

Resource Conservation and Recovery Act (RCRA) Grant
Fiscal Year 2010-11
ENFORCEMENT AND EMERGENCY RESPONSE PROGRAM
COMPLIANCE MONITORING AND ENFORCEMENT

The End of Year Report, submitted by the Department of Toxic Substances Control (DTSC), Enforcement and Emergency Response Program (EERP), includes activities performed between July 1, 2010 and June 30, 2011, which were reimbursable under the RCRA Grant. Also included in the report are EERP's State-funded activities, as well as RCRA Grant-funded activities performed by other organizations within DTSC. Data entered into various EERP databases provide the principal basis for reporting EERP's activities.

The following are key highlights of the DTSC Compliance Monitoring and Enforcement program:

EERP Highlights

- Completed 366 core regulatory work inspections including complaint investigations
- Achieved \$2,109,702 in settlement amounts resulting from administrative/civil enforcement actions
- Initiated 10 administrative/civil enforcement cases
- Settled 34 administrative/civil enforcement cases
- Received 834 formal complaints
- Completed 114 criminal investigations
- Referred 8 criminal case for prosecution
- Served 1 search warrant
- Made 16 arrests
- Inspected 3,877 trucks crossing the Mexican border
- Completed 173 E-Waste inspections
- Completed 47 Financial Responsibility (FR) reviews
- Reimbursed \$7,456,743.37 out of FR mechanisms
- Conducted 15 CUPA oversight inspections/ and evaluations
- Received, self-disclosure notifications, and evaluated and closed 5 of these
- Received 43 import notifications and 30 export notifications
- Received four, 90-day accumulation extension requests and approved four

Scientific Program Data Analysis Highlights

- Continued major program work on Inspections, Complaints, and Enforcement data system (ICE/EnviroStor) to translate data to the RCRAInfo data system.

I. INSPECTION AND MONITORING

A. CORE INSPECTION ACTIVITIES

DTSC conducted 366 inspections, including complaint investigations. The following RCRA and non-RCRA facility inspections were conducted:

INSPECTIONS PLANNED AND CONDUCTED FISCAL YEAR 2010/2011			
Inspection Type	Total Planned **	Total Conducted	With Class 1 Violation Observed in at least one Area
RCRA TSD Compliance Evaluation Inspections	20	47	7
Groundwater Monitoring Evaluations	0	0	0
Operation and Maintenance Inspections	0	0	0
Post Closure Facility Inspections	12	13	0
Generator Inspection Totals	16	37	12
Refinery Inspections (Subset - Generator)	(15)	(9)	(2)
Standardized Permit Inspections (Subset - Generator)	(8)	(14)	(4)
Universal Waste Inspections	0	173	7
Transporter Inspections	2	38	3
Financial Responsibility Reviews (Inspections)	58	47	3
Self Disclosure Inspections	0	5	2
Other Inspections *	0	6	4
Totals	108	366	38

* Note: Includes Follow-Up Inspections and Case Development Inspections

** Note: Total Planned is obtained from the RCRA Grant Inspection List for each year

***Note: Numbers within the parenthesis, identified under the Generator Totals, are a subset of generator inspections which are included in the Generator Total.

Assessment of Inspection Commitments both RCRA and Non-RCRA

- One non-major RCRA offsite rule Treatment, Storage, and Disposal facility was not inspected as planned for FY 10/11 and will be inspected during the first quarter of FY 11/12.
- One standardized permit facility was not inspected as planned for the FY 10/11 and will be inspected during the first quarter of FY 11/12.

- The CEI Inspections for Chemical Waste Management - Kettleman Hills facility, Clean Harbors Buttonwillow, and Conoco Phillips Arroyo Grande were not conducted due to the ongoing inspection and enforcement work started at these facilities in FY 09/10. The Valero Refinery was inspected in FY 09/10 and found to be in violation so it was automatically scheduled for inspection in FY 10/11. Follow up work on the FY 09/10 inspection and additional information provided by Valero resulted in DTSC dropping all violations from the FY 09/10 inspection, so the planned FY 10/11 inspection was dropped. Inspection of the Conoco Phillips Wilmington refinery was dropped due to insufficient staffing and the significant amount of time spent on the Chemical Waste Management enforcement cases.
- Nine CEI Generator sites were not inspected as planned for FY 10/11 due to the heavy work load on several complex enforcement cases. Most of these facilities will not be inspected during FY 11/12 because of e-waste facility inspections.

FINANCIAL RESPONSIBILITY REIMBURSEMENTS, MECHANISM REPLACEMENTS, AND PROJECTS

DTSC processed 14 requests from companies for reimbursement of expenses associated with facility closure or post closure, as well as 8 mechanism replacement requests and 4 releases from FR requirements resulting from a change of ownership. The dollar amount released from FR mechanisms totaled \$7,456,743.37. Details are given in the following tables:

Facility Name	EPA ID No.	Date of Action	Requirement Changes	Reimbursement Amounts or FR
ACME Fill Corp.	CAD041835695	7/22/10	Reimbursement (Ongoing post closure)	\$229,635.18
ACME Fill Corp.	CAD041835695	10/26/10	Reimbursement (Ongoing post closure)	\$233,256.30
ACME Fill Corp.	CAD041835695	1/19/11	Reimbursement (Ongoing post closure)	\$227,613.46
ACME Fill Corp.	CAD041835695	4/18/11	Reimbursement (Ongoing post closure)	\$204,321.49
Chemical Waste – Bakersfield	CAT000624056	10/7/10	Release	\$2,808,930.00
Chico Drain Oil/Asbury Env.	CAL930256136 CAD980694103	7/16/10	Mechanism Replacement	N/A
Chico Drain Oil Service - Chico	CAD980694103	7/7/10	Release	\$57,196.52
Chico Drain Oil Service - Fortuna	CAD930256136	7/7/10	Release	\$41,431.54
DOW Chemical	CAD076528678	5/24/11	Mechanism Replacement	N/A
E-Recycling of California	CAL000276332 CAL000130029 CAL000346650	6/28/11	Mechanism Replacement	N/A

Facility Name	EPA ID No.	Date of Action	Requirement Changes	Reimbursement Amounts or FR
FMC Corp.	CAD009128471 CAD000629998 CAD077184745	9/15/10	Mechanism Replacement	N/A
IT Environmental	CAD000633289 CAD079089512 CAD982521460 CAD000060012	7/14/10	Reimbursement (Ongoing post closure)	\$161,088.71
IT Environmental	CAD000633289 CAD079089512 CAD982521460 CAD000060012	9/27/10	Reimbursement (Ongoing post closure)	\$166,799.42
IT Environmental	CAD000633289 CAD079089512 CAD982521460 CAD000060012	12/10/10	Reimbursement (Ongoing post closure)	\$183,809.23
IT Environmental	CAD000633289 CAD079089512 CAD982521460 CAD000060012	1/28/11	Reimbursement (Ongoing post closure)	\$211,565.74
IT Environmental	CAD000633289 CAD079089512 CAD982521460 CAD000060012	3/22/11	Reimbursement (Ongoing post closure)	\$195,181.29
IT Environmental	CAD000633289 CAD079089512 CAD982521460 CAD000060012	5/20/11	Reimbursement (Ongoing post closure)	\$176,047.62
Kearney/KPF	CAD981429715	7/7/10	Reimbursement (Ongoing post closure)	\$197,111.00
Kearney/KPF	CAD981429715	11/2/10	Reimbursement (Ongoing post closure)	\$145,996.55
Kearney/KPF	CAD981429715	1/3/11	Reimbursement (Ongoing post closure)	\$93,698.56
Kearney/KPF	CAD981429715	5/11/11	Reimbursement (Ongoing post closure)	\$123,060.76
Lockheed Martin Corp	O&M	2/23/11	Release	\$2,000,000.00
Phibro Tech Inc.	CAD008488025	12/10/10	Mechanism Replacement	N/A
Soco West, Inc.	CAT000612333	12/10/10	Mechanism Replacement	N/A
Veolia ES Tech.	CAD008302903	9/27/10	Mechanism Replacement	N/A
Veolia ES Technical Solutions - Azusa	CAD008302903	9/14/10	Mechanism Replacement	N/A
TOTAL FIRST QUARTER FY 2010-11 REIMBURSEMENTS/REQUIREMENT				\$7,456,743.37

Financial Responsibility Issues and Projects

The Financial Assurance Unit at DTSC has a current vacancy rate of 50%. This prevents the program from meeting commitments due to the volume of work. The following is a list of financial assurance record reviews that were not performed during the last fiscal year. While the staff remains committed to trying to meet these workplan obligations, DTSC remains hopeful that the vacant FA positions will be filled in FY 2011/12.

EPA ID NUMBER	FACILITY	ADDRESS	CITY	COUNTY	SCHEDULED REVIEW DATE
CAD030384267	EPC EASTSIDE DISPOSAL FARM	SEC 24 30 T28S	BAKERSFIELD	KERN COUNTY	1/1/2011
CAD009114919	CHEVRON PRODUCTS CO	841 CHEVRON WAY	RICHMOND	CONTRA COSTA COUNTY	2/1/2011
CAD008488025	PHIBRO-TECH INC	8851 DICE RD	SANTA FE SPRINGS	LOS ANGELES COUNTY	2/1/2011
CAD060398229	HERAEUS METAL PROCESSING INC	13429 ALONDRA BLVD	SANTA FE SPRINGS	LOS ANGELES COUNTY	4/1/2011
CAD009164021	SHELL OIL PRODUCTS/US MARTINEZ REFINERY	MARINA VISTA AVE	MARTINEZ	CONTRA COSTA COUNTY	4/1/2011
CAD041835695	ACME FILL CORPORATION	950 WATERBIRD WAY	MARTINEZ	CONTRA COSTA COUNTY	5/1/2011
CAL000827844	ASBURY ENVIRONMENTAL SERVICES	2549 SCOTT AVE	CHICO	BUTTE COUNTY	5/1/2011
CAD982446874	EVERGREEN OIL INC DAVIS	44561 ROAD 30-B	DAVIS	YOLO COUNTY	5/1/2011
CAD982446858	EVERGREEN OIL INC SANTA MARIA	745 W BETTERAVIA RD STE A	SANTA MARIA	SANTA BARBARA COUNTY	5/1/2011
CAD077182293	METECH INTERNATIONAL INC	6200 ENGLE WAY	GILROY	SANTA CLARA COUNTY	5/1/2011
CAD043237486	CHEVRON CHEMICAL CO	940 HENSLEY ST	RICHMOND	CONTRA COSTA COUNTY	6/1/2011
CAT080013352	DEMENNO/KERDOON	2000 N ALAMEDA ST	COMPTON	LOS ANGELES COUNTY	6/1/2011
CAD041520644	TESORO REFINING & MARKETING COMPANY- LOS ANGELES REFINERY	2101 E PACIFIC COAST HWY	WILMINGTON	LOS ANGELES COUNTY	6/1/2011
CAD069124717	XSTRATA RECYCLING INC	1695 MONTEREY HWY	SAN JOSE	SANTA CLARA COUNTY	6/1/2011

ASBURY ENVIRONMENTAL SERVICES-CHICO II LLC, Chico, Butte County, CAD980694103 (FR Review non-RCRA)

On March 16, 2011, a financial records review was completed. No violations were found. Asbury Environmental Services Chico operates under a Standardized Permit.

CONOCO PHILLIPS, Rodeo, Contra Costa County, CAD009108705 (FR Review RCRA)

On January 25, 2011, a financial records review was completed. No violations were found. Conoco Philips operates a permitted surface impoundment under a RCRA permit.

GEM OF RANCHO CORDOVA LLC, Rancho Cordova, Sacramento County, CAD980884183 (FR Review RCRA)

On June 17, 2011, a financial records review was completed. No violations were found. GEM operates a treatment and storage facility under a RCRA permit.

J&B ENTERPRISES, Santa Clara, Santa Clara County, CAD982052797(FR Review non-RCRA)

On January 24, 2011, a financial records review was completed. No violations were found. J&B Enterprises operates under a Standardized Permit.

KW PLASTICS OF CALIFORNIA, Bakersfield, Kern County, CAD982435026 (FR Review RCRA)

On February 8, 2011, a financial records review was completed. No violations were found. KW Plastics operates a treatment and storage facility under a RCRA permit.

OCCIDENTAL OF ELK HILLS INC, Tupman, Kern County, CA4170024414 (FR Review RCRA)

On June 3, 2011, a financial records review was completed. Class 2 violations were found. Occidental of Elk Hills corrected the Class 2 violation and returned to compliance on June 30, 2011. Occidental of Elk Hills maintains a post closure facility under a RCRA post closure permit.

SAN JOAQUIN FILTER RECYCLING, Parlier, Fresno County, CAL000102751 (FR Review non-RCRA)

On March 23, 2011, a financial records review was completed. No violations were found. San Joaquin Filter Recycling operates a used oil, oily wastewater, and used anti-freeze storage facility under a Standardized Permit.

ADVANCED ENVIRONMENTAL INC, Fontana, San Bernardino County, CAT080025711 (FR Review non-RCRA)

On September 21, 2010, a financial records review was completed. No violations were found. Advanced Environmental operates a used oil, oily wastewater, and used anti-freeze storage facility under a Standardized Permit.

BOEING SATELLITE SYSTEMS INC, El Segundo, Los Angeles County, CAD060897063 (FR Review RCRA)

On July 20, 2010, a financial records review was completed for Boeing Satellite Systems facility located in El Segundo. No violations were found. Boeing Satellite Systems operates a storage facility under a RCRA permit.

CLEAN HARBORS ENVIRONMENTAL SERVICES INC PORT OF REDWOOD CITY, Redwood City, San Mateo County, CAD982439895 (FR Review non-RCRA)

On September 15, 2010 a financial records review was completed. No violations were found. Clean Harbors Environmental Services operates a storage facility under a Standardized Permit.

CLEAN HARBORS LOS ANGELES LLC, Los Angeles, Los Angeles County, CAD050806850 (FR Review RCRA)

On October 13, 2010, a financial records review was completed. No violations were found. Clean Harbors operates a storage and treatment facility under a RCRA permit.

