



Jared Blumenfeld
Secretary for
Environmental Protection



Department of Toxic Substances Control



Gavin Newsom
Governor

Meredith Williams, Ph.D.
Acting Director
1001 "I" Street
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September 27, 2019

Certified Mail No.: 7018-0680-0000-9827-9577

Mr. Bill Gomelsky
American Oil Company
13736/13740 Saticoy St.
Van Nuys, California 91402

NOTICE OF PROVISIONAL INSPECTION VIOLATION SCORES, 2019 FACILITY VIOLATION SCORING PROCEDURE SCORE, AND 2019 COMPLIANCE TIER ASSIGNMENT

Dear Mr. Bill Gomelshy:

2019 Facility Violations Scoring Procedure (VSP) Score: 31.75
2019 Compliance Tier Assignment: Conditionally Acceptable

The purpose of this letter is to provide American Oil Company, CAD981427669, located at 13736/13740 Saticoy St., Van Nuys, CA 91402 (hereinafter, the "Facility") with a provisional inspection violation score for each compliance inspection that was conducted during the preceding ten (10) year period beginning January 1, 2009, through December 31, 2018, the Facility's 2019 VSP Score, and compliance tier assignment pursuant to California Code of Regulations (CCR), title 22, section 66271.53, subdivision (b)(2) and section 66271.54, subdivisions (c).¹

The provisional inspection violation scores for the Facility are provided in the enclosed Inspection Violation Scoring Matrix. A provisional inspection violation score is the sum of the initial score for each Class I violation that occurred during a compliance inspection, and any adjustment to the initial Class I violation score based on repeat violations.² (See 22 CCR § 66271.53, subd. (a).) The basis for the score for each Class I violation is also provided in the enclosed Inspection Violation Scoring Matrix.

¹ Pursuant to Senate Bill (SB) 673 (Stats. 2015, chapter 611), the Department of Toxic Substances Control (DTSC) adopted new hazardous waste permitting criteria regulations, which became effective on January 1, 2019. The full text of the hazardous waste permitting criteria regulations is available at https://www.dtsc.ca.gov/LawsRegsPolicies/Regs/upload/18-DTSC-SB-673-Reg-TEXT_OAL_20181023-revised.pdf. More information regarding SB 673 is available at https://www.dtsc.ca.gov/HazardousWaste/Permit_Roundtables.cfm.

² For purposes of calculating a facility's inspection violation score, DTSC may also consider Class II violations that meet the definition of a Class I violation as specified in CCR, title 22, section 66260.10. (See 22 CCR § 66271.50, subd. (d)(1).)

Based on the provisional inspection violation scores for the Facility for the ten (10) year period beginning January 1, 2009, through December 31, 2018, DTSC has calculated a Facility VSP Score for the Facility of "**31.75**". A Facility VSP Score is the sum of all provisional or final inspection violation scores for each compliance inspection conducted during the preceding ten (10) years, divided by the number of compliance inspections. (See 22 CCR § 66271.54, subd. (a).)

A facility may be assigned to one of three compliance tiers based on its Facility VSP Score:

- "Acceptable." A facility that receives a Facility VSP Score of less than 20 shall be designated as having a Facility VSP Score that is "acceptable". (See 22 CCR § 66271.54, subd. (b)(1).)
- "Conditionally Acceptable." A facility that receives a Facility VSP Score equal to or greater than 20 and less than 40 shall be designated as having a Facility VSP Score that is "conditionally acceptable." Facilities that receive a final compliance tier assignment of "conditionally acceptable" are required to comply with additional requirements outlined in the regulations. (See 22 CCR § 66271.54, subd. (b)(2); 22 CCR § 66271.56.)
- "Unacceptable." A facility that receives a Facility VSP Score equal to or greater than 40 shall be designated as having a Facility VSP Score that is "unacceptable." DTSC is required to initiate permit denial, suspension, or revocation proceedings for facilities that receive a final compliance tier assignment of "unacceptable." (See 22 CCR § 66271.54, subd. (b)(3); 22 CCR § 66271.57.)

