

March 2003 Unified Program Newsletter

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Department of Toxic Substances Control

Household Hazardous Waste Collections Calendar

Attached is the monthly household hazardous waste collections temporary events calendar that lists dates and contact information for upcoming temporary collection events for various jurisdictions.

Cal/EPA

AB 1640

AB 1640 is now in print. As introduced, the bill would expand Business Plan and Cal/ARP authority and provide authority for Unified Program permit suspension or revocation by amending Health and Safety Code Sections 25501.4, 25532, and 25540, and adding Section 25404.2.1. Detailed information regarding the provisions of the bill may be viewed at:

http://www.leginfo.ca.gov/pub/bill/asm/ab_1601-1650/ab_1640_bill_20030221_introduced.html

Temporary Restraining Order Granted in Thrifty Best (grease) Case

On January 30, 2003, Sacramento District Attorney Jan Scully announced that a civil enforcement action charging a large Fresno-based grease hauling business with violations of water pollution laws was filed in Stockton, San Joaquin County. Attached are the press release and the restraining order. Following is a summary of the restraining order language:

1. Thrifty Best Service Company is required to "dry-pump" all grease traps it services and bring the contents back to its Fresno facility for proper disposal.
2. Thrifty Best Service must provide the prosecutors in the civil case (through David Irey in San Joaquin County) an advance list of all scheduled service calls in California each week.
3. Thrifty Best Service is required to weigh each of its trucks upon entering or leaving a county in California. Weigh master certificates will be supplied to David each week.
4. Thrifty Best Service is prohibited from violating any federal, state or local laws and must obtain all required permits.
5. Thrifty Best Service must modify the content of its website to conform to the order.
6. Thrifty Best Service is prohibited from making "unreasonable" asset transfers without court permission. This last provision will be argued at a hearing on March 10 in Stockton.

In the event you or your staff observe any violations of the above-noted provisions of the order anywhere in California, please document the incident and contact:

Carol Monahan, Assistant General Counsel
Cal/EPA, Office of the Secretary
1001 I Street, 24th Floor
Sacramento, CA 95814
(916) 322-3638
fax 445-5563
cmonahan@calepa.ca.gov

Updated Evaluation Schedule

The updated evaluation schedule is now available on Cal/EPA's website.
<http://www.calepa.ca.gov/CUPA/Evaluations/Schedule.htm>

Upcoming Meetings

Meeting: Title 27 Workgroup

Date: March 12, 2003

Time: 10:00 am – 3:00 pm

Place: Cal/EPA Headquarters, 1001 I Street, Sacramento, Conference Room 210

Meeting: Unified Program Administration and Advisory Group, Strategic Planning Session

Date: March 26-27, 2003

Time: 3/26 1:00 – 5:00 pm, 3/27 8:00 am – 4:00 pm

Place: Cal/EPA Headquarters, 1001 I Street, Sacramento, Sierra Hearing Room

Meeting: Unified Program Industry and Environmental Roundtable

Date: Friday, March 28, 2003

Time: 9:30 am – 12:30 pm

Place: Cal/EPA Headquarters, 1001 I Street, Sacramento, Sierra Hearing Room

The Unified Program Section is interested in your comments and suggestions regarding the monthly newsletter. Please provide comments and suggestions to Anie Wilson at (916) 327-9559 or awilson@calepa.ca.gov.

[Cal/EPA Unified Program Home Page](#)

