

STATE OF CALIFORNIA
ENVIRONMENTAL PROTECTION AGENCY
DEPARTMENT OF TOXIC SUBSTANCES CONTROL

In the Matter of:

Ramos Environmental Services
1515 South River Road
West Sacramento, California 95691

EPA ID: CAD 044 003 556

Respondent.

Docket HWCA 2014-6890

CONSENT ORDER

Health and Safety Code
Section 25187

1. INTRODUCTION

1.1. Parties. The California Department of Toxic Substances Control (Department) and Ramos Environmental Services (Respondent) enter into this Consent Order and agree as follows:

1.2. Site. Respondent generates, transport, and/or stores hazardous waste at 1515 South River Road, West Sacramento, California, 95691 (Facility).

1.3. Inspection. The Department inspected Facility on May, 29, and July 24 & 25, 2013.

1.4. Permit Status. The Department authorized Respondent to manage hazardous waste by Standardized Hazardous Waste Facility Permit dated May 18, 1999.

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:

2.2. The Respondent violated California Code of Regulations, title 22, section 66270.30 and Hazardous Waste Facility Permit dated May 18, 1999, part II, special condition #6, in that on or about May 29, 2013, Respondent failed to maintain two feet aisle space to allow the unobstructed movement of personnel, fire protection, spill control equipment to that area of the facility in an emergency.

2.3. The Respondent violated California Code of Regulations, title 22, section 66264.14, subdivision (c) in that on or about May 29, 2013, Respondent failed to post a sign in English with the legend "Danger Hazardous Waste Area-Unauthorized Personnel Keep Out" at each entrance to the active portion of the facility, and other locations, in sufficient numbers to be seen from any approach to this active portion.

2.4. The Respondent violated California Code of Regulations, title 22, section 66264.52, subdivision (e) in that on or about May 29, 2013, Respondent failed to include in its contingency plan a list of all emergency equipment such as fire extinguishing system, spill control equipment, communications and alarm systems (internal and external), and decontamination equipment, where this equipment is required. The plan also did not include the location and physical description of each item on the list and a brief outline of its capabilities.

3. SCHEDULE FOR COMPLIANCE

3.1. Respondent has corrected the violations cited above. Respondent shall operate hereafter in a manner that shall prevent recurrences of the violations cited herein.

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 a total of \$5,500 of which is the total penalty.

5.2. Payment of the total penalty specified in paragraph 5.1 is due on or before October 1, 2014.

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:

Mehdi Nobari, Environmental Scientist
Enforcement and Emergency Response Division
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: 9-3-14

Original signed by John Villanueva

Signature of the respondent's

JOHN VILLANUEVA V.P.
Typed or Print Name and Title of Respondent's
Representative

Dated: 9/10/14

Original signed by Christie Bautista

Christie Bautista, Unit Chief
Enforcement and Emergency Response
Division
Department of Toxic Substances Control