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DOWNTOWN COURTHOUSE  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SACRAMENTO

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12 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
 13 COUNTY OF SACRAMENTO

16 PEOPLE OF THE STATE OF CALIFORNIA EX  
 17 REL. STATE WATER RESOURCES CONTROL  
 BOARD,

18 Plaintiff,

19 v.

Case No. 34-2014-00164107

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**FIRST AMENDED COMPLAINT FOR  
 CIVIL PENALTIES, PERMANENT  
 INJUNCTION, AND OTHER  
 EQUITABLE RELIEF**

21 ALI AMIRI;  
 22 AZAD AMIRI;  
 23 HALEH AMIRI;  
 NASRIN AMIRI;  
 SHIVDEEP BHINDER;  
 24 SYBLE BOKIDES;  
 DILPAL SINGH DHILLON;  
 NARGES EGHTESDADI;  
 25 ABDUL FAROOQ;  
 SATAR HIDARINEJAD;  
 26 DARSHAN SINGH KANG;  
 HARWANT KAUR KANG;  
 27 SARBJIT SINGH KANG;  
 BAHMAN NOORI;  
 28 JAVAD SOLTANI

1 **MOHAMMAD QADAR SALEEM;**  
2 **DARSHAN S. SINGH;**  
3 **PARMJIT SINGH;**  
4 **RAJINDER SINGH;**  
5 **RAMAN S. SINGH;**  
6 **AMERI MGMT COMPANY, INC.;**  
7 **AMERI OIL COMPANY, INC.;**  
8 **ARIA OIL COMPANY, INC.;**  
9 **THE BOKIDES FAMILY LIMITED**  
10 **PARTNERSHIP;**  
11 **DARA PETROLEUM, INC.;**  
12 **DUNNIGAN -SACRAMENTO, LLC;**  
13 **EMERALD BUSINESS GROUP, INC.;**  
14 **KANG PROPERTY, INC.;**  
15 **MEYERS HOLDING CO., LLC;**  
16 **NORTH TAHOE STATION, INC.;**  
17 **PARTHIAN INCORPORATED;**  
18 **SACRAMENTO/DUNNIGAN PROPERTY, INC.;**  
19 **SOUTH TAHOE STATION, INC.;**  
20 **STARS HOLDING CO., LLC;**  
21 **TAHOE 3208 HIGHWAY 50 CORPORATION;**  
22 **TAHOE BLUE, LLC;**  
23 **TAHOE BLUE PROPERTY, INC.;**  
24 **TAHOE STATION, INC.; AND**  
25 **DOES 1 THROUGH 500, INCLUSIVE,**

26  
27  
28  
Defendants.

17 Plaintiff, People of the State of California ex rel. State Water Resources Control Board, is  
18 informed and believes, and based thereon, alleges as follows:

19 1. Plaintiff, People of the State of California ex rel. State Water Resources Control  
20 Board (State Water Board), bring this action by and through Kamala D. Harris, Attorney General  
21 of the State of California (Attorney General) on behalf of the State Water Board.

22 2. Pursuant to Water Code section 13000 et seq., the Legislature established the State  
23 Water Board to ensure comprehensive protection of California's waters.

24 3. Under Chapter 6.7 of Division 20 of the Health and Safety Code (Chapter 6.7), the  
25 State Water Board is required to adopt regulations implementing the laws governing the  
26 construction, maintenance, testing, and operation of underground storage tank (UST) systems.

27 4. Pursuant to Health and Safety Code section 25299 et seq., the Attorney General may  
28 bring an action for civil penalties and injunctive relief in the name of the People of the State of

1 California for violations of state law dealing with the underground storage of hazardous  
2 substances, as set forth in Chapter 6.7.

3 5. Chapter 6.7 was promulgated to protect the environment and the public health and  
4 safety by requiring that UST systems be properly constructed, maintained, inspected, tested, and  
5 upgraded.

6 6. The People bring this action without prejudice to any other action or claims which  
7 they may have based on separate, independent, and unrelated violations of Chapter 6.7 by the  
8 defendants and/or on facts which are not alleged in this First Amended Complaint (hereinafter  
9 "Complaint").

#### 10 VENUE

11 7. This action is venued in Sacramento County because some of the violations alleged in  
12 the complaint occurred in Sacramento County; the principal offices of some of the defendants,  
13 including Dara Petroleum, Inc., and Dunnigan-Sacramento, LLC, are located in Sacramento  
14 County; some of the defendants, including Shivdeep Bhinder, Harwant Kaur Kang, Mohammad  
15 Qadar Saleem, Parmjit Singh, and Rajinder Singh, reside in Sacramento County; and Sacramento  
16 County is the county in which the Attorney General has an office nearest to the county in which  
17 the principal office of any of the defendants in this state is located, pursuant to Health and Safety  
18 Code section 25299.03.

#### 19 NATURAL DEFENDANTS

20 8. Defendant Ali Amiri is, and at all times relevant to the claims in this Complaint was,  
21 an individual residing in the County of Contra Costa, State of California. Ali Amiri and DOES 1  
22 through 10, inclusive, shall be referred to collectively as "Ali Amiri." Ali Amiri is, and at all  
23 times relevant to the claims in this Complaint was, an employee of Defendants Aria Oil  
24 Company, Inc. and Ameri Mgmt, Inc. and, in his capacity as an employee, managed and  
25 operated the gasoline service stations, including the UST systems, at 28700 County Road 6,  
26 Dunnigan, California and 4480 Chiles Road, Davis, California.

27 9. Defendant Azad Amiri is, and at all times relevant to the claims in this Complaint  
28 was, an individual residing in the County of Contra Costa, State of California. Azad Amiri and

1 DOES 11 through 20, inclusive, shall be referred to collectively as "Azad Amiri." At all material  
2 times relevant to the claims in this Complaint, Azad Amiri is, and was, an officer, director,  
3 member, partner, or sole proprietor of, and controlled the actions of, the following business  
4 entities, all of which are named as defendants in this Complaint: (a) Ameri Mgmt Company, Inc.;  
5 (b) Ameri Oil Company, Inc.; (c) Aria Oil Company; (d) Dara Petroleum, Inc.; (e) Kang Property,  
6 Inc.; (f) Meyer Holding Co., LLC; (g) Parthian Incorporated (h) Sacramento/Dunnigan Property,  
7 Inc.; (i) Stars Holding Co., LLC; (j) Tahoe 3208 Highway 50 Corporation; (k) Tahoe Blue, LLC;  
8 and (l) Tahoe Blue Property, Inc. At all times relevant to the claims in this Complaint, Azad  
9 Amiri is, and was, the owner of the properties located at (a) 1140 Emerald Bay Road, South Lake  
10 Tahoe, California; (b) 4323 Clayton Road, Concord, California, and (c) 913 Emerald Bay Road,  
11 South Lake Tahoe, California and owned and/or operated the UST systems located on these  
12 properties.

13 10. Defendant Haleh Amiri is, and at all times relevant to the claims in this Complaint  
14 was, an individual residing in the County of Contra Costa, State of California. Haleh Amiri and  
15 DOES 21 through 30, inclusive, shall be referred to collectively as "Haleh Amiri." At all material  
16 times relevant to the claims in this Complaint, Haleh Amiri is, and was, an officer, director,  
17 manager, member or partner of, and controlled the actions of Defendants Ameri Oil Company,  
18 Inc. and Stars Holding Co., LLC. At all material times relevant to the claims in this Complaint,  
19 Haleh Amiri is, and was, the owner of the real property and the UST systems located at 28700  
20 Road 6, Dunnigan, California and 6421 Capitol Avenue, Lodi, California.

21 11. Defendant Nasrin Amiri is, and at all times relevant to the claims in this Complaint  
22 was, an individual residing in the County of Contra Costa, State of California. Nasrin Amiri and  
23 DOES 31 through 40, inclusive, shall be referred to collectively as "Nasrin Amiri." Nasrin Amiri  
24 is, and at all times relevant to the claims in this Complaint was, an officer, director, member or  
25 partner of Defendants Ameri Oil Company, Inc. and Stars Holding Co., LLC. At all material  
26 times relevant to the claims in this Complaint, Nasrin Amiri is, and was, the owner of the real  
27 property and the UST systems located at 4323 Clayton Road, Concord, California.  
28

1           12. Defendant Shivdeep Bhinder is, and at all times relevant to the claims in this  
2 Complaint was, an individual residing in the County of Sacramento, State of California.  
3 Shivdeep Bhinder and DOES 41 through 50, inclusive, shall be referred to collectively as  
4 "Shivdeep Bhinder." At all material times relevant to the claims in this Complaint, Shivdeep  
5 Bhinder is, and was, an officer, director, and controlled the actions Defendant  
6 Sacramento/Dunnigan Property, Inc.

