



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.: 7018-0680-0000-9827-9829

Mr. Jack French
Safety-Kleen Systems, Inc.
6000 88th Street
Sacramento, California 95828

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

Dear Mr. Jack French:

2019 Facility Violations Scoring Procedure (VSP) Score: 7.86
2019 Compliance Tier Assignment: Acceptable

The purpose of this letter is to provide Safety-Kleen Systems, Inc., CA0000084517, located at 6000 88th St., Sacramento, CA 95828 (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 "7.86". A Facility VSP Score is the sum of all provisional or final inspection violation scores for each compliance inspection conducted during the preceding ten (10) years, divided by the number of compliance inspections. (See 22 CCR § 66271.54, subd. (a).)

A facility may be assigned to one of three compliance tiers based on its Facility VSP Score:

- "Acceptable." A facility that receives a Facility VSP Score of less than 20 shall be designated as having a Facility VSP Score that is "acceptable". (See 22 CCR § 66271.54, subd. (b)(1).)
- "Conditionally Acceptable." A facility that receives a Facility VSP Score equal to or greater than 20 and less than 40 shall be designated as having a Facility VSP Score that is "conditionally acceptable." Facilities that receive a final compliance tier assignment of "conditionally acceptable" are required to comply with additional requirements outlined in the regulations. (See 22 CCR § 66271.54, subd. (b)(2); 22 CCR § 66271.56.)
- "Unacceptable." A facility that receives a Facility VSP Score equal to or greater than 40 shall be designated as having a Facility VSP Score that is "unacceptable." DTSC is required to initiate permit denial, suspension, or revocation proceedings for facilities that receive a final compliance tier assignment of "unacceptable." (See 22 CCR § 66271.54, subd. (b)(3); 22 CCR § 66271.57.)

As a result of the Facility's VSP Score, DTSC has assigned the Facility to a compliance tier of "**Acceptable**". Generally, as discussed further below, a facility's compliance tier assignment becomes final after all provisional inspection violation scores upon which the Facility VSP Score is based become final pursuant to CCR, title 22, section 66271.53, subdivision (d).

Provisional Inspection Violation Score Disputes and Compliance Tier Assignment Challenges

An owner or operator of a facility may dispute a provisional inspection score pursuant to CCR, title 22, section 66271.53, subdivision (c) by filing a Provisional Inspection Violation Score Dispute Document (template available at <https://dtsc.ca.gov/violations-scoring-procedure/>) within sixty (60) calendar days of this notice. All of the following information must be enclosed with the Dispute Document cover letter:

- A statement that describes in detail the factual and legal basis of the dispute and the relief sought;
- Any claimed erroneous facts, assumptions, approaches, or conclusions of law made by DTSC;

- A statement describing in detail any efforts already made by the owner or operator to resolve the dispute with DTSC; and
- Any photographs, documents, or any other material that supports the owner's or operator's position regarding the disputed provisional inspection violation score.

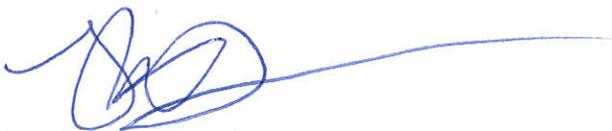
The owner or operator of a facility may request a one-time extension of up to sixty (60) calendar days to submit a Provisional Inspection Violation Score Dispute Extension Document (template available at <https://dtsc.ca.gov/violations-scoring-procedure/>).

DTSC will issue a written decision, granting or denying, in whole or in part, the relief sought by the owner or operator of a facility disputing a provisional inspection violation score. A provisional inspection violation score will become the final inspection violation score consistent with DTSC's written decision. A provisional inspection violation score will also become the final inspection violation score if the owner or operator of a facility does not file a Dispute Document within sixty (60) calendar days of this notice.

A facility's compliance tier assignment becomes final after all inspection violation scores upon which the Facility VSP Score is based become final pursuant to CCR, title 22, section 66271.53, subdivision (d). Final compliance tier assignments of "acceptable" or "conditionally acceptable" are not subject to additional administrative dispute resolution. (See 22 CCR § 66271.54, subds. (e), (f).) However, owners or operators of facilities assigned to a final compliance tier of "unacceptable" may further administratively challenge their final compliance tier assignment under California Code of Regulations, title 22, section 66271.57.

