



**REGION 9**

SAN FRANCISCO, CA 94105

Sent Via Email: [dana@scottmfgsolutions.com](mailto:dana@scottmfgsolutions.com)

RETURN RECEIPT REQUESTED

Dana Klingler  
Quality Systems & Assurance Manager  
Scott Manufacturing Solutions, Inc.  
5051 Edison Avenue  
Chino, CA 91710

Re: EXPEDITED SETTLEMENT OPPORTUNITY

Notice of Investigation Results under the Resource Conservation and Recovery Act  
Scott Manufacturing Solutions, Inc. ("SMS")  
EPA ID Number: CAL 000 381 989  
Docket Number: RCRA-09-2026-0015

Dear Dana Klingler:

Representatives from the U.S. Environmental Protection Agency ("EPA"), Region IX, 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<sup>1</sup> at Scott Manufacturing Solutions, Inc. ("SMS"), located at 5051 Edison Avenue in Chino, California.

By this letter, EPA is providing you with an opportunity to quickly resolve the violations by entering into an Expedited Settlement Agreement. EPA has authority to pursue civil penalties for the violation 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, signing and returning the enclosed Expedited Settlement Agreement within 30 days of your receipt of this letter, and paying the specified penalty in accordance with the terms after you are notified it has been entered and is effective. Once you receive the final order from the Regional Judicial Officer, your penalty payment must be received within 30 days.

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

As a result of the EPA file review of your facility, SMS failed to comply with the following RCRA regulations:

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

[1] – Failure to Perform a Waste Determination

Review by the EPA, Region IX indicates that you may have failed to comply with the waste determination requirements. 22 California Code of Regulations (“CCR”) § 66262.11 [40 Code of Federal Regulations (“CFR”) § 262.11].

[2] – Failure to Maintain less than 55-gallons of Hazardous Waste While in Storage

Review by the EPA, Region IX indicates that you may have failed to comply with the less than 55-gallon Satellite Accumulation Area (“SAA”) container requirements. 22 CCR § 66262.15(a) [40 CFR § 262.15(a)].

[3] – Failure to Close a Hazardous Waste Container

Review by the EPA, Region IX indicates that you may have failed to comply with the closed container requirements. 22 CCR §§ 66262.15(a)(4) and 66262.17(a)(1)(D)(1) [40 CFR §§ 262.15(a)(4) and 262.17(a)(1)(iv)(A)].

[4] – Failure to Label and Date Hazardous Waste Containers

Review by the EPA, Region IX indicates that you may have failed to comply with the container labeling and dating requirements. 22 CCR §§ 66262.15(a)(5)(A)-(E) and 66262.17(a)(5)(A)(1)-(6) [40 CFR §§ 262.15(a)(5)(i)-(ii) and 262.17(a)(5)(i)(A)-(C)].

[5] – Failure to Store Hazardous Waste for Less than 90 Days

Review by the EPA, Region IX indicates that you may have failed to comply with the less than 90 Day storage requirements. 22 CCR § 66262.17(a) [40 CFR § 262.17(a)].

[6] – Failure to Obtain an EPA Identification Number

Review by the EPA, Region IX indicates that you may have failed to comply with the EPA Identification Number requirements. 22 CCR § 66262.18(a) [40 CFR § 262.18(a)].

[7] – Failure to File a Biennial Report

Review by the EPA, Region IX indicates that you may have failed to comply with the biennial report requirements. 22 CCR § 66262.41(a) [40 CFR § 262.41(a)].

[8] – Failure to Maintain Emergency Equipment

Review by the EPA, Region IX indicates that you may have failed to comply with the emergency equipment requirements. 22 CCR § 66262.252(c) [40 CFR § 262.252(c)].

### **Opportunity for Expedited Settlement**

Under the authority of Section 3008 of RCRA, 42 U.S.C. § 6928, 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, 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 EPA determines

you have satisfied the requirements for expedited settlement described below, then EPA will settle the violation listed above for \$17,500.

### **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) Prior to returning the enclosed Agreement, pay the assessed penalty of \$17,500. Instructions for payment of the penalty can be found at: <https://www.epa.gov/financial/makepayment>. You then are required to provide proof of payment per the Expedited Settlement.
- (3) Complete and return to EPA the enclosed Agreement with proof of payment of the civil penalty, as instructed below. 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) have paid the civil penalty. Also, by signing the Agreement, you agree to waive your opportunity for a hearing or appeal concerning the violation.

A copy of the fully executed Agreement will be sent to you via email once it has been filed with the Regional Hearing Clerk.

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 Respondent's name, complete address, and docket number to the below-listed EPA contacts.

Regional Hearing Clerk  
U.S. Environmental Protection Agency, Region IX  
[R9HearingClerk@epa.gov](mailto:R9HearingClerk@epa.gov)

and

Christopher Rollins  
RCRA Enforcement Officer  
U.S. Environmental Protection Agency, Region IX  
75 Hawthorne Street  
San Francisco, California, 94105  
[rollins.christopher@epa.gov](mailto:rollins.christopher@epa.gov)

If you can demonstrate, in writing, that it is technically infeasible or impracticable to correct your RCRA violations then within thirty days, upon request, 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 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. EPA may seek penalties of up to \$93,058 per day for 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 Christopher Rollins of my staff at (415) 947-4166 or at [rollins.christopher@epa.gov](mailto:rollins.christopher@epa.gov).

Sincerely,

Amy C. Miller-Bowen, Director  
Enforcement and Compliance Assurance Division

Cc:

Kristine Schaefer-Green, DTSC; [kristine.schaefer-green@dtsc.ca.gov](mailto:kristine.schaefer-green@dtsc.ca.gov)

Attachments:

- 1) ESA Cover Letter
- 2) ESA Offer
- 3) Injunctive Relief Worksheet