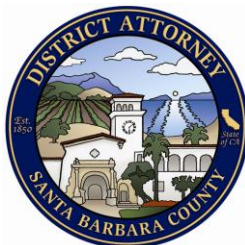


OFFICE OF THE
DISTRICT ATTORNEY
COUNTY OF SANTA BARBARA

JOYCE E. DUDLEY
District Attorney



DA 12-515

RELEASE NUMBER

December 20, 2018

RELEASE DATE

Joyce E. Dudley

APPROVED BY JOYCE E. DUDLEY, DISTRICT ATTORNEY

Christopher Dalbey, Deputy District Attorney

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***** PRESS RELEASE *****

Happy Linen, LLC, Settles Environmental Violations with the District Attorney

Commercial Laundry Facility Unlawfully Disposed of Hazardous Waste

Santa Barbara County District Attorney Joyce E. Dudley announced today the resolution of an environmental-protection action against Happy Linen, LLC, South Coast Property Company 96-A, L.P., Brian Michael Raschiatore, Leonard Himelsein, Christopher James Parker, Thomas Charles Parker, and Sam Scott Tyler.

Happy Linen, LLC, operates a commercial laundry facility in the City of Santa Barbara. South Coast Property Company is an entity related to Happy Linen, and is the permit holder for the facility's wastewater discharge into City sewers. Mr. Raschiatore owns Happy Linen, LLC. The four other individual defendants own the commercial property where Happy Linen is located.

The defendants and the District Attorney stipulated to the entry of final judgment, without admission of liability, in this civil case filed on July 17, 2018, in the Superior Court for Santa Barbara County.

In December 2015, a supervisor at the Santa Barbara County Transfer Station notified the Santa Barbara County Certified Unified Program Agency ("CUPA")—a division of Santa Barbara County Environmental Health Services—about potential illegal dumping of hazardous waste. A U-Haul truck had deposited a load of various materials, including 5-gallon buckets and 15-gallon drums labeled with the names of corrosive substances, miscellaneous paper waste, and mail addressed to Happy Linen. The CUPA inspectors determined that some of the containers were not emptied and contained liquids with a pH over 12.5, which qualified them as hazardous waste under California law. The CUPA also discovered that Happy Linen had failed to establish and implement a Hazardous Materials Business Plan ("HMBP"), which was required by state law because Happy Linen handled more than 55 gallons of a hazardous material. The HMBP provides basic information to first responders and the public about the presence of hazardous materials at a facility.

In addition, the City of Santa Barbara Public Works Department detected a pH greater than 10.0 in wastewater samples collected at the facility, in violation of the Municipal Code. The District Attorney alleged that South Coast Property Company was liable for these violations, as the wastewater discharge permittee, and that the property owners were liable based on a provision of the Municipal Code making all property owners strictly liable for Municipal Code violations that occur on their property.

The Final Judgment includes the following provisions:

- Dismissal of all claims against Brian Michael Raschiatore;
- \$41,000 in civil penalties;
- \$3,000 to the CUPA for investigation and enforcement costs; and
- \$2,100 to the City of Santa Barbara Public Works Department for enforcement costs.
- Injunction against Happy Linen, South Coast Property Company, and the property owners, making it easier to enforce future compliance with the Health and Safety Code and Municipal Code.

District Attorney Dudley said, “These violations threatened public safety, and the hazardous-waste violations directly risked the safety of personnel at the County Transfer Station. We are grateful that the defendants agreed to resolve this matter and take appropriate steps to comply with the law in the future.”

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