As a result of the Facility's VSP Score, DTSC has assigned the Facility to a compliance tier of "**Conditionally Acceptable**". Generally, as discussed further below, a facility's compliance tier assignment becomes final after all provisional inspection violation scores upon which the Facility VSP Score is based become final pursuant to CCR, title 22, section 66271.53, subdivision (d).

Provisional Inspection Violation Score Disputes and Compliance Tier Assignment Challenges

An owner or operator of a facility may dispute a provisional inspection score pursuant to CCR, title 22, section 66271.53, subdivision (c) by filing a Provisional Inspection Violation Score Dispute Document (template available at <https://dtsc.ca.gov/violations-scoring-procedure/>) within sixty (60) calendar days of this notice. All of the following information must be enclosed with the Dispute Document cover letter:

- A statement that describes in detail the factual and legal basis of the dispute and the relief sought;
- Any claimed erroneous facts, assumptions, approaches, or conclusions of law made by DTSC;

- A statement describing in detail any efforts already made by the owner or operator to resolve the dispute with DTSC; and
- Any photographs, documents, or any other material that supports the owner's or operator's position regarding the disputed provisional inspection violation score.

The owner or operator of a facility may request a one-time extension of up to sixty (60) calendar days to submit a Provisional Inspection Violation Score Dispute Extension Document (template available at <https://dtsc.ca.gov/violations-scoring-procedure/>).

DTSC will issue a written decision, granting or denying, in whole or in part, the relief sought by the owner or operator of a facility disputing a provisional inspection violation score. A provisional inspection violation score will become the final inspection violation score consistent with DTSC's written decision. A provisional inspection violation score will also become the final inspection violation score if the owner or operator of a facility does not file a Dispute Document within sixty (60) calendar days of this notice.

A facility's compliance tier assignment becomes final after all inspection violation scores upon which the Facility VSP Score is based become final pursuant to CCR, title 22, section 66271.53, subdivision (d). Final compliance tier assignments of "acceptable" or "conditionally acceptable" are not subject to additional administrative dispute resolution. (See 22 CCR § 66271.54, subds. (e), (f).) However, owners or operators of facilities assigned to a final compliance tier of "unacceptable" may further administratively challenge their final compliance tier assignment under California Code of Regulations, title 22, section 66271.57.

Issuance of this provisional inspection violation score, Facility 2019 VSP Score, and compliance tier assignment do not constitute an enforcement action. If you have any questions regarding this notice, please contact VSP_Info@dtsc.ca.gov. If you have any questions regarding the dispute process, please contact VSP_Dispute_Inbox@dtsc.ca.gov.

Sincerely,



Keith Kihara, Chief
Enforcement and Emergency Response Division

Enclosure(s)

