

STATE OF CALIFORNIA
ENVIRONMENTAL PROTECTION AGENCY
DEPARTMENT OF TOXIC SUBSTANCES CONTROL

In the Matter of:

West Coast Environmental Solutions, Inc.
1100 East Hill Street
Long Beach, CA 90806

EPA ID NO. CAR000215988

Respondent.

Docket HWCA 20135849

CONSENT ORDER

Health and Safety Code
Section 25187

1. INTRODUCTION

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

1.2. Site. The EPA registered site location of the Respondent is 1100 East Hill, Long Beach, CA 90806.

1.3. Inspection. The Department inspected the Respondent on March 19 & 20, 2013 at 2650 Lime Avenue, Signal Hill, CA 90755 (Site).

1.4. Respondent is a registered hazardous waste transporter. The facility transports RCRA and non-RCRA hazardous wastes. .

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. Respondent violated Health and Safety Code 25163(a)(1) between April 30, 2012 and April 10, 2013, when Respondent transported hazardous waste 47 times without valid registration issued by the Department.

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 times 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 \$18,000 penalty.

5.2. Payment of the total sum specified in paragraph 5.1 will be made in three installments of \$6,000 each. The first, second and third payments are due on December 15, 2013, February 15, 2014 and May 15, 2014 respectively.

5.3. Respondent's checks 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:

Carmelita E. Lampino, Branch Chief
Enforcement and Emergency Response Division
Department of Toxic Substances Control
5796 Corporate Avenue
Cypress, California 90630-4732

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: November 11, 2013

Original signed by William Goldsmith
William Goldsmith, Vice President
West Coast Environmental Solutions, Inc.

Dated: November 15, 2013

Original signed by Carmelita E. Lampino
Carmelita E. Lampino, Branch Chief
Enforcement and Emergency Response Division
Cypress/San Diego Branch
Department of Toxic Substances Control