, 55 gallons, or 200 cubic feet (for solids, liquids, or gases, respectively) must file a business plan with the local administering agency. The Albany facility exceeds these thresholds for at least several hazardous materials/wastes, but this office has no record of a facility business plan on file.
2. Sec. 25504(a) - There are no hazardous material/waste inventories on file for this facility. Each material equalling or exceeding the above thresholds must be listed individually in a business plan.
3. Sec. 25504(b) - The facility has not filed emergency response plans and procedures that would be implemented in the event of a reportable release or threatened release of a hazardous material.
4. Sec. 25504(c) - There is no record on file of any employee training regarding materials/wastes within the plant, and safety procedures in the event of a release or threatened release of hazardous materials.

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Title 22, CCR

5. Sec. 66508 - The three large metal bins of hazardous waste for which your office has sent disposal manifests every three months are not labeled as containing hazardous waste, and have no information about the nature of the wastes within them. There are also no accumulation start dates indicated on these bins.

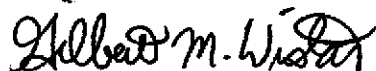
In addition, there is a gasoline/diesel dispenser pump at the entrance to the yard. Your facility has no records of underground tanks on file with this office; the plant manager mentioned that there had been a tank at this location, but that it has been removed and properly disposed of. We are requesting documentation of this tank's removal, including date of removal, disposition of tank and all associated piping, environmental assessments conducted, and any other pertinent information.

In accordance with Sec. 66328 of Title 22, a Plan of Correction must be prepared and submitted to this office within 30 days, or by December 4, 1989. The plan should specify the actions you will take to address each of the above violations and their expected dates of completion. It should include a complete business plan containing inventory information, contingency procedures, and specific training plans for employees. By this same date, please submit information about the former underground tank(s) at the plant, as requested above.

Your attention is directed to Sections 25184, 25189, and 25191 of the California Health and Safety Code, which authorize civil and criminal penalties of up to \$25,000 for each day in which violations of these regulations continue.

If you have any questions concerning this letter, please contact the undersigned at (415) 271-4320.

Sincerely,



Gil Wistar
Hazardous Materials Specialist

cc: Mike Koepke, Albany FD
Doug Krause, DOHS
Gil Jensen, Alameda County District Attorney, Consumer and
Environmental Protection Division
Rafat A. Shahid, Asst. Agency Director, Environmental Health
files