7           13. Defendant Syble Bokides is, and at all times relevant to the claims in this Complaint  
8 was, an individual residing in the County of San Joaquin, State of California. Syble Bokides and  
9 DOES 51 through 70, inclusive, shall be referred to collectively as "Syble Bokides." At all  
10 material times relevant to the claims in this Complaint, Syble Bokides is, and was, the general  
11 partner of, and controlled, The Bokides Family Limited Partnership.

12           14. Defendant Dilpal Singh Dhillon is, and at all times relevant to the claims in this  
13 Complaint was, an individual residing in the County of Yolo, State of California. Dilpal Singh  
14 Dhillon and DOES 71 through 80, inclusive, shall be referred to collectively as "Dilpal Singh  
15 Dhillon." At all material times relevant to the claims in this Complaint, Dilpal Singh Dhillon is,  
16 and was, an officer, director, and controlled the actions of Defendant South Tahoe Station, Inc.  
17 At all material times relevant to the claims in this Complaint, Dilpal Singh Dhillon is, and was,  
18 the owner of the real property and the UST systems located at 2304 Lake Tahoe Boulevard, South  
19 Lake Tahoe, California.

20           15. Defendant Narges Eghtesdadi is, and at all times relevant to the claims in this  
21 Complaint was, an individual residing in the County of Contra Costa, State of California. Narges  
22 Eghtesdadi and DOES 81 through 90, inclusive, shall be referred to collectively as "Narges  
23 Eghtesdadi." At all material times relevant to the claims in this Complaint, Narges Eghtesdadi is,  
24 and was, an officer, director, member or partner of, and controlled the actions of, the Defendant  
25 Dara Petroleum, Inc. At all material times relevant to the claims in this Complaint, Narges  
26 Eghtesdadi is, and was, the owner of the real property and UST systems located at 4480 Chiles  
27 Road, Davis, California.

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1           16. Defendant Abdul Farooq is, and at all times relevant to the claims in this Complaint  
2 was, an individual residing in the County of Yolo, State of California. Abdul Farooq and DOES  
3 91 through 100, inclusive, shall be referred to collectively as "Abdul Farooq." At all material  
4 times relevant to the claims in this Complaint, Abdul Farooq has, and had, an ownership interest  
5 in, and operated, the UST systems located at 4480 Chiles Road, Davis, California.

6           17. Defendant Satar Hidarinejad is, and at all times relevant to the claims in this  
7 Complaint was, an individual residing in the County of Contra Costa, State of California. Satar  
8 Hidarinejad and DOES 101 through 110, inclusive, shall be referred to collectively as "Satar  
9 Hidarinejad." At all material times relevant to the claims in this Complaint, Satar Hidarinejad is,  
10 and was, an officer, director, member or partner of, and controlled the actions of, defendant Aria  
11 Oil Company and operated the UST systems located at (a) 1140 Emerald Bay Road, South Lake  
12 Tahoe, California; (b) 28700 County Road 6, Dunnigan, California; and (c) 4480 Chiles Road,  
13 Davis, California.

14           18. Defendant Darshan Singh Kang is, and at all times relevant to the claims in this  
15 Complaint was, an individual residing in the County of El Dorado, State of California. Darshan  
16 Singh Kang and DOES 111 through 120, inclusive, shall be referred to collectively as "Darshan  
17 Singh Kang." At all material times relevant to the claims in this Complaint, Darshan Singh Kang  
18 is, and was, an officer, director, member, or partner of defendants (a) South Tahoe Station, Inc.  
19 and (b) North Tahoe Station, Inc. At all material times relevant to the claims in this Complaint,  
20 Darshan Singh Kang has, and had, an ownership interest in the real property located at 3208  
21 Highway 50, Meyers, California and is, and was, responsible for operating the UST systems  
22 located at this property.

23           19. Defendant Harwant Kaur Kang is, and at all times relevant to the claims in this  
24 Complaint was, an individual residing in the County of Sacramento, State of California. Harwant  
25 Kaur Kang and DOES 121 through 130, inclusive, shall be referred to collectively as "Harwant  
26 Kaur Kang." At all material times relevant to the claims in this Complaint, Harwant Kaur Kang  
27 is, and was, an officer, director, and, through her actions, controlled the actions of defendant  
28 Sacramento/Dunnigan Property, Inc. At all material times relevant to the claims in this

1 Complaint, Harwant Kaur Kang also has, and had, an ownership interest in the real properties  
2 located at (a) 3208 Highway 50, Meyers, California; (b) 913 Emerald Bay Road, South Lake  
3 Tahoe, California; and (c) 4300 Watt Avenue, Sacramento, California and is, and was,  
4 responsible for operating the UST systems located at these properties.

5 20. Defendant Sarbjit Singh Kang is, and at all times relevant to the claims in this  
6 Complaint was, an individual residing in the County of El Dorado, State of California. Sarbjit  
7 Singh Kang and DOES 131 through 140, inclusive, shall be referred to collectively as "Sarbjit  
8 Singh Kang." At all material times relevant to the claims in this Complaint, Sarbjit Singh Kang  
9 is, and was, an officer, director, member or partner in the following business entities, all of which  
10 are named as defendants in this Complaint: (a) Kang Property, Inc.; (b) North Tahoe Station,  
11 Inc.; (c) South Tahoe Station, Inc.; and (d) Tahoe 3208 Highway 50 Corporation. At all material  
12 times relevant to the claims in this Complaint, Sarbjit Singh Kang has, and had, an ownership  
13 interest in the real properties located at (a) 3208 Highway 50, Meyers, California; (b) 913  
14 Emerald Bay Road, South Lake Tahoe, California; (c) 1140 Emerald Bay Road, South Lake  
15 Tahoe, California; (d) 2304 Lake Tahoe Boulevard, South Lake Tahoe, California; and (e) 4300  
16 Watt Avenue, Sacramento, California and is, and was, responsible for operating the UST systems  
17 located at these properties.

18 21. Defendant Bahman Noori is, and at all times relevant to the claims in this Complaint  
19 was, an individual residing in the County of Santa Clara, State of California. Bahman Noori and  
20 DOES 141 through 150, inclusive, shall be referred to collectively as "Bahman Noori." At all  
21 material times relevant to the claims in this Complaint, Bahman Noori is, and was, an officer,  
22 director, and controlled the actions of Defendant Parthian Incorporated.

23 22. Defendant Javad Soltani is, and at all times relevant to the claims in this Complaint  
24 was, an individual residing in the County of Alameda, State of California. Javad Soltani and  
25 DOES 151 through 160, inclusive, shall be referred collectively as "Javad Soltani." At all  
26 material times relevant to the claims in this Complaint, Javad Soltani is, and was, an officer,  
27 director, member or partner of, and controlled the actions of defendant Parthian Incorporated.

28

1           23. Defendant Mohammad Qadar Saleem is, and at all times relevant to the claims in this  
2 Complaint was, an individual residing in the County of Sacramento, State of California.  
3 Mohammad Qadar Saleem and DOES 161 through 170, inclusive, shall be referred to collectively  
4 as "Mohammad Qadar Saleem." At all material times relevant to the claims in this Complaint,  
5 Mohammad Qadar Saleem has, and had, an ownership interest in, and operated, the UST systems  
6 located at 4480 Chiles Road, Davis, California.

7           24. Defendant Darshan S. Singh is, and at all times relevant to the claims in this  
8 Complaint was, an individual residing in the County of El Dorado, State of California. Darshan  
9 S. Singh and DOES 171 through 180, inclusive, shall be referred to collectively as "Darshan S.  
10 Singh." At all material times relevant to the claims in this Complaint, Darshan S. Singh has, and  
11 had, an ownership interest in, and operated, the UST systems located at 3208 Highway 50,  
12 Meyers, California.

13           25. Defendant Parmjit Singh is, and at all times relevant to the claims in this Complaint  
14 was, an individual residing in the County of Sacramento, State of California. Parmjit Singh and  
15 DOES 181 through 190, inclusive, shall be referred to collectively as "Parmjit Singh." At all  
16 times relevant to the claims in this Complaint, Parmjit Singh is, and was, an officer, director, and  
17 controlled the actions of Defendant Emerald Business Group, Inc. At all times relevant to the  
18 claims in this Complaint, Parmjit Singh has, and had, an ownership interest in the real properties  
19 located at (a) 1140 Emerald Bay Road, South Lake Tahoe, California; and (b) 2304 Lake Tahoe  
20 Boulevard, South Lake Tahoe, California and is, and was, responsible for operating the UST  
21 systems located at these properties.

