

STATE OF CALIFORNIA
ENVIRONMENTAL PROTECTION AGENCY
DEPARTMENT OF TOXIC SUBSTANCES CONTROL

In the Matter of:

Mayor Logistics, Inc.
17214 South Figueroa Street
Gardena, California 90248

Respondent

Docket HWCA 2013-6329

CONSENT ORDER

Health and Safety Code
Section 25187

1. INTRODUCTION

1.1. Parties. The California Department of Toxic Substances Control (Department) and Mayor Logistics, Inc., a California corporation (Respondent) enter into this Consent Order (Order) and agree as follows:

1.2. Site. Respondent transported hazardous waste, operating from the following site: 17214 South Figueroa Street, Gardena, California 90248 (Site).

1.3. Inspection. The Department inspected the Site on September 4, 2013.

1.4. Authorization Status. Respondent has no authorization status pertaining to the generation, transportation, storage, treatment or disposal of hazardous waste.

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

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. On July 10, 2013, Mayor Logistics, Inc. violated California Code of Regulations, title 22, section 66263.17(a) and Health and Safety Code 25163(a), in that Mayor Logistics, Inc. transported an intermodal container (MATU2317005) loaded with hazardous waste without an EPA identification number and without a valid California hazardous waste transporter registration

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, to be paid in two installments of \$2,000.

5.2. Payment of the first installment specified in paragraph 5.1 is due within 30 days from the effective date of this Order, and the second installment specified in paragraph 5.1 is due within 60 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:

Richard Hubbell, Unit Chief
Enforcement and Emergency Response Program
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: 2/20/2014

ORIGINAL SIGNED

/Michael Mayok
Respondent

Dated: 2/26/2014

ORIGINAL SIGNED

Richard Hubbell
Department of Toxic Substances Control