

STATE OF CALIFORNIA  
ENVIRONMENTAL PROTECTION AGENCY  
DEPARTMENT OF TOXIC SUBSTANCES CONTROL

In the Matter of:

Rho-Chem, LLC  
425 Isis Avenue  
Inglewood, California 90301

EPA ID No. CAD008364432

Respondent.

Docket HWCA 2020-7555

CONSENT ORDER

Health and Safety Code  
Section 25187

**INTRODUCTION**

The State Department of Toxic Substances Control ("Department") and Rho-Chem, LLC, a California Corporation ("Respondent") (collectively, the "Parties") enter into this Consent Order and agree as follows:

1. Respondent owns and operates a facility at 425 Isis Avenue, Inglewood, Los Angeles County, California ("Facility"), which contains a Drum Yard, Tank Farm, Fractionation Column, Thin-Film Evaporator and Batch Distillation System, Container Storage Areas and Roll-off Bin Storage Area ("Regulated Unit"). The Regulated Units are subject to a Resource Conservation and Recovery Act Hazardous Waste Facility Permit issued by the Department effective August 28, 2008, with an expiration date of August 27, 2018. It's permit renewal application is currently under review.

2. The Department inspected the Site on January 28-30 and February 3-5, 2020.

3. The Department alleges the violation below:

3.1. The Respondent violated the California Code of Regulations, 66270.16

and 66264.192(l)(1), (l)(3) thru (l)(6) and (l)(11), in that on or about January 28, 2020, Respondent failed to include all the required information in its assessment reports dated March 25, 2019 for its ten (10) aboveground tanks.

4. Respondent admits the alleged violation set forth in paragraph 3.1 above for any of the purposes described in paragraph 13 (Reservation of Authority) of this Consent Order.

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 violation alleged in paragraph 3.1 of this Consent Order, admitted by Respondent pursuant to paragraph 4, and Respondent's admission to the violation in paragraph 3.1, for any of the purposes 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 violation 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.

9. On May 1, 2020, Respondent submitted revised Tank Assessment Reports for its ten (10) aboveground tanks addressing all the missing tank assessment requirements. The Department has determined that the alleged violation set forth in paragraph 3.1 in this Consent Order has been corrected.

### PAYMENTS

10. Within 30 days of the effective date of this Consent Order, as defined in paragraph 15, Respondent shall pay the Department a total of eighteen thousand, four hundred eighty dollars (\$18,480). Respondent's check shall be made payable to Department of Toxic Substances Control, shall identify the Respondent and Docket Number as shown in the caption of this Consent Order, 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:

Evelina Rayas, Branch Chief  
Enforcement and Emergency Response Program  
Department of Toxic Substances Control  
9211 Oakdale Avenue  
Chatsworth, California 91311

Nancy Carder, Unit Chief  
Enforcement and Emergency Response Program  
Department of Toxic Substances Control  
9211 Oakdale Avenue  
Chatsworth, California 91311

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 the

violations alleged in paragraph 3.1 of this Consent Order, and Respondent's admission to the violations in paragraph 3.1, to seek enhanced penalties in any subsequent administrative or civil action to show pattern or course of conduct, or a history of noncompliance; and 3) use the violation alleged in paragraph 3.3 of this Consent Order, admitted by Respondent pursuant to paragraph 4, and Respondent's admission to the violation in paragraph 3.1, 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 by express written agreement signed by both the Department and Respondent.

17. Future Statutory or Regulatory Changes: Nothing in this Consent Order shall exempt or excuse Respondent from complying with existing laws, or with meeting any 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 which he or she is executing this agreement 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.

Dated: 4/26/2021

**ORIGINAL SIGNED**

Dorothy Harlley, Facility Manager  
Rho-Chem, LLC

Dated: April 28, 2021

for

**ORIGINAL SIGNED BY**

EVELINA RAYAS

Nancy Carder  
Senior Environmental Scientist, Supervisory  
Enforcement and Emergency Response Division  
Department of Toxic Substances Control