

OFFICIAL NOTICE OF INSPECTION – SUPPLEMENTAL INFORMATION

This Official Notice of Inspection (NOI) documents the results of an inspection by HMCD, including a list of alleged violations, evidence in support of the alleged violations, corrective actions that must be taken by the facility, and general observations.

What am I supposed to do upon receiving a NOI?

- Correct the violations within 30 days of the inspection date, unless otherwise noted.
- In the “Corrective Actions Taken” column, write a brief description of the actions taken by the facility to correct each violation. Attach additional pages if more space is needed.
- Certify that the facility has returned to compliance by signing and dating the certification statement at the end of the report.
- Make a photocopy of the NOI and any attachments for your records.
- Within 5 days of achieving compliance or 35 days of the inspection date, whichever comes first, return the original copy of the report and any attachments to HMCD at 1555 Berger Drive, Suite 300, San Jose, CA 95112-2716.

What if there are violations that cannot be corrected within 30 days?

For each violation that cannot be corrected within 30 days, submit a written Compliance Plan describing the corrective actions you propose to take and the date by which the actions will be completed. State law grants up to 30 days to correct minor violations without penalty. Minor violations that are uncorrected after 30 days, and class I and II violations may be subject to enforcement action. To lessen the possibility of enforcement action, correct all violations as soon as possible.

What if I disagree with a violation on the NOI?

If you disagree with any violation listed in this NOI, you must submit a written Notice of Disagreement to HMCD within 30 days of the inspection date. Address such notices to the attention of the inspector who cited the violation. In your Notice of Disagreement, explain in detail why you believe the alleged violation was incorrectly cited.

What about photographs or samples taken during the inspection?

A co-located sample will be given to you upon request if adequate sample volume is available. Photographs and sample analytical results will not generally be available until after the inspection has been concluded. A copy of photographs and/or analytical results will be provided to you upon written request. Photographs and sample analytical results may be withheld in the event of a criminal investigation or other ongoing investigation.

Key to Acronyms and Regulatory Terms

XX CCR	California Code of Regulations, Title XX
XX CFR	Code of Federal Regulations, Title XX
Class	Violation classification: I = Class I violation, II = Class II violation, M = Minor violation, C = Corrected minor violation [HSC §25110.8.5, HSC §25117.6, CCR §66260.10]
DTSC	California Department of Toxic Substances Control
EPA	U.S. Environmental Protection Agency
HMCD	County of Santa Clara, Department of Environmental Health, Hazardous Materials Compliance Division
HSC	California Health and Safety Code
RCRA	Resource Conservation and Recovery Act
SCCO	Santa Clara County Ordinance Code
TSDF	Hazardous waste treatment, storage or disposal facility
UPCF	Unified Program Consolidated Form
UST	Underground storage tank
VC	HMCD violation code

Warning:

- It is a violation of State law to make a false statement that a facility has returned to compliance [HSC §25404.1.2(c)(2)].
- Making a false statement regarding a hazardous waste violation is punishable by a fine of not less than \$2,000 or more than \$25,000 and/or imprisonment in the county jail for up to one year [HSC §25191(b)].
- Making a false statement regarding an underground storage tank violation is punishable by a fine of not less than \$500 or more than \$5,000 [HSC §§25299(a)(8), 25299(b)(7)].
- HMCD has the right to require the submittal of reasonable and necessary documentation in support of any claim of compliance made by your facility [HSC §25187.8(i)].