



Jared Blumenfeld
Secretary for
Environmental Protection



Department of Toxic Substances Control

Meredith Williams, Ph.D.
Acting Director
1001 "I" Street
P.O. Box 806
Sacramento, California 95812-0806



Gavin Newsom
Governor

September 27, 2019

Certified Mail No.: 7018-0680-0000-9827-9386

Mr. Michael Shloub
Crosby & Overton Inc.
1630 West 17th Street
Long Beach, California 90813

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

Dear Mr. Michael Shloub:

2019 Facility Violations Scoring Procedure (VSP) Score: 6.75
2019 Compliance Tier Assignment: Acceptable

The purpose of this letter is to provide Crosby & Overton, CAD028409019, located at 1630 West 17th St., Long Beach, CA 90813 (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 "6.75". 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 "**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:		CROSBY & OVERTON		10 Year Date Range:		2009-2018		Permit Effective Date:		8/22/2014		Link to EnviroStor	
Address:		1630 WEST 17TH STREET, LONG BEACH, CA 90813		Number of Inspections:		12		Permit Expiration Date:		8/21/2024		(Inspection Reports, SOVs,	
EPA ID:		CAD028409019		Total Number of Violations Scored:		5		Date VSP Completed:		7/24/2019		etc.)	
Inspection Date:	4/23/2009 CEI & 5/13/2009 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:	1	The deviation from the requirement was significant enough that it could have resulted in a failure to prevent releases of HW or constituents during the active period of facility operation.	22 CCR 66264.171	The facility held HW in a container not in good condition. The facility failed to transfer the HW from containers not in good condition to containers that were in good condition.	Moderate	Two tri-wall boxes containing flammable solids had constituents of volatile organics, leaking into the environment (mix cargo trailer) which set off the alarm on DTSC's photoionization detector (PID) instrument with readings as high as 147 ppm. A moderate potential for harm was assigned due to the threat of inhalation exposure to volatile organic compounds (VOCs) for workers handling the leaking containers.	Minimal	The requirement to transfer the contents of a leaking container to a container in good condition functioned nearly as intended as only two leaking containers (out of an allowable capacity of 656 55-gallon containers) were observed and cited in violation.	6	No	n/a	0	6.00
	2	The deviation from the requirement was significant enough that it could have resulted in a failure to prevent releases of HW or constituents during the active period of facility operation.	22 CCR 66264.31	The facility failed to minimize the possibility of a release of HW constituents.	Major	Constituents of volatile organics had been emitted from the openings (bended covers) of Tank T-2000 (equalization tank), and the Paint Can Crusher Unit. DTSC's PID Instrument produced readings as high as 79 ppm from the Equalization Tank and 165 ppm from the Paint Can Crusher Unit exhaust pipe exceeding action level of 2.75 parts per million volume (ppmv). A major potential for harm was assigned due to the threat of inhalation exposure to VOCs for workers in proximity to the equalization tank and the workers working with the Crusher Unit.	Major	The torn tank top cover for Tank T-2000 was not fixed and no measurement was taken to mitigate the vapor emission problem. The Carbon Change Log consistently documented exceedances of the 2.75 ppmv action level, which demonstrated releases of volatile organics occurred on a consistent basis. The HW management requirement was completely ignored.	25	No	n/a	0	25.00
	3	The deviation from the requirements was significant enough that it could have resulted in a failure to prevent releases of HW or constituents during the active period of facility operation.	22 CCR 66264.15(a), (c), and (d)	The facility failed to inspect and remedy the site for malfunctions and deterioration, operator errors, and discharges which may be causing or may lead to release of HW constituents to the environment. In addition, the facility failed to record the notation and remedial action in the Inspection Log.	Moderate	Constituents of volatile organics had been emitted from the openings (bended covers) of Tank T-2000 (equalization tank). The DTSC's PID Instrument produced readings as high as 79 ppm. The missing or non-functional tank gauges presented an increased potential for a release and threat to human health and safety and the environment. A moderate potential for harm was assigned due to the threat of inhalation exposure to VOCs for workers handling the leaking containers.	Major	Tank T-2000 had a bent cover which led to the release of volatile organics, and the top openings of TK-1051, TK-1069, TK-1074, and TK-1027 were not closed to avoid any release of volatile organic constituents. Many of the tank gauges were not functional (only one functioned) or no longer found in existence. All remedial actions prescribed in the Annual Tank Assessment Report were not implemented. The requirement to inspect the facility, remedy malfunctions, and conform with all required inspection elements was rendered ineffective.	20	No	n/a	0	20.00

