



REGION 9

SAN FRANCISCO, CA 94105

Sent Via Email: lary.spears@forged-solutions-us.com

RETURN RECEIPT REQUESTED

Lary Spears
Procurement Manager
Continental Forge Company
512 E. Carlin Ave.
Compton, CA 90222

Re: EXPEDITED SETTLEMENT OPPORTUNITY
Notice of Investigation Results under the Resource Conservation and Recovery Act
Continental Forge Company
EPA ID Number: CAD983581299
Docket Number: RCRA-09-2025-0047

Dear Procurement Manager Spears:

Representatives from the U.S. Environmental Protection Agency ("EPA"), Region 9, have identified potential violations of the Resource Conservation and Recovery Act ("RCRA") (42 U.S.C. § 6901 *et seq.*) and the authorized California hazardous waste management program at Continental Forge Company ("Continental Forge"), located at 512 E. Carlin Ave., in Compton, California.¹

By this letter, the EPA is providing you with an opportunity to quickly resolve the violations by entering into an Expedited Settlement Agreement. The EPA has authority to pursue civil penalties for violations of RCRA requirements, including violations that are easily identifiable and easily correctable, such as the violations cited below. You may resolve the alleged violations by correcting the violations cited below, paying the specified penalty, and signing and returning the enclosed Expedited Settlement Agreement within 30 days of your receipt of this letter.

If you dispute these violations, please provide a written explanation along with any documentation to Sergio Mora at the email address below within 30 days of your receipt of this letter.

During an EPA inspection of your facility on August 28, 2024, the EPA found evidence that Continental Forge failed to comply with the following RCRA regulations:

[1] – Failure to follow marking and labeling standards
Review by the EPA indicates that you may have failed to comply with marking and labeling

¹ See, e.g., Section 3006 of RCRA, 42 U.S.C. § 6906.

requirements: Missing hazardous characteristics. 22 California Code of Regulations (“CCR”) § 66262.15(a)(5) [40 Code of Federal Regulations (“CFR”) § 262.15(a)(5)].

[2] – Failure to follow marking and labeling standards

Review by the EPA indicates that you may have failed to comply with marking and labeling standards: No accumulation start date on the hazardous waste label. 22 CCR § 66262.17(a)(5)(A)(5) [40 CFR § 262.17(a)(5)(i)(C)]

[3] – Failure to follow container management standards

Review by the EPA indicates that you may have failed to comply with container management standards: Open container in the Central Accumulation Area (“CAA”). 22 CCR § 66262.17(a)(1)(D) [40 CFR § 262.17(a)(1)(iv)]

[4] – Failure to follow marking and labeling standards

Review by the EPA indicates that you may have failed to comply with marking and labeling standards: No hazardous waste labels. 22 CCR § 66262.15(a)(5) [40 CFR § 262.15(a)(5)]

[5] – Failure to follow marking and labeling standards

Review by the EPA indicates that you may have failed to comply with marking and labeling standards: Incorrect hazardous waste characteristics. 22 CCR § 66262.15(a)(5) [40 CFR § 262.15(a)(5)]

[6] – Failure to minimize the possibility of a non-sudden release of a hazardous waste

Review by the EPA indicates that you may have failed to minimize the possibility of a non-sudden release of a hazardous waste: Nitric acid and hydrochloric acid in the secondary containment for tanks. 22 CCR § 66262.251 [40 CFR § 262.251]

[7] – Failure to follow container management standards

Review by the EPA indicates that you may have failed to comply with container management standards: Open container in the Satellite Accumulation Area (“SAA”). 22 CCR § 66262.15(a)(4) [40 CFR § 262.15(a)(4)]

[8] – Failure to follow container and marking and labeling standards

Review by the EPA indicates that you have failed to comply with container and marking and labeling standards: Open used oil and no “USED OIL” signage. 22 CCR § 66279.21(b) [40 CFR § 279.22(c)(1)]

