



Department of Toxic Substances Control



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September 27, 2019

Certified Mail No.: 7018-0680-0000-9827-9492

Ms. Reyna Verdin
Chemical Waste Management Inc Kettleman
35251 Old Skyline Road
Kettleman City, California 93239

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

Dear Ms. Reyna Verdin:

2019 Facility Violations Scoring Procedure (VSP) Score: 8.97
2019 Compliance Tier Assignment: Acceptable

The purpose of this letter is to provide Chemical Waste Management Inc Kettleman, CAT000646117, located at Kettleman Hills LDFL Highway 41, Kettleman City, CA 93210 (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 **"8.97"**. 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 **"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:	CHEMICAL WASTE MANAGEMENT INC KETTLEMAN			10 Year Date Range:	2009-2018			Permit Issue Date:	6/16/2003			Link to EnviroStor (Inspection Reports, SOVs, etc.)																											
Address:	KETTLEMAN HILLS LDFL HIGHWAY 41, KETTLEMAN CITY, CA 93210			Number of Inspections:	24			Permit Expiration Date:	6/16/2013																														
EPA ID:	CAT000646117			Total Number of Violations Scored:	14			Date VSP Completed:	7/18/2019																														
Inspection Date:	9/15/2009 CEI & 10/6/2009 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:	0			n/a			n/a			No Class I Violations			n/a			n/a			n/a			0																	
Provisional Inspection Violation Score:																						0.00																	
Inspection Date:	2/7/2010			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																																						
Class I Violations:	1			The deviation from the requirements was significant enough that it could result in a failure to perform emergency clean-up operation or other corrective action for releases.			HSC 25202(a), 22 CCR 66270.30(a) and HWFP Part IV			The facility failed to report the discovery of releases of HW to DTSC orally within 24 hours of such discovery.			Moderate			Soil samples collected near the CWM Polychlorinated Biphenyl (PCB) Unit showed PCBs up to 15 ppm on 4/8/2010 (DTSC samples), and 440 ppm on 6/14/2010 (USEPA samples). PCBs are bioaccumulative and have been demonstrated to cause a variety of adverse health effects. PCBs have been shown to cause cancer in animals as well as a number of serious non-cancer health effects in animals, including: effects on the immune system, reproductive system, nervous system, endocrine system and other health effects. A moderate potential for harm was assessed due to the high PCB content associated with the waste in violation.			Major			DTSC was never notified of these release(s). Therefore, the act deviates from the requirement to such an extent that the requirement is completely ignored and none of its provisions were complied with.			20.00			No			n/a			0.00			20		
Class I Violations:	2			The deviation from the requirements was significant enough that it could result in a failure to perform emergency clean-up operation or other corrective action for releases.			HSC 25202(a), 22 CCR 66270.30(a) and HWFP Part IV			The facility failed to report the discovery of releases of HW to DTSC in writing within 10 days of such discovery.			Moderate			Soil samples collected near the CWM PCB Unit showed PCBs up to 15ppm on 4/8/2010 (DTSC samples), and 440 ppm on 6/14/2010 (USEPA samples). PCBs are bioaccumulative and have been demonstrated to cause a variety of adverse health effects. PCBs have been shown to cause cancer in animals as well as a number of serious non-cancer health effects in animals, including: effects on the immune system, reproductive system, nervous system, endocrine system and other health effects. A moderate potential for harm was assessed due to the high PCB content associated with the waste in violation.			Major			DTSC was never notified of these release(s). Therefore, the act deviates from the requirement to such an extent that the requirement is completely ignored and none of its provisions were complied with.			20.00			No			n/a			0.00			20		
Class I Violations:	3			The deviation from the requirements was significant enough that it could result in a failure to perform emergency clean-up operation or other corrective action for releases.			HSC 25202(a), 22 CCR 66270.30(a) and HWFP Part IV			The facility failed to report the discovery of releases of HW to DTSC orally within 24 hours of such discovery.			Minimal			One pint of sandblast grit from the removal of floor epoxy in the PCB Building spilled on to the soil on or around the PCB Flushing/Storage Unit (4/13/10; PCBs less than 6 ppm). A minimal potential for harm was assessed due to the small volume of waste identified in violation.			Major			DTSC was never notified of the release(s). Therefore, the act deviates from the requirement to such an extent that the requirement is completely ignored and the function of the requirement was rendered ineffective.			15.00			No			n/a			0.00			15		

