Case 2:07-cv-02320-GEB-KJN Document 133 Filed 10/27/10 Page 1 of 3 1 IGNACIA S. MORENO 2Assistant Attorney General **Environment & Natural Resources Division** 3 LESLIE M. HILL MICHELLE R. LAMBERT 4 Trial Attorneys 5 U.S. Department of Justice **Environmental Defense Section** 6 P.O. Box 23986 Washington, DC 20044-3986 7 Tel.: (202) 514-0375; Fax: (202) 514-8865 8 leslie.hill@usdoj.gov; michelle.lambert@usdoj.gov 9 Attorneys for Defendants 10 11 IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA 12 13 ARC ECOLOGY, et al., 2:07-CV-2320 GEB KJN Plaintiffs, 14 **DEFENDANTS' QUARTERLY** STATUS REPORT FOR THE PERIOD and 15 JULY 1, 2010 – SEPTEMBER 30, 2010 CALIFORNIA REGIONAL WATER 16 QUALITY CONTROL BOARD, SAN Judge: Hon. Garland E.Burrell, Jr. FRANCISCO BAY REGION, 17 Plaintiff-Intervenor 18 v. 19 UNITED STATES MARITIME ADMINISTRATION, et al., 20 Defendants. 21 22 Pursuant to Paragraph 7(a) of the Consent Decree entered by this Court 23 in the captioned case (Dkt. 126), Defendants provide the quarterly status 24 report on Defendants' implementation of the Consent Decree during the 25 quarter ending September 30, 2010 (attached as Exhibit A). 26 // 27 // 28

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1	Respectfully submitted,			
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28		2		
		Der	ENDANTS' QUARTER	LY STATUS REPORT FOR THE

Case 2:07-cv-02320-GEB-KJN Document 133 Filed 10/27/10 Page 3 of 3 **CERTIFICATE OF SERVICE** I hereby certify that on October 27, 2010, electronically transmitted the foregoing DEFENDANTS' QUARTERLY STATUS REPORT FOR THE PERIOD JULY 1, 2010 - SEPTEMBER 30, 2010 to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants: Michael E. Wall mwall@nrdc.org Thomas Cmar tcmar@nrdc.org Scott Allen sallen@lgpatlaw.com David A. Nicholas dnicholas@verizon.net Tara L. Mueller tara.mueller@doj.ca.gov Christiana Tiedemann chris.tiedemann@doj.ca.gov Jonathan Andrew Wiener jwiener@nrdc.org

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EXHIBIT A

Defendants' Quarterly Status Report for the Period July 1, 2010 – September 30, 2010

Arc Ecology, <u>et al.</u> v. Maritime Administration, <u>et al.</u> E.D. Cal. 2:07-cy-02320-GEB-KJN

Quarterly Status Report, Quarter ending September 30, 2010

The following Quarterly Status Report is provided in accordance with Section VI, Paragraph 7(a).

1. Number and description of SBRF non-retention vessels in the process, or to be included in the process, of acquiring drydocking, towing and recycling (or other) disposal services for the following quarter, which may result in the removal of the vessels depending on the availability and scheduling of industrial and other resources:

Vessel	Scheduled Removal Date
Dawn	TBD (To be determined)
H.H. Hess	TBD
Bay	TBD
American Reliance	TBD
American Racer	TBD

2. SBRF non-retention vessels removed during the quarter ending September 30, 2010:

Vessel	<u>Disposition</u>
Taluga	July 1, 2010
Florikan	July 27, 2010

- **3.** Description of *exfoliating* and *exfoliated* paint removal for each Vessel that has been remediated in the preceding quarter and for each Vessel undergoing remediation at the time of this report; the status of removal of exfoliating and exfoliated paint and characterization, removal, storage, transportation and disposal of any hazardous waste associated with removal of such paint and debris.
 - a. Status of exfoliated paint removal: During the quarter spanning 1 July through 30 September, exfoliated paint was removed from exterior horizontal surfaces of the ships listed below; these vessels are still moored at the SBRF. The exfoliated paint removed included paint and associated dust and debris that were entirely separated from a vessel's surface and, rust scale, corroded metal, bird waste and small quantities of miscellaneous debris. Methodology is/was pursuant to the SBRF SWPPP.

