



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

SEP 11 2007

Notice of Noncompliance
Certified Mail No.: 7006 0810 0003 9306 2670

Mr. Brian Olson
General Manager
Clean Harbors Environmental Services, Inc.
5756 Alba Street
Los Angeles, CA 90058

Re: Notice of Noncompliance for Violations of the Toxic Substances Control Act

Dear Mr. Olson:

This letter is a Notice of Noncompliance ("NON") issued by the U.S. Environmental Protection Agency ("EPA") to Clean Harbors Environmental Services, Inc. ("Clean Harbors"), located in Los Angeles, California. This NON is based on information in EPA's possession indicating that Clean Harbors has violated the Toxic Substances Control Act ("TSCA"), 15 U.S.C. § 2601 et. seq., and the regulations regarding the records and monitoring provisions for polychlorinated biphenyls ("PCBs") promulgated under TSCA at 40 C.F.R. part 761.

In accordance with 40 C.F.R. § 761.180(b)(3)(iii) - (vi) of TSCA, a commercial storage facility shall submit an annual report, by July 15 of each year, which consists of the total weight in kilograms and the total number of PCB bulk waste, equipment and containers in storage at the beginning of the calendar year, received or generated at the facility, transferred to another facility, disposed of at the facility during the calendar year, or remaining in storage for disposal at the end of the calendar year. Our review of your manifests, shipping documents and annual report shows inconsistencies in the volumes of PCBs received, stored, transferred, generated and disposed of from 2003 to 2006 (See enclosures).

Within thirty (30) days of receipt of this NON, please provide the EPA with evidence that Clean Harbors has taken steps to address the violation(s) cited in this NON. Relevant information would include: revised copies of the above mentioned annual reports, a detailed explanation as to why the information in the annual report is inconsistent with manifests and other documentation, and what system if any, Clean Harbors has to assure that the annual reports will be submitted with accurate information in the future. This documentation should be submitted to:

Christopher Rollins
U.S. EPA, Region 9
CMD 4
75 Hawthorne Street
San Francisco, CA 94105

This NON is issued by the EPA in lieu of further action at this time. Within thirty (30) days of receipt of this NON, the requested documentation should be submitted to certify that Clean Harbors has properly addressed the violation(s) cited in the NON. Failure to submit the requested documentation may cause the EPA to take further enforcement action as provided in TSCA, including possible imposition of civil penalties.

We would also like to extend to you the opportunity to advise the EPA of any information you believe that the EPA should consider with respect to this NON. Relevant information might include any exculpatory information, evidence of reliance on compliance assistance provided by the EPA or State agencies, or misidentification of the proper party.

Please be advised that you may assert a confidential business information ("CBI") claim covering any or all of the information that is submitted in response to this letter. Every CBI claim should be made in accordance with the criteria as listed in 40 C.F.R. §2.208. If a CBI claim is not received accompanying the requested materials, they may be made available to the public without future notice.

If you have any questions, please contact Christopher Rollins at (415) 947-4166. Thank you for your prompt attention to this matter.

Sincerely,



Paula Bisson, Manager
Toxics Office
Communities and Ecosystems Division

Enclosures