1	XAVIER BECERRA	E-FILED		
2	Attorney General of California MARGARITA PADILLA, State Bar No. 99966	6/2/2017 1:50:23 PM		
3	Supervising Deputy Attorney General 1515 Clay Street, Suite 2000 P.O. Box 70550	FRESNO COUNTY SUPERIOR COURT By: D Flautz, Deputy		
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7	Attorneys for Plaintiff, People of the State of California, ex rel. Barbara A. Lee, Director, California Department of Toxic Substances Control			
8		EXEMPT FROM FILING FEES GOVERNMENT CODE § 6103		
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11	SUPERIOR COURT OF THE STATE OF CALIFORNIA			
12	COUNTY OF FRESNO			
13	·			
14	PEOPLE OF THE STATE OF	Case No		
15	CALIFORNIA, ex rel. Barbara A. Lee, Director of the CALIFORNIA	COMPLAINT FOR PERMANENT		
16	DEPARTMENT OF TOXIC SUBSTANCES CONTROL,	INJUNCTION, CIVIL PENALTIES AND OTHER EQUITABLE RELIEF		
17	Plaintiff,	(Health & Saf. Code, §§ 25181, 25183,		
18	Ψ.	25184, 25189, and 25189.2)		
19				
20	SA RECYCLING LLC, a Delaware Corporation,			
21	Defendant.			
22		]		
23	Plaintiff, the People of the State of California, ex rel. Barbara A. Lee, Director of the			
24	Department of Toxic Substances Control ("DTSC"), alleges as follows:			
25	STATEMENT OF THE CASE			
26	1. SA Recycling LLC ("SA Recycling"	) is now, and at all times mentioned in this		
27	Complaint was, a Delaware corporation doing business in the State of California ("California")			
28	as, inter alia, a scrap metal recycler. SA Recycling owns and operates a scrap metal sorting and			
	1			
	Complaint for Permanent Injunction,	Civil Penalties and Other Equitable Relief (Case No. TBD)		

partitioning facility located at 3489 S. Chestnut Avenue, Fresno, CA 93725 (the "SA Recycling
 Facility").

2. In conducting the scrap metal sorting and partitioning operations at the SA Recycling
Facility, SA Recycling violated California's Hazardous Waste Control Law ("HWCL") (Health &
Saf. Code, § 25100 *et seq.*) and its implementing regulations, Cal. Code Regs., tit. 22, § 66260.1, *et seq.* ("Title 22"), by, *inter alia*, failing to make a hazardous waste determination on wastes it
generates, failing to minimize the possibility of any release of hazardous waste or hazardous
waste constituents to the environment, and unlawfully storing and causing the disposal of
hazardous waste at the SA Recycling Facility.

3. DTSC seeks injunctive relief against and civil penalties from SA Recycling for
 violations of the HWCL and Title 22.

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4. DTSC is a public agency of the State of California organized and existing under and
pursuant to Health and Safety Code section 58000 *et seq*.

PLAINTIFF

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5. Barbara A. Lee is the Director of DTSC.

6. Pursuant to Health and Safety Code sections 25181 and 25182, the Attorney General
of the State of California is authorized, at DTSC's request, to commence an action in the name of
the People for injunctive relief and civil penalties under the HWCL. DTSC has requested that the
Attorney General bring this civil enforcement action for violations of the HWCL committed by
SA Recycling.

21

# DEFENDANT

7. SA Recycling is a "person," as defined in Health and Safety Code section 25118.
When this Complaint refers to any action of SA Recycling, such allegation shall mean that SA
Recycling committed such acts, or its employees or agents performed or authorized such acts, or
failed to adequately advise or properly supervise, control, or direct SA Recycling's employees or
agents in the management, direction, operation, or control of the affairs of SA Recycling, and that
they did so while acting within the course and scope of their employment or agency for SA
Recycling.

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### JURISDICTION AND VENUE

8. This Court has jurisdiction pursuant to the California Constitution, article VI, section 10, and Health and Safety Code section 25181. Venue in this Court is proper under Health and Safety Code section 25183. The SA Recycling Facility is located, and the violations of the HWCL alleged in this Complaint, occurred in the county of Fresno. SA Recycling maintains a principal place of business at its headquarters in the City of Orange, California.