Vessel, Date of Completion

See Table

b. The following vessels are **undergoing remediation** of *exfoliated* paint as of the date of this report:

Vessel, Start Date

Roanoke, 9/30/10

c. **Status of** *exfoliating* **paint_removal**: Exfoliating paint remediation activities under commercial contract were completed aboard *Nereus* on 8/20/10. Methodology is/was pursuant to the SBRF SWPPP. The following ships are undergoing remediation of exfoliating paint at the time of this report:

Vessel, Start Date

Wichita, 8/24/10 Ponchatoula, 9/7/10

- d. **Characterization** of any hazardous waste associated with removal of exfoliating and exfoliated paint: Exfoliated paint is managed as hazardous waste and subject to RCRA Subtitle C, California's HWCL, and implementing regulations. During this quarter, the Maritime Administration has performed no characterization that would support a determination that exfoliated paint is not hazardous waste. Prior to transportation and disposal, waste characterization was accomplished in two ways:
 - (1) A representative sampling from 10% of the drums from the first load of the quarter was taken and submitted to a local lab for analysis.
 - (2) Generator knowledge based on previous sampling data. This method was adopted to cease duplication of effort. Paint chips and debris have already been analyzed during the initial sweeping phase and from the paint sampling and analysis accomplished in 2006 and 2010. All samples were characterized as hazardous waste and properly disposed. The lab analysis documentation is attached.
- e. **Removal** of any hazardous waste associated with removal of exfoliating and exfoliated paint:
 - i. Exfoliated paint: All such hazardous waste was initially collected by shoveling, HEPA vacuuming and sweeping, then consolidated into five gallon buckets that were hand-carried and emptied into 55-gallon reconditioned steel drums staged on one end of each vessel being cleaned.
 - ii. Exfoliating paint: All such hazardous waste was either removed in dry-dock in accordance with the dry-dock contract requirements or in the SBRF in accordance with the SBRF SWPPP and established BMPs.
- f. **Storage** of any hazardous waste associated with removal of exfoliating and exfoliated paint:

- i. <u>Exfoliated paint</u>: Filled drums (as described in 3.e. above) were transported and stored in the SBRF parking lot under cover, pending disposal, in accordance with established BMPs.
- ii. Exfoliating paint: Such waste was accumulated into 250 gallon stainless steel frame boxes, called totes, aboard the vessel being remediated. Filled totes were transported and stored in the parking lot under cover, pending disposition of the contents. Totes have an internal liner to facilitate waste handling and disposal.
- g. **Transportation** of any hazardous waste associated with removal of exfoliating and exfoliated paint:
 - i. Exfoliated paint: Filled 55-gallon drums containing such waste were transported from vessels by crane barge to the pier, then fork lifted to the parking lot where they are stored under cover on pallets. (The previously-used overflow storage area adjacent to the electrical platform in the parking lot was not required during this last quarter since the volume of drums being dealt with was greatly reduced less material was generated during the 90-day recurring sweeps, after the initial sweep was completed.) Transportation to the disposal site was accomplished via contract, with pick-up being in one to two week intervals.
 - ii. Exfoliating paint: Filled totes were transported from the vessel by crane barge to the pier, then fork lifted to the parking lot where they are stored under cover on pallets. The remediation contract scope includes transportation to the disposal site.
- h. **Disposal** of any hazardous waste associated with removal of exfoliating and exfoliated paint:
 - i. <u>Exfoliated paint</u>: Drums containing such waste were disposed by contractor ENV Environmental, Inc. with the waste being hauled to US Ecology, Beatty, NV (TSDF).
 - ii. Exfoliating paint: Drums containing such waste from *Nereus* were disposed by the remediation contractor via Environmental Recovery Services, Inc. with the waste being hauled to US Ecology, Beatty, NV (TSDF). As of the date of this report, totes being used aboard *Wichita* and *Ponchatoula* are still within their 90-day accumulation time and have not yet been transported off-site and disposed.
- 4. **Vessel Condition Summary Report.** The Vessel Condition Summary Report during the preceding quarter is included as an attachment to this report.
- 5. **Copies of Hazardous Waste Manifests.** Copies of all hazardous waste manifests for any material disposed of during the preceding quarter from the SBRF are included as an attachment to this report.

Arc Ecology, et al. v. Maritime Administration, et al., Case No. 2:07-cv-02320-GEB-KJN (E.D. Cal.)

