



CALIFORNIA CUPA FORUM

"An Association of Certified Unified Program Agencies"

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March 11, 2013

TO: ALL UNIFIED PROGRAM AGENCIES

FROM: BILL JONES, ENFORCEMENT ISSUE COORDINATOR

CHEVRON INJUNCTIVE PROVISIONS

In recent discussions, Unified Program Agency (UPA) staff have raised the question of what they should do months or years down the road from a statewide settlement when they observe additional or similar violations. One suggestion in discussions with statewide prosecutors was to summarize the injunctive provisions following a judgment and distribute the summary to all UPA's. This way UPA's would have easy access to a document that would include the injunctive provisions to compare with any future potential violations.

In addition, it is important that clear direction be provided on what to do if future violations occur and where this information should be sent. For those jurisdictions that have had active involvement by a local prosecutor, this is the obvious point of contact to send subsequent non-compliance information. If your jurisdiction does not have active prosecutorial involvement, you are requested to provide the information to the xxx County District Attorney's Office, ATTN: Deputy DA xxx, Phone: xxx, Fax: xxx, (xx@xxxco.ca.us) with a copy to me.

What follows is a quick and dirty summary of the injunction provisions. For more detailed information, you are directed to the final court document referenced below.

CHEVRON'S INJUNCTIVE PROVISIONS (ref. Case No. RG11593515, Stipulation For Entry of Final Judgment and Permanent Injunction)

Chevron shall comply with:

California Health and Safety Code (Division 20):

Chapter 6.5 Hazardous Waste Control, Sections 25100, et.seq.;

Chapter 6.7 Underground Storage of Hazardous Substances, Sections 25280 et.seq.; and

Chapter 6.95 Hazardous Materials Release Response Plans and Inventory, Sections 25500 et. seq.

Additional Specific Injunctions:

- (a) Chevron, collectively and individually, are enjoined and mandated to implement and to maintain the "Chevron UST Compliance Assurance Initiatives" program. This Chevron UST Compliance Assurance Initiatives program is an environmental management program covering environmental compliance requirements at each of Chevron's Current Facilities and at any New Facility, The Chevron UST Compliance Assurance Initiatives shall consist of the program components and shall meet the program objectives that more fully described in Exhibit E attached hereto and incorporated by reference.

(b) Chevron shall deliver to each owner and/or operator and to each Designated Operator of each Current Facility a one-time communication that provides notice of this Final Judgment and a summary of the compliance provisions contained in this Final Judgment. Within seventy-five (75) days of the Effective Date of the Final Judgment entered in this action, Chevron shall submit a certification to Plaintiff that notice of the Final Judgment and a summary of the compliance provisions contained in this Final Judgment have been provided to each owner or operator and to each Designated Operator of each Current Facility and provide a list of names and addresses to whom the notification was sent. This communication shall be delivered by Chevron to a new owner or operator following any subsequent change in the ownership or operation of any Current Facility, and a copy of the notification sent to Plaintiff as provided in Paragraph 16.

If you have any questions, please feel free to call me at 323-890-4042 or email me at bill.jones@fire.lacounty.gov.

WJ:lc

c. Enforcement Steering Committee