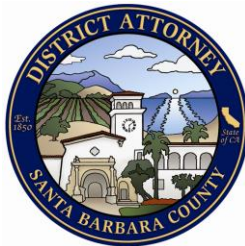


OFFICE OF THE  
**DISTRICT ATTORNEY**  
COUNTY OF SANTA BARBARA

**JOYCE E. DUDLEY**  
District Attorney



DA 07-541

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July 26, 2019

RELEASE DATE

*Joyce E. Dudley*

APPROVED BY JOYCE E. DUDLEY, DISTRICT ATTORNEY

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\*\*\*\*\* PRESS RELEASE \*\*\*\*\*

***J&A-Santa Maria, LLC, Settles Environmental Violations with the District Attorney***

***Operator of Cogeneration Facility at Marian Regional Medical Center Admits Liability for Multiple Environmental Violations***

Santa Barbara County District Attorney Joyce E. Dudley announced today the resolution of a civil action against J&A-Santa Maria, LLC, J&A-Santa Maria II, LLC, and Alan Janechek.

J&A-Santa Maria operates the electrical cogeneration facility on the premises of Marian Regional Medical Center. J&A-Santa Maria II operates a methane capture and transportation facility at the Santa Maria Regional Landfill. The methane is burned at the cogeneration facility to produce electricity. Mr. Janechek is the manager of both “J&A” entities.

The defendants and the District Attorney stipulated to the entry of final judgment in this civil case filed on November 21, 2018, in the Superior Court for Santa Barbara County.

On August 5, 2017, the Santa Maria Fire Department responded to a fire at the cogeneration facility. Upon arrival, they pulled back because of concern about methane gas and unknown chemicals in the building. Because J&A-Santa Maria had not submitted a Hazardous Materials Business Plan (“HMBP”) to the state, first responders did not know what was burning and how to safely extinguish it. Santa Maria Fire personnel called the Hazardous Materials division of the Santa Barbara County Fire Department. The methane pipeline was successfully turned off and the two fire departments worked together to extinguish the fire.

Further investigation by the Santa Barbara County Certified Unified Program Agency (“CUPA”)—a division of Santa Barbara County Environmental Health Services—revealed violations of multiple environmental-protection statutes. At the cogeneration facility, J&A-Santa Maria and Mr. Janechek failed to properly label and keep closed all hazardous-waste containers, to prepare a Spill Prevention Control and Countermeasure Plan concerning aboveground petroleum storage, and to prepare and submit a HMBP to the state. At the landfill facility, J&A-Santa Maria II and Mr. Janechek failed to prepare and submit a HMBP. The defendants admitted liability for their environmental violations.

The Final Judgment includes the following provisions:

- Finding of liability against the defendants;
- \$83,450 in civil penalties;
  - \$2,000 to the state General Fund, Toxic Substances Control Account.
  - \$19,125 to the District Attorney’s Office.
  - \$19,125 to the CUPA.
  - \$43,200 to the County of Santa Barbara.

- \$2,500 to the CUPA for investigation and enforcement costs;
- \$4,000 to the Santa Barbara County Fire Department for emergency response costs;
- \$7,000 to the Santa Maria Fire Department for emergency response costs;
- \$6,000 as a supplemental environmental project to the Craig Thompson Environmental Protection Prosecution Fund; and
- Injunction against all defendants making it easier to enforce future compliance with the Health and Safety Code.

District Attorney Dudley said, “These violations threatened the safety of the public, first responders, hospital personnel, and landfill personnel. This is an example of the dangerous, real-world implications of the failure to comply with environmental statutes.”

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