Attachment 1 to Defendants' Quarterly Report for the Period July 1, 2010 – September 30, 2010

		ed Paint Removal	G 115
SHIP NAME	Initial Sweep Completed	First Maintenance Sweep Completed	Second Maintenance Sweep Completed
MISPILLION		7/22/2010	
HASSAYAMPA		7/27/2010	
KAWISHIWI		7/28/2010	
PONCHATOULA		7/29/2010	
CIMARRON		7/31/2010	9/24/2010
WABASH (AOR 5)		8/3/2010	9/28/2010
ROANOKE		8/3/2010	9/30/2010
WICHITA		8/4/2010	
PIGEON		8/3/2010	
SAGAMORE		8/3/2010	
CLAMP		8/3/2010	
RECLAIMER		8/3/2010	
PRESIDENT		8/25/2010	
AMERICAN RELIANCE		8/26/2010	
H. H. HESS		8/26/2010	
SOLON TURMAN		8/27/2010	
DAWN		8/27/2010	
AMBASSADOR		8/31/2010	
AGENT		8/31/2010	
ADVENTURER		9/1/2010	
AIDE		9/1/2010	
BAY		9/2/2010	
LINCOLN	7/1/2010	9/2/2010	
AMERICAN RACER	7/2/2010	9/23/2010	
COMET	7/8/2010	9/9/2010	
METEOR	7/9/2010	9/2/2010	
MOUNT WASHINGTON	7/13/2010	9/10/2010	
SHOSHONE	7/14/2010	9/10/2010	
THOMASTON	7/15/2010	9/16/2010	
WILLAMETTE	7/16/2010	9/17/2010	
MOUNT HOOD	7/17/2010	9/21/2010	
WYMAN	7/27/2010		
GLACIER	7/28/2010		
SPERRY	8/3/2010		
PYRO	8/4/2010		
BOLSTER	7/30/2010		
POINT DEFIANCE	7/31/2010		
NEREUS	8/20/2010		
CAPE BLANCO	7/29/2010		
TULARE	7/28/2010		
NORTHERN LIGHT	7/27/2010		
CAPE BRETON	7/25/2010		
CAPE BORDA	7/24/2010		
KANSAS CITY	7/20/2010	9/22/2010	
HOLLAND	7/21/2010	9/22/2010	
VANCOUVER	7/23/2010	9/23/2010	

Arc Ecology, et al. v. Maritime Administration, et al., Case No. 2:07-cv-02320-GEB-KJN (E.D. Cal.)

Attachment 2 to Defendants' Quarterly Report for the Period July 1, 2010 – September 30, 2010

Case 2:07-cv-02320-GEB-KJN Document 133-2 Filed 10/27/10 Page 4 of 35 **VESSEL CONDITION SUMMARY**

