Department of Toxic Substances Control

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September 27, 2019

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Mr. Jon L. Bennett
Hazmat TSDF Inc. Former Filter Recycling Services Inc.
180 West Monte Ave.
Rialto, California 92316

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

Dear Mr. Jon Bennett:

2019 Facility Violations Scoring Procedure (VSP) Score: 63.75
2019 Compliance Tier Assignment: Unacceptable

The purpose of this letter is to provide Hazmat TSDF Inc., formerly Filter Recycling Services Inc., CAD982444481, located at 180 W Monte Ave., Rialto, CA 92316 (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).)

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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 "**63.75**". 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:	HAZMAT TSDF, INC., FORMER FILTER RECYCLING SERVICES,			10 Year Date Range:		2009-2018		Permit Issue Date:		10/23/2006			Link to EnviroStor (Inspection Reports, SOVs, etc.)
Address:	180 WEST MONTE AVENUE, UNIT A, RIALTO, CA 92316			Number of Inspections:		7		Permit Expiration Date:		1/21/2012			
EPA ID:	CAD982444481			Total Number of Violations Scored:		22		Date VSP Completed:		5/30/2019			
Inspection Date:	6/29/2009 CEI & 6/30/2009 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 requirements was significant enough that it could have resulted in a failure to assure that HW are destined for and delivered to an authorized HW facility.	HSC 25189(a), 25189.2(a), 25202(a), 22 CCR 66264.70, and 22 CCR 66270.30	The facility made false statements and/or representations in its Operating Record including, but not limited to, generator profiles stating loads of RCRA HW were excluded from regulation under RCRA, and inbound and outbound manifests stating that loads of RCRA waste were excluded from regulation under RCRA.	Major	HW was shipped under manifests that identified the HW as having no flammability potential when the HW was, in fact, flammable. Due to multiple instances of false statements on different documents, the threat resulted in a high potential for harm, as the misstatements could have potentially led to mismanagement of the waste.	Major	DTSC identified multiple manifests having "no" checked for flammability without any evidence of testing for flammability. On two drums, the facility checked "no" for flammability potential for drums of water contaminated with gasoline. DTSC sampled and both drums flashed below 100 degrees. The act deviated from the requirement to such an extent that the function of the HW management requirement was rendered ineffective.	25.00	No	n/a	0.00	25
	2	The deviation from the requirements was significant enough that it could have resulted in a failure to assure that HW are destined for and delivered to an authorized HW facility.	HSC 25202(a), 22 CCR 66264.13, 22 CCR 66270.30(a), and HWFP	The facility failed to adequately inspect and/or analyze incoming shipments of HW, including, but not limited to, not properly analyzing samples of HW consisting of water contaminated with gasoline for pH, sediments, organics, and flashpoint. The Waste Analysis Plan requirements were not followed by the facility.	Major	Flash point testing was not performed using an approved method, the facility did not have an approved waste profile for each generator, and the facility failed to visually verify each wastestream. All of the above impacted the facility's ability to manage waste properly and ensure that the waste was properly manifested.	Major	Samples for water contaminated with gasoline were routinely not analyzed for flash point using the standard methodology as required. The act deviated from the requirement to such an extent that the function of the requirement was rendered ineffective.	25.00	No	n/a	0.00	25
	3	The deviation from the requirements was significant enough that it could have resulted in a failure to assure that HW are destined for and delivered to an authorized HW facility.	HSC 25202(a), 22 CCR 66264.13, 22 CCR 66270.30(a), and HWFP	The facility failed to ensure that HW consisting of water contaminated with gasoline was properly manifested, did not note any discrepancies, and did not reject such HW or attempt to resolve such discrepancies with the generator or transporter, as required.	Major	HW was not properly manifested with the words "Flammable Liquids n.o.s., Hazard Class 3, UN 1993, Packing Group II (Gasoline)." D001 classification was also not used on the manifest. This violation is for the same wastestream as Violation 2, above. These omissions could result in improper storage and handling, and a failure to prevent HW releases.	Moderate	Two manifested shipments were listed as non-RCRA HW liquid, when in fact the waste was ignitable liquid; manifests, corresponding load sheets, and consolidation logs from 2009 documented "No" for flammability potential; and five outbound manifests and lab analysis sheets for shipments to Crosby & Overton identified the waste as ignitable. The act deviated from the requirement, but functioned to some extent.	20.00	No	n/a	0.00	20
												Provisional Inspection Violation Score:	70.00