CLEAN HARBORS SAN JOSE LLC, San Jose, Santa Clara County, CAD059494310 (FR Review RCRA)

On August 30, 2010, a financial records review was completed. No violations were found. Clean Harbors operates a storage and treatment facility under a RCRA permit.

CLEAN HARBORS WESTMORLAND LLC, Westmorland, Imperial County, CAD000633164 (FR Review RCRA)

On November 1, 2010, a financial records review was completed. No violations were found. Clean Harbors operates a treatment and disposal facility under a RCRA permit.

CLEAN HARBORS WILMINGTON LLC, Wilmington, Los Angeles County, CAD044429835 (FR Review RCRA)

On October 19, 2010, a financial records review was completed. No violations were found. Clean Harbors operates a storage and treatment facility under a RCRA permit.

EVERGREEN OIL INC, Newark, Alameda County, CAD980887418 (FR Review RCRA)

On October 26, 2010, a financial records review was completed. No violations were found. Evergreen Oil operates a storage and treatment facility under a RCRA permit.

EVERGREEN OIL INC FRESNO, Fresno, Fresno County, CAD982446882 (FR Review non-RCRA)

On November 3, 2010, a financial records review was completed. No violations were found. Evergreen Oil operates a storage facility under a Standardized Permit.

IMS ELECTRONICS RECYCLING, Poway, San Diego County, CAL000289524 (FR Review non-RCRA)

On September 1, 2010, a financial records review was completed. No violations were found. IMS Electronics Recycling operates an electronics waste recycling facility under authority granted by compliance with regulations adopted in 22 CCR, Division 4.5, Chapter 23.

PACIFIC RESOURCE RECOVERY SERVICES INC, Los Angeles, Los Angeles County, CAD008252405 (FR Review RCRA)

On July 23, 2010, a financial records review was completed. No violations were found. Pacific Resource Recovery Services operates a treatment and storage facility under a RCRA permit.

RAYTHEON SPACE AND AIRBORNE SYSTEMS, El Segundo, Los Angeles County, CAD000633230 (FR Review RCRA)

On July 13, 2010, a financial records review was completed. No violations were found. Raytheon Space and Airborne Systems operates a container storage facility under a RCRA permit.

RHO-CHEM LLC, Inglewood, Los Angeles County, CAD008364432 (FR Review RCRA)

On September 29, 2010, a financial records review was completed. No violations were found. Rho-Chem operates a storage and treatment facility under a RCRA permit.

SAFETY-KLEEN, Fresno, Fresno County, CAD066113465 (FR Review RCRA)

On September 9, 2010, a financial records review was completed. No violations were found. Safety Kleen operates a storage and treatment facility under a RCRA permit.

SAN DIEGO GAS & ELECTRIC CO MIRAMAR WASTE MANAGEMENT FACILITY, San Diego, San Diego County, CAD981168107 (FR Review RCRA)

On October 1, 2010, a financial records review was completed. No violations were found. San Diego Gas & Electric operates a storage facility under a RCRA permit.

SIEMENS WATER TECHNOLOGIES CORP, Los Angeles, Los Angeles County, CAD097030993 (FR Review RCRA)

On July 26, 2010, a financial records review was completed. No violations were found. Siemens Water Technologies operates a treatment and storage facility under a RCRA permit.

AERC COM INC, Hayward, Alameda County, CAD982411993 (FR Review non-RCRA)

On May 20, 2011, a financial records review was completed for the AERC Com Facility. No violations were found. AERC Com operates a spent fluorescent and HID lamp storage and treatment facility under a Standardized Permit.

BENSON RIDGE FACILITY, Kelseyville, Lake County, CAD000633289 (FR Review RCRA)

On July 12, 2010, a financial records review was completed. No violations were found. The IT Trust maintains a post closure landfill under a RCRA post closure permit.

CROSBY & OVERTON - PLANT #1, Long Beach, Los Angeles County, CAD028409019 (FR Review RCRA)

On May 5, 2011, a financial records review was completed. No violations were found. Crosby & Overton operates a treatment and storage facility under a RCRA permit.

EXIDE TECHNOLOGIES, Vernon, Los Angeles County, CAD097854541 (FR Review RCRA)

On March 2, 2011, a financial records review was completed. A minor violation was found. Exide corrected the violation and returned to compliance on March 29, 2011. Exide currently operates a lead acid battery recycling operation under RCRA interim status.

EXXON MOBIL OIL CORP, Torrance, Los Angeles County, CAD008354052 (FR Review RCRA)

On July 20, 2010, a financial records review was completed. Exxon Mobil was found to be in violation by not providing a financial test/corporate guarantee that met the requirements; specifically, Exxon Mobil, submitted a financial test based on a bond rating that did not belong to Exxon Mobil. Exxon Mobil was instructed to submit a new financial assurance mechanism and returned to compliance on October 1, 2010. Exxon Mobil is required to provide financial assurance for RCRA corrective action. Oversight for the corrective action activities is conducted by the Los Angeles Regional Water Quality Control Board.

GENERAL CHEMICAL CORP/BAY POINT WORKS, Bay Point, Contra Costa County, CAD009142290 (FR Review RCRA)

On October 21, 2010, a financial records review was completed. No violations were found. General Chemical Corporation operates a storage facility under a RCRA permit.

MCCORMICK SELPH INC, Hollister, San Benito County, CAD009220898 (FR Review RCRA)

On June 1, 2011, a financial records review was completed. A minor violation was found. McCormick Selph corrected the violation and returned to compliance on July 6, 2011. McCormick Selph operates a storage, treatment, and open burn/open detonation facility under a RCRA permit.

MONTEZUMA HILLS FACILITY, Rio Vista, Solano County, CAD079089512 (FR Review RCRA)

On July 12, 2010, a financial records review was completed. No violations were found. The IT Trust maintains post closure activities at the landfill under a RCRA post closure permit.

QUEMETCO INC, City Of Industry, Los Angeles County, CAD066233966 (FR Review RCRA)

On May 20, 2011, a financial records review was completed. A Class 2 and minor violation were found. Quemetco was instructed to correct the violations by June 22, 2011. Quemetco has failed to return to compliance. Quemetco operates a lead acid battery recycling facility operating under a RCRA permit.

TECHALLOY CO INC, Perris, Riverside County, CAD059277137 (FR Review RCRA)

On January 20, 2011, a financial records review was completed. No violations were found. Techalloy is required to provide financial assurance for RCRA corrective action activities.

VEOLIA ES TECHNICAL SOLUTIONS LLC, Azusa, Los Angeles County, CAD008302903 (FR Review RCRA)

On March 17, 2011, a financial records review was completed. A minor violation was found. Veolia-Azusa returned to compliance on April 5, 2011. Veolia-Azusa operates a storage and treatment facility under a RCRA permit.

VEOLIA ES TECHNICAL SOLUTIONS LLC, Richmond, Contra Costa County, CAT080014079 (FR Review RCRA)

On March 17, 2011, a financial records review was completed. No violations were found. Veolia-Richmond operates a storage and treatment facility under a RCRA permit.

WIT SALES & REFINING, San Jose, Santa Clara County, CAD980888598 (FR Review non-RCRA)

On August 13, 2010, a financial records review was completed for Wit Sales & Refining. No violations were found. Wit Sales & Refining operates a treatment facility under a Standardized Permit.

DYNEGY MOSS LANDING, MOSS LANDING, MONTEREY COUNTY, CAT080011653 (FR Review RCRA)

On May 19, 2011, a financial records review was completed. A minor violation was found. Dynegy returned to compliance on June 9, 2011. Dynegy operates a treatment facility under a RCRA permit.

FORWARD INC, Stockton, San Joaquin County, CAD990794133 (FR Review RCRA)

On February 8, 2011, a financial records review was completed. No violations were found. Forward maintains a post closure landfill unit under a RCRA permit.

GENERAL ELECTRIC INTERNATIONAL INC, Anaheim, Orange County, CAD030584502 (FR Review RCRA)

On January 19, 2011, a financial records review was completed. No violations were found. General Electric operates a storage facility under a RCRA permit.

JOSLYN SUNBANK COMPANY LLC, Paso Robles, San Luis Obispo County, CAD097458533 (FR Review non-RCRA)

On July 12, 2010, a financial records review was completed. Financial assurance violations were found. Joslyn Sunbank failed to maintain a financial assurance mechanism for closure costs associated with the wastewater pretreatment unit. Joslyn Sunbank operates under a Permit By Rule with oversight by the San Luis Obispo County CUPA.

KEARNEY-KPF, Stockton, San Joaquin County, CAD981429715 (FR Review RCRA)

On December 28, 2010, a financial records review was completed. No violations were found. Kearney-KPF is required to provide financial assurance for RCRA corrective action and facility post closure.

SAFETY-KLEEN SYSTEMS INC, Los Angeles, Los Angeles County, CAT000613935 (FR Review RCRA)

On June 30, 2011, a financial records review was completed. No violations were found. Safety Kleen operates a storage and treatment facility under a RCRA permit.

SAFETY-KLEEN SYSTEMS INC EL MONTE ACCUMULATION CENTER, El Monte, Los Angeles County, CAT000613893 (FR Review RCRA)

On June 30, 2011, a financial records review was completed. No violations were found. Safety Kleen operates a storage and treatment facility under a RCRA permit.

SAFETY-KLEEN SYSTEMS INC HIGHLAND SERVICE CENTER, Highland, San Bernardino County, CAT000613927 (FR Review RCRA)

On December 8, 2010, a financial records review was completed. No violations were found. Safety Kleen operates a storage and treatment facility under a RCRA permit.

THE DOW CHEMICAL COMPANY, Pittsburg, Contra Costa County, CAD076528678 (FR Review RCRA)

On February 18, 2011, a financial records review was completed. No violations were found. The Dow Chemical Company is required to provide financial assurance for RCRA corrective action.

USS-POSCO INDUSTRIES, Pittsburg, Contra Costa County, CAD009150194 (FR Review RCRA)

On July 8, 2010, a financial records review was completed. A minor violation was found. USS Posco returned to compliance on September 9, 2010. USS Posco Industries is required to provide financial assurance for the post closure maintenance of the landfill and for RCRA corrective action.

EXXON MOBIL CORPORATION, TORRANCE REFINERY (EXXON)

On July 19, 2010, a financial records review was completed. A class I violation of CCR, title 22, section 66265.143(e)(1)(B)(1) & 66265.043(e)(1)(B)(1) was found, in that the financial test dated March 29, 2010, did not include a current bond rating for the most recent bond. Exxon guaranteed the bond provided, however, the bond was issued for Lower Neches Valley Authority. Exxon corrected the violation on October 4, 2010 by submitting a revised financial test which met requirements. No formal enforcement action was taken.

UNION PACIFIC RAILROAD COMPANY (UPRR)

On September 3, 2010, a financial records review was completed. A class I violation of CCR, title 22, section 66265.143(e)(1)(B)(1) was found, in that the financial test dated March 8, 2010 did not include a current bond rating for the most recent bond. UPRR later corrected the violation on November 1, 2010, by submitting a revised financial test and corporate guarantee which met requirements. No formal enforcement action was taken.

B. INITIATIVES

1. AUTHORIZED AND COMMITTED INITIATIVES

a. ELECTRONIC WASTE RECYCLERS:

DTSC's inspection of electronic waste (e-waste) recyclers and dismantlers conducting treatment of electronic wastes is financed by a fee collected from the consumer when a Covered Electronic

Device is purchased in California. The fee is also used by the Department of Resources Recycling and Recovery (DRRR) to reimburse compliant e-waste recyclers and dismantlers for their activities.

DTSC is now in its sixth year of inspecting such Electronic Device and Cathode Ray Tube (CRT) material recyclers. The DTSC E-Waste Team conducts these inspections. During FY 10/11, the E-Waste Team Leader collaborated closely with DRRR to relay inspection results, communicate enforcement actions, and discuss other issues pertinent to recyclers participating in the Covered Electronic Waste payment system.

During FY 10/11, DTSC conducted 72 inspections of e-waste recyclers. Seven of the facilities were cited for Class I violations; 21 of the facilities were cited for Class II violations; and 24 were cited for minor violations. Seven of the facilities had violations serious enough to warrant formal enforcement action.

A total of 56 e-waste recyclers now require an annual inspection by DTSC, compared with the end of FY 09/10 when 57 facilities required an annual inspection.

b. ELECTRONIC WASTE COLLECTORS

The E-Waste Team continued to inspect e-waste collectors for compliance with universal waste management regulations. As offsite collectors of universal waste, these facilities fall within the regulatory purview of DTSC and are not part of the United Program inspection universe.

During FY 10/11, DTSC conducted 76 inspections of SB 20/SB 50 collectors. Of the collectors inspected, none had Class I violations, four had Class II violations, and 30 had minor violations. None of the facilities had violations serious enough to warrant formal enforcement action.

c. CLOSURE PLANS FOR ELECTRONIC WASTE PROCESSORS

During FY 10/11, the E-Waste Team began three new enforcement initiatives to address shipments of e-waste to improper destinations around the state, the country, and abroad in order to prevent far-reaching consequences to human health and the environment. The enforcement initiatives – investigating unnotified handler destinations in California, evaluating shipments of CRT glass to treatment facilities around the nation, and inspecting facilities who export CEDs (a subset of e-waste) – resulted in one administrative enforcement case (not yet settled) and several information requests to CRT glass treatment facilities, whose responses are still under review.

d. APPLIANCE RECYCLER INSPECTION INITIATIVE

During FY 10/11, DTSC began to inspect appliance recyclers who also collect or recycle (handle) e-waste. Twenty-two appliance recycler/e-waste handler inspections were conducted. None of the facilities were cited for Class I violations; 3 of the facilities were cited for Class II violations; and 11 were cited for minor violations. Although no Class I violations were cited, the inspections revealed that appliance recyclers/e-waste handlers routinely failed to segregate the two wastestreams, which could lead to potential mismanagement at downstream shredding facilities.

Only those appliance recyclers who also collect or recycle e-waste were inspected.