Violation Scoring Matrix
Proof of Service

Violation Scoring Matrix

Facility Name: AMERICAN OIL COMPANY		10 Year Date Range: 2009-2018		Permit Effective Date: 1/17/2007		Link to EnviroStor							
Address: 13740 SATICOY STREET, VAN NUYS, CA 91402		Number of Inspections: 4		Permit Expiration Date: 1/16/2017		(Inspection Reports, SOVs, etc.)							
EPA ID: CAD981427669		Total Number of Violations Scored: 12		Date VSP Completed: 6/20/2019									
Inspection Date: 5/25/2010 CEI & 6/14/2010 FRR	Class I Justification	Citation	Violation	Potential for Harm	Potential for Harm Justification	Extent of Deviation	Extent of Deviation Justification	Initial Score	Repeat (Yes/No)	Date(s) of Previous Violation	Adjustment Factor (%)	Adjusted Score	
Inspection Type: CEI & FRR													
Class I Violations:	1	The deviation from the requirement was significant enough that it could have resulted in a failure to prevent releases of HW or constituents to the environment during the active period of facility operation.	HSC 25202(a)	The facility stored HW at a point not authorized by DTSC. The facility stored two tote bins (approximately 275 cubic yards each) of absorbent solids with waste oil, one 55 gallon drum of absorbent solids with waste oil, and one tote bin of oil filters containing between 2-4" of oily liquid outside the dump trailer (non-authorized storage area).	Minimal	There was an increased potential for release that could have impacted human health and the environment. A minimal potential for harm was assigned due to the wastestreams at issue for this violation.	Major	HWs were stored in an unauthorized storage area. The act deviated from the requirement to such an extent that the requirement was completely ignored and none of its provisions were complied with.	15	No	n/a	0	15.00
	2	The deviation from the requirements was significant enough that it could have resulted in a failure to prevent releases of HW or constituents to the environment during the active period of facility operation.	HSC 25200.15(a); 22 CCR 66270.30; 22 CCR 66270.42; 22 CCR 66270.42.5; and HWFP, Part III General Conditions, C	The facility did not comply with procedures for permit modifications. The facility installed three tanks inside permitted 13736 Building without first obtaining approval from DTSC for this permit modification.	Minimal	Three new storage tanks were installed prior to DTSC's review and approval. The tanks had not yet been used. A minimal potential for harm was assigned due to the wastestreams (used oil and used oil related wastestreams) at issue for this violation.	Major	The initial application submitted for the new tanks was invalid and a new application was required for DTSC's review and approval prior to tank installation. The act deviated from the requirement to such an extent that the requirement was completely ignored and none of its provisions were complied with.	15	No	n/a	0	15.00
	3	The deviation from the requirements was significant enough that it could have resulted in a failure to assure that HW are destined for and delivered to an authorized HW facility.	22 CCR 66264.72; 22 CCR 66270.30; and HWFP, Part II General Conditions, B-2	The facility accepted two different waste codes that were not authorized by its HWFP and failed to report manifest discrepancies regarding the two manifested wastes (CWC 343 "Unspecified Organic Liquid" and CWC 611 "Contaminated Soil from Site Clean-Up")	Minimal	Non-RCRA hazardous wastestreams were found in violation (300 pounds of CWC 343 - unspecified organic liquid mixture; and 150 pounds of CWC 611 - contaminated soil from site cleanups) on two HW manifests. A minimal potential for harm was assigned due to the above wastestreams at issue for this violation.	Major	The facility accepted HW not authorized in its permit on two separate occasions: CWC 343 on manifest 3351466JJK received on 2/2/2010 and CWC 611 on manifest 3706377JJK received on 7/2/2009. The act deviated from the requirement to such an extent that the requirement was completely ignored and none of its provisions were complied with.	15	No	n/a	0	15.00
	4	The deviation from the requirements was significant enough that it could have resulted in a failure to assure that HW are destined for and delivered to an authorized HW facility.	HSC 25160; HSC 25160.2(b)(4) and (d)(5)	The facility failed to comply with the conditions for consolidated manifesting procedure.	Minimal	Not fully complying with consolidated manifesting procedures by failing to match the total volume of cumulative loads with the total volume on the manifest made it difficult to identify the actual volume of HW generated, shipped, stored, received, disposed and tracked from cradle to grave. A minimal potential for harm was assigned due to the used oil and non-RCRA wastestreams at issue for this violation.	Moderate	Invoices and receipts from different generators did not match the cumulative total volume of waste on each manifest (8 manifests) as required by statute. The requirement functioned to some extent, although not all of its important provisions were complied with.	6	No	n/a	0	6.00