22           26. Defendant Rajinder Singh is, and at all times relevant to the claims in this Complaint  
23 was, an individual residing in the County of Sacramento, State of California. "Rajinder Singh"  
24 and DOES 191 through 200, inclusive, shall be referred to collectively as "Rajinder Singh." At  
25 all times relevant to the claims in this Complaint, Rajinder Singh is, and was, an officer, director,  
26 and controlled the actions of Defendants (a) Dunnigan Investments, Inc. and (b) North Tahoe  
27 Station, Inc.





1 221 through 230, inclusive, shall be referred to collectively as "Ameri Oil Company, Inc." Azad  
2 Amiri, Nasrin Amiri, and Haleh Amiri are, and at all times relevant to the claims in this  
3 Complaint were, officers and directors of Ameri Oil Company, Inc. and, through their conduct,  
4 controlled the actions of Ameri Oil Company, Inc. At all times relevant to the claims in this  
5 Complaint, Ameri Oil Company, Inc. has, and had, an ownership interest in Defendant Kang  
6 Property, Inc. At all material times relevant to the claims in this Complaint, Ameri Oil Company,  
7 Inc. is, and was, the owner of real property located at 3208 Highway 50, South Lake Tahoe,  
8 California and owned and/or operated the UST systems at this property.

9 31. Defendant Aria Oil Company, Inc. is, and at all times relevant to the claims in this  
10 Complaint was, a corporation organized under the laws of the State of California. Aria Oil  
11 Company, Inc. maintains, and at all times herein mentioned maintained, its principal place of  
12 business in the County of Contra Costa, State of California. Aria Oil Company, Inc. and DOES  
13 231 through 240, inclusive, shall be referred to collectively as "Aria Oil Company, Inc."  
14 Defendants Azad Amiri and Satar Hidarinejad are, and at all times relevant to the claims in this  
15 Complaint were, officers and directors of Aria Oil Company, Inc. and, through their conduct,  
16 controlled the actions of Aria Oil Company, Inc. At all material times relevant to the claims in  
17 this Complaint, Aria Oil Company, Inc. is, and was, the lessee of real property located 4480  
18 Chiles Road, Davis, California and owned and/or operated the UST systems at this property.

19 32. Defendant Bokides Family Limited Partnership, a California Limited Partnership, is,  
20 and at all times relevant to the claims in this Complaint was, a limited partnership created under  
21 the laws of the State of California. The Bokides Family Limited Partnership and DOES 241  
22 through 250, inclusive, shall be referred to collectively as the "Bokides Family Limited  
23 Partnership." At all times relevant to the claims in this Complaint, the Bokides Family Limited  
24 Partnership has maintained its principal offices in, and operated from, the County of San Joaquin,  
25 State of California. At all times relevant to the claims in this Complaint, the Bokides Family  
26 Limited Partnership has, and had, an ownership interest in the real property located at 6421  
27 Capitol Avenue, Lodi, California and is, and was, responsible for operating the UST systems  
28 located at this property.

1           33. Defendant Dara Petroleum, Inc. is, and at all times relevant to the claims in this  
2 Complaint was, a corporation organized under the laws of the State of California. Dara  
3 Petroleum, Inc. maintains, and at all times herein mentioned maintained, its principal place of  
4 business in the County of Sacramento, State of California. Dara Petroleum, Inc. and DOES 251  
5 through 260, inclusive, shall be referred to collectively as "Dara Petroleum, Inc." Defendants  
6 Azad Amiri and Narges Eghtesdadi are, and at all times relevant to the claims in this Complaint  
7 were, officers and directors of Dara Petroleum, Inc. and, through their conduct, controlled the  
8 actions of Dara Petroleum, Inc. At all material times relevant to the claims in this Complaint,  
9 Dara Petroleum, Inc. has, and had, an ownership interest in Defendant Tahoe 3208 Highway 50  
10 Corporation and, through this ownership interest, controlled the actions of Tahoe 3208 Highway  
11 50 Corporation.

12           34. Defendant Dunnigan-Sacramento, LLC is, and at all times relevant to the claims in  
13 this Complaint was, a limited liability company organized under the laws of the State of  
14 California. Dunnigan-Sacramento, LLC maintains, and at all times herein mentioned maintained,  
15 its principal place of business in the County of Sacramento, State of California. Dunnigan-  
16 Sacramento, LLC and DOES 261 through 270, inclusive, shall be referred to collectively as  
17 "Dunnigan-Sacramento, LLC." Raman S. Singh is, and at all times relevant to the claims in this  
18 Complaint was, an officer and member of Dunnigan-Sacramento, LLC and, through his conduct,  
19 controlled the actions of Dunnigan-Sacramento, LLC. At all material times relevant to the claims  
20 in this Complaint, Dunnigan-Sacramento, LLC has, and had, an ownership interest in the real  
21 property located at 4300 Watt Avenue, Sacramento, California and owned and/or operated the  
22 UST systems at this property.

23           35. Defendant Emerald Business Group, Inc. is, and at all times relevant to the claims in  
24 this Complaint was, a corporation organized under the laws of the State of California. Emerald  
25 Business Group, Inc. maintains, and at all times herein mentioned maintained, its principal place  
26 of business in the County of El Dorado, State of California. Emerald Business Group, Inc. and  
27 DOES 271 through 280, inclusive, shall be referred to collectively as "Emerald Business Group,  
28 Inc." Defendant Parmjit Singh is, and at all times relevant to the claims in this Complaint was, an

1 officer and director of Emerald Business Group, Inc. and, through his conduct, controlled the  
2 actions of Emerald Business Group, Inc. At all material times relevant to the claims in this  
3 Complaint, Emerald Business Group, Inc. has, and had, an ownership interest in the real property  
4 located at 1140 Emerald Bay Road, South Lake Tahoe, California and owned and/or operated the  
5 UST systems at this property.

6 36. Defendant Kang Property, Inc. is, and at all times relevant to the claims in this  
7 Complaint was, a corporation organized under the laws of the State of California. Kang Property,  
8 Inc. maintains, and at all times herein mentioned maintained, its principal place of business in the  
9 County of Contra Costa, State of California. Kang Property, Inc. and DOES 281 through 290,  
10 inclusive, shall be referred to collectively as "Kang Property, Inc." Defendants Azad Amiri and  
11 Sarbjit Singh Kang are, and at all times relevant to the claims in this Complaint were, officers and  
12 directors of Kang Property, Inc. and, through their conduct, controlled the actions of Kang  
13 Property, Inc. At all material times relevant to the claims in this Complaint, Kang Property, Inc.  
14 has, and had, an ownership interest in the real properties located at (a) 913 Emerald Bay Road,  
15 South Lake Tahoe, California; (b) 4480 Chiles Road, Davis, California; (c) 1140 Emerald Bay  
16 Road, South Lake Tahoe, California; (d) 2304 Lake Tahoe Boulevard, South Lake Tahoe,  
17 California; (e) 4300 Watt Avenue, Sacramento, California; (f) 28700 County Road 6, Dunnigan,  
18 California; (g) 4040 County Road 89, Dunnigan, California and owned and/or operated the UST  
19 systems at these properties.

20 37. Defendant Meyers Holding Co., LLC is, and at all times relevant to the claims in this  
21 Complaint was, a limited liability company organized under the laws of the State of California.  
22 Meyers Holding Co., LLC maintains, and at all times herein mentioned maintained, its principal  
23 place of business in the County of Contra Costa, State of California. Meyers Holding Co., LLC  
24 and DOES 291 through 300, inclusive, shall be referred to collectively as "Meyers Holding Co.,  
25 LLC." Defendant Azad Amiri is, and at all times relevant to the claims in this Complaint was, an  
26 officer and director of Meyers Holding Co., LLC and, through his conduct, controlled the actions  
27 of Meyers Holding Co., LLC. At all material times relevant to the claims in this Complaint,  
28

1 Meyers Holding Co., LLC has, and had, an ownership interest in the real property located 3208  
2 Highway 50, Meyers, California and owned and/or operated the UST systems at this property.

