

STATE OF CALIFORNIA  
ENVIRONMENTAL PROTECTION AGENCY  
DEPARTMENT OF TOXIC SUBSTANCES CONTROL

In the Matter of:

Safety-Kleen of California, Inc.  
44561 Road 30-B  
Davis, California 95616

EPA ID No. CAD982446874

Respondent.

Docket No. HWCA20177335

NOTICE OF FINAL ORDER

TO: Safety-Kleen of California, Inc.

PLEASE TAKE NOTICE that pursuant to Health and Safety Code section 25187(d), the Enforcement Order issued by the Department of Toxic Substances Control on September 14, 2022 and served upon your agent for service of process via certified mail has become final. A true and correct copy of the Enforcement Order is attached to this Notice of Final Order. By the terms of the Enforcement Order, payment of the penalty of \$5,000.00 must be mailed or delivered by November 3, 2022.

Dated: October 14, 2022

Original signed by Colin Roberts

\_\_\_\_\_  
Colin Roberts  
Senior Staff Counsel  
Office of Legal Counsel

1 STATE OF CALIFORNIA  
2 ENVIRONMENTAL PROTECTION AGENCY  
3 DEPARTMENT OF TOXIC SUBSTANCES CONTROL

4 IN THE MATTER OF:

5 Safety-Kleen of California, Inc.  
6 44561 Road 30-B  
7 Davis, California 95616

8 EPA ID No. CAD982446874

9 Respondent  
10

DOCKET NO. HWCA20177335

ENFORCEMENT ORDER

HEALTH AND SAFETY CODE  
SECTION 25187

11 INTRODUCTION

12  
13 1.1. Parties. The State Department of Toxic Substances Control (Department)  
14 issues this Enforcement Order (Order) to Safety-Kleen of California, Inc. (Respondent).

15 1.2. Site. Respondent handles and stores hazardous waste at 44561 Road 30-  
16 B, Davis, California 95616 (Site).

17  
18 1.3. Permit. The Department authorized Respondent to manage hazardous  
19 waste by Standardized Hazardous Waste Facility Permit, Series B (the "Permit") issued  
20 on October 2, 2012. The Permit has an effective date of November 6, 2012 and  
21 expiration date of November 6, 2022.

22 1.4. Inspection. The Department inspected the Site on March 21, 2017.

23  
24 1.5. Jurisdiction. Section 25187 of the Health and Safety Code authorizes the  
25 Department to order action necessary to correct violations and assess a penalty when  
26 the Department determines that any person has violated specified provisions of the  
27 Health and Safety Code, or any permit, rule, regulation, standard, or requirement issued  
28 or adopted pursuant thereto.

1 1.6. Exhibits. All exhibits attached to this Order are incorporated herein by this  
2 reference.

3 1.7. Applicable Statutes and Regulations. Copies of the statutes and regulations  
4 applicable to this Order are attached as Exhibit 1.  
5

#### 6 DETERMINATION OF VIOLATIONS

7 2. The Department has determined that:

8 2.1. Respondent violated California Code of Regulations, title 22, section  
9 66264.175, subdivision (a), in that Respondent did not meet the secondary containment  
10 requirements for Unit #2 (Drum Storage Unit); and  
11

12 2.2. Respondent violated California Code of Regulations, title 22, section  
13 66264.175, subdivision (a), in that Respondent did not meet the secondary containment  
14 requirements for Unit #3 (Truck-to Truck Transfer, Loading, and Unloading Area).  
15

#### 16 SCHEDULE FOR COMPLIANCE

17 3. Respondent has corrected the violations identified in paragraphs 2.1 and 2.2  
18 above. To the extent Respondent has not fully corrected such violations, Respondent  
19 shall immediately comply with the Hazardous Waste Control Law (Health & Saf. Code, §  
20 25100 et seq.) and its implementing regulations (California Code of Regulations, title 22,  
21 section 66260.1, et seq.), at the Site and in connection with its operations.  
22

#### 23 OTHER PROVISIONS

24 4.1. Additional Enforcement Actions: By issuance of this Order, the Department  
25 does not waive the right to take further enforcement actions.

26 4.2. Penalties for Noncompliance: Failure to comply with the terms of this Order  
27 may also subject Respondent to costs, penalties, and/or punitive damages, including  
28 without limitation any costs incurred by the Department or other government agencies

1 as a result of such failure, as provided by Health and Safety Code section 25188 and  
2 other applicable provisions of law.

3 4.3. Parties Bound: This Order shall apply to and be binding upon Respondent,  
4 and its officers, directors, agents, employees, contractors, consultants, receivers,  
5 trustees, successors, and assignees, including but not limited to individuals, partners,  
6 and subsidiary and parent corporations.  
7

8 4.4. Time Periods. "Days" for purposes of this Order means calendar days.  
9

10 PENALTY

11 5. Based on the foregoing DETERMINATION OF VIOLATIONS, the Department  
12 sets the amount of Respondent's penalty at \$5,000.00. Payment is due within 30 days  
13 from the EFFECTIVE DATE (as specified in paragraph 7 below) of the Order.

14 Respondent's check shall be made payable to the Department of Toxic Substances  
15 Control, and shall identify the Respondent and Docket Number, as shown in the  
16 heading of this case. Respondent shall deliver the penalty payment and enclosed  
17

18 Payment Voucher to:

19 Department of Toxic Substances Control  
20 Accounting Office  
21 1001 I Street, 21st floor  
22 P. O. Box 806  
23 Sacramento, California 95812-0806

24 A photocopy of the check shall be sent to:

25 Colin Roberts  
26 Senior Staff Counsel  
27 Office of Legal Counsel  
28 Department of Toxic Substances Control  
5796 Corporate Avenue  
Admin Serv/R4-1  
Cypress, California 90630  
[Colin.Roberts@dtsc.ca.gov](mailto:Colin.Roberts@dtsc.ca.gov)

1 Abdalin Asinas, Ph.D.  
2 Senior Environmental Scientist (Supervisory)  
3 Enforcement & Emergency Response Division  
4 Department of Toxic Substances Control  
5 8800 Cal Center Drive  
6 Sacramento, California 95826  
7 Abdalin.Asinas@dtsc.ca.gov

8 RIGHT TO A HEARING

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

11 EFFECTIVE DATE

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

15  
16 Date of Issuance 9/14/2022

17  
18 Original signed by Abdalin Asinas

19  
20 Abdalin Asinas, Ph.D.  
21 Senior Environmental Scientist (Supervisory)  
22 Enforcement and Emergency Response Division  
23 Hazardous Waste Management Program  
24 Department of Toxic Substances Control  
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