Violation Scoring Matrix

Facility Name:	HAZMAT TSDF, INC., FORMER FILTER RECYCLING SERVICES,	10 Year Date Range:	2009-2018	Permit Issue Date:	10/23/2006
Address:	180 WEST MONTE AVENUE, UNIT A, RIALTO, CA 92316	Number of Inspections:	7	Permit Expiration Date:	1/21/2012
EPA ID:	CAD982444481	Total Number of Violations Scored:	22	Date VSP Completed:	5/30/2019

Link to EnviroStor (Inspection Reports, SOVs, etc.)

Inspection Date:	6/29/2009	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:	1	The deviation from the requirements was significant enough that it could have resulted in a failure to assure that HW are destined for and delivered to an authorized HW facility and/or a failure to prevent releases of HW or constituents to the environment during the active period of facility operation.	HSC 25202(a), HSC 25201.6, CCR 66270.30, HWFP, and Stipulation for Settlement and Entry of Judgment dated 10/2004 (Stipulation)	On numerous occasions on or before 6/2009, through the date of the inspection, the facility transferred, handled, and/or stored HW at the facility in violation of the facility's HWFP.	Major	Because the facility was accepting wastestreams not authorized by permit, there was an increased potential for release and/or fire to occur where the ignitable wastestreams were stored. In addition, there was an increased potential for harm to human health and safety and the environment from ignitable waste tankers as well as bulk liquid storage in unauthorized areas due to the lack of secondary containment. Other wastestreams in violation included sodium hydroxide, potassium hydroxide, and solids contaminated with acids or caustics.	Major	The facility consolidated ignitable waste contaminated with gasoline into tank trailers. In addition, solid corrosive HWs were received and stored at the facility. None of these wastestreams were authorized by permit. The function of the requirement was rendered ineffective.	25.00	No	n/a	0.00	25
	2	The deviation from the requirements was significant enough that it could have resulted in a failure to prevent releases of HW or constituents to the environment during the active period of facility operation.	HSC 25201, HSC 25202(a), 22 CCR 66270.30, 22 CCR 66264.176, HWFP, and Stipulation	The facility stored ignitable HW in tank trailers at locations outside of the authorized ignitable waste storage area, and within 50 feet of the facility property line.	Major	There was an increased potential for fire to spread to neighboring structures when the flammable tanker trucks were stored within 50 feet of the property line, and there was an increased potential for a release from the ignitable waste tankers due to the lack of secondary containment.	Major	In 2009, unauthorized storage occurred at the facility in that ignitable waste was consolidated into a tank trailer every two to four weeks within 50 feet of the property line. The facility was not allowed to accept this type of ignitable waste. These acts deviated from the requirement to such an extent that the HW management requirement was ignored.	25.00	No	n/a	0.00	25
	3	The deviation from the requirements was significant enough that it could have resulted in a failure to prevent releases of HW or constituents to the environment during the active period of facility operation.	HSC 25201(a), HSC 25202(a), 22 CCR 66270.30, 22 CCR 66264.176, and Stipulation	The facility stored ignitable HW in tank trailers at locations outside of the boundaries of the facility and in areas not authorized by the facility's HWFP.	Moderate	The wastestreams in violation were water contaminated with gasoline, and water contaminated with benzene. There was an increased potential for fire where the flammable tanker trucks were stored and an increased potential for a release due to the lack of secondary containment.	Major	In 2009, the facility illegally stored ignitable HW in tank trailers. The facility was not allowed to accept ignitable waste. These acts deviated from the requirement to such an extent that the requirement was completely ignored.	20.00	No	n/a	0.00	20
	4	The deviation from the requirements was significant enough that it could have resulted in a failure to assure that HW are destined for and delivered to an authorized HW facility.	HSC 25189(a), HSC 25189.2(a), HSC 25202(a), 22 CCR 66264.70, and 22 CCR 66270.30	The facility made false statements and/or representations in the Operating Record including, but not limited to, generator profiles stating loads of RCRA HW were excluded from regulation under RCRA, and inbound and outbound manifests stating that loads of RCRA waste were excluded from regulation under RCRA.	Moderate	Manifests for tanker truck loads leaving the facility did not indicate that it was transporting RCRA ignitable waste. Proper precautions for transporting ignitable waste may not have been implemented by the transporter as a result of the false statements made by the facility, which resulted in a moderate potential for harm.	Major	Nine instances were cited, which included: Generators claimed that their waste was excluded from RCRA and had a flash point of less than 140 degrees F; in July and September 2009, several inbound manifests, for which testing showed the waste was ignitable, were stamped "Filter Recycling Services has the appropriate permit for and will accept this waste as shipped." These acts deviated from the requirement to such an extent that the requirement was ignored.	20.00	Yes	6/29/2009	25.00	25

