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Hauler hammered after confessing to fraudulent dumping scheme; LA trash illegally left in Kern

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<http://www.bakersfieldcalifornian.com/local/quirks-county/x371314716/Hauler-to-pay-2-4-million-for-illegal-dumping>

Paul M. Benz of Benz Sanitation will pay a \$2.375 million fine and leave the company he started in 1974 after pleading guilty Thursday to lying about the source of trash his company dumped in Kern County landfills to avoid millions of dollars in fees.

As part of a plea agreement with the office of California Attorney General Kamala Harris, Benz admitted that for four years he accepted residential and commercial trash from nearly 1,500 residents and businesses in Los Angeles County, doctored records to show the trash came from Kern County and dumped it in the county landfill in Tehachapi.

The fraud allowed him to avoid paying dumping fees to either Kern County or Los Angeles County, law enforcement officials said.

But in a written statement Thursday, Benz claimed that local governments with which he has fought civil court battles resorted to a bogus criminal assault against him to pressure him out of business.

He hoped, he wrote, that the judicial system would "intervene in preventing the abuse of power which has transpired."

But that didn't happen, he stated, and he decided to enter a guilty plea.

"For the health of my wife, my entire family, and those who have been unfairly accused of wrongdoing in this situation, I have decided to forgo this fight, although it is against my nature of standing up for what I believe," he wrote. "I look forward to moving on with my life absent of the turmoil these last few years have brought."

The Ridgecrest Police Department discovered the fraud in December, according to court records.

The discovery came after the city of Ridgecrest terminated its trash hauling contract with Benz Sanitation and immediately experienced a 40 percent reduction in the amount of trash being hauled to the landfill.

Ridgecrest police followed Benz Sanitation trucks to the company's trash sorting center in Tehachapi and an investigation ensued.

Kern County Waste Management Director Doug Landon said Benz is allowed to bring Los Angeles trash to the "materials recovery facility" where recyclables are separated from garbage. Any trash left over from the process, he said, would need to go back to Los Angeles.

Yet surveillance of the facility showed that all of the trash that left the sorting facility for a landfill went to Kern County's Tehachapi landfill.

Anyone who dumps out-of-county trash -- or commercial refuse from Kern -- in a Kern County landfill must pay a \$42.25 per ton "tipping" fee. In Los Angeles the fee for dumping is \$58 a ton.

Benz shorted Kern County nearly \$2 million, according to the attorney general's news release.

"My understanding is Benz will pay substantial restitution (to the county of Kern) for the use of that landfill," Landon said.

Benz Sanitation offices in Tehachapi were raided by Ridgecrest police, Kern County sheriff's deputies and FBI agents on March 12. Criminal charges against Paul Benz were filed later.

Landon said Kern County will re-examine its relationship with Benz Sanitation and consider policies to deal with the trash hauler, which serves east Kern County communities including Boron, California City, Mojave, Rosamond and Tehachapi.

As part of the plea deal, Paul Benz agreed to accept felony probation, the press release from the attorney general stated.

"To prevent future illegal conduct, Benz Sanitation will place GPS trackers on all vehicles to provide location data to Kern County," the release said. "County officials will randomly audit the company's records, will review weight tickets in the company's scale house, and barcode all vehicles by route."

But Landon said those control measures may not be enough.

"We've got a lot to digest here and work up options to bring back to the board. From the county's perspective as far as controls or contractual changes, I'm not sure those are the last of it," he said. "The county has a lot of work to do quickly."

Landon said he isn't concerned about other haulers that contract with the county because, unlike Benz, they do not have trash sorting centers.

Their trucks, unlike Benz's, can easily be tracked from where they pick up garbage to where they drop it off, he said.