Violation Scoring Matrix

Facility Name:		CHEMICAL WASTE MANAGEMENT INC KETTLEMAN		10 Year Date Range:		2009-2018		Permit Issue Date:		6/16/2003		Link to EnviroStor (Inspection Reports, SOVs, etc.)	
Address:		KETTLEMAN HILLS LDFL HIGHWAY 41, KETTLEMAN CITY, CA 93210		Number of Inspections:		24		Permit Expiration Date:		6/16/2013			
EPA ID:		CAT000646117		Total Number of Violations Scored:		14		Date VSP Completed:		7/18/2019			
4	The deviation from the requirements was significant enough that it could result in a failure to perform emergency clean-up operation or other corrective action for releases.	HSC 25202(a), 22 CCR 66270.30(a) and HWFP Part IV	The facility failed to report the discovery of releases of HW to DTSC in writing within 10 days of such discovery.	Minimal	One pint of sandblast grit from the removal of floor epoxy in the PCB Building spilled on to the soil on or around the PCB Flushing/Storage Unit (4/13/10; PCBs less than 6 ppm). A minimal potential for harm was assessed due to the small volume of waste identified in violation.	Major	DTSC was never notified of the release(s). Therefore, the act deviates from the requirement to such an extent that the requirement is completely ignored and the function of the requirement was rendered ineffective.	15.00	No	n/a	0.00	15	
	5	The deviation from the requirements was significant enough that it could result in a failure to perform emergency clean-up operation or other corrective action for releases.	HSC 25202(a), 22 CCR 66270.30(a) and HWFP Part IV	The facility failed to report the discovery of releases of HW to DTSC orally within 24 hours of such discovery.	Moderate	15-20 gallons of PCB liquid was spilled onto the asphalt pad between PCB Drum Storage Unit and PCB building (4/26/10; PCBs at 54 ppm). PCBs are bioaccumulative and have been demonstrated to cause a variety of adverse health effects. PCBs have been shown to cause cancer in animals as well as a number of serious non-cancer health effects in animals, including: effects on the immune system, reproductive system, nervous system, endocrine system and other health effects. A moderate potential for harm was assessed due to the volume and high PCB content associated with the waste in violation.	Major	DTSC was never notified of the release(s). Therefore, the act deviates from the requirement to such an extent that the requirement is completely ignored and the function of the requirement was rendered ineffective.	20.00	No	n/a	0.00	20
	6	The deviation from the requirements was significant enough that it could result in a failure to perform emergency clean-up operation or other corrective action for releases.	HSC 25202(a), 22 CCR 66270.30(a) and HWFP Part IV	The facility failed to report the discovery of releases of HW to DTSC in writing within 10 days of such discovery.	Moderate	15-20 gallons of PCB liquid was spilled onto the asphalt pad between PCB Drum Storage Unit and PCB building (4/26/10; PCBs at 54 ppm). PCBs are bioaccumulative and have been demonstrated to cause a variety of adverse health effects. PCBs have been shown to cause cancer in animals as well as a number of serious non-cancer health effects in animals, including: effects on the immune system, reproductive system, nervous system, endocrine system and other health effects. A moderate potential for harm was assessed due to the volume and high PCB content associated with the waste in violation.	Major	DTSC was never notified of the release(s). Therefore, the act deviates from the requirement to such an extent that the requirement is completely ignored and the function of the requirement was rendered ineffective.	20.00	No	n/a	0.00	20
7	The deviation from the requirements was significant enough that it could result in a failure to perform emergency clean-up operation or other corrective action for releases.	HSC 25202(a), 22 CCR 66270.30(a) and HWFP Part IV	The facility failed to report the discovery of releases of HW to DTSC orally within 24 hours of such discovery.	Minimal	One gallon sandblast grit was spilled on the soil (4/29/10; PCBs less than 6 ppm). A minimal potential for harm was assessed due to the small volume of waste identified in violation.	Major	DTSC was never notified of the release(s). Therefore, the act deviates from the requirement to such an extent that the requirement is completely ignored and the function of the requirement was rendered ineffective.	15.00	No	n/a	0.00	15	