Violation Scoring Matrix

Facility Name:	HAZMAT TSDF, INC., FORMER FILTER RECYCLING SERVICES,			10 Year Date Range:		2009-2018	Permit Issue Date:		10/23/2006			Link to EnviroStor (Inspection Reports, SOVs, etc.)	
Address:	180 WEST MONTE AVENUE, UNIT A, RIALTO, CA 92316			Number of Inspections:		7	Permit Expiration Date:		1/21/2012				
EPA ID:	CAD982444481			Total Number of Violations Scored:		22	Date VSP Completed:		5/30/2019				
	5	The deviation from the requirements was significant enough that it could have resulted in a failure to assure that HW are destined for and delivered to an authorized HW facility.	HSC 25202(a), 22 CCR 66264.13, and 22 CCR 66270.30(a)	The facility failed to adequately inspect and/or analyze incoming shipments of HW, including, but not limited to, not properly analyzing samples of HW consisting of water contaminated with gasoline for pH, sediments, organics, and flashpoint.	Moderate	As a result of inadequate inspections, the facility accepted ignitable waste and other toxic waste (nickel contaminated solids) and the facility did not have proper precautions in place to adequately transfer, handle, or store this HW.	Major	The facility screened samples without completing required lab analyses; failed to note significant discrepancies on inbound manifests the waste had a flashpoint below 140 degrees Fahrenheit.; failed to ensure that the waste was properly manifested; failed to have an approved waste profile; failed to identify the proper shipping name; failed to visually check wastestream conformation with the profile. The requirement was completely ignored.	20.00	Yes	6/29/2009	25.00	25
	6	The deviation from the requirements was significant enough that it could have resulted in a failure to assure that HW are destined for and delivered to an authorized HW facility.	HSC 25202(a), 22 CCR 66264.13, 22 CCR 66270.30(a), and HWFP	The facility failed to ensure that HW consisting of water contaminated with gasoline was properly manifested, failed to note any discrepancies, and failed to reject such waste or attempt to resolve such discrepancies with the generator or transporter as required.	Major	The facility accepted ignitable waste and did not have any precautions put in place to transfer, handle, or store the waste. Generators were not made aware that waste was being sent to a facility not permitted to accept such waste, and because they were never notified of any discrepancy, continued to send the waste. Also, HW with nickel, manifested as non-HW, was improperly disposed of at an unauthorized Arizona landfill.	Major	The facility failed to accurately characterize loads of water contaminated with gasoline prior to consolidation. The facility also received a shipment of "sandblast media" and a portion of this waste was shipped to an unauthorized Arizona landfill on a non-hazardous manifest; DTSC samples demonstrated the waste was HW (nickel). These acts deviated from the requirement to such an extent that the requirement was ignored.	25.00	Yes	6/29/2009	25.00	31.25
	7	The deviation from the requirements was significant enough that it could have resulted in a failure to assure that HW are destined for and delivered to an authorized HW facility.	HSC 25202(a), 22 CCR 66262.41(b), and 22 CCR 66270.30	The 2009 Waste Biennial Report submitted by the facility to DTSC did not include the California State HW numbers (state waste codes) and as a result, was incomplete.	Minimal	DTSC was not made aware of the state HW codes that the facility was accepting. This record-keeping violation posed a minimal potential for harm.	Minimal	One of the required elements of the 2009 Biennial Report was omitted. The act deviated from the requirement, but the requirement functioned nearly as intended.	2.00	No	n/a	0.00	2
	8	The deviation from the requirements was significant enough that it could have resulted in a failure to assure that HW are destined for and delivered to an authorized HW facility.	HSC 25202(a), HSC 25163, and 22 CCR 66270.30	The facility failed to prepare and submit Un-manifested Waste Reports.	Moderate	Because an Unmanifested Waste Report was not sent, DTSC was not made aware that the facility received waste that was not non-hazardous "sandblast media," but rather, a toxic HW. If DTSC had not been onsite to perform sample analysis, DTSC would not have been able to follow up or make a referral to the local agency for follow-up on this matter with the generator. The amount of waste in violation was 39,492 pounds, which posed a moderate potential for harm.	Minimal	A shipment of "sandblast media" was received on non-HW manifest 61329. However, samples taken by DTSC showed the waste to be a finely divided grey powder hazardous for nickel. The facility failed to file an Un-manifested Waste Report to DTSC. The act deviated in a minor way from the requirement.	6.00	No	n/a	0.00	6
	9	The deviation from the requirements was significant enough that it could have resulted in a failure to assure that HW are destined for and delivered to an authorized HW facility.	HSC 25202(a), HSC 25160(b)(1), HSC 25189.2, 22 CCR 66260.11, 22 CCR66262.20, 22 CCR66262.23, 22 CCR66264.71(c), and 22 CCR 66270.30	The facility failed to properly prepare a manifest for a load of HW shipped from the facility, as it described a HW load containing nickel as non-hazardous.	Moderate	The facility transported waste on a non-hazardous manifest, even though the load was actually toxic HW nickel. As a result, there was a potential for the waste to be mishandled or to have caused a release and/or exposure to an employee. The amount of waste in violation was 39,492 pounds, which posed a moderate potential for harm.	Major	On 9/2/2009, the facility received a shipment of "sandblast media" on a non-HW manifest. A portion of this waste was shipped to a landfill in Yuma Arizona on a non-hazardous manifest. DTSC sampled the waste and it was HW due to the concentration of nickel. The function of the HW management requirement for this load was rendered ineffective.	20.00	Yes	6/28/2009	25.00	25

