

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 20115089

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

1.4. Jurisdiction. Section 25187 of the Health and Safety Code authorizes the Department to order action necessary to correct violations and 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.

2. DETERMINATION OF VIOLATIONS

2. The Department has determined that:

2.1. Respondent violated California Code of Regulations, title 22, section 66264.17(a) in that Respondent failed to separate incompatible waste prior to disposing in the roll-off bin which caused a reaction of reactive waste.

2.2. Respondent violated California Code of Regulations, title 22, section 66264.31 in that Respondent failed to maintain and operate the facility in a manner that minimizes the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous constituents.

2.3. Respondent violated Health and Safety Code section 25202 (a) in that Respondent varied from the requirements of the regulation by disposing hazardous waste container(s) that were not completely empty.

3. SCHEDULE FOR COMPLIANCE

3. Based on the foregoing Determination of Violations, IT IS HEREBY ORDERED THAT:

3.1.1. Effective immediately Respondent shall comply with the conditions of California Code of Regulations, title 22, section 66264.17(a) by taking precautions to prevent accidental ignition or reaction of ignitable or reactive.

3.1.2. Effective immediately Respondent shall comply with the conditions of California Code of Regulations, title 22, section 66264.31 by maintaining and operating the facility in a manner that minimizes the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous

constituents.

3.1.3. Effective immediately Respondent shall comply with the conditions of Health and Safety Code section 25202 (a) by not disposing hazardous waste container(s) that are not completely empty.

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 \$27,000 (twenty seven thousand 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

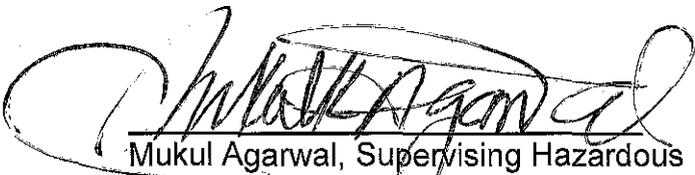
6.1. The effective date of this Order is the date it is signed by the Department.

Dated: 1/21/13



Jesus Robles-Copas, General Manager
PSC Environmental Services Division

Dated: 1/28/13



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