



FORMAL ENFORCEMENT SUMMARY



CUPA
San Mateo County Environmental Health

11/10/22

DATE SUBMITTED

I. FACILITY IDENTIFICATION

BUSINESS NAME (Same as FACILITY NAME or DBA-Doing Business As)
Menzies Aviation/ASIG/ Air Menzies

BUSINESS SITE ADDRESS
1070 North Access Road

BUSINESS SITE CITY	104	CA	ZIP CODE	105
SAN FRANCISCO INTL AIRPORT/ SFIA			94128	

VIOLATION SUMMARY

Type of Violation (check boxes that apply)

- | | | | |
|--------------------------------------------------------------------|----|-------------------------------------------------------------------|-----|
| <input checked="" type="checkbox"/> HAZARDOUS MATERIALS | 4 | <input type="checkbox"/> HAZARDOUS WASTE TREATMENT | 11 |
| <input type="checkbox"/> Cal-ARP REGULATED SUBSTANCES | 4a | <input checked="" type="checkbox"/> RCRA LARGE QUANTITY GENERATOR | 14a |
| <input type="checkbox"/> UNDERGROUND STORAGE TANKS (USTs) | 5 | <input type="checkbox"/> HOUSEHOLD HAZARDOUS WASTE | 14b |
| <input checked="" type="checkbox"/> ABOVE GROUND PETROLEUM STORAGE | 8 | <input type="checkbox"/> LOCAL REQUIREMENTS | 15 |
| <input checked="" type="checkbox"/> HAZARDOUS WASTE | 9 | | |

Narrative description of the violations observed

Facility violated the following code sections: 22 CCR 12 66262.12, HSC 6.5. HSC 6.5 25189.5(a), 25201(a), 22 CCR 16 66266.130; HSC 6.5 25250.22, 22 CCR 12 66262.34(f), 22 CCR 12 66262.34(a)(1); 22 CCR 15 66265.173, 22 CCR 12 66262.34(a)(4); 22 CCR 15 66265.16, 22 CCR 12 66262.34(a)(4); 22 CCR 15 66265.31, 19 CCR 4 2652(a)(1); 6.95 25508(a)(1), HSC 25505(a)(2), 25508(a)(1), HSC 6.67 25270.4.5(a); 40 CFR 1 112.5(a), 112.5(b), HSC 6.67 25270.4.5(a); 40 CFR 1 112.7(a)(3), HSC 6.67 25270.4.5(a); 40 CFR 1 112.8(c)(10), SC 6.67 25270.4.5(a); 40 CFR 1 112.7(a)(3)(iv), 40 CFR 1 112.7(h)(3), HSC 6.67 25270.4.5(a); 40 CFR 1 112.7(f)(3), HSC 6.67 25270.4.5(a); 40 CFR 1 112.8(d)(4), HSC 6.95 25506, 25505(a)(1), 25508(a)(1) , HSC 6.95 25508.1(a) and (f), 22 CCR 12 66262.34(a)(4); 22 CCR 15 66265.51, 22 CCR 12 66262.12, 22 CCR 12 66262.34(a); HSC 6.5 25123.3(b)(1), 25201, 22 CCR 12 66262.23(a)(4)

Full Narrative available on Page 2

FORMAL ENFORCEMENT ACTION

Type of Enforcement Action (Check one box)	Date of Initial Enforcement Action	Date of Final Disposition	Cash Fines/Penalties Imposed	Total Costs Recovered	Value of SEP Penalties Imposed
<input checked="" type="checkbox"/> ADMIN <input type="checkbox"/> CIVIL <input type="checkbox"/> CRIMINAL	1/8/2020	11/10/22	\$48,500.00	53,500.00	

DESCRIPTION OF FINAL DISPOSITION

NARRATIVE FORMAT - (i.e. describe probation conditions, final sentencing conditions, consent order compliance schedule, etc)

Facility must meet the following conditions as well as the conditions presented in the SEP: a. Maintain aboveground storage tank (AST) monitoring and leak detection equipment in a manner as to detect and/or notify the owner operator when a leak is detected. b. Maintain all records of hazardous waste storage area inspections and waste disposal for immediate review upon request by Division representatives. c. Maintain all records of inspection and assessments required by the approved SPCC plan on-site for immediate review upon request by Division representatives. d. Conduct and document hazardous waste management training as needed to ensure the facility is operated in compliance, but at least annually. e. By signing this Order, Respondent agrees to commit all necessary resources to ensure all Menzies/ASIG facilities in San Mateo County will be operated in compliance with all applicable regulations governing the handling, storage and disposal of hazardous materials, including waste and liquid petroleum. f. Facility SEP Supplemental Environmental Projects have been approved in lieu of paying some of the penalties associated with the consent order. However conditions for the SEP fine reduction are in attached Appendix A and if these conditions can not be met the original fine amount shall be re-imposed.