2. AUTHORIZED AND UNCOMMITTED INITIATIVES

a. LANDFILLS

No activity was reported during FY 2010/2011.

b. LEAD-CONTAINING WASTE

No activity was reported during FY 2010/2011.

c. MERCURY- CONTAINING WASTE

No activity was reported during the first quarter of FY 2010/2011.

d. ENVIRONMENTAL JUSTICE INITIATIVE

US EPA State Environmental Justice Cooperative Agreement Program (Grant)

On November 24, 2009, DTSC was among recipients named in one of five US EPA Environmental Justice Grants awarded nationwide. The grant money, \$160,000, is being used to improve environmental conditions through community-based partnerships in the Los Angeles area, identify pollution sources, and develop ways to reduce pollution and its effects.

Grant accomplishments:

- Partnered with the US EPA Environmental Justice Program in organizing and conducting a Los Angeles Bus Tour on August 10, 2010, and an August 11, 2010, workshop. Tour participants included US EPA Region 9 Administrator Jared Blumenfeld, Lisa Garcia, US EPA Deputy for Environmental Justice, and managers from several of US EPA Regional programs.

Environmental justice representatives lead the tour and served as co-chairs for the August 11, 2010, workshop. The tour focused on goods movement and refineries.

- Co-sponsored an August 21, 2010 meeting with environmental justice representatives on the 710 Discovery Project. The DTSC Brownfields and Environmental Restoration Program (Cleanup Program) is working with the US EPA in an effort to identify pollution sources that may be contributing to ground water pollution in the northern 710 area.
- On July 27, 2010, in an effort to build bridges between environmental enforcement organizations in the Los Angeles area and community representatives, DTSC staff presented information on environmental justice to federal, state and local environmental enforcement representatives. The attendees participate in the Federal Environmental Crimes Task Force and the City and County Task Forces. The presentation provided background on environmental justice, discussed current environmental justice efforts in the Los Angeles area, and discussed the importance of effective response to citizen complaints.

DTSC Inspectors have been assigned to work on citizen complaint investigations in Los Angeles communities. Investigations were conducted related to emergency incidents at metal processing facilities and auto dismantlers.

- Hired the first student to work with communities on environmental justice issues. The student is a graduate student and resident of Maywood. She is working closely with DTSC staff on the work underway in Maywood.
- On August 25, 2010 training was provided to Maywood community members on how to take a drinking water sample. The training, coordinated with the California Department of Public Health, Drinking Water Program, was provided in preparation for water sampling in homes and other locations in Maywood. DTSC conducted the water sampling on October 13, 2010, and sample analyses results shows that none of the water samples exceeded established maximum contaminant levels or public health goals; however, a second round of sampling is planned to look for possible trends in low levels of TCE, lead, manganese and vanadium.

Los Angeles Environmental Justice Initiative

DTSC continued participation in the Los Angeles Environmental Justice Forum. Organizations participating in the LA Forum include Action Now,

California Communities against Toxics, the California Rights Alliance, the Coalition for a Safe Environment (Wilmington area), and the Society for a Positive Environment and Union de Vecinos. Monthly meetings of the Los Angeles Environmental Justice Forum are by invitation only. Government representatives participating in the meeting include Steven John with the US Environmental Protection Agency, (now retired) DTSC EJ Coordinator, Florence Gharibian and Maya Akula, Unit Manager for the DTSC Public Participation Program. The Forum meetings provide an excellent opportunity for information exchange on environmental justice activities.

The Draft Community Environmental Justice Action Plan was presented to executive staff in March, 2011. A review is underway and the Draft Plan will be provided to the Director in the coming months. This plan provides background on the ongoing activities by DTSC staff to address the environmental justice issues throughout the state, and a strategic framework in which to implement the focus and principals of environmental justice in order to support the restoration of communities that are over burdened with environmental risk. The plan details the tools and mechanisms for use in addressing current and future environmental justice concerns.

On May 5, 2011, DTSC initiated and hosted a Los Angeles Environmental Justice workshop held at the California Endowment Center. The workshop was organized by Florence Gharibian, and was attended by numerous Los Angeles environmental justice community leaders. The outcome of this workshop was the generation of an active list of issues for ongoing discussion and action to take place. The workshop also represented a forum for networking between public and government entities. Maya Akula facilitated the workshop and continues to work with the other Environmental Justice Team members along with the public to address issues highlighted in the workshop.

Citizen-Provided Intelligence

Citizen complaints within the areas of Wilmington and Huntington Park are a high priority and have been addressed by the Environmental Justice Team. The team continues to work on Pick-Your Part, a Wilmington auto dismantler and scrap metal salvage facility that encountered an on-site fire last summer from the mismanagement of fuel remaining within lawn-mower engines. This created hazardous airborne conditions within the surrounding community.

Central Metal, another scrap metal salvage facility located in Huntington Park was investigated by the team. Other agencies that supported the investigation were the Los Angeles County Fire Environmental Health Hazardous Materials Division and the South Coast Air Quality Management District (SCAQMD). The team collected samples in March which indicated hazardous waste levels of metals leaching from debris piles onto the facility as well as the outside parameter of the site adjacent to neighborhoods. After the initial site visit by multiple agencies, this scrap

yard dramatically reduced the majority of debris and piles from the location within two months from the initial March 2, 2011 site investigation.

Environmental Task Force Involvement has EJ Emphasis

The Los Angeles County and Los Angeles City Task Forces are being supported by the active participation of team members through monthly meeting attendance and engaging in roll-outs within the Wilmington community along with task force members from multiple jurisdictional agencies.

e. “WET-FLOOR” PLATING OPERATIONS

No activity was reported during FY 2010/2011.

f. USED OIL TEAM

The Used Oil Team has been identifying used oil haulers who are not reporting used oil quantities to DTSC and DRRR. The used oil reporting is necessary in determining accurate amounts being managed throughout the State. Since the inception of the team, a total of 23 non-reporting used oil haulers have responded, and reported an approximate total of an additional 400,000 gallons of used oil to DTSC and DRRR. This information will allow DTSC to resolve discrepancies between volumes of used oil manifested versus quantities reported.

The Used Oil Team has finalized five out-of-state Used Oil Testing and Reporting Agreements. Four agreements have been made with Thermo Fluids, Inc., and one has been made with Environmental Management Systems, Inc. The agreements are for facilities located in:

- Phoenix, Arizona (2 facilities)
- North Las Vegas, Nevada
- Sparks, Nevada
- White City, Oregon

Inspections of out-of-state facilities having a Used Oil Testing and Reporting Agreement with DTSC, consist of a paperwork audit and site inspection in accordance with California Health and Safety Code section 25250.30. These inspections are expected to begin this fiscal year.

On October 20, 2010, the Used Oil Team leader participated in a meeting with DRRR and 7 delegates from China interested in implementing a used oil recycling program in Shanghai. The delegates from China were interested in utilizing California’s used oil incentive and regulatory program as a model for implementation. The team leader discussed DTSC’s role in ensuring that transporters, transfer stations and recycling facilities are in compliance with the California hazardous waste laws. The discussion was followed by a question and answer session. Delegates from China included the BaoSteel Developing (China’s largest steel mill and global

500 company), the Minister from China's Department of Purchasing, and members from China's Waste Utilization Department.

One major goal of the Used Oil Team is to determine the fate of missing used oil. The Team actively participates in CalRecycle's Life Cycle Analysis of used oil, in which the fate of missing oil is discussed. Collaboration on the topic of California's lost oil is handled at a global level with regulators at the state and federal levels, the petroleum industry, the used oil industry, and various stakeholders at both the national and global level.

The Used Oil Team began document reviews of four out-of-state used oil receiving facilities that maintain Used Oil Testing and Reporting Agreements with the Department. The Documentation includes manifests of incoming used oil from California, operation logs, and analytical test results. Out-of-state inspections are anticipated for the 2011-2012 Fiscal Year as part of the Used Oil Testing and Reporting Agreements.

The Used Oil Team completed a total of 23 inspections for the fiscal year, in addition to numerous complaint investigations. The following summarizes the number of inspections in each used oil sector:

- Transporters – 7
- Transfer Facilities – 11
- Recycling Facilities
 - CEI – 3
 - Enhanced Surveillance– 2

Of the 18 permitted used oil transfer facilities, 17 have been inspected over the last two fiscal years, closing an inspection gap from once every five years to every two and a half years. Due to the team's presence in the transfer facility sector, careful attention has been given to handling and documentation at these intermediate points, ensuring used oil is being sent to an appropriate receiving facility. Enforcement actions were initiated on 30% of the scheduled used oil inspections.

On February 2, 2011, members of the Used Oil Team provided a comprehensive two hour long training on used oil management, at the 2011 CUPA Conference, with approximately 100 attendees. Topics included: generator requirements, new used oil statutes, and a case study. Attendees were given ample time to ask team members questions regarding used oil management.

g. TREATED WOOD WASTE

Overview

During FY 10/11, DTSC continued to inspect both treated wood waste (TWW) handlers and facilities for compliance with the treated wood waste alternative management standards. DTSC inspectors conducted a total of eight TWW inspections and these inspections took place both in northern and southern California. In the course of these initial inspections, DTSC took the opportunity to educate handlers and facility operators in proper TWW management practices. Of these eight inspections, only one facility had violations serious enough to warrant formal enforcement action.

Of the eight total TWW inspections DTSC's Enforcement and Emergency Response Program has undertaken during FY 10/11, the rate of compliance by TWW facilities (Landfills or transfer Stations) is generally higher than that of TWW handlers (generators).

TWW Facilities Compliance

A total of six TWW facilities were inspected during FY 10/11. Only minor violations were noted. The most common violation found at these TWW facilities was a failure to provide specific occupational safety and health training to employees who handle TWW.

TWW Generators Compliance

A total of two TWW generators were inspected during FY 10/11. Class I, Class II, and minor violations were noted. Examples of these violations include: resizing treated wood in a manner that may cause a release of TWW to the environment; failure to store TWW properly to protect against run-on and run-off; commingling TWW with non-TWW; failure to submit a notification to DTSC (required for generators of > 10,000 pounds of TWW in a calendar year); and failure to provide required staff training.

TWW Enforcement

While DTSC did not start formal enforcement for any TWW facilities or handlers during FY 10/11, formal enforcement is anticipated for a TWW generator that was inspected during FY 10/11.

II. HAZARDOUS WASTE GENERATORS REGULATION (CUPA Coordination and Support)

A. ASSISTANCE

In FY 2010-11, DTSC received 507 calls and e-mail questions from CUPAs, with 58 of these calls and e-mails relating directly to RCRA issues. An additional 52

calls and e-mails were received from members of the regulated community and public, with 14 of these questions being directly related to RCRA issues.

B. EXTERNAL TRAINING

In FY 2010-11, DTSC provided:

- Technical assistance in the field to the City of Berkeley in August 2010 and the Alameda County CUPA in November 2010;
- Household Hazardous Waste Collection Facilities training with an emphasis on the hazardous waste generator portion to ReCology employees in San Francisco in November 2010;
- Two (2) Hazardous Waste Generator trainings to the San Francisco, Department of Public Works in Richmond in December 2010; and
- One (1) Used Oil/Hazardous Waste Generator Requirements training at the Household Hazardous Waste Conference in March 2011.

C. UNIFIED PROGRAM INFORMATION COLLECTION AND REPORTING

Large Quantity Generator Inspection Reporting

Approximately 43 CUPAs use Cal/EPA's Unified Program Data System (UPDS) to electronically submit large quantity generator (LQG) information. An average of 20 CUPAs per FY quarter submit their RCRA LQG information directly to DTSC. This information is uploaded to US EPA's RCRAInfo database, but a report menu is not yet available on the UPDS to extract LQG information. It continues to be a challenge to get all the CUPAs to submit LQG information in a timely manner.

D. U.S. EPA ENFORCEMENT REFERRALS

No activity was reported during FY 2010/2011.

E. GENERATOR STRATEGIC PLAN

No activity was reported during FY 2010/2011.

F. PERIODIC EVALUATIONS OF LOCAL CUPA PROGRAMS

There are 83 CUPAs in California, including those in Imperial and Trinity Counties which exist within EERP. For these 83, DTSC performs oversight functions which include: assisting with regulatory interpretations on inspections and enforcement; evaluating each CUPA on the hazardous waste portions of the CUPA program during the Cal/EPA triennial evaluation; participating in various CUPA forum meetings and workgroups; coordinating with other local, state, and federal agencies regarding the CUPA Program; conducting independent oversight inspections; providing technical assistance; and providing classroom and in-the-field training.

Six (6) CUPA evaluations were postponed from July through October 2010 due to the lack of a state budget. Out of 21 CUPA evaluations conducted during FY 10/11, DTSC participated in 15 CUPA evaluations.

G. INDEPENDENT INVESTIGATIONS

No activity was reported during FY 2010/2011.

III. COMPLAINT INVESTIGATIONS

DTSC received 834 formal complaints during the period from July 1, 2010 through June 30, 2011, for incorporation into the complaint log. The complaint triage resulted into the following actions:

COMPLAINTS HANDLED 7/1/2010 TO 6/30/2011	
ACTION	TOTAL
Complaints Investigated, Under Investigation by Non-OCI Staff Totals *	132
Complaints Investigated, Under Investigation by OCI	46
Pending (Unassigned Complaints)	20
Evaluated - No Further Action	42
Total Investigated, Under Investigation, Pending, & No Further Action Totals	240
Complaints where Class 1 Violations were detected during reporting period	18
Referred:	
Referred to CUPA	494
Referred to Other Local Agency	60
Referred to U.S. EPA	8
Referred to Other Federal Agencies	1
Referred to Other State Agencies	48
Referred (Assigned) to Other DTSC Programs: Totals	3
Brownfields and Environmental Restoration (SMBRP)	3
Other	0
Total Referred **	614
Complaints Received for the Fiscal Year 10/11	834

*Note: Included Assigned Complaints with No Activity, Active Complaints, and Closed Complaints.

** Note: When a complaint is referred to more than one entity, only the first entity is counted as a referral. This is done to prevent double or triple counting of small number of complaints.

