

STATE OF CALIFORNIA  
ENVIRONMENTAL PROTECTION AGENCY  
DEPARTMENT OF TOXIC SUBSTANCES CONTROL

In the Matter of:

Coastal Industrial Services, Inc.  
2750 Rose Avenue  
Signal Hill, CA 90755

EPA ID NO. CAL000345435

Respondent.

Docket HWCA 2013-5929

STIPULATION AND ORDER

Health and Safety Code  
Section 25187

The State Department of Toxic Substances Control (Department) and Coastal Industrial Services, Inc. (Respondent) enter into this Stipulation and Order (Order) and agree as follows:

1. A dispute exists regarding the Enforcement Order issued by the Department on December 20, 2013. (Attached as Exhibit 1.)
2. The parties wish to avoid the expense of further litigation and to ensure prompt action to achieve the Schedule for Compliance below.
3. Jurisdiction exists pursuant to Health and Safety Code section 25187.
4. Respondent waives any right to a hearing in this matter.
5. This Order shall constitute full settlement of the violations alleged in the Enforcement Order, but does not limit the Department from taking appropriate enforcement action concerning other violations.

SCHEDULE FOR COMPLIANCE

- 6.1. The alleged violations have been corrected.

6.2. Respondent shall make all payments at the time(s) set forth in Section 7, below.

6.3. Liability: Nothing in this Order shall constitute or be construed as a satisfaction or release from liability for any conditions or claims arising as a result of past, current, or future operations of Respondent, except as provided in this Order. Notwithstanding compliance with the terms of this Order, Respondent may be required to take further actions as are necessary to protect public health or welfare or the environment.

#### PAYMENTS

7. Within 60 days of the effective date of this Order, Respondent shall pay the Department a total penalty of \$19,000. Payment of the total sum specified will be made in two installments of \$9,500 each. The first and second payments are due 30 and 60 days after the Department of Toxic Substances Control Unit Chief has signed and dated the Order. Respondent's checks shall be made payable to Department of Toxic Substances Control and shall be delivered together with the attached Payment Voucher to:

Department of Toxic Substances Control  
Accounting Office  
1001 I Street  
P. O. Box 806  
Sacramento, California 95812-0806

A photocopy of the check shall be sent:

To: Richard Hubbell, Unit Chief  
Emergency Response and Enforcement Program  
Department of Toxic Substances Control  
5796 Corporate Avenue  
Cypress, California 90630

To: Christopher P. Cho  
Office of Legal Counsel  
Department of Toxic Substances Control  
1001 I Street  
P. O. Box 806  
Sacramento, California 95812-0806

If Respondent fails to make payments as provided above, Respondent agrees to pay interest at the rate established pursuant to Health and Safety Code section 25360.1 and to pay all costs incurred by the Department in pursuing collection including attorney's fees.

#### OTHER PROVISIONS

8.1. Additional Enforcement Actions: By agreeing to this Order, the Department does not waive the right to take further enforcement actions, except to the extent provided in this Order.

8.2. Penalties for Noncompliance: Failure to comply with the terms of this Order may subject Respondent to civil penalties and/or punitive damages for any costs incurred by the Department or other government agencies as a result of such failure, as provided by Health and Safety Code section 25188 and other applicable provisions of law.

8.3. Parties Bound: This Order shall apply to and be binding upon Respondent and its officers, agents, employees, contractors, consultants, successors, and assignees, and upon the Department and any successor agency that may have responsibility for and jurisdiction over the subject matter of this Order.

8.4. Effective Date: The effective date of this Order is the date it is signed by the Department.

8.5. Integration: This agreement constitutes the entire agreement between the parties and may not be amended, supplemented, or modified, except as provided in this agreement.

8.6 Execution: This Order may be executed in two counterparts, each of which together shall be deemed an original, but all of which together shall constitute one and the same instrument. In the event that any signature is delivered by facsimile transmission or by e-mail delivery of a “.pdf” format data file, such signature shall create a valid and binding obligation by the party executing the Agreement with the same force and effect as if such facsimile or “.pdf” signature page were an original thereof.

Dated: ORIGINALLY SIGNED BY DON COUCH AND DATED 1/9/2014

Don Couch  
Corporate Compliance Manager  
Respondent

Dated: ORIGINALLY SIGNED BY RICHARD HUBBELL AND DATED 1/9/2014

Richard Hubbell, Unit Chief  
Department of Toxic Substances Control

# Exhibit 1

STATE OF CALIFORNIA  
ENVIRONMENTAL PROTECTION AGENCY  
DEPARTMENT OF TOXIC SUBSTANCES CONTROL

In the Matter of:  Coastal Industrial Services, Inc. 2750 Rose Avenue Signal Hill, CA 90755  EPA ID NO. CAL000345435  Respondent.	Docket HWCA 2013-5929  ENFORCEMENT ORDER  Health and Safety Code Section 25187
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INTRODUCTION

1.1. Parties. The State Department of Toxic Substances Control (Department) issues this Enforcement Order (Order) to Coastal Industrial Services, Inc. ("Respondent"):

1.2. Site. Respondent's current registered EPA ID site location is 4970 Allison Parkway, Suite F, Vacaville, CA 95688.

1.3. Inspection. The Department inspected the Respondent at the following locations: 18518 South Susana Road, Rancho Dominguez, CA 90221 and 2750 Rose Avenue, Signal Hill, CA 90755 on April 24 and May 21 2013.

1.4. Authorization Status. Respondent is currently registered with the Department to transport hazardous waste. During the times of the incidents alleged, Respondent was not registered with the Department to transport hazardous waste.