MAR-612 Cond_LS38 September 30 2010.xlsx

Page 1

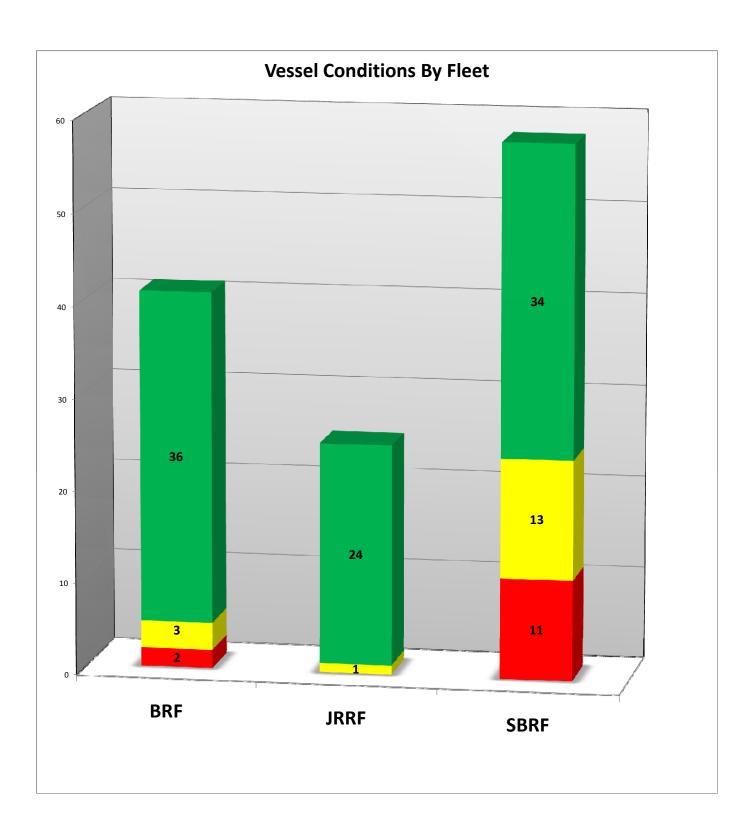
RANK	SCORE	OVERALL	SHIP NAME	PROGRAM	LOCATION	HULL	HULL	HULL	TOTAL	TOP	COAT	INT	DR
1	1.17	RATING RED	EX-STATE OF MAINE	Non-Retention	MOBILE	COND 3	LEAKS 0	PATCH 0	OIL LT 628.8	COND 1	COND 1	COND 1	COND 1
2	1.50	RED	OHIO	Non-Retention	BRF	3	0	0	261.0	1	1	1	1
3	1.61	RED	DAWN	Non-Retention	SBRF	4	0	1	758.0	1	2	2	1
4	1.78	RED	H. H. HESS	Non-Retention	SBRF	5	0	0	618.7	2	2	1	1
5	1.97	RED	BAY	Non-Retention	SBRF	4	0	0	59.7	2	1	1	1
6	2.25	RED	BOLSTER	Non-Retention	SBRF	4	0	0	1.9	2	2	2	1
7	2.25	RED	RECLAIMER	Non-Retention	SBRF	4	0	0	0.0	2	2	2	1
8 9	2.30	RED RED	SOLON TURMAN PRESIDENT	Non-Retention	SBRF	5 4	0	0	831.8	3 2	2	3	1
10	2.36 2.36	RED	THOMASTON	Non-Retention Non-Retention	SBRF SBRF	3	0	0	368.6 44.9	2	3	1	1 2
11	2.42	RED	AMERICAN RELIANCE	Non-Retention	SBRF	5	0	0	175.8	1	1	3	1
12	2.42	RED	AMERICAN RACER	Non-Retention	SBRF	5	o	0	5.9	1	1	3	1
13	2.44	RED	GLACIER	Non-Retention	SBRF	3	0	0	490.7	2	3	3	2
14	2.67	YELLOW	CLAMP	Non-Retention	SBRF	4	0	0	0.0	3	1	3	1
15	2.69	YELLOW		Non-Retention	SBRF	4	0	0	198.8	2	2	4	1
16	2.78	YELLOW		Non-Retention	SBRF	3	0	0	86.7	3	2	3	2
17	2.81	YELLOW		Non-Retention	SBRF	3	0	1	124.8	3	2	4	1
18	2.97		SAGAMORE	Non-Retention	SBRF	5	0	0	471.2	3	2	5	1
19 20	3.00 3.06		AMBASSADOR POINT DEFIANCE	Non-Retention Non-Retention	SBRF SBRF	5 3	0	0	872.2 43.6	3	3	3	3 2
21	3.11		PATRIOT STATE	Non-Retention	JRRF	4	0	0	112.6	2	2	3	4
22	3.17		MISPILLION	Non-Retention	SBRF	5	0	0	779.0	3	3	3	3
23	3.22		ADVENTURER	Non-Retention	SBRF	5	o	0	881.8	4	3	5	2
24	3.22	YELLOW	HOGA	Custody	SBRF	3	0	1	0.0	3	3	4	2
25	3.33	YELLOW	CAPE FLORIDA	Retention	BRF	5	0	0	1847.2	4	3	5	3
26	3.33	YELLOW	PIONEER COMMANDER	Non-Retention	BRF	5	0	0	833.9	4	3	4	3
27	3.39	YELLOW		Custody	SBRF	5	0	0	0.0	3	3	3	2
28	3.39	YELLOW		Non-Retention	SBRF	4	0	0	0.0	4	3	3	2
29	3.39	YELLOW		Non-Retention	SBRF	5	0	0	0.0	3	3	3	2
30 31	3.44 3.50	GREEN	ACE SEABEE BARGES	Custody	BRF	2 5	9	0	0.0	5 4	3	3 4	5 4