IV. ENFORCEMENT ACTIVITIES

A. Formal Enforcement

Between July 1, 2010 and June 30, 2011, DTSC initiated formal enforcement actions (unilateral orders issued, or complaints filed) in 10 cases. DTSC settled 34 cases through civil or administrative action, resulting in fines and penalties totaling \$2,109,702. There are an additional 8 cases where enforcement action has been initiated but are not listed in the table below. Negotiations for these cases are in progress.

The following table identifies each of the formal enforcement cases where DTSC took action. Specific narratives for cases are found in Appendix A.

ENFORCEMENT ACTIONS CONDUCTED DURING FISCAL YEAR 2010-2011							
State or Federal EPA ID No.	Name of Facility	Inspection Date	Ins Type Code	Enforce Type Code	Enforce Action Date	Days from Inspection to First Enforce Action	Settlement Amount
CAD982357105	49er Subaru	1/23/2002	CEI	610	5/9/2011	3404	\$48,750
CAL000001295	A to Z Auto Dismantling	11/23/2009	FCI	385	7/29/2010	248	\$10,500
CAR000091850	Abbott Vascular Inc	7/29/2008	CEI	385	7/28/2010	729	\$90,000
CAD983620402	Advanced Cleanup Tech Inc	7/23/2007	FSD	610 410	1/27/2011, 11/30/2010	1226	\$65,002
CAD983620402	Advanced Cleanup Tech Inc	10/28/2010	FUI	510 410	6/30/2011, 4/25/2011	179	\$0
CAD981427669	American Earth Management Inc DBA American Oil	5/25/2010	CEI	210	5/3/2011	343	\$0
CAL000327898	Andrews International Training Center	5/16/2008	COMPLAINT	385	8/18/2010	824	\$150,000
CAR000046433	Aviation Equipment Inc	3/14/2006, 5/14/2009	CEI, FUI	610	5/20/2011	1341	\$19,000
CAL000282598	Bakersfield Transfer Inc	4/26/2010	CEI	385	6/16/2011	416	\$20,000
CAL000330835	Cactus Recycling Inc	4/28/2010	FCI	385	12/8/2010	224	\$2,000
CAT000646117	Chemical Waste Mgmt Inc	2/8/2010	CEI	210 310	5/20/2011, 6/14/2011	466	\$46,000
CAL000145268	Circuit Express Inc	10/7/2009	CEI	610 510	12/3/2010, 12/2/2010	33	\$160,000
CAD050806850	Clean Harbors Los Angeles LLC	10/25/2010	CEI	385	4/19/2011	176	\$19,000

ENFORCEMENT ACTIONS CONDUCTED DURING FISCAL YEAR 2010-2011

State or Federal EPA ID No.	Name of Facility	Inspection Date	Ins Type Code	Enforce Type Code	Enforce Action Date	Days from Inspection to First Enforce Action	Settlement Amount
CAD028409019	Crosby & Overton – Plant #1	4/23/2009	CEI	385	9/27/2010	522	\$40,000
CAR000169094	E Waste Center	3/30/2010	FCI	385	9/28/2010	182	\$18,000
CAD009466392	Ecology Control Industries	1/26/2007, 3/16/2009, 9/9/2008	CEI, FRR	510	11/18/2010	1016	\$0
CAL000327309	Evergreen	7/29/2009	COMPLAINT	385	12/20/2010	509	\$19,800
CAD980887418	Evergreen Oil Inc	2/22/2010	CEI	385	10/5/2010	225	\$6,500
CAD982446882	Evergreen Oil Inc Fresno	10/21/2010	CEI	385	5/27/2011	218	\$5,000
CAD097854541	Exide Technologies	4/29/2009	CEI	210	8/12/2010	470	\$0
CAD982444481	Filter Recycling Services	9/20/2007	COMPLAINT	210 410	12/28/2010, 11/2/2010	1139	\$0
CAD980884183	Gem Of Rancho Cordova LLC	3/11/2009	CEI	385	10/12/2010	580	\$600,000
CAC002624603	GOLDEN STATE WATER CO	7/27/2010	FSD	385	3/10/2011	226	\$8,000
CAD980893325	GOLDEN WEST OIL	7/14/2009	COMPLAINT	210	8/17/2010	399	\$0
CAD060398229	HERAEUS METAL PROCESSING INC	6/2/2009	CEI	385	10/6/2010	491	\$12,000
CAD001216548	JENNINGS TECHNOLOGY COMPANY LLC	1/27/2009	CEI	385	3/10/2011	772	\$347,000
CAD097458533	JOSLYN SUNBANK COMPANY LLC	2/10/2010, 7/12/2010	CEI, FRR	610	12/14/2010	127	\$200,000
CAD041660895	MODESTO PLATING	8/30/2007	CEI	510	1/12/2011	956	\$0
CAR000020255	OSHA COMPLIANCE PARTNERS INC	9/23/2009	CEI	385	7/15/2010	295	\$18,000
CAL000024110	P KAY METAL INC	1/27/2010	CEI	385	9/22/2010	238	\$4,000

ENFORCEMENT ACTIONS CONDUCTED DURING FISCAL YEAR 2010-2011

State or Federal EPA ID No.	Name of Facility	Inspection Date	Ins Type Code	Enforce Type Code	Enforce Action Date	Days from Inspection to First Enforce Action	Settlement Amount
CAD000912461	PACIFIC STEEL CASTINGS (PSC)	4/9/2009	COMPLAINT	385	7/28/2010	475	\$2,000
CFI000000220	PANDA INTERNATIONAL INC.	9/5/2008	COMPLAINT	610	9/8/2010	355	\$0
10-0810-0842	PENINSULA LIGHT METALS LLC	6/23/2010	COMPLAINT	385	1/26/2011	217	\$8,000
CAD097030993	SIEMENS WATER TECHNOLOGIES CORP	10/6/2010	CEI	385	5/17/2011	223	\$10,000
CAD008314908	SOLAR TURBINES INC	7/17/2008	FCI	385	9/8/2010	783	\$38,000
10-0510-0583	SONIA BRAMBILA DBA BASA	3/30/2010	COMPLAINT	385	12/10/2010	255	\$2,000
CAR000190363	TRI PRODUCTS INC	1/19/2011	FCI	385	5/3/2011	104	\$12,000
CAL000279045	TRUECYCLE ENTERPRISE R & D LAB	7/25/2007	FCI, FRR	310	1/11/2011	1265	\$52,650
CAL000317320	UNI WASTE INC	10/27/2009	CEI	310 210	9/13/2010, 7/26/2010	272	\$45,000
CAL000317320	UNI WASTE INC	9/30/2010	CEI	385	4/4/2011	186	\$10,500
10-0510-0624	VALUTECH OUTSOURCING, LLC	2/12/2010	COMPLAINT	385	3/7/2011	388	\$21,000
Number Cases Settled = 34							
Total Settlement							\$2,109,702

Enforcement Type	Description
210	Enforcement Order Issued
310	Final Administrative Settlement
385	Consent Order With Enforcement and Settlement – Federal CA/FO
410	Referred to Attorney General
430	Referred to District Attorney
510	Initial Civil Filing Attorney General
610	Final Civil / Judicial Action

B. OTHER ENFORCEMENT ACTIVITIES: (Actions that are not confidential)

Evergreen Oil Inc., City of Newark, (Alameda County): CAD980887418 (non-RCRA). On April 14, 2011, EERP staff from the Chatsworth and Berkeley offices attended a meeting organized by the Newark City Manager to discuss the incident and related issues associated with a March 29, 2011, fire at the Evergreen Oil recycling facility. The attendees at the meeting also included representatives from the Alameda County Fire Department, the Bay Area Air Quality Management District, and the Alameda County CUPA. The City and County Fire Department staff discussed their findings as they were the first responders to the incident. There was a discussion about future fire prevention efforts at the Evergreen facility. The fire occurred in the re-refining area of the facility which is not within the permitted activities at the site; therefore, DTSC did not have any objection to allowing the company to continue its used oil recycling operation.

Western Environmental Inc., City of Mecca, (Riverside County): CAR000157206 (non-RCRA). EERP staff in conjunction with the California Highway Patrol set up a truck stop at the border of the Cabazon Band of Mission Indians tribal land on May 9, 2011. A total of twenty four trucks were stopped to have their shipping papers reviewed. Eight of the trucks were taking waste to the Western Environmental facility. Western Environmental is operating a soil treatment plant on tribal lands, and has accepted non-RCRA hazardous waste without a permit from the State of California. Seven samples were collected from the trucks bound for the Western Environmental soil treatment center. One truck that contained manifested non-RCRA hazardous waste was rejected by Western Environmental. The waste observed going to WEI included, treatment plant wastewater, waste treatment plant solids, treatment plant high pH (11.5) dewatered lime solids, clarifier water, drain water, and oil well drill cuttings. Analysis results show that one shipment identified on shipping papers as non-hazardous waste was in fact hazardous waste.

Wyman Site, City of Reseda, (Los Angeles County): No EPA ID #. On March 30, 2011, two seniors with the Southern California Branch of EERP testified as expert witnesses at the federal jury trial of Edward Wyman who was charged with storage of hazardous waste without a permit and knowing endangerment. On May 31, 2009, a fire occurred in the back lot of his residence which involved thousands of rounds of ammunition, and gun powder. Further investigation revealed that hazardous waste range lead and industrial cleaning solvents had been brought to his residence and were being stored illegally. Wyman was found guilty by the federal jury and is scheduled to be sentenced on July 11, 2011. The site was referred to US EPA by Los Angeles County Fire Health Hazmat. The cleanup by US EPA took several months and cost several hundred thousand dollars.

C. OFFICE OF CRIMINAL INVESTIGATIONS (OCI):

1. Toxics in Consumer Products Team

No activity was reported during FY 2010/2011.

2. Lead in Jewelry Enforcement

During the FY 2010-11, OCI Lead in Jewelry staff identified 237 non-compliant jewelry items, opened 27 lead in jewelry cases, and issued 29 notices of violation to jewelry suppliers in California for the sale of non-compliant jewelry. Sixteen jewelry cases were referred to the Attorney General's Office for civil prosecution. Two cases were settled during this period and 11 cases are being pursued administratively by DTSC.

3. E-Waste Fraud Enforcement

No activity was reported during FY 2010/2011.

4. Environmental Justice

No activity was reported during FY 2010/2011.

D. PORT OF ENTRY (Import and Export of Hazardous Waste)

During FY 2010-11, DTSC received 43 import notifications, and 30 export notifications for the Port of Entry (POE) program. Data from the notifications and reports are continuously being entered into the POE database. No POE inspections were conducted.

Emphasis was placed on tracking imported and exported wastes. Import notices were reviewed and the receiving California facilities were checked to assure that they were permitted to accept the wastes in question. Information identifying the types and volumes of wastes imported and exported, and the companies that import and export hazardous wastes, were retained.

E. OTHER ACTIVITIES

1. HAZARDOUS WASTE PERMITTING TEAM:

- DTSC's Berkeley, Cypress, Sacramento and Chatsworth staff continued to provide support in the Hazardous Waste Permitting Team (HWPT). Support and assistance provided to HWPT included: reviewing draft permits and pertinent portions of the Part B applications to ensure enforceability by DTSC; coordinating those reviews and providing suggestions for improving the quality of the permits; and making presentations to the HWPT on common problems found in permits. The following RCRA permit and Standardized Permit were reviewed:
 - Phibro-Tech (Los Angeles County) CAD008488025
 - Filter Recycling Services, City of Rialto, (San Bernadino County): CAD982444481
 - Phibro-Tech, City of Santa Fe Springs, (Los Angeles County): CAD008488025
 - Safety Kleen, Highland (San Bernardino County): CAT000613927
 - Veolia ES Technical Solutions, City of Azusa, (Los Angeles County): CAD008302903
 - Wit Sales & Refining (Santa Clara County) CAD 980 888 598 (Std. Permit, RCRA LQG)
 - Xstrata Recycling (Santa Clara County) CAD 069 124 717 (Std. Permit, RCRA LQG)

2. DTSC IS THE CUPA IN IMPERIAL AND TRINITY COUNTIES:

See Appendix B.

V. DATA ENTRY, MANAGEMENT & REPORTING

DATA ENTRY AND MANAGEMENT

EERP has made tremendous progress in improving its data entry, data management, and data reporting. EERP continues to work with US EPA to address remaining issues in transferring inspection, violation, and enforcement data to RCRAInfo.

The first error free data upload to the RCRAInfo System from the EERP EnviroStor System occurred on 4/21/2011. This upload included all inspection, violation, and enforcement data from October 2010 to April 2011. With the improvements made to

upload error free information to the RCRAInfo System, DTSC is encouraged with the progress made, and is considering moving from a quarterly upload to a monthly upload of information to RCRAInfo.

The success of this upload was due in part to the eight new data cleanup reporting tools that are available to EERP regional data managers and supervisors to utilize. Implementation of the new cleanup reporting tools has allowed staff to review fields where data is missing or inconsistent, and allows them to correct any errors more rapidly.

The creation of new and modifications of existing Quality Assurance/Quality Control (QA/QC) reports have given regional data managers and supervisors the resources and abilities needed to analyze, project, modify, correct and add data to the EERP EnviroStor System in a timely manner. Some of the new reports that have been implemented in the past 8 months are the My Projects Detail Report, EPA Enforcement Report, EPA Inspection Report – Including Complaints, and the Inspections with Class 1 Violations – Enforcement Report.

The EERP EnviroStor System has also been modified to accommodate the tracking of civil/administrative actions taken to resolve complaints regarding a facility or business that has a valid federal Identification Number. The modification allows the entry of all complaint evaluation, violation, and enforcement action information.

EERP is also working to eliminate paper copies and emails of work requests for support services assistance on inspection and enforcement cases and financial assurance verifications. Electronic work request and financial assurance forms have been developed and tested within the EERP EnviroStor System. With a few modifications made and tested, the new Electronic Work Request Form feature should be available to staff by September 2011.