Issuance of this provisional inspection violation score, Facility 2019 VSP Score, and compliance tier assignment do not constitute an enforcement action. If you have any questions regarding this notice, please contact VSP_Info@dtsc.ca.gov. If you have any questions regarding the dispute process, please contact VSP_Dispute_Inbox@dtsc.ca.gov.

Sincerely,



Keith Kihara, Chief
Enforcement and Emergency Response Division

Enclosure(s)

Violation Scoring Matrix
Proof of Service

Violation Scoring Matrix

Facility Name:	SAFETY-KLEEN SYSTEMS, INC.			10 Year Date Range:	2009-2018			Permit Effective Date:	7/30/2018			Link to EnviroStor (Inspection Reports, SOVs, etc.)	
Address:	6000 88TH STREET, SACRAMENTO, CA 95828			Number of Inspections:	7			Permit Expiration Date:	7/30/2028				
EPA ID:	CA0000084517			Total Number of Violations Scored:	6			Date VSP Completed:	8/21/2019				
Inspection Date:	6/24/2009 FRR & 6/25/2009 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
Provisional Inspection Violation Score:													0.00
Inspection Date:	5/11/2011 CEI & 7/6/2011 FRR	Class I Justification	Citation	Violation	Potential for Harm	Potential for Harm Justification	Extent of Deviation	Extent of Deviation Justification	Initial Score	Repeat (Yes/No)	Date(s) of Previous Violation	Adjustment Factor (%)	Adjusted Score
Inspection Type:	CEI & FRR												
Class I Violations:	0	n/a	n/a	No Class I Violations	n/a	n/a	n/a	n/a	0	n/a	n/a	n/a	0.00
Provisional Inspection Violation Score:													0.00

Violation Scoring Matrix

Facility Name:		SAFETY-KLEEN SYSTEMS, INC.		10 Year Date Range:		2009-2018		Permit Effective Date:		7/30/2018		Link to EnviroStor	
Address:		6000 88TH STREET, SACRAMENTO, CA 95828		Number of Inspections:		7		Permit Expiration Date:		7/30/2028		(Inspection Reports, SOVs, etc.)	
EPA ID:		CA0000084517		Total Number of Violations Scored:		6		Date VSP Completed:		8/21/2019			
Inspection Date:	9/27/2012 CEI & 12/14/2012 FRR	Class I Justification	Citation	Violation	Potential for Harm	Potential for Harm Justification	Extent of Deviation	Extent of Deviation Justification	Initial Score	Repeat (Yes/No)	Date(s) of Previous Violation	Adjustment Factor (%)	Adjusted Score
Inspection Type:	CEI & FRR												
Class I Violations:	1	The deviation from the requirement was significant enough that it could have resulted in a failure to perform emergency clean-up operation or other corrective action for releases.	22 CCR 66264.195(d) and (e)	The facility failed to document Daily Inspections of the Underground Storage Fire Suppression Water Tank (USFSWT) in the facility's Operating Record and failed to develop a schedule and procedure for assessing the condition of the USFSWT.	Minimal	USFSWT was a 20,000 gallon steel fire suppression tank and was mainly used to contain any water for fire suppression in the warehouse building. On occasion, the tank had the capability to hold HW from spills and spill cleanup. Failure to conduct timely inspections of emergency response equipment had the potential to threaten human health and safety if HW release(s) occurred and the equipment was not maintained and functioned inadequately in case of an emergency. The potential threat to human health and safety and the environment was minimal. This tank did not routinely hold HW.	Minimal	The fire suppression tank was designed to store any liquid that entered the trenches in the Storage Warehouse Building and into the piping system leading to the tank. The requirement functioned nearly as intended as other inspection requirements were not cited in violation.	2	No	n/a	0	2.00
	2	The deviation from the requirement was significant enough that it could have resulted in a failure to perform emergency clean-up operation or other corrective action for releases.	22 CCR 66264.192(b) and (i)	The facility failed to obtain a tank assessment certification that was reviewed and certified by an independent, qualified, registered professional engineer in California for the USFSWT, nor did the facility obtain a tank assessment certification every five years.	Minimal	USFSWT was a 20,000 gallon steel fire suppression tank and was mainly used to contain any water that may be used for fire suppression in the warehouse building. On occasion, the tank had the capability to hold HW from spills and spill cleanup. Failure to obtain timely certification of the fire suppression tank had the potential to threaten human health and safety if HW release(s) occurred and the equipment was not maintained and functioned inadequately in case of an emergency. The potential threat to human health and the environment was minimal. This tank did not routinely hold HW.	Minimal	Out of seven tanks, six were certified by a professional engineer. The requirement to have HW tanks certified in a timely manner functioned nearly as intended.	2	No	n/a	0	2.00
Class II Violations:	3	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 and/or perform emergency clean-up operation or other corrective action for releases.	22 CCR 66264.177(c)	The facility failed to properly separate incompatible HW containers. The facility failed to separate a five-gallon container that held HW corrosive solid boric acid and potassium bifluoride by means of a dike, berm, wall, or other device from three HW containers that contained corrosive liquid-based inorganic potassium hydroxide solid and corrosive liquid-acidic organic, which were incompatible with the five-gallon container.	Minimal	The wastes identified in violation represented a minimal threat to human health and safety and the environment as the total volume of HW in violation was not provided.	Moderate	Four total HW containers, including one 5-gallon container, out of all of the HW containers onsite were cited in violation demonstrating the requirement functioned to some extent. Other storage areas were not cited in violation.	6	No	n/a	0	6.00
Provisional Inspection Violation Score:												10.00	