Violation Scoring Matrix

Facility Name:	CHEMICAL WASTE MANAGEMENT INC KETTLEMAN			10 Year Date Range:	2009-2018			Permit Issue Date:	6/16/2003			Link to EnviroStor (Inspection Reports, SOVs, etc.)	
Address:	KETTLEMAN HILLS LDFL HIGHWAY 41, KETTLEMAN CITY, CA 93210			Number of Inspections:	24			Permit Expiration Date:	6/16/2013				
EPA ID:	CAT000646117			Total Number of Violations Scored:	14			Date VSP Completed:	7/18/2019				
	8	The deviation from the requirements was significant enough that it could result in a failure to perform emergency clean-up operation or other corrective action for releases.	HSC 25202(a), 22 CCR 66270.30(a) and HWFP Part IV	The facility failed to report the discovery of releases of HW to DTSC in writing within 10 days of such discovery.	Minimal	One gallon sandblast grit was spilled on the soil (4/29/10; PCBs less than 6 ppm). A minimal potential for harm was assessed due to the small volume of waste identified in violation.	Major	DTSC was never notified of the release(s). Therefore, the act deviates from the requirement to such an extent that the requirement is completely ignored and the function of the requirement was rendered ineffective.	15.00	No	n/a	0.00	15
Provisional Inspection Violation Score:												140.00	
Inspection Date:	2/22/2012	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:	OAM												
Class I Violations:	0	n/a	n/a	No Class I Violations	n/a	n/a	n/a	n/a	0.00	n/a	n/a	n/a	0
Provisional Inspection Violation Score:												0.00	

