

FILED
SUPERIOR COURT
2013 DEC -6 AM 11:02
NO. 39-2013-00295469-CU-TT-STK
BY GRANT FREED
DEPUTY

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8 California, ex rel. Deborah O. Raphael, Director of
the Department of Toxic Substances Control

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN JOAQUIN

14 **PEOPLE OF THE STATE OF**
15 **CALIFORNIA, ex rel. DEBORAH O.**
16 **RAPHAEL, DIRECTOR OF THE**
17 **DEPARTMENT OF TOXIC**
18 **SUBSTANCES CONTROL,**
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Plaintiff,

v.

22 **JOSE G. SOSA,**
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Defendant.

Case No. 39-2013-00295469-CU-TT-STK
~~PROPOSED~~ DEFAULT JUDGMENT
Department 13
Honorable Lesley D. Holland
Action Filed: March 26, 2013

The Court having considered the pleadings, which include without limitation, the Complaint for Civil Penalties and Injunctive Relief, the Case Summary in Support of Default Judgment, the Declaration of Dan Lynch, and the proposed Default Judgment;

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED AS FOLLOWS:

A. PAYMENT OF CIVIL PENALTIES

Judgment is entered in this matter for civil penalties in the amount of two hundred forty-three thousand dollars (\$243,000).

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B. PERMANENT INJUNCTION

Defendant is permanently enjoined from violating the Hazardous Waste Control Law, Chapter 6.5 of Division 20 of the Health AND Safety Code, and its implementing regulations as follows:

- 1. Defendant shall not dispose of hazardous waste at an unauthorized location.
- 2. Defendant shall not store hazardous waste for more than 90 days without a proper permit or authorization from the Department, as required by Health and Safety Code section 25201, subdivision (a).
- 3. Defendant shall comply with all applicable hazardous material regulations adopted by the California Highway Patrol, including Title 13, Division 2, Chapter 6 of the California Code of Regulations (section 1160 *et seq.*), California Code of Regulations, Title 13, section 1161.2, subdivision (a), in turn requires transporters of hazardous waste to comply with the labeling requirements of Part 172, Subpart e, of Title 49 of the Federal Code of Regulations (section 172.400 *et seq.*), including labeling containers of hazardous waste as hazardous waste.
- 4. Defendant shall not deliver hazardous waste to any location other than a hazardous waste facility that has a valid permit or is otherwise authorized by the Department to receive hazardous waste.
- 5. Defendant shall not transport hazardous waste in the State of California.

IT IS SO ORDERED.

Dated: _____

DEC 06 2013

ROGER ROSS

**THE HONORABLE LESLEY D. HOLLAND
JUDGE OF THE SUPERIOR COURT**

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