



CALIFORNIA

Retail Environmental Enforcement Summary January 1, 2017 - June 30, 2017



The California Environmental Protection Agency (CalEPA) enforces the state's environmental laws.



18 Enforcement actions were issued to retailers

The types of retail stores facing enforcement.

 Automotive Store	6	 Motor Vehicle Dealer	2
 Gas Station	7	 Variety Store	1
 Grocery Store	2		



\$109,599

Total fines issued to retailers

57% ↓

Enforcement action decrease in 2017

Enforcement by county

[Click here](#) for interactive map.



HIGHLIGHTS

Between January 1, 2017 and June 30, 2017, 18 enforcement actions filed by the California Environmental Protection Agency (CalEPA) were issued. This was a sharp decrease from the 42 enforcement actions issued from July 1, 2016 and December 31, 2016.

Between January 1, 2017 and June 30, 2017, gas stations received the most enforcement actions out of the total store types. In contrast, motor vehicle dealers received the most enforcement actions in the previous six-month time period.

Between July 1, 2016 and December 31, 2016, most of the retailers received enforcement actions for air or volatile organic compounds (VOCs) regulation noncompliance. Between January 1, 2017 and June 30, 2017, most of enforcement actions issued to retailers were for scrap tire and underground storage tank (UST) violations. In 2017, there was one fine for a variety store retail chain in the amount of \$43,313. This fine was not county specific, but rather state wide for this particular retail entity.

Fines ranged from \$200 to \$45,000 from January 1, 2017 and June 30, 2017, while fines issued between July 1, 2016 and December 31, 2016 ranged from \$122 to \$300,000. The median fine for retailers from January 1, 2017 and June 30, 2017 fell slightly to \$2,236 compared with \$2,500 in the previous six-month period.

California does not make inspections reports publicly available



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ENFORCEMENT DETAIL

Enforcement Area	Store type	Enforcement Type	Violation	County	Number of Stores	Fine (\$) and actions to comply
Hazardous waste. Violations covered an automotive store, a motor vehicle dealer, and gas stations. Violations included failure to: close containers of hazardous waste, maintain copies of all used oil disposal receipts, and properly manage oil filters.						
Hazardous waste	Automotive store	Consent order ¹	Failure to: <ul style="list-style-type: none"> • Close containers of hazardous waste • Conduct employee training • Have a Hazardous Material Business Plan (HMBP) • Maintain copies of all used oil disposal receipts • Properly label hazardous waste • Properly manage adequate aisle space • Properly manage used oil filters 	Sonoma	1	\$1,050 fine.
	Gas stations	Consent orders	Failure to: <ul style="list-style-type: none"> • Complete chemical inventory • Complete employee training • Report by using the California Environmental Reporting System (CERS) 	Riverside	2	\$1,000 fine for one entity.
	Motor vehicle dealer	Consent order	Failure to: <ul style="list-style-type: none"> • Properly maintain and operate to minimize a release 	Riverside	1	\$3,000 fine.
Pesticides. Violations covered a national chain variety store. Violations included failure to comply with registration and labelling requirements.						
Pesticides	Variety store	Administrative penalty ¹	Failure to: <ul style="list-style-type: none"> • Comply with registration and labelling requirements for six products 	Not facility specific ²	--	\$43,313 fine.
Scrap tire. Violations covered automotive stores. Violations included failure to: register as a waste tire hauler and submit Comprehensive Trip Log forms.						
Scrap tire	Automotive stores	Administrative complaint ¹ Stipulation, decision, and orders ¹	Failure to: <ul style="list-style-type: none"> • Register as a waste tire hauler • Submit Comprehensive Trip Log forms 	Los Angeles	2	Individual retailers received the following fines: • \$200 • \$300 • \$1,000 • \$2,000 • \$45,000
				Monterey	1	
				Riverside	1	
				Sonoma	1	