Violation Scoring Matrix

Facility Name:		CHEMICAL WASTE MANAGEMENT INC KETTLEMAN		10 Year Date Range:		2009-2018		Permit Issue Date:		6/16/2003		Link to EnviroStor (Inspection Reports, SOVs, etc.)	
Address:		KETTLEMAN HILLS LDFL HIGHWAY 41, KETTLEMAN CITY, CA 93210		Number of Inspections:		24		Permit Expiration Date:		6/16/2013			
EPA ID:		CAT000646117		Total Number of Violations Scored:		14		Date VSP Completed:		7/18/2019			
Inspection Date:	4/9/2012 CEI & 6/12/2012 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 requirements was significant enough that it could result in a failure to prevent releases of HW or constituents to the environment during the active or post closure period of facility operation.	22 CCR 66268.40(a)(1)	The facility failed to properly treat HW prior to disposal and comply with applicable Land Disposal Restriction (LDR) Treatment Standards. The facility failed to properly treat a shipment of HW prior to disposal into Landfill B-18.	Minimal	44,900 pounds of HW (KHF profile EA7630 - RCRA hazardous lead paint chips and soil) were insufficiently treated prior to disposal into Landfill B-18 due to inaccurate gross weight of 30,880 pounds used (human error using weight from wrong load) to process the waste. The wastes were partially treated prior to disposal into a lined and permitted landfill, and the possibility for lead-impacted wastes to migrate into the environment was low resulting in a minimal potential for harm to human health, safety, and the environment.	Minimal	The wastes were originally treated, just not to the required level due to human error at the facility. The waste was excavated, reprocessed, and disposed within 3 weeks. The requirement functioned nearly as intended, but not as well if all of the provisions had been met.	2.00	No	n/a	0.00	2
	2	The deviation from the requirements was significant enough that it could result in a failure to assure that HW are destined for and delivered to an authorized HW facility.	22 CCR 6264.72(c)	The facility failed to resolve a significant manifest discrepancy within 15 days of discovery. A manifest was incorrectly identified as containing "batteries, dry, containing potassium hydroxide, Solid/8/UN/3 PGIII," when it should have been identified as containing "lead acid" batteries. The facility did not resolve this discrepancy for approximately 3 months after it was discovered.	Minimal	One drum of waste batteries was identified on a manifest as "batteries, dry, containing potassium hydroxide, Solid/8/UN/3 PGIII". During preparation for offsite shipment, the facility discovered the contents were actually lead acid batteries. A minimal potential for harm was assessed due to batteries being adequately contained in a closed container.	Moderate	The facility discovered the significant discrepancy on 12/23/2011 and sent the written significant resolution letter to DTSC dated 3/26/2012. The requirement functioned to some extent, but not all of the important provisions were complied with.	6.00	No	n/a	0.00	6
	3	The deviation from the requirements was significant enough that it could result in a failure to assure that HW are destined for and delivered to an authorized HW facility and/or perform emergency clean-up operation or other corrective action for releases.	HSC 25202(a), 22 CCR 66270.30(a) and HWFP Part VI(1)	The facility failed to report the discovery of releases of a HW constituent to DTSC orally within 24 hours, and in writing within 10 days, of such discovery summarizing the findings including the immediacy and magnitude of any potential threat to human health and/or the environment.	Major	Sixty-eight instances from 1/12/2009 through 5/24/2012 were cited and documented the releases of HW including HW containing PCBs, sulfur tank bottoms, solidified fuel oil, drill cuttings/asbestos, lead-containing soil, site cleanup waste, oily sludge, sand blast grit with lead, oily solids, oily water, sulfur filter cake, paint and glue, catalyst with copper, geothermal scale, and naturally occurring radioactive material scale. Volumes ranged from approximately a 1/2 pint to 8 gallons in each instance. The large number of documented releases and the toxic characteristics of the HWs in violation resulted in a major threat to human health and the environment.	Major	Sixty-eight instances of this violation over the course of approximately four years demonstrated that the function of the requirement was rendered ineffective.	25.00	Yes	2/7/2010 CEI	25.00	31.25
Provisional Inspection Violation Score:													39.25
Inspection Date:	4/23/2013 CEI & 5/20/2013 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:	0	n/a	n/a	No Class I Violations	n/a	n/a	n/a	n/a	0.00	n/a	n/a	n/a	0
Provisional Inspection Violation Score:													0.00

Violation Scoring Matrix

Facility Name:		CHEMICAL WASTE MANAGEMENT INC KETTLEMAN			10 Year Date Range:		2009-2018		Permit Issue Date:		6/16/2003		Link to EnviroStor (Inspection Reports, SOVs, etc.)	
Address:		KETTLEMAN HILLS LDFL HIGHWAY 41, KETTLEMAN CITY, CA 93210			Number of Inspections:		24		Permit Expiration Date:		6/16/2013			
EPA ID:		CAT000646117			Total Number of Violations Scored:		14		Date VSP Completed:		7/18/2019			
Inspection Date:	Inspection Type:	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	
2/14/2014	FSD			No Class I Violations	n/a	n/a	n/a	n/a	0.00	n/a	n/a	n/a	0	
Provisional Inspection Violation Score:													0.00	
2/19/2014	FCI			No Class I Violations	n/a	n/a	n/a	n/a	0.00	n/a	n/a	n/a	0	
Provisional Inspection Violation Score:													0.00	
3/18/2014 CEI & 8/11/2014 FRR	CEI & FRR			No Class I Violations	n/a	n/a	n/a	n/a	0.00	n/a	n/a	n/a	0	
Provisional Inspection Violation Score:													0.00	
9/24/2014	FCI			No Class I Violations	n/a	n/a	n/a	n/a	0.00	n/a	n/a	n/a	0	
Provisional Inspection Violation Score:													0.00	
12/10/2014	FCI			No Class I Violations	n/a	n/a	n/a	n/a	0.00	n/a	n/a	n/a	0	
Provisional Inspection Violation Score:													0.00	
3/18/2015 CEI & 4/28/2015 FRR	CEI & FRR			No Class I Violations	n/a	n/a	n/a	n/a	0.00	n/a	n/a	n/a	0	
Provisional Inspection Violation Score:													0.00	
9/30/2015	FCI			No Class I Violations	n/a	n/a	n/a	n/a	0.00	n/a	n/a	n/a	0	
Provisional Inspection Violation Score:													0.00	
10/2/2015	FSD			No Class I Violations	n/a	n/a	n/a	n/a	0.00	n/a	n/a	n/a	0	
Provisional Inspection Violation Score:													0.00	

