

# Affidavit 1

BEFORE THE  
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SANTA ANA REGION

In re

J.C. CARTER COMPANY, INC.

Respondent

Order No. 90-126

Case No. 083000202T

AFFIDAVIT OF MONROE F. JAMESON

6. During the time IFL owned the Carter Plant, IFL used trichloroethylene ("TCE"), which was commonly referred to as "lake," on the property.

10. The Carter Plant stopped using TCE sometime in the late 1970's. Since the late 1970's, to the best of my knowledge, the Carter Plant did not use, spill, or dispose of TCE.

# Affidavit 2

BEFORE THE  
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SANTA ANA REGION

In re

J.C. CARTER COMPANY, INC.

Respondent

Order No. 90-126

Case No. 083000202T

AFFIDAVIT OF MICHAEL T. PETROZZI

7. At ITT, as was common during the late 1970's, TCE was not handled with great care. Everyone had a fairly cavalier attitude about its use. During that time period, I remember seeing people at the Carter Plant removing parts from the degreasers and then shaking off the parts to remove excess TCE.

8. The Carter Plant stopped using TCE before I left the Carter Plant in 1985. Since that time, to the best of my knowledge, the Carter Plant did not use, spill, or dispose of TCE.

# Affidavit 3

BEFORE THE  
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SANTA ANA REGION

In re

J.C. CARTER COMPANY, INC.

Respondent

Order No. 90-126

Case No. 083000202T

AFFIDAVIT OF DAVID S. BEARD

9. ~~TCE was not handled with great care during the period of ITT ownership. Knowing how it was handled, I believe it was spilled at various locations on the property and that it was probably disposed of on the back portion of the property over the chain link fence.~~
10. During ITT ownership, the Carter Plant also had a number of "test pits" in the ground in which various products were tested. One of these test pits was known as the "Old Swimming Pool." It contained water and was used for the testing of submersible pumps. Any residual TCE on the products tested in the pool would have entered the water. A picture of the Old Swimming Pool is attached as Exhibit 2 to this affidavit. The Carter Plant also contained other test pits in which products were tested. ~~The function of these other pits was to contain spills or leaks from the testing process, which occurred regularly.~~

# Additional Evidence



drainage system. We have experienced accidental spills in the past but precautions have been taken to prevent that from happening again.

To: K. PAULSON

Date: JUNE 8, 1982

From: S. VERNER *[Signature]*

Subject: OILS AND SOLVENTS

We are registered as a hazardous waste generator and storage facility (CAD081153785). We do not dispose of any hazardous waste into the sewer or drainage system. We have experienced accidental spills in the past but precautions have been taken to prevent that from happening again.

All of our waste cutting oils and some of our more contaminated jet fuels and solvents are hauled away to a land fill and disposed of. With some of our less contaminated jet fuels and solvents we are able to sell for about 20% of our cost.

Last year we disposed of 27 tons of waste oils, solvent and fuel. We receive a hazardous waste manifest on all materials we dispose of and they are now kept on file in the safety office.

To dispose of any of the above, the supervisor of the area contacts Pat Hernandez in Purchasing and gives her the description of what is to be disposed of. Pat then notifies the proper vendor and has them come in and pump the storage containers.

At this time we seem to have the situation under control.

# Additional History of Spills



J. C. Carter  
A Division of ITT  
571 W. Seventeenth Street  
Costa Mesa, California 92627  
Telephone (714) 548-3421

To: Vince Maffeo

Date: 1 October 1981

From: Sid Verner

Subject: Action Taken Because of Jet Fuel Spill

jet fuel spill of September 16, 1981

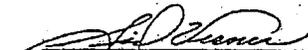
Since the jet fuel spill of September 16, 1981 the following precautions have been taken.

The separator tank involved has been repaired to prevent it from overflowing onto the ground. All connections have been secured with locked valves. All external connections have been disconnected and capped off. A proposal has been made to a dyke around the separator tank (sketch attached).

An emergency action procedure has been put into effect in the Aerospace and C/F Test area. This procedure will allow us to possibly prevent contaminated water from entering the city water way, or at least increase our reaction time if a spill occurs.

the Aerospace and C/F Test area

I will keep you informed on any conversations with government agencies regarding this subject.

  
Sid Verner, Ind. Safety Mgr.

# No Official Response Received from Board Following Petition to Stay and Vacate Order

After presenting the evidence to the Board in August 2000, Bob Veloz et al. received no official response.

**CADWALADER**  
*Cadwalader, Wickersham & Taft*

1201 F Street, N.W., Suite 1100  
Washington, D.C. 20004  
Tel: 202 863-2200  
Fax: 202 863-2400

Lawrence S. Krach  
Direct Dial: 202-863-2211  
Internet: LSKrach@cw.com

New York  
Washington  
Charlotte  
London

September 20, 2000

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New York  
Washington  
Charlotte  
London

October 20, 2000

In our August 11, 2000 letter, we requested that the Board contact us to set up a meeting to discuss a consensual resolution to the matters addressed in that letter. Having not heard back from you, we repeat that request on behalf of Mr. Veloz. We believe it would be preferable (and more likely to produce a positive outcome) for all of us to sit down and discuss the issues and circumstances, and means of arriving at an endpoint acceptable to all of us.

Water Quality Control Board  
500  
2501-3339  
Investigation Section  
Petition to Stay and Vacate and/or Amend  
Cleanup and Abatement Order No. 90-126  
C. Carter Company, Inc.,  
Case No. 083000202T

Dear Mr. Williams:

On August 11, 2000, we submitted a letter on behalf of Mr. Robert L. Veloz petitioning the Regional Water Quality Control Board ("Regional Board") to stay proceedings and vacate the Order issued to J.C. Carter Company, Seventeenth Street in Columbia, South Carolina. Mr. Veloz also submitted the various exhibits in two letters dated May 11 and May 15, 2000.

In our August 11, 2000 letter, we requested that the Board contact us to set up a meeting to discuss a consensual resolution to the matters addressed in that letter. Having not heard back from you, we repeat that request on behalf of Mr. Veloz. We believe it would be preferable (and more likely to produce a positive outcome) for all of us to sit down and discuss the issues and circumstances, and means of arriving at an endpoint acceptable to all of us.

We would appreciate if you would contact us to arrange a meeting at your earliest convenience. Thank you for your cooperation.

Dear Mr. Williams:

I am writing once again to follow up on (1) a letter submitted August 11, 2000 on behalf of Mr. Veloz and (2) your letter of August 11, 2000.

In the absence of any response to either our August 11 or September 20 letters, Mr. Veloz does not know the Regional Board's intentions with regard to the Order and is not able to take any further action. Mr. Veloz therefore has no choice but to await a response from the Regional Board.

not able to take any further action. Mr. Veloz therefore has no choice but to await a response from the Regional Board.

On behalf of Mr. Veloz, we reiterate our request for a meeting in the interest of seeking a consensual resolution. Thank you for your cooperation.

# No Further Action Requested Since 2000

- Model corporate conduct
  - Over \$500,000 paid to fund site investigations
- Never received any NOVs, to our knowledge.
- Many years passed until the August 8, 2008, letter from the Board regarding Seventeenth Street's redevelopment and CAP.