

STATE OF CALIFORNIA  
ENVIRONMENTAL PROTECTION AGENCY  
DEPARTMENT OF TOXIC SUBSTANCES CONTROL

In the Matter of:

E-Waste Direct, Inc.  
6005 Scarlett Court, Building B  
Dublin, CA 94568

CAL000405513

Respondent.

Docket HWCA 2015-7171

CONSENT ORDER

Health and Safety Code  
Section 25187

1. INTRODUCTION

1.1. Parties. The California Department of Toxic Substances Control (Department) and E-Waste Direct, Inc. (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: 6005 Scarlett Court, Building B, Dublin, CA 94568 (Site).

1.3. Inspection. The Department inspected the Site on January 26, 2015.

1.4. Authorization Status. Respondent handles universal wastes and is authorized to collect universal waste electronic devices.

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.

1.8. Admissions. Respondent admits the violations as alleged in Section 2 below.

## 2. VIOLATIONS ALLEGED

2.1. The Department alleges the following violations:

2.1.1. Respondent violated California Code of Regulations, Title 22, Section 66273.74(a)(1)(b)(1), in that on or about January 26, 2015, Respondent failed to notify the Department, either in writing or electronically, 30 days prior to treating any electronic device and/or CRT. To wit: Respondent was observed dismantling laptops and computers without notifying the Department.

## 3. SCHEDULE FOR COMPLIANCE

3.1. Respondent shall comply with the following:

3.1.1. Respondent has corrected the violations set forth above.

3.1.2. 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 sum of \$4,000 in penalty.

5.2. The payments shall be paid in four installments. The first installment of \$1,000 is due on or before September 1, 2015, a second installment of \$1,000 is due on or before October 1, 2015, a third installment of \$1,000 is due on or before

November 1, 2015, and a fourth installment of \$1,000 is due on or before December 1, 2015.

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:

Richard Hubbell, Unit Chief  
Cypress/San Diego Enforcement Branch  
Department of Toxic Substances Control  
5796 Corporate Avenue  
Cypress, California 90630

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: 8/6/2015

**ORIGINAL SIGNED BY JOE NELSON**

Joe Nelson, President  
E-Waste Direct, Inc.

Dated: 8/12/2015

**ORIGINAL SIGNED BY RICHARD HUBBELL**

Richard Hubbell, Unit Chief  
Cypress/San Diego Enforcement Branch  
Department of Toxic Substances Control