32	3.50	GREEN	CAPE CHALMERS PIONEER CRUSADER	Retention Non-Retention	Chas BRF	5	0	0	1392.9 666.7	4	3	4	3
33	3.50	GREEN	POTOMAC	Non-Retention	BRF	5	0	0	610.0	4	3	4	3
34	3.50	GREEN	MISSION BUENAVENTURA	Non-Retention	BRF	5	0	0	578.4	3	3	4	3
35	3.50	GREEN	MISSION CAPISTRANO	Non-Retention	BRF	5	0	0	475.6	3	3	4	3
36	3.56	GREEN	MOUNT HOOD	Non-Retention	SBRF	5	0	0	168.7	4	3	2	3
37	3.56		WABASH (AOR 5)	Non-Retention	SBRF	5	0	0	167.6	3	3	4	2
38	3.56	GREEN	TULARE	Non-Retention	SBRF	4	0	0	98.6	3	3	5	2
39	3.56	GREEN	VANCOUVER	Non-Retention	SBRF	5	0	0	20.9	3	3	4	2
40 41	3.56	GREEN GREEN	PIGEON RANGE SENTINEL	Non-Retention	SBRF	5 5	0	0	2.5 0.0	3	3 2	4 3	2 4
42	3.56 3.56	GREEN	HOLLAND	Non-Retention Non-Retention	JRRF SBRF	5	0	0	0.0	3	3	4	2
43	3.56	GREEN	KANSAS CITY	Non-Retention	SBRF	5	0	0	0.0	3	3	4	2
44	3.67		CAPE JOHN	Retention	BRF	5	Ö	0	703.5	4	3	5	3
45	3.67		PONCHATOULA	Non-Retention	SBRF	4	0	0	115.1	3	3	4	3
46	3.72	GREEN		Non-Retention	JRRF	5	0	0	1.9	4	2	3	4
47	3.72	GREEN	SYLVANIA	Non-Retention	JRRF	5	0	0	0.1	3	2	4	4
48	3.72		YELLOWSTONE	Non-Retention	JRRF	5	0	0	0.0	3	2	4	4
49	3.72		ROANOKE	Non-Retention	SBRF	5	0	0	0.0	4	3	4	2
50	3.72		WILLAMETTE	Non-Retention	SBRF	5	0	0	0.0	4	3	4	2
51	3.75		MOUNT WASHINGTON	Non-Retention	SBRF	5	0	0	228.0	5	3	5	1
52 53	3.83 3.83		CAPE FAREWELL CAPE FLATTERY	RRF10 Retention RRF10 Retention	BRF BRF	5 5	0	0	1885.5 1431.3	5 5	4	5 5	4
54	3.83		CAPE MENDOCINO	Retention	JRRF	5	0	0	1222.0	5	4	5	4
55	3.83		CAPE ALEXANDER	Non-Retention	JRRF	5	0	0	484.1	3	4	4	4
56	3.83		AIDE	Non-Retention	SBRF	5	0	0	399.5	3	3	5	3
57	3.83		KAWISHIWI	Non-Retention	SBRF	5	0	0	347.7	4	3	4	3
58	3.83	GREEN	MOUNT VERNON	Non-Retention	BRF	5	0	0	156.1	3	3	4	3
59	3.83		HARKNESS	Non-Retention	JRRF	5	0	0	93.6	3	3	3	4
60	3.89	GREEN		Non-Retention	SBRF	5	0	0	187.1	4	3	5	2
61	3.89		MONONGAHELA	Non-Retention	JRRF	5	0	0	3.5	4	2	4	4
62	3.89		MERRIMACK	Non-Retention	JRRF	5	0	0	1.6	4	2	4	4
63	3.89		SHENANDOAH VANGUARD	Non-Retention	JRRF	5 5	0	0	0.4 0.0	4 4	2	4	4
64													
64 65	3.89 4.00		GULF BANKER	Non-Retention Non-Retention	JRRF BRF	5	0	0	837.1	5	4	5	4