3 38. Defendant North Tahoe Station, Inc. is, and at all times relevant to the claims in this  
4 Complaint was, a corporation organized under the laws of the State of California. North Tahoe  
5 Station, Inc. maintains, and at all times herein mentioned maintained, its principal place of  
6 business in the County of Contra Costa, State of California. North Tahoe Station, Inc. and DOES  
7 301 through 310, inclusive, shall be referred to collectively as "North Tahoe Station, Inc." At all  
8 material times relevant to the claims in this Complaint, Defendants Darshan S. Kang, Sarbjit  
9 Singh Kang, and Rajinder Singh are, and were, officers, directors and controlled the actions of  
10 North Tahoe Station, Inc. North Tahoe Station, Inc. is, and at all times relevant to the claims in  
11 this Complaint, owned the real property located at 8070 North Lake Boulevard, Kings Beach,  
12 California and/or operated the UST systems located at this property.

13 39. Defendant Parthian Incorporated is, and at all times relevant to the claims in this  
14 Complaint was, a corporation organized under the laws of the State of California. Parthian  
15 Incorporated maintains, and at all times herein mentioned maintained, its principal place of  
16 business in the County of Contra Costa, State of California. Parthian Incorporated and DOES 311  
17 through 320, inclusive, shall be referred to collectively as "Parthian Incorporated." At all  
18 material times relevant to the claims in this Complaint, Azad Amiri, Bahman Noori, and Javad  
19 Soltani are, and were, officers and directors of Parthian Incorporated and, through their conduct,  
20 controlled the actions of Parthian Incorporated. At all material times relevant to the claims in this  
21 Complaint, Parthian Incorporated owned the real property and owned and/or operated the UST  
22 systems located at 4300 Watt Avenue, Sacramento, California.

23 40. Defendant Sacramento/Dunnigan Property, Inc. is, and at all times relevant to the  
24 claims in this Complaint was, a corporation organized under the laws of the State of California.  
25 Sacramento/Dunnigan Property, Inc. maintains, and at all times herein mentioned maintained, its  
26 principal place of business in the County of Yolo, State of California. Sacramento/Dunnigan  
27 Property, Inc. and DOES 321 through 330, inclusive, shall be referred to collectively as  
28 "Sacramento/Dunnigan Property, Inc." Defendants Azad Amiri, Harwant K. Kang, Shivdeep

1 Bhinder, and Raman S. Singh are, and at all times relevant to the claims in this Complaint were,  
2 officers and directors of Sacramento/Dunnigan Property, Inc. and, through their conduct,  
3 controlled the actions of Sacramento/Dunnigan Property, Inc. At all times relevant to the claims  
4 in this Complaint, Sacramento/Dunnigan Property, Inc. owns, and owned, the real properties  
5 located at (a) 4300 Watt Avenue, Sacramento, California; (b) 4480 Chiles Road, Davis,  
6 California; and (c) 4040 County Road 89, Dunnigan, California and owns and/or operates, and  
7 owned and/or operated, the UST systems located at these properties.

8 41. Defendant South Tahoe Station, Inc. is, and at all times relevant to the claims in this  
9 Complaint was, a corporation organized under the laws of the State of California. South Tahoe  
10 Station, Inc. maintains, and at all times herein mentioned maintained, its principal place of  
11 business in the County of Contra Costa, State of California. South Tahoe Station, Inc. and DOES  
12 331 through 340, inclusive, shall be referred to collectively as "South Tahoe Station, Inc." At all  
13 material times relevant to the claims in this Complaint, Defendants Sarbjit Singh Kang, Dilpal  
14 Singh Dhillon, and Darshan S. Kang are, and were, officers, directors and controlled the actions  
15 of South Tahoe Station, Inc. At all material times relevant to the claims in this Complaint, South  
16 Tahoe Station, Inc. has, and had, an ownership interest in the real property and owned and/or  
17 operated the UST systems at 2304 Lake Tahoe Boulevard, South Lake Tahoe, California.

18 42. Defendant Stars Holding Co., LLC is, and at all times relevant to the claims in this  
19 Complaint was, a limited liability company organized under the laws of the State of California.  
20 Stars Holding Co., LLC maintains, and at all times herein mentioned maintained, its principal  
21 place of business in the County of Contra Costa, State of California. Stars Holding Co., LLC and  
22 DOES 341 through 350, inclusive, shall be referred to collectively as "Stars Holding Co., LLC."  
23 Defendants Azad Amiri, Nasrin Amiri, and Haleh Amiri are, and at all times relevant to the  
24 claims in this Complaint were, officers, managers, or members of Stars Holding Co., LLC and,  
25 through their conduct, controlled the actions of Stars Holding Co., LLC. At all material times  
26 relevant to the claims to this Complaint, Stars Holding Co., LLC has, and had, an ownership  
27 interest in the real property and owned and/or operated the UST systems at 28700 County Road 6,  
28 Dunnigan, California.

1           43. Defendant Tahoe 3208 Highway 50 Corporation is, and at all times relevant to the  
2 claims in this Complaint was, a corporation organized under the laws of the State of California.  
3 Tahoe 3208 Highway 50 Corporation maintains, and at all times herein mentioned maintained, its  
4 principal place of business in the County of Alameda, State of California. Tahoe 3208 Highway  
5 50 Corporation and DOES 351 through 360, inclusive, shall be referred to collectively as "Tahoe  
6 3208 Highway 50 Corporation." Defendants Azad Amiri and Sarbjit Singh Kang are, and at all  
7 times relevant to the claims in this Complaint were, officers or directors of Tahoe 3208 Highway  
8 50 Corporation and, through their conduct, controlled the actions of Tahoe 3208 Highway 50  
9 Corporation. At all material times relevant to the claims to this Complaint, Tahoe 3208 Highway  
10 50 Corporation has, and had, an ownership interest in the real property and owned and/or  
11 operated the UST systems at 3208 Highway 50, Meyers, California.

12           44. Defendant Tahoe Blue, LLC is, and at all times relevant to the claims in this  
13 Complaint was, a limited liability company organized under the laws of the State of California.  
14 Tahoe Blue, LLC maintains, and at all times herein mentioned maintained, its principal place of  
15 business in the County of El Dorado, State of California. Tahoe Blue, LLC and DOES 361  
16 through 370, inclusive, shall be referred to collectively as "Tahoe Blue, LLC." Azad Amiri is,  
17 and at all times relevant to the claims in this Complaint was, an officer, director or member of  
18 Tahoe Blue, LLC and, through his conduct, controlled the actions of Tahoe Blue, LLC. At all  
19 material times relevant to the claims in this Complaint, Tahoe Blue, LLC has, and had, an  
20 ownership interest in the real property and owned and/or operated the UST systems at 1140  
21 Emerald Bay Road, South Lake Tahoe, California.

22           45. Defendant Tahoe Blue Property, Inc. is, and at all times relevant to the claims in this  
23 Complaint was, a corporation organized under the laws of the State of California. Tahoe Blue  
24 Property, Inc. maintains, and at all times herein mentioned maintained, its principal place of  
25 business in the County of Contra Costa, State of California. Tahoe Blue Property, Inc. and DOES  
26 371 through 380, inclusive, shall be referred to collectively as "Tahoe Blue Property, Inc." Azad  
27 Amiri is, and at all times relevant to the claims in this Complaint was, an officer and/or director  
28 of Tahoe Blue Property, Inc. and, through his conduct, controlled the actions of Tahoe Blue

1 Property, Inc. At all times relevant to the claims in this Complaint, Tahoe Blue Property, Inc.  
2 has, and had, an ownership interest in the real property and owned and/or operated the UST  
3 systems at 913 Emerald Bay Road, South Lake Tahoe, California and 1140 Emerald Bay Road,  
4 South Lake Tahoe, California.

5 46. Defendant Tahoe Station, Inc. is, and at all times relevant to the claims in this  
6 Complaint was, a corporation organized under the laws of the State of California. Tahoe Station,  
7 Inc. maintains, and at all times herein mentioned maintained, its principal place of business in the  
8 County of El Dorado, State of California. Tahoe Station, Inc. and DOES 381 through 390,  
9 inclusive, shall be referred to collectively as "Tahoe Station, Inc." Tahoe Station, Inc. is, and at  
10 all times relevant to the claims in this Complaint, had an ownership interest in the real property  
11 located at 2304 Lake Tahoe Boulevard, South Lake Tahoe, California and/or operated the UST  
12 systems located at this property.

