INTRODUCTION

The California Department of Toxic Substances Control (Department) and Gulfstream Aerospace Corporation, a California corporation (Respondent) (collectively, the Parties), enter into this Consent Order and agree as follows:

1. Respondent owns and operates a private aviation exterior painting facility located at 3495 Lakewood Boulevard, Long Beach, California (Facility).
2. The Department inspected the Facility on June 27, 2018 (Inspection).
3. The Department alleges that penalties are warranted for the following violations observed during the Inspection:

   3.1. Respondent violated Health and Safety Code section 25200.3, subdivision (c)(4), and California Code of Regulations, title 22, section 66265.192, subdivision (h)(1), in that, on and before June 27, 2018, Respondent failed to perform an initial tank assessment and the required subsequent tank assessments for its hazardous waste storage and treatment tanks;
3.2. Respondent violated California Code of Regulations, title 22, section 66265.193, subdivision (a), in that, on and before June 27, 2018, Respondent failed to have adequate secondary containment for its temporary hazardous waste influent holding tank; and

3.3. Respondent violated California Code of Regulations, title 22, section 66262.34, subdivision (e), in that, on and before June 27, 2018, Respondent accumulated hazardous waste aerosol solvent residue for longer than one year without a permit or grant of authorization from the Department.

4. A dispute exists regarding the alleged violations observed during the Inspection.

5. As of August 26, 2019, Respondent has corrected the violations observed during the Inspection.


7. The Parties wish to avoid the expense of litigation and to ensure prompt compliance.

8. Respondent waives any right to a hearing in this matter.

9. This Consent Order shall constitute full settlement of the violations observed by the Department during the Inspection, but does not limit the Department from taking appropriate enforcement action concerning other violations.

**SCHEDULE FOR COMPLIANCE**

PAYMENTS

11. Within 30 days of the Effective Date of this Order, as defined in paragraph 16, Respondent shall pay the Department a total penalty of $88,474.50. 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 simultaneously to:

To: Matthew McCarron
Senior Environmental Scientist
Berkeley Enforcement and State Oversight Branch
Department of Toxic Substances Control
700 Heinz Avenue, Suite 200
Berkeley, California 94710-2721

Colin Roberts
Attorney
Office of Legal Counsel
Department of Toxic Substances Control
1001 I Street, MS23
Sacramento, California 95814

Olivia Karlin
Deputy Attorney General
Office of the Attorney General
300 South Spring Street, Suite 1702
Los Angeles, California 90013

12. If Respondent fails to make the 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

13. **Additional Enforcement Actions**: By agreeing to this Consent Order, the Department does not waive the right to take further enforcement actions, except to the extent provided in this Consent Order.

14. **Penalties for Noncompliance**: Failure to comply with the terms of this Consent Order may subject Respondent to civil penalties and 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.

15. **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.

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

17. **Integration**: This Consent Order constitutes the entire agreement between the Department and Respondent and may not be amended, supplemented, or modified, except by express written agreement signed by both the Department and Respondent.

18. **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.

19. **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 he or she is executing this Consent Order and to bind that party.

20. 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 Thomas J. Anderson
Dated: 12/5/19

Respondent
Gulfstream Aerospace Corporation

Typed or Printed Name and Title of Respondent’s Representative

Original signed by Maria Soria
Dated: 12/19/19

Maria Soria
Acting Division Chief
Enforcement and Emergency Response Division
Department of Toxic Substances Control