Violation Scoring Matrix

Facility Name:		SAFETY-KLEEN SYSTEMS, INC.		10 Year Date Range:		2009-2018		Permit Effective Date:		7/30/2018		Link to EnviroStor (Inspection Reports, SOVs, etc.)	
Address:		6000 88TH STREET, SACRAMENTO, CA 95828		Number of Inspections:		7		Permit Expiration Date:		7/30/2028			
EPA ID:		CA0000084517		Total Number of Violations Scored:		6		Date VSP Completed:		8/21/2019			
Inspection Date:	5/14/2015 CEI & 7/30/2015 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
Provisional Inspection Violation Score:													0.00
Inspection Date:	12/28/2016 CEI & 2/1/2017 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
Class II 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 66264.173(b)	The facility stored poly drums in a manner that could rupture the drums or cause them to leak. Two poly drums were observed to be stored in the Drum/Container Storage Area, Permitted Unit 5, on a pallet underneath a pallet containing metal drums.	Moderate	Two poly drums were cited in violation and there appeared to be flammable stickers on one of the poly drums and one of the metal drums stacked on the pallet above. The two poly drums were buckled and appeared damaged representing a moderate threat to human health and safety and the environment if there were a release.	Moderate	The two drums in Container Storage Area Unit 5 appeared to be buckled and damaged from the weight of a pallet of metal drums that was placed on top of the poly drums. Two drums out of a large number of drums stored onsite were cited in violation, demonstrating the requirement functioned to some extent.	15	No	n/a	0	15.00
Provisional Inspection Violation Score:													15.00
Inspection Date:	6/7/2017	Class I Justification	Citation	Violation	Potential for Harm	Potential for Harm Justification	Extent of Deviation	Extent of Deviation Justification	Initial Score	Repeat (Yes/No)	Date(s) of Previous Violation	Adjustment Factor (%)	Adjusted Score
Inspection Type:	CEI												
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
Provisional Inspection Violation Score:													0.00