One data issue remains that requires additional programming and procedural solutions to resolve: Enforcement actions taken against multiple sites with different Identification Numbers under common ownership (known as SUPER CA/FOs in RCRAInfo) are either missing from RCRAInfo data for the State of California or are represented by a State Enforcement Type of 102. Efforts to resolve this issue with US EPA have been unsuccessful. The EERP EnviroStor System will be modified in the near future to accurately reflect this data. It is uncertain whether this data will be translated to RCRAInfo using any US EPA Headquarters enforcement type in the future. California does not currently intend to do manual data entry of SUPER CA/FO data and that appears to be the only way that this data can be properly entered into RCRAInfo.

VI. MISCELLANEOUS ACTIVITIES

A. COMPLIANCE INCENTIVES, SELF DISCLOSURES

DTSC received 7 Self-Disclosure Notifications; and completed investigating and settled 5 Self-Disclosure Notifications (see Appendix A).

The following cases have been settled:

- Advanced Cleanup Technologies, Inc., Rancho Dominguez, (Los Angeles County) CAD983620402 - Judgment
- Golden State Water Company, Lakewood, (Los Angeles County) CAC002624603 – Consent Order

The following cases have been completed (investigation and inspection report completed):

- Caltrans D-8/Constr/EA08-OK4105 (Department of Transportation District #8), Palm Desert (Riverside County) CAC002656146
- Rockwell Collins Electromechanical Systems, Irvine (Orange County) CAD066154345
- Asbury Environmental Services, City of Chico, (Butte County): CAL000827844

B. COMPLIANCE ASSISTANCE, 30-Day Storage Extension Requests

If RCRA waste must remain onsite for longer than 90-days due to unforeseeable, temporary, or uncontrolled circumstances, a one-time extension of up to 30 days may be granted at DTSC's discretion on a case-by-case basis per Title 22, California Code of Regulations, section 66262.34 (c). The extension is granted in writing, but an application requesting the extension must first be submitted to DTSC. In FY 2010/2011, DTSC received and approved four (4) extension requests.

Below is a summary of FY 2010/11, 30-day extension requests for generator onsite accumulation of RCRA hazardous waste. In order for a requestor's application to be approved, the application must: 1) be complete and contain all requested information; 2) have an original signature; and 3) be received by DTSC prior to the 90-day accumulation time limit expiring.

Summary of 30-Day Extension Requests FY 10/11

Facility	EPA ID Number	City/County	Approval/Denial
DTSC	CAR000500584	Oakland/Alameda County	Approved
US Navy - SSC Pacific	CA1170090020	San Diego	Approved
California Men's Colony	CAD981419351	San Luis Obispo/ San Luis Obispo County	Approved
Certainteed Corporation	CAD093435022	Chowchilla/ Madera County	Approved
TOTAL			4 Approved

VII. CALIFORNIA MEXICO BORDER PROGRAM

A. COORDINATION AND SUPPORT

On September 2, 2010, EERP San Diego Field Office staff participated in a meeting with US Customs & Border Protection and representatives from Cali Resources and Suarez Brokers. The purpose of the meeting was to discuss Cali Resources proposal to export CRT materials to Tijuana, Mexico for processing. The CRT materials will be dismantled at the Tijuana permitted facility and the intact CRTs will be shipped to the Mexicali facility for processing. Cali Resources presented copies of the SEMARNAT operating permit for the Tijuana facility and US EPA Acknowledgment of Consent Letter. The facility has filed the DTSC notification to export.

On September 9, 2010, EERP San Diego Field Office Supervisor and DTSC Imperial CUPA Acting Performance Manager attended a Border 2012 Succession Meeting sponsored by US EPA Region 9. The purpose of the meeting was to discuss the succession of the Border 2012 Program and for stakeholders to provide input and recommendations for the next US/Mexico border program. Representatives from the states of Sonora and Baja California, Mexico, and a tribal nation were present at this meeting.

On October 6, 2010, EERP San Diego Field Office staff participated in the California Border Environmental Task Force meeting in the City of El Centro. Members from the U.S. EPA, U.S. Customs, DTSC, County Health Dept/CUPA, CalRecycle, and Imperial County Air District attended this meeting. EERP San Diego Field Office provided an update on the Pacific Steel facility and the DTSC/PROFEPA border training workshops scheduled for October 19-22, 2010.

On October 7, 2010, EERP San Diego Field Office staff participated in the Border 2012 Joint California/Baja California Waste and Enforcement Task Force in the

City of Mexicali, Mexico. The meeting serves as a forum for federal, State and local enforcement agencies from both sides of the California/Mexico border to provide updates on their activities. US EPA provided updates on Border Environmental Cooperation Commission grants and the New Border 2012 Program. A presentation was provided by REMEXAR and SPA on the Electronic Recycling Project in the City of Tijuana. Members of the Maquiladora Association requested a clarification on Return of Recyclable Materials by U.S Customs. DTSC received an update from PROFEA regarding the abandonment of CRT waste by Source Glass Recycling in the City of Mexicali.

On October 19 and 20, 2010, EERP San Diego Field Office and Mexico's SEMARNAT and PROFEPA Representatives provided a two day training workshop in the city of Mexicali, Baja California, Mexico. The trainings presented by EERP San Diego Field Office were: Hazardous Waste Import/Export Requirements, Exclusions/Exemptions of Hazardous Waste in California, Clean up Program Requirements and Remediation Technologies. SEMARNAT, federal permitting agency, and PROFEPA, federal enforcement agency, presented the new hazardous waste management requirements in Mexico for generators, transporters and TSDFs with emphasis on the import/export requirements. PROFEPA also provided a presentation on Practical Cases of Illegal Traffic of Hazardous Waste. The trainings were well received by the various representatives from the maquiladora industry, transporters, consultants and regulatory agencies. Approximately forty people attended the two day training workshop in Mexicali.

On October 21 and 22, 2010 EERP San Diego Field Office and Mexico's SEMARNAT and PROFEPA Representatives provided a two day training workshop in the city of Tijuana, Baja California, Mexico. The trainings presented by EERP San Diego Field Office were: Hazardous Waste Import/Export Requirements, Exclusions/Exemptions of Hazardous Waste in California, Clean up Program Requirements and Remediation Technologies. SEMARNAT, federal permitting agency, and PROFEPA, federal enforcement agency, presented the new hazardous waste management requirements in Mexico for generators, transporters and TSDFs with emphasis on the import/export requirements. PROFEPA also provided a presentation on Practical Cases of Illegal Traffic of Hazardous Waste. The trainings were well received by the various representatives from the maquiladora industry, transporters, consultants and regulatory agencies. Approximately fifty people attended the two day workshop in Tijuana.

On February 9, 2011, EERP San Diego Field Office staff attended the California Border Environmental Task Force Meeting held in the City of San Diego, San Diego County. EERP San Diego Field Office staff participated in the meeting by providing the following: An update on types and volumes of hazardous wastes being imported or exported through the Mexican-California Border. Other offices and departments gave updates and presentations regarding the quality of air, water and other environmental issues affecting the border region.

On February 10, 2011, EERP San Diego Field Office staff participated in the Border 2012 Joint California/Baja California Waste and Enforcement Task Force. The meeting serves as a forum for federal, State and local enforcement agencies from both sides of the California Mexico border to provide updates on their activities. USEPA provided updates on grants, training activities and abandoned site cleanups that are being conducted south of the border. DTSC provided a short presentation on the Management of Soil Waste Piles at Pacific Steel and the approval letter issued by SEMARNAT to PSI for the export of the processed soil to their recycling facility in Mexicali, B.C. Mexico.

B. SURVEILLANCE AND ENFORCEMENT

Between July 1, 2010, and July 30, 2011, EERP and United States Customs and Border Protection (USCBP) conducted Border truck stop inspections on a weekly basis at the Otay Mesa and Calexico Ports of Entry (POE). Vehicles used to import hazardous wastes, non-hazardous wastes, and American Products returned were inspected at the Otay Mesa POE every Tuesday, Wednesday, and Friday and at the Calexico POE every Friday. The trucks were inspected for compliance with State and federal hazardous waste regulations and laws. Samples were periodically collected of specific shipments to verify that waste had been properly characterized and transported. Inspection results are as follows:

DTSC Mexican Border Truck Stops

	NUMBER OF TRUCKS	VIOLATIONS
RCRA and Non-RCRA	383	8
Non-Regulated Materials/Non-Hazardous Waste	2659	0
American Products Returned	835	0
TOTAL	3877	8

NORTHWEST RIVER SUPPLIES INC., BORDER TRUCK STOP, OTAY MESA PORT OF ENTRY

On July 14, 2010, EERP San Diego Field Office staff off loaded a truck containing various 35-gallon drums holding neoprene scrap powder. A grab sample was taken and will be sent for analysis to determine if there are any properties of hazardous waste. On July 15, 2010, EERP San Diego Field Office staff sent a Summary of Violations (SOV) to the US Customs Broker and a copy will be sent to the facility for their review and signature.

OTAY LANDFILL INC., CITY OF SAN DIEGO, SAN DIEGO COUNTY, CAD982431793

On October 6, 2010, EERP San Diego Field Office staff held a conference call meeting with Otay Landfill representatives to discuss the inspection and violations. As a result of the meeting EERP San Diego Field office staff requested that the facility retain all documents in relation to the receiving and disposal of the neoprene powder. On October 5, 2010, EERP San Diego Field

Office issued a SOV to Otay Landfill via fax. Otay Landfill was issued the SOV for accepting and disposing of a neoprene powder, a California hazardous waste, without a permit or authorization from the DTSC. The hazardous waste was imported by Northwest River Supplies, Importer of Record, thru the U.S. Customs & Border Protection, Otay Mesa Port of Entry on July 14, 2010.

PACIFIC TRANS ENVIRONMENTAL SERVICES (PTES), CITY OF EL CAJON, SAN DIEGO COUNTY, CAD981412356

On October 6, 2010, EERP San Diego Field Office mailed the inspection report and SOV to the facility. PTES was issued a SOV for causing a release of a hazardous waste, during a truck stop inspection conducted at the U.S. Customs & Border Protection, Calexico East Port of Entry, on July 16, 2010.

RZ METAL CORPORATION, OTAY MESA PORT OF ENTRY, CITY OF SAN DIEGO, SAN DIEGO COUNTY

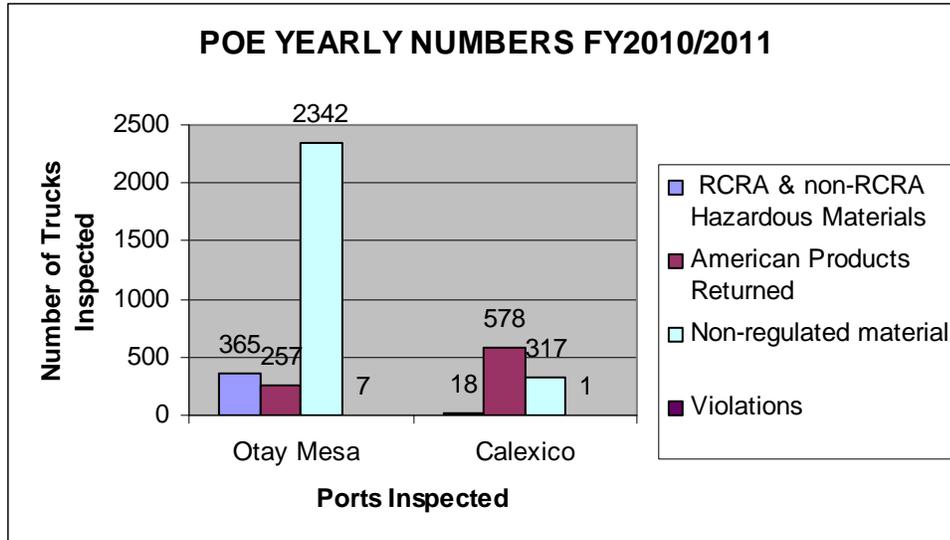
On February 23, 2011, EERP San Diego Field Office staff conducted a border truck stop inspection of RZ Metal Corp., Importer of Record, at the U.S Customs & Border Protection, Otay Mesa Port of Entry. RZ Metal Corp. imported 2-55 gallon metal drums holding metal powder (a California hazardous waste) without following the requirements for imports of hazardous waste. The metal powder is generated by the crushing of ceramic printed circuit boards. As a result of the inspection, RZ Metals Corp., Importer of Record, was issued a SOV for failure to make a hazardous waste determination, failure to follow requirements for imports of hazardous waste and for transferring custody of a hazardous waste to a transporter not authorized by the Department to haul hazardous waste.

CAMACHO TRUCKING, OTAY MESA PORT OF ENTRY, CITY OF SAN DIEGO, SAN DIEGO COUNTY

On February 23, 2011, EERP San Diego Field Office staff conducted a border truck stop inspection of Camacho Trucking at the U.S Customs & Border Protection, Otay Mesa Port of Entry. Camacho Trucking was transporting two 55 gallon drums containing a fine powder with metals destined for recycling. As a result of the inspection, a grab sample of the metal powder was collected and Camacho Trucking was issued a SOV for transporting hazardous waste without a valid registration from the Department and without a hazardous waste manifest.

MINA INTERNATIONAL GROUP INC., OTAY MESA PORT OF ENTRY, CITY OF SAN DIEGO, SAN DIEGO COUNTY, CAR000196881

On April 6, 2011, EERP San Diego Field Office staff conducted the Border Truck Stop inspections at the USCBP, Otay Mesa Port of Entry. One shipment from MINA international group Inc. was off loaded for a closer inspection. During a closer inspection of the shipment staff observed industrial lubricating oil releasing to the concrete ground below the trailer. Several gallons of the material were released onto the truck bed and to the concrete. Three samples were taken of the waste oil. A SOV was issued to the importer of record, MINA, for failure to make a hazardous waste determination, failure to follow the requirements for imports of hazardous waste and for disposal to the ground of a hazardous waste. Further enforcement action is pending laboratory results (TTLC, Fish bioassay).