[9] – Failure to meet recordkeeping retention requirements

Review by the EPA indicates that you may have failed to comply with recordkeeping retention requirements: Inaccurate weekly CAA inspections. 22 CCR § 66262.17(a)(1)(E) [40 CFR § 262.17(a)(1)(v)]

[10] – Failure to follow container management standards

Review by the EPA indicates that you may have failed to comply with container management standards: Exceeding the 55-gallon limit for a SAA and not removing the excess within three consecutive calendar days. 22 CCR § 66262.15(a)(6) [40 CFR § 262.15(a)(6)]

Opportunity for Expedited Settlement

Under Section 3008(g) of RCRA, 42 U.S.C. § 6928(g), and using the applicable civil monetary inflation adjustment at 40 CFR § 19.4, the EPA may pursue civil penalties of up to \$93,058 per day for each violation of Subtitle C of RCRA, including violations of approved and authorized State program requirements.

However, the EPA is offering to resolve the violations described above with an Expedited Settlement Agreement (“Agreement”), which provides you the opportunity to quickly resolve the violations with payment of a substantially reduced penalty. If you choose to sign the Agreement and the EPA determines you have satisfied the requirements for expedited settlement described below, then the EPA will settle all the violations listed above for **\$16,250**.

Procedure for Expedited Settlement

To take advantage of the Expedited Settlement offer, within 30 days of your receipt of this letter, you must:

- (1) Correct the outstanding violations. This must be documented on the enclosed document titled “Injunctive Relief Worksheet.”
- (2) Complete and return to the EPA the enclosed Agreement. By signing the Agreement, you are certifying that you: (a) have corrected the violations; (b) have submitted true and accurate documentation of compliance; and (c) paid the civil penalty of **\$16,250**. Also, by signing the Agreement, you agree to waive your opportunity for a hearing or appeal concerning the violations.
- (3) Pay the assessed penalty of **\$16,250**. Instructions for payment of the penalty can be found at: <https://www.epa.gov/financial/makepayment>.

Within 24 hours of payment, please email a PDF copy of the signed Agreement and proof of payment (e.g., a copy of the check, digital payment receipt or a statement of affirmation regarding electronic funds transfer), including your company’s name and complete address as well as the docket number (RCRA-09-2025-0047) to the below-listed EPA contacts.

Regional Hearing Clerk
U.S. Environmental Protection Agency
R9HearingClerk@epa.gov

and

Sergio Mora
Environmental Scientist
U.S. Environmental Protection Agency

75 Hawthorne Street
San Francisco, California, 94105
mora.sergio@epa.gov

If you can demonstrate, in writing, that it is technically infeasible or impracticable to correct your RCRA violations within 30 days, then upon request, the EPA, at its discretion, may grant an extension. Extension requests and the above demonstration must be made in writing no later than ten days before the end of the initial 30-day compliance period. The request must clearly indicate whether you intend to take advantage of the expedited settlement agreement. Any extensions must be granted in writing by the EPA.

If you do not follow the procedures outlined in this letter for expedited settlement within 30 days of receipt of this letter, then this settlement offer will be automatically withdrawn, without prejudice to the EPA's ability to file a complaint for the cited violations. The EPA may seek penalties of up to \$93,058 per day for each of the violations cited above.

We are committed to the fair and rapid settlement of this matter. If you have any questions or wish to discuss the general circumstances of your case, please contact Sergio Mora of my staff at (415) 972-3463 or mora.sergio@epa.gov.

Sincerely,

Amy C. Miller-Bowen, Director
Enforcement and Compliance Assurance Division
U.S Region 9

ENCLOSURES

- 1) ESA Offer
- 2) Injunctive Relief Worksheet

cc: Kristine Green, CA Dept. of Toxic Substances Control, kristine.schaefergreen@dtsc.ca.gov
Leslie Johnson, CA Dept. of Toxic Substances Control, leslie.johnson@dtsc.ca.gov
April Ranney, CA Dept. of Toxic Substances Control, april.ranney@dtsc.ca.gov