Violation Scoring Matrix

Facility Name:		AMERICAN OIL COMPANY		10 Year Date Range:		2009-2018		Permit Effective Date:		1/17/2007		Link to EnviroStor (Inspection Reports, SOVs, etc.)			
Address:		13740 SATICOY STREET, VAN NUYS, CA 91402		Number of Inspections:		4		Permit Expiration Date:		1/16/2017					
EPA ID:		CAD981427669		Total Number of Violations Scored:		12		Date VSP Completed:		6/20/2019					
5	The deviation from the requirements was significant enough that it could have resulted in a failure to assure that HW are destined for and delivered to an authorized HW facility.		22 CCR 66270.30 and Standardized HWFP Series C, Part V- Special Conditions, I.2.b	The facility failed to have the receiving facility test the used oil for PCBs for each load prior to offloading that load at the facility's receiving tank. However, documents showed that PCB test results were received by the facility after the wastes had already been offloaded for sixty (60) manifested waste loads out of 100.	Moderate	Testing loads of used oil after it had been received increased the potential risk of accepting a load that had been contaminated with PCBs which could have contaminated the facility tank system and potentially exposed workers to PCBs. PCBs are bioaccumulative known carcinogens and therefore represented a moderate potential for harm to human health and the environment.	Major	The Inspection Report stated that there was no documentation that the PCB test for used oil was performed by the facility including out-of-state shipments. The act deviated from the requirement to such an extent that the requirement was completely ignored and none of its provisions were complied with.		20	No	n/a	0	20.00	
	6	The deviation from the requirements was significant enough that it could have resulted in a failure to prevent releases of HW or constituents to the environment during the active period of facility operation.		22 CCR 66273.36(a) and (b)(1)	The facility failed to initially train personnel that handle or manage universal wastes from offsite sources.	Minimal	Inadequate training prevents personnel from understanding proper universal waste management and emergency response procedures for staff who handle and/or supervise staff who handle universal wastes. A minimal potential for harm was assigned due to the wastestream.	Moderate	The facility did not provide documentation that personnel were trained to handle universal waste and the types and hazards associated with the waste that personnel may handle or manage at the site. The facility provided annual training, but not the initial training to staff and supervisors. The requirement functioned to some extent although not all of its important provisions were complied with.		6	No	n/a	0	6.00
Provisional Inspection Violation Score:													77.00		
Inspection Date:	5/16/2011	Class I Justification	Citation	Violation	Potential for Harm	Potential for Harm Justification	Extent of Deviation	Extent of Deviation Justification	Initial Score	Repeat (Yes/No)	Date(s) of Previous Violation	Adjustment Factor (%)	Adjusted Score		
Inspection Type:	CI														
Class I Violations:	0	n/a	n/a	No Class I Violations	n/a	n/a	n/a	n/a	0	n/a	n/a	n/a	0.00		
Provisional Inspection Violation Score:													0.00		
Inspection Date:	11/4/2016 CEI & 1/18/2017 FRR	Class I Justification	Citation	Violation	Potential for Harm	Potential for Harm Justification	Extent of Deviation	Extent of Deviation Justification	Initial Score	Repeat (Yes/No)	Date(s) of Previous Violation	Adjustment Factor (%)	Adjusted Score		
Inspection Type:	CEI & FRR														
Class I Violations:	1	The deviation from the requirement was significant enough that it could have resulted in a failure to assure that HW are destined for and delivered to an authorized HW facility and/or to prevent releases of HW or constituents to the environment during the active period of facility operation.		HSC 25202(a)	The facility did not comply with conditions of the permit in that: (1) universal waste batteries were observed in the facility's warehouse and the facility is not an authorized universal waste recycling/disposal facility; and (2) the facility crushed used oil filters and its HWFP, Series C does not permit it to treat used oil filters.	Minimal	Wastestreams in violation were universal waste batteries and used oil. Thirteen empty 55-gallon drums were observed in the "Oil Filters Storage Area" and one drum of used batteries was observed during the inspection. The potential for harm was designated as minimal due to the wastestreams in violation.	Major	The area identified as the "Universal Waste Storage Area" with one drum of waste batteries observed during the facility walkthrough was not identified in the permit. A "non-operational" oil filter crusher and two areas in the warehouse were designated as "Oil Filters Storage Area" were observed. The function of the requirement was rendered ineffective.		15	No	n/a	0	15.00