Violation Scoring Matrix

Facility Name:	HAZMAT TSDF, INC., FORMER FILTER RECYCLING SERVICES,			10 Year Date Range:		2009-2018		Permit Issue Date:		10/23/2006		Link to EnviroStor (Inspection Reports, SOVs, etc.)	
Address:	180 WEST MONTE AVENUE, UNIT A, RIALTO, CA 92316			Number of Inspections:		7		Permit Expiration Date:		1/21/2012			
EPA ID:	CAD982444481			Total Number of Violations Scored:		22		Date VSP Completed:		5/30/2019			
	10	The deviation from the requirements was significant enough that it could have resulted in a failure to assure that HW are destined for and delivered to an authorized HW facility.	HSC 25202(a), 22 CCR 66264.71(a)(2)(D), and 22 CCR 66270.30	The facility failed to provide signed copies of HW manifests to the generators within 30 days of receipt of the HW shipments.	Minimal	Failure to send TSDF signed copies of manifests to the generators was an incomplete paperwork requirement that resulted in a minimal potential for harm to public health and the environment.	Moderate	The facility failed to send the TSDF signed copies of manifests to Conoco Phillips Stations in California after each station became independently owned and operated. The requirement functioned to some extent.	6.00	No	n/a	0.00	6
											Provisional Inspection Violation Score:		190.25
Inspection Date:	11/16/2009	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:	HAZMAT TSDF, INC., FORMER FILTER RECYCLING SERVICES,	10 Year Date Range:	2009-2018	Permit Issue Date:	10/23/2006
Address:	180 WEST MONTE AVENUE, UNIT A, RIALTO, CA 92316	Number of Inspections:	7	Permit Expiration Date:	1/21/2012
EPA ID:	CAD982444481	Total Number of Violations Scored:	22	Date VSP Completed:	5/30/2019

Link to EnviroStor (Inspection Reports, SOVs, etc.)

Inspection Date:	4/9/2012	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:	FUI												
Class I Violations:	1	The deviation from the requirements was significant enough that it could have resulted in a failure to assure that HW are destined for and delivered to an authorized HW facility.	HS25202(a), 22 CCR 66270.30, HWFP, and Stipulation	On numerous occasions from 2009 through 2012, the facility transferred, handled, and/or stored HWs at the facility in violation of the facility's HWFP.	Major	The facility continued to receive and store containers of (1) water contaminated with gasoline, a RCRA characteristic wastestream (D001); (2) waste pesticides; and (3) waste pharmaceuticals that were not authorized by its HWFP. Due to the number of instances and wastestreams, there was a major potential for harm.	Major	On five occasions, the facility received water contaminated with gasoline (D001) and consolidated the waste into tank trailers; received, stored and transferred solid corrosive wastes; and pesticides and pharmaceutical wastes were received and stored on-site. These acts deviated from the requirement to such an extent that the HW management requirement was ignored.	25.00	Yes	9/28/2009	25.00	31.25