13 47. For purposes of this Complaint, the "Entity Defendants" shall refer to and include the  
14 following defendants: (a) Ameri Mgmt Company, Inc.; (b) Ameri Oil Company, Inc.; (c) Aria  
15 Oil Company, Inc.; (d) the Bokides Family Limited Partnership; (e) Dara Petroleum, Inc.; (f)  
16 Dunnigan-Sacramento, LLC; (g) Emerald Business Group, Inc.; (h) Kang Property, Inc.; (i)  
17 Meyers Holding Co., LLC; (j) North Tahoe Station, Inc.; (k) Parthian Incorporated; (l)  
18 Sacramento/Dunnigan Property, Inc.; (m) South Tahoe Station, Inc.; (n) Stars Holding Co., LLC;  
19 (o) Tahoe 3208 Highway 50 Corporation; (p) Tahoe Blue, LLC; (q) Tahoe Blue Property, Inc.;  
20 and (r) Tahoe Station, Inc.

21 48. The Entity and Natural Defendants are, or at all times relevant to the claims in this  
22 Complaint were, legally responsible for compliance with the provisions of the Health and Safety  
23 Code, Chapter 6.7, and California Code of Regulations Title 23, Chapter 16 at their respective  
24 facilities.

25 49. When reference is made in this Complaint to any act of the Entity or Natural  
26 Defendants, such allegations shall be deemed to mean that the officers, directors, agents,  
27 employees, or representatives of said defendants did, or authorized, such acts or failed and  
28 omitted to adequately or properly supervise, control, or direct their employees, contractors,



1 representatives, or agents with respect to such acts and did so while acting in the scope of their  
2 employment or agency.

3 50. The names and capacities, whether individual, corporate, or otherwise, of defendants  
4 named here in as DOES 1 through 500, inclusive, are unknown at this time to the People, who  
5 therefore sue said defendants by such fictitious names. The People will amend this Complaint to  
6 show their true names and capacities when the same have been ascertained.

7 **SUBJECT PROPERTIES**

8 51. The Entity and Natural Defendants are the owners and/or operators of the UST  
9 systems located at properties owned, leased, operated and/or controlled by the Entity and Natural  
10 Defendants.

11 **Contra Costa County**

12 52. 4323 Clayton Road (known as Gasco) is located in the City of Concord, County of  
13 Contra Costa, State of California. At all times relevant to the claims in this Complaint,  
14 Defendants Azad Amiri, Nasrin Amiri, and Ameri Mgmt Company, Inc. owned this property and  
15 owned and/or operated the UST systems located at this property.

16 **El Dorado County**

17 53. 1140 Emerald Bay Road (known as American Oil) is located in the City of South  
18 Lake Tahoe, County of El Dorado, State of California. At all times relevant to the claims in this  
19 Complaint, Tahoe Blue Property, Inc., Kang Property, Inc., Emerald Business Group Inc., Sarbjit  
20 Singh Kang, and Parmjit Singh owned this property and owned and/or operated the UST system  
21 located at this property.

22 54. 3208 Highway 50 (known as Meyers Beacon) is located in the town of Meyers,  
23 County of El Dorado, State of California. At all times relevant to the claims in this Complaint,  
24 Tahoe 3208 Highway 50 Corporation, Sarbjit Singh Kang, and Darshan Singh Kang owned this  
25 property and owned and/or operated the UST systems located at this property.

26 55. 2304 Lake Tahoe Boulevard (known as South Lake Tahoe Mobil) is located in the  
27 City of South Lake Tahoe, County of El Dorado, State of California. At all times relevant to the  
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1 claims in this Complaint, Dipal Singh Dhillon, Parmjit Singh, and South Tahoe Station, Inc.,  
2 owned this property and owned and/or operated the UST system located at this property.

3 56. 913 Emerald Bay Road (known as South Lake Tahoe Swiss Mart) is located in the  
4 City of South Lake Tahoe, County of El Dorado, State of California. At all times relevant to the  
5 claims in this Complaint, Kang Property, Inc., Tahoe Blue Property, Inc., Sarbjit Singh Kang, and  
6 Azad Amiri owned this property and owned and/or operated the UST system located at this  
7 property.

8 **Placer County**

9 57. 8070 North Lake Boulevard (known as North Tahoe Station or Kings Beach  
10 TransAm or North Tahoe Beacon or North Tahoe Mobil) is located in the City of Kings Beach,  
11 County of Placer, State of California. At all times relevant to the claims in this Complaint, North  
12 Tahoe Station Inc., Darshan S. Kang, Rajinder Singh, Tahoe Station Inc., and Sarbjit S. Kang  
13 owned and/or operated the UST systems located at this property.

14 **Sacramento County**

15 58. 4300 Watt Avenue (known as Chevron Gas Station or Watt Avenue Chevron) is  
16 located in the community of North Highlands, County of Sacramento, State of California. At all  
17 times relevant to the claims in this Complaint, Haleh Amiri, Parthian Incorporated, Kang  
18 Property, Inc., Sarbjit Singh Kang, and Sacramento/Dunnigan Property, Inc. owned this property  
19 and owned and/or operated the UST systems located at this property.

20 **San Joaquin County**

21 59. 6421 Capitol Avenue (known as Flag City Chevron) is located in the City of Lodi,  
22 County of San Joaquin, State of California. At all times relevant to the claims in this Complaint,  
23 the Bokides Family Limited Partnership and Haleh Amiri owned this property and owned and/or  
24 operated the UST systems located at this property.

25 **Yolo County**

26 60. 4480 Chiles Road (known as Union 76 Station) is located in the City of Davis,  
27 County of Yolo, State of California. At all times relevant to the claims in this Complaint,  
28 Sacramento/Dunnigan Property, Inc., Sarbjit Singh Kang, Azad Amiri, Kang Property, Inc., and

1 Narges Eghtesadi, and Ali Amiri owned this property and owned and/or operated the UST  
2 systems located at this property.

3 61. 28700 County Road 6 (known as Conoco Phillips 76) is located in the town of  
4 Dunnigan, County of Yolo, State of California. At all times relevant to the claims in this  
5 Complaint, Haleh Amiri, Ali Amiri, Kang Property, Inc., Stars Holding Co., LLC, and Aria Oil  
6 Company, Inc. owned this property and owned and/or operated the UST systems located at this  
7 property.

8 62. 4040 County Road 89 (known as Dunnigan Chevron) is located in the town of  
9 Dunnigan, County of Yolo, State of California. At all times relevant to the claims in this  
10 Complaint, Sacramento/Dunnigan Property, Inc. and Kang Property, Inc. owned this property and  
11 owned and/or operated the UST systems located at this property.

12 63. For purposes of this Complaint, the "Subject Properties" shall refer to and include the  
13 following properties, including the UST systems locate at the properties: (a) 4323 Clayton Road,  
14 Concord, California; (b) 1140 Emerald Bay Road, South Lake Tahoe, California; (c) 3208  
15 Highway 50, Meyers, California; (d) 2304 Lake Tahoe Boulevard, South Lake Tahoe, California;  
16 (e) 913 Emerald Bay Road, South Lake Tahoe, California; (f) 8070 North Lake Boulevard, Kings  
17 Beach, California; (g) 4300 Watt Avenue, Sacramento, California; (h) 6421 Capitol Avenue,  
18 Lodi, California; (i) 4480 Chiles Road, Davis, California; (j) 28700 County Road 6, Dunnigan,  
19 California; and (k) 4040 County Road 6, Dunnigan, California.

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21 **ALTER-EGO, AGENTS, AIDERS, ABETTORS,  
CO-CONSPIRATORS, AND JOINT ENTERPRISERS**

22 64. At all times mentioned herein, Azad Amiri and Sarbjit Singh Kang were part of an  
23 enterprise that owned and operated UST systems in violation of California statutes and  
24 regulations. In most cases, Azad Amiri and Sarbjit Singh Kang placed family members and close  
25 associates on title to real property where the UST systems were located and/or into executive  
26 positions of business entities that owned and operated the UST systems. Azad Amiri and Sarbjit  
27 Singh Kang used these individuals and entities as strawmen to further their unlawful activities by  
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1 directing, encouraging, facilitating and assisting them in the commission of the acts alleged  
2 herein. By using strawmen, Azad Amiri and Sarbjit Singh Kang deliberately intended to conceal  
3 their actual ownership, operation and control of the real properties and business entities alleged  
4 herein.

