

STATE OF CALIFORNIA
ENVIRONMENTAL PROTECTION AGENCY
DEPARTMENT OF TOXIC SUBSTANCES CONTROL

In the Matter of:

Former International Light Metals
Facility
19200 South Western Avenue
Torrance, California 90509
CAD030398622

Respondent.

Docket HWCA 2018-7484

CONSENT ORDER

Health and Safety Code
Section 25187

The California Department of Toxic Substances Control (Department) and
Former International Light Metal Facility (Respondent) enter into this Consent Order
(Order) and agree as follows:

1. Respondent is a large post-closure facility pursuant to Health and Safety
Code section 25205.7 (d)(5), located at 19200 South Western Avenue, Torrance,
California 90509 (Site). Respondent monitors on-site and off-site ground water wells
under the Post-Closure Care Plan and Hazardous Waste Post Closure Facility Permit
(Permit).
2. The Department inspected the Site on September 4 and 6, 2018.
3. The Department alleges the following violations:
 - 3.1. Respondent violated California Code of Regulations, title 22, sections
66264.97(e)(13) and 66270.30 (a) and the conditions of the Permit, in that on or before

Former International Light Metals Facility

Docket #HWCA20187484
Consent Order

September 4, 2018, Respondent failed to include an accurate determination of groundwater levels in the wells from survey marks.

3.2. Respondent violated California Code of Regulations, title 22, sections 66264.97(b)(4) and 66270.30(a) and the conditions of the Permit, in that Respondent failed to maintain the integrity of the well vault causing water to be observed within the well box for well P-3. Significant debris was observed in many of the well gasket ledges.

4. Respondent disputes the alleged violations and does not concede liability
5. The Parties wish to avoid the expense of litigation and to ensure prompt compliance
6. Jurisdiction exists pursuant to Health and Safety Code, section 25187.
7. Respondent waives any right to hearing in this matter.
8. Full Settlement. This Order shall constitute full settlement of the violations alleged above but does not limit the Department from taking appropriate enforcement actions concerning other violations.
9. The violations have been corrected.

PAYMENTS

10. Within 30 days of the effective date of this Order, the Respondent shall pay the Department \$19,600.00, of which 4,999.00 is an administrative penalty and \$14,601.00 is reimbursement of the Department's administrative costs. In lieu of paying

a \$2,499.50 of administrative penalty to the Department, Respondent shall fund a Supplemental Environmental Project (SEP) as described in Paragraph 11 below.

10.1. Respondent's check in the amount of \$17,100.50 for administrative penalties and costs shall be made payable to Department of Toxic Substances Control, 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: Maria G. Durand
Senior Environmental Scientist (Supervisory)
Department of Toxic Substances Control
Hazardous Waste Management Program
Enforcement and Emergency Response Division
Cypress/San Diego Enforcement Branch
5796 Corporate Avenue
Cypress, California 90630

To: Jay Cross
Senior Attorney
Department of Toxic Substances Control
Office of Legal Counsel
1001 I Street, 23rd floor
P.O. Box 806
Sacramento, California 95812-0806

SUPPLEMENTAL ENVIRONMENTAL PROJECT

11. No later than 60 days from the Effective date of this Order, Respondent shall fund a SEP by making a payment of \$2,499.50 to the CalEPA Environmental Justice Small Grant Program. The check shall be made out to the California Environmental

Protection Agency with a notation on the check to "CalEPA EJ Small Grants" and Docket number HWCA 2018-7484. The check shall be sent to:

To: Malinda Dumisani
Environmental Justice Small Grants Program Manager
California Environmental Protection Agency
PO Box 2815
Sacramento, California 95812-2815

A photocopy of the check shall be sent to Maria G. Durand and Jay Cross at the addresses provided in paragraph 10.1.

12. If Respondent fails to fund the SEP within the required timeframe identified in paragraph 11, the balance of the SEP amount not expended shall become immediately owed, and Respondent shall make a payment of that balance to the Department as administrative penalties. Upon proof that Respondent has completed the SEP within the required timeframe in paragraph 11, \$2,499.50 of the penalty for alleged violations identified in the paragraphs 3.1 and 3.2 shall be permanently suspended.

FAILURE TO MAKE PAYMENTS

13. If Respondent fails to make payments pursuant to Paragraphs 10, 11 and 12, 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

14. 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.

15. 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.

16. Parties Bound. This Consent Order shall apply to and be binding upon Respondent and its officers, directors, agents, employees, contractors, consultants, receivers, trustees, 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.

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

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

19. Compliance with Waste Discharge Requirements: Respondent shall comply with all applicable waste discharge requirements issued by the State Water Resources Control Board or a California Regional Water Quality Control Board.

20. Future Statutory or Regulatory Changes: Nothing in this Consent Order shall exempt or excuse the 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.

21. 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.

22. 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.

Dated: 1/8/2020

Signature on Original

Respondent
Carol B. Cala
Vice President
Corporate Environment, Safety and Health
Lockheed Martin Corporation

Dated: 1/15/2020

Signature on Original

Maria G. Durand
Senior Environmental Scientist (Supervisory)
Department of Toxic Substances Control

PAYMENT VOUCHER

Docket No.: HWCA 2018-7484

Respondent: Former International Light Metals

ID No.: CAD030398622

County: Los Angeles

Total Penalty Due: \$19,600.00

Part of Penalty Due to Supplemental Environmental Project (SEP): \$2,499.50

Payment No.	Due Date	Amount Due
1	By February 14, 2020	\$17,100.50
2	By March 16, 2020	\$2,499.50