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January 3, 2017

TO: ALL UNIFIED PROGRAM AGENCIES

FROM: BILL JONES, INSPECTION & ENFORCEMENT ISSUE COORDINATOR ^{SENT VIA EMAIL}

BP WEST COAST PRODUCTS LLC, INJUNCTION PROVISIONS

This is to summarize (stipulated) injunctive provisions in the BP WEST COAST PRODUCTS LLC, BP Products North America, Inc., and Atlantic Richfield Company, statewide judgment dated November 17, 2016. This communique is to provide Unified Program Agencies (UPAs) with injunctive provisions to compare with any future potential violations.

This is also to provide clear direction on what to do if future violations occur and where this information should be sent. For those jurisdictions that have active involvement by a local prosecutor, this is the 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 Supervising Deputy Attorney General, Margarita Padilla, Deputy Attorney General Reed Sato or Heather Leslie, at (916) 327-2319, or by email at Reed.sato@doj.ca.gov or Leslie@doj.ca.gov.

What follows is a summary of the injunction provisions. For more detailed information, you are directed to the final court document referenced below (numbered as in the Final Judgement).

BP WEST COAST PRODUCTS LLC et. al., Injunction Provisions (ref. Case No. RG13665900, *Stipulation for Entry of Final Judgment and Permanent Injunction* dated 11/17/2016).

Defendants BP West Coast Products LLC, (a Delaware Limited Liability Corporation; BP Products North America, INC., a Maryland Corporation; Atlantic Richfield Company, a Delaware Corporation;) shall comply with:

California Health and Safety Code (H&SC):

Chapter 6.5 (§25100-§25258.2): Hazardous Waste Control Law

Chapter 6.7 (§25280 - §25299.8): Underground Storage of Hazardous Substances

Chapter 6.95 (§25500-§25519): Hazardous Materials Release Response Plans and Inventory

Injunctive provisions are summarized below. Defendants shall comply with each of the following provisions at all California BP West Coast Products facilities:

7. Pursuant to H&SC sections 25299.01, 25299.04, 25145.4, 25181, 25184, 25515.6, and 25515.8, and the Unfair Competition Law, as set forth in California Business and Professions Code §17203, Defendants are each enjoined and restrained from failing to comply with any of the following legal requirements at the Covered Facilities:

(a) The provisions of Chapter 6.5 of Division 20 of the H&SC, and its implementing regulations and local regulations under the jurisdiction of the applicable Certified Unified Program Agency (hereafter, "CUPA"), Participating Agency (hereinafter "PA") or "Unified Program Agency (hereinafter "UPA"), as defined in H&SC, §25123.7(b) (c) and (d), that are applicable to generators of hazardous waste.

(b) The provisions of Chapter 6.7 of Division.20 of the H&SC, and its implementing regulations and local regulations under the jurisdiction of the applicable UPA related to the installation, operation, modification, repair or closure of underground tank systems.

(c) The provisions of Chapter 6.95 of Division 20 of the H&SC, and its implementing regulations and local regulations under the jurisdiction of the applicable UPA related to hazardous materials.

(d) All related regulations and county ordinances, all county and State of California permits and written orders, based on those statutes and regulations, in addition to those set forth above.

(e) Except as provided expressly herein, nothing in this Final Judgment is intended to create liability for Defendants at any retail gasoline station facility for which they begin ownership or operation after April 1, 2016, based solely on the conduct or failure to act of prior owners or operators of that retail gasoline station facility. For avoidance of doubt, the People retain all enforcement rights, as to such prior owner or operators of such retail gasoline station facilities, and as to violations of Defendants, if any, once they assume operation or ownership of such facilities.

(f) Notwithstanding any other provision in this Final Judgment, nothing in this statutes regulations and standards. Final Judgment shall prospectively relieve Defendants from complying with all applicable statutes, regulations, and standards.

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:lj