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# STATUTORY AND REGULATORY BACKGROUND

9. In enacting the HWCL, the California legislature created a comprehensive, cradle-tograve statutory framework for the generation, management, treatment, transport, storage,
tracking, and disposal of hazardous wastes. Title 22, the HWCL's implementing regulations,
promulgated by DTSC, specify detailed requirements for each of these stages in the lifecycle of
hazardous waste to protect the public and the California environment from risks posed by
improper management of hazardous wastes.

14

## ENFORCEMENT AUTHORITY UNDER THE HWCL

15 10. The HWCL authorizes the Court to impose civil penalties of up to \$25,000 per day 16 for each separate violation or for continuing violations for each day that the violations continue. 17 Health and Safety Code section 25189, subdivision (b), imposes liability for any negligent or 18 intentional violation of the HWCL and any permit, rule, regulation, standard, or requirement 19 issued or adopted thereunder. Health and Safety Code section 25189.2, subdivision (b), imposes 20 strict liability for each separate violation of the HWCL and any permit, rule, regulation, standard, 21 or requirement issued or adopted thereunder. Health and Safety Code section 25189, subdivisions 22 (c) and (d), respectively, impose liability for the intentional or negligent disposal, or causing the 23 disposal, of hazardous waste at an unauthorized point. Health and Safety Code section 25189.2, subdivision (c), imposes strict liability for disposal, or causing the disposal, of hazardous waste at 24 25 an unauthorized point. Under Health and Safety Code section 25189, subdivision (c), each 26 intentional disposal of a hazardous waste at an unauthorized point shall be subject to the 27 imposition of a civil penalty of not less than \$1,000.00 for each violation. However, a person 28 shall not be liable for civil penalties under both Health and Safety Code sections 25189 and

25189.2 for the same act or failure to act. (Health & Saf. Code, §§ 25189, subd. (g); 25189.2,
 subd. (f).)

# 11. Health and Safety Code sections 25181 and 25184 authorize and direct the Court to enjoin, among other things, any ongoing or potential violations of the HWCL and its implementing regulations.

Health and Safety Code section 25181 provides that when DTSC determines that any 6 12. 7 person has engaged in, is engaged in, or is about to engage in any acts or practices that constitute 8 or will constitute a violation of any provision of the HWCL, or any rule, regulation, permit, 9 covenant, standard, requirement or order issued, promulgated, or executed thereunder, and when 10 requested by DTSC, the Attorney General may apply to the superior court for an order enjoining 11 such acts or practices, or for an order directing compliance. Upon DTSC's showing that a person 12 has engaged in or is about to engage such acts or practices, the Court may issue a permanent or 13 temporary injunction, a restraining order, or other appropriate order. 14 Health and Safety Code section 25184 provides that in civil actions brought pursuant 13. 15 to the HWCL in which DTSC seeks an injunction or temporary restraining order: 16 [I]t shall not be necessary to allege or prove at any stage of the proceeding that irreparable damage will occur should the temporary restraining order, preliminary 17 injunction, or permanent injunction not be issued; or that the remedy at law is inadequate, and the temporary restraining order, preliminary injunction, or 18 permanent injunction shall issue without such allegations and without such proof. 19 20GENERAL ALLEGATIONS During all times relevant to the allegations set forth in the Complaint, SA Recycling 21 14. 22 conducted scrap metal sorting and salvaging operations at the SA Recycling Facility. At the SA 23 Recycling Facility, SA Recycling accepted various metal waste items, including, but not limited 24 to, end-of-life automobiles and appliances. The SA Recycling Facility also handled Materials 25 Requiring Special Handling ("MSRH"). MRSH includes, but is not limited to, used oil, mercury 26 found in switches and temperature control devices in major appliances, and any other material 27 that, when removed from a vehicle or major appliance, is a hazardous waste under the HWCL. 28 (Pub. Res. Code, § 42167.) 4

