



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.: 7018-0680-0000-9827-9287

Ms. Denise Lloyd
Hitachi Global Storage Technologies, Inc.
5601 Great Oaks Parkway
San Jose, California 95119

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

Dear Ms. Denise Lloyd:

2019 Facility Violations Scoring Procedure (VSP) Score: 87.75
2019 Compliance Tier Assignment: Unacceptable

The purpose of this letter is to provide HGST Inc., CAR000128793, located at 5601 Great Oaks Parkway, San Jose, CA 95119 (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 "87.75". 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 "**Unacceptable**". 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: HGST INC.		10 Year Date Range: 2009-2018		Permit Effective Date: 5/16/2005		Permit Expiration Date: 5/15/2015		Date VSP Completed: 5/21/2019		Link to EnviroStor (Inspection Reports, SOVs, etc.)			
Address: 5601 GREAT OAKS PARKWAY, SAN JOSE, CA 95193		Number of Inspections: 4		Total Number of Violations Scored: 18									
EPA ID: CAR000128793													
Inspection Date:	11/30/2009 CEI & 1/27/2010 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:	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:	11/28/2011 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:	2/27/2014 CEI & 6/17/2014 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
Class II Violations:	1	The deviation from the requirement was significant enough that it could have resulted in a failure to assure HW were destined for and delivered to an authorized HW facility.	22 CCR 66264.73(b)(1)	The facility failed to maintain accurate Operating Records that reflected the correct amount of HW received, as well as the method(s) and date(s) of its transfer, treatment and storage for the facility's Filter Press Unit as required by regulation.	Minimal	The HWFP allowed a daily maximum of 1,100 pounds of sludge from the Filter Press. Because the amount of sludge produced from the Filter Press was not accurately tracked, the facility did not know if it was operating within the required parameters of the permit. Potentially producing an excess amount of sludge posed a minimal potential for harm.	Moderate	The facility did not record the quantity of HW received and treated in its permitted Filter Press Unit. The operator stated that the facility could estimate the daily amount of sludge generated from the Filter Press based on the amount recorded on the manifests. The requirement functioned to some extent because wastes were accurately tracked in the facility's other permitted units.	6	No	n/a	0	6.00
Provisional Inspection Violation Score:													6.00