HOUSEHOLD HAZARDOUS WASTE COLLECTIONS
FOR 2003

3/4/2003

COUNTY	Site City	Agency Contact	Agency phone	CESQG	Year	Date 1	Date 2	Date 3	Date 4	Date 5	Date 6	Date 7
BUTTE	MAGALIA	JIM DE WEESE	8315387681	NO	2003	0405						
KERN	KERNVILLE	LYNETTE BEURMANN	6618628957	NO	2003	0614						
KERN	LEBEC	LYNETTE BEURMANN	6618628957	NO	2003	0412						
KERN	DELANO	LYNETTE BEURMANN	6618628957	NO	2003	0913						
KERN	MOJAVE	LYNETTE BEURMANN	6618628957	NO	2003	0803						
KERN	RIDGECREST	LYNETTE BEURMANN	6618628957	NO	2003	0510	1108					
KERN	TEHACHAPI	LYNETTE BEURMANN	6618628957	NO	2003	1011						
LOS ANGELES	AZUSA	JOSEPH REILLY	5626997411	NO	2003	0412						
LOS ANGELES	AVALON	JOE REILLY	5626997411	NO	2003	0411	0412					
LOS ANGELES	LANCASTER	JOSEPH REILLY	5626997411X1622	NO	2003	0419						
LOS ANGELES	LAKE LA	JOSEPH REILLY	5626997411X1622	NO	2003	0419						
LOS ANGELES	SANTA CLARITA	JOSEPH REILLY	5626997411X1622	NO	2003	0426						
LOS ANGELES	PICO RIVERA	JOSEPH REILLY	5626997411X1622	NO	2003	0405						
LOS ANGELES	DIAMOND BAR	JOSEPH REILLY	5626997411X1622	NO	2003	0322						
LOS ANGELES	MARINA DEL REY	JOSEPH REILLY	5626997411X1622	NO	2003	0315						
LOS ANGELES	LONG BEACH	JOSEPH REILLY	5626997411X1622	NO	2003	0329						
LOS ANGELES	GLENDALE	JOSEPH REILLY	5626997411X1622	NO	2003	0308						
LOS ANGELES	GARDENA	JOSEPH REILLY	5626997411	NO	2003	0333						
LOS ANGELES	SAN PEDRO	MEHDI SANWARI	3103630496	NO	2003	0426						
SACRAMENTO	GALT	SANDRA WULF	2097456995	NO	2003	0407						
SAN DIEGO	SAN DIEGO	DONNA SKINNER	8584925006	NO	2003	0322						
SAN DIEGO	SAN DIEGO	DONNA SKINNER	8584925006	NO	2003	0329						
SAN DIEGO	SAN DIEGO	DONNA SKINNER	8584925006	NO	2003	0517						
SAN JOAQUIN	TRACY	JENNIFER DICIANO	2094683033	YES	2003	0425	0426					
SAN MATEO	MENLO PARK	DERMOT CASEY	6503634957	YES	2003	0412	0809	1108				
SAN MATEO	SAN MATEO	DERMOT CASEY	6503634957	YES	2003	0510	0614	0913	1011			
SAN MATEO	DALY CITY	DERMOT CASEY	6503634957	YES	2003	0503						
SAN MATEO	PORTOLA VALLEY	DERMOT CASEY	6503634957	YES	2003	0906						
SAN MATEO	REDWOOD CITY	DERMOT CASEY	6503634957	YES	2003	0308	0531	0712	1213			
SANTA CLARA	SANTA CLARA	ROB D'ARCY	4082996930	YES	2003	0426						
SANTA CLARA	SANTA CLARA	ROB D'ARCY	4082296930	YES	2003	0426						
TULARE	PORTERVILLE	JOEL MARTENS	2097336441	NO	2003	0315						
TULARE	LINDSAY	TOM MCCURDY	5596471359	NO	2003	0326	0327	0328	0329			
TULARE	LINDSAY	TOM MCCURDY	5596471359	NO	2003	0326	0327	0328	0329			
TUOLUMNE	BIG OAK FLAT	MARK RAPPAPORT	2095335588	YES	2003	0531	0726					
TUOLUMNE	SONORA	MARK RAPPAPORT	2095335588	YES	2003	0405	0607	0802	0906			
TUOLUMNE	PINECREST	MARK RAPPAPORT	2095335588	YES	2003	0405	0607	0802	0906			
VENTURA	NEWBERRY PARK	GAIL KAUFMAN	8054492428	YES	2003	0405	0503	0607	0712	0802	0913	1014
VENTURA	VENTURA	RAY OLSEN	8056524593	YES	2003	0308	0517	0726	1025			
VENTURA	SIMI VALLEY	VIJIT SINGH	8055836782	NO	2003	0315	0419	0517	0621	0719	0816	0920
YOLO	WOODLAND	SARAH KITTLE	5307575564	YES	2003	0314	0315	0516	0517	0718	0719	0919

for changes contact
Lee Halverson at (510) 540-3894 or lhalverson@dtsc.ca.gov

CALL FOR APPOINTMENTS AND TIMES
DATE IS REFLECTED AS MONTH/DAY (E.G., 0405 IS APRIL 5TH)