1.5. Jurisdiction. Health and Safety Code, section 25187 authorizes the Department to order action necessary to correct violations and to assess a penalty when the Department determines that any person has violated specified provisions of

the Health and Safety Code or any permit, rule, regulation, standard, or requirement issued or adopted pursuant thereto.

DETERMINATION OF VIOLATIONS

2.1. The Department has determined that: Respondent violated Health and Safety Code 25163(a)(1) between April 30, 2012 and April 30 2013, when Respondent transported hazardous waste 37 times without valid registration issued by the Department. These instances of transportation are described in more particularity in the table below (See Exhibit #1):

Incident Number	Manifest Number	Transporter 1 or 2	TSDF	Amount of Waste
1	000574207VES	1	Mobile, AZ	5.73 tons
2	001336004JJK	1	Newark, CA	1,800 gallons
3	001336007JJK	1	Newark, CA	2,328 gallons
4	001336008JJK	1	Newark, CA	2,700 gallons
5	001340935JJK	1	Newark, CA	2,700 gallons
6	003116961FLE	2	Santa Fe, CA	28,356 pounds
7	003531936FLE	1	Compton, CA	3,750 gallons
8	004213874JJK	1	Santa Fe, CA	2,000 gallons
9	004217876JJK	1	Dixon, CA	4,800 gallons
10	004217877JJK	1	Dixon, CA	4,800 gallons
11	005281149FLE	2	Santa Fe, CA	18,348 pounds
12	005281151FLE	2	Santa Fe, CA	18,760 pounds
13	005609823JJK	1	Santa Fe, CA	2,200 gallons
14	005609827JJK	1	Santa Fe, CA	2,900 gallons
15	005609828JJK	1	Santa Fe, CA	2,000 gallons
16	005609831JJK	1	Santa Fe, CA	2,000 gallons
17	005609834JJK	1	Santa Fe, CA	2,300 gallons
18	005609839JJK	1	Santa Fe, CA	2,750 gallons
19	006393258JJK	2	Beatty, NV	1,137 gallons
20	007145397JJK	1	Santa Fe, CA	1,500 gallons
21	009244462JJK	1	Dixon, CA	4,800 gallons

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22	009280514JJK	1	Santa Fe, CA	2,500 gallons
23	009280517JJK	1	Santa Fe, CA	2,100 gallons
24	009280520JJK	1	Santa Fe, CA	2,200 gallons
25	009531658JJK	1	Dixon, CA	4,800 gallons
26	010110503JJK	1	Dixon, CA	4,870 gallons
27	010110504JJK	1	Dixon, CA	3,953 gallons
28	010229670JJK	1	Newark, CA	1,380 gallons
29	010563332JJK	1	Dixon, CA	1,017 gallons
30	010110508JJK	1	Buttonwillow, CA	8 yards
31	010110513JJK	1	Compton, CA	2,800 gallons
32	010110514JJK	1	Compton, CA	2,800 gallons
33	011249998JJK	1	Beatty, NV	8,000 K
34	001210026JJK	2	Beatty, NV	700 pounds
35	003890631FLE	2	Beatty, NV	2,600 pounds
36	003890632FLE	2	Beatty, NV	4,800 pounds
37	009280518JJK	1	Santa Fe, CA	2,500 gallons

### SCHEDULE FOR COMPLIANCE

3. The above violations have been corrected.

### OTHER PROVISIONS

4.1. Additional Enforcement Actions: By issuance of this Order, the Department does not waive the right to take further enforcement actions.

4.2. Penalties for Noncompliance: Failure to comply with the terms of this Order may also subject Respondent to costs, penalties, and/or punitive damages for any costs incurred by the Department or other government agencies as a result of such failure, as provided by Health and Safety Code section 25188 and other applicable provisions of law.

4.3. Parties Bound: This Order shall apply to and be binding upon Respondent, and its officers, directors, agents, employees, contractors, consultants, receivers, trustees, successors, and assignees, including but not limited to individuals, partners,

and subsidiary and parent corporations.

4.4. Time Periods. "Days" for purposes of this Order means calendar days.

PENALTY

5.1. Based on the foregoing DETERMINATION OF THE VIOLATION and pursuant to California Health and Safety Code section 25189.2, the Department sets the amount of Respondent's penalty at \$20,000.

5.2. Payment is due within 30 days from the effective date of the Order. Respondent's check shall be made payable to the Department of Toxic Substances Control, and shall identify the Respondent and Docket Number, as shown in the heading of this case. Respondent shall deliver the penalty payment to:

Department of Toxic Substances Control  
Accounting Office  
1001 I Street, 21st floor  
P. O. Box 806  
Sacramento, California 95812-0806

A photocopy of the check shall be sent to:

Richard Hubbell, Unit Chief  
Enforcement and Emergency Response Division  
Department of Toxic Substances Control  
5796 Corporate Avenue  
Cypress, California 90630-4732

and

Christopher Cho  
Office of Legal Counsel  
Department of Toxic Substances Control  
1001 I St. 23<sup>rd</sup> floor  
Sacramento, California 95812-0806

RIGHT TO A HEARING

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Coastal Industrial Services  
Enforcement Order

6. Respondent may request a hearing to challenge the Order. Appeal procedures are described in the attached Statement to Respondent.

EFFECTIVE DATE

7. This Order is final and effective twenty days from the date of mailing, which is the date of the cover letter transmitting the Order to Respondent, unless Respondent requests a hearing within the twenty-day period.

Date of Issuance: December 20, 2013

Dated: ORIGINALLY SIGNED BY RICHARD HUBBELL AND DATED 12/20/2013

Richard Hubbell, Unit Chief  
Enforcement and Emergency Response  
Division  
Cypress Branch  
Department of Toxic Substances Control