Violation Scoring Matrix

Facility Name: HGST INC.		10 Year Date Range: 2009-2018		Permit Effective Date: 5/16/2005		Link to EnviroStor							
Address: 5601 GREAT OAKS PARKWAY, SAN JOSE, CA 95193		Number of Inspections: 4		Permit Expiration Date: 5/15/2015		(Inspection Reports, SOVs,							
EPA ID: CAR000128793		Total Number of Violations Scored: 18		Date VSP Completed: 5/21/2019		etc.)							
Inspection Date:	10/12/2016 CEI & 2/13/2017 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 adequate financial resources in the case of releases.	22 CCR 66264.147(f)	The facility failed to submit to DTSC financial assurance for liability coverage in the amount of \$1 million per occurrence/\$2 million annual aggregate.	Major	The facility submitted financial test documentation that failed to demonstrate tangible net worth of at least \$10 million, which meant the facility no longer met the requirements of the financial test. The facility did not demonstrate adequate financial resources in the case of releases, which impacts the facility's ability to adequately reduce the potential for harm to the environment and public health in response to HW releases.	Major	The total tangible net worth identified was negative (-)\$3.84 million, well below the required \$10 million. Since the facility's submittal of the financial test was inadequate, the financial assurance was considered absent and the function of the requirement was rendered ineffective.	25	No	n/a	0	25.00
	2	The deviation from the requirement was significant enough that it could have resulted in a failure to assure adequate financial resources to pay for facility closure.	22 CCR 66264.143(f)	The facility failed to submit to DTSC financial assurance for closure in the amount of \$28,856,023.	Major	The facility submitted financial test documentation that failed to demonstrate tangible net worth of at least \$10 million, which meant the facility no longer met the requirements of the financial test. The facility did not demonstrate adequate financial resources to pay for facility closure, which impacts the facility's ability to adequately reduce the potential for harm to the environment and public health during the active or post closure period of facility operation.	Major	The total tangible net worth identified was negative (-)\$3.84 million, well below the required \$10 million. Since the facility's submittal of the financial test was inadequate, the financial assurance was considered absent and the function of the requirement was rendered ineffective.	25	No	n/a	0	25.00
	3	The deviation from 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 66264.191, 22 CCR 66264.193, 22 CCR 66264.194, and 22 CCR 66270.11	The facility failed to have adequate certification that Central Tank Farm B's Tanks T-2, T-3, T-8, T-9, T-12, T-13, T-16, and T-17 met applicable performance standards.	Major	Eight 7,000 gallon horizontal steel tanks did not have adequate certification: Tanks T-2 and T-3 held contaminated rainwater; T-8 was regulatory closed on 8/22/08 remained in place, T-9 was a non-chlorinated solvent spare tank; T-12 and T-13 held isopropyl alcohol based solvent; and T-16 and T-17 held N-methyl pyrrolidone (NMP) solvent. Proper tank certification is necessary to ensure that the tanks and associated tank systems do not collapse, rupture, or fail in any way. The characteristics and amount of the substances involved presented a major threat to public health and safety or the environment.	Major	The facility failed to have adequate certification for the referenced tanks. The function of the HW management requirement was rendered ineffective because some of its provisions were not complied with.	25	No	n/a	0	25.00
	4	The deviation from 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 66264.191, 22 CCR 66264.193, 22 CCR 66264.194, and 22 CCR 66270.11	The facility failed to have adequate certification that Waste Vault 03's Tanks TA-1020A and TA-1020B met applicable performance standards.	Moderate	The two tanks at issue had a maximum storage capacity of 3,000 gallons each and the permitted waste types included corrosive HW. Proper tank certification is necessary to ensure that the tanks and associated tank systems do not collapse, rupture, or fail in any way. Moderate potential for harm due to wastestream and total volume of the substance involved.	Major	The facility failed to have adequate certification for the referenced tanks. The function of the HW management requirement was rendered ineffective because some of its provisions were not complied with.	20	No	n/a	0	20.00

Violation Scoring Matrix

Facility Name:		HGST INC.		10 Year Date Range:		2009-2018		Permit Effective Date:		5/16/2005		Link to EnviroStor	
Address:		5601 GREAT OAKS PARKWAY, SAN JOSE, CA 95193		Number of Inspections:		4		Permit Expiration Date:		5/15/2015		(Inspection Reports, SOVs,	
EPA ID:		CAR000128793		Total Number of Violations Scored:		18		Date VSP Completed:		5/21/2019		etc.)	
5	The deviation from 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 66264.191, 22 CCR 66264.193, 22 CCR 66264.194, and 22 CCR 66270.11	The facility failed to have adequate certification that Waste Vault 08's Tanks T-15** and T-16** met applicable performance standards. **3/5/2019 Consent Order (HWCA20177346) Section 3.5 incorrectly stated tanks TA-1020A and TA-1020B were in violation, but this violation was corrected to reference tanks T-15 and T-16. Figure 5 in USEPA 2016 report, page 49 of the HWFP, and 12/28/2017 Summary of Violations Amendment Violation 6 correctly identify the tanks in violation as T-15 and T-16.	Moderate	Two tanks had a maximum storage capacity of 2,700 gallons each and the permitted waste types include heavy metal (barium, chromium, lead) corrosive waste water. Proper tank certification is necessary to ensure that the tanks and associated tank systems do not collapse, rupture, or fail in any way. Moderate potential for harm due to wastestream characteristics and total volume.	Major	The facility failed to have adequate certification for the referenced tanks. The function of the HW management requirement was rendered ineffective because some of its provisions were not complied with.	20	No	n/a	0	20.00	
6	The deviation from 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 66264.191, 22 CCR 66264.193, 22 CCR 66264.194, and 22 CCR 66270.11	The facility failed to have adequate certification that Waste Vault 12's Tank T-18 met applicable performance standards.	Moderate	Tank T-18 had a maximum storage capacity of 1,200 gallons and the permitted waste types include non-chlorinated dilute (<10%) solvent waste (scrubber waste). Proper tank certification is necessary to ensure that the tanks and associated tank systems do not collapse, rupture, or fail in any way. Moderate potential for harm due to wastestream and total volume.	Major	The facility failed to have adequate certification for the referenced tanks. The function of the HW management requirement was rendered ineffective because some of its provisions were not complied with.	20	No	n/a	0	20.00	
7	The deviation from 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 66264.191, 22 CCR 66264.193, 22 CCR 66264.194, and 22 CCR 66270.11	The facility failed to have adequate certification that Waste Vault 19's Tank T-1 met applicable performance standards.	Minimal	Tank T-1 had a maximum storage capacity of 5,000 gallons and was permitted to hold brine waste and deionized regeneration waste. Proper tank certification is necessary to ensure that the tanks and associated tank systems do not collapse, rupture, or fail in any way. Minimal potential for harm due to wastestream and volume in the single tank.	Major	The facility failed to have adequate certification for the referenced tanks. The function of the HW management requirement was rendered ineffective because some of its provisions were not complied with.	15	No	n/a	0	15.00	
8	The deviation from 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 66264.191, 22 CCR 66264.193, 22 CCR 66264.194, and 22 CCR 66270.11	The facility failed to have adequate certification that Waste Vault 25's Tanks T-202 and T-203 met applicable performance standards.	Minimal	Tanks T-202 and T-2-3 had maximum capacities of 2,200 and 982 gallons respectively and were permitted to hold heavy metal wastewater and scrubber waste. Proper tank certification is necessary to ensure that the tanks and associated tank systems do not collapse, rupture, or fail in any way. Minimal potential for harm due to wastestream and total volume.	Major	The facility failed to have adequate certification for the referenced tanks. The function of the HW management requirement was rendered ineffective because some of its provisions were not complied with.	15	No	n/a	0	15.00	

