



**Jared Blumenfeld**  
Secretary for  
Environmental Protection



## Department of Toxic Substances Control



**Gavin Newsom**  
Governor

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

September 27, 2019

Certified Mail No.: 7018-0680-0000-9827-9805

Mr. Gabriel Medel  
Safety-Kleen System Inc.  
2918 Worthen Ave.  
Los Angeles, California 90039

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

Dear Mr. Gabriel Medel:

**2019 Facility Violations Scoring Procedure (VSP) Score: 5.29**  
**2019 Compliance Tier Assignment: Acceptable**

The purpose of this letter is to provide Safety-Kleen System Inc., CAT000613935, located at 2918 Worthen Ave., Los Angeles, CA 90039 (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).<sup>1</sup>

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.<sup>2</sup> (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.

<sup>1</sup> 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](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](https://www.dtsc.ca.gov/HazardousWaste/Permit_Roundtables.cfm).

<sup>2</sup> 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 "5.29". 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](mailto:VSP_Info@dtsc.ca.gov). If you have any questions regarding the dispute process, please contact [VSP\\_Dispute\\_Inbox@dtsc.ca.gov](mailto: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:		10 Year Date Range:			2009-2018			Permit Effective Date:		3/17/2009		<a href="#">Link to EnviroStor</a>	
Address:		Number of Inspections:			7			Permit Expiration Date:		3/17/2019		<a href="#">(Inspection Reports, SOVs,</a>	
EPA ID:		Total Number of Violations Scored:			3			Date VSP Completed:		5/16/2019		<a href="#">etc.)</a>	
Inspection Date:	1/20/2009 CEI & 2/2/2009 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	0	n/a	n/a	n/a	0.00
<b>Provisional Inspection Violation Score:</b>													0.00
Inspection Date:	8/17/2009 FRR & 8/27/2009 CEI	Class I Justification	Citation	Violation	Potential for Harm	Potential for Harm Justification	Extent of Deviation	Extent of Deviation Justification	Initial Score	Repeat (Yes/No)	Date(s) of Previous Violation	Adjustment Factor (%)	Adjusted Score
Inspection Type:	CEI & FRR												
Class I Violations:	0	n/a	n/a	No Class I Violations	n/a	n/a	n/a	n/a	0	n/a	n/a	n/a	0.00
<b>Provisional Inspection Violation Score:</b>													0.00
Inspection Date:	5/25/2011 CEI & 6/30/2011 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:	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; 3/17/2009 HWFP	The facility stored HW in an unauthorized location. The facility stored one hundred containers of HW (aqueous parts washer, waste oil, and oily liquids) in its yard, which DTSC had not authorized for storage.	Moderate	The facility stored approximately one hundred containers of HW (aqueous parts washer, waste oil, and oily liquids; California Waste Codes 134/135, 221, and, 222 respectively) in the yard, at an unauthorized storage location. The yard did not have secondary containment, therefore it had an increased potential for a release that could have threatened human health or the environment.	Major	The HW in violation were stored in the yard near the Return and Fill Area and claimed as "transfer waste." The deviation is major as the act deviated from the requirement to such an extent that the requirement was completely ignored.	20	No	N/A	0	20.00
<b>Provisional Inspection Violation Score:</b>													20.00
Inspection Date:	2/27/2012 CEI & 6/8/2012 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	0	n/a	n/a	n/a	0.00
<b>Provisional Inspection Violation Score:</b>													0.00
Inspection Date:	3/26/2014 CEI & 4/16/2014 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	0	n/a	n/a	n/a	0.00
<b>Provisional Inspection Violation Score:</b>													0.00

