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Exempt from fees pursuant
to Government Code Section
6103.

~~CONFIDENTIAL~~

13
14 IN THE CONSOLIDATED SUPERIOR/MUNICIPAL COURTS

15
16 OF RIVERSIDE COUNTY, STATE OF CALIFORNIA

17 THE PEOPLE OF THE STATE OF CALIFORNIA,) GENERAL CIVIL
18 Plaintiff,) NO. 281690

19 v.)

20)
21) COMPLAINT FOR
22 CHURCH OF SCIENTOLOGY INTERNATIONAL) CIVIL PENALTIES,
23 dba GOLDEN ERA PRODUCTIONS,) PURSUANT TO
24 a California non-profit religious) HEALTH AND SAFETY
25 corporation;) CODE SECTION
26) 25100 ET SEQ.
27)

28 Defendant)

29 The People of the State of California, by and through GROVER
30 TRASK, District Attorney for the County of Riverside, State of
31 California, and Elise Jacobs Farrell, Deputy District Attorney for
32 the County of Riverside, State of California, hereby allege upon
33 information and belief the following:

34 ///
35 ///

Case #: 281690 Filed: 5/29/96 By: RCCDK 02
MFS Hearing on 7/30/96 at 8:30 in Dept. 02
Stat. Conf. on 12/03/96 at 8:30 in Dept. 02

1. Grover C. Trask II, District Attorney for the County of Riverside, acting to protect the public from health and safety hazards brings this action in the public interest in the name of the People of the State of California, and on behalf of the California Department of Toxic Substances Control (hereinafter referred to as "Department"), and the Riverside County Department of Environmental Health, pursuant to the California Hazardous Waste Control law, as contained in Health and Safety Code Section 25100, et seq.

2. The Department is a public agency of the State of California duly created, organized and existing under and pursuant to Section 100 et seq. of the Health and Safety Code and pursuant to law. Pursuant to Sections 205 and 206 of the Health and Safety Code, the Department may, inter alia, commence and maintain all proper and necessary actions and proceedings to enforce its rules and regulations, to enjoin and abate nuisances dangerous to health and to protect and preserve the public health. The Department administers and enforces the provisions of the Hazardous Waste Control Law, as contained in Health and Safety Code Section 25100, et seq.

3. Pursuant to Health and Safety Code Sections 502 and 25180, and a Memorandum of Understanding with the Department dated May 24, 1984, the Riverside County Department of Environmental Health is a duly authorized enforcement agency for the purposes of enforcing the California Hazardous Waste Control Law (HWCL).

4. Health and Safety Code Sections 25181 and 25182 provide that upon showing by the Department, or its designee, the Riverside County Department of Environmental Health, that any person has engaged in or is about to engage in any acts or practices which constitute or will constitute a violations of any provision of the act or any rule, regulation or other order issued thereunder, a permanent or temporary injunction, restraining order, or other order may be granted and that the District Attorney of the county in which such acts or practices occurred may bring such actions.

1 5. Grover C. Trask II, District Attorney of the County of
2 Riverside, is authorized, pursuant to Section 25182 of the Health
3 and Safety Code, to commence a civil actions pursuant to Chapter
4 6.5 of Division 20 of the Health and Safety Code.

5 6. The Defendant at all times mentioned herein have
6 transacted business within the County of Riverside. The
7 violations hereinafter described, have been carried out within
8 County of Riverside, State of California.

9 7. Venue of this action in the County of Riverside is
10 mandated by Health and Safety Code Section 25183.

11
12 DEFENDANT

13 8. Defendant CHURCH OF SCIENTOLOGY INTERNATIONAL, DBA
14 GOLDEN ERA PRODUCTIONS is a California non-profit religious
15 corporation doing business in Riverside, California.

16
17 FIRST CAUSE OF ACTION

18
19 Negligent Violations of Hazardous Waste Control Act
20 (Health and Safety Code Sections 25100, et seq.)

21 9. Plaintiff realleges and incorporates herein by reference
22 Paragraphs One (1) through Eight (8) inclusive, as though set
23 forth herein.

24 10. Within the past five (5) years Defendant engaged in
25 negligent acts and omissions in violation of the HWCL as follows:

26
27 On or about October 20, 1995, Defendant negligently
28 disposed and caused the disposal of hazardous
29 wastes to points which were not authorized for the
30 disposal of hazardous wastes according to the
31 provisions of the HWCL by disposing of paint and
32 thinner, hazardous waste, into a dumpster in the
33 City of Gilman Hot Springs, County of Riverside, in
34 violation of Section 25189(b) and (d) of the Health
35 and Safety Code.

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WHEREFORE, plaintiff prays for judgment as follows:

1. That pursuant to Section 25189(b), and (d), of the Health and Safety Code, Defendants be ordered to pay a civil penalty for each separate violation of law perpetrated by Defendants as alleged in the First Cause of Action, according to proof.

2. That defendant pay actual compensation to the County of Riverside, Department of Environmental Health for all cleanup operations for removing any part of the contamination, residual or otherwise, caused by the Defendant as set forth in the Complaint.

3. For the costs of suit incurred herein.

4. For such other and further relief as this court may deem just and proper.

Dated this 30th day of May, 1996.

GROVER C. TRASK II
District Attorney

By Elise J. Farrell
Elise Jacobs Farrell
Deputy District Attorney
Attorney for Plaintiff

EJC:me
PLEAD94: #367