

STATE OF CALIFORNIA  
ENVIRONMENTAL PROTECTION AGENCY  
DEPARTMENT OF TOXIC SUBSTANCES CONTROL

In the Matter of:

Ramos Environmental Services  
1515 South River Road  
West Sacramento, CA 95691

ID No. CAD044003556

Respondent.

Docket HWCA20167268

CONSENT ORDER

Health and Safety Code  
Section 25187

INTRODUCTION

The State Department of Toxic Substances Control (Department) and Ramos Environmental Services (Respondent) (collectively, the Parties) enter into this Consent Order and agree as follows:

1. Respondent transports hazardous wastes, and transfers and stores used oil, antifreeze, and oily water (non-Resource Conservation and Recovery Act (RCRA) hazardous waste) at 1515 South River Road, West Sacramento, CA 95691 (Site).

2. The Department inspected the Site on July 14, 2016.

3. The Department alleges the following violations:

3.1. Respondent violated California Health and Safety Code, section 25123.3(b)(3) and California Code of Regulations (Cal. Code Regs.), title 22, section 66263.18, in that on or about May 2, 2014, December 12, 2014, and January 9, 2015, Respondent held hazardous waste (HW) loads for more than ten days at the Site.

4. The Parties wish to avoid the expense of litigation and to ensure compliance with hazardous waste laws. A dispute exists regarding the alleged violations.. Respondent does not admit the violations alleged herein.

5. Jurisdiction exists pursuant to Health and Safety Code section 25187.

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

7. 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.

8. Respondent has come into compliance with respect to the alleged violations.

#### PAYMENTS

9. Within 30 days of the effective date of this Consent Order, Respondent shall pay the Department a total penalty of \$4,800. Respondent's check 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: Ms. Denise Tsuji  
Environmental Program Manager I (Supervisory)  
Branch Chief  
Statewide Emergency Response and  
Sacramento Enforcement Branch  
Department of Toxic Substances Control  
8800 Cal Center Drive  
Sacramento, California 95826-3200

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

10.1. 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.

10.2. 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.

10.3. 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.

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

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

10.6 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 which he or she is executing this agreement and to bind that party.

10.7. 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: 5/11/2018

Original signed by John Villanueva  
Vice President  
Ramos Environmental Services

Dated: 5/21/2018

Original signed by Denise Tsuji  
Denise Tsuji  
Environmental Program Manager I (Supervisory)  
Branch Chief  
Statewide Emergency Response and  
Sacramento Enforcement Branch  
Department of Toxic Substances Control  
8800 Cal Center Drive  
Sacramento, California 95826-3200