5 65. At all times mentioned herein, a unity of interest and ownership existed among the  
6 Entity Defendants and the Natural Defendants whereby the separateness of these defendants from  
7 each other never existed. Specifically, the defendants engaged in certain conduct, including, but  
8 not limited to: (a) Commingling funds and other assets; (b) failing to segregate funds of the  
9 separate entities; (c) diverting corporate funds or assets to other than corporate uses without  
10 authority; (d) treating the corporate assets as the Natural Defendants' own; (e) the Entity  
11 Defendants failing to obtain authority to issue stock; (f) the Entity Defendants failing to issue  
12 stock; (g) the Entity Defendants failing to maintain minutes; (h) the Entity Defendants failing to  
13 maintain adequate corporate records; (i) the identical equitable ownership in more than one of the  
14 Entity Defendants; (j) sole ownership of all of the stock in an Entity Defendant by one individual  
15 or the members of the same family; (k) the use of the same office or business location; (l) the  
16 employment of the same employees; (m) the failure to adequately capitalize one or more of the  
17 Entity Defendants; (n) the total absence of corporate assets for one or more of the Entity  
18 Defendants; (o) under-capitalization of one or more of the Entity Defendants; (p) the use of the  
19 Entity Defendants as mere shells, instrumentalities or conduits for a single venture; (q) the  
20 concealment and misrepresentation of the identities of the responsible ownership, management  
21 and financial investment for each Entity Defendant; (r) the disregard of legal formalities; (s)  
22 failure to maintain arm's-length relationships among related entities; (t) the use of the corporate  
23 entity to procure labor, services, or merchandise for another person or entity; (u) the diversion of  
24 assets from a corporation by or to a stockholder or other person or entity to the detriment of the  
25 creditors; (v) the manipulation of assets and liabilities between entities so as to concentrate the  
26 assets in one and the liabilities in the other; and (w) the use of a corporation as a subterfuge of  
27 illegal transactions. As a result of this conduct, the separateness between the Natural Defendants  
28 and the Entity Defendants never existed.

1 66. Defendants at all relevant times, acted as the principal, agent, or representative of  
2 each of the other defendants, and in doing the acts alleged, each defendant was acting within the  
3 course and scope of the agency relationship with each of the other defendants.

4 67. Each defendant intended to, and did, encourage, facilitate, or assist in the commission  
5 of the acts alleged and thereby aided and abetted the other defendants in the unlawful conduct.  
6 The unlawful acts alleged in this Complaint were those acts defendants intended to and did  
7 facilitate or were the natural and reasonable consequences of the acts defendants intended to and  
8 did facilitate.

9 68. Defendants have engaged in a conspiracy, common enterprise, and common course of  
10 conduct, the purpose of which is and was to engage in the violations of law alleged in this  
11 Complaint. The conspiracy, common enterprise, and common course of conduct continue to the  
12 present.

### 13 GENERAL ALLEGATIONS

14 69. The State Water Board investigated Defendants' compliance with the statutes and  
15 regulations governing the maintenance, inspection, testing and operation of the UST systems  
16 located at the Subject Properties. During the course of the investigation, the State Water Board  
17 discovered numerous violations of the law.

18 70. The State Water Board's investigation revealed that the Entity and Natural  
19 Defendants have violated Chapter 6.7 of the Health and Safety Code and Chapter 16 of Title 23  
20 of the California Code of Regulations at the Subject Properties. The violations include, but are  
21 not limited to, the following representative actions:

22 a. Failed to install and/or maintain automatic line leak detectors on underground  
23 pressurized piping that conveys a hazardous substance, as required by Health and Safety Code  
24 sections 25290.1(h), 25290.2(g), 25291(f), and/or 25292(e)(1) and Title 23, California Code of  
25 Regulations, sections 2636(f)(2) and/or 2643(c)(1). These violations were observed on the  
26 following properties and include, but are not limited to:

27 (i) American Oil: 1140 Emerald Bay Road, South Lake Tahoe, California.  
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1 (ii) South Lake Tahoe Mobil: 2304 Lake Tahoe Boulevard, South Lake  
2 Tahoe, California.

3 (iii) North Tahoe Station: 8070 North Lake Boulevard, Kings Beach,  
4 California.

5 (iv) Watt Avenue Chevron: 4300 Watt Avenue, Sacramento, California.

6 (v) Dunnigan Chevron: 4040 County Road 89, Dunnigan, California.

7 (vi) Gasco: 4323 Clayton Road, Concord, California.

8 (vii) Flag City Chevron: 6421 Capitol Avenue, Lodi, California.

9 b. Failed to test and certify UST monitoring equipment, as required by Title 23,  
10 California Code of Regulations, section 2638. These violations were observed on the following  
11 properties and include, but are not limited to:

12 (i) Meyers Beacon: 3208 Highway 50, Meyers, California.

13 (ii) American Oil: 1140 Emerald Bay Road, South Lake Tahoe, California.

14 (iii) South Lake Tahoe Mobile: 2304 Lake Tahoe Boulevard, South Lake  
15 Tahoe, California.

16 (iv) Gasco: 4323 Clayton Road, Concord, California.

17 (v) North Tahoe Station: 8070 N. Lake Boulevard, Kings Beach, California.

18 (vi) Watt Avenue Chevron: 4300 Watt Avenue, Sacramento, California.

19 (vii) Dunnigan Chevron: 4040 County Road 89, Dunnigan, California.

20 (viii) South Lake Tahoe Swiss Mart: 913 Emerald Bay Road, South Lake  
21 Tahoe, California.

22 (ix) Union 76 Station: 4480 Chiles Road, Davis, California.

23 (x) Conoco Phillips 76: 28700 County Road 6, Dunnigan, California.

24 (xi) Flag City Chevron: 6421 Capitol Avenue, Lodi, California.

25 c. Failed to maintain evidence of financial responsibility, as required by Health  
26 and Safety Code section 25292.2(a). These violations were observed on the following properties  
27 and include, but are not limited to:

1 (i) North Tahoe Station: 8070 North Lake Boulevard, Kings Beach,  
2 California.

3 (ii) Gasco: 4323 Clayton Road, Concord, California.

4 (iii) Watt Avenue Chevron: 4300 Watt Avenue, Sacramento, California.

5 (iv) Dunnigan Chevron: 4040 County Road 89, Dunnigan, California.

6 (v) Flag City Chevron: 6421 Capitol Avenue, Lodi, California.

7 d. Failed to construct, operate, and maintain secondary containment systems in a  
8 manner to: (1) prevent structural weakening as a result of contact with any released hazardous  
9 substances, and (2) be capable of storing hazardous substances for the maximum anticipated  
10 period of time necessary for the recovery of any released hazardous substance, as required by  
11 Health and Safety Code sections 25290.1(c)(2), 25290.2(c)(2), and/or 25291(a)(2). These  
12 violations were observed on the following property and include, but are not limited to:

13 (i) South Tahoe Swiss Mart: 913 Emerald Bay Road, South Lake Tahoe,  
14 California.

15 (ii) Gasco: 4323 Clayton Road, Concord, California.

16 (iii) Watt Avenue Chevron: 4300 Watt Avenue, Sacramento, California.

17 e. Failed to test secondary containment systems, as required by Title 23,  
18 California Code of Regulations, section 2637. These violations were observed on the following  
19 properties and include, but are not limited to:

20 (i) Meyers Beacon: 3208 Highway 50, Meyers, California.

21 (ii) American Oil: 1140 Emerald Bay Road, South Lake Tahoe, California.

22 (iii) South Lake Tahoe Mobile: 2304 Lake Tahoe Boulevard, South Lake  
23 Tahoe, California.

24 (iv) North Tahoe Station: 8070 North Lake Boulevard, Kings Beach,  
25 California.

26 (v) Watt Avenue Chevron: 4300 Watt Avenue, Sacramento, California.

27 (vi) South Lake Tahoe Swiss Mart: 913 Emerald Bay Road, South Lake  
28 Tahoe, California.

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(vii) Flag City Chevron: 6421 Capitol Avenue, Lodi, California.

f. Failed to perform enhanced leak detection testing, as required by Health and Safety Code section 25292.4 and/or 25292.5 and Title 23, California Code of Regulations, section 2644.1. These violations were observed on the following properties and include, but are not limited to:

(i) American Oil: 1140 Emerald Bay Road, South Lake Tahoe, California.

(ii) South Lake Tahoe Mobil: 2304 Lake Tahoe Boulevard, South Lake Tahoe, California.

g. Failed to maintain an UST monitoring system capable of detecting an unauthorized release from any portion of the underground storage system at the earliest possible opportunity, as required by Health and Safety Code sections 25290.1(d), 25290.2(d), 25291(b) and/or 25292(a) and Title 23, California Code Regulations section 2630(d) and/or 2641(a). These violations were observed on the following properties and include, but are not limited to:

(i) Meyers Beacon: 3208 Highway 50, Meyers, California.

(ii) Watt Avenue Chevron: 4300 Watt Avenue, Sacramento, California.

(iii) South Lake Tahoe Swiss Mart: 913 Emerald Bay Road, South Lake Tahoe, California.