Violation Scoring Matrix

Facility Name:		HGST INC.		10 Year Date Range:		2009-2018		Permit Effective Date:		5/16/2005		Link to EnviroStor	
Address:		5601 GREAT OAKS PARKWAY, SAN JOSE, CA 95193		Number of Inspections:		4		Permit Expiration Date:		5/15/2015		(Inspection Reports, SOVs,	
EPA ID:		CAR000128793		Total Number of Violations Scored:		18		Date VSP Completed:		5/21/2019		etc.)	
9	The deviation from 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 66264.191, 22 CCR 66264.193, 22 CCR 66264.194, and 22 CCR 66270.11	The facility failed to have adequate certification that Waste Vault 26's Tanks T-2, T-3, T-4, T-10, T-11, T-19, and T-20 met applicable performance standards.	Moderate	Seven tanks had maximum capacities ranging from 1,200 to 5,000 gallons each and were permitted to store corrosive brine wastes. Seven tanks: T-2 brine waste; T-3 spill containment; T-4 a spare tank; T-10 contained scrubber waste; T-11 and T-20 were spare tanks; and T-19 was a mixed solvent tank. Proper tank certification is necessary to ensure that the tanks and associated tank systems do not collapse, rupture, or fail in any way. Moderate potential for harm due to wastestream and total volume.	Major	The facility failed to have adequate certification for the referenced tanks. The function of the HW management requirement was rendered ineffective because some of its provisions were not complied with.	20	No	n/a	0	20.00	
10	The deviation from 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 66264.191, 22 CCR 66264.193, 22 CCR 66264.194, and 22 CCR 66270.11	The facility failed to have adequate certification that Waste Vault 27's Tanks T-1, T-2, T-3, and T-4, met applicable performance standards.	Major	Four tanks: T-1 a 2,500 gallon steel tank that contained heavy metal waste; T-2 a 1,000 gallon double walled fiberglass tank contained base spills/corrosives; T-3 a 1,000 gallon steel tank contained non-chlorinated solvent spills; and T-4 a 1,000 gallon double walled fiberglass tank contained acid spill. Proper tank certification is necessary to ensure that the tanks and associated tank systems do not collapse, rupture, or fail in any way. Major potential for harm due to wastestreams and total volume.	Major	The facility failed to have adequate certification for the referenced tanks. The function of the HW management requirement was rendered ineffective because some of its provisions were not complied with.	25	No	n/a	0	25.00	
11	The deviation from 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 66264.191, 22 CCR 66264.193, 22 CCR 66264.194, and 22 CCR 66270.11	The facility failed to have adequate certification that Waste Vault 28's Tanks T-1, T-2, and T-3 met applicable performance standards.	Moderate	Three tanks: T-1, a 1,000 gallon fiberglass tank base spill/industrial spill; T-2 a 2,000 gallon steel tank contained non-chlorinated solvent spill; T-3 an 1,164 gallon fiberglass contained heavy metal bottle wash wastewater. Proper tank certification is necessary to ensure that the tanks and associated tank systems do not collapse, rupture, or fail in any way. Moderate potential for harm due to wastestreams and total volume.	Major	The facility failed to have adequate certification for the referenced tanks. The function of the HW management requirement was rendered ineffective because some of its provisions were not complied with.	20	No	n/a	0	20.00	
12	The deviation from 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 66264.191, 22 CCR 66264.193, 22 CCR 66264.194, and 22 CCR 66270.11	The facility failed to have adequate certification that Waste Vault 45's Tank T-101 met applicable performance standards.	Minimal	Tank T-101 had a maximum storage capacity of 2,500 gallons and was permitted to store water / fuel oil wastes. Proper tank certification is necessary to ensure that the tanks and associated tank systems do not collapse, rupture, or fail in any way. Minimal potential for harm due to wastestream and volume.	Major	The facility failed to have adequate certification for the referenced tanks. The function of the HW management requirement was rendered ineffective because some of its provisions were not complied with.	15	No	n/a	0	15.00	