OFFICE OF THE

DISTRICT ATTORNEY

SACRAMENTO COUNTY

JAN SCULLY
DISTRICT ATTORNEY

CYNTHIA G. BESEMER
CHIEF DEPUTY

CASE OF INTEREST

Date: January 30, 2003

Contact: Lisa Burroughs
Deputy District Attorney
Telephone: 9160874-6597

ONE OF CALIFORNIA'S LARGEST GREASE HAULING BUSINESSES ACCUSED OF POLLUTION AND ILLEGAL BUSINESS PRACTICES

Sacramento District Attorney Jan Scully announced today that a civil enforcement action charging a large Fresno-based grease hauling business with violations of water pollution laws was filed in Stockton, San Joaquin County. The case is based on the work of a statewide multi-County taskforce created by the California Environmental Protection Agency to focus enforcement efforts on the illegal disposal of waste grease in California. The complaint was filed in San Joaquin County with the action joined by eleven counties throughout California including Kings, Madera, Merced, Monterey, Sacramento, San Bernardino, Shasta, Solano, Sonoma, Stanislaus, and Tehama Counties.

The complaint alleges that Thrifty Best Service, a company operated by Central California Wastepaper Incorporated violated provisions of the state Water Code and Fish and Game Code, created a public nuisance and engaged in unfair business practices including false advertising by illegally dumping inedible kitchen grease into public sewers and storm drains. Thrifty Best Service faces penalties under the complaint in excess of \$3 Million dollars. Prosecutors will also be seeking a court order preventing Thrifty Best Service from illegally disposing of grease waste while the action is pending.

The illegal disposal of restaurant grease is a significant statewide problem causing damage to publicly owned sewage treatment facilities, expensive sewer back-ups and damage to the environment including water pollution. Businesses contracting with Thrifty Best for waste grease services expect the company to properly dispose of the waste through sewage treatment plants, rendering plants or recycling facilities and were likely unaware of the alleged unlawful disposals. The complaint alleges that Thrifty Best Service employees have violated the law in at least seven incidents occurring in seven different locations ranging from Redding to Rancho Cucamonga.

Thrifty Best Service was recently convicted of water pollution-related crimes in Santa Clara County and was ordered to pay over \$34,000 in fines and costs. In the same case, one of Thrifty Best Service's drivers was convicted of a felony and was sentenced to up to 90 days in jail and must pay a \$13,500 fine. A felony complaint was also recently filed against Thrifty Best Service and another of its drivers in Sonoma County. The case is pending at this time.

The District Attorneys joining in today's filing include:

RONALD L. CALHOUN
District Attorney of Kings County

ERNEST J. LICALSI
District Attorney of Madera County

GORDON SPENCER
District Attorney of Merced County

DEAN FLIPPO
District Attorney of Monterey County

JAN SCULLY
District Attorney of Sacramento County

MICHAEL RAMOS
District Attorney of San Bernardino County

JOHN D. PHILLIPS
District Attorney of San Joaquin County

McGREGOR SCOTT
District Attorney of Shasta County

DAVID W. PAULSON
District Attorney of Solano County

STEPHAN PASSALACQUA
District Attorney of Sonoma County

JAMES C. BRAZELTON
District Attorney of Stanislaus County

GREG COHEN
District Attorney of Tehama County

by, through, under, or on behalf of defendant and all persons in concert with or participating with said defendants with actual or constructive knowledge of this injunction, only insofar as they are doing business in California and confined to defendants' business activities in each California county represented herein and throughout the State of California.

