

**STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION
AGENCY DEPARTMENT OF TOXIC SUBSTANCES
CONTROL**

In the Matter of:)	Docket No. HSA-CO 03/04-075
BKK Sanitary Landfill)	
)	
)	CONSENT ORDER
Respondent:)	_____
)	
City of West Covina, California)	Health and Safety Code
)	Sections 25355.5(a) (1) (C),58009 and
)	58010

I. INTRODUCTION

1.1 Parties. The California Department of Toxic Substances Control (DTSC) and the City of West Covina, California (Respondent) hereby enter into this Consent Order (Order) and agree to its terms and conditions. Respondent further consents to and will not contest DTSC's jurisdiction to issue this Consent Order or to implement or enforce its terms. DTSC and Respondent agree that the actions undertaken by Respondent in accordance with this Consent Order do not constitute an admission of any liability by Respondent. Respondent does not admit, and retains the right to controvert in any subsequent proceedings other than proceedings to implement or enforce this Consent Order, the validity of the Findings of Fact, Conclusions of Law, or Determinations contained in Sections III, IV, and V, respectively, of this Consent Order.

DTSC and Respondent are referred to collectively herein as the Parties.

1.2 Property/Site. This Order applies to the property located at 2210 South Azusa Avenue, West Covina, California (the Property) . The Property consists of 583 acres. A legal description of the Property is a consolidation of the legal descriptions of Parcels 1, 2 and 3 (described below), attached as Appendix A. A map showing the Property and an adjacent area is also attached as Appendix A. This Order applies to the Property and the areal extent of contamination that resulted from activities on the Property (hereinafter, the "Site"). The BKK Corporation (BKK) owned the entire Property until July 17, 2003. On May 29, 2001, BKK divided the Property into three separate parcels (commonly known as Parcels 1, 2 and 3) by the recording of a final parcel map with the Recorder's Office of Los Angeles County, California. Parcel 1 encompasses approximately 101.198 acres,

Parcel 2 encompasses approximately 56.84 acres, and Parcel 3 encompasses approximately 425.172 acres. Also on May 29, 2001, a land use covenant, which was signed by DTSC, Respondent and BKK, was recorded with the Recorder's Office of Los Angeles County, California. On May 27, 2003, DTSC and Respondent entered into a Consent Order and Covenant Not to Sue, which became effective on July 11, 2003. On July 17, 2003, BKK sold Parcels 1 and 2 to Respondent.

1.3 Site History/Permitting Status. The 583 acre Property was previously rural land. The Property is a Resource Conservation and Recovery Act (RCRA) hazardous waste facility (the Facility) as defined in Health and Safety Code section 25320. The Facility includes an operating leachate treatment plant (LTP) unit (on Parcel 3), a closed Class I landfill unit (on Parcel 3), an inactive Class III landfill unit currently undergoing closure (on Parcel 3) and the inactive Area D waste disposal area (on Parcel 3 and formerly on Parcel 1). BKK remains the operator of the entire Facility and still owns Parcel 3, which includes the Class I landfill, the Class III landfill, the LTP and Area D.

The Class I landfill consists of approximately 190 acres. It began accepting waste in 1963 and started accepting hazardous waste in 1972. It ceased receiving hazardous waste, except for asbestos, in November, 1984. The Class I landfill continued to receive municipal waste until 1987. During the period 1972-1984, at least 3.4 million tons of liquid and solid hazardous wastes, together with nonhazardous wastes, were disposed in the Class I landfill.

The Class I landfill engages in the management of hazardous waste pursuant to an interim status document issued by the Department of Health Services (the predecessor of DTSC) on December 22, 1980. Closure construction was completed in March 1989 and certification was provided to DTSC on May 15, 1989. DTSC acknowledged closure certification on June 12, 1991. Closure included installation of a clay and vegetative cover, a gas collection system and construction of the LTP.

In 1999, DTSC issued for public comment a draft post-closure permit for the Class I landfill and a draft operating permit for the LTP. DTSC received numerous public comments and is preparing to issue the final post-closure permit and an operating permit for the LTP.

The U.S. Environmental Protection Agency (U.S. EPA) is responsible for overseeing corrective action (investigation and cleanup) of any releases from any of the units on the Facility pursuant to RCRA. The Los Angeles Regional Water Quality Control Board (RWQCB) and the South Coast Air Quality Management District (SCAQMD) also regulate both landfills.

The Class III landfill is approximately 175 acres and accepted municipal waste from 1987 to 1996. The Class III landfill is being closed under the oversight of the RWQCB, California Integrated Waste Management Board (CIWMB) and Respondent as the local enforcement agency (LEA).

A Final Closure Plan (PFCP) and the accompanying Partial Final Postclosure Maintenance Plan (PFPMP) were originally submitted to regulatory agencies in December 1994 and revised several times thereafter. These documents were ultimately approved by the RWQCB in September 1997, the LEA in July 2002, and the CIWMB in August 2002. The Class III landfill closure work is being conducted in five (5) geographic areas called "Phases". Phases A, B and C have been closed. Phase D closure work is in progress and closure of Phases D and E is expected to be completed in 2004 and 2005.

1.4 Financial Assurance. BKK is required by State law to maintain financial assurance for both landfills (Cal. Code Regs., tit. 22, § 66265.145 and Pub. Res. Code § 43600 et seq.). For the Class I landfill, BKK obtained a post-closure insurance policy (the Class I landfill policy) (No. PLC 7969053-04) issued by Steadfast Insurance Company (Steadfast), a division of Zurich Insurance Company. The policy has a face value of \$37,142,139 and is intended to pay for costs such as maintenance of the clay cap and operation of the gas collection system. One premium payment in the amount of \$1,389,500 remains to be paid for the Class I landfill and it is due in July 2004. In 1994, BKK obtained a closure and post-closure insurance policy from Steadfast for the Class III landfill (PLC 7902598-05). This insurance policy is intended to cover the costs of activities necessary for closing the Class III landfill such as construction of the final cover, a gas extraction and monitoring system and a leachate monitoring and control system. This policy is also intended to pay for post-closure activities such as maintenance of the drainage system and landfill gas probes, collection and treatment of leachate and landfill gas, and sampling and analysis of groundwater monitoring wells. The Class III landfill policy has a face value of \$11,029,700 for closure and a face value of \$18,295,500 for post-closure. Two premiums remain to be paid for the Class III landfill policy. One premium in the amount of \$1,139,500 was due on October 15, 2003. The final premium payment is due in July 2004, in the amount of \$1,389,500. BKK has stated that it is financially unable to pay all of the remaining premiums for the Class I and Class III policies. Steadfast asserts that if any premium is unpaid, it will cancel both the Class I and Class III insurance policies. DTSC contends that Steadfast may not cancel the Class I landfill policy because the premium due on October 15, 2003 has been paid, regardless of any failure by BKK to pay the Class III premium. Nevertheless, in order to help ensure that the Class I and Class III policies remain in effect without the necessity for litigation between DTSC, the CIWMB, Respondent and Steadfast, and in order to ensure that insurance funds continue to be available

for closure and post-closure costs at the Class I and Class III landfills, Respondent has offered to pay two of BKK's outstanding insurance premiums.

1.5 Jurisdiction. This Order is entered into by the parties pursuant to Health and Safety Code sections 25355.5(a)(1)(C), 58009 and 58010.

Health and Safety Code section 25355.5(a)(1)(C) authorizes DTSC and a responsible party at a site to enter into an enforceable agreement that requires the responsible party to take necessary corrective action to remove the threat of the release, or to determine the nature and extent of the release and adequately characterize the site, prepare a remedial action plan, and complete the necessary removal or remedial actions, as required in the approved remedial action plan.

Health and Safety Code section 58009 authorizes DTSC to commence and maintain all proper and necessary actions and proceedings to enforce its rules and regulations; to enjoin and abate nuisances related to matters within its jurisdiction which are dangerous to health; to compel the performance of any act specifically enjoined upon any person, officer, or board, by any law of this state relating to matters within its jurisdiction; and/or on matters within its jurisdiction, to protect and preserve the public health.

Health and Safety Code section 58010 authorizes DTSC to abate public nuisances related to matters within its jurisdiction.

II. STATEMENT OF PURPOSE

2.1. By entering into this Consent Order, the mutual objectives of the Parties are:

a. to reach a settlement, subject to conditions and reservations, among the Parties with respect to the Site pursuant to Section 113(f) (2) of CERCLA, 42 U.S.C. § 9613(f) (2), that allows Respondent to resolve its alleged civil liability under Section 107 of CERCLA, 42 U.S.C. §9607, for response costs incurred and to be incurred at or in connection with the Site, thereby reducing litigation relating to the Site;

b. to simplify any remaining administrative and judicial enforcement activities concerning the Site by eliminating a Respondent from further involvement at the Site; and

c. to obtain settlement, subject to conditions and reservations, with Respondent for its fair share of response costs incurred and to be incurred at or in connection with the Site by DTSC, and by other persons, and to provide for full and

complete contribution protection for Respondent with regard to the Site pursuant to Section 113(f)(2) of CERCLA, 42 U.S.C. § 9613(f)(2).

III. FINDINGS OF FACT

DTSC hereby finds:

3.1 Liability of Respondent. Respondent is a responsible party or liable person as defined in Health and Safety Code section 25323.5. Respondent's declaration in Appendix B states that Respondent contributed 18,002 tons of material to the Property during the years for which BKK has computerized data. This total is comprised of 11,284 tons of waste disposed at the Class I landfill and 6,718.46 tons of waste disposed at the Class III landfill. This waste consisted of municipal solid waste, solid fill, debris, green waste, and asbestos-containing materials. These materials contained hazardous substances. The volume and general nature of the hazardous substances that Respondent represents it contributed to the Property during the periods of time for which BKK has computerized data are presented by Respondent in Appendix B. Appendix B also discloses four (4) hazardous waste manifests that Respondent discovered in BKK's records that are not computerized.

3.2 Response Costs. DTSC currently estimates that the response costs that have been incurred combined with those to be incurred at or in connection with the Site are approximately \$152,342,193. These costs are comprised of the following: Class I landfill post-closure costs that have been reimbursed to BKK from the Steadfast post-closure insurance policy, the most recent cost estimate for 30 years of post-closure care of the Class I landfill, and closure of the LTP; the closure and 30 year post-closure cost estimates for the Class III landfill; and costs of implementing the corrective action groundwater remedy overseen by U.S. EPA). U.S. EPA also plans to oversee an air remedy, which has not been approved and for which there is not yet a cost estimate. In the future, U.S. EPA may make changes in any of the remedies it has chosen or select additional remedies. The past, present and future activities are collectively referred to as "Response Actions".

3.3 Hazardous Substances Found at the Site. According to BKK, materials accepted at the Class I landfill unit when active included, but were not limited to, acids, asbestos, sludges such as degreasing and oil sludge, oil, pesticides, plating solution, solvent and spill cleanups. Examples of contaminants at the Site include, but are not limited to, acetone, benzene, bromomethane, chlorozenzene, chloroethane, dichloroethene, dioxane, arsenic, and hexavalent chromium. A more complete list of wastes accepted at the Class I landfill is in the 1997 Operation Plan submitted with BKK's Part B post-closure permit application

and in the draft post-closure permit issued by DTSC in November, 1999. More complete lists of contaminants disposed at the Class I landfill are in the post-closure permit and other documents on file with DTSC, U.S. EPA and other regulatory agencies. The Class III landfill accepted asbestos, a hazardous waste under California law.

3.4 Public Health and/or Environmental Risk. The Site is located within the corporate boundary of the City of West Covina, which has a population of approximately 105, 800 persons. The land surrounding the Site has been largely developed in an urban growth pattern consisting primarily of residential units (single family, townhouses, and apartments) and neighborhood shopping centers. The nearest residential areas are to the southeast and northwest of the Site. To the southeast, several homes are within 25 to 50 feet of the Site. Soil and groundwater are contaminated as a result of using an unlined landfill, mixing liquids with solid waste, by ponding within the waste prism and using injections wells in the waste prism.

As a result of the release or threatened release of hazardous substances, DTSC has undertaken response actions at or in connection with the Site, and will undertake response actions in the future. In performing these response actions, DTSC has incurred and will continue to incur response costs at or in connection with the Site.

IV. CONCLUSIONS OF LAW

4.1 Respondent is a responsible party as defined by Health and Safety Code Section 25323.5.

4.2 The presence of contaminants at the Site listed in Section 3.3 indicate there has been a "release" and/or there is a "threatened release" of hazardous substances, as defined in Health and Safety Code Section 25320.

4.3 Response actions are necessary to abate a public nuisance and/or to protect and preserve the public health.

4.4 Respondent is a person "subject to an order," as defined by Health and Safety Code section 25187(a) (3).

4.5 Each of the contaminants listed in Section 3.3 is a "hazardous waste" and/or a "hazardous constituent" and/or a "hazardous substance", as defined or listed in Health and Safety Code Sections 25316, 25317, title 22, California Code of Regulations (Cal. Code Regs.), Division 4.5, Chapter 11, Appendix X, 40 C.F.R.