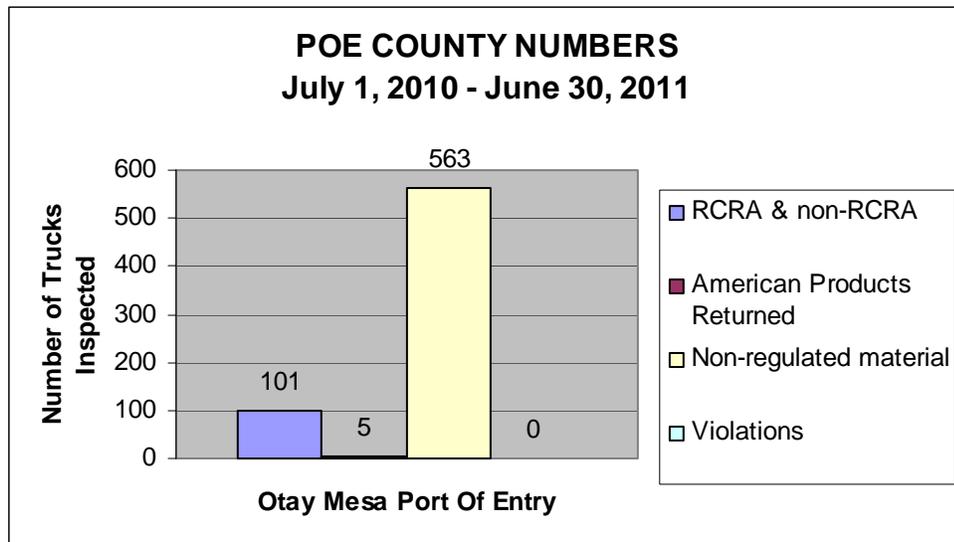


SAN DIEGO COUNTY CONTRACT

Between July 1, 2010, and June 30, 2011, San Diego County Department of Environmental Health and USCBP conducted Border truck stop inspections on a weekly basis at the Otay Mesa Port of Entry.

**San Diego County Mexican Border Truck Stops
Conducted Under Contract with DTSC**

	NUMBER OF TRUCKS	VIOLATIONS
RCRA and Non-RCRA	101	0
Non-Regulated Materials/Non-Hazardous Waste	563	0
American Products Returned	5	0
TOTAL	669	0



C. BI-NATIONAL SAMPLING EXERCISE

No activity was reported during FY 2010/2011.

D. IMPROVE ENVIRONMENTAL PERFORMANCE AND POLLUTION PREVENTION

No activity was reported during FY 2010/2011.

APPENDIX A
ENFORCEMENT AND EMERGENCY RESPONSE PROGRAM
FORMAL ENFORCEMENT ACTIONS

49er Subaru Aka Forty-Niner Sierra Resources, City of Angels Camp, Calaveras County, CAD982357105 (RCRA Generator): DTSC entered into a Final Judgment Consent Order with Forty-Niner resolving violations discovered during an inspection on January 23, 2002. Violations noted during the inspection were unauthorized storage of a hazardous waste in an underground tank, failure to provide evidence of training to employees, failure to label hazardous waste containers and Storage of a hazardous waste for longer than ninety days with out a permit or authorization from the Department. Forty Niner agreed to penalties of \$48,750.

A to Z Auto and Recycling, City of San Diego, San Diego County, CAL000001295: On July 29, 2010, DTSC entered into a Consent Order with A to Z Auto & Recycling, resolving violations observed during a November 23, 2009, e-waste handler inspection. The settlement includes penalties of \$10,500. The violations included disposal of e-waste to the ground and failure to properly manage electronic devices. A to Z is a scrap metal recycler and Universal Waste Handler of electronic devices.

Abbott Vascular, City of Redwood City, San Mateo County, CAR000091850 (RCRA Generator): On July 28, 2010, DTSC entered into a Consent Order with Abbott Vascular resolving violations observed during an inspection in July 2008. The settlement includes penalties of \$90,000. Abbott Vascular's violations observed during the inspection include: Failure to make waste determinations, failure to maintain spill equipment, storage of caustic waste beyond 90 days, failure to change emergency coordinator list, failure maintain copies of SB 14 documents on the premises, failure to maintain adequate isle space, failure to label waste oil containers, failure to send DTSC an exemption report, failure to write training procedures for employees, employees failed to receive annual review of training, storage of universal lamps in open unlabeled boxes and failure to clean up an oil spill that occurred over a year ago.

Advanced Cleanup Technologies, Inc., City of Rancho Dominguez, Los Angeles County, CAD983620402 (self-disclosure and complaint): On January 27, 2011, a Judgment to Collect Administrative Penalties against Advanced Cleanup Technologies Inc. was signed and filed by the Los Angeles County Superior Court. The case was referred to the Attorney General's Office on November 30, 2010. The facility failed to make the payment specified in a Consent Order that EERP and the facility entered into on September 25, 2009 settling violations observed during the self-disclosure and complaint investigations. The violations for both investigations involved holding hazardous waste at the transfer facility for longer than ten days. The facility is a registered

transporter of hazardous waste, and primarily conducts emergency response and cleanup operations.

Advanced Cleanup Technologies, Inc., City of Rancho Dominguez, Los Angeles County, CAD983620402 (follow-up): On June 30, 2011, a Complaint for Civil Penalties and Injunctive Relief against Advanced Cleanup Technologies Inc. was signed and filed by the Los Angeles County Superior Court. The case was referred to the Attorney General's Office on April 25, 2011. The violations involved holding hazardous waste at the transfer facility for longer than ten days; these were observed during a transporter follow inspection on November 28, 2010. The facility is a registered transporter of hazardous waste, and primarily conducts emergency response and cleanup operations.

American Earth Management, Inc., (dba American Oil Company), City of Van Nuys, Los Angeles County, CAD981427669 (non-RCRA): On May 3, 2011, DTSC issued an Enforcement Order to American Earth Management, Inc., dba American Oil Company, settling violations found during a May 25, 2010, inspection of the facility. The violations include: storage in an unauthorized location; installation of tanks prior to receiving modification approval; failure to test used oil for PCBs prior to offloading waste; accepting hazardous wastes not authorized by permit; failure to comply with consolidated manifesting procedures; and failure to initially train personnel who handle or manage universal wastes from off-site sources.

Andrews International, Inc., City of Burbank, Los Angeles County, CAL000327898 (complaint): On August 18, 2010, DTSC entered into a Consent Order with Andrews International for violations resulting from a May 16, 2008 complaint investigation of this privately owned indoor shooting range. The total penalty was agreed at \$150,000. The violations include: disposal of lead contaminated debris and hazardous waste lead dust in the municipal trash; allowing the transportation and disposal of hazardous waste range lead off-site; disposal of contaminated ventilation filters in the municipal trash; failure to label containers of hazardous waste; failure to prepare a manifest for transfer of hazardous waste off-site; allowing the transfer of custody and transportation of hazardous waste to transporters who did not hold a valid registration issued by DTSC; failure to make a hazardous waste determination, and failure to minimize releases.

Cactus Recycling, City of San Diego, San Diego County, CAL000330835: On December 8, 2010, DTSC entered into a Consent Order with Cactus Recycling resolving violations observed during an e-waste handler inspection. The facility agreed to a settlement amount of \$2,000.00 dollars. The violations included failure to provide adequate employee training and failure to manage e-waste properly. Cactus Recycling is a certified e-waste collector.

Aviation Equipment, City of Costa Mesa, Orange County, CAR000046433 (RCRA Generator): DTSC filed a Stipulation for Entry of Amendment to Final Judgment and Permanent Injunction in Orange Co. Superior Court in response to

Aviation Equipment's failure to comply with the injunctive conditions of DTSC's settlement with the company in June 2008 (as well as an additional RCRA violation observed during a May 2009 reinspection). The injunctive conditions violated included training of personnel, sampling of RCRA waste, required recordkeeping, and maintenance of container storage areas; the additional RCRA violation concerned mismanagement of RCRA waste as non-RCRA. The company has gone out of business. Aviation Equipment will pay a penalty of \$19,000.

Bakersfield Transfer, Inc., City of Bakersfield, Kern County, CAL000282598 (non-RCRA): On June 16, 2011, DTSC entered into a Consent Order with Bakersfield Transfer, settling violations cited during a April 26, 2010, inspection of this facility. The settlement includes penalties of \$20,000. The company was cited for the following violations: failure to minimize unauthorized entry of the site; failure to develop and follow a written schedule for the daily inspection of the storage tanks and secondary containment of Unit #1; failure to provide training for the emergency coordinators identified in the contingency plan and emergency procedures; failure to provide the tank farm area Unit #1 with an emergency shower and eye wash/first aid; failure to keep records of the description and quantity of hazardous waste received and the method and date of it's transfer and storage at the site; performing an unauthorized activity by utilizing four 500 gallon containers to separate oily water waste received at the site.

Clean Harbors Los Angeles LLC, City of Los Angeles, Los Angeles County, CAD050806850: On April 19, 2011, DTSC entered into a Consent Order with Clean Harbors Los Angeles to settle violations discovered during an October 25, 2010, inspection of this facility. The settlement includes penalties of \$19,000. The violations include: incomplete operating records; failure to inspect the tank high level alarms; and failure to record all inspections in an inspection log or summary.

Chemical Waste Management, Inc., City of Kettleman, Kings County, CAT000646117 (RCRA): On May 20, 2011, DTSC issued an enforcement order and on June 14, 2011, a Notice of Final Order to Chemical Waste Management, Kettleman Hills directing the facility to comply with Corrective Action permit requirements pertaining to reporting releases of hazardous waste associated with facility operations. The facility permit requires reporting of new releases to DTSC verbally within 24-hours of detection and in writing within 10 days summarizing the findings including the immediacy and magnitude of any potential threat to human health and/or the environment. The facility failed to report several releases of polychlorinated biphenyls (PCB) that occurred onsite. The Order includes penalties of \$46,000.

Circuit Express Inc., City of Simi Valley, Ventura County, CAL000145268 (RCRA Generator): DTSC entered into a Stipulation for Settlement with entry of Judgment and Permanent Injunction. Settlement also obtained \$160,000 in civil penalties resolving violations observed during an inspection in October 2009. Circuit Express's violations observed during the inspection included: inadequate

tank system assessment, failure to conduct daily tank inspections, failure to close and properly label containers of hazardous waste, failure to properly maintain the facility to prevent release of waste, and failure to obtain authorization for onsite treatment.

Crosby & Overton Inc., City of Long Beach, Los Angeles County,

CAD028409019: On September 27, 2010, DTSC entered into a Consent Order with Crosby & Overton to settle violations discovered during an April 23, 2009 inspection of this facility. The facility agreed to penalties of \$40,000. The violations include: holding hazardous waste in a container not in good condition; failure to minimize the possibility of a release; incomplete inspection logs; inadequate operating records; and failure to maintain the integrity of a tank system to minimize the exposure of hazardous waste to the atmosphere.

eWaste Center, Inc., City of Commerce, Los Angeles County,

CAR000169094 (non-RCRA): On September 28, 2010, DTSC entered into a Consent Order with eWaste Center (formerly known as Cosmos Electronics) settling violations that were discovered on a March 30, 2010, inspection of this e-waste handler. The settlement includes penalties of \$18,000. The company was cited for the following violations: failure to remove the yoke without breaking the CRT glass, and failure to mark or label the electronic devices. As a result of this enforcement, eWaste changed their authorization to a recycler where they can remove the yoke and break the glass.

Ecology Control Industries, City of Richmond, Contra Costa County,

CAD009466392 (FR Review, non-RCRA): The Office of the Attorney General on behalf of DTSC filed a civil complaint against Ecology Control Industries on November 19, 2010 for violations found during 2006, 2007, and 2009 financial responsibility reviews as well as for violations found during the 2008 compliance evaluation. The civil complaint was ultimately served on Ecology Control Industries on June 7, 2011, when it became apparent that a settlement could not be reached by negotiations. Violations cited in the complaint included: failure to follow the approved waste analysis plan, failure to maintain necessary operating plans at the facility, failure to demonstrate proof of financial responsibility to third parties for sudden accidental occurrences, failure to provide insurance policies requested by DTSC, failure to provide adequate insurance for third party liability, failure to operate permitted tank within authorized capacity, failure to obtain approval prior to modifying permitted operations, and accepting an unauthorized waste stream. Ecology Control Industries operates as a standardized permit facility authorized for the acceptance and cleaning of empty petroleum product tanks.

Evergreen Oil Inc., City of Newark, Alameda County, CAD980887418 (non-

RCRA). On October 5, 2010, DTSC entered into a Consent Order with Evergreen Oil settling violations discovered on a February 22, 2010, inspection of this used oil recycling facility. The settlement included penalties of \$6,580. The violations include: failure to provide secondary containment for ancillary equipment outside the tanks secondary containment area; failure to record

inspections of both the wastewater treatment system and the loading and unloading area in an inspection log; and failure to keep the secondary containment area, for loading and unloading, free of cracks and gaps.

Evergreen Oil Inc., City of Fresno, Fresno County, CAD982446882 (non-RCRA): On May 27, 2011, DTSC entered into a Consent Order with Evergreen Oil settling violations resulting from an October 21, 2010, inspection of this used oil recycling facility. The settlement included penalties of \$5,000. Evergreen was cited for the following violations: failure to include contact information for the emergency coordinators in its contingency plan and emergency procedures; and failure to include in its inspection log, inspections of the loading and unloading of tanker trucks in secondary containment.

Exide Technologies Inc., City of Los Angeles, Los Angeles County, CAD097854541: An Enforcement Order was issued to Exide Technologies on August 12, 2010, for illegally storing hazardous waste lead contaminated sludge in an unauthorized unit (Storm Water Retention Pond), and failure to remove the lead-contaminated sludge from the unit.

Filter Recycling Services, Inc., City of Rialto, San Bernardino County, CAD982444481 (non-RCRA): On December 28, 2010, EERP issued an Enforcement Order to Filter Recycling Services, Inc. for the following violations: conducted tank trailer to tank trailer transfer of hazardous wastes without a permit; made false statements in their operating records; inadequate operating records; and failure to submit copies of hazardous waste manifests to DTSC. The case was referred to the Attorney General's Office on November 2, 2010. The facility has a Series A Standardized Hazardous Waste Facility permit for managing non-RCRA hazardous wastes.