(iv) Union 76 Station: 4480 Chiles Road, Davis, California.

(v) Conoco Phillips: 28700 County Road 6, Dunnigan, California.

(vi) North Tahoe Station: 8070 North Lake Boulevard, Kings Beach, California.

(vii) American Oil: 1140 Emerald Bay Road, South Lake Tahoe, California.

(viii) Dunnigan Chevron: 4040 County Road 89, Dunnigan, California.

(ix) Flag City Chevron: 6421 Capitol Avenue, Lodi, California.

h. Failed to maintain USTs in a manner to prevent releases due to spills during product delivery, as required by Title 23, California Code of Regulations section 2635(b). These violations were observed on the following properties and include, but are not limited to:

(i) American Oil: 1140 Emerald Bay Road, South Lake Tahoe, California.



1 (ii) South Lake Tahoe Mobil 2304 Lake Tahoe Boulevard, South Lake  
2 Tahoe, California.

3 (iii) Watt Avenue Chevron: 4300 Watt Avenue, Sacramento, California.

4 (iv) Gasco: 4323 Clayton Road, Concord, California.

5 (v) Flag City Chevron: 6421 Capitol Avenue, Lodi, California.

6 i. Failed to provide USTs with equipment to prevent spills and overfills and failed  
7 to operate USTs to prevent spills and overfills, as required by Health and Safety Code sections  
8 25290.1(f), 25290.2(e), 25291(c), 25292(d), and/or 25292.1(a), and Title 23, California Code of  
9 Regulations section 2635(b)(2). These violations were observed on the following properties and  
10 include, but are not limited to:

11 (i) South Lake Tahoe Mobil; 2304 Lake Tahoe Boulevard, South Lake  
12 Tahoe, California.

13 j. Failed to notify local regulatory agencies of the qualified designated UST  
14 operator, as required by Title 23, California Code of Regulations section 2715(a). These  
15 violations were observed on the following properties and include, but are not limited to:

16 (i) Gasco: 4323 Clayton Road Concord, California.

17 (ii) North Tahoe Station: 8070 N. Lake Boulevard, Kings Beach, California.

18 (iii) Watt Avenue Chevron: 4300 Watt Avenue, Sacramento, California.

19 k. Failed to ensure that a qualified designated UST operator perform monthly  
20 visual inspections of every UST system, check that each alarm condition was documented and  
21 responded to appropriately, and/or check that all required testing and maintenance has been  
22 completed and the dates that these activities occurred have been documented, as required by Title  
23 23, California Code of Regulations section 2715(c). These violations were observed on the  
24 following properties and include, but are not limited to:

25 (i) Gasco: 4323 Clayton Road Concord, California.

26 (ii) Watt Avenue Chevron: 4300 Watt Avenue, Sacramento, California.

27 (iii) Dunnigan Chevron: 4040 County Road 89, Dunnigan, California.

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1 (iv) South Lake Tahoe Swiss Mart: 913 Emerald Bay Road, South Lake  
2 Tahoe, California.

3 (v) American Oil: 1140 Emerald Bay Road, South Lake Tahoe, California.

4 (vi) Flag City Chevron: 6421 Capitol Avenue, Lodi, California.

5 I. Failed to maintain monitoring, maintenance, and/or designated UST operator  
6 inspection records, as required by Health and Safety Code section 25293 and Title 23, California  
7 Code of Regulations sections 2712(b) and/or 2715(e). These violations were observed on the  
8 following properties and include, but are not limited to:

9 (i) Watt Avenue Chevron: 4300 Watt Avenue, Sacramento, California.

10 (ii) South Lake Tahoe Swiss Mart: 913 Emerald Bay Road, South Lake  
11 Tahoe, California.

12 (iii) North Tahoe Station: 8070 North Lake Boulevard, Kings Beach,  
13 California.

14 (iv) American Oil: 1140 Emerald Bay Road, South Lake Tahoe, California

15 (v) South Lake Tahoe Mobil: 2304 Lake Tahoe Boulevard, South Lake  
16 Tahoe, California.

17 (vi) Flag City Chevron: 6421 Capitol Avenue, Lodi, California.

18 m. Failed to implement an approved monitoring plan, as required by Title 23,  
19 California Code of Regulations, sections 2632(b) and (d), 2634(d) and (e), and 2641(g) and (h)  
20 These violations were observed on the following properties and include, but are not limited to:

21 (i) Watt Avenue Chevron: 4300 Watt Avenue, Sacramento, California.

22 (ii) Dunnigan Chevron: 4040 County Road 89, Dunnigan, California.

23 (iii) Flag City Chevron: 6421 Capitol Avenue, Lodi, California.

24 n. Failed to maintain an unauthorized release response plan, as required by Title  
25 23, California Code of Regulations sections 2632(d)(2), 2634(e), and 2641(h). These violations  
26 were observed on the following properties and include, but are not limited to:

27 (i) Watt Avenue Chevron: 4300 Watt Avenue, Sacramento, California.

28 (ii) Dunnigan Chevron: 4040 County Road 89, Dunnigan, California.

1 (iii) Gasco: 4323 Clayton Road, Concord, California.

2 o. Failed to ensure that a qualified designated UST operator conduct employee  
3 training, failed to retain training records, failed to have at least one of the facility employees  
4 present during operating hours with current training by the designated UST operator, and/or failed  
5 to maintain a list of facility employees trained by the designated UST operator on-site, as required  
6 by Title 23, California Code of Regulations section 2715(f). These violations were observed on  
7 the following properties and include, but are not limited to:

8 (i) American Oil: 1140 Emerald Bay Road, South Lake Tahoe, California.

9 (ii) Flag City Chevron: 6421 Capitol Avenue, Lodi, California.

10 p. Failed to maintain an owner/operator agreement, as required by Health and  
11 Safety Code section 25284(a)(3) and Title 23, California Code of Regulations section 2620(b).

12 These violations were observed on the following properties and include, but are not limited to:

13 (i) Dunnigan Chevron: 4040 County Road 89, Dunnigan, California.

14 q. Failed to provide, maintain or update the operating permit application,  
15 including the facility and tank information, for an UST, or for renewal of the permit, as required  
16 by Health and Safety Code section 25286(a) and Title 23, California Code of Regulations section  
17 2711(a). These violations were observed on the following properties and include, but are not  
18 limited to:

19 (i) American Oil: 1140 Emerald Bay Road, South Lake Tahoe, California.

20 (ii) South Lake Tahoe Mobil: 2304 Lake Tahoe Boulevard, South Lake  
21 Tahoe, California.

22 (iii) Watt Avenue Chevron: 4300 Watt Avenue, Sacramento, California.

23 (iv) Gasco: 4323 Clayton Road, Concord, California.

24 (v) North Tahoe Station: 8070 N. Lake Boulevard, Kings Beach, California.

25 (vi) South Lake Tahoe Swiss Mart: 913 Emerald Bay Road, South Lake Tahoe,  
26 California.

27 r. Failed to retain copies of the permit and all conditions and attachments,  
28 including monitoring plans, at the facility, as required by Title 23, California Code of Regulations

1 section 2712(j). These violations were observed on the following properties and include, but are  
2 not limited to:

3 (i) South Lake Tahoe Mobile: 2304 Lake Tahoe Boulevard, South Lake  
4 Tahoe, California.

5 (ii) South Lake Tahoe Swiss Mart: 913 Emerald Bay Road, South Lake  
6 Tahoe, California.

7 (iii) American Oil: 1140 Emerald Bay Road, South Lake Tahoe, California.

8 (iv) Dunnigan Chevron: 4040 County Road 89, Dunnigan, California.

9 (v) North Tahoe Station: 8070 N. Lake Boulevard, Kings Beach, California.

10 (vi) Flag City Chevron: 6421 Capitol Avenue, Lodi, California.

11 s. Failed to obtain a permit to operate an UST system, as required by Health and  
12 Safety Code section 25284(a)(1). These violations were observed on the following properties and  
13 include, but are not limited to:

14 (i) South Lake Tahoe Swiss Mart: 913 Emerald Bay Road, South Lake  
15 Tahoe, California.

16 (ii) North Tahoe Station: 8070 N. Lake Boulevard, Kings Beach, California.

17 (iii) Watt Avenue Chevron: 4300 Watt Avenue, Sacramento, California.

18 (iv) Dunnigan Chevron: 4040 County Road 89, Dunnigan, California.