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1	15. On November 20, 2013, DTSC and the Fresno County Department of Environmental			
2	Health, the designated Certified Unified Program Agency ("CUPA"), as defined in Health and			
3	Safety Code section 25501, subdivision (e)(1), conducted an inspection of the SA Recycling			
4	Facility.			
5	16. During the November 20, 2013, inspection, DTSC and Fresno CUPA investigators			
6	took nine samples of dirt, dust, debris, and soil located in various areas within the SA Recycling			
7	Facility for laboratory testing. Each sample exceeded hazardous waste regulatory thresholds for			
8	lead, zinc, and/or cadmium.			
9	17. At the conclusion of the inspection, DTSC issued a Summary of Violations ("SOV")			
10	to SA Recycling. After reviewing the results of the sampling conducted during the November 20	),		
11	2013, inspection, as well as other investigative materials and information, on May 19, 2014,			
12	DTSC issued an amended SOV that superseded the original SOV. The amended SOV also			
13	included specific measures for SA Recycling to undertake immediately to correct the violations			
14	noted in the amended SOV.			
15	VIOLATIONS OF THE HWCL			
15 16	FIRST CAUSE OF ACTION			
16	FIRST CAUSE OF ACTION (Failure to Minimize the Possibility of Any Release of Hazardous Waste or Hazardous Waste Constituents to the Environment) (Health & Saf. Code 25189, subd. (b) or in the alternative 25189.2, subd. (b);			
16 17	FIRST CAUSE OF ACTION (Failure to Minimize the Possibility of Any Release of Hazardous Waste or Hazardous Waste Constituents to the Environment)			
16 17 18	<ul> <li>FIRST CAUSE OF ACTION <ul> <li>(Failure to Minimize the Possibility of Any Release of Hazardous Waste or Hazardous Waste Constituents to the Environment)</li> <li>(Health &amp; Saf. Code 25189, subd. (b) or in the alternative 25189.2, subd. (b); Cal. Code Regs., tit. 22, § 66265.31)</li> </ul> </li> <li>18. DTSC realleges Paragraphs 1 through 17, inclusive.</li> </ul>			
16 17 18 19	<ul> <li>FIRST CAUSE OF ACTION <ul> <li>(Failure to Minimize the Possibility of Any Release of Hazardous Waste or Hazardous Waste Constituents to the Environment)</li> <li>(Health &amp; Saf. Code 25189, subd. (b) or in the alternative 25189.2, subd. (b); Cal. Code Regs., tit. 22, § 66265.31)</li> </ul> </li> <li>18. DTSC realleges Paragraphs 1 through 17, inclusive.</li> <li>19. Hazardous waste generators must comply with requirements for owners or operators</li> </ul>			
16 17 18 19 20	<ul> <li>FIRST CAUSE OF ACTION <ul> <li>(Failure to Minimize the Possibility of Any Release of Hazardous Waste or Hazardous Waste Constituents to the Environment)</li> <li>(Health &amp; Saf. Code 25189, subd. (b) or in the alternative 25189.2, subd. (b); Cal. Code Regs., tit. 22, § 66265.31)</li> </ul> </li> <li>18. DTSC realleges Paragraphs 1 through 17, inclusive.</li> <li>19. Hazardous waste generators must comply with requirements for owners or operators of hazardous waste facilities set forth in California Code of Regulations, title 22, division 4.5,</li> </ul>			
16 17 18 19 20 21	<ul> <li>FIRST CAUSE OF ACTION <ul> <li>(Failure to Minimize the Possibility of Any Release of Hazardous Waste or Hazardous Waste Constituents to the Environment)</li> <li>(Health &amp; Saf. Code 25189, subd. (b) or in the alternative 25189.2, subd. (b); Cal. Code Regs., tit. 22, § 66265.31)</li> </ul> </li> <li>18. DTSC realleges Paragraphs 1 through 17, inclusive. <ul> <li>19. Hazardous waste generators must comply with requirements for owners or operators of hazardous waste facilities set forth in California Code of Regulations, title 22, division 4.5, chapter 15, articles 3 and 4. Facilities shall be located, designed, constructed, maintained, and</li> </ul> </li> </ul>			
16 17 18 19 20 21 22	<ul> <li>FIRST CAUSE OF ACTION <ul> <li>(Failure to Minimize the Possibility of Any Release of Hazardous Waste or Hazardous Waste Constituents to the Environment)</li> <li>(Health &amp; Saf. Code 25189, subd. (b) or in the alternative 25189.2, subd. (b); Cal. Code Regs., tit. 22, § 66265.31)</li> </ul> </li> <li>18. DTSC realleges Paragraphs 1 through 17, inclusive.</li> <li>19. Hazardous waste generators must comply with requirements for owners or operators of hazardous waste facilities set forth in California Code of Regulations, title 22, division 4.5,</li> </ul>			
<ol> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> <li>23</li> </ol>	<ul> <li>FIRST CAUSE OF ACTION <ul> <li>(Failure to Minimize the Possibility of Any Release of Hazardous Waste or Hazardous Waste Constituents to the Environment)</li> <li>(Health &amp; Saf. Code 25189, subd. (b) or in the alternative 25189.2, subd. (b); Cal. Code Regs., tit. 22, § 66265.31)</li> </ul> </li> <li>18. DTSC realleges Paragraphs 1 through 17, inclusive. <ul> <li>19. Hazardous waste generators must comply with requirements for owners or operators of hazardous waste facilities set forth in California Code of Regulations, title 22, division 4.5, chapter 15, articles 3 and 4. Facilities shall be located, designed, constructed, maintained, and operated to minimize the possibility of any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air or soil that could threaten human health or the</li> </ul></li></ul>			
<ol> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> <li>23</li> <li>24</li> </ol>	<ul> <li>FIRST CAUSE OF ACTION <ul> <li>(Failure to Minimize the Possibility of Any Release of Hazardous Waste or Hazardous Waste Constituents to the Environment)</li> <li>(Health &amp; Saf. Code 25189, subd. (b) or in the alternative 25189.2, subd. (b); Cal. Code Regs., tit. 22, § 66265.31)</li> </ul> </li> <li>18. DTSC realleges Paragraphs 1 through 17, inclusive. <ul> <li>19. Hazardous waste generators must comply with requirements for owners or operators of hazardous waste facilities set forth in California Code of Regulations, title 22, division 4.5, chapter 15, articles 3 and 4. Facilities shall be located, designed, constructed, maintained, and operated to minimize the possibility of any unplanned sudden or non-sudden release of hazardous</li> </ul></li></ul>			
<ol> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> <li>23</li> <li>24</li> <li>25</li> </ol>	<ul> <li>FIRST CAUSE OF ACTION <ul> <li>(Failure to Minimize the Possibility of Any Release of Hazardous Waste or Hazardous Waste Constituents to the Environment)</li> <li>(Health &amp; Saf. Code 25189, subd. (b) or in the alternative 25189.2, subd. (b); Cal. Code Regs., tit. 22, § 66265.31)</li> </ul> </li> <li>18. DTSC realleges Paragraphs 1 through 17, inclusive. <ul> <li>19. Hazardous waste generators must comply with requirements for owners or operators of hazardous waste facilities set forth in California Code of Regulations, title 22, division 4.5, chapter 15, articles 3 and 4. Facilities shall be located, designed, constructed, maintained, and operated to minimize the possibility of any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air or soil that could threaten human health or the</li> </ul></li></ul>			
<ol> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> <li>23</li> <li>24</li> <li>25</li> <li>26</li> </ol>	<ul> <li>FIRST CAUSE OF ACTION (Failure to Minimize the Possibility of Any Release of Hazardous Waste or Hazardous Waste Constituents to the Environment) (Health &amp; Saf. Code 25189, subd. (b) or in the alternative 25189.2, subd. (b); Cal. Code Regs., tit. 22, § 66265.31) 18. DTSC realleges Paragraphs 1 through 17, inclusive. 19. Hazardous waste generators must comply with requirements for owners or operators of hazardous waste facilities set forth in California Code of Regulations, title 22, division 4.5, chapter 15, articles 3 and 4. Facilities shall be located, designed, constructed, maintained, and operated to minimize the possibility of any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air or soil that could threaten human health or the environment. (Cal. Code Regs., tit. 22, § 66265.31.) As an owner and operator of the SA</li></ul>			