Violation Scoring Matrix

Facility Name: HGST INC.		10 Year Date Range: 2009-2018		Permit Effective Date: 5/16/2005		Permit Expiration Date: 5/15/2015		Date VSP Completed: 5/21/2019		Link to EnviroStor (Inspection Reports, SOVs, etc.)		
Address: 5601 GREAT OAKS PARKWAY, SAN JOSE, CA 95193		Number of Inspections: 4		Permit Expiration Date: 5/15/2015		Permit Expiration Date: 5/15/2015		Date VSP Completed: 5/21/2019		Link to EnviroStor (Inspection Reports, SOVs, etc.)		
EPA ID: CAR000128793		Total Number of Violations Scored: 18		Permit Expiration Date: 5/15/2015		Permit Expiration Date: 5/15/2015		Date VSP Completed: 5/21/2019		Link to EnviroStor (Inspection Reports, SOVs, etc.)		
13	The deviation from 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 66264.191, 22 CCR 66264.193, 22 CCR 66264.194, and 22 CCR 66270.11	The facility failed to have adequate certification that Waste Vault 67's Tanks T-6, T-60, and T-64 met applicable performance standards.	Moderate	Three tanks: T-6, a 1,000-gallon horizontal steel tank contained solvent waste; T-60, a 1,000-gallon horizontal stainless steel tank contained NMP waste; T-64, a 2,700-gallon carbon steel tank contained contaminated rainfall. Proper tank certification is necessary to ensure that the tanks and associated tank systems do not collapse, rupture, or fail in any way. Moderate potential for harm due to wastestream and total volume.	Major	The facility failed to have adequate certification for the referenced tanks. The function of the HW management requirement was rendered ineffective because some of its provisions were not complied with.	20	No	n/a	0	20.00
14	The deviation from 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 66264.191, 22 CCR 66264.193, 22 CCR 66264.194, and 22 CCR 66270.11	The facility failed to have adequate certification that Building 110 Industrial Waste Water Treatment System Tanks T-302A, T-703A, and T-703B met applicable performance standards.	Major	Three wastewater treatment tanks had maximum capacities ranging from 2,500 to 16,850 gallons and were permitted to store heavy metal wastewater, sludge thickener, and sludge decant wastes. Proper tank certification is necessary to ensure that the tanks and associated tank systems do not collapse, rupture, or fail in any way. Major potential for harm due to volume of waste.	Major	The facility failed to have adequate certification for the referenced tanks. The function of the HW management requirement was rendered ineffective because some of its provisions were not complied with.	25	No	n/a	0	25.00
15	The deviation from 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 66264.191, 22 CCR 66264.193, 22 CCR 66264.194, and 22 CCR 66270.11	The facility failed to have adequate certification that Building 110 Industrial Waste Water Treatment System Tanks T-1, T-702A, T-702B, T-301, T-302, T-704, T-705, T-706, T-707, T-711, T-792, T-X1, T-X2, and T-5 met applicable performance standards.	Major	Fourteen tanks had maximum capacities ranging from 500 to 260,000 gallons and were permitted to store heavy metal wastewater and building sump tank system wastes. Proper tank certification is necessary to ensure that the tanks and associated tank systems do not collapse, rupture, or fail in any way. Major potential for harm due to volume of waste.	Major	The facility failed to have adequate certification for the referenced tanks. The function of the HW management requirement was rendered ineffective because some of its provisions were not complied with.	25	No	n/a	0	25.00
16	The deviation from 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 66264.191, 22 CCR 66264.193, 22 CCR 66264.194, and 22 CCR 66270.11	The facility failed to have adequate certification that Building 110 Industrial Waste Water Treatment System Splitter Box and two adjacent Flocculation Tank Units met applicable performance standards.	Minimal	During the inspection, it was noted that there was a large amount of rusted and corroded metal surrounding the Splitter Box. It was unclear at the time of the inspection if the integrity of the Splitter Box was compromised due to the corrosion. Proper tank certification is necessary to ensure that the tanks and associated tank systems do not collapse, rupture, or fail in any way. Minimal potential for harm due to wastestream.	Major	The facility failed to have adequate certification for the referenced tanks and Splitter Box. The function of the HW management requirement was rendered ineffective because some of its provisions were not complied with.	15	No	n/a	0	15.00

