

STATE OF CALIFORNIA
ENVIRONMENTAL PROTECTION AGENCY
DEPARTMENT OF TOXIC SUBSTANCES CONTROL

In the Matter of:

3R International Group, aka
E-Waste Recovery Center
2300 S. Reservoir St. Unit 406
Pomona, California, 91766
Agent for Service: Queen Zeng

and

Mr. William Lang
2300 S. Reservoir St. Unit 406
Pomona, California 91766

EPA ID No. CAL000347305

Respondents.

Docket HWCA 20146769

ENFORCEMENT ORDER

Health and Safety Code
Section 25187

INTRODUCTION

1.1. Parties. The State Department of Toxic Substances Control (Department) issues this Enforcement Order (Order) to 3R International Group, aka E-Waste Recovery Center, and to Mr. William Lang, Facility Manager (Respondents).

1.2. Site. Respondents oversaw the dismantling of universal waste (electronic waste) at 2300 S. Reservoir Street Unit 406 in Pomona, California (Site) and sent dismantled CRTs out of state for further recycling.

1.3. Inspection. The Department conducted a review of the Site's CRT shipment records on December 11, 2013.

1.4. Authorization Status. Respondents notified DTSC on November 10, 2009 as a recycler (dismantler) of electronic waste.

1.5. Jurisdiction. Section 25187 of the Health and Safety Code authorizes the Department to order action necessary to correct violations and assess a penalty when the Department determines that any person has violated specified provisions of the Health and Safety Code or any permit, rule, regulation, standard, or requirement issued or adopted pursuant thereto.

DETERMINATION OF VIOLATIONS

2. The Department has determined that:

2.1. On or about December 11, 2013, Respondents violated California Code of Regulations, title 22, section 66273.72(c)(3) by failing to ensure that 32,840 pounds of CRTs sent to Dow Management LLC (Dow) in Yuma, Arizona on February 5, 2013 were recycled through reclamation at a CRT glass manufacturer or lead smelter.

SCHEDULE FOR COMPLIANCE

3.1. Compliance. Respondents have corrected the violation set forth above.

3.2. Submittals. All submittals from Respondents pursuant to this Order shall be sent simultaneously to:

Rita Hypnarowski
Senior Environmental Scientist (Specialist)
Department of Toxic Substances Control
8800 Cal Center Drive
Sacramento, California 95826

and

Jay Cross, Staff Counsel
Office of Legal Affairs
Department of Toxic Substances Control
1001 I Street, 23rd floor
P. O. Box 806
Sacramento, California 95812-0806

3R International Group, aka E-Waste Recovery Center,
and Mr. William Lang
HWCA 20146769

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

3.4. Data and Document Availability. Respondents shall permit the Department and its authorized representatives to inspect and copy all sampling, testing, monitoring, and other data generated by Respondents or on Respondents' behalf in any way pertaining to work undertaken pursuant to this Order. Respondents shall allow the Department and its authorized representatives to take duplicates of any samples collected by Respondents pursuant to this Order. Respondents shall maintain a central depository of the data, reports, and other documents prepared pursuant to this Order. All such data, reports, and other documents shall be preserved by Respondents for a minimum of six years after the conclusion of all activities under this Order. If the Department requests that some or all of these documents be preserved for a longer period of time, Respondents shall either comply with that request, deliver the documents to the Department, or permit the Department to copy the documents prior to destruction. Respondents shall notify the Department in writing at least six months prior to destroying any documents prepared pursuant to this Order.

3.5. Government Liabilities: The State of California shall not be liable for injuries or damages to persons or property resulting from acts or omissions by Respondents or related parties in carrying out activities pursuant to this Order, nor shall the State of California be held as a party to any contract entered into by Respondents or its agents

in carrying out activities pursuant to the Order.

3.6. Incorporation of Plans and Reports. All plans, schedules, and reports that require Department approval and are submitted by Respondents pursuant to this Order are incorporated in this Order upon approval by the Department.

3.7. Extension Request: If Respondents are unable to perform any activity or submit any document within the time required under this Order, the Respondents may, prior to expiration of the time, request an extension of time in writing. The extension request shall include a justification for the delay.

3.8. Extension Approvals: If the Department determines that good cause exists for an extension, it will grant the request and specify in writing a new compliance schedule.

OTHER PROVISIONS

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

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

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

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

PENALTY

5. Based on the foregoing DETERMINATION OF VIOLATIONS, the Department sets the amount of Respondents' penalty at \$21,630.00. Payment is due within 30 days from the effective date of the Order. Respondents' check shall be made payable to the Department of Toxic Substances Control, and shall identify the Respondents and Docket Number, as shown in the heading of this case. Respondents shall deliver the penalty payment to:

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

A photocopy of the check shall be sent to:

Rita Hypnarowski
Senior Environmental Scientist (Specialist)
Department of Toxic Substances Control
8800 Cal Center Drive
Sacramento, California 95826

and

Jay Cross, Staff Counsel
Office of Legal Affairs
Department of Toxic Substances Control
1001 I Street, 23rd floor
P. O. Box 806
Sacramento, California 95812-0806

RIGHT TO A HEARING

6. Respondents may request a hearing to challenge the Order. Appeal procedures are described in the attached Notice of Defense documents.

EFFECTIVE DATE

7. This Order is final and effective twenty days from the date of delivery, which is the date of the cover letters transmitting the Order to Respondents, unless Respondent(s) requests a hearing within the twenty-day period.

Date of Issuance June 9, 2015

Original signed by Rita Hynarowski

Rita Hynarowski
Sr. Environmental Scientist (Specialist)
Enforcement and Emergency Response
Division
Department of Toxic Substances Control