Section 261.24, or title 22, Cal. Code of Regs., Division 4.5, Chapter 11, Appendix VIII.

4.6 The Property referenced in Paragraph 1.2 is a "hazardous waste facility," as defined by Health and Safety Code Section 25187(b).

V. DETERMINATIONS

5.1 Based on the foregoing findings of fact and conclusions of law, DTSC hereby determines that response action is necessary at the Site because there has been a release and/or there is a threatened release of a hazardous substance.

5.2 Prompt settlement with Respondent is practicable and in the public interest.

VI. ORDER

Based upon the foregoing findings of fact and conclusions of law, and in consideration of the promises and covenants set forth herein, the following is hereby AGREED TO AND ORDERED:

6.1 Settlement-Payment of BKK Insurance Premiums. No later than January 23, 2004, Respondent shall pay, on behalf of BKK, the premium that was due on October 15, 2003 for the Class III landfill insurance policy (PLC 7902598-04), in the amount of \$1,139,500, plus applicable surplus lines taxes and fees of 3.35% of the total premium and accrued interest under the promissory note for the period July 1, 2003 through the date that premium is paid. No later than January 23, 2004, Respondent shall pay, on behalf of BKK, the premium due in July 2004 for the Class I landfill insurance policy (PLC 7969053-05), in the amount of \$1,389,500 plus applicable surplus lines taxes and fees of 3.35% of the total premium.

6.1.1 Notice of Payments. At the time of each payment, Respondent shall send notice that such payment has been made to:

Marilee Hanson
Senior Staff Counsel
Department of Toxic Substances Control
1001 I Street, 23rd Floor
P.O. Box 806
Sacramento, California 95812-0806

6.2 Certification of Information Provided by Respondent. In entering into this Consent Order, Respondent certifies that, to the best of its knowledge and belief:

a) Respondent has conducted a thorough, comprehensive, good faith search for documents and information by examining BKK's hazardous waste manifest records predating the available computerized data from BKK, examining any and all available records and data in the possession of Respondent and interviewing current and past employees of Respondent and BKK regarding Respondent's disposal activities at the Site, and has fully and accurately disclosed to DTSC, all information currently in its possession, or in the possession of its officers, employees, contractors or agents, which relates in any way to the Respondent's ownership, operation, or control of the Site, or to the Respondent's ownership, possession, generation, treatment, transportation, storage or disposal of a hazardous substance, hazardous waste, hazardous constituent, pollutant, or contaminant at or in connection with the Site;

b) Respondent has not altered, mutilated, discarded, destroyed or otherwise disposed of any records, documents, or other information relating to its potential liability regarding the Site after notification of potential liability or the filing of a suit against it regarding the Site;

c) Respondent has provided, or will provide, upon request, all of the relevant documents in its possession pertaining to the Site to DTSC; and has and will comply fully with any and all DTSC requests for information regarding the Site pursuant to Sections 25185.6 and 25358.1 of the Health and Safety Code, and Section 3007 of the Resource Conservation and Recovery Act, 42 U.S.C. § 6927; and

d) Respondent's declarations submitted under penalty of perjury regarding waste contributions and involvement at the Site in Appendices B and C are true and correct.

6.3 Reliance by DTSC. DTSC certifies it has relied on the truth of the certifications in Paragraph 6.2 and information in Appendices B and C in entering into this Consent Order.

6.4 Covenant Not to Sue by DTSC. In consideration of the payments that will be made by Respondent under the terms of this Consent Order, and except as specifically provided in Paragraphs 6.5 and 6.5.1 (Reservations of Rights by DTSC), DTSC covenants not to sue or take administrative action against Respondent based upon Respondent's potential liability as an operator of the Site, or as an arranger for disposal or treatment of hazardous substances at the Site (i.e.generator liability), pursuant to Chapter 6.8 (commencing with Section 25300) of Division 20 of the Health and Safety Code, Section 107 of CERCLA, 42 U.S.C. § 9607, and Section 7002 of the Resource Conservation and Recovery Act, 42 U.S.C. § 6972. With respect to present and future liability, this covenant not to sue shall take effect for Respondent upon receipt by Steadfast of all payments as required by Paragraph 6.1. This covenant not to sue extends only to Respondent and does not extend to any other person. This covenant not to sue is conditioned upon:

- a) the satisfactory performance by Respondent of all obligations under this Consent Order; and
- b) the veracity and accuracy of the information provided to DTSC by Respondent relating to Respondent's waste contributions and involvement with the Site.

6.5 Reservations of Rights by DTSC. The DTSC reserves, and this Consent Order is without prejudice to, all rights against Respondent with respect to all matters not expressly included within the Covenant Not to Sue by DTSC in Paragraph 6.4. Notwithstanding any other provision of this Consent Order, DTSC reserves all rights and claims against Respondent with respect to:

- a) failure to meet any requirement of this Consent Order;
- b) criminal liability;
- c) liability for damages for injury to, destruction of, or loss of natural resources, and for the costs of any natural resource damage assessments;
- d) liability based upon the future ownership or operation of the Site, or upon the future transportation, treatment, storage, or disposal, or the future arrangement for the transportation, treatment, storage, or disposal of a hazardous

substance, hazardous waste, hazardous constituent or a solid waste at or in connection with the Site, after signature of this Consent Order by Respondent; and

- e) liability for violations of local, state or federal law or regulations.

6.5.1 Notwithstanding any other provision in this Consent Order, DTSC reserves, and this Consent Order is without prejudice to, the right to institute judicial or administrative proceedings against Respondent, including but not limited to, the right to declare this Consent Order null and void and to institute any other actions seeking to compel Respondent to perform response actions relating to the Site, and/or to reimburse DTSC for additional costs of response, if:

- a) information is discovered that indicates Respondent's proportionate share of hazardous substances it contributed to the Site is materially greater than the amount set forth in Appendix B and constitutes at least two percent (2%) of the total amount of waste disposed at the Class I and Class III landfills;

- b) information is discovered that indicates the hazardous substances Respondent contributed to the Site are significantly different and possess significantly greater toxic or other hazardous effects than as set forth in Appendix B;

- c) information is discovered that indicates that Respondent acted as an operator of the Class I or Class III landfills pursuant to Chapter 6.8 (commencing with Section 25300) of Division 20 of the Health and Safety Code, Section 107 of CERCLA, 42 U.S.C. § 9607 or Section 7002 of the Resource Conservation and Recovery Act, 42 U.S.C. § 6972, contrary to its representations set forth in Appendix C; or

- d) information is discovered that indicates any of the representations provided to DTSC by Respondent referred to in Paragraph 6.2 and provided in Appendices B or C are false, misleading, contain fraudulent statements, or do not reveal information currently known by BKK or Respondent.

6.5.2 Exercise of Authority. Except as expressly provided in this Consent Order, nothing in this Consent Order is intended nor shall it be construed to preclude DTSC from exercising its authority under any law, statute or regulation. Furthermore, nothing in this Consent Order is intended, nor shall it be construed, to preclude any other state agency, department, board or entity or any federal entity from exercising its authority under any law, statute or regulation.

6.6 Covenant Not to Sue by Respondent. Respondent covenants not to sue and agrees not to assert any claims or causes of action against DTSC or its contractors or employees with respect to the Site or this Consent Order, including,

but not limited to:

- a. any direct or indirect claim for reimbursement from DTSC, or from any State fund, under any other provision of law;
- b. any claim arising out of response actions at or in connection with the Site, including but not limited to nuisance, trespass, takings, equitable indemnity and indemnity under California law, or strict liability under California law; and
- c. any claim against the State of California pursuant to Sections 107 and 113 of CERCLA, 42 U.S.C. §§ 9607 and 9613 or section 7002 of RCRA, relating to the Site.

6.7 Effect of Settlement/Contribution Protection. Nothing in this Consent Order shall be construed to create any rights in, or grant any cause of action to, any person not a Party to this Consent Order. DTSC and Respondent each reserve any and all rights (including, but not limited to, any right to contribution), defenses, claims, demands, and causes of action that each Party may have with respect to any matter, transaction, or occurrence relating in any way to the Site against any person not a Party hereto.

6.7.1 In any subsequent administrative or judicial proceeding initiated by DTSC for injunctive relief, recovery of response costs, or other relief relating to the Site, Respondent shall not assert, and may not maintain, any defense or claim based upon the principles of waiver, *res judicata*, collateral estoppel, issue preclusion, claim-splitting, or other defenses based upon any contention that the claims raised in the subsequent proceeding were or should have been brought in the instant proceeding; provided, however, that nothing in this Paragraph affects the enforceability of the covenant not to sue included in Paragraph 6.4.

6.8.2 Matters Addressed. The Parties agree that Respondent is entitled to protection from contribution actions or claims from any and all parties as provided by CERCLA section 113(f)(2), 42 U.S.C. section 9613(f)(2), for Matters Addressed in this Consent Order. Matters Addressed shall include potential liability as an operator of the Site, or as an arranger for disposal or treatment of hazardous substances at the Site (i.e. generator liability) pursuant to Chapter 6.8 (commencing with section 25300) of Division 20 of the Health and Safety Code and section 107 of CERCLA, 42 U.S.C. section 9607. This contribution protection shall apply to Respondent and no other person.

6.7.3. Effective Date of Contribution Protection. The protection provided for in Paragraph 6.7.2 above shall not take effect until all payments

required by this Consent Order have been made by Respondent and received by Steadfast.

6.8 Parties Bound. This Consent Order shall apply to and be binding upon DTSC and upon Respondent and their successors and assigns. Any change in ownership or corporate or other legal status of Respondent, including but not limited to, any transfer of assets or real or personal property, shall in no way alter Respondent's responsibilities under this Consent Order. Each signatory to this Consent Order certifies that he or she is authorized to enter into the terms and conditions of this Consent Order and to execute and bind legally the party represented by him or her.

6.9 Integration/Appendices. This Consent Order and its appendices constitute the final, complete and exclusive agreement and understanding among the Parties with respect to the settlement embodied in this Consent Order. The Parties acknowledge that there are no representations, agreements or understandings relating to the settlement other than those expressly contained or referenced in this Consent Order. The following appendices are attached to and incorporated into this Consent Order:

“Appendix A” includes the legal descriptions and the map of the Property.

“Appendix B” includes Respondent’s and BKK’s declarations concerning the materials contributed to the Site by Respondent.

“Appendix C” is Respondent’s declaration concerning Respondent’s past and present involvement with the Site.

6.10 Severability. The requirements of this Agreement are severable, and Respondent shall comply with each and every provision hereof, notwithstanding the effectiveness of any other provision.

6.11 Governing Law. This Agreement shall be construed and governed by the laws of the State of California.

VII. PUBLIC COMMENT

7.1 This Consent Order shall be subject to a public comment period of not less than 30 days. DTSC may withdraw or withhold its consent to this Consent Order if comments received disclose facts or considerations that indicate that this Consent Order is inappropriate, improper, or inadequate.

VIII. EFFECTIVE DATE

8.1 The effective date of this Consent Order shall be the date upon which DTSC signs this Consent Order and issues written notice to Respondent that the public comment period pursuant to Paragraph 7.1 has closed, and that comments received, if any, do not require modification of or DTSC withdrawal from this Consent Order.

IX. SIGNATORIES

9.1 Each undersigned representative of the parties to this Order certifies that he or she is fully authorized to enter into the terms and conditions of this Order and to execute and legally bind the Parties to this Order.

9.2 This Order may be executed and delivered in any number of counterparts, each of which when executed and delivered shall be deemed to be an original, but such counterparts shall together constitute one and the same document.

IT IS HEREBY AGREED AND ORDERED.

DATE: December 18, 2003

Original signed by Andy Pasmant

Andrew Pasmant
City Manager
Respondent City of West Covina

DATE: _____

Barbara Coler,
Chief, Permitting and Corrective Action Division
Department of Toxic Substances Control

APPENDIX A

Legal Descriptions of Parcels 1, 2 and 3 (the Property) and
Map of the Property and Adjoining Lot 5

DESCRIPTION OF PARCEL 1 OF THE PROPERTY

Parcel 1 of Parcel Map No. **24585**, as filed with the Los Angeles County Recorder's Office on May 29, 2001, as per map filed in **Book 301**, pages **61** through **68** inclusive of Parcel Maps, in the Office of the County Recorder of said County.

Also described as: that portion of Rancho La Puente in the City of West Covina, County of Los Angeles known as Lot **3** as shown on a Record of Survey recorded in Book **85**, Pages 10 through 12, inclusive, on file in the Office of the County Recorder of said County.