Violation Scoring Matrix

Facility Name: HGST INC.		10 Year Date Range: 2009-2018		Permit Effective Date: 5/16/2005		Permit Expiration Date: 5/15/2015		Date VSP Completed: 5/21/2019		Link to EnviroStor (Inspection Reports, SOVs, etc.)		
Address: 5601 GREAT OAKS PARKWAY, SAN JOSE, CA 95193		Number of Inspections: 4		Total Number of Violations Scored: 18		Provisional Inspection Violation Score: 345.00						
EPA ID: CAR000128793												
17	The deviation from 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 25201	The facility conducted illegal treatment of a HW by adding flocculent to the Splitter Box and its two adjacent Flocculation Tank Units without a permit or other grant of authorization from DTSC.	Minimal	The treatment of adding flocculent to the waste stream presented a minimal potential for harm to human health and the environment.	Major	The facility permit did not allow for treatment by adding flocculent to the wastestream in the Splitter Box and the two permitted tanks, nor did the facility apply for a permit modification to add this activity. The function of the HW management requirement was rendered ineffective.	15	No	n/a	0	15.00
Provisional Inspection Violation Score:											345.00	

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	11/30/2009 CEI & 1/27/2010 FRR	0.00
2	0	CEI & FRR	11/28/2011 CEI & 5/22/2012 FRR	0.00
3	1	CEI & FRR	2/27/2014 CEI & 6/17/2014 FRR	6.00
4	17	CEI & FRR	10/12/2016 CEI & 2/13/2017 FRR	345.00
Sum of Provisional Inspection Violation Scores				351.00
*FACILITY VSP SCORE				87.75

*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
- RCRA = Resource Conservation and Recovery Act
- SOV = Summary of Violations
- 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 Denise Lloyd, Hitachi Global Storage Technologies, Inc., EPA ID Number CAR000128793.
2. I served Denise Lloyd, Hitachi Global Storage Technologies, Inc., by mailing a copy of the aforementioned document via Certified Mail, Receipt No. 7018-0680-0000-9827-9287, return receipt requested, in a sealed envelope addressed to:

Ms. Denise Lloyd
Hitachi Global Storage Technologies, Inc.
5601 Great Oaks Parkway
San Jose, California 95119

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)