1	20. During the November 20, 2013 inspection, various amounts of dirt, dust and debris			
2	that were contaminated with hazardous waste levels of non-RCRA total and soluble lead, and			
3	RCRA levels of soluble lead were observed on the floor of the SA Recycling Facility warehouse,			
4	which could be tracked outside of the warehouse by employees, visitors, and equipment. In			
5	addition, investigators observed large areas of bare ground around the SA Recycling Facility			
6	covered with a very fine layer of dirt or dust that had the consistency of powder. Walking across			
7	this powdered dirt created small clouds of dust with every step, and the application of water as a			
8	dust control measure caused heavy metal contaminated dust to become airborne.			
9	21. Since on or before November 20, 2013, in operating the SA Recycling Facility, SA			
10	Recycling failed to minimize the release of hazardous waste or hazardous constituents to the air,			
11	soil, or surface water which could threaten human health or the environment in violation of			
12	California Code of Regulations, title 22, section 66265.31, and unless enjoined by order of the			
13	Court SA Recycling may or will continue to operate the SA Recycling Facility in violation of this			
14	requirement.			
15	22. Pursuant to Health and Safety Code section 25189, subdivision (b), or in the			
16	alternative Health and Safety Code section 25189.2, subdivision (b), DTSC is entitled to penalties			
17	of up to \$25,000 for each day against SA Recycling for said violations of California Code of			
18	Regulations, title 22, section 66265.31.			
19	23. DTSC is further entitled to injunctive relief to abate existing violations and prevent			
20	future violations of the HWCL and Title 22.			
21				
22	SECOND CAUSE OF ACTION			
23	(Intentional Disposal of Hazardous Waste) (Health & Saf. Code, §§ 25203 and 25189, subd. (c))			
24				
25	24. DTSC realleges Paragraphs 1 through 17, inclusive.			
26	25. Health and Safety Code sections 25203 and 25189, subdivision (c), prohibit the			
27	intentional disposal, or causing the disposal, of any hazardous waste at any unauthorized point.			
28				
	6			
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1	26. Since on or before November 20, 2013, SA Recycling intentionally disposed of			
2	hazardous waste on the bare ground of the SA Recycling Facility yard and warehouse without a			
3	hazardous waste facilities permit or other grant or authorization from DTSC in violation of Health			
4	and Safety Code sections 25303 abd 25189, subdivision (c), and unless enjoined by order of the			
5	Court SA Recycling may or will continue such disposal.			
6	27. Pursuant to Health and Safety Code section 25189, subdivision (c), DTSC is entitled			
7	to penalties against SA Recycling for said violations of not less than \$1,000 and up to \$25,000 for			
8	each day for each intentional disposal of hazardous waste, and for each day the violations			
9	continued.			
10	28. DTSC is further entitled to injunctive relief to abate existing violations and prevent			
11	future violations of the HWCL and Title 22.			
12				
13	THIRD CAUSE OF ACTION			
14	(Negligent Disposal of Hazardous Waste) (Health & Saf. Code, §§ 25203 and 25189, subd. (d))			
15				
16	29. DTSC realleges Paragraphs 1 through 17, inclusive.			
17	30. Health and Safety Code sections 25203 and 25189, subdivision (d), prohibit the			
18	negligent disposal, or causing the disposal, of any hazardous waste at any unauthorized point.			
19	31. Since on or before November 20, 2013, SA Recycling negligently disposed of			
20	hazardous waste on the bare ground of the SA Recycling Facility's yard and warehouse without a			
21	hazardous waste facilities permit or other grant or authorization from DTSC in violation of Health			
22	and Safety Code sections 25203 and 25189, subdivision (d), and unless enjoined by order of the			
23	Court SA Recycling may or will continue such disposal.			
24	32. Pursuant to Health and Safety Code section 25189, subdivision (d), DTSC is entitled			
25	to penalties against SA Recycling for said violations of up to \$25,000 for each day of negligent			
26	disposal of hazardous waste and for each day the violations continued.			
27	33. DTSC is further entitled to injunctive relief to abate existing violations and prevent			
28	future violations of the HWCL and Title 22.			
	7			
	Complaint for Permanent Injunction, Civil Penalties and Other Equitable Relief (Case No. TBD)			