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Page 2

RANK	SCORE	OVERALL RATING	SHIP NAME	PROGRAM	LOCATION	HULL	HULL LEAKS	HULL PATCH	TOTAL OIL LT	TOP COND	COAT	INT COND	DR COND
67	4.00	GREEN	SHOSHONE	Non-Retention	SBRF	5	0	0	610.7	5	3	5	4
68	4.00	GREEN	CAPE JOHNSON	Non-Retention	JRRF	5	0	0	507.6	4	4	4	4
69	4.00	GREEN	SIRIUS (AFS 8)	Retention	BRF	5	0	0	174.3	3	3	5	3
70	4.00	GREEN	HASSAYAMPA	Non-Retention	SBRF	5	0	0	13.8	4	3	4	3
71	4.00	GREEN	TAVTS	Custody	BRF	5	0	0	0.0	5	4	N/A	5
72	4.00	GREEN	CAPE COD (AD 43)	Non-Retention	JRRF	5	0	0	0.0	3	3	4	4
73	4.00	GREEN	FB-62	Retention	SBRF	4	0	0	0.0	3	4	4	4
74	4.00	GREEN	IRIS	Custody	SBRF	4	0	0	0.0	4	3	4	4
75	4.00	GREEN	PLANETREE	Custody	SBRF	4	0	0	0.0	4	3	4	4
76	4.00	GREEN	SEA SHADOW / HMB-1	Custody	SBRF	4	0	0	0.0	3	3	5	4
77	4.00	GREEN	WYMAN	Non-Retention	SBRF	5	0	0	0.0	3	3	4	4
78	4.06	GREEN	JAMES MCHENRY	Non-Retention	JRRF	5	0	0	58.9	2	4	5	4
79	4.06	GREEN	TRIUMPH	Retention	SBRF	5	0	0	50.2	5	3	5	2
80	4.06	GREEN	NORTHERN LIGHT	Non-Retention	SBRF	5	0	0	3.0	5	3	5	2
81	4.11	GREEN	R/B EXPLORER (DESOTO)	Custody	BRF	2	0	3	33.5	5	5	5	5
82	4.17	GREEN	GULF TRADER	Non-Retention	BRF	5	0	0	708.3	5	4	5	4
83	4.17	GREEN	CAPE JUBY	Retention	JRRF	5	0	0	631.7	5	4	5	4
84	4.17	GREEN	CHESAPEAKE	Retention	BRF	5	0	0	56.2	4	3	5	3
85	4.17	GREEN	MHC-54 ROBIN	Custody	BRF	5	0	0	2.1	4	3	5	3
86	4.17	GREEN	CIMARRON	Non-Retention	SBRF	5	0	0	0.3	4	3	4	4
87	4.22	GREEN	CAPE GIRARDEAU	Retention	SBRF	5	0	0	228.0	5	5	5	2
88	4.22	GREEN	CAPE FEAR	Retention	SBRF	5	0	0	195.0	5	4	5	2
89	4.22	GREEN	GREEN MOUNTAIN STATE	Retention	SBRF	5	0	0	84.1	5	4	5	2
90	4.33	GREEN	CAPE LAMBERT	Retention	BRF	5	0	0	508.7	5	4	5	4
91	4.33	GREEN	NEW RIVER	Custody	BRF	5	0	0	416.5	5	4	4	5
92	4.33	GREEN	CAPE LOBOS	Retention	BRF	5	0	0	412.7	5	4	5	4
93	4.33	GREEN	BENJAMIN ISHERWOOD	Non-Retention	JRRF	5	0	0	6.9	4	4	4	4
94 95	4.33	GREEN GREEN	HENRY ECKFORD	Non-Retention	JRRF BRF	5 5	0	0	0.0	4 5	4 5	4 5	4
95 96	4.50	GREEN	CAPE VICTORY MONSEIGNEUR	ROS-5 Retention	BRF	5	0	0	703.0 355.6	5	4	4	5 5
97	4.50			Custody		5	0	-		5	4	5	4
98	4.50 4.50	GREEN GREEN	METEOR CAPE NOME	Non-Retention Retention	SBRF JRRF	5	0	0	226.7 224.1	5 5	4	5	4
99	4.50	GREEN	DIAMOND STATE	Retention	BRF	5	0	0	224.1	5 5	4	5	4
100	4.50	GREEN	CAPE ARCHWAY	Non-Retention	JRRF	5	0	0	157.0	4	4	5	4
100	4.50 4.50	GREEN	CAPE AVINOF	Non-Retention Non-Retention	JRRF	5	0	0	57.3	4	4	5	4
101	4.50	GREEN	CAPE ANN	Retention	JRRF	5	0	0	48.9	4	4	5	4
102	4.50	GREEN	CAPE ALAVA	Retention	JRRF	5	0	0	37.4	4	4	5	4
103	4.67	GREEN	CAPE VINCENT	ROS-5 Retention	BRF	5	0	0	578.0	5	5	5	5
105	4.67	GREEN	CAPTAIN HENRY A. DOWNING	Custody	BRF	5	0	0	58.4	5	4	4	5
106	4.67	GREEN	COMET	Non-Retention	SBRF	5	0	0	19.0	5	4	5	4
107	4.67	GREEN	CAPE BORDA	Non-Retention	SBRF	5	0	0	14.8	5	4	5	4
108	4.67	GREEN	CAPE BOVER	Retention	SBRF	5	o	0	14.3	5	4	5	4
109	4.67	GREEN	STORIS	Custody	SBRF	5	0	0	0.0	5	5	4	4
110	4.83	GREEN	CAPE BLANCO	Non-Retention	SBRF	5	0	0	26.6	5	5	5	4
111	4.83		CAPE BRETON	Non-Retention	SBRF	5	0	0	3.3		5	5	4
112	4.83		STURGIS	Custody	JRRF	5	o	0	0.0	5	5	4	5
113	5.00		R/B EXPLORER (MISS NARI)	Custody	BRF	5	o	0	98.5	5	5	5	5
114	5.00		AMERICAN QUEEN	Custody	BRF	5	0	0	64.1	5	5	5	5
115	5.00		R/B EXPLORER (LASALLE)	Custody	BRF	5	0	0	14.4	5	5	5	5
116	5.00		MHC-59 FALCON	Custody	BRF	5	o	0	1.7	5	5	5	5
117	5.00		MHC-55 ORIOLE	Custody	BRF	5	o	0	0.9	5	5	5	5
118	5.00		MHC-51 OSPREY	Custody	BRF	5	0	0	0.8	5	5	5	5
119	5.00		MHC-58 BLACKHAWK	Custody	BRF	5	o	0	0.0	5	5	5	5
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124	5.00	GREEN	CIN BARGE WITH D3 UNIT	Custody	BRF	5	0	0	0.0		5	5	5



