

OFFICE OF THE
DISTRICT ATTORNEY
COUNTY OF SANTA BARBARA

JOYCE E. DUDLEY
District Attorney



DA 04-655

RELEASE NUMBER

April 7, 2022

RELEASE DATE

Joyce E. Dudley

Christopher Dalbey, Deputy District Attorney

Contact: (805) 568-2436

* * * * * P R E S S R E L E A S E * * * * *

RE: *People v. Summerland Market, Inc. et al.*
Santa Barbara County Superior Court, Case No. 18CV06163

Summerland Gas Station Operators Settle Environmental Protection Action

The People Alleged Years of Environmental Violations

District Attorney Joyce E. Dudley announced today that her Consumer and Environmental Protection Unit settled a civil action against Summerland Market, Inc., and Elian Mtanous Hanna, the former operators of underground storage tanks (“USTs”) at the gas station on Lillie Avenue in Summerland.

The case arose after inspectors from the Santa Barbara County Certified Unified Program Agency (“CUPA”) documented numerous, repeated violations of state law concerning the operation of USTs containing gasoline, handling of hazardous materials, and management of hazardous waste. The civil complaint filed in December 2018 alleged unlawful conduct over the course of nearly five years, beginning in August 2013. The alleged violations include operating a UST without the required CUPA permit, disabling the automatic leak-detection system, not keeping leak-detection sensors in a position to detect leaks at the earliest possible opportunity, failing to test the secondary-containment system in a timely manner, failing to annually certify the leak-detection monitoring equipment, unlawfully disposing hazardous waste, and failing to establish and implement a Hazardous Materials Business Plan. These alleged violations commenced only a month after the District Attorney resolved a prior civil action against these same defendants for \$30,000 in civil penalties (Santa Barbara Superior Court, Case No. 1414393).

On March 17, 2022, a Final Judgment by Stipulation was entered to resolve the case. The Final Judgment includes the following provisions:

- \$165,000 in civil penalties.
 - \$100,000 to Santa Barbara County, for the exclusive use by the District Attorney for the enforcement of consumer protection laws.
 - \$42,500 to Santa Barbara County CUPA.
 - \$11,250 to Santa Barbara County District Attorney’s Office.
 - \$7,500 to California General Fund, Toxic Substances Control Account.
 - \$3,750 to California Department of Toxic Substances Control.
- \$4,037.50 in cost reimbursement to Santa Barbara County CUPA.
- Injunction requiring the defendants to comply with environmental laws and regulations.

District Attorney Dudley said, "These repeated violations were committed despite a prior enforcement action. The defendants' apparent disregard for our community's well-being showed a pattern of behavior that repeatedly threatened the safety of the public, employees, first responders, and our environment. Our office will always seek to protect our community from the formidable dangers related to underground storage tanks, hazardous materials, and hazardous waste."

* * * * *