Violation Scoring Matrix

Facility Name: AMERICAN OIL COMPANY		10 Year Date Range: 2009-2018		Permit Effective Date: 1/17/2007		Permit Expiration Date: 1/16/2017		Date VSP Completed: 6/20/2019		Link to EnviroStor (Inspection Reports, SOVs, etc.)		
Address: 13740 SATICOY STREET, VAN NUYS, CA 91402		Number of Inspections: 4		Total Number of Violations Scored: 12								
EPA ID: CAD981427669												
2	The deviation from the requirement was significant enough that it could have resulted in a failure to assure that HW are destined for and delivered to an authorized HW facility and/or to prevent releases of HW or constituents to the environment during the active period of facility operation.	HWFP, Series C, Part V, Special Conditions.	The facility violated its HWFP, Series C, Part V, Special Conditions in that on or about 11/4/2016, five Supersack container bags labeled as California HW code 352 - oily debris, were stored in Unit 3. Each Supersack held one cubic yard of HW. The facility's maximum permitted capacity for Unit 3 was 4.32 cubic yards.	Minimal	A minimal potential for harm was used due to the used oil and used oil related wastestreams at issue for this violation.	Minimal	The facility was 7.4 % over capacity for Unit 3. The requirement functioned nearly as intended.	2	No	n/a	0	2.00
3	The deviation from the requirements was significant enough that it could have resulted in a failure to assure that HW are destined for and delivered to an authorized HW facility and/or to prevent releases of HW or constituents to the environment during the active period of facility operation.	HSC 25185(a)(1); 22 CCR 66270.30(i)(1-4); and Standardized HWFP, Series C, Part III General Conditions	The facility failed to allow authorized representatives of DTSC access to enter and inspect the facility on 12/21/2015, 7/20/2016, and 11/3/2016.	Minimal	DTSC could not evaluate and assess the facility's compliance with regulations and Standardized HWFP as a result of being denied access to inspect. However, used oil and used oil related wastestreams were the permitted wastestreams, which constituted a minimal potential for harm.	Major	DTSC was denied access to inspect on three separate instances. The act deviated from the requirement to such an extent that the requirement was completely ignored and none of its provisions were complied with.	15	No	n/a	0	15.00
4	The deviation from the requirement was significant enough that it could have resulted in a failure to assure that HW are destined for and delivered to an authorized HW facility.	HSC 25202(a); and Standardized HWFP, Series C, 10/19/2007, Part V, Special Conditions 1, 2, a, (2)	The facility failed to follow approved EPA Test Method 8082 and properly analyze HW used oil for PCB's.	Minimal	The wastestream in violation was used oil resulting in a minimal potential for harm designation.	Moderate	The analytical results provided for the purposes of compliance were a false representation of the actual PCB concentration in each outgoing shipment of used oil. The PCB analysis results contained many reporting errors and further review determined that there was little information that would indicate the PCB analysis followed the requisite EPA Method 8082. While the facility conducted analysis for PCBs, the method implemented did not fully follow the approved EPA Test Method 8082. The requirement functioned to some extent.	6	No	n/a	0	6.00

Violation Scoring Matrix

Facility Name:		AMERICAN OIL COMPANY		10 Year Date Range:		2009-2018		Permit Effective Date:		1/17/2007		Link to EnviroStor	
Address:		13740 SATICOY STREET, VAN NUYS, CA 91402		Number of Inspections:		4		Permit Expiration Date:		1/16/2017		(Inspection Reports, SOVs, etc.)	
EPA ID:		CAD981427669		Total Number of Violations Scored:		12		Date VSP Completed:		6/20/2019			
Class II Violations:	5	The deviation from the requirement was significant enough that it could have resulted in a failure to prevent releases of HW or constituents to the environment during the active period of facility operation and/or a failure to perform emergency clean-up operation or other corrective action for releases.	22 CCR 66264.16(d)(1-4)	The facility failed to provide complete training records for three employees. The records were deficient in that they did not include: (1) a written job title; (2) written job description; (3) written description of amount and type of introductory and continuing training that will be given; (4) certifications of trainer; and (5) records demonstrating training had been completed.	Minimal	Training deficiencies could impact potential for harm with inadequate training for staff regarding waste management and emergency response procedures. A minimal potential for harm was assigned due to the wastestream.	Moderate	Three employee training records were cited as being incomplete. The requirement functioned to some extent.	6	No	n/a	0	6.00
	6	The deviation from the requirement was significant enough that it could have resulted in a failure to assure that HW are destined for and delivered to an authorized HW facility.	HSC 25160(d)(1); 22 CCR 66263.20(a); and 22 CCR 66266.130(a)	The facility failed to properly manage HW in that the facility picked up and transported used oil filters to its Van Nuys facility without a manifest.	Minimal	The wastestream in violation was used oil filters, which represented a minimal potential for harm to human health and the environment.	Moderate	The facility accepted HW from a generator without a completed and signed HW manifest. Used oil filters were not tracked as either incoming or outgoing in the record keeping system. The requirement functioned to some extent as other wastes were transported accompanied by manifest.	6	No	n/a	0	6.00
Provisional Inspection Violation Score:													50.00
Inspection Date:	9/25/2018	Class I Justification	Citation	Violation	Potential for Harm	Potential for Harm Justification	Extent of Deviation	Extent of Deviation Justification	Initial Score	Repeat (Yes/No)	Date(s) of Previous Violation	Adjustment Factor (%)	Adjusted Score
Inspection Type:	FRR												
Class I Violations:	0	n/a	n/a	No Class I Violations	n/a	n/a	n/a	n/a	0	No	n/a	n/a	0.00
Provisional Inspection Violation Score:													0.00