General Environmental Management of Rancho Cordova, LLC, City of Rancho Cordova, Sacramento County, CAD980884183 (RCRA Generator): On October 12, 2010, DTSC entered into a Consent Order with General Environmental Management of Rancho Cordova, LLC. (GEM) resolving violations observed during an inspection in March 2009. The settlement included penalties of \$600,000. GEM's violations observed during the inspection included: exceeding the permitted facility storage volume limit, storage of hazardous waste in the Loading and Unloading Area overnight, storage of hazardous waste in loaded trailers outside the boundary of the permitted facility, moving loaded transport vehicles out of the Loading and Unloading Area before the generator or transporter signed the manifests, and failure to separate incompatible wastes.

Golden State Water Company, City of Lakewood, Los Angeles County, CAC002624603 (self-disclosure): On March 10, 2011, EERP and Golden State Water Company entered into a Consent Order settling violations observed during the July 27, 2010 self-disclosure inspection. The settlement included penalties of \$8,000. The major violations involved shipment of hazardous waste without a manifest to an unauthorized facility, and failure to obtain a hazardous waste

generator identification number. The facility is a potable water supply and service company.

Golden West Oil, Inc., City of Fontana, San Bernardino County, CAD980893325 (complaint, non-RCRA): An Enforcement Order was issued to Golden West Oil, Inc., on August 17, 2010, for violations observed during an inspection of this transporter. The violations include: failure to enter the correct total volume of hazardous waste transported on the manifest, misrepresentations on receipts, and failure to include generator statements on all receipts.

Heraeus Metal Processing, Inc, City of Santa Fe Springs, Los Angeles County, CAD060398229 (non-RCRA): On October 6, 2010, DTSC entered into a Consent Order with Heraeus Metal Processing for violations discovered on a June 2, 2009, inspection of this precious metal recycler. The settlement included \$12,000 in penalties. Heraeus Metal Processing operates under a Series B, Standardized Permit. The violations include: storage of hazardous waste in excess of the hazardous waste storage area capacity; failure to minimize the possibility of unplanned sudden or non-sudden release of hazardous waste to the environment; and failure to maintain adequate aisle space in between rows of drums.

Jennings Technology, City of San Jose, Santa Clara County, CAD001216548 (RCRA Generator): On March 10, 2010, DTSC entered into a Consent Order with Jennings Technology resolving violations observed during inspections conducted on January 27, and 28, 2009. The settlement included penalties of \$337,000 and \$10,000 reimbursement of DTSC's costs. Violations included: Failure to make waste determinations, failure to transfer hazardous waste from a leaking container to container in good condition, storage of hazardous waste in containers for greater than 90 days without permit or authorization, treatment of hazardous waste without permit or authorization, failure to complete tank system assessments, failure to inspect tanks at least once every operating day, failure to maintain protective distances between the waste methanol tank and public ways, streets and alleyways, failure to mark containers with hazardous waste labels, disposing hazardous waste to an unauthorized point, and storing universal waste lamps in open containers.

Joslyn Sunbank Company, LLC, City of Paso Robles, San Luis Obispo County, CAD097458533 (non RCRA FR review, RCRA Generator): The Office of the Attorney General on behalf of DTSC filed a Stipulation for Entry of Second Amendment to Final Judgment and Permanent Injunction Pursuant to Stipulation on December 14, 2010 resolving violations found at Joslyn Sunbank during an inspection initiated in February, 2010 which focused on compliance with the Final Judgment and Permanent Injunction Pursuant to Stipulation dated March 28, 2007 and the final Judgment and Amendment to Final Judgment dated August 20, 2009. Violations of both the Judgments and the Hazardous Waste Control Law were found and included: treatment of cyanide solutions exceeding 5000 milligrams per liter, failure to provide initial and annual training for the reduction of cyanide wastes, failure to submit separate Onsite Treatment Unit

Notification forms, failure to have adequate financial assurance in place for the closure of a waste water treatment unit, failure to comply with permit by rule regulations by discharging effluent in excess of the Publicly Owned Treatment Works discharge levels, and accumulating hazardous waste on the floor. As part of the settlement, Joslyn Sunbank agreed to conduct an audit of their hazardous waste activities based on the schedule provided in the settlement and to pay a total of \$200,000 of which \$45,000 may be in the form of supplemental environmental projects. Joslyn Sunbank is a generator of RCRA hazardous waste and operates permit by rule treatment units.

Modesto Plating, Inc., City of Modesto, Stanislaus County, CAD041660895 (RCRA Generator): On January 12, 2011, the Attorney General's Office filed an Amended Civil Complaint for Penalties and Injunctive Relief in Alameda Superior Court. The complaint also lists Mr. Rex Sutter, vice president of Modesto Plating, as a defendant in the complaint. Modesto Plating's violations observed during the August 30, 2007, inspection included: inadequate tank system assessment, failure to conduct daily tank inspection, onsite storage of hazardous waste, failure to properly maintain the facility to prevent release of waste, disposal of hazardous waste to the municipal landfill and failure to obtain authorization for onsite treatment.

OSHA Compliance Partners, Inc., City of Paramount, Los Angeles County, CAR000020255 (non-RCRA): On July 15, 2010, DTSC entered into a Consent Order with OSHA Compliance Partners settling violations discovered on a September 23, 2009, inspection of this transporter. The settlement includes penalties of \$18,000. The company was cited for the following violations: storage of fixer/developer, compressor oil, and steel wool cartridge waste beyond the 10 days allowed under the transfer facility exemption, and disposal of hazardous waste steel wool cartridge material onto the ground. This transporter primarily transports dental waste.

Peninsula Light Metals, City of San Diego, San Diego County, No EPA ID No.:

On January 26, 2011, DTSC entered into a Consent Order with Peninsula Light Metals resolving violations observed during a truck stop inspection conducted at the U.S Customs & Border Protection, Otay Mesa Port of Entry, San Diego County. The facility agreed to a settlement amount of \$8,000.00 dollars. The violations included the disposal of used oil to the ground and importing hazardous waste without complying with all of the requirements for imports of hazardous waste.

P Kay Metal, Inc., City of Los Angeles, Los Angeles County, CAL000024110 (non-RCRA): On September 22, 2010, DTSC entered into a Consent Order with P Kay Metal settling a violation discovered on an inspection of this facility. The settlement includes penalties of \$4,000. P Kay Metal was cited for failure to transfer the contents of two damaged 55-gallon hazardous waste drums (thin-lead solids), to containers in good condition.

Pacific Steel Castings, City of Berkeley, Alameda County, CAD000912461:

On July 28, 2010, DTSC entered into a Consent Order with Pacific Steel Castings resolving a disposal violation during a April 2009 complaint investigation. The total settlement was \$2,000. One thousand dollars of the penalty amount was reimbursement of DTSC's costs.

Siemens Water Technologies Corp., City of Vernon, Los Angeles County, CAD097030993:

On May 17, 2011, DTSC entered into a Consent Order with Siemens Water Technologies settling violations discovered during an inspection of this facility. The TSD facility was found in violation for: failure to make notations of observations made in an inspection log, including the date and nature of any repairs or other remedial actions; failure to remedy deteriorated or malfunctioned equipment on a schedule which ensures that the problem does not lead to an environmental or human health hazard; and failure to have personnel take part in an annual review of the initial training required. Siemens agreed to a total settlement of \$10,000, with a penalty of \$6,000 and \$4,000 reimbursement for DTSC's administrative costs.

Solar Turbines, INC., City of San Diego, San Diego County, CAD008314908:

On September 8, 2010, DTSC entered into a Consent Order with Solar Turbines, Inc., resolving violations observed during a border truck stop inspection conducted on July 17, 2007, at the U.S Customs & Border Protection location at Otay Mesa Port of Entry in San Diego County. The settlement includes penalties of \$33,000, and a SEP of \$5,000. Solar Turbines imported drums of metal powder generated at Turbotech de Mexico, sister company operating in Mexico, without complying with the requirements of imports of hazardous waste.

Sonia Brambila dba BASA, City of San Diego, San Diego County, No EPA ID No.:

On December 10, 2010, DTSC entered into a Consent Order with BASA resolving violations observed during a truck stop inspection on March 30, 2010, conducted at the U.S Customs & Border Protection, Otay Mesa Port of Entry, San Diego County. The facility agreed to a settlement amount of \$2,000.00 dollars, of which \$1,000 dollars is a monetary penalty and \$1000 dollars is a credit to attend Compliance School. The violation involved a release of used lubricating oil to the ground. BASA is a transporter of commercial commodities.

TRI Products Inc., City of Arcadia, Los Angeles County, CAR000190363

(non-RCRA): On May 3, 2011, DTSC entered into a Consent Order with TRI Products, settling violations found during a January 19, 2011, inspection of this e-waste recycler. The settlement includes penalties of \$12,000. TRI was cited for the following violations: storage of hazardous waste at a location not authorized by the Department; failure to label over 400 containers containing CRT glass; and failure to demonstrate the length of time containers, holding CRT glass, had been accumulated at site one.

trueCycle, Inc., City of Victorville, San Bernardino County, CAL000279045 (non-RCRA): On January 11, 2011, EERP and the individual, former president of the company, Todd Hill entered into a Stipulation and Order settling violations described in the Enforcement Order (EO) issued to trueCycle Inc. and the individual, former president of the company, Todd Hill on October 27, 2009 and later an Amendment to the EO on June 8, 2010. The settlement includes penalties of \$52,650. The major violations involved containment and storage management requirements, release of hazardous wastes, financial responsibility requirements. The facility was a handler and recycler of universal waste electronic devices and cathode ray tube materials, and is now certified closed.

UNI Waste, Inc., City of Ione, Amador County, CAL000317320 (non-RCRA): On May 13, 2010, DTSC entered into a Stipulation and Order with UNI Waste settling a violation observed on an October 27, 2009, inspection of this used oil transporter. The settlement includes penalties of \$45,000. Uni Waste was cited for storage of hazardous waste in excess of the ten days allowed under the transfer facility exemption.

UNI Waste, Inc., City of Ione, Amador County, CAL000317320 (non-RCRA): On April 4, 2011, DTSC entered into a Consent Order with UNI Waste, settling a violation discovered on an inspection of this transporter on September 30, 2010. The settlement includes penalties of \$10,500. UNI Waste failed to test and analyze used oil shipped to a facility out of state.

Valutech Outsourcing LLC, City of Capistrano Beach, Orange County, No EPA ID No.:

On March 7, 2011, DTSC entered into a Consent Order with Valutech Outsourcing resolving violations observed during a truck stop inspection on February 12, 2010, conducted at the U.S Customs & Border Protection, Calexico East Port of Entry, Imperial County. The facility agreed to a settlement amount of \$21,000.00 dollars, of which \$19,000 dollars is a monetary fine and \$2,000 dollars credit to send two employees to Compliance School. The violations included importing hazardous waste without complying with all of the requirements (i.e. waste determination, manifest, labeling) for imports of hazardous waste.

APPENDIX B
IMPERIAL COUNTY AND TRINITY COUNTY CUPA PROGRAMS
IMPLEMENTATION SUMMARY

BACKGROUND:

The Unified Program consolidates, coordinates, and makes consistent the administrative requirements, permits, inspections, and enforcement activities of six environmental and emergency response programs. The State agencies responsible for these programs set the standards for their program while local governments implement the standards. Cal/EPA oversees the implementation of the Unified Program as a whole. The Unified Program is implemented at the local level by 83 government agencies certified by the Secretary of Cal/EPA.

DTSC has been designated by Cal/EPA to implement the Unified program in Trinity and Imperial Counties.

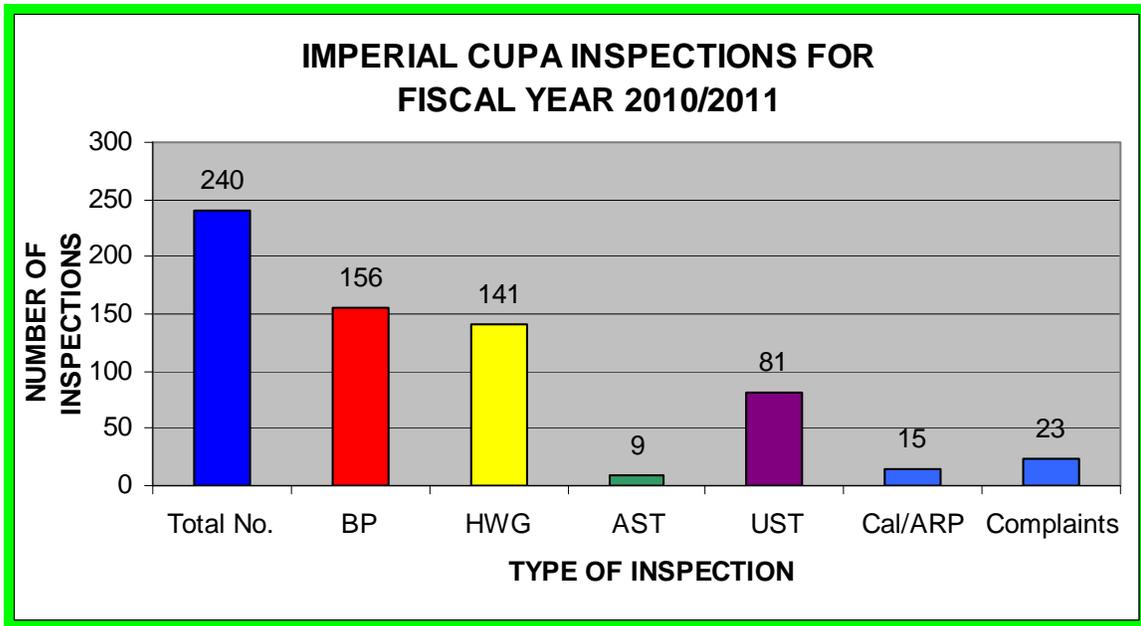
A. IMPERIAL COUNTY IMPLEMENTATION ACTIVITIES:

- Identified approximately 917 facilities which are presently receiving invoices;
- Participated in monthly-scheduled County Fire Chiefs Association meetings for coordination on Hazardous Materials Response activities;
- Responded to approximately 100 inquiries from generators, facilities, consultants, and other interested parties;
- Performed 156 Hazardous Materials Business Plan inspections;
- Performed 141 Hazardous Waste inspections;
- Performed 81 annual inspections of Underground Storage Tank facilities;
- Responded to and conducted 23 complaint investigations;
- Reviewed 48 reported hazardous materials releases;
- On June 10, 2011 the new web-based EnvisionConnect database went live. (Decade Software has been providing weekly online trainings for new subscribers to EnvisionConnect. Decade consultants have been assisting DTSC with the upgrade and configuration of the new system.)
- Cypress Office Senior Hazardous Substances Scientist and CUPA staff continue to attend the monthly California Environmental Reporting System (CERS) User Group meetings.
- CUPA staff attended the Annual CUPA Conference in Orange County.
- CUPA had its Triennial CUPA Audit, deficiencies are being addressed and reports are being submitted to CalEPA on a quarterly basis.
- CUPA responded to thirty-six Public Records Requests in a timely manner complying 100% with statutory requirement in responding and making the records available to the public.