19 t. Failure to properly close or cease operation of an UST system, as required by  
20 Health and Safety Code sections 25298(a) and 25298(c) and Title 23, California Code of  
21 Regulations sections 2670(f) and 2672. These violations were observed on the following  
22 properties and include, but are not limited to:

23 (i) Meyers Beacon: 3208 Highway 50, Meyers, California.

24 (ii) Union 76 Station: 4480 Chiles Road, Davis, California.

25 (iii) Conoco Philips 76: 28700 County Road 6, Dunnigan, California.

26 u. Failure to submit a copy of the secondary containment test report and a  
27 completed Monitoring System Certification form to the local agency within thirty (30) days of the  
28 completion of the test, in violation of California Code of Regulations, Title 23, sections 2637(e)

1 and 2638(d), respectively. These violations were observed on the following properties and  
2 include, but are not limited to:

3 (i) Flag City Chevron: 6421 Capitol Avenue, Lodi, California.

4 v. Failure to record or report any unauthorized release from the UST, and any spill  
5 or overfill, as required by Health and Safety Code sections 25294 and 25295 . These violations  
6 were observed on the following properties and include, but are not limited to:

7 (i) Flag City Chevron: 6421 Capitol Avenue, Lodi, California.

8 w. Failure to affix a tag/sticker on each monitoring equipment component being  
9 certified, in violation of California Code of Regulations, Title 23, section 2638(f). This violations  
10 were observed on the following properties and include, but are not limited to:

11 (i) Flag City Chevron: 6421 Capitol Avenue, Lodi California

12 **FIRST CAUSE OF ACTION**

13 **Civil Penalties – Health and Safety Code § 25299(a)**  
14 **(Directed to All Entity and Natural Defendants)**

15 71. Plaintiff realleges and incorporates by reference Paragraphs 1 through 70, inclusive,  
16 as if fully set forth here.

17 72. The Entity and Natural Defendants, as operators of the underground tank systems at  
18 the Subject Properties, violated the law, and continue to violate the law, as specifically alleged  
19 above.

20 73. The Entity and Natural Defendants, as operators of the underground tank systems at  
21 the Subject Properties, are strictly liable for civil penalties as set forth in Health and Safety Code  
22 section 25299(a) for each daily violation of the rules, regulations, standards, or requirements  
23 applicable to each UST as set forth above which occurred within five years after discovery of the  
24 facts constituting grounds for commencing the actions on these claims.

25 **SECOND CAUSE OF ACTION**

26 **Civil Penalties – Health and Safety Code § 25299(b)**  
27 **(Directed to All Entity and Natural Defendants)**

28 74. Plaintiff realleges and incorporates by reference Paragraphs 1 through 73, inclusive as  
if fully set forth here.

1 75. The Entity and Natural Defendants, as owners of the underground tank systems at the  
2 Subject Properties, violated the law, and continue to violate the law, as specifically alleged above.

3 76. The Entity and Natural Defendants, as owners of the underground tank systems at the  
4 Subject Properties, are strictly liable for civil penalties as set forth in Health and Safety Code  
5 section 25299(b) for each daily violation of the rules, regulations, standards, or requirements  
6 applicable to each UST as set forth above which occurred within five years after discovery of the  
7 facts constituting grounds for commencing the action on these claims.

8 **THIRD CAUSE OF ACTION**

9 **Injunctive and Declaratory Relief**  
10 **(Directed to All Entity and Natural Defendants)**

11 77. Plaintiff realleges and incorporates by reference Paragraphs 1 through 76, inclusive as  
12 if fully set forth here.

13 78. A present and continuing controversy exists between the State Water Board and the  
14 Entity and Natural Defendants regarding the Entity and Natural Defendants' ownership and/or  
15 operation of the facilities and/or the facilities' UST systems at issue herein. The State Water  
16 Board contends that the Entity and Natural Defendants have failed, and continue to fail, to  
17 comply with the specific requirements of Health and Safety Code, Division 20, Chapter 6.7 and  
18 California Code of Regulations Title 23, Chapter 16. The State Water Board is informed and  
19 believes and alleges thereon that the Entity and Natural Defendants contend to the contrary.

20 79. Because the Entity and Natural Defendants have failed, and continue to fail, to  
21 comply with the specific requirements of Health and Safety Code, Division 20, Chapter 6.7 and  
22 California Code of Regulations Title 23, Chapter 16, pursuant to Health and Safety Code section  
23 25299.01 and other authorities this Court may enjoin these acts or practices, or direct compliance,  
24 by granting permanent or temporary injunctions, restraining orders, or other orders.

25 80. A judicial declaration is necessary and appropriate at this time to ascertain the Entity  
26 and Natural Defendants' duties to own and/or operate their facilities in compliance with the law.  
27 The State Water Board seeks a declaration that the Entity and Natural Defendants' conduct is  
28 unlawful and that the continuation of such conduct would be both unlawful and injurious to the  
People of the State of California, as well as a court order requiring the Entity and Natural

1 Defendants to own and/or operate their facilities and/or the facilities' UST systems in compliance  
2 with the law. Unless the Court grants the relief prayed for in this petition, the State Water Board  
3 is informed and believes and alleges thereon that the Entity and Natural Defendants will continue  
4 their unlawful ownership and/or operation of the facilities and/or the facilities' UST systems.

5 **PRAYER**

6 WHEREFORE, the People of the State of California ex rel. State Water Resources  
7 Control Board pray for judgment as follows:

8 1. Civil Penalties according to proof against the Entity and Natural Defendants pursuant  
9 to Health and Safety Code section 25299 at the statutory maximum of five thousand dollars  
10 (\$5,000) for each UST system violation for each day of each violation. The State Water Board  
11 will seek penalties against the operators of the underground tank systems at the Subject Properties  
12 pursuant to Health and Safety Code § 25299(a) and the owners of the underground tank systems  
13 at the Subject Properties pursuant to Health and Safety Code § 25299(b) as follows:

14 a. 4323 Clayton Road, Concord, California: \$3,640,000 reflecting approximately  
15 728 days of violations;

16 b. 1140 Emerald Bay Road, South Lake Tahoe, California: \$21,340,000  
17 reflecting approximately 4,268 days of violations;

18 c. 3208 Highway 50, Meyers, California: \$45,650,000 reflecting approximately  
19 9,130 days of violations;

20 d. 2304 Lake Tahoe Blvd., South Lake Tahoe, California: \$13,465,000 reflecting  
21 approximately 2,693 days of violations;

22 e. 913 Emerald Bay Road, South Lake Tahoe, California: \$4,000,000 reflecting  
23 approximately 800 days of violations;

24 f. 8070 North Lake Blvd., Kings Beach, California: \$6,290,000 reflecting  
25 approximately 1,258 days of violations;

26 g. 4300 Watt Avenue, Sacramento, California: \$17,605,000 reflecting  
27 approximately 3,521 days of violations;

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1           h.    6421 Capitol Avenue, Lodi, California: \$2,490,000 reflecting approximately  
2 498 days of violations;

3           i.    4480 Chiles Road, Davis, California: \$7,075,000 reflecting approximately  
4 1,415 days of violations;

5           j.    28700 County Road 6, Dunnigan, California: \$17,520,000 reflecting  
6 approximately 3,504 days of violations; and

7           k.    4040 County Road 89, Dunnigan, California: \$3,640,000 reflecting  
8 approximately 728 days of violations;

9           2.    The State Water Board requests that this Court declare that the Entity and Natural  
10 Defendants' conduct is unlawful and that the continuation of such conduct would be both  
11 unlawful and injurious to the People of the State of California. The State Water Board further  
12 requests that this Court issue a permanent injunction to prohibit the Entity and Natural  
13 Defendants from operating their facilities and/or the facilities' UST systems in the unlawful  
14 manner alleged herein, and to comply with the specific requirements of Health and Safety Code,  
15 Division 20, Chapter 6.7 and California Code of Regulations Title 23, Chapter 16. Unless such  
16 an injunction is issued, the State Water Board is informed and believes that the Entity and Natural  
17 Defendants will continue to own and/or operate their facilities and/or the facilities' UST systems  
18 unlawfully, to the detriment of the People of the State of California;

19           3.    Grant the People of the State of California ex rel. State Water Resources Control  
20 Board their costs of inspection, investigation, attorneys' fees, enforcement, prosecution, and suit,  
21 including, but not limited to, such costs as are authorized for reimbursement pursuant to Code of  
22 Civil Procedure section 1021.8; and

23           4.    Grant such other and further relief as the Court deems just and proper.  
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Dated: August 4, 2014

Respectfully Submitted,  
KAMALA D. HARRIS  
Attorney General of California  
RANDY L. BARROW  
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