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Key for Vessel Condition Report

BOLD RED: Indicates changes from previous report HIGHLIGHTED YELLOW: Indicates missing data. TOTAL OIL= is the total of heavy oil + diesel fuel + lube oil

Non-Retention = MARAD vessels that no longer have a useful application and are pending disposition.

<u>Retention</u> = MARAD vessels that are being preserved for federal agency programs

Custody = Vessels owned/sponsored by other government programs or agencies that are being maintained by MARAD in the NDRF on a reimbursable basis.

Hull Leaks and Patches = when a leak is patched it is only shown as a patch. A ship with one leak that was patched will show "0" leaks and "1" patch. These do not affect the Condition Scores.

SORTING: Numerically descending based upon composite condition score.

Coatings Condition Rating - An assessment of coating condition of hull and topsides, where rating score reflects the worst of the two areas.

- 1 Major coating degradation exists where large areas of hull or topside steel and rust are visible, and at least 25% of coatings have potential for exfoliation, or there is a substantial accumulation of exfoliated paint on deck that has potential for being discharged into the water.
- 2 Moderate coating degradation exists where small areas of hull or topside steel and rust are visible, and between 5% and 25% of coatings has potential for exfoliation, or there is a moderate amount of exfoliated paint on deck that has potential for being discharged into the water
- 3 Minor coating degradation exists where rust is beginning to bleed through coatings at cracks and chips and less than 5% of coatings has potential for exfoliation.
- 4 Coatings are intact and within their service life condition.
- 5 Coatings are intact, in like-new condition.

Hull Condition Rating

- 0 Free communication with the water exists in areas that can not be isolated or patched without drydocking.
- 1 Known holes exist in the underwater hull that may or may not be patched where the flooded parts of the vessel can be isolated and the potential for additional holes is deemed to be high.
- 2 Known holes exist in the underwater hull that may or may not be patched where the flooded parts of the vessel can be isolated and the potential for additional holes is moderate.
- 3-No known or suspected holes are in the underwater hull, the minimum hull scantlings are less than 25% of the classification society original hull thickness requirement and the potential for the near-term development of holes is moderate.
- 4 No known or suspected holes are in the underwater hull and the minimum hull scantlings are between 25% and 50% of the classification society original hull thickness requirement. 5-No known or suspected holes are in the underwater hull and the minimum hull scantlings are between 50% and 100% of the classification society original hull thickness requirement.

Interior Condition Rating

- 1 Severe rainwater damage or there are spaces that are not safe to enter without personal protective equipment
- 2 Minor rainwater damage or there are spaces that are not normally configured because of equipment or vessel structures moved so normal passage ways are blocked or partially blocked
 3 – There is no rainwater damage but the potential for damage occurring is high or spaces have large amounts of debris that can't be cleaned by the fleet workforce.
- 4 Interior spaces are sealed from the external atmosphere but humidity is not actively being lowered with a dehumidification system and spaces are free of debris.
- 5 Interior spaces are sealed from the external atmosphere and humidity is actively being lowered with a dehumidification system and spaces are free of debris.

Topside Condition Rating

- 1 Many known or suspected holes exist in topside areas that leak major amounts of rainwater, which must be pumped frequently.
- 2 Some known or suspected holes exist in topside areas that leak substantial amounts of rainwater, which must be pumped regularly.
- 3 A small number of known holes in topside areas that leak rainwater, which must be pumped occasionally.
- 4 No holes exist in topside areas and no pumping of water from the vessel is required beyond minor occasional bilge house keeping; however, some areas have severe deterioration as indicated by heavy rust and peeling paint.
- 5 No holes exist in topside areas and no pumping of water from the vessel is required beyond minor occasional bilge house keeping and minor deterioration exists as indicated by slight rust and peeling paint.