Violation Scoring Matrix

Facility Name: AMERICAN OIL COMPANY	10 Year Date Range: 2009-2018	Permit Effective Date: 1/17/2007	Link to EnviroStor (Inspection Reports, SOVs, etc.)
Address: 13740 SATICOY STREET, VAN NUYS, CA 91402	Number of Inspections: 4	Permit Expiration Date: 1/16/2017	
EPA ID: CAD981427669	Total Number of Violations Scored: 12	Date VSP Completed: 6/20/2019	

FACILITY VIOLATIONS SCORING PROCEDURE SCORE				
Inspection Number	Number of Violations Scored	Inspection Type(s)	Inspection Date(s)	Provisional Inspection Violation Score
1	6	CEI & FRR	5/25/2010 CEI & 6/14/2010 FRR	77.00
2	0	CI	5/16/2011	0.00
3	6	CEI & FRR	11/4/2016 CEI & 1/18/2017 FRR	50.00
4	0	FRR	9/25/2018	0.00
Sum of Provisional Inspection Violation Scores				127.00
*FACILITY VSP SCORE				31.75

*FACILITY VSP SCORE = Sum of Provisional Inspection Violation Scores/Total Number of Inspections conducted in 10 year (calendar) timeframe

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| <p>CCR = California Code of Regulations
 CDI = Case Development Inspection
 CEI = Compliance Evaluation Inspection
 CI = Complaint Investigation
 CWC = California Waste Code
 DTSC = Department of Toxic Substances Control
 EPA ID = Environmental Protection Agency Identification
 FCI = Focused Compliance Inspection
 FRR = Financial Records Review
 FSD = Facility Self Disclosure
 FUI = Follow-Up Inspection
 GAR = Groundwater Audit Report</p> | <p>GME = Groundwater Monitoring Evaluation
 HSC = Health and Safety Code
 HW = Hazardous Waste
 HWFP = Hazardous Waste Facility Permit
 PCBs = Polychlorinated Biphenyls
 n/a = Not Applicable
 NFRR = Non-Financial Record Review
 RCRA = Resource Conservation and Recovery Act
 SOV = Summary of Violations
 VSP = Violations Scoring Procedure</p> |
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PROOF OF SERVICE

1. I served the NOTICE OF PROVISIONAL INSPECTION VIOLATION SCORES, 2019 FACILITY VIOLATION SCORING PROCEDURE SCORE, AND 2019 COMPLIANCE TIER ASSIGNMENT on Bill Gomelsky, American Oil Company, EPA ID Number CAD981427669.
2. I served Bill Gomelsky, American Oil Company, by mailing a copy of the aforementioned document via Certified Mail, Receipt No. 7018-0680-0000-9827-9577, return receipt requested, in a sealed envelope addressed to:

Mr. Bill Gomelsky
American Oil Company
13736/13740 Saticoy St.
Van Nuys, California 91402

3. My name, business address, and telephone number are:

Alan Korematsu
Department of Toxic Substances Control
HWMP, 11th Floor
1001 I Street
Sacramento, CA 95812-0806
(916) 323-3706

I declare under penalty of perjury that the foregoing is true and correct and that this declaration of Proof of Service is executed on October 4, 2019 at Sacramento, California.



(Signature)