DESCRIPTION OF PARCEL 2 OF THE PROPERTY

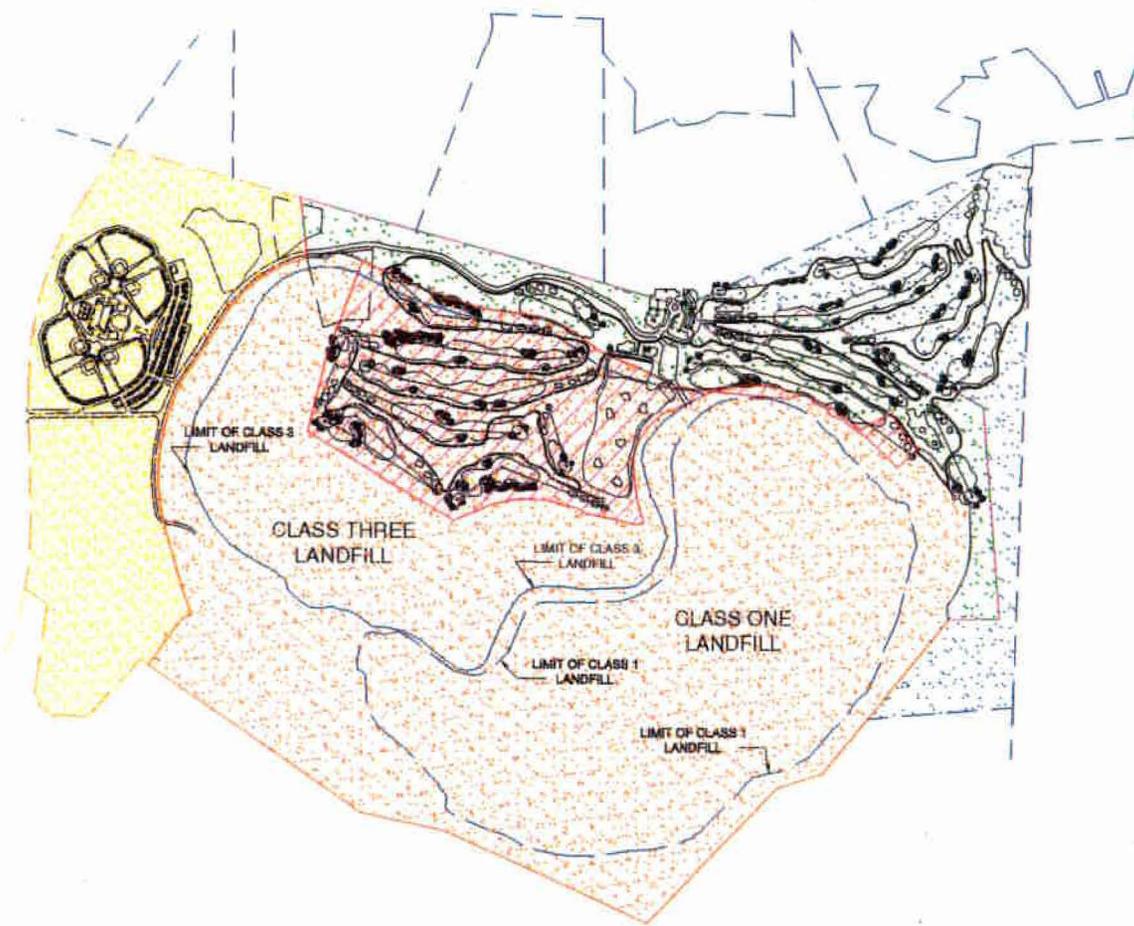
Parcel 2 of Parcel Map No. 24585, as filed with the Los Angeles County Recorder's Office on May 29, 2001, as per map filed in Book 301, pages 61 through 68 inclusive of Parcel Maps, in the Office of the County Recorder of said County.

Also described as: that portion of Rancho La Puente in the City of West Covina, County of Los Angeles known as Lot 3 as shown on a Record of Survey recorded in Book 85, Pages 10 through 12, inclusive, on file in the Office of the County Recorder of said County.

DESCRIPTION OF PARCEL 3

Parcel 3 of Parcel Map No. 24585, as filed with the Los Angeles County Recorder's Office on May 29, 2001, as per map filed in Book 301, pages 61 through 68 inclusive of Parcel Maps, in the Office of the County Recorder of said County.

Also described as: that portion of Rancho La Puente in the City of West Covina, County of Los Angeles known as Lot 3 as shown on a Record of Survey recorded in Book 85, Pages 10 through 12, inclusive, on file in the Office of the County Recorder of said County.



MAP OF THE PROPERTY AND LOT 5

-  GOLF COURSE LICENSE AREA
-  PARCEL 1
-  PARCEL 2
-  PARCEL 3
-  LOT 5

APPENDIX B

Respondent's Declaration Concerning Waste Disposal
(with declaration by BKK attached as an exhibit)

1 **APPENDIX B**

2
3 I, STEVEN L. SAMANIEGO, declare that the following is true
4 and correct and from personal knowledge, and that if called as a
5 witness, I could and would testify competently to the following:

6 1. I am currently the Environmental Management
7 Director of the City of West Covina (the "City") with oversight
8 and management responsibilities for the City's departments that
9 are responsible for waste collection. I have held this position
10 since January 1999.

11 2. I have been staff to the Waste Management and
12 Environmental Quality Commission ("Commission") since January
13 1999, and in this capacity, I serve as a liaison to the
14 Commission by reporting ongoing City activities to the
15 Commission, and relaying to the City Council the Commission's
16 recommendations regarding issues that may arise.

17 3. I have been the Manager of the Local Enforcement
18 Agency for the City since August 1992, with the authority to
19 enforce the State Solid Waste environmental laws in the City.

20 4. As the Local Enforcement Agency certified by the
21 California Integrated Waste Management Board, my staff and I
22 enforce the applicable State regulations at the BKK Class III
23 landfill.

24 5. As the City's Environmental Management Director,
25 my staff and I assist in enforcing applicable local land use
26 restrictions regarding the BKK landfills in accordance with the
27 City's Municipal Code by referring issues to the City's Planning
28 Department and Special Environmental Counsel.

1 6. I have made reasonable efforts to locate documents
2 retained by the City reflecting the disposal of City waste at the
3 Class I and Class III landfills and have not been able to locate
4 any relevant documents.

5 7. I have also interviewed various individuals
6 including various City employees in the maintenance and finance
7 departments and the City's current and past waste haulers (Athens
8 and West Covina Disposal), but these individuals have not been
9 able to verify the quantity and the characteristics of the waste
10 the City sent to the Class I and Class III landfills. I have
11 learned through interviews with the City's maintenance department
12 that the City may have sent small quantities of waste oil to the
13 BKK facility prior to 1986, however, the City has confirmed that
14 it did not send any waste oil to BKK after 1986. I have not
15 located any documents to verify these facts. I have also learned,
16 based on interviews with City employees, that the City may have
17 also sent small quantities of hazardous waste (possibly a few
18 gallons of ether) from an illegal metamphetamine lab that was
19 subject to an enforcement action. I believe that this incident
20 may be reflected in Hazardous Waste Manifest 088-012731 as
21 referenced in Paragraph 8 and attached hereto as Exhibit "A".

22 8. I have also supervised the City's review of the
23 BKK hazardous waste manifest documents located at the BKK
24 facility. After a review of all the boxes of documents
25 designated by BKK as containing hazardous waste manifests, we
26 have found four hazardous waste manifests, which are attached

27
28

1 hereto as Exhibit "A".¹ The hazardous waste manifests show that
2 the City may have sent 55 gallons of "poisonous solid corrosive"
3 material, 55 gallons of "corrosive solid," 0.5 gallons of
4 "oxidizer NOS," 0.5 gallons of "flammable liquid NOS," and 110
5 BBLs of "mud and water" to the landfill.²

6 9. I have reviewed the declaration of Kris Kazarian
7 (attached hereto as Exhibit "B") and to the best of my knowledge,
8 the restored computerized data provided therein accurately
9 reflects the amount and types of City waste disposed at the BKK
10 facility during the periods of time for which BKK has restored
11 computerized data.

12 10. According to BKK's restored computerized data, the
13 City sent the following quantities of materials to the facility
14 during the time periods for which BKK has restored computerized
15 data:

16 Class I Landfill:

17 Total City non-hazardous waste disposed: 11,284 tons

18 Total City hazardous waste disposed: 0 tons

19 Class III Landfill:

20 Total City non-hazardous municipal trash disposed: 6,717
21 tons

22 Total City hazardous waste disposed: 1.46 tons

23 11. Based on my experience in my role as Manager of
24 the LEA and Environmental Management Director, I have no current

25 _____
26 ¹ Manifest No. 088-121731 designates the Los Angeles Police Department as the
27 generator, however, we believe that the West Covina Police Department may have
28 been involved in this incident involving "clandestine laboratories."

² Manifest No. 088-121731 is not included in this calculation since the City
is not the generator on the manifest. Furthermore, Manifest Nos. 088-038959
and 088-012691 relate to "emergency spill" and "chemical spill," and as such,
the hazardous waste sent to BKK may not have been the City's hazardous waste.

EXHIBIT A TO APPENDIX B

INSTRUCTIONS PLEASE
TYPE OR PRINT CLEARLY.
PRESS HARD

CALIFORNIA HAZARDOUS WASTE MANIFEST

STATE DEPARTMENT OF HEALTH SERVICES
HAZARDOUS MATERIALS MANAGEMENT SECTION
744 P STREET, SACRAMENTO, CA 95814

① MANIFEST NO.
088-038959

12/ 857100

ORIGINAL TSDP KEYS (SEEN NUMBER)

GENERATOR (GENERATOR MUST COMPLETE) ③ DESIGNATED T.S.D. FACILITY AUTHORIZED TO OPERATE AS APPROVED STATE OR FEDERAL PROGRAM. ④ ALTERNATE TSD FACILITY 2

② NAME W. Couina PA NAME BKK NAME _____

EPA NO. 5M161E1N1E1R1A1T1O1 EPA NO. CAD01677816749 EPA NO. _____

ADDRESS 1444 W Garvey PHONE NO. 3381111 ADDRESS 2210 Grove Av PHONE NO. 965 0416 ADDRESS _____ PHONE NO. _____

CITY, STATE, ZIP W. Couina CITY, STATE, ZIP W. Couina CITY, STATE, ZIP _____

⑤ U.S. DOT PROPER SHIPPING NAME	U.S. DOT HAZARD CLASS	UN / I.D. NO.	WEIGHT OR VOLUME	UNITS	CONTAINER NO. <u>2</u>
WASTE <u>Poisonous solid Corrosive</u>	<u>Poison + Corrosive</u>	<u>2928</u>	<u>55</u>	<u>gal</u>	TYPE <input checked="" type="checkbox"/> DRUMS <input type="checkbox"/> BAGS <input type="checkbox"/> CARTONS <input type="checkbox"/> TANK TRUCK <input type="checkbox"/> DUMP TRUCK <input type="checkbox"/> OTHER
WASTE <u>Corrosive solid</u>	<u>corrosive</u>	<u>1759</u>	<u>55</u>	<u>gal.</u>	

⑥ WASTE CATEGORY 67 EX. HAZ. WASTE _____ ⑦ PERMIT NO. _____ ⑧ PROCESS chemical spill

⑨ LIST COMPONENTS

A.	CONC. RANGE UPPER	LOWER	% PPM E.	has cool procedure support flame	CONC. RANGE UPPER	LOWER	% PPM
<u>contaminated paper</u>			<input type="checkbox"/>				<input type="checkbox"/>
<u>contaminated container</u>			<input type="checkbox"/>	<u>pH-10</u>			<input type="checkbox"/>
C.			<input type="checkbox"/>				<input type="checkbox"/>
D.			<input type="checkbox"/>				<input type="checkbox"/>

NON HAZARDOUS MATERIAL _____ %

⑩ WASTE PROPERTIES: TOXIC FLAMMABLE CORROSIVE/IRRITANT REACTIVE SENSITIZER CARCINOGEN/MUTAGEN

⑪ PHYSICAL STATE: SOLID LIQUID SLUDGE SLURRY GAS OTHER _____

⑫ SPECIAL HANDLING INSTRUCTIONS: GLOVES GOGGLES RESPIRATOR OTHER _____

GENERATOR CERTIFICATION: THIS IS TO CERTIFY THAT THE ABOVE NAMED MATERIALS ARE PROPERLY CLASSIFIED, DESCRIBED, PACKAGED, MARKED AND LABELED, AND ARE IN PROPER CONDITION FOR TRANSPORTATION ACCORDING TO THE APPLICABLE REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION AND EPA.