Violation Scoring Matrix

Facility Name:	CHEMICAL WASTE MANAGEMENT INC KETTLEMAN			10 Year Date Range:	2009-2018			Permit Issue Date:	6/16/2003			Link to EnviroStor (Inspection Reports, SOVs, etc.)	
Address:	KETTLEMAN HILLS LDFL HIGHWAY 41, KETTLEMAN CITY, CA 93210			Number of Inspections:	24			Permit Expiration Date:	6/16/2013				
EPA ID:	CAT000646117			Total Number of Violations Scored:	14			Date VSP Completed:	7/18/2019				
Inspection Date:	12/29/2015	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:	FCI												
Class I Violations:	0	n/a	n/a	No Class I Violations	n/a	n/a	n/a	n/a	0.00	n/a	n/a	n/a	0
Provisional Inspection Violation Score:													0.00
Inspection Date:	2/9/2016 CEI & 2/29/2016 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:	0	n/a	n/a	No Class I Violations	n/a	n/a	n/a	n/a	0.00	n/a	n/a	n/a	0
Provisional Inspection Violation Score:													0.00
Inspection Date:	9/14/2016	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:	FCI												
Class I Violations:	0	n/a	n/a	No Class I Violations	n/a	n/a	n/a	n/a	0.00	n/a	n/a	n/a	0
Provisional Inspection Violation Score:													0.00