Violation Scoring Matrix

Facility Name:		SAFETY-KLEEN SYSTEMS, INC.		10 Year Date Range:		2009-2018		Permit Effective Date:		7/30/2018		Link to EnviroStor	
Address:		6000 88TH STREET, SACRAMENTO, CA 95828		Number of Inspections:		7		Permit Expiration Date:		7/30/2028		(Inspection Reports, SOVs, etc.)	
EPA ID:		CA0000084517		Total Number of Violations Scored:		6		Date VSP Completed:		8/21/2019			
Inspection Date:	12/18/2018 CEI & 1/31/2019 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
Class II Violations:	1	The deviation from the requirements was significant enough that it could have resulted in a failure to perform emergency clean-up operation or other corrective action for releases.	HSC 25202(a) and 22 CCR 66270.30(a)	The facility failed to comply with Part V, Special Condition #4 of its HWFP, when it did not maintain thirty (30) inches of aisle space between pallets of HW containers located in Unit 9 (Drum Container Storage Area 2). DTSC inspectors observed two rows of pallets separated by only 12 inches of aisle space.	Moderate	Two pallets of HW were placed inside the designated aisle space, subsequently rendering at least six pallets of HW in violation of the 30-inch aisle space requirement. The waste characteristics in violation were identified as "ignitable" and represented a moderate threat to human health and safety and the environment in the event of a release, and clean-up operations could be hampered due to inadequate aisle space between pallets of HW.	Moderate	Six pallets in Drum Container Storage Area 2 were cited in violation. This demonstrated the requirement functioned to some extent as no other HW stored at the facility was cited in violation.	15	No	n/a	0	15.00
	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(a), and 22 CCR 66264.177(c)	The facility failed to comply with section 4.1.2.7 of its HWFP Part B, as it failed to properly separate incompatible HW containers. In Unit 8 (Drum Container Storage Area 1), three drums of Class 8 Corrosive Waste containing hydrochloric acid were stored next to four drums of Class 4.1 Flammable Solid Waste containing methanol and acetone.	Moderate	Seven drums, or approximately 500 gallons, of incompatible waste were stored next to each other. Wastes in violation included hydrochloric acid, waste methanol, and acetone. The volume and characteristics of incompatible waste in violation represented a moderate threat to human health and could have resulted in a potentially violent and sudden release into the environment. When acid sludge and alcohols or solvents mix, potential reactions include fire, explosion, or generation of flammable hydrogen gas.	Moderate	In Unit 8 (Drum Container Storage Area 1), three drums of Class 8 Corrosive Waste containing hydrochloric acid were stored next to four drums of Class 4.1 Flammable Solid Waste containing methanol and acetone. Over 200 drums of HW were observed in Area 1. Seven drums cited in violation demonstrated the requirement functioned to some extent.	15	No	n/a	0	15.00
Provisional Inspection Violation Score:													30.00

Violation Scoring Matrix

Facility Name: SAFETY-KLEEN SYSTEMS, INC.	10 Year Date Range: 2009-2018	Permit Effective Date: 7/30/2018	Link to EnviroStor (Inspection Reports, SOVs, etc.)
Address: 6000 88TH STREET, SACRAMENTO, CA 95828	Number of Inspections: 7	Permit Expiration Date: 7/30/2028	
EPA ID: CA0000084517	Total Number of Violations Scored: 6	Date VSP Completed: 8/21/2019	

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	6/24/2009 FRR & 6/25/2009 CEI	0.00
2	0	CEI & FRR	5/11/2011 CEI & 7/6/2011 FRR	0.00
3	3	CEI & FRR	9/27/2012 CEI & 12/14/2012 FRR	10.00
4	0	CEI & FRR	5/14/2015 CEI & 7/30/2015 FRR	0.00
5	1	CEI & FRR	12/28/2016 CEI & 2/1/2017 FRR	15.00
6	0	CEI	6/7/2017	0.00
7	2	CEI & FRR	12/18/2018 CEI & 1/31/2019 FRR	30.00
Sum of Provisional Inspection Violation Scores				55.00
*FACILITY VSP SCORE				7.86

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

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|---|--|
| <p>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</p> | <p>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
 USFSWT = Underground Storage Fire Suppression Water Tank
 VSP = Violations Scoring Procedure</p> |
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PROOF OF SERVICE

1. I served the NOTICE OF PROVISIONAL INSPECTION VIOLATION SCORES, 2019 FACILITY VIOLATION SCORING PROCEDURE SCORE, AND 2019 COMPLIANCE TIER ASSIGNMENT on Jack French, Safety-Kleen Systems Inc., EPA ID Number CA0000084517.
2. I served Jack French, Safety-Kleen Systems Inc., by mailing a copy of the aforementioned document via Certified Mail, Receipt No. 7018-0680-0000-9827-9829, return receipt requested, in a sealed envelope addressed to:

Mr. Jack French
Safety-Kleen Systems, Inc.
6000 88th Street
Sacramento, California 95828

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

Alan Korematsu
Department of Toxic Substances Control
HWMP, 11th 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)