IN THE EVENT OF A SPILL CONTACT THE NATIONAL RESPONSE CENTER, U.S. COAST GUARD 1-800-424-8802

⑬ [Signature] 10/3/82
SIGNATURE OF AUTHORIZED AGENT AND TITLE DATE SHIPPED

TRANSPORTER (HAULER MUST COMPLETE)

⑭ NAME IT CORPORATION EPA NO. CAD0000057760 ⑮ PICK UP DATE 10-3-82 TIME 1700 AM PM

ADDRESS 336 WEST ANAHEIM STREET CITY WILMINGTON STATE CA ZIP 90744 ⑯ [Signature] DATE SHIPPED _____

PHONE NO.: (213) 830-1781 TRUCK # _____

TSD FACILITY (FACILITY OPERATOR MUST COMPLETE)

⑰ NAME BKK ⑱ QUANTITY (IF MEASURED) 0.84 ⑳ HANDLING OR DISPOSAL METHOD 0.34

EPA NO. CAD00677816749 ㉑ STATE FEE (IF ANY) \$4.00 PHONE NO. _____

SURFACE IMPOUNDMENT LANDFILL

INJECTION WELL LAND TREATMENT

TREATMENT (SPECIFY) _____

RECOVERY OR REUSE

STORAGE/TRANSFER

⑳ INDICATE ANY SIGNIFICANT DISCREPANCIES BETWEEN MANIFEST AND SHIPMENT: _____

㉒ IF WASTE IS HELD FOR DELIVERY ELSEWHERE SPECIFY THE DESIGNATED TSD FACILITY: _____

NAME [Signature] EPA NO. _____

③ [Signature] 33 41 10/4/82 EPA WASTE NUMBER _____

POSTED

EXHIBIT A

INSTRUCTIONS FOR COMPLETING MANIFEST

TYPE OR PRINT CLEARLY. ILLEGIBLE OR INCOMPLETE MANIFESTS WILL BE RETURNED TO YOU BY THE STATE FOR CLARIFICATION.

GENERATOR:

ITEM 1: BEFORE FILLING OUT THE MANIFEST, A UNIQUE MANIFEST SERIAL NUMBER SHALL BE WRITTEN OR PRINTED ON THE MANIFEST. (REFER TO THE TRANSPORTER ITEM 1 BELOW)

ITEM 2: PROVIDE THE COMPLETE NAME, EPA I.D. NUMBER, ADDRESS AND PHONE NUMBER OF THE GENERATOR. **PN? DESIGNATED TSD FACILITIES.**

ITEM 3: PROVIDE ALL U.S. DOT REQUIRED INFORMATION. REFER TO 49 CFR 172 FOR ASSISTANCE. (IF NOT APPLICABLE, WRITE "NONE" IN ITEM 5).

ITEM 4: PROVIDE THE MOST APPLICABLE INDUSTRIAL WASTE CATEGORY NUMBER FROM THE FOLLOWING LIST. IF NOT APPLICABLE, WRITE "NONE" IN ITEM 6. IN CASES

WHERE A WASTE COULD BE DESCRIBED BY MORE THAN ONE CATEGORY, SELECT THE MOST SPECIFIC. (EXAMPLE: IF YOU GENERATE A WASTE ACID PLATING SOLUTION CON-

TAINING DISSOLVED METAL, SELECT THE CATEGORY "PLATING SOLUTION, ACID" RATHER THAN "ACID SOLUTION" OR "HEAVY METAL SOLUTION"). IF NONE OF THE LISTED

CATEGORIES ADEQUATELY DESCRIBE YOUR WASTE, WRITE THE WASTE'S CATEGORY IN ITEM 6.

- | | | | | | |
|-------------------------|--------------------------|------------------------|---------------------------|----------------------------|-------------------------|
| 1. ACID SLUDGE | 14. BILGE WATER | 27. FCC WASTE | 40. INK WASTEWATER | 53. PHENOLIC WASTE | 65. SOLVENT, OXYGENATED |
| 2. ACID SOLUTION | 15. BLASTING SAND | 28. FILTER CAKE | 41. LAB. CHEMICALS | 54. PHOTOPROCESS. WASTE | 66. SOLVENT, MIXED |
| 3. ADHESIVE | 16. CAPACITORS, PCB | 29. FILTERS, SPENT | 42. LIME SLUDGE | 55. PLATING SLUDGE | 67. SPILL CLEANUP RESID |
| 4. ALKALINE SLUDGE | 17. CATALYST | 30. FLUX | 43. MACH. TOOL COOLANT | 56. PLATING SOLUT., ACID | 68. STRETFORD SOLUTION |
| 5. ALKALINE SOLUTION | 18. CHEMICALS, UNUSED | 31. FLY ASH | 44. MACHINING WASTE | 57. PLATING SOLUT., ALKAL. | 69. SULFIDE SLUDGE |
| 6. ALKALI SOLIDS | 19. CONTAINERS, EMPTY | 32. GASOLINE AND WATER | 45. METAL DUST | 58. POLYCHLORINATED | 70. SUMP OR LAGOON SED. |
| 7. ALUM SLUDGE | 20. CONTAMINATED EQUIP. | 33. GLAZE SLUDGE | 46. OIL | BIPHENYLS | 71. JANK BOTTOM SED. |
| 8. API SEPARATOR SLUDGE | 21. CONTAMINATED SOIL | 34. GLUE | 47. OIL SLUDGE | 59. RESIN WASTE | 72. TANNING SLUDGE |
| 9. ASBESTOS SOLIDS | 22. CYANIDES | 35. HAIR PULP | 48. OIL AND WATER | 60. SCRUBBER SLUDGE | 73. TETRAETHYL LEAD |
| 10. ASBESTOS SLUDGE | 23. DETERGENT | 36. HEAVY METAL SOLUT | 49. PAINT SLUDGE | 61. SCRUBBER SOLUTION | SLUDGE |
| 11. ASHES | 24. DISTILLATION BOTTOMS | 37. HEAVY METAL SLUDGE | 50. PESTICIDES | 62. SOAP | 74. TRANSFORMERS, PCB |
| 12. ASD FILTER CAKE | 25. DRILLING MUD | 38. INK & SOLVENT | 51. PESTICIDE CONTAINER | 63. SOLVENT, CHLORINATED | 75. WASTE WATER TREAT- |
| 13. BAGHOUSE WASTE | 26. DRUGS | 39. INK SLUDGE | 52. PESTICIDE RINSE WATER | 64. SOLVENT, HYDROCARBON | MENT SLUDGE |

ITEM 7: IF THE WASTE IS EXTREMELY HAZARDOUS, PROVIDE THE STATE EXTREMELY HAZARDOUS PERMIT NUMBER.

ITEM 8: INDICATE THE PROCESS, ACTIVITY, OR OPERATION WHICH GENERATED THE WASTE (EXAMPLES: AIRCRAFT CLEANING, INSULATION STRIPPING, REACTOR CLEANING, EBT PRODUCTION, ALKYLATION, PRINTED CIRCUIT BOARD ETCHING).

ITEM 9: INFORMATION MUST BE PROVIDED IN ITEM 9. DO NOT LEAVE BLANK. IDENTIFY THE MAJOR HAZARDOUS CONSTITUENTS IN THE WASTE ALONG WITH THE PROBABLE UPPER AND LOWER CONCENTRATIONS. (EXAMPLE: HYDROCHLORIC ACID, LEAD OXIDE, PHENOL, PCB, CYANIDE, DDT SODIUM HYDROXIDE). PROVIDE THE APPROXIMATE CONCENTRATION OF NONHAZARDOUS MATERIAL.

ITEM 10: TO CHECK THE APPROPRIATE PROPERTIES TO SHOW THE HAZARDOUS PROPERTIES AND PHYSICAL STATE OF THE WASTE. IF A WASTE HAS MORE THAN ONE HAZARDOUS PROPERTY (E.G., TOXIC AND CORROSIVE) CHECK ALL APPROPRIATE PROPERTIES (E.G., TOXIC AND CORROSIVE BOXES). IF THE WASTE IS AN AQUEOUS LIQUID, THE pH MUST BE REPORTED IN ITEM 11.

ITEM 11: CHECK IT BY CHECKING THE APPROPRIATE BOXES WHETHER GLOVES, GOGGLES, OR RESPIRATORS SHOULD BE WORN BY PERSONS HANDLING THE WASTE. ANY SPECIAL EQUIPMENT, PRECAUTIONS, OR HAZARDS SHOULD BE NOTED (EXAMPLE: SULFIDE SOLUTION WILL GENERATE TOXIC GAS IF MIXED WITH ACIDS).

ITEM 12: SIGN THE MANIFEST AND PROVIDE YOUR TITLE AND THE DATE THE WASTE WAS REMOVED FROM YOUR FACILITY. THE PERSON SIGNING THE ITEM 13 SHALL BE KNOWLEDGEABLE ABOUT THE CHEMICAL AND PHYSICAL PROPERTIES OF THE WASTE AND SHALL BE AUTHORIZED BY THE MANAGEMENT OF THE GENERATING ESTABLISHMENT TO SIGN THE MANIFEST. IT IS UNLAWFUL FOR A TRANSPORTER WHO IS NOT THE GENERATOR TO SIGN ITEM 13.

TRANSPORTER:

ITEM 1: PROVIDE THE SERIAL NUMBER OF THE MANIFEST. THE FIRST THREE DIGITS SHALL BE YOUR STATE HAZARDOUS WASTE HAULER NUMBER. THE LAST SIX DIGITS MAY BE ANY CONVENIENT COMBINATION OF DIGITS (E.G., SEQUENTIAL OR CHRONOLOGICAL). FOR EXAMPLE IF YOUR REGISTRATION NUMBER IS 899. THE NUMBER OF YOUR ONE THOUSANDTH LOAD WOULD BE 899-001900. THE COMPLETE NINE DIGIT MANIFEST NUMBER SHALL BE UNIQUE FOR ANY FIVE YEAR PERIOD (EXAMPLE: IF YOU USE MANIFEST NUMBER 899-001000 ON MAY 31, 1981 IT SHALL NOT BE USED ON A MANIFEST AGAIN BEFORE JUNE 1, 1986).

ITEM 14: ENTER COMPANY NAME, EPA I.D. NUMBER, ADDRESS, TELEPHONE NUMBER.

ITEM 15: INDICATE THE DATE AND THE EXACT TIME THE WASTE WAS REMOVED FROM THE GENERATOR'S FACILITY.

ITEM 16: SIGN THE MANIFEST UPON RECEIPT OF THE SHIPMENT AND INDICATE THE DATE SIGNED. THE DRIVER SHALL CARRY THE MANIFEST IN A LOCATION PRESCRIBED IN 49CFR 177.817(E).

TSD FACILITY OPERATOR:

ITEM 17: PROVIDE THE TSD FACILITY NAME, AND EPA I.D. NUMBER.

ITEM 18: IF THE QUANTITY OF WASTE IS MEASURED OR ESTIMATED AT THE TSD FACILITY (E.G. WEIGHED), INDICATE THE QUANTITY.

ITEM 19: IF THE WASTE IS APPLIED TO THE LAND (E.G. SURFACE IMPOUNDMENT, LANDFILL, INJECTION WELL, OR LAND TREATMENT AREA), THE STATE HAZARDOUS WASTE FEE MUST BE SENT TO THE DOHS. INDICATE THE FEE IN ITEM 19.

ITEM 20: WRITE IN ANY DISCREPANCIES **NOTED** BETWEEN THE MANIFEST INFORMATION PROVIDED BY THE GENERATOR OR TRANSPORTER AND THAT FOUND WHEN THE SHIPMENT WAS DELIVERED TO THE FACILITY. (EXAMPLES: DIFFERENCES IN THE QUANTITY OR CHARACTER OF THE WASTE, CONTAINER TYPE, VEHICLE TYPE). SOME SIGNIFICANT DISCREPANCIES ARE DESCRIBED IN 40CFR 264.72.

ITEM 21: CHECK THE BOX(ES) TO INDICATE THE METHOD(S) USED TO HANDLE OR DISPOSE OF THE WASTE AT THE HAZARDOUS WASTE FACILITY. IF THE WASTE IS TREATED PRIOR TO OR INSTEAD OF LAND DISPOSAL, WRITE IN THE TREATMENT METHOD (EXAMPLES: NEUTRALIZATION, INCINERATION, OXIDATION).