1	FOURTH CAUSE OF ACTION		
2	(Strict Liability for Disposal of Hazardous Waste) (Health & Saf. Code, §§ 25203 and 25189.2, subd. (c))		
3	(		
4	34. DTSC realleges Paragraphs 1 through 17, inclusive.		
5	35. Health and Safety Code sections 25203 and 25189.2, subdivision (c), provide strict		
6	liability for the disposal, or causing the disposal, of any hazardous waste at any unauthorized		
7	point.		
8	36. Since on or before November 20, 2013, SA Recycling disposed of hazardous waste		
9	on the bare ground of the SA Recycling Facility's yard and warehouse in violation of Health and		
10	Safety Code sections 25203 and 25189.2, subdivision (c), and unless enjoined by order of the		
11	Court SA Recycling may or will continue such disposal.		
12	37. Pursuant to Health and Safety Code section 25189.2, subdivision (c), DTSC is		
13	entitled to penalties against SA Recycling for said violations of up to \$25,000 for each day on		
14	which said disposals of hazardous waste occurred and for each day the violations continued.		
15	38. DTSC is further entitled to injunctive relief to abate existing violations and prevent		
16	future violations of the HWCL and Title 22.		
17			
18	FIFTH CAUSE OF ACTION		
19	(Illegal Storage of Hazardous Waste) (Health & Saf. Code, §§ 25189.2, subd. (d), 25201, subd. (a))		
20			
21	39. DTSC realleges Paragraphs 1 through 17, inclusive.		
22	40. Health and Safety Code section 25201, subdivision (a), prohibits the acceptance,		
23	storage, treatment, and disposal of hazardous waste at a facility without a hazardous waste facility		
24	permit or other grant of authorization from DTSC.		
25	41. Since at least November 20, 2013, SA Recycling stored hazardous waste generated at		
26	the SA Recycling Facility, including but not limited to, (i) waste such as soil, dirt or debris		
27	contaminated with hazardous waste levels of lead from SA Recycling's use of a sweeper; and (ii)		
28	accumulated piles of waste that included dirt, dust or debris on the warehouse floor containing		
	Complaint for Permanent Injunction, Civil Penalties and Other Equitable Relief (Case No. TBD)		

