

STATE OF CALIFORNIA
ENVIRONMENTAL PROTECTION AGENCY
DEPARTMENT OF TOXIC SUBSTANCES CONTROL

In the Matter of:

Coastwide Environmental
Technologies, Inc.
170 2nd Street
Watsonville, California 95076

ID No. CAR000182295

Respondent.

Docket HWCA20187429

CONSENT ORDER

Health and Safety Code
Section 25187

The State Department of Toxic Substances Control (Department) and Coastwide Environmental Technologies, Inc., a California corporation (Respondent), collectively the Parties, enter into this Consent Order and agree as follows:

1. Respondent operates a business that engages in the transportation of hazardous waste at 170 2nd Street, Watsonville, California 95076 (Site).
2. The Department inspected the Site on March 6 and 7, 2018.
3. The Department alleges the following violations:
 - 3.1. Respondent violated Health and Safety Code section 25201(a) in that between approximately July 2017 and March 2018, Respondent stored hazardous waste at its Site without holding a hazardous waste facilities permit or other grant of authorization from the Department. Respondent's Site is located within 500 feet of a residence and therefore fails to meet the conditions necessary

to qualify as an exempt transfer facility as set forth in California Code of Regulations, title 22, section 66263.18(c)(2). Because Respondent's Site was not an exempt transfer facility, Respondent was not authorized to store hazardous waste at its facility without a permit or other grant of authorization from the Department.

4. Respondent admits the alleged violation set forth above.
5. Jurisdiction exists pursuant to Health and Safety Code section 25187.
6. The Parties wish to avoid the expense of litigation.
7. Respondent waives any right to a hearing in this matter. If the Department seeks to use the violations alleged in this Consent Order admitted by Respondent pursuant to paragraph 4, and Respondent's admissions to those violations, for any of the purposes described in paragraph 12 (Reservation of Authority), Respondent will not assert any defenses based on the passage of time, including, but not limited to, laches, estoppel, and statute of limitations.
8. This Consent Order shall constitute full settlement of the violations alleged above, but does not limit the Department from taking appropriate enforcement action concerning other violations, except to the extent provided in this Consent Order.

COMPLIANCE REQUIREMENTS

9. Respondent shall immediately comply with the following provisions:
 - 9.1. Respondent shall comply with Health and Safety Code section 25201(a) in that Respondent shall not operate a hazardous waste storage facility without authorization from the Department at the Site.

PAYMENTS

10. Within thirty (30) calendar days of the Effective Date of this Consent Order, Respondent shall pay the Department a total of \$13,680. Respondent's check shall be made payable to the Department of Toxic Substances Control, shall identify the Respondent and Docket Number as shown in the caption of this case, and shall be delivered together with the attached Payment Voucher to:

Department of Toxic Substances Control
Accounting Office
1001 I Street, 21st floor
P. O. Box 806
Sacramento, California 95812-0806

A photocopy of the check shall be sent:

To: April Ranney
Senior Environmental Scientist (Supervisor)
Department of Toxic Substances Control
1515 Tollhouse Road
Clovis, California 93611

and

To: Sonia Wills
Office of Legal Counsel
Department of Toxic Substances Control
700 Heinz Avenue
Berkeley, California 94710

11. If Respondent fails to make payment as provided above, Respondent agrees to pay interest at the rate established pursuant to Health and Safety Code section 25360.1 and to pay all costs incurred by the Department in pursuing collection including attorney's fees.

OTHER PROVISIONS

12. Reservation of Authority: The Department reserves its authority under the Hazardous Waste Control Law to: 1) enforce this Consent Order; 2) use all violations alleged in this Consent Order, and Respondent's admissions to those violations, to seek enhanced penalties in any subsequent administrative or civil action to show a pattern or course of conduct, or a history of noncompliance; and 3) use all violations alleged in this Consent Order, admitted by Respondent pursuant to paragraph 4, and Respondent's admissions to those violations, in any future Department permit decision, proceeding, or process.

13. Penalties for Noncompliance: Failure to comply with the terms of this Consent Order may subject Respondent to civil penalties and/or punitive damages for any costs incurred by the Department or other government agencies as a result of such failure, as provided by Health and Safety Code section 25188 and other applicable provisions of law.

14. Parties Bound: This Consent Order shall apply to and be binding upon Respondent and its officers, directors, agents, receivers, trustees, employees, contractors, consultants, successors, and assignees, including but not limited to individuals, partners, and subsidiary and parent corporations, and upon the Department and any successor agency that may have responsibility for and jurisdiction over the subject matter of this Consent Order.

15. Effective Date: The Effective Date of this Consent Order is the date it is signed by the Department.

16. Integration: This Consent Order constitutes the entire agreement between the parties and may not be amended, supplemented, or modified, except as provided in this Consent Order.

17. Future Statutory or Regulatory Changes: Nothing in this Consent Order shall exempt or excuse Respondent from complying with existing law, or with meeting any more stringent requirements that may be imposed by applicable law or changes in the applicable law.

18. Authority to Bind: Each person executing this Consent Order represents that he or she has full and legal authority to execute this Consent Order for and on behalf of the respective party for whom he or she is executing this Consent Order and to bind that party.

19. Counterparts: This Consent Order may be executed and delivered in one or more counterparts, each of which when executed and delivered shall be deemed to be an original, but such counterparts shall together constitute one and the same document.

Original signed by Stewart Peterson

Dated: 9-23-2019

Coastwide Environmental Technologies, Inc.
Name [print]: Stewart Peterson
Title [print]: CEO

Dated: 9-26-2019

Original signed by April Ranney

April Ranney
Senior Environmental Scientist (Supervisor)
Enforcement and Emergency Response Division
Department of Toxic Substances Control