

STATE OF CALIFORNIA
ENVIRONMENTAL PROTECTION AGENCY
DEPARTMENT OF TOXIC SUBSTANCES CONTROL

In the Matter of:

Asteria Y. Hunter, doing business as
Northern Truck & Equipment
1774 W Winton Avenue
Hayward, California 94545

ID No. CAL000208764

Respondent.

Docket HWCA 2018-7452

ENFORCEMENT ORDER

Health and Safety Code
Section 25187

INTRODUCTION

1.1. Parties. The State Department of Toxic Substances Control (Department) issues this Enforcement Order (Order) to Asteria Y. Hunter doing business as Northern Truck & Equipment (Respondent).

1.2. Site. Respondent handled and engaged in the transportation of hazardous waste at the following site: 1774 W Winton Avenue, Hayward, California 94545 (Site).

1.3. The Department authorized Respondent to manage hazardous waste by Hazardous Waste Transporter Registration number 3113, issued on April 27, 2015. The Transporter Registration expired on April 30, 2016.

1.4. Jurisdiction. Section 25187 of the Health and Safety Code authorizes the Department to order action necessary to correct violations and assess a penalty when the Department determines that any person has violated specified provisions of the Health and Safety Code or any permit, rule, regulation, standard, or requirement issued or adopted pursuant thereto.

DETERMINATION OF VIOLATIONS

2. The Department has determined that:

2.1. Respondent violated California Health and Safety Code section 25163, subdivisions (a)(1) and (a)(2), in that the Respondent transported hazardous waste from approximately May 1, 2016 through June 19, 2017 without holding a valid hazardous waste transportation registration issued by the Department.

2.2. Respondent violated the California Code of Regulations, title 22, section 66263.20(g)(2) in that on or about May 24, 2018, Respondent failed to sign and keep a copy of the manifest signed by the generator and the next designated transporter or the owner or operator of the designated facility for a period of three years from the date the hazardous waste was accepted by the initial transporter.

SCHEDULE FOR COMPLIANCE

3. Effective immediately:

3.1. Respondent shall operate hereafter in a manner that shall prevent recurrences of the violations described above; and

3.2. Respondent shall comply with all applicable provisions of the Hazardous Waste Control Law (Health & Saf. Code, § 25100 et seq.) and its implementing regulations (California Code of Regulations, title 22, section 66260.1 et seq.) at the Facility and in connection with its operations.

OTHER PROVISIONS

4.1. Additional Enforcement Actions: By issuance of this Order, the Department does not waive the right to take further enforcement actions.

4.2. Penalties for Noncompliance: Failure to comply with the terms of this Order may also subject Respondent to costs, 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.

4.3. Parties Bound: This 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.

4.4. Time Periods. "Days" for purposes of this Order means calendar days.

PENALTY

5. Based on the foregoing DETERMINATION OF VIOLATIONS, the Department sets the amount of Respondent's penalty at \$2,000. Payment is due within 30 days from the effective date of the Order. Respondent's check shall be made payable to the Department of Toxic Substances Control, and shall identify the Respondent and Docket Number, as shown in the heading of this case. Respondent shall deliver the penalty payment 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:

Rick Robison
Enforcement and Emergency Response Division
Department of Toxic Substances Control
700 Heinz Avenue
Berkeley, California 94710

RIGHT TO A HEARING

6. Respondent may request a hearing to challenge the Order. Appeal procedures are described in the attached Statement to Respondent.

EFFECTIVE DATE

7. This Order is final and effective twenty days from the date of mailing, which is the date of the cover letter transmitting the Order to Respondent, unless Respondent requests a hearing within the twenty-day period.

Date of Issuance 12/18/19

Original signed by Rick Robison

Rick Robison
Senior Environmental Scientist
(Supervisory)
Department of Toxic Substances Control