



# Enforcement News

## **Long Beach Issued \$2.5 Million Penalty for Violating 2010 Consent Judgment in Underground Storage Tank Case**

**FOR IMMEDIATE RELEASE**

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SACRAMENTO –The city of Long Beach was issued a \$2.5 million penalty from Los Angeles County Superior Court last week for violating the terms of a Jan. 21, 2010 Consent Judgment related to historic underground storage tank (UST) violations.

The 2010 judgment resolved violations alleged by the State Water Resources Control Board (State Water Board) against Long Beach that began in 2003. The alleged violations included failing to perform required testing and monitoring, and not installing leak prevention equipment at 40 UST facilities, many of which are located at fire and police stations.

Under the terms of the 2010 judgment, Long Beach paid \$1.5 million in civil penalties and an additional \$200,000 in reimbursement for the State Water Board's costs of enforcement. Long Beach was credited \$2 million for actions it took to enhance compliance at its tank facilities above and beyond existing laws and regulations. Long Beach did not deny responsibility for any of the violations and an additional \$2.5 million in penalties was suspended as long as Long Beach remained in compliance with the terms of the agreement for five years.

Between January 2013 and August 2014 the State Water Board conducted compliance inspections at 15 of Long Beach's 16 UST facilities. During these inspections, a number of violations were found, each of which triggered the reinstatement of the suspended \$2.5 million penalty.

The State Water Board filed its Motion to Enforce in Los Angeles Superior Court on Dec. 23, 2014 and the Court heard arguments from Long Beach and the State Water Board on Jan. 23 and Feb. 10. In its ruling, the Court found that Long Beach failed to conduct required leak detection testing prior to placing USTs in use, failed to timely repair secondary containment, and failed to install tamper-proof sensors as required.

The State Water Board was represented in the proceeding by California's Attorney General's Office. A copy of the 2010 Consent Judgment and Complaint can be found on the State Water Board's [website](#).

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