

STATE OF CALIFORNIA
ENVIRONMENTAL PROTECTION AGENCY
DEPARTMENT OF TOXIC SUBSTANCES CONTROL

In the Matter of:

Rho-Chem, LLC.
425 Isis Avenue
Inglewood, California 90301

EPA ID No. CAD008364432

Respondent.

Docket HWCA 2012-4929

CONSENT ORDER

Health and Safety Code
Section 25187

1. INTRODUCTION

1.1. Parties. The California Department of Toxic Substances Control (Department) and Rho-Chem, LLC (Respondent) enter into this Consent Order (Order) and agree as follows:

1.2. Site. Respondent generates, handles, treats and stores hazardous waste at the following site: 425 Isis Avenue, Inglewood, California 90301 (Site).

1.3. Inspection. The Department inspected the Site on January 30 and 31, 2012.

1.4. Authorization Status. Respondent engages in the management of hazardous waste pursuant to its Hazardous Waste Facility Permit (HWFP) which took effect on August 28, 2008. Its permit expires on August 27, 2018. The Department allowed Respondent to store and treat hazardous waste in containers and aboveground tanks.

Respondent is also operating as a hazardous waste registered hauler and a transfer facility.

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 violation 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. VIOLATION ALLEGED

2.1. The Department alleges the following violation:

2.1.1. Respondent violated California Code of Regulations, title 22, section 66264.177(c), in that on or about January 30, 2012, Respondent stored several incompatible hazardous waste containers identified as containing acids and alkalines in Area F without a dike, berm, barrier or other device.

2.1.2. Respondent violated Health and Safety Code, section 25202 (a), in that on or about January 30, 2012, Respondent stored numerous hazardous waste containers at the staging area and in an area adjacent to Area H which are not authorized by the Department.

3. SCHEDULE FOR COMPLIANCE

3.1. Respondent shall comply with the following:

3.1.1. Effective immediately, Respondent shall separate the hazardous waste acids from the alkalines by means of dike, berm, wall or other device.

3.1.2. Effective immediately, Respondent shall cease storing hazardous waste in any area not authorized by the Department.

3.2. 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.

4.4. 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 \$16,500 (sixteen thousand five hundred dollars), as a penalty.

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

5.3. Respondent's check 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 shall be sent to:

Mukul Agarwal
Supervising Hazardous Substances Scientist I
Enforcement and Emergency Response Program
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

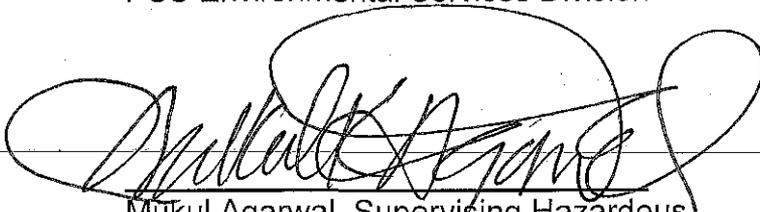
6.1. The effective date of this Order is the date it is signed by the Department.

Dated: 2/6/13



Jesus Ramon Robles-Copas
General Manager
PSC Environmental Services Division

Dated: 2/14/13



Mukul Agarwal, Supervising Hazardous
Substances Scientist I
Department of Toxic Substances Control