

STATE OF CALIFORNIA
ENVIRONMENTAL PROTECTION AGENCY
DEPARTMENT OF TOXIC SUBSTANCES CONTROL

In the Matter of:

So Cal Remediation, Inc.
877 Reef Drive
San Diego, California 92154

ID No. CAL000393868

Respondent.

Docket HWCA 2017-7355

CONSENT ORDER

Health and Safety Code
Section 25187

The State Department of Toxic Substances Control (Department) and So Cal Remediation, Inc. (Respondent) enter into this Consent Order and agree as follows:

1. Respondent is a registered transporter of hazardous waste with registration number 6454, located at 877 Reef Drive, San Diego California 92154 (Site).
2. The Department inspected the Site on November 29, 2016.
3. The Department alleges the following violation: Respondent violated California Health and Safety Code section 25163(a), in that Respondent transported asbestos hazardous waste from March 11, 2015 through April 19, 2016, without a hazardous waste transporter registration from the Department.
4. Respondent admits the violation as alleged in Section 3 above.
5. The parties wish to avoid the expense of litigation and to ensure prompt compliance.
6. Jurisdiction exists pursuant to Health and Safety Code section 25187.

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**Department of Toxic
Substances Control**

7. Respondent waives any right to a hearing in this matter.

8. This Consent Order shall constitute full settlement of the violation alleged above during the time period from March 11, 2015 through April 19, 2016, but does not limit the Department from taking appropriate enforcement action concerning other violations.

9. Respondent has come into compliance with respect to the alleged violation.

PAYMENTS

10. As specified below, Respondent shall pay the Department a total of \$30,000, of which \$20,000 shall be paid within 30 days of the Effective Date of this Consent Order. Thereafter, Respondent shall pay the Department four equal installments in the amount of \$2,500 due every 30 days until full payment is received. Respondent shall make its check or money order payable to the Department of Toxic Substances Control, with a reference to Docket HWCA 2017-7355, and deliver together with the Payment Voucher (attached hereto as **Exhibit A**) 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:

Carlo Rodriguez, Unit Chief
Enforcement and Emergency Response Program
Department of Toxic Substances Control
2375 Northside Drive, Suite 100
San Diego, California 92108

11. 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.

OTHER PROVISIONS

12. Additional Enforcement Actions: By agreeing to this Consent Order, the Department does not waive the right to take further enforcement actions, except to the extent provided in this Consent Order.

13. Penalties for Noncompliance: Failure to comply with the terms of this Consent Order may subject Respondent to civil penalties and/or punitive damages for any costs incurred by the Department or other government agencies as a result of such failure, as provided by Health and Safety Code section 25188 and other applicable provisions of law.

14. Parties Bound: This Consent Order shall apply to and be binding upon Respondent and its officers, directors, agents, receivers, trustees, employees, contractors, consultants, 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 Consent Order.

15. Effective Date: The effective date of this Consent Order is the date it is signed by the Department.

16. Integration: This agreement constitutes the entire agreement between the parties and may not be amended, supplemented, or modified, except as provided in this agreement.

17. Authority to Bind: Each person executing this Consent Order represents that he or she has full and legal authority to execute this Consent Order for and on behalf of the respective party for which he or she is executing this agreement and to bind that party.

18. Counterparts: This Consent Order may be executed and delivered in one or more components, each of which when executed and delivered shall be deemed to be an original, but such counterparts shall together constitute one and the same document.

Dated: 5/24/18

Signature on Original

Anthony Chavez
Owner So Cal Remediation, Inc.

Dated: 6/4/2018

Signature on Original

Alfredo Rios, Branch Chief
Enforcement and Emergency Response Division
Department of Toxic Substances Control