ITEM 22: IF THE WASTE IS HELD AT THE TSD FACILITY PRIOR TO EVENTUAL SHIPMENT TO ANOTHER FACILITY FOR TREATMENT STORAGE, OR DISPOSAL, PROVIDE THE NAME OF THE DESIGNATED FINAL TSD FACILITY AND ITS EPA I.D. NUMBER. IN SUCH CASES, YOU AS THE FACILITY OPERATOR (TRANSFER STATION) SHALL FILL OUT A NEW MASTER MANIFEST AND RECORDING ALL THE WASTES IN THE SHIPMENT. COMPLETED COPIES OF ALL ORIGINAL

SEE REVERSE SIDE FOR INSTRUCTIONS. PLEASE TYPE OR PRINT CLEARLY. PRESS HARD

CALIFORNIA HAZARDOUS WASTE MANIFEST

STATE DEPARTMENT OF HEALTH SERVICES
HAZARDOUS MATERIALS MANAGEMENT SECTION
744 P STREET, SACRAMENTO, CA 95814

① MANIFEST NO.
088-012731

42481

GENERATOR (GENERATOR MUST COMPLETE) ③ DESIGNATED T.S.D. FACILITY AUTHORIZED TO OPERATE AS APPROVED STATE OR FEDERAL PROGRAM. ④ ALTERNATE TSD FACILITY

② NAME SID LOS ANGELES POLICE DEPT NAME BKK CORP NAME CASMALIA DISPOSAL

EPA NO. SIMALKI GENERATOR EPA NO. CA1D10161718161749 EPA NO. CA1D10121017141811215

ADDRESS 150 N. Los Angeles PHONE NO. 213-485-2535 ADDRESS 2210 S. AZUSA PHONE NO. 213-965-0916 ADDRESS NTD ROAD PHONE NO. 805-937

STATE, CITY, ZIP CA, Los Angeles 90012 STATE, CITY, ZIP CA, West Covina 91790 STATE, CITY, ZIP CA, CASMALIA 93429

⑤ U.S. DOT PROPER SHIPPING NAME

U.S. DOT HAZARD CLASS	UN / NA I.D. NO.	WEIGHT OR VOLUME	UNITS

WASTE SEE ATTACHED LIST

CONTAINER NO. 3

TYPE DRUMS BAGS CARTONS TANK TRUCK DUMP TRUCK OTHER

⑥ WASTE CATEGORY (41) ⑦ EX HAZ WASTE PERMIT NO. 3-~~7768~~ 3-3284 ⑧ GENERATING PROCESS CLANDESTINE LABORATORIES

⑨ LIST COMPONENTS

	CONC RANGE		%	PPM	E	CONC RANGE		%	PPM
	UPPER	LOWER				UPPER	LOWER		
A									
B									
C									

FOR CONTAINER 3 ONLY

⑩ W _____ ES pH _____

⑪ SOLID

⑫ SPECIAL HANDLING INSTRUCTIONS: GLOVES GOGGLES RESPIRATOR OTHER _____

IN THE EVENT OF A SPILL CONTACT THE NATIONAL RESPONSE _____ 10-4-82

EPA NO. CA1D1010101015171610 ⑮ PICK UP DATE 10-4-82 TIME 11:00 AM PM

PHONE NO. 213-830-1781 CITY WILMINGTON STATE CA ZIP 90744 ⑯ Rolf D. Diller SIGNATURE OF AUTHORIZED AGENT AND TITLE 10-4-82 DATE SHIPPED

TRUCK # _____

TSD FACILITY (FACILITY OPERATOR MUST COMPLETE)

⑰ NAME BKK ⑱ QUANTITY (IF MEASURED) # 038959 0.50 ⑳

EPA NO. CA1D10101718161749 ⑲ STATE FEE (IF ANY) see PHONE NO. _____

⑳ INDICATE ANY SIGNIFICANT DISCREPANCIES BETWEEN MANIFEST AND SHIPMENT: _____

㉑ IF WASTE IS HELD FOR DELIVERY ELSEWHERE SPECIFY THE DESIGNATED TSD FACILITY

NAME AD EPA NO. _____

⑳ AD 33/4 SIGNATURE OF AUTHORIZED AGENT AND TITLE 10/4/82 DATE ACCEPTED

EPA WASTE CODE _____

15720

INSTRUCTIONS FOR COMPLETING MANIFEST

15720

TYPE OR PRINT CLEARLY. ILLEGIBLE OR INCOMPLETE MANIFESTS WILL BE RETURNED TO YOU BY THE STATE FOR CLARIFICATION.

GENERATOR

ITEM 1: PROVIDE PRINT OR TYPE THE MANIFEST. A UNIQUE MANIFEST SERIAL NUMBER SHALL BE WRITTEN OR PRINTED ON THE MANIFEST. REFER TO THE TRANSPORTER ITEM 1 BELOW FOR A LIST OF THE COMPLETE NAME, EPA I.D. NUMBER, ADDRESS AND PHONE NUMBER OF THE GENERATOR AND DESIGNATED TSD FACILITIES. ITEM 2: PROVIDE THE MOST APPLICABLE INDUSTRIAL WASTE CATEGORY NUMBER FROM THE FOLLOWING LIST. IF NOT APPLICABLE, WRITE "NONE" IN ITEM 6. IN CASES WHERE A WASTE COULD BE DESCRIBED BY MORE THAN ONE CATEGORY, SELECT THE MOST SPECIFIC. (EXAMPLE: IF YOU GENERATE A WASTE ACID PLATING SOLUTION CONTAINING DISSOLVED METAL, SELECT THE CATEGORY "PLATING SOLUTION, ACID" RATHER THAN "ACID SOLUTION" OR "HEAVY METAL SOLUTION"). IF NONE OF THE LISTED CATEGORIES ADEQUATELY DESCRIBE YOUR WASTE, WRITE THE WASTE'S CATEGORY IN ITEM 6:

- | | | | | | |
|-------------------------|--------------------------|------------------------|---------------------------|------------------------------|----------------------------------|
| 1. ACID SLUDGE | 14. BILGE WATER | 27. FCC WASTE | 40. INK WASTEWATER | 53. PHENOLIC WASTE | 65. SOLVENT, OXYGENATED |
| 2. ACID SOLUTION | 15. BLASTING SAND | 28. FILTER CAKE | 41. LAB. CHEMICALS | 54. PHOTOPROCESS WASTE | 66. SOLVENT, MIXED |
| 3. ADHESIVE | 16. CAPACITORS, ETC. | 29. FILTERS, SPENT | 42. LIME SLUDGE | 55. PLATING SLUDGE | 67. SPILL CLEANUP RESID. |
| 4. ALFAIRINE SLUDGE | 17. CATALYST | 30. FLUX | 43. MACH. TOOL COOLANT | 56. PLATING SOLUT., ACID | 68. STRETFORD SOLUTION |
| 5. ALKALINE SOLUTION | 18. CHEMICALS, UNUSED | 31. FLY ASH | 44. MACHINING WASTE | 57. PLATING SOLUT., ALKAL. | 69. SULFIDE SLUDGE |
| 6. ALKALI SOLIDS | 19. CONTAINERS, EMPTY | 32. GASOLINE AND WATER | 45. METAL DUST | 58. POYCHLORINATED BIPHENYLS | 70. SUMP OR LAGOON SED. |
| 7. ALUM SLUDGE | 20. CONTAMINATED EQUIP. | 33. GLAZE SLUDGE | 46. OIL | 59. RESIN WASTE | 71. TANK BOTTOM SED. |
| 8. API SEPARATOR SLUDGE | 21. CONTAMINATED SOIL | 34. GLUE | 47. OIL SLUDGE | 60. SCRUBBER SLUDGE | 72. TANNING SLUDGE |
| 9. ASBESTOS SOLIDS | 22. CYANIDES | 35. HAIR PULP | 48. OIL AND WATER | 61. SCRUBBER SOLUTION | 73. TETRAETHYL LEAD SLUDGE |
| 10. ASBESTOS SLUDGE | 23. DETERGENT | 36. HEAVY METAL SOLUT. | 49. PAINT SLUDGE | 62. SOAP | 74. TRANSFORMERS, PCB |
| 11. ASHES | 24. DISTILLATION BOTTOMS | 37. HEAVY METAL SLUDGE | 50. PESTICIDES | 63. WASTE WATER | 75. WASTE WATER TREATMENT SLUDGE |
| 12. BATTERY WASTE | 25. DRILLS, ETC. | 38. INK & SOLVENT | 51. PESTICIDE WASTE WATER | 64. WASTE WATER | |
| 13. BAKING WASTE | 26. DRUGS | 39. INK SLUDGES | 52. PESTICIDE WASTE WATER | 65. WASTE WATER | |

ITEM 4: INDICATE THE PROCESS, ACTIVITY, OR OPERATION WHICH GENERATED THE WASTE (EXAMPLES: AIRCRAFT CLEANING, INSULATION STRIPPING, REACTOR CLEANING, DDT PRODUCTION, ALKYLATION, PRINTED CIRCUIT BOARD ETCHING).

ITEM 5: IDENTIFY THE MAJOR HAZARDOUS CONSTITUENTS IN THE WASTE ALONG WITH THE PROBABLE UPPER AND LOWER CONCENTRATIONS. (EXAMPLE: HYDROCHLORIC ACID, LEAD OXIDE, PHENOL, PCB, CYANIDE, DDT SODIUM HYDROXIDE). PROVIDE THE APPROXIMATE CONCENTRATION OF NONHAZARDOUS MATERIAL.

ITEM 6: CHECK THE APPROPRIATE PROPERTIES TO SHOW THE HAZARDOUS PROPERTIES AND PHYSICAL STATE OF THE WASTE. IF A WASTE HAS MORE THAN ONE HAZARDOUS PROPERTY (E.G., TOXIC AND CORROSIVE) CHECK ALL APPROPRIATE PROPERTIES (E.G., TOXIC AND CORROSIVE BOXES). IF THE WASTE IS AN AQUEOUS LIQUID, THE pH MUST BE REPORTED IN ITEM 11.

ITEM 7: CHECK THE APPROPRIATE BOXES WHETHER GLOVES, GOGGLES, OR RESPIRATORS SHOULD BE WORN BY PERSONS HANDLING THE WASTE. ANY SPECIAL PRECAUTIONS OR HAZARDS SHOULD BE NOTED (EXAMPLE: SULFIDE SOLUTION WILL GENERATE TOXIC GAS IF MIXED WITH ACIDS).

ITEM 8: SIGN THE MANIFEST AND PROVIDE YOUR TITLE AND THE DATE THE WASTE WAS REMOVED FROM YOUR FACILITY. THE PERSON SIGNING THE ITEM 13 SHALL BE AUTHORIZED BY THE CHEMICAL AND PHYSICAL PROPERTIES OF THE WASTE AND SHALL BE AUTHORIZED BY THE MANAGEMENT OF THE GENERATING ESTABLISHMENT TO SIGN THE MANIFEST. IT IS UNLAWFUL FOR A TRANSPORTER WHO IS NOT THE GENERATOR TO SIGN ITEM 13.

TRANSPORTER:

ITEM 9: PROVIDE THE SERIAL NUMBER OF THE MANIFEST. THE FIRST THREE DIGITS SHALL BE YOUR STATE HAZARDOUS WASTE HAULER NUMBER. THE LAST SIX DIGITS MAY BE ANY COMBINATION OF DIGITS (E.G., SEQUENTIAL OR CHRONOLOGICAL). FOR EXAMPLE, IF YOUR REGISTRATION NUMBER IS 899, THE NUMBER OF YOUR ONE HAZARDOUS WASTE HAULER WOULD BE 899-001000. THE COMPLETE NINE DIGIT MANIFEST NUMBER SHALL BE UNIQUE FOR ANY FIVE YEAR PERIOD. (EXAMPLE: IF YOU USE MANIFEST NUMBER 899-001000 ON MAY 31, 1981 IT SHALL NOT BE USED ON A MANIFEST AGAIN BEFORE JUNE 1, 1986).

ITEM 14: ENTER COMPANY NAME, EPA I.D. NUMBER, ADDRESS, TELEPHONE NUMBER.

ITEM 15: INDICATE THE DATE AND THE EXACT TIME THE WASTE WAS REMOVED FROM THE GENERATOR'S FACILITY.

ITEM 16: SIGN THE MANIFEST UPON RECEIPT OF THE SHIPMENT AND INDICATE THE DATE SIGNED. THE DRIVER SHALL CARRY THE MANIFEST IN A LOCATION PRESCRIBED IN 49CFR 177.817(E).

TSD FACILITY OPERATOR:

ITEM 17: PROVIDE THE TSD FACILITY NAME, AND EPA I.D. NUMBER.

ITEM 18: IF THE QUANTITY OF WASTE IS MEASURED OR ESTIMATED AT THE TSD FACILITY (E.G. WEIGHED), INDICATE THE QUANTITY.

ITEM 19: IF THE WASTE IS APPLIED TO THE LAND (E.G. SURFACE IMPOUNDMENT, LANDFILL, INJECTION WELL, OR LAND TREATMENT AREA), THE STATE HAZARDOUS WASTE FEE MUST BE SENT TO THE DOHS. INDICATE THE FEE IN ITEM 19.

ITEM 20: WRITE IN ANY DISCREPANCIES NOTED BETWEEN THE MANIFEST INFORMATION PROVIDED BY THE GENERATOR OR TRANSPORTER AND THAT FOUND WHEN THE SHIPMENT WAS DELIVERED TO THE FACILITY. (EXAMPLES: DIFFERENCES IN THE QUANTITY OR CHARACTER OF THE WASTE, CONTAINER TYPE, VEHICLE TYPE). SOME SIGNIFICANT DISCREPANCIES ARE DESCRIBED IN 40CFR 264.12.