### Violation Scoring Matrix

Facility Name:		SAFETY-KLEEN SYSTEMS INC		10 Year Date Range:		2009-2018		Permit Effective Date:		3/17/2009		<a href="#">Link to EnviroStor</a> (Inspection Reports, SOVs, etc.)	
Address:		2918 WORTHEN AVE, LOS ANGELES , CA 90039		Number of Inspections:		7		Permit Expiration Date:		3/17/2019			
EPA ID:		CAT000613935		Total Number of Violations Scored:		3		Date VSP Completed:		5/16/2019			
Inspection Date:	5/26/2015	Class I Justification	Citation	Violation	Potential for Harm	Potential for Harm Justification	Extent of Deviation	Extent of Deviation Justification	Initial Score	Repeat (Yes/No)	Date(s) of Previous Violation	Adjustment Factor (%)	Adjusted Score
Inspection Type:	CEI												
Class I Violations:	1	The deviation from the requirement was significant enough that it could have resulted in a failure to prevent releases of HW or constituents to the environment during the active period of facility operation.	22 CCR 66264.191(i)(2)(B)	The facility failed to include in its Tank Certification Report dated 12/2/2014 certifications of any testing results obtained to determine the underground HW tank thickness. The facility also failed to remedy minor corrosion noted in the Tank Certification Report.	Moderate	The 12/2/2014 Addendum Inspection Report stated that "the actual depth of the corrosion into the thickness of the steel (interior tank wall) is unknown." The at issue tank stored waste solvents and the capacity was 12,000 gallons. Unknown tank thickness and corrosion depth increased the potential for HW release and harm to human health and the environment.	Moderate	The 12/2/2014 Addendum Inspection Report stated that the waste solvent tank appeared to be in good condition overall and "for now, the tank, ancillary equipment, and sumps are in good condition." The requirement functioned to some extent, although not all of its important provisions were complied with.	15	No	n/a	0	15.00
	2	The deviation from the requirement was significant enough that it could have resulted in a failure to prevent releases of HW or constituents to the environment during the active period of facility operation.	22 CCR 66264.191(i)(10)	The facility failed to include in its Tank Certification Report dated 12/2/2014 certifications of any leak testing results for the pipes and conveyance systems of the underground tank to confirm seal and tightness.	Minimal	Lack of pipe and conveyance system seal and tightness confirmations increased the potential of HW releases from the 12,000 gallon waste solvent tank.	Minimal	A hydrostatic test was not performed for the pipes and conveyance system of the underground tank. The requirement functioned nearly as intended, but not as well as if all provisions had been met.	2	No	n/a	0	2.00
<b>Provisional Inspection Violation Score:</b>												17.00	
Inspection Date:	6/28/2017 CEI & 8/29/2017 FRR	Class I Justification	Citation	Violation	Potential for Harm	Potential for Harm Justification	Extent of Deviation	Extent of Deviation Justification	Initial Score	Repeat (Yes/No)	Date(s) of Previous Violation	Adjustment Factor (%)	Adjusted Score
Inspection Type:	CEI & FRR												
Class I Violations:	0	n/a	n/a	No Class I Violations	n/a	n/a	n/a	n/a	0	n/a	n/a	n/a	0.00
<b>Provisional Inspection Violation Score:</b>												0.00	

## Violation Scoring Matrix

Facility Name:	SAFETY-KLEEN SYSTEMS INC	10 Year Date Range:	2009-2018	Permit Effective Date:	3/17/2009	<a href="#">Link to EnviroStor</a> (Inspection Reports, SOVs, etc.)
Address:	2918 WORTHEN AVE, LOS ANGELES , CA 90039	Number of Inspections:	7	Permit Expiration Date:	3/17/2019	
EPA ID:	CAT000613935	Total Number of Violations Scored:	3	Date VSP Completed:	5/16/2019	

FACILITY VIOLATIONS SCORING PROCEDURE SCORE				
Inspection Number	Number of Violations Scored	Inspection Type(s)	Inspection Date(s)	Provisional Inspection Violation Score
1	0	CEI & FRR	1/20/2009 CEI & 2/2/2009 FRR	0.00
2	0	CEI & FRR	8/17/2009 FRR & 8/27/2009 CEI	0.00
3	1	CEI & FRR	5/25/2011 CEI & 6/30/2011 FRR	20.00
4	0	CEI & FRR	2/27/2012 CEI & 6/8/2012 FRR	0.00
5	0	CEI & FRR	3/26/2014 CEI & 4/16/2014 FRR	0.00
6	2	CEI	5/26/2015	17.00
7	0	CEI & FRR	6/28/2017 CEI & 8/29/2017 FRR	0.00
Sum of Provisional Inspection Violation Scores				<b>37.00</b>
<b>*FACILITY VSP SCORE</b>				<b>5.29</b>

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

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

## 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 Gabriel Medel, Safety-Kleen System Inc., EPA ID Number CAT000613935.
2. I served Gabriel Medel, Safety-Kleen System Inc., by mailing a copy of the aforementioned document via Certified Mail, Receipt No. 7018-0680-0000-9827-9805, return receipt requested, in a sealed envelope addressed to:

Mr. Gabriel Medel  
Safety-Kleen System Inc.  
2918 Worthen Ave.  
Los Angeles, California 90039

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

Alan Korematsu  
Department of Toxic Substances Control  
HWMP, 11<sup>th</sup> Floor  
1001 I Street  
Sacramento, California 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)