Chart 1. Estimated Universe of Businesses Regulated by the DTSC CUPA in Imperial County as of June 30, 2011

CUPA Program	Approx. Number of Imperial County Businesses Subject to this Program
Business Plan/HazMat Plan/Inventory	870
Hazardous Waste Generator	602
CAL/ARP	49
Underground Storage Tank (UST)	86
Aboveground Petroleum Storage Tank (AST)	171
Tiered Permitting Facilities	1

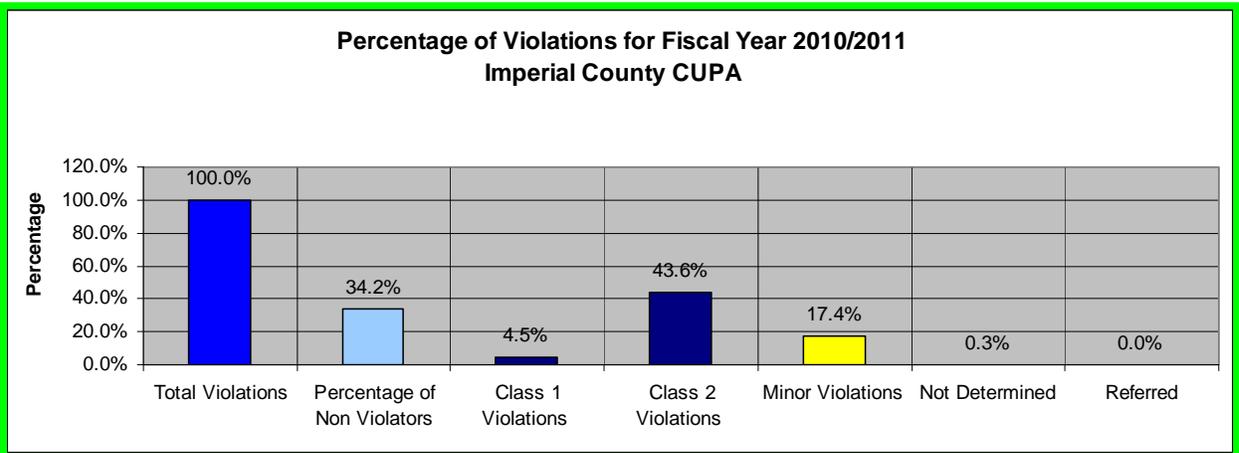
Chart 2. Number and Types of Imperial County CUPA Inspections as of June 30, 2011



BP = Hazardous Materials Business Plan
 HWG= Hazardous Waste Generator
 AST= Aboveground Storage Tank
 Complaints= these are besides required annual inspections.
 UST = Underground Storage Tank
 CAL/ARP = California Accidental Release Prevention

(Since some of these businesses have several program elements, the Total No. of Inspections may differ from the Total No. of Insp. Facilities)

**Chart 3. Violation Types for Inspections in Imperial County
as of June 30, 2011**



Non-Violators = 98

Class 1 Violators = 13

Class 2 Violators = 125

Minor Violators = 50

Not Determined = 1

Referred = 0

B. TRINITY COUNTY IMPLEMENTATION ACTIVITIES:

- Continued to identify newly regulated businesses in Trinity County and close out businesses that discontinued the use of hazardous materials.
- Conducted forty-three non-Underground Storage Tank site (USTs) inspections. Forty-one were at businesses that were subject to Hazardous Material Business Plan (HMBP) requirements and twenty-one were also subject to Hazardous Waste Generator requirements.
- Oversaw annual monitoring certification inspections at all nine active USTs in Trinity County.
- Issued UST permits to USTs that complied with the UST law and regulations.
- Completed and submitted the Semiannual Underground Storage Tank Program Reports for the Trinity County CUPA to the State Water Resources Control Board.
- Received and investigated one hazardous waste complaint from Trinity County.
- Worked with Trinity County to obtain an HMEP grant to finalize the county hazardous materials Area Plan and conduct a commodity flow study of hazardous material, in conjunction with the CHP, along Highway 299 primarily and Highway 36 secondarily.
- Continued to use Cal/EPA grant money to inspect ten facilities subject to the Aboveground Petroleum Storage Act (APSA). Worked with these facilities to complete Spill Prevention Control and Countermeasure plans, and in one case, replace all the petroleum tanks and piping to come into compliance with APSA. Submitted required APSA Status Reports and Invoices to Cal/EPA detailing the progress of implementation of the APSA program and the grant money expended to date.

- Attended some of the Northern California CUPA Forum Managers' meetings and Northern California UST Technical Advisory Group meetings.
- Prepared and submitted a Grant Application, Grant Agreement, and Transition Plan to Cal/EPA to implement the California Environmental Reporting System to require all regulated businesses and the Trinity County CUPA to use the Internet to file required Unified Program information now filed by paper forms.
- Provided technical and compliance assistance to local businesses within the CUPA jurisdiction.
- Worked to resolve invoice and billing issues.
- Cal/EPA evaluated Trinity County CUPA and found that the Trinity County CUPA program performance was "satisfactory with some improvement needed." The CUPA continues to address the last two remaining items of implementing the CalARP program and having the HMBPs address earthquakes.
- Continued to work with five CalARP (seven stationary sources) facilities to achieve compliance. Worked with three CalARPs (five stationary sources) to obtain a consultant to prepare a Risk Management Plan (RMP). Obtained a RMP from one of these CalARPs. Convinced one CalARP to store less than the CalARP regulated quantity of chlorine and continue to work with the remaining CalARP to store less than the CalARP regulated quantity of chlorine.
- Attended the 13th California Unified Program Annual Training Conference from January 31 to February 3, 2011.

The following chart shows how many of the 140 regulated businesses in Trinity County are subject to each CUPA program element. Some of the businesses are subject to more than one CUPA program.

Chart 1. Estimated Universe of Businesses Regulated by the DTSC CUPA in Trinity County as of June 30, 2010

CUPA Program	Approx. Number of Trinity County Businesses Subject to this Program
Business Plan/HazMat Plan Inventory *	132
Hazardous Waste Generator **	60
California Accidental Release Prevention (CalARP)	7***
Underground Storage Tank	9
Aboveground Petroleum Storage Tank (AST)	36

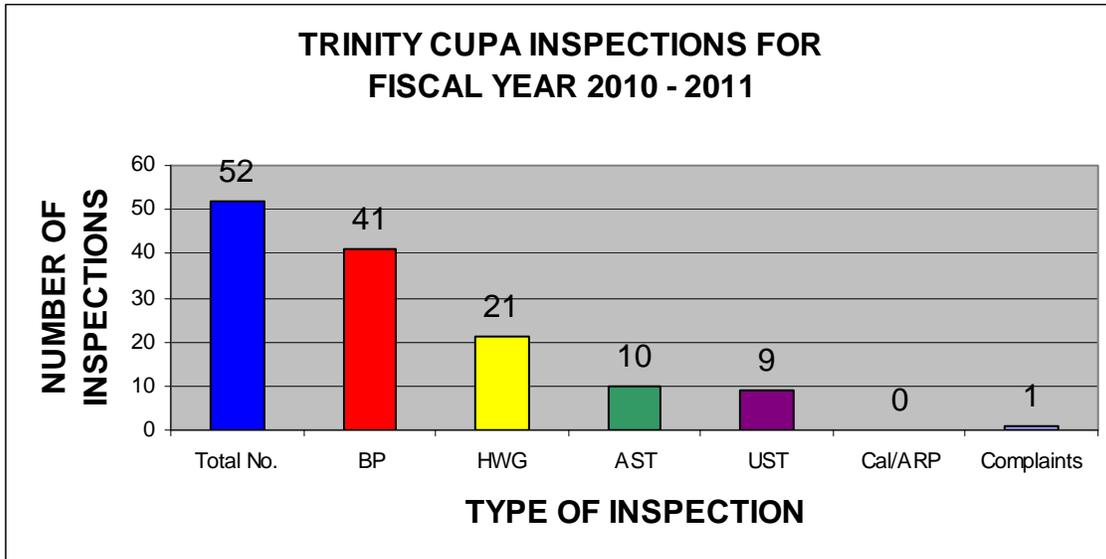
* In Trinity County the Hazardous Materials Management Plan/Hazardous Material Inventory Plan is covered by the Business Plan requirements.

** The Hazardous Waste Generator category also covers Hazardous Waste Tiered Permitting (HWTP). No HWTP regulated businesses have been found to date in Trinity County.

*** Five businesses have been identified as CalARP facilities. One of these facilities has three stationary sources, bringing the total number of CalARP sites up to seven.

The following chart shows the number of each type of Trinity County sites subject to CUPA regulations.

Chart 2. Number and Types of Trinity County CUPA Inspections



BP = Hazardous Materials Business Plan

HWG= Hazardous Waste Generator

AST= Aboveground Storage Tank

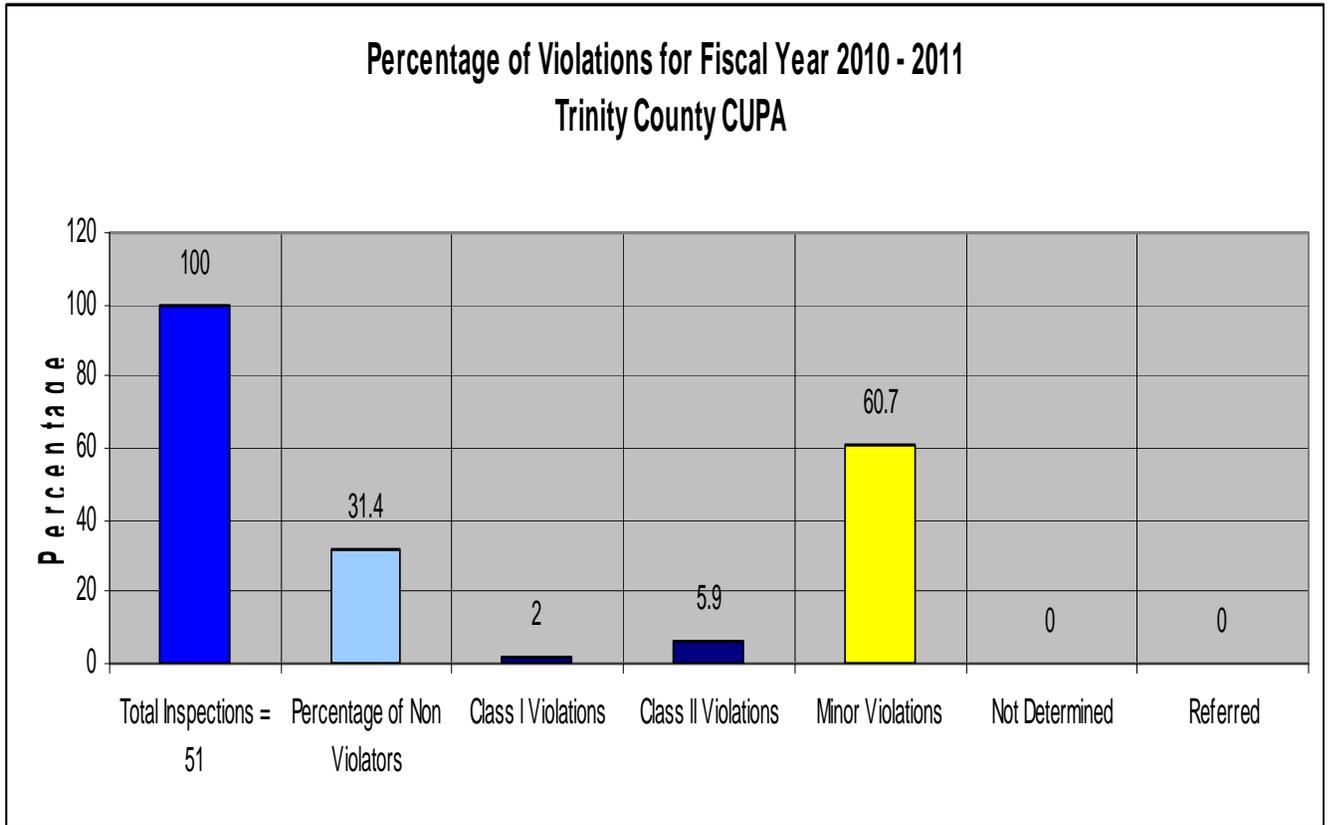
UST = Underground Storage Tank

CAL/ARP = California Accidental Release Prevention

Complaints= these are in addition to required annual inspections.

(Since some of these businesses have several program elements, the Total No. of Inspections may differ from the Total No. of Insp. Facilities)

Chart 3. Violation Types for Inspections in Trinity County



Non-Violators = 16
 Class 1 Violators = 1
 Class 2 Violators = 3