1	hazardous waste levels of lead without a permit or DTSC authorization, specifically by storing		
2	hazardous waste on the bare ground of its yard and in the warehouse of its SA Recycling Facility		
3	in violation of Health and Safety Code section 25201, subdivision (a).		
4	42. Pursuant to Health and Safety Code section 25189, subdivision (b), or Health or		
5	Safety Code section 25189.2, subdivision (b), DTSC is entitled to penalties against SA Recycling		
6	of up to \$25,000 for each day the storage of hazardous waste occurred or continued.		
7	43. DTSC is further entitled to injunctive relief to abate existing violations and prevent		
8	future violations of the HWCL and Title 22.		
9			
10	SIXTH CAUSE OF ACTION		
11	(Failure to Make Hazardous Waste Determination) (Cal. Code Regs., tit. 22, §§ 66260.200, subd. (c), 66262.11)		
12			
13	44. DTSC realleges Paragraphs 1 through 17, inclusive.		
14	45. California Code of Regulations, title 22, sections 66260.200, subdivision (c), and		
15	66262.11, require a generator of waste to determine whether a waste generated at its facility must		
16	be managed as a hazardous waste under the HWCL and Title 22.		
17	46. Since at least November 20, 2013, SA Recycling failed to make a hazardous waste		
18	determination as to whether waste generated at the SA Recycling Facility, including but not		
19	limited to, (1) waste such as soil, dirt or debris contaminated with hazardous waste levels of lead		
20	from SA Recycling's use of a sweeper; and (2) accumulated piles of waste that included dirt, dust		
21	or debris on the warehouse floor containing hazardous waste levels of lead, met the requirements		
22	to be classified as hazardous waste, in violation California Code of Regulations title 22, section		
23	66260.200, subdivision (c), and 66262.11.		
24	47. Under Health and Safety Code, section 25189, subdivision (b) or Health and Safety		
25	Code, section 25189, subdivision (b), DTSC is entitled to up to \$25,000 in penalties against SA		
26	Recycling for each failure to make a hazardous waste determination, and each day those		
27	violations continued.		
28			
	9		

1	48. DTSC is further entitled to injunctive relief to abate existing violations and prevent				
2	future violations of the HWCL and Title 22.				
3	PRAYER FOR RELIEF				
4	DTSC requests that the Court grant the following relief:				
5	1. Enter judgment that SA Recycling violated the HWCL and Title 22, as alleged in the				
6	First through Sixth Causes of Action;				
7	2. Enter judgment that SA Recycling is liable for civil penalties for those violations, as				
8	set forth in Health and Safety Code sections 25189 and 25189.2, according to proof;				
9	3. Enter temporary restraining orders, preliminary injunctions, permanent injunctions, or				
10	other orders requiring SA Recycling to comply with the HWCL and Title 22;				
11	4. Grant DTSC its costs of suit herein against SA Recycling; and				
12	5.	Grant such other and further relief as the Court deems just and	proper.		
13					
14	Dated: 7	May 30, 2017 Respectfully Submitted,			
15		XAVIER BECERRA Attorney General of Californ	nia		
16					
17		Signature on Oriç	Jinal		
18		MARGARITA PADILLA			
19	Supervising Deputy Attorney General Attorneys for Plaintiff, People of the State of				
20		California, ex rel. Barbara California Department of Te	A. Lee, Director,		
21		Control			
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	10 Complaint for Permanent Injunction, Civil Penalties and Other Equitable Relief (Case No. TBD)				
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