	2	The deviation from the requirements was significant enough that it could have resulted in a failure to prevent releases of HW or constituents to the environment during the active period of facility operation.	HSC 25202(a), 22 CCR 66270.30, 22 CCR 66264.31, and HWFP	The facility failed to minimize the possibility of a release of HW and HW constituents to air, soil, or surface water when facility emptied bulk containers of solid HW onto the ground in the receiving area.	Minimal	Bulk containers of solid HW were routinely emptied or dumped directly onto the ground in the receiving area prior to transferring these wastes into another bulk container for shipment off-site. The solid wastestream in violation (non-RCRA HW solids) represented a minimal potential for harm to public health and the environment.	Major	Between January and February 2010, there were 53 occasions where partial loads were consolidated and transferred by first dumping them on the ground in the receiving area; and in August 2011, on approximately 22 other occasions bulk solid shipments were consolidated and transferred by first dumping the solids directly onto the ground. These acts deviated from the requirement to such an extent that the requirement was ignored.	15.00	No	n/a	0.00	15
	3	The deviation from the requirements was significant enough that it could have resulted in a failure to prevent releases of HW or constituents to the environment during the active period of facility operation.	HSC 25202(a), 22 CCR 66270.30, 22 CCR 66264.176, HWFP, and Stipulation	The facility stored ignitable HW in tank trailers at locations outside of the authorized Ignitable Waste Storage Area, and within 50 feet of the facility property line.	Minimal	The HW in violation was ignitable water contaminated with gasoline. The waste was contained within tank trailers. However, the specific volume of waste in violation was not specified resulting in a minimal designation for potential for harm.	Major	On or about November 2011 through April 2012, on at least five occasions, containers of water contaminated with gasoline were consolidated into a tank trailer causing the contents of the tank trailer to exhibit the characteristic of ignitability. This occurred in the main driveway of the facility, which is within 50 feet of the property line. From 1/1/2009 through 1/18/2012, a review of outbound manifests for bulk shipments of water contaminated with gasoline taken from the HW Tracking System database (HWTS), indicated that the consolidation of ignitable waste occurred on approximately 49 occasions. These acts deviated from the requirement to such an extent that the requirement was completely ignored.	15.00	Yes	9/28/2009	25.00	18.75
	4	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 period of facility operation.	HSC 25201(a) and Stipulation	On multiple instances since January 2009, the facility stored ignitable HW in tank trailers at locations outside the boundaries of the facility and in areas not authorized by facility permit.	Moderate	The HW in violation was water contaminated with gasoline. At least four tanker trucks of ignitable liquids were stored outside of the facility boundaries, increasing the potential for harm to the public.	Major	On at least four occasions, tank trailers of ignitable water contaminated with gasoline were consolidated and stored in unauthorized areas. On 4/11/2012, an intermodal container was stored outside of secondary containment. Storage of HW in unauthorized areas rendered the function of the HW management requirement ineffective.	20.00	Yes	9/28/2009	25.00	25