Violation Scoring Matrix

Facility Name:		CHEMICAL WASTE MANAGEMENT INC KETTLEMAN		10 Year Date Range:		2009-2018		Permit Issue Date:		6/16/2003		Link to EnviroStor (Inspection Reports, SOVs, etc.)	
Address:		KETTLEMAN HILLS LDFL HIGHWAY 41, KETTLEMAN CITY, CA 93210		Number of Inspections:		24		Permit Expiration Date:		6/16/2013			
EPA ID:		CAT000646117		Total Number of Violations Scored:		14		Date VSP Completed:		7/18/2019			
Inspection Date:	10/13/2016	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:	NFRR												
Class I Violations:	1	The deviation from the requirements was significant enough that it could result in a failure to assure early detection of releases of HW or constituents to the environment.	22 CCR 66264.91(c), 22 CCR 66264.98(f) and HWFP Part III, Section 1(A)	The facility failed to conduct sampling and analyses in accordance with its HWFP for the monitoring parameters listed in the Operation Plan of its HWFP. The facility was required to sample and analyze all Evaluation Monitoring Program wells for the Appendix IX analytes once during each calendar year and then send the sampling data to DTSC. The facility failed to sample and analyze wells K12, K32R, K38, K44, K45, K47, K48, and K65 and submit its results to DTSC for the 2014 calendar year.	Moderate	Inadequate groundwater monitoring could result in underestimating or overestimating the risk to public health and the environment from potential releases to groundwater. There was also a potential for undetected offsite migration of contaminants. The facility had a very deep groundwater table, that was slow-moving, and not a municipal or domestic supply of drinking water. Due to these considerations, and the number of wells that were not properly monitored, there was a moderate potential for harm.	Moderate	The facility failed to sample and analyze all Evaluation Monitoring Program wells for Appendix IX analytes once annually (partially met requirements). The facility did not sample 8 wells out of the entire well system in 2014. The facility returned to compliance in 2015. The act deviated from the requirement, but it functioned to some extent, although not all of its requirements were met.	15.00	No	n/a	0.00	15
	2	The deviation from the requirements was significant enough that it could result in a failure to assure early detection of releases of HW or constituents to the environment.	22 CCR 66264.91(c), 22 CCR 66264.98(f) and HWFP Part III, Section 1(A)	The facility failed to conduct sampling and analyses in accordance with its HWFP. The facility was required to conduct quarterly sampling of wells within the Class I Detection Monitoring Program and Evaluation Monitoring Program. The facility failed to sample, analyze and submit data to DTSC from monitoring wells K12 and K58 in the second, third, and fourth quarters of the 2014 calendar year.	Minimal	Inadequate groundwater monitoring could result in underestimating or overestimating risk to public health and the environment from potential releases to groundwater. There was also a potential for undetected offsite migration of contaminants. The facility had a very deep groundwater table, that was slow-moving, and not a municipal or domestic supply of drinking water. Due to these considerations, and the number of wells that were not properly monitored, there was a minimal potential for harm.	Major	The facility failed to sample and analyze Class I Monitoring Wells quarterly. The facility did not sample wells K12 and K58 (Quarter 2 through Quarter 4 2014). The facility returned to compliance in Quarter 2, 2015. The requirement was rendered ineffective because some of its important provisions were not complied with during the noted period of time.	15.00	No	n/a	0.00	15
	3	The deviation from the requirements was significant enough that it could result in a failure to assure early detection of releases of HW or constituents to the environment.	22 CCR 66264.91(c), 22 CCR 66264.98(f) and HWFP Part III, Section 1(A)	The facility failed to conduct sampling and analyses in accordance with its HWFP. The facility was required to conduct quarterly sampling of wells within the Class I Detection Monitoring Program and Evaluation Monitoring Program. The facility failed to sample, analyze, and submit data to DTSC from monitoring wells K12, K57, and K58 for the first quarter of 2015.	Minimal	Inadequate groundwater monitoring could result in underestimating or overestimating risk to public health and the environment from potential releases to groundwater. There was a potential for undetected offsite migration of contaminants. CWM had a very deep groundwater table, that was slow-moving, and not a municipal or domestic supply of drinking water. Due to these considerations, and the number of wells that were not properly monitored, there was a minimal potential for harm.	Moderate	The facility failed to sample and analyze Class I Monitoring Wells quarterly. The facility did not sample wells K12, K57, and K58 (Quarter 1 2015). The facility returned to compliance in Quarter 2, 2015. The requirement was rendered ineffective because some of its important provisions were not complied with during the noted period of time.	6.00	No	n/a	0.00	6
Provisional Inspection Violation Score:													36.00
Inspection Date:	2/1/2017 CEI & 3/15/2017 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:	0	n/a	n/a	No Class I Violations	n/a	n/a	n/a	n/a	0.00	n/a	n/a	n/a	0
Provisional Inspection Violation Score:													0.00
Inspection Date:	5/2/2017	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:	FCI & GAR												
Class I Violations:	0	n/a	n/a	No Class I Violations	n/a	n/a	n/a	n/a	0.00	n/a	n/a	n/a	0
Provisional Inspection Violation Score:													0.00

Violation Scoring Matrix

Facility Name:	CHEMICAL WASTE MANAGEMENT INC KETTLEMAN			10 Year Date Range:	2009-2018			Permit Issue Date:	6/16/2003			Link to EnviroStor (Inspection Reports, SOVs, etc.)	
Address:	KETTLEMAN HILLS LDFL HIGHWAY 41, KETTLEMAN CITY, CA 93210			Number of Inspections:	24			Permit Expiration Date:	6/16/2013				
EPA ID:	CAT000646117			Total Number of Violations Scored:	14			Date VSP Completed:	7/18/2019				
Inspection Date:	5/3/2017	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:	FCI												
Class I Violations:	0	n/a	n/a	No Class I Violations	n/a	n/a	n/a	n/a	0.00	n/a	n/a	n/a	0
Provisional Inspection Violation Score:													0.00
Inspection Date:	8/17/2017	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:	FCI												
Class I Violations:	0	n/a	n/a	No Class I Violations	n/a	n/a	n/a	n/a	0.00	n/a	n/a	n/a	0
Provisional Inspection Violation Score:													0.00
Inspection Date:	3/27/2018 CEI & 4/10/2018 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:	0	n/a	n/a	No Class I Violations	n/a	n/a	n/a	n/a	0.00	n/a	n/a	n/a	0
Provisional Inspection Violation Score:													0.00
Inspection Date:	6/28/2018	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:	FCI												
Class I Violations:	0	n/a	n/a	No Class I Violations	n/a	n/a	n/a	n/a	0.00	n/a	n/a	n/a	0
Provisional Inspection Violation Score:													0.00
Inspection Date:	9/11/2018	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:	FCI												
Class I Violations:	0	n/a	n/a	No Class I Violations	n/a	n/a	n/a	n/a	0.00	n/a	n/a	n/a	0
Provisional Inspection Violation Score:													0.00