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Enforcement Area	Store type	Enforcement Type	Violation	County	Number of Stores	Fine (\$) and actions to comply
Stormwater. Violations covered a motor vehicle dealer and a grocery store. Violations included failure to submit annual reports, recertify for continued coverage under the new permit, and failure to obtain a General Permit for Storm Water Dischargers Associated with Industrial Activities.						
Stormwater	Grocery	Notice of non-compliance	Failure to: <ul style="list-style-type: none"> • Submit annual storm water reports for the 2014-2015 and 2015-2016 Fiscal Year • Obtain a General Permit for Storm Water Dischargers Associated with Industrial Activities 	Los Angeles	2	Retailers were required to: <ul style="list-style-type: none"> • Submit missing annual reports • Obtain coverage under the General Permit
	Motor vehicle dealer	Notice of non-compliance ¹	Failure to: <ul style="list-style-type: none"> • Submit annual reports for stormwater discharges 	Los Angeles	1	The retailer was required to: <ul style="list-style-type: none"> • Submit missing annual reports
Underground storage tank (UST). Violations covered gas stations. Violations included failure to maintain employee training records, failure to monitor USTs, failure to report by using the CERS.						
UST	Gas stations	Notice of violation ¹ Consent order	Failure to: <ul style="list-style-type: none"> • Acquire a minor modification permit to conduct repairs • Maintain employee training records • Maintain tank sensors in proper positions • Monitor USTs • Prevent deletion of product sensors from monitoring system programming • Properly maintain tank sensors • Report by using the CERS • Submit permit application and permit fee before testing repairs for an under dispenser containment (UDC)Test USTs 	Alameda Riverside	1 4	Individual retailers received the following fines: <ul style="list-style-type: none"> • \$2,236 • \$2,500 • \$4,000 • \$4,000 • In addition, retailers were required to: <ul style="list-style-type: none"> • Obtain a permit • Submit all records from UDC repair

¹ See Glossary for details

² The corporation was cited rather than a specific facility location, therefore there is no county data.



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GLOSSARY

Administrative penalty — a penalty imposed by the Agency as an alternative to seeking civil penalties through the judicial system for a violation of any rule, regulation, permit, variance or order.

Administrative complaint — a document served to a waste hauler if such hauler has not met the criteria in the previously issued Streamlined Penalty Letter.

Administrative decision — the decision made by an Administrative Law Judge resolving the matter set forth in an administrative complaint.

Cease and desist — an order that requires the owner or operator of a facility, disposal site, or operation to cease and desist any improper action by a specified date.

Consent order — a legally binding agreement voluntarily entered by Cal/EPA and an alleged violator.

Notice of Violation (NOV) — a document that initiates formal administrative proceedings against a 'respondent' to address violations of environmental laws. NOVs are administrative complaints.

Documents concerning state enforcement actions on retail entities are obtained by contacting the state's environmental regulatory agency directly by email and by phone, submitting Freedom of Information Act (FOIA) requests, or using online document databases. The search is refined using retail-specific criteria, such as titles and address locations of the entities, Standard Industrial Classification (SIC) or North American Industry Classification System (NAICS) codes and descriptions. Enforcement actions involving non-retailers are excluded from the data analysis and summaries.

Retail-specific state enforcement documents and data are analyzed to determine trends including: the most frequent violations, what the most common media types violations are (such as air, petroleum contamination, waste, or water), and where the retailers who were issued enforcement actions are located. Data is collected and trends are analyzed on a biannual basis.

Release letter — a letter sent to the violator after the agency receives payment and the matter is resolved.

Settlement agreement — a written agreement that settles the allegations of violations between the CalEPA and the entity and typically includes a penalty or fine.

Settlement letter — a document that stipulates a penalty amount and provides an opportunity for an office conference.

Stipulation, decision, and order — a document issued when a violator accepts a reduced penalty offer under the Streamlined Penalty Program for a waste tire or manifest violation.

Retail — stores that sell goods or services to customers, typically in small quantities, for consumption or use. Retail stores can include: automotive parts and new/used tire sales, convenience stores, gas stations, distribution centers, dry cleaners, pharmacies, rental stores, sports/hunting goods stores, and variety stores.