Violation Scoring Matrix

Facility Name:	HAZMAT TSDF, INC., FORMER FILTER RECYCLING SERVICES,			10 Year Date Range:		2009-2018		Permit Issue Date:	10/23/2006			Link to EnviroStor (Inspection Reports, SOVs, etc.)	
Address:	180 WEST MONTE AVENUE, UNIT A, RIALTO, CA 92316			Number of Inspections:		7		Permit Expiration Date:	1/21/2012				
EPA ID:	CAD982444481			Total Number of Violations Scored:		22		Date VSP Completed:	5/30/2019				
	5	The deviation from the requirements was significant enough that it could have resulted in a failure to assure that HW are destined for and delivered to an authorized HW facility.	HSC 25202(a), HSC 25189.2(a), 22 CCR 66264.70, and Stipulation	The facility made false statements and or representations in the Operating Record including but not limited to generator profiles stating loads of RCRA HW were excluded from regulation under RCRA; and inbound and outbound manifests stating that loads of HW were excluded from regulation under RCRA.	Moderate	False statements on HW manifests and HW Management Report were misleading and had the potential to result in an increased threat of fire, and potential threat to human health and the environment caused by HW releases caused by the lack of information regarding the characteristics of the loads.	Major	The facility wrote "excluded as a CCP" on the waste profile sheets; "flash point less than 140 F, excluded under 40 CFR 261.2(c)(2)(ii)" falsely written on outbound manifests and preprinted the statement on outbound manifests; Log Sheets for "oil" falsely reported a pH of 7; shipments were falsely reported as "non-RCRA and excluded" and not RCRA D001 ignitable HW. These acts deviated from the requirement to such an extent that the requirement was completely ignored.	20.00	Yes	6/29/2009, 9/28/2009	50.00	30
	6	The deviation from the requirements was significant enough that it could have resulted in a failure to assure that HW are destined for and delivered to an authorized HW facility.	HSC 25202(a), 22 CCR 66270.30(a), HWFP, and Stipulation	The facility failed to adequately inspect and/or analyze incoming shipments of HW, including but not limited to, not properly analyzing samples of HW consisting of water contaminated with gasoline for pH, sediments, organics, and flashpoint.	Moderate	Not noting the discrepancy in the type of waste and shipping name occurred for 2,000 pounds of sodium hydroxide (corrosive solid, basic, inorganic). Failure to analyze all samples, prevented DTSC from accurately assessing the facility's management of waste, which posed a moderate potential for harm.	Major	The facility screened samples without completing required analysis; did not ensure that the waste was properly manifested; did not update waste profile numbers; approved waste profiles which did not correctly identify the proper shipping name; received 2,000 pounds of sodium hydroxide shipped as Non-RCRA HW Solid (Sodium Hydroxide), and a discrepancy was not noted as required. The requirement was rendered ineffective for the affected wastestreams.	20.00	Yes	6/29/2009, 9/28/2009	50.00	30
	7	The deviation from the requirements was significant enough that it could have resulted in a failure to assure that HW are destined for and delivered to an authorized HW facility and/or a failure to prevent releases of HW or constituents to the environment during the active period of facility operation.	HSC 25202(a), HSC 25163, and 22 CCR 66270.30	The facility transferred custody of a HW to a transporter that did not hold a valid registration issued by the DTSC on approximately 22 occasions between January and February 2010, and on approximately 11 occasions in 8/2011; the facility transferred custody of HW to a transporter, A&G Enterprises, who did not hold a valid HW Transporter Registration issued by DTSC.	Minimal	The facility transferred custody of non-RCRA HW solid (soil) to an unregistered transporter. Wastestreams in violation included petroleum contaminated soil (State Waste Code 352; other organic solids) and metal-impacted soil (State Waste Code 181; other inorganic solid waste). The non-RCRA HW solid wastestream in violation represented a minimal potential for harm to public health and the environment if accidentally released during transportation as the impacted solids would likely not disperse very far and could be remediated immediately.	Moderate	Between approximately January 2010 and August 2011, the facility used a transporter whose registration expired to transport shipments of non-RCRA HW solid (soil) to an out of state facility. The transporter had valid insurance during that time. The act deviated from the requirement, but the requirement functioned to some extent.	6.00	No	n/a	0.00	6
	8	The deviation from the requirements was significant enough that it could have resulted in a failure to assure that HW are destined for and delivered to an authorized HW facility.	HSC 25202(a), 22 CCR 66270.30, and 22 CCR 66262.23(a)(1) & (a)(5)(B)	The facility failed to properly complete the generator portion of multiple HW manifests.	Moderate	The facility's manifest omissions could have resulted in improper handling of these wastestreams, resulting in the wastes not being properly disposed. Wastestreams included ignitable water with gasoline, non-RCRA HW solids (petroleum impacted soil), and sodium hydroxide. These wastestreams presented a moderate potential for harm.	Moderate	The facility failed to enter the proper name and Federal ID# for Transporter 1 on 9 manifests, accepted 44 shipments of non-RCRA HW Solid Waste Code 352 (other organic solids) and failed to use the proper outbound shipping name, failed to provide the correct waste volume on a manifest, shipped 2,000 pounds of sodium hydroxide with an improper shipping name and state waste codes. The requirement functioned to some extent as some portions of the manifests were completed correctly.	15.00	Yes	6/29/2009, 9/28/2009	50.00	22.5
												Provisional Inspection Violation Score:	178.50