Violation Scoring Matrix

Facility Name:		CROSBY & OVERTON		10 Year Date Range:		2009-2018		Permit Effective Date:		8/22/2014		Link to EnviroStor	
Address:		1630 WEST 17TH STREET, LONG BEACH, CA 90813		Number of Inspections:		12		Permit Expiration Date:		8/21/2024		(Inspection Reports, SOVs,	
EPA ID:		CAD028409019		Total Number of Violations Scored:		5		Date VSP Completed:		7/24/2019		etc.)	
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.	22 CCR 66264.73(b)	The facility failed to record the methods and dates of HW transfer, treatment, storage, or disposal at the facility, the location of each HW within the facility and the quantity of HW at each location.	Moderate	One drum containing antifreeze with tracking number RD1328-1 was observed in violation. The other 29 containers cited included lab packs, sulfuric acid, and aqueous waste contaminated with hydrocarbons. The facility also did not have records documenting HW transfer between tanks and no quantity was recorded for each tank. A moderate potential for harm was assigned due to the characteristics of the wastestreams at issue.	Moderate	One drum containing antifreeze with tracking number RD1328-1 was observed on 4/23/2009 at Receiving Area with accumulation start date of 4/21/2009. However, the Repack Drum Details showed the container was processed on 4/28/2009. In addition, the Inventory Status Report showed 29 containers were marked outbound on 4/2/2009, but no records indicated when the containers had been transferred to the van trailer from storage or from which tank(s) the wastes were transferred. No quantities associated with HW transfer between tanks were recorded and no quantity was recorded for each tank. The available records demonstrated the requirement functioned to some extent, although not all of its important provisions were complied with.	15	No	n/a	0	15.00	
	5	The deviation from the requirement was significant enough that it could have resulted in a failure to prevent releases of HW or constituents during the active period of facility operation.	22 CCR 66264.1084(g)	The facility failed to maintain the integrity of its tank system to minimize the exposure of HW to the atmosphere.	Moderate	This inspection report stated that the violation was "related to the controlling of air pollutant emissions from tank to a control device. The openings of the tanks caused the VOC not to vent through the activated carbon filters." Periodic exceedances of 25 ppm were documented without required carbon filter replacement. Tanks TK-1051 and TK-1069 were sludge holding tanks. Tanks TK-1074 and TK-1027 were equalization and surge tanks. This resulted in a release of VOCs to the environment and a moderate potential for harm.	Moderate	Tank 2000 had a bent cover which led to the release of volatile organics, and the top openings of TK-1051, TK-1069, TK-1074, and TK-1027 were not closed to avoid any release of VOCs. The requirement functioned to some extent as only five tanks out of 20 onsite (25%) were cited as being in violation.	15	No	n/a	0	15.00
Provisional Inspection Violation Score:											81.00		