ITEM 21: CHECK THE BOX(ES) TO INDICATE THE METHOD(S) USED TO HANDLE OR DISPOSE OF THE WASTE AT THE HAZARDOUS WASTE FACILITY. IF THE WASTE IS TREATED PRIOR TO, OR INSTEAD OF, LAND DISPOSAL WRITE IN THE TREATMENT METHOD (EXAMPLES: NEUTRALIZATION, INCINERATION, OXIDATION).

ITEM 22: IF THE WASTE IS HELD AT THE TSD FACILITY PRIOR TO EVENTUAL SHIPMENT TO ANOTHER FACILITY FOR TREATMENT STORAGE, OR DISPOSAL, PROVIDE THE NAME OF THE DESIGNATED FINAL TSD FACILITY AND ITS EPA I.D. NUMBER. IN SUCH CASES, YOU, AS THE FACILITY OPERATOR (TRANSFER STATION) SHALL FILL OUT A NEW MASTER MANIFEST INDICATING YOUR FACILITY AS THE GENERATOR OF THE WASTE AND DESCRIBING ALL THE WASTES IN THE SHIPMENT. COMPLETED COPIES OF ALL ORIGINAL MANIFESTS ASSOCIATED WITH THE ORIGINAL WASTE SHIPMENTS ACCEPTED BY YOU SHALL BE ATTACHED TO THE MASTER MANIFESTS.

ITEM 23: IN THE MANIFEST, PROVIDE YOUR TITLE WITHIN THE ORGANIZATION AND INDICATE THE DATE THE SHIPMENT WAS ACCEPTED AT YOUR FACILITY. THE FACILITY OPERATOR SHALL SEND A COPY OF THE COMPLETED MANIFEST TO THE DOHS ON A MONTHLY BASIS OR AS OTHERWISE REQUIRED. IF WASTES ARE RECEIVED FROM TRANSFER STATIONS, THE FINAL TSD FACILITY SHALL SEND COPY NUMBER 1 OF EACH MASTER MANIFEST TO DOHS WITH COPIES OF ALL ORIGINAL MANIFESTS STAPLED TO IT.

TRANSFER FACILITIES SHALL SEND ONLY ONE SET OF COPIES TO DOHS TO SATISFY THE MANIFEST SUBMISSION REQUIREMENTS FOR GENERATORS AND TSD FACILITY OPERATORS.

TO ENSURE LEGIBLE COPIES USE ONLY BLACK CARBON INSERTS OR BLACK PRINT CARBONLESS TRANSFER

SEE REVERSE SIDES FOR INSTRUCTIONS PLEASE TYPE OR PRINT CLEARLY

CALIFORNIA HAZARDOUS WASTE MANIFEST

STATE DEPARTMENT OF HEALTH SERVICES
HAZARDOUS MATERIALS MANAGEMENT SECTION
744 P STREET, SACRAMENTO, CA 95814

MANIFEST NUMBER 171 - 001307

PRESS HARD

08087

GENERATOR (GENERATOR MUST COMPLETE)

@DESIGNATED TSD FACILITY

@ALTERNATE TSD FACILITY

(AUTHORIZED TO OPERATE UNDER AN APPROVED STATE OR FEDERAL PROGRAM)

NAME CITY OF WEST COVINA
EPA NO. EPA EXEMPTI
ADDRESS 1444 W. Garvey / North bound
W. Covina, Ca/ Asusa Ave
PHONE NO. 962-8631
ORDER PLACED BY Dennis Maxwell ORDER DATE 2/24/81
CONTRACT NO.

NAME BKK CORP
EPA NO. CA 0167786749
ADDRESS 2210 So Axusa Ave
CITY STATE ZIP CODE
PHONE NO. 6

NAME
EPA NO.
ADDRESS
CITY STATE ZIP CODE
PHONE NO.

U.S. DOT PROPER SHIPPING NAME	U.S. HAZARDOUS CLASS	UN/NA ID NO.	WEIGHT OR VOLUME	UNITS	CONTAINERS	NUMBER
WASTE			110	BRLS	DRUMS TANK TRUCK	BAGS OTHER CARTONS DUMP TRUCK

WASTE CATEGORY: MIXED WATER
EX. HAZ. WASTE PERMIT NO.: N/A
GENERATING PROCESS: STORAGE - WASTE

LIST COMPONENTS	CONC. RANGE UPPER	CONC. RANGE LOWER	UNITS	PPM	PPM	PPM	PPM
A			%				
B			%				
C			%				
D			%				

NONHAZARDOUS MATERIAL %

WASTE PROPERTIES: PH 7, TOXIC, FLAMMABLE, CORROSIVE/IRRITANT, REACTIVE, SENSITIZER, CARCINOGEN/MUTAGEN

PHYSICAL STATE: SOLID, LIQUID, SLUDGE, SLURRY, GAS, OTHER

SPECIAL HANDLING INSTRUCTIONS: GLOVES, GOGGLES, RESPIRATOR, OTHER

GENERATOR CERTIFICATION: THIS IS TO CERTIFY THAT THE ABOVE NAMED MATERIALS ARE PROPERLY CLASSIFIED, DESCRIBED, PACKAGED, MARKED & LABELED, AND ARE IN PROPER CONDITION FOR TRANSPORTATION ACCORDING TO THE APPLICABLE REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION AND THE EPA.

IN THE EVENT OF A SPILL CONTACT THE NATIONAL RESPONSE CENTER, U. S. COAST GUARD 1-800-424-8802.

SIGNATURE OF AUTHORIZED AGENT & TITLE: *Clarence...*
DATE SHIPPED: 2-25-81

TRANSPORTER (HAULER MUST COMPLETE)

NAME M. C. NOTTINGHAM CO. OF SoCAL
EPA NO. CA 01592407113
ADDRESS 3150 MAXSON ROAD
CITY STATE ZIP CODE MONTF CA 91732
PHONE NO. (213) 286-3104

JOB NO. 40923
UNIT NO. 040/110T
PICK-UP DATE 2-25-81
TIME AM PM

SIGNATURE OF AUTHORIZED AGENT & TITLE: *Dean Henninger*

TSD FACILITY (OPERATOR MUST COMPLETE)

NAME BKK
EPA NO. CA 0167786749
INDICATE ANY SIGNIFICANT DISCREPANCIES BETWEEN MANIFEST AND SHIPMENT
IF WASTE IS HELD FOR DELIVERY ELSEWHERE, SPECIFY THE DESIGNATED TSD FACILITY:

QUANTITY (IF MEASURED) 116.15
STATE FEE (IF ANY) \$
HANDLING OR DISPOSAL METHOD:
SURFACE IMPOUNDMENT
INJECTION WELL
TREATMENT (SPECIFY)
RECOVERY OR REUSE
LAND FILL
LAND TREATMENT
STORAGE/TRANSFER

SIGNATURE OF AUTHORIZED AGENT & TITLE: *R. Sager*
DATE ACCEPTED: 2-25-81

INSTRUCTIONS FOR COMPLETING MANIFEST

TYPE OR PRINT CLEARLY. ILLEGIBLE OR INCOMPLETE MANIFESTS WILL BE RETURNED TO YOU BY THE STATE FOR CLARIFICATION

GENERATOR

- Item 1.** Before filling out the manifest, a unique manifest serial number shall be written or printed on the manifest. (Refer to TRANSPORTER Item 1 below)
- Item 2-4.** Provide the complete names, EPA I.D. numbers, addresses, and telephone numbers of the generator and designated TSD facilities.
- Item 5.** Provide all U.S. DOT required information. Refer to 49 CFR 172 for assistance. If not applicable write "none" in Item 5.
- Item 6.** Provide the most applicable industrial waste category number from the following list. In cases where a waste could be described by more than one category, select the most specific. (Example: If you generate a waste acid plating solution containing dissolved metal, select the category "Plating solution, acid" rather than "Acid solution" or "Heavy metal solution". If none of the listed categories adequately described your waste, write the waste's category in Item 6)

1 Acid sludge	14 Brine water	27 FCC waste	40 Ink wastewater	53 Phenolic waste	65 Solvent, oxygenated
2 Acid solution	15 Blasting sand	28 Filter cake	41 Laboratory chemicals	54 Photoprocessing waste	66 Solvent, mixed
3 Adhesive	16 Capacitors, PCB	29 Filters spent	42 Lime sludge	55 Plating sludge	67 Spill cleanup residue
4 Alkaline sludge	17 Catalyst	30 Flux	43 Machine tool coolant	56 Plating solution, acid	68 Stratford solution
5 Alkaline solution	18 Chemicals, unused	31 Fly ash	44 Machining waste	57 Plating solution, alkaline	69 Sulfide sludge
6 Alkali solids	19 Containers, empty	32 Gasoline and water	45 Metal dust	58 Polychlorinated biphenyls (PCB)	70 Sumo or lagoon sediment
7 Alum sludge	20 Contaminated equipment	33 Glaze sludge	46 Oil	59 Resin waste	71 Tank bottom sediment
8 API separator sludge	21 Contaminated oil	34 Glue	47 Oil sludge	60 Scrubber sludge	72 Tanning sludge
9 Asbestos solids	21 Cyanides	35 Hair pulp	48 Oil and water	61 Scrubber solution	73 Tetrachlyl lead sludge
10 Asbestos sludge	23 Detergent	36 Heavy metal solution	49 Paint sludge	62 Soap	14 Transformers, PCR
11 Ashes	24 Distillation bottoms	37 Heavy metal sludge	50 Pesticides	63 Solvent, chlorinated	15 Waste water treatment sludge
12 ASD filter cake	25 Drilling mud	38 Ink and solvent	51 Pesticide containers	64 Solvent, hydrocarbon	
13 Baghouse waste	26 Drugs				

- Item 7.** If the waste is extremely hazardous, provide the State extremely hazardous permit number
- Item 8.** Indicate the process, activity, or operation which generated the waste (Examples: air craft cleaning, insulation stripping, reactor cleaning, DDT production, alkylation, printed circuit board etching).
- Item 9.** Information must be provided in Item 9. Do not leave blank. Identify the major hazardous constituents in the waste along with probable upper and lower concentrations. (Examples: hydrochloric acid, lead oxide, phenol, PCB, cyanide, DDT, sodium hydroxide) Provide the approximate concentration of nonhazardous material.
- Item 10-11.** Check the appropriate boxes to show the hazardous properties and physical state of the waste. If a waste has more than one hazardous property (e.g., toxic and corrosive), check all appropriate properties. If the waste is an aqueous liquid, the pH must be reported in Item 11.
- Item 12.** Indicate by checking the appropriate boxes whether gloves, goggles, or respirators should be worn by persons handling the waste. Any special equipment, precautions or hazards should also be noted (Example: Sulfide solution will generate toxic gas if mixed with acids).
- Item 13.** Sign the manifest, provide your title and the date that the waste was removed from your facility. The persons signing Item 13 shall be knowledgeable about the chemical and physical properties of the waste and shall be authorized by the management of the generating establishment to sign the manifest. It is unlawful for a transporter who is not the generator to sign Item 13.

TRANSPORTER

- Item 1.** Provide the serial number of the manifest. The first three digits shall be your State hazardous waste hauler number. The last six digits may be any convenient combination of digits (e.g. sequential or chronological). For example, if your registration number is 899, the number of your one thousandth load would be 899 001000. The complete nine digit manifest number shall be unique for any 5 year period (Example: If you use manifest number 899 001000 on May 31, 1981, it should not be used on a manifest again before June 1, 1986)
- Item 14.** Enter company name, EPA I.D. number, address, and telephone number
- Item 15.** Indicate the date and exact time the waste was removed from the generator's facility
- Item 16.** Sign the manifest upon receipt of the shipment.
- The driver shall carry a copy of the manifest in a location prescribed in 49CFR 177.817(e)

TSD FACILITY OPERATOR

- Item 17.** Provide the TSD facility name and EPA I.D. number.
- Item 18.** If the quantity of waste is measured or estimated at the TSD facility (e.g. weighed), indicate the quantity
- Item 19.** If the waste is applied to the land (e.g., surface impoundment, landfill, injection well, or land treatment area), the State hazardous waste fee must be sent to DOHS. Indicate the fee in Item 19.
- Item 20.** Write in any discrepancies noted between the manifest information provided by the generator or transporter and that found when the shipment was delivered to the facility (Examples: differences in quantity or character of waste, container type, vehicle type). Some significant discrepancies are described in 40CFR 264.72.
- Item 21.** Check the box(es) to indicate the method(s) used to handle or dispose of the waste at the hazardous waste facility. If the waste is treated prior to, or instead of, land disposal write in the treatment method (Examples: neutralization, incineration, oxidation).
- Item 22.** If the waste is held at the TSD facility prior to eventual shipment to another facility for treatment, storage or disposal, provide the name of the designated final TSD facility, and its EPA I.D. number. In such cases, you, as the facility (transfer station) operator, shall fill out a new master manifest indicating your facility as the generator of the waste and describing all wastes in the shipment. Completed copies of all original manifests associated with the original waste shipments accepted by you shall be attached to the master manifests.
- Item 23.** Sign the manifest, provide your title within the organization and indicate the date that the shipment was accepted at your facility.
- The facility operator shall send a copy of the completed manifest to the DOHS on a monthly basis or as otherwise required. If wastes are received from transfer facilities, the final TSD facility shall send a copy of each master manifest to DOHS with copies of all original manifests stapled to it.
- Transfer facilities shall send only one set of copies to DOHS to satisfy the manifest submission requirements for generators and TSD facility operators

Distribution of Manifest Copies	Copy Number 1 (original)	TSD facility keeps (send photocopy to DOHS)
	Copy Number 2	To Transporter after signed by TSDF
	Copy Number 3	To Generator from TSDF
	Copy Number 4	Generator keeps after signed by Transporter (send photocopy to DOHS)

TO INSURE LEGIBLE COPIES USE ONLY BLACK CARBON INSERTS OR BLACK PRINT CARBONLESS TRANSFER PAPER

SEE REVERSE SIDE FOR INSTRUCTIONS. PLEASE TYPE OR PRINT CLEARLY PRESS HARD

CALIFORNIA HAZARDOUS WASTE MANIFEST

STATE DEPARTMENT OF HEALTH SERVICES
HAZARDOUS MATERIALS MANAGEMENT SECTION
744 P STREET, SACRAMENTO, CA 95814

@MANIFEST NO.
088-012691

08087

GENERATOR

② NAME EMERGENCY

EPA NO. 1E1X1E1M101

0101

05

⑤ U.S. DOT PROPER SHIPPING NAME

WASTE OXIDIZER NOS

WASTE FLAMMABLE LIQUID NOS

U.S. DOT HAZARD CLASS

OXIDIZER

FLAMMABLE LIQUID

UN/NA I.D. NO.