Violation Scoring Matrix

Facility Name:	HAZMAT TSDF, INC., FORMER FILTER RECYCLING SERVICES,			10 Year Date Range:		2009-2018		Permit Issue Date:		10/23/2006			Link to EnviroStor (Inspection Reports, SOVs, etc.)
Address:	180 WEST MONTE AVENUE, UNIT A, RIALTO, CA 92316			Number of Inspections:		7		Permit Expiration Date:		1/21/2012			
EPA ID:	CAD982444481			Total Number of Violations Scored:		22		Date VSP Completed:		5/30/2019			
Inspection Date:	6/24/2014	Class I Justification	Citation	Violation	Potential for Harm	Potential for Harm Justification	Extent of Deviation	Extent of Deviation Justification	Initial Score	Repeat (Yes/No)	Date(s) of Previous Violation	Adjustment Factor (%)	Adjusted Score
Inspection Type:	CI												
Class I Violations:	0	n/a	n/a	No Class I Violations	n/a	n/a	n/a	n/a	0.00	n/a	n/a	n/a	0
												Provisional Inspection Violation Score:	0.00

Violation Scoring Matrix

Facility Name:	HAZMAT TSDF, INC., FORMER FILTER RECYCLING SERVICES,	10 Year Date Range:	2009-2018	Permit Issue Date:	10/23/2006
Address:	180 WEST MONTE AVENUE, UNIT A, RIALTO, CA 92316	Number of Inspections:	7	Permit Expiration Date:	1/21/2012
EPA ID:	CAD982444481	Total Number of Violations Scored:	22	Date VSP Completed:	5/30/2019

Link to EnviroStor (Inspection Reports, SOVs, etc.)