Discharge Risk Condition Rating

- 1 High risk for or evident reportable discharge; major remediation required.
- 2 High risk for or evident reportable discharge; minor remediation required.
- 3 Low risk for reportable discharge; major remediation required.
- 4 Low risk for reportable discharge; minor remediation required.
- 5 Low risk for reportable discharge; no remediation required.

CONDITION SCORE: The Condition Score is the avearge of the six component scores with each component being weighted appropriately. No one component is weighted more than another but the values are weighted such that lower scores have a greater impact. Scores (except for the Oil Score) are weighted by a factor of 1.5 if given a score of 2 and weighed by a factor of 2 on scores of 1. The Oil Score is tied to the Hull Condition Score. A Hull score of 2 causes the Oil Score to be weighted by 1.5 and a Hull score of 1 causes the Oil Score to be weighted by a factor of 2. The Condition Score is on a scale of 1 to 5, where a score of 5 is best and 1 is worst.

HULL CONDITION SCORE; Hull condition ranges from 1 to 5, where hull the worst vessels are weighted heavier on the scale. A rating of 5 is worth 5 points, 4 worth 4 points 3 worth 3, 2 worth 1.333 (2 weighted by a factor of 1.5) and 1 is worth 0.5 points (1 weighted by a factor of 2)

TOTAL OIL SCORE: The Oil Ranking Factor shows how much oil is onboard a vessel, in LT, For the purpose of calculating the Condition Score, this value is reduced to a scale of 0 to 5. For all oil values at or above 1000LT, the value is 0; otherwise, in the range of 800 to 1000LT is 1, 600 to 800LT is 2 points, 400 to 600LT is 3 points, 200 to 400LT is 4 points and less than 200LT of oil is worth 5 points. Furthermore, the Oil Score is tied to the Hull Condition Score. If a Hull Score is 2, the Oil Score is weighted by a factor of 1.5. A Hull Score of 1 affects the Oil Score by a factor of 2.

TOPSIDE CONDITION SCORE: Topside condition ranges from 1 to 5, where hull the worst vessels are weighted heavier on the scale. A rating of 5 is worth 5 points, 4 worth 4 points 3 worth 3, 2 worth 1.333 (2 weighted by a factor of 1.5) and 1 is worth 0.5 points (1 weighted by a factor of 2)

COATING CONDITION SCORE; Coating condition ranges from 1 to 5, where hull the worst vessels are weighted heavier on the scale. A rating of 5 is worth 5 points, 4 worth 4 points 3 worth 3, 2 worth 1.333 (2 weighted by a factor of 1.5) and 1 is worth 0.5 points (1 weighted by a factor of 2)

INTERIOR CONDITION SCORE: Interior condition ranges from 1 to 5, where hull the worst vessels are weighted heavier on the scale. A rating of 5 is worth 5 points, 4 worth 4 points 3 worth 3, 2 worth 1.333 (2 weighted by a factor of 1.5) and 1 is worth 0.5 points (1 weighted by a factor of 2)

DISCHARGE RISK CONDITION SCORE. Discharge Risk condition ranges from 1 to 5, where hull the worst vessels are weighted heavier on the scale. A rating of 5 is worth 5 points, 4 worth 4 points, 3 worth 3, 2 worth 1.333 (2 weighted by a factor of 1.5) and 1 is worth 0.5 points (1 weighted by a factor of 2)

OVERALL RATING: The Overall Rating groups the vessels for easier condition identification. Any vessel with a Condition Score less than 2.5 is aRED vessel. Any vessel with a score between 2.51 and 3.499 is a YELLOW vessel. Any vessel with a score greater than or equal to 3.5 is aGREEN vessel.

Arc Ecology, et al. v. Maritime Administration, et al., Case No. 2:07-cv-02320-GEB-KJN (E.D. Cal.)

Attachment 3 to Defendants' Quarterly Report for the Period July 1, 2010 – September 30, 2010

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DESIGNATED FACILITY TO DESTINATION STATE (IF REQUIRED)

Case 2:07-cv-02320-GEB-KJN Document 133-2 Filed 10/27/10 Page 12 of 35

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UNIFORM HAZARDOUS WASTE MANIFEST	1. Generator ID Number CCASBORTORS71	2 