Violation Scoring Matrix

Facility Name:	CHEMICAL WASTE MANAGEMENT INC KETTLEMAN	10 Year Date Range:	2009-2018	Permit Issue Date:	6/16/2003	Link to EnviroStor (Inspection Reports, SOVs, etc.)
Address:	KETTLEMAN HILLS LDFL HIGHWAY 41, KETTLEMAN CITY, CA 93210	Number of Inspections:	24	Permit Expiration Date:	6/16/2013	
EPA ID:	CAT000646117	Total Number of Violations Scored:	14	Date VSP Completed:	7/18/2019	

FACILITY VIOLATIONS SCORING PROCEDURE SCORE				
Inspection Number	Number of Violations Scored	Inspection Type(s)	Inspection Date(s)	Provisional Inspection Violation Score
1	0	CEI & FRR	9/15/2009 CEI & 10/6/2009 FRR	0.00
2	8	CEI	2/7/2010	140.00
3	0	OAM	2/22/2012	0.00
4	3	CEI & FRR	4/9/2012 CEI & 6/12/2012 FRR	39.25
5	0	CEI & FRR	4/23/2013 CEI & 5/20/2013 FRR	0.00
6	0	FSD	2/14/2014	0.00
7	0	FCI	2/19/2014	0.00
8	0	CEI & FRR	3/18/2014 CEI & 8/11/2014 FRR	0.00
9	0	FCI	9/24/2014	0.00
10	0	FCI	12/10/2014	0.00
11	0	CEI & FRR	3/18/2015 CEI & 4/28/2015 FRR	0.00
12	0	FCI	9/30/2015	0.00
13	0	FSD	10/2/2015	0.00
14	0	FCI	12/29/2015	0.00
15	0	CEI & FRR	2/9/2016 CEI & 2/29/2016 FRR	0.00
16	0	FCI	9/14/2016	0.00
17	3	NFRR	10/13/2016	36.00
18	0	CEI & FRR	2/1/2017 CEI & 3/15/2017 FRR	0.00
19	0	FCI & GAR	5/2/2017	0.00
20	0	FCI	5/3/2017	0.00
21	0	FCI	8/17/2017	0.00
22	0	CEI & FRR	3/27/2018 CEI & 4/10/2018 FRR	0.00
23	0	FCI	6/28/2018	0.00
24	0	FCI	9/11/2018	0.00
Sum of Provisional Inspection Violation Scores				215.25
*FACILITY VSP SCORE				8.97

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

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| CCR = California Code of Regulations
CDI = Case Development Inspection
CEI = Compliance Evaluation Inspection
CI = Complaint Investigation
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 | GME = Groundwater Monitoring Evaluation
HSC = Health and Safety Code
HW = Hazardous Waste
HWFP = Hazardous Waste Facility Permit
n/a = Not Applicable
NFRR = Non-Financial Record Review
PCB = Polychlorinated Biphenyl
RCRA = Resource Conservation and Recovery Act
SOV = Summary of Violations
US EPA = United States Environmental Protection Agency
VSP = Violations Scoring Procedure |
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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 Reyna Verdin, Chemical Waste Management Inc Kettleman, EPA ID Number CAT000646117.
2. I served Reyna Verdin, Chemical Waste Management Inc Kettleman, by mailing a copy of the aforementioned document via Certified Mail, Receipt No. 7018-0680-0000-9827-9492, return receipt requested, in a sealed envelope addressed to:

Ms. Reyna Verdin
Chemical Waste Management Inc Kettleman
35251 Old Skyline Road
Kettleman City, California 93239

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)