

STATE OF CALIFORNIA
ENVIRONMENTAL PROTECTION AGENCY
DEPARTMENT OF TOXIC SUBSTANCES CONTROL

In the Matter of:

Clean Harbors Los Angeles, LLC
5756 Alba Street
Los Angeles, California 90058

ID No. CAD050806850

Respondent.

Docket HWCA 20114349

CONSENT ORDER

Health and Safety Code
Section 25187

1. INTRODUCTION

1.1. Parties. The California Department of Toxic Substances Control (Department) and Clean Harbors Los Angeles, LLC (Respondent) enter into this Consent Order (Order) and agree as follows:

1.2. Site. Respondent generates, handles, treats, stores, and/or disposes of hazardous waste at the following site: 5756 Alba Street, Los Angeles, California 90058 (Site).

1.3. Inspection. The Department inspected the Site on December 12, 13, and 14, 2011.

1.4. Authorization Status. The Department has authorized the Respondent to treat and store hazardous wastes at the site. Respondent operates pursuant to a Hazardous Waste Facility Permit, with an effective date of January 27, 2011.

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

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

1.6. Full Settlement. This Order shall constitute full settlement of the violations alleged below. The Parties, and each of them, agree that this Order, and all of the terms contained herein, are fair, reasonable, and in the public interest. By agreeing to this Order, the Department does not waive any right to take other enforcement actions except as specifically provided in this Order.

1.7. Hearing. Respondent waives any and all rights to a hearing in this matter.

2. VIOLATIONS ALLEGED

2.1. The Department alleges the following violations:

2.1.1. Respondent violated California Code of Regulations, title 22, section 66264.73 (b), in that on or about December 12, 2011, the Respondent failed to record the quantity at each location within the Site for the hazardous wastes received.

2.1.2. Respondent violated California Code of Regulations, title 22, section 66264.195, in that on or about December 12, 2011, the Respondent failed to inspect overfill controls for tanks at the Site.

2.1.3. Respondent violated Health and Safety Code, section 25202(a), in that on or about February 29, 2012, the Respondent stored polychlorinated biphenyl oil (TSCA waste) in a non-permitted tank at the Site.

3. SCHEDULE FOR COMPLIANCE

~~3.1. Respondent shall comply with the following:~~

~~3.1.1. Effective immediately, Respondent shall record a description and the~~

quantity of each hazardous waste received, the method(s) and date(s) of its transfer, treatment, storage, or disposal at the Site, the location of each hazardous waste within the facility, and the quantity at each location.

3.1.2. Effective immediately, Respondent shall inspect the overfill control devices to ensure they are in proper operation and document the observation in the operating record.

3.1.3. Effective immediately, Respondent shall not store polychlorinated biphenyl oil (TSCA waste) in a non-permitted tank.

3.1.4. Respondent shall make all payments at the time(s) and in accord with any other conditions set forth in Section 5 (Penalty) below.

4. OTHER PROVISIONS

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

4.2. Penalties for Noncompliance. Failure to comply with the terms of this Order may subject Respondent to costs, penalties and/or damages, as provided by Health and Safety Code, section 25188, and other applicable provisions of law.

~~4.3. Parties Bound. This Order shall apply to and be binding upon Respondent~~
and its officers, directors, agents, employees, contractors, consultants, receivers,

trustees, successors, and assignees, including but not limited to individuals, partners, and subsidiary and parent corporations, and upon the Department and any successor agency that may have responsibility for and jurisdiction over the subject matter of this Order.

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

5. PENALTY

5.1. Respondent shall pay the Department the total penalty of \$17,500.

5.2. Payment of the total penalty specified in paragraph 5.1 is due within 30 days from the effective date of this Order.

5.3. Respondent's check(s) shall be made payable to Department of Toxic Substances Control, shall identify the Respondent and Docket Number, as shown in the caption of this case, and shall be delivered together with the attached Payment Voucher 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(s) shall be sent to:

Mukul Agarwal
Supervising Hazardous Substances Scientist
Enforcement & Emergency Response Program
Department of Toxic Substances Control
9211 Oakdale Avenue

Chatsworth, California 91311

and

Debra Schwartz,
Senior Staff Counsel
Office of Legal Affairs
Department of Toxic Substances Control
9211 Oakdale Avenue
Chatsworth, California 91311

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

6. EFFECTIVE DATE

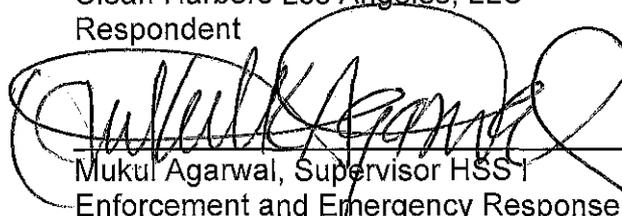
6.1. The effective date of this Order is the date it is signed by the Department.

Dated: 7/6/12



Clean Harbors Los Angeles, LLC
Respondent

Dated: 7/20/12



Mukul Agarwal, Supervisor HSS I
Enforcement and Emergency Response
Department of Toxic Substances Control