TEMPORARY RESTRAINING ORDER

2. Defendants, and their successors, survivors, officers, directors, agents, employees, representatives, and all persons acting in concert or participation with any of them who have actual or constructive notice of this judgment are hereby temporarily restrained and mandated to act in the following manner:

- a. Starting from the date of this order and until further order of the Court, Defendants will dry pump all traps they service in California and bring all the grease retrieved from such service back to Fresno County for lawful disposal. For the purposes of this Order and Temporary Restraining Order, Dry pump shall mean the more restrictive definition of either (1) the definition of dry pump as used by the controlling jurisdiction where the service is being performed, or (2) the same meaning as the term Full pump to-wit: to remove by vacuum pumping or other suction process all grease, grease waste, oil, food, sediment, greasy water, and/or other waste material present in the grease trap being serviced at the time of a regularly scheduled service event as provided in paragraph 2.c. herein below. If Defendants do not dispose of grease in this manner, Defendants are prohibited from**

providing any further service to any clients in the State of California.

- b. Within one week of the date of this order, Defendants will provide a list of all customers serviced in the calendar year 2002 for the counties collectively involved in this suit. The list will include the location and date of each pick up and the amount of grease picked up at each location. This list for all represented counties will be delivered to David Irely at the San Joaquin County District Attorneys Office. Without a complete list or timely delivery, Defendants are not permitted to provide further service to any clients in the State of California.**
- c. From the date of this Order and Temporary Restraining Order and until further order of this Court, each week Defendants shall prepare a list of all customers which Defendants intend to service for that week in the state of California. This statewide list shall be delivered to David Irely via facsimile at the San Joaquin County Office of the District Attorney before 5:00 p.m. Monday of each week before service is performed by Defendants. Without a complete list or timely delivery, Defendants will not provide service to any clients in the State of California for the week in question. The information provided will include the name, address and telephone number of the customer and the approximate date and time of grease pick up during that week. Without a complete list or timely delivery, Defendants are not permitted to provide further service to any clients in the State of California.**

- d. Each of Defendant's trucks which come into a California county must be weighed empty by a certified weigh master in that county before any service is performed by Defendants. After grease is picked up in that county by Defendant's truck, the same truck must be weighed on the way out of that county. At the end of the week's pick ups, specifically by the next Monday morning at 10:00 a.m., Defendants will deliver a copy of the previous week's weigh master certificates to David Irely at the San Joaquin County Office of the District Attorney. Without a complete list or timely delivery, Defendants are not permitted to provide further service to any clients in the State of California.**
- e. In all its activities, Defendants shall not violate the Fish and Game Code 5650.1, Civil Code 3479, Penal Code 374.2, Water Code 13387, Business and Professions Code 17200 and 17500. Furthermore, Defendants shall adhere to all requirements, local and statewide, which require proper permits and conduct in the operation of a grease waste hauling business.**
- f. Within one week of this order, Defendants shall change their web site, www.thriftybest.com to eliminate any such language which indicates that defendant's procedure for servicing grease traps is lawful and/or permitted.**
- g. As of the date of this Order and Temporary Restraining Order and until further order of the court, Defendants and each of them shall be prohibited from the unreasonable transfer of any assets or encumbrance of any asset**

without prior approval of this court.

RETENTION OF JURISDICTION

3. Jurisdiction is retained for the purpose of enabling any party to this injunction to apply to the court at any time for such further orders or directions as may be necessary or appropriate for the carrying out of this order, for the resolution of any dispute or for the modification Order and Temporary Restraining Order on of any of the injunctive provisions herein, for the enforcement of compliance therewith, and the punishment of violations thereof.

EFFECTIVE DATE

4. This Order and Temporary Restraining Order shall take effect immediately upon entry thereof.

The hearing on Plaintiff's application to the Court for a Preliminary Injunction is continued to Monday, March 10, 2003, at the hour of 10:00 a.m. in Department 11 of the above-entitled Court. Briefing shall comply with the briefing schedule issued by the Court in its Minute Order of February 18, 2003.

DATED: February 19, 2003

**/s/ B. W. MC NATT
BOB W. McNATT
JUDGE OF THE SUPERIOR COURT**

Approved as to form and content:

**/s/ Richard L. Harriman
RICHARD L. HARRIMAN
Attorney for Defendants**