On March 30, 2018, and again on February 13, 2020, Environmental Health Services Division (Division) staff performed a Hazardous Waste, Hazardous Materials Business Plan and Aboveground Storage Tank inspections at ASIG/Menzies Aviation, Building 1070, Plot 40, San Francisco International Airport. During these inspections, a number of significant and repeat compliance issues were noted. As many of these violations were not resolved in a timely manner, and some continue to this day, the Division is preparing to bring an Administrative Action against Air Menzies International (USA) Inc. pursuant to Section 25404.1.1 of the California Health and Safety Code (HSC). The administrative action being considered includes violations of the following:

1. Failure to obtain an Identification Number prior to treating, storing, disposing of, transporting or offering for transportation any hazardous waste. 22 CCR 12 66262.12
2. Failure to dispose of hazardous waste at a facility which has a permit from DTSC or disposing of hazardous waste at any point which is not authorized according to HSC 6.5. HSC 6.5 25189.5(a), 25201(a)
3. Failure to properly manage used oil and/or fuel filters in accordance with the requirements. 22 CCR 16 66266.130; HSC 6.5 25250.22
4. Failure to properly label hazardous waste accumulation containers with the following requirements: "Hazardous Waste", name and address of the generator, physical and chemical characteristics of the Hazardous Waste, and starting accumulation date. 22 CCR 12 66262.34(f)
5. Failure to meet the following container management requirements:
 - (a) A container holding hazardous waste must always be closed during storage, except when it is necessary to add or remove waste.
 - (b) A container holding hazardous waste must not be opened, handled, or stored in a manner which may rupture the container or cause it to leak. 22 CCR 12 66262.34(a)(1); 22 CCR 15 66265.173
6. Failure to provide employees with hazardous waste training program of class room instructions or on-the-job training within the first six months after the date of their employment or assignment to a facility, or to a new position at a facility and annually thereafter. Training records on current personnel shall be kept until closure of the facility and for former employees the record shall be kept for at least three years from the date the employee last worked at the

facility. The records shall include the following: the job title for each position at the facility related to hazardous waste management, and the name of the employee filling each job; a written job description for each position, duties of facility personnel assigned to each position, and a written description of the type and amount of both introductory and continuing training that will be given to each person filling a position. 22 CCR 12 66262.34(a)(4); 22 CCR 15 66265.16

7. Failure to maintain and operate the facility to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment. 22 CCR 12 66262.34(a)(4); 22 CCR 15 66265.31

8. Failure to complete and electronically submit the Business Activities Page and/or Business Owner Operator Identification Page. 19 CCR 4 2652(a)(1); 6.95 25508(a)(1)

9. Failure to complete and electronically submit a site map with all required content. HSC 25505(a)(2), 25508(a)(1)

10. Failure to implement a Spill Prevention Control and Countermeasure (SPCC) Plan within 6 months of amendment. HSC 6.67 25270.4.5(a); 40 CFR 1 112.5(a), 112.5(b)

11. Failure to adequately and accurately describe in the SPCC Plan the physical layout of the facility. HSC 6.67 25270.4.5(a); 40 CFR 1 112.7(a)(3)

12. Failure to promptly correct visible discharges and promptly remove any accumulations of oil in diked areas. HSC 6.67 25270.4.5(a); 40 CFR 1 112.8(c)(10)

13. Failure to address in the SPCC Plan countermeasures for discharge discovery, response, and cleanup (both facility's and contractor's resources). HSC 6.67 25270.4.5(a); 40 CFR 1 112.7(a)(3)(iv)

14. Prior to filling and departure of any tank car or tank truck, closely inspect for discharges the lowermost drain and all outlets of such vehicles, and if necessary, ensure that they are tightened, adjusted, or replaced to prevent liquid discharge while in transit. 40 CFR 1 112.7(h)(3)

15. Failure to schedule and conduct spill prevention briefings at least once a year. HSC 6.67 25270.4.5(a); 40 CFR 1 112.7(f)(3)

16. Failure to regularly inspect aboveground valves, piping, and appurtenances. HSC 6.67
25270.4.5(a); 40 CFR 1 112.8(d)(4)
17. Failure to complete and electronically submit hazardous material inventory forms information for all reportable hazardous materials on site at or above reportable quantities. HSC 6.95 25506,
25505(a)(1), 25508(a)(1)
18. Failure to update business plan within 30 days when one of the following occurs: A 100 percent or more increase in the quantity of a previously disclosed material; Any handling of a previously undisclosed hazardous material; A change of business address, business ownership, or business name; A substantial change in the handler's operations that requires modification to any portion of the business plan. HSC 6.95 25508.1(a) and (f)
19. Failure to prepare and implement a written Contingency Plan to minimize hazards to human health or the environment from fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water. 22 CCR 12 66262.34(a)(4); 22 CCR 15 66265.51
20. Failure to obtain an Identification Number prior to treating, storing, disposing of, transporting or offering for transportation any hazardous waste. 22 CCR 12 66262.12
21. Failure to obtain a permit or grant of interim status after generator has accumulated hazardous waste on-site for longer than 90 days. 22 CCR 12 66262.34(a); HSC 6.5 25123.3(b)(1), 25201
22. Failure to send a legible copy of each hazardous waste manifest to the Department within 30 days of each shipment of hazardous waste. 22 CCR 12 66262.23(a)(4)