Inspection Date:	7/2/2014 CEI & 8/20/2014 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:	1	The deviation from the requirements was significant enough that it could have resulted in a failure to prevent releases of HW or constituents to the environment during the active period of facility operation.	HSC 25202(a), 22 CCR 66270(a), 22 CCR 66270.30(a), and FRS Standardized HWFP Part II paragraphs 1 and 15 and Part III Facility Units & Waste Analysis Plan.	The facility received and stored unauthorized HWs in permitted Areas S1 and S2.	Minimal	Wastestreams in violation included universal wastes, PCB solids, and one 55-gallon drum of corrosive solids and herbicides. The small volumes and wastestreams cited in violation presented a minimal threat to human health and safety and the environment.	Moderate	At least four separate instances of illegal storage were observed during the 7/2/2014 inspection. The HW was stored in a permitted area which had secondary containment. The acts deviated from the requirement, but the requirement functioned to some extent, although not all of its important provisions were complied with.	6.00	Yes	4/9/2012	25.00	7.5
												Provisional Inspection Violation Score:	7.50

Inspection Date:	4/6/2018	Class I Justification	Citation	Violation	Potential for Harm	Potential for Harm Justification	Extent of Deviation	Extent of Deviation Justification	Initial Score	Repeat (Yes/No)	Date(s) of Previous Violation	Adjustment Factor (%)	Adjusted Score
Inspection Type:	FRR												
Class I Violations:	0	n/a	n/a	No Class I Violations	n/a	n/a	n/a	n/a	0.00	n/a	n/a	n/a	0
												Provisional Inspection Violation Score:	0.00

Violation Scoring Matrix

Facility Name:	HAZMAT TSDF, INC., FORMER FILTER RECYCLING SERVICES,	10 Year Date Range:	2009-2018	Permit Issue Date:	10/23/2006	Link to EnviroStor (Inspection Reports, SOVs, etc.)
Address:	180 WEST MONTE AVENUE, UNIT A, RIALTO, CA 92316	Number of Inspections:	7	Permit Expiration Date:	1/21/2012	
EPA ID:	CAD982444481	Total Number of Violations Scored:	22	Date VSP Completed:	5/30/2019	

FACILITY VIOLATIONS SCORING PROCEDURE SCORE				
Inspection Number	Number of Violations Scored	Inspection Type(s)	Inspection Date(s)	Provisional Inspection Violation Score
1	3	CEI & FRR	6/29/2009 CEI & 6/30/2009 FRR	70.00
2	10	FUI	6/29/2009	190.25
3	0	FCI	11/16/2009	0.00
4	8	FUI	4/9/2012	178.50
5	0	CI	6/24/2014	0.00
6	1	CEI & FRR	7/2/2014 CEI & 8/20/2014 FRR	7.50
7	0	FRR	4/6/2018	0.00
Sum of Provisional Inspection Violation Scores				446.25
*FACILITY VSP SCORE				63.75

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

CCR = California Code of Regulations
CCP = Commercial Chemical Product
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
HWTS = Hazardous Waste Tracking System
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 Jon Bennett, Hazmat TSDF Inc. Former Filter Recycling Services Inc., EPA ID Number CAD982444481.

2. I served Jon Bennett, Hazmat TSDF Inc. Former Filter Recycling Services Inc., by mailing a copy of the aforementioned document via Certified Mail, Receipt No. 7018-0680-0000-9827-9300, return receipt requested, in a sealed envelope addressed to:

   Mr. Jon L. Bennett
   Hazmat TSDF Inc. Former Filter Recycling Services Inc.
   180 West Monte Ave.
   Rialto, California 92316

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)