Violation Scoring Matrix

Facility Name:		CROSBY & OVERTON			10 Year Date Range:		2009-2018		Permit Effective Date:		8/22/2014		Link to EnviroStor	
Address:		1630 WEST 17TH STREET, LONG BEACH, CA 90813			Number of Inspections:		12		Permit Expiration Date:		8/21/2024		(Inspection Reports, SOVs,	
EPA ID:		CAD028409019			Total Number of Violations Scored:		5		Date VSP Completed:		7/24/2019		etc.)	
Inspection Date:	11/12/2009 CEI & 12/22/2009 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	n/a	n/a	n/a	n/a	n/a	0.00	
Provisional Inspection Violation Score:													0.00	
Inspection Date:	8/25/2010	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:	FUI													
Class I Violations:	0	n/a	n/a	No Class I Violations	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	0.00	
Provisional Inspection Violation Score:													0.00	
Inspection Date:	2/16/2011 CEI & 5/5/2011 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	n/a	n/a	n/a	n/a	0.00	
Provisional Inspection Violation Score:													0.00	
Inspection Date:	8/2/2011	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:	FUI													
Class I Violations:	0	n/a	n/a	No Class I Violations	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	0.00	
Provisional Inspection Violation Score:													0.00	
Inspection Date:	1/25/2012 CEI & 5/22/2012 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:	0	n/a	n/a	No Class I Violations	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	0.00	
Provisional Inspection Violation Score:													0.00	
Inspection Date:	11/28/2012 CEI & 12/13/2012 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:	0	n/a	n/a	No Class I Violations	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	0.00	
Provisional Inspection Violation Score:													0.00	
Inspection Date:	6/25/2013	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	n/a	n/a	n/a	n/a	0.00	
Provisional Inspection Violation Score:													0.00	
Inspection Date:	3/27/2014 CEI & 6/27/2014 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	n/a	n/a	n/a	n/a	0.00	
Provisional Inspection Violation Score:													0.00	

Violation Scoring Matrix

Facility Name:	CROSBY & OVERTON			10 Year Date Range:	2009-2018			Permit Effective Date:	8/22/2014			Link to EnviroStor (Inspection Reports, SOVs, etc.)	
Address:	1630 WEST 17TH STREET, LONG BEACH, CA 90813			Number of Inspections:	12			Permit Expiration Date:	8/21/2024				
EPA ID:	CAD028409019			Total Number of Violations Scored:	5			Date VSP Completed:	7/24/2019				
Inspection Date:	6/20/2016 CEI & 7/22/2016 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	n/a	n/a	n/a	n/a	0.00
Provisional Inspection Violation Score:													0.00
Inspection Date:	4/25/2017 CEI & 6/20/2017 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	n/a	n/a	n/a	n/a	0.00
Provisional Inspection Violation Score:													0.00
Inspection Date:	2/22/2018 CEI & 3/19/2018 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	n/a	n/a	n/a	n/a	0.00
Provisional Inspection Violation Score:													0.00

FACILITY VIOLATIONS SCORING PROCEDURE SCORE				
Inspection Number	Number of Violations Scored	Inspection Type(s)	Inspection Date(s)	Provisional Inspection Violation Score
1	5	CEI & FRR	4/23/2009 CEI & 5/13/2009 FRR	81.00
2	0	CEI & FRR	11/12/2009 CEI & 12/22/2009 FRR	0.00
3	0	FUI	8/25/2010	0.00
4	0	CEI & FRR	2/16/2011 CEI & 5/5/2011 FRR	0.00
5	0	FUI	8/2/2011	0.00
6	0	CEI & FRR	1/25/2012 CEI & 5/22/2012 FRR	0.00
7	0	CEI & FRR	11/28/2012 CEI & 12/13/2012 FRR	0.00
8	0	CI	6/25/2013	0.00
9	0	CEI & FRR	3/27/2014 CEI & 6/27/2014 FRR	0.00
10	0	CEI & FRR	6/20/2016 CEI & 7/22/2016 FRR	0.00
11	0	CEI & FRR	4/25/2017 CEI & 6/20/2017 FRR	0.00
12	0	CEI & FRR	2/22/2018 CEI & 3/19/2018 FRR	0.00
Sum of Provisional Inspection Violation Scores				81.00
*FACILITY VSP SCORE				6.75

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

- 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
- PID = Photoionization Detector
- PPM = Parts Per Million
- PPMV = Parts Per Million Volume
- RCRA = Resource Conservation and Recovery Act
- SOV = Summary of Violations
- VOC = Volatile Organic Compounds
- VSP = Violations Scoring Procedure

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 Michael Shlob, Crosby & Overton Inc., EPA ID Number CAD028409019.
2. I served Michael Shlob, Crosby & Overton Inc., by mailing a copy of the aforementioned document via Certified Mail, Receipt No. 7018-0680-0000-9827-9386, return receipt requested, in a sealed envelope addressed to:

Mr. Michael Shlob
Crosby & Overton Inc.
1630 West 17th Street
Long Beach, California 90813

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)