STATE OF CALIFORNIA
ENVIRONMENTAL PROTECTION AGENCY
DEPARTMENT OF TOXIC SUBSTANCES CONTROL

In the Matter of:	Docket No HWCA 20157152
South Coast Funding Group, Inc. dba Qwikresponse 130 Los Aguajes Avenue Santa Barbara, CA 93101	CONSENT ORDER Health and Safety Code Section 25187
Respondent.	

1. INTRODUCTION

1.1. Parties. The California Department of Toxic Substances Control (Department) and South Coast Funding Group, Inc. dba Qwikresponse (Respondent) enter into this Consent Order (Order) and agree as follows:

1.2. Site. Respondent operates as a remediation abatement company transporting asbestos waste (hazardous waste) at the following site: 130 Los Aguajes Avenue, Santa Barbara, California 93101.

1.3. Inspection. The Department reviewed transporter hazardous waste records as well as manifests for the site on September 17, 2014.

1.4. Authorization Status. Certified transporter with the Department of Toxic Substances Control.

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:

A. Respondent violated Health and Safety Code section 25163 in that Qwikresponse transported hazardous waste without a valid registration by the Department. The violations occurred intermittently between September 2012 and December 2013.

B. Respondent violated Health and Safety Code section 25201 (a) and California Code of Regulations, title 22, section 66263.18(a) (referencing section 66263.18(b)(1)) in that Respondent held hazardous waste for more than ten (10) days at a transfer facility without a permit or grant of authorization from the Department. The violations occurred intermittently between October 2013 and January 2014.

3. SCHEDULE FOR COMPLIANCE

3.1. Respondent has corrected the violations set forth above.

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.

4.8. 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 $30,184, of which $26,604 is a penalty and $3,580 as reimbursement of the Department's costs incurred in this matter.

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(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:

Mr. Alex Mayer, Esq.
Office of Legal Counsel
Department of Toxic Substances Control
1001 I Street, 23rd Floor
Sacramento, California 95826-3200

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: 3/9/16

original signed by Cheyne Knight

South Coast Funding Group, Inc. dba Qwikresponse

Dated: March 11, 2016

original signed by Sangat Kals

Department of Toxic Substances Control