1479

1993

WEIGHT OR VOLUME

5 GAL

1/2 IN.

UNITS

CONTAINER NO. 2

TYPE DRUMS BAGS CARTONS
 TANK TRUCK DUMP TRUCK
 OTHER

⑨ LIST COMPONENTS

⑦ EX. HAZ. WASTE PERMIT NO. 67

C. _____

D. _____

⑩ WASTE PROPERTIES pH

⑪ PHYSICAL STATE: SOLID LIQUID

⑫ SPECIAL HANDLING INSTRUCTIONS: GLOVES

IN THE EVENT OF A SPILL CONTACT THE NATIONAL RESPONSE CENTER, U.S. COAST GUARD 1-800-424-8802

⑬ Dennis Mitchell POLICE OFF. CITY OF WEST COVINA
SIGNATURE OF AUTHORIZED AGENT AND TITLE

5-13-81
DATE SHIPPED

500 AM

13/11

⑱ QUANTITY (IF MEASURED) 30

⑳ HANDLING OR DISPOSAL METHOD
 SURFACE IMPOUNDMENT AND ETC

⑲ STATE FEE (IF ANY) 1000 PHONE NO. _____

⑳ SIGNIFICANT DISCREPANCIES BETWEEN MANIFEST AND SHIPMENT: HAULED FROM WEST COVINA
FIELD FOR DELIVERY ELSEWHERE SPECIFY THE DESIGNATED TSD FACILITY

NAME B Mitchell
② NAME OF AUTHORIZED AGENT AND TITLE 62
DATE ACCEPTED 5/13/81

188510

INSTRUCTIONS FOR COMPLETING MANIFEST

THIS MANIFEST IS FOR USE IN REGIONS WHERE INCOMPLETE MANIFESTS WILL BE RETURNED TO YOU BY THE STATE FOR CLARIFICATION.

GENERATOR:

ITEM 1: BEFORE FILLING OUT THE MANIFEST, A UNIQUE MANIFEST SERIAL NUMBER SHALL BE WRITTEN OR PRINTED ON THE MANIFEST. (REFER TO THE TRANSPORTER ITEM 1 BELOW)
ITEM 2: PROVIDE THE COMPLETE NAME, EPA ID NUMBER, ADDRESS AND PHONE NUMBER OF THE GENERATOR AND DESIGNATED TSD FACILITIES.
ITEM 5: INDICATE THE HAZARDOUS WASTE CATEGORY NUMBER FROM THE FOLLOWING LIST. IF NOT APPLICABLE, WRITE "NONE" IN ITEM 5.
ITEM 6: IF THE WASTE CANNOT BE DESCRIBED BY MORE THAN ONE CATEGORY, SELECT THE MOST SPECIFIC. (EXAMPLE: IF YOU GENERATE A WASTE ACID PLATING SOLUTION CONTAINING DISSOLVED METALS, IT SHOULD BE LISTED AS "PLATING SOLUTION, ACID" RATHER THAN "ACID SOLUTION" OR "HEAVY METAL SOLUTION" IF NONE OF THE LISTED CATEGORIES ADEQUATELY DESCRIBE YOUR WASTE, WRITE THE WASTE'S CATEGORY IN ITEM 6.

- 1. ACID SOLUTION 14. BILGE WATER 27. FCC WASTE 40. INK WASTEWATER 53. PHENOLIC WASTE 65. SOLVENT, OXYGENATED
2. ACID SOLUTION 15. BLASTED SAND 28. FILTER CAKE 41. LAB. CHEMICALS 54. PHOTOPROCESS. WASTE 66. SOLVENT, MIXED
3. ADHESIVE 16. CARBON BLACK 29. FILTERS, SPENT 42. LIME SLUDGE 55. PLATING SLUDGE 67. SPILL CLEANUP RESID.
4. ALKALINE SLUDGE 17. CATALYST 30. FLUX 43. MACH. TOOL COOLANT 56. PLATING SOLUT., ACID 68. STRETFORD SOLUTION
5. ALKALINE SOLUTION 18. CHEMICALS, UNUSED 31. FLY ASH 44. MACHINING WASTE 57. PLATING SOLUT., ALKAL. 69. SULFIDE SLUDGE
6. ALKALI SOLIDS 19. CONTAINERS, EMPTY 32. GASOLINE AND WATER 45. METAL DUST 58. POLYCHLORINATED 70. SUMP OR LAGOON SED.
7. ALUM SLUDGE 20. CONTAMINATED EQUIP 33. GLAZE SLUDGE 46. OIL 59. BI-PHENYLS 71. TANK BOTTOM SED.
8. API SEPARATOR SLUDGE 21. CONTAMINATED SOIL 34. GLUE 47. OIL SLUDGE 60. RESIN WASTE 72. TANNING SLUDGE
9. ASPBESTOS SOLIDS 22. CYANIDES 35. HAIR PULP 48. OIL AND WATER 61. SCRUBBER SLUDGE 73. TETRAETHYL LEAD
10. ASPBESTOS SLUDGE 23. DETERGENT 36. HEAVY METAL SOLUT. 49. PAINT SLUDGE 62. SOAP 74. TRANSFORMERS,PCB
11. ASHES 24. DISTILLATION BOTTOMS 37. HEAVY METAL SLUDGE 50. PESTICIDES 63. SOLVENT, CHLORINATED 75. WASTE WATER TREAT.
12. ACIDIFIED SLUDGE 25. FIBERGLASS BOOD 38. INK SOLVENT 51. PESTICIDE CONTAINER 64. SOLVENT, HYDROCARBON 75. WASTE WATER TREAT.
13. BACULOUS WASTE 26. DRUGS 39. INK SLUDGE 52. PESTICIDE RINSER WATER 64. SOLVENT, HYDROCARBON 75. WASTE WATER TREAT.
ITEM 7: IF THE WASTE IS EXTREMELY HAZARDOUS, PROVIDE THE STATE EXTREMELY HAZARDOUS HAZARDOUS PELD NUMBER.
ITEM 8: INDICATE THE WASTE'S SOURCE OR ORIGIN AND CLASSIFICATION OF THE WASTE (E.G. WASTES ARISING FROM REACTOR CLEANING, REACTOR CLEANING,
ITEM 9: IF THE WASTE IS EXTREMELY HAZARDOUS, PROVIDE THE STATE EXTREMELY HAZARDOUS HAZARDOUS PELD NUMBER.
ITEM 10: INDICATE THE APPROXIMATE FACILITIES TO CHECK THE HAZARDOUS PROPERTIES AND WHETHER A STATE OF THE WASTE. IF A WASTE HAS MORE THAN ONE HAZAR-
ITEM 11: INDICATE THE APPROXIMATE FACILITIES TO CHECK THE HAZARDOUS PROPERTIES AND WHETHER A STATE OF THE WASTE. IF A WASTE HAS MORE THAN ONE HAZAR-
ITEM 12: INDICATE THE APPROXIMATE FACILITIES TO CHECK THE HAZARDOUS PROPERTIES AND WHETHER A STATE OF THE WASTE. IF A WASTE HAS MORE THAN ONE HAZAR-
ITEM 13: SIGN THE MANIFEST AND PROVIDE YOUR TITLE AND THE DATE THE WASTE WAS REMOVED FROM YOUR FACILITY. THE PERSON SIGNING THE ITEM 13 SHALL BE
ITEM 14: INDICATE THE NAME, ADDRESS AND PHONE NUMBER OF THE PERSON SIGNING THE MANIFEST AND PROVIDE YOUR TITLE AND THE DATE THE WASTE WAS REMOVED FROM YOUR FACILITY. THE PERSON SIGNING THE ITEM 13 SHALL BE
ITEM 15: INDICATE THE DATE AND THE EXACT TIME THE WASTE WAS REMOVED FROM THE GENERATOR'S FACILITY.
ITEM 16: SIGN THE MANIFEST UPON RECEIPT OF THE SHIPMENT AND INDICATE THE DATE SIGNED. THE DRIVER SHALL CARRY THE MANIFEST IN A LOCATION PRESCRIBED IN
ITEM 17: PROVIDE THE TSD FACILITY NAME AND EPA ID NUMBER.
ITEM 18: IF THE QUANTITY OF WASTE IS MEASURED OR ESTIMATED AT THE TSD FACILITY (E.G. WEIGHED), INDICATE THE QUANTITY.
ITEM 19: IF THE WASTE IS APPLIED TO THE LAND (E.G. SURFACE IMPONDEMENT, LANDFILL, INJECTION WELL, OR LAND TREATMENT AREA), THE STATE HAZARDOUS WASTE FEE
ITEM 20: WRITE IN ANY DISCREPANCIES NOTED BETWEEN THE MANIFEST INFORMATION PROVIDED BY THE GENERATOR OR TRANSPORTER AND THAT FOUND WHEN THE SHIP-
ITEM 21: CHECK THE BOX(ES) TO INDICATE THE METHOD(S) USED TO HANDLE OR DISPOSE OF THE WASTE AT THE HAZARDOUS WASTE FACILITY. IF THE WASTE IS TREATED PRIOR
ITEM 22: IF THE WASTE IS HELD AT THE TSD FACILITY PRIOR TO EVENTUAL SHIPMENT TO ANOTHER FACILITY FOR TREATMENT, STORAGE, OR DISPOSAL, PROVIDE THE NAME OF
ITEM 23: SIGN THE MANIFEST, PROVIDE YOUR TITLE WITHIN THE ORGANIZATION AND INDICATE THE DATE THE SHIPMENT WAS ACCEPTED AT YOUR FACILITY. THE FACILITY
ITEM 24: INDICATE THE NAME, ADDRESS AND PHONE NUMBER OF THE PERSON SIGNING THE MANIFEST AND PROVIDE YOUR TITLE AND THE DATE THE WASTE WAS REMOVED FROM YOUR FACILITY. THE PERSON SIGNING THE ITEM 13 SHALL BE

TRANSPORTER:
ITEM 1: PROVIDE THE SERIAL NUMBER OF THE MANIFEST. THE FIRST THREE DIGITS SHALL BE YOUR STATE HAZARDOUS WASTE HAULER NUMBER, THE LAST SIX DIGITS MAY BE
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TO ENSURE LEGIBLE COPIES USE ONLY BLACK CARBON INSERTS OR BLACK PRINT CARBONLESS TRANSFER

EXHIBIT B TO APPENDIX B

1 **EXHIBIT B OF APPENDIX B**

2 I, KRIS KAZARIAN, declare that the following is true and
3 correct and from personal knowledge, and that if called as a
4 witness, I could and would testify competently to the following:
5

6 1. I am currently the Executive Vice President, Treasurer,
7 and Secretary of BKK Corporation ("BKK"). I began working for
8 BKK in 1973 as a Vice President. I have been the Executive Vice
9 President for approximately ten years and the Treasurer and
10 Secretary for approximately 15 years.

11 2. BKK owns and operates a landfill facility consisting
12 of a closed Class I landfill unit, an inactive Class III landfill
13 unit that is currently undergoing closure, and an operating
14 leachate treatment plant. BKK is the operator of the entire
15 facility.

16 3. The Class I landfill began accepting wastes in 1963 and
17 hazardous waste in 1972 and ceased accepting wastes on or about
18 June 30, 1987. The Class III landfill began accepting wastes on
19 or about July 1, 1987 and ceased accepting wastes on September
20 15, 1996.

21 4. In my capacity as the Executive Vice President of BKK,
22 the computer data personnel report to me directly.

23 5. BKK has maintained records of waste receipts for the
24 Class I and Class III landfills in the form of original physical
25 invoice copies, disposal tickets, and monthly statements that are
26 stored in a warehouse at the BKK Landfill. Furthermore, some of
27 the information contained in these records have been inputted in
28 BKK's computerized system. BKK recently restored computer data

1 from its outdated computer storage systems and we found that some
2 periods of time since 1983 were lost. The restored computerized
3 data covers the following periods:

4 1983 Jan - Jun

5 1984 Jan - Dec

6 1985 Jan - Dec

7 1986 Jul - Aug

8 1987 No data

9 1988 Jan - Dec

10 1989 No data

11 1990 Jan - Feb

12 1991 Jan - Dec

13 1992 Jan - Dec

14 1993 Jan - Dec

15 1994 Jan - Dec

16 1995 Jan - Dec

17 1996 Jan - Sept

18 6. I directed my computer data personnel to examine BKK's
19 database with regard to materials sent by the City of West Covina
20 to the Class I and Class III landfills.

21 7. Based on the restored computerized data, I am informed
22 and believe that the City sent the following quantities of
23 materials to the facility during the time periods for which we
24 have restored computerized data:

25 Class I Landfill:

26 Total City non-hazardous waste disposed: 11,284 tons

27 Total City hazardous waste disposed: 0 tons

28 Class III Landfill:

1 Total City non-hazardous municipal trash disposed: 6,717 tons

2 Total City hazardous waste disposed: 1.46 tons

3
4 8. Based on the restored computerized data, I am informed
5 and believe that the total materials sent to the facility during
6 the restored data timeframe are as follows:

7
8 Class I Landfill

9 Total non-hazardous disposed: 3,825,735 tons

10 Total hazardous waste disposed: 698,887 tons

11 Class III Landfill

12 Total non-hazardous waste disposed: 20,629,675 tons

13 Total hazardous waste disposed: 54,961 tons

14 9. A true and correct copy of a summary report of the
15 City's disposal of hazardous waste to the Class III landfill
16 during the periods for which we have restored computerized data
17 is attached hereto as Attachment 1. We have no computerized data
18 showing that the City sent hazardous waste to the Class I
19 landfill during the time periods for which we have restored data.

20 10. A true and correct copy of a summary report of the
21 City's disposal of non-hazardous waste to both the Class I and
22 III landfills during the time periods for which BKK has restored
23 data is attached hereto as Attachment 2.

24 11. As set forth in Attachment 2, "Rubbish" means municipal
25 solid waste ("MSW") or typical household waste. "Solid Fill"
26 refers to dirt. "Hard to Handle" refers to bulky items such as
27 concrete, asphalt, dirt, rocks, etc. "Non-hazardous Solid"
28 refers to contaminated soils.

**ATTACHMENT 1
TO EXHIBIT B OF APPENDIX B**

Attachment 1 of Exhibit B
 BKK Landfill
 Hazardous Waste Report - Tons
 City of West Covina
 1983 - 1996

Waste Code	Waste Description	Haz Type	Mo	Day	Yr	Manifest Number	Tonnage
1	Asbestos-containing	U	8	7	90	88282813	0.07
1	Asbestos-containing	U	10	30	90	90222319	0.14
1	Asbestos-containing	U	11	15	94	90222063	0.62
1	Asbestos-containing	U	6	3	94	90520931	0.20
1	Asbestos-containing	U	6	14	94	90520950	0.43

1.46

**ATTACHMENT 2
TO EXHIBIT B OF APPENDIX B**

ATTACHMENT 2 OF EXHIBIT B
 BKK LANDFILL
 Non-hazardous Waste Report - Tons
 CITY OF WEST COVINA
 1983 - 1996

Waste Type	Waste Description	TTL Invoice Count	Year	Month	Total Quantity
01	RUBBISH	85.00	83	1	239.00
01	RUBBISH	71.00	83	2	285.00
01	RUBBISH	44.00	83	3	195.00
01	RUBBISH	38.00	83	4	184.00
01	RUBBISH	48.00	83	5	182.00
01	RUBBISH	45.00	83	6	220.00
01	RUBBISH	66.00	84	1	213.00
01	RUBBISH	67.00	84	2	291.00
01	RUBBISH	47.00	84	3	237.00
01	RUBBISH	46.00	84	4	237.00
01	RUBBISH	50.00	84	5	177.00
01	RUBBISH	52.00	84	6	246.00
01	RUBBISH	48.00	84	7	262.00
01	RUBBISH	43.00	84	8	218.00
01	RUBBISH	47.00	84	9	246.00
01	RUBBISH	40.00	84	10	237.00
01	RUBBISH	64.00	84	11	327.00
01	RUBBISH	50.00	84	12	259.00
01	RUBBISH	75.00	85	1	390.00
01	RUBBISH	59.00	85	2	289.00
01	RUBBISH	65.00	85	3	247.00
01	RUBBISH	64.00	85	4	289.00
01	RUBBISH	555.00	85	5	875.00
01	RUBBISH	61.00	85	6	335.00
01	RUBBISH	71.00	85	7	388.00
01	RUBBISH	72.00	85	8	388.00
01	RUBBISH	76.00	85	9	455.00
01	RUBBISH	89.00	85	10	460.00
01	RUBBISH	62.00	85	11	316.00
01	RUBBISH	31.00	85	12	155.00
01	RUBBISH	74.00	86	7	382.00
01	RUBBISH	75.00	86	8	357.00
01	RUBBISH	80.00	88	1	468.00
01	RUBBISH	70.00	88	2	401.00
01	RUBBISH	62.00	88	3	375.00
01	RUBBISH	63.00	88	4	352.00
01	RUBBISH	318.00	88	5	681.00

Waste Type	Waste Description	TTL Invoice Count	Year	Month	Total Quantity
01	RUBBISH	65.00	88	6	324.00
01	RUBBISH	59.00	88	7	253.00
01	RUBBISH	65.00	88	8	398.00
01	RUBBISH	69.00	88	9	511.00
01	RUBBISH	79.00	88	10	433.00
01	RUBBISH	81.00	88	11	391.00
01	RUBBISH	121.00	88	12	586.00
01	RUBBISH	69.00	90	1	429.00
01	RUBBISH	40.00	90	2	271.00
01	RUBBISH	2.00	91	3	16.00
01	RUBBISH	1.00	91	4	21.00
01	RUBBISH	1.00	92	1	17.00
01	RUBBISH	2.00	92	8	29.00
01	RUBBISH	1.00	92	9	1.00
02	SOLID FILL	6.00	83	1	37.00
02	SOLID FILL	3.00	83	2	16.00
02	SOLID FILL	5.00	83	3	38.00
02	SOLID FILL	7.00	83	4	45.00
02	SOLID FILL	6.00	83	5	41.00
02	SOLID FILL	5.00	83	6	32.00
02	SOLID FILL	7.00	84	1	39.00
02	SOLID FILL	5.00	84	2	35.00
02	SOLID FILL	10.00	84	3	45.00
02	SOLID FILL	13.00	84	4	55.00
02	SOLID FILL	5.00	84	5	20.00
02	SOLID FILL	6.00	84	6	33.00
02	SOLID FILL	5.00	84	7	31.00
02	SOLID FILL	5.00	84	8	21.00
02	SOLID FILL	4.00	84	9	18.00
02	SOLID FILL	10.00	84	10	51.00
02	SOLID FILL	1.00	85	5	4.00
02	SOLID FILL	1.00	85	8	4.00
02	SOLID FILL	1.00	86	7	8.00
02	SOLID FILL	1.00	88	4	9.00
02	SOLID FILL	1.00	88	11	4.00
03	HARD TO HANDLE	12.00	83	1	57.00
03	HARD TO HANDLE	14.00	83	2	50.00
03	HARD TO HANDLE	20.00	83	3	45.00
03	HARD TO HANDLE	5.00	83	4	23.00
03	HARD TO HANDLE	335.00	83	5	440.00
03	HARD TO HANDLE	23.00	83	6	72.00
03	HARD TO HANDLE	46.00	84	1	136.00
03	HARD TO HANDLE	20.00	84	2	35.00

Waste Type	Waste Description	TTL Invoice Count	Year	Month	Total Quantity
03	HARD TO HANDLE	22.00	84	3	52.00
03	HARD TO HANDLE	21.00	84	4	59.00
03	HARD TO HANDLE	570.00	84	5	679.00
03	HARD TO HANDLE	14.00	84	6	64.00
03	HARD TO HANDLE	13.00	84	7	49.00
03	HARD TO HANDLE	15.00	84	8	47.00
03	HARD TO HANDLE	3.00	84	9	8.00
03	HARD TO HANDLE	12.00	84	10	38.00
03	HARD TO HANDLE	1.00	84	11	6.00
03	HARD TO HANDLE	1.00	85	9	1.00
05	NON HAZARDOUS SOLIDS	1.00	84	6	16.00

4,883.00

18,001.00

APPENDIX C

Respondent's Declaration Concerning Involvement with the BKK Landfills

1 **APPENDIX C**

2
3 I, STEVEN L. SAMANIEGO, declare that the following is true and
4 correct and from personal knowledge, and that if called as a
5 witness, I could and would testify competently to the following:

6 1. I am currently the Environmental Management
7 Director of the City of West Covina (the "City") with oversight
8 and management responsibilities for the City's departments that
9 are responsible for waste collection. I have held this position
10 since January 1999.

11 2. I have been staff to the Waste Management and
12 Environmental Quality Commission ("Commission") since January
13 1999, and in this capacity, I serve as a liaison to the
14 Commission by reporting ongoing City activities to the
15 Commission, and relaying to the City Council the Commission's
16 recommendations regarding issues that may arise.

17 3. I have been the Manager of the Local Enforcement
18 Agency for the City since August 1992, with the authority to
19 enforce the State Solid Waste environmental laws in the City.

20 4. As the Local Enforcement Agency certified by the
21 California Integrated Waste Management Board, my staff and I
22 enforce the applicable State regulations at the BKK Class III
23 landfill.

24 5. As the City's Environmental Management Director,
25 my staff and I assist in enforcing applicable local land use
26 restrictions regarding the BKK landfills in accordance with the
27 City's Municipal Code by referring issues to the City's Planning
28 Department and the City's Special Environmental Counsel .

1 6. I have made reasonable efforts to locate documents
2 retained by the City reflecting the City's role at the Class I
3 and Class III landfills and have not been able to locate any
4 relevant documents.

5 7. I have also interviewed several individuals
6 including various City employees in the maintenance and finance
7 departments, various BKK employees and the City's current and
8 past waste haulers (Athens and West Covina Disposal) and these
9 interviews are the basis for my declaration.

10 8. Based on my research discussed in paragraphs 6 and
11 7 above and to the best of my knowledge, the City did not in the
12 past and does not now control the BKK landfills' finances,
13 including the setting of tipping fees.

14 9. Based on my research discussed in paragraphs 6 and
15 7 above and to the best of my knowledge, the City did not in the
16 past and does not now manage the BKK landfills' employees.

17 10. Based on my research discussed in paragraphs 6 and
18 7 above and to the best of my knowledge, the City did not in the
19 past and does not now manage the BKK landfills' daily business
20 operations. Further, to the best of my knowledge, the City's
21 involvement with the BKK landfills did not in the past and does
22 not now involve hands-on, day-to-day participation in the BKK
23 landfills' management.

24 11. Based on my research discussed in paragraphs 6 and
25 7 above and to the best of my knowledge, the City was not in the
26 past and is not now responsible for the maintenance of
27 environmental control at the BKK landfills. It is my
28 understanding that the BKK Corporation has had in the past and

1 continues to have its own internal environmental compliance
2 officers for the landfills.

3 12. Based on my research discussed in paragraphs 6 and
4 7 above and to the best of my knowledge, the City did not have in
5 the past and does not now have any ongoing control over the BKK
6 landfills' disposal activities or the authority to manage the
7 disposition of any wastes at the BKK landfills.

8 13. It is my understanding from interviews with past
9 City employees that the City may have received free disposal for
10 nonhazardous wastes generated by City employees in the course of
11 City maintenance (e.g., minor tree trimming, road work, etc.) and
12 directly brought to the BKK landfills by City employees.

13 14. It is my understanding that the City receives
14 business taxes from the BKK landfill pursuant to the City's
15 Municipal Code, Chapter 14, Article II, Business Licenses,
16 Division 1.

17 I declare under penalty of perjury that the foregoing is
18 true and correct and that this declaration was executed on
19 December 18, 2003 at West Covina, California.

20
21 Original signed by Steven L. Samaniego
22 STEVEN L. SAMANIEGO