

STATE OF CALIFORNIA  
ENVIRONMENTAL PROTECTION AGENCY  
DEPARTMENT OF TOXIC SUBSTANCES CONTROL

In the Matter of:

Yong Sing, Inc., dba: Sun-Lite Metals  
2210 East 85<sup>th</sup> Street  
Los Angeles, California 90001

EPA ID No. CAL000415384

Respondent.

Docket HWCA 2017-7329

CONSENT ORDER

Health and Safety Code  
Section 25187

The State Department of Toxic Substances Control (Department) and Yong Sing, Inc., dba: Sun-Lite Metals (Respondent) enter into this Consent Order and agree as follows:

1. The Respondent is a scrap metal recycler and e-waste collector located at 2210 East 85<sup>th</sup> Street, Los Angeles, California (Site).
2. The Department inspected the Site on September 21, 2016.
3. The Department alleges the following violations:
  - 3.1. The Respondent violated California Code of Regulations, title 22, section 66265.31, in that, on or about September 21, 2016, the Respondent failed to maintain and operate the facility to minimize the possibility of any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health of the environment, by allowing soil in areas between broken pavement and pavement in the rear of the facility where roll-off containers were stored to

become contaminated with total and soluble zinc and/or total and soluble lead and/or total copper above the California hazardous waste regulatory thresholds for those metals.

4. The parties wish to avoid the expense of litigation and to ensure prompt compliance.
5. Jurisdiction exists pursuant to Health and Safety Code section 25187.
6. The Respondent waives any right to a hearing in this matter.
7. This Consent Order shall constitute full settlement of the violations alleged in Paragraph 3 above but does not limit the Department from taking appropriate enforcement action concerning other violations.
8. The Respondent admits the violations alleged above.
- 8.1. The Respondent has addressed the violation cited above and returned to compliance on May 4, 2018.

#### SCHEDULE FOR COMPLIANCE

9. Liability: Nothing in this Consent 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 the Respondent, except as provided in this Consent Order. Notwithstanding compliance with the terms of this Consent Order, the Respondent may be required to take further actions as are necessary to protect public health or welfare or the environment.
10. Site Access: Access to the Site shall be provided at all reasonable times to employees, contractors, and consultants of the Department, and

any agency having jurisdiction. Nothing in this Consent Order is intended to limit in any way the right of entry or inspection that any agency may otherwise have by operation of any law. The Department and its authorized representatives may enter and move freely about all property at the Site at all reasonable times for purposes including but not limited to: inspecting records, operating logs, and contracts relating to the Site; reviewing the progress of the Respondent in carrying out the terms of this Consent Order; and conducting such tests as the Department may deem necessary. The Respondent shall permit such persons to inspect and copy all records, documents, and other writings, including all sampling and monitoring data, in any way pertaining to work undertaken pursuant to this Consent Order.

#### PAYMENTS

11. Within 30 days of the effective date of this Consent Order, the Respondent shall pay the Department a total of \$4,000. The Respondent's check shall be made payable to Department of Toxic Substances Control, shall identify the Docket Number for this Consent Order in the memo line, 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:

Anne Ekker, Senior Environmental Scientist (Specialist)  
Office of Criminal Investigations

Department of Toxic Substances Control  
5796 Corporate Avenue  
Cypress, California 90630-4732

If the Respondent fails to make payment as provided above, the 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.

12.1. Penalties for Noncompliance: Failure to comply with the terms of this Consent Order may subject the 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.

12.2. Parties Bound: This Consent Order shall apply to and be binding upon the 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.

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

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

12.5. Compliance with Waste Discharge Requirements: the Respondent shall comply with all applicable waste discharge requirements issued by the State Water Resources Control Board or a California Regional Water Quality Control Board.

Dated: signed 5/31/2018 signature on file  
Flavio Arce, Administrator  
Yong Sing, Inc.  
dba: Sun-Lite Metals,  
Respondent

Dated: signed 6/8/2018 signature on file  
Richard L. Jones  
Senior Environmental Scientist,  
(Supervisor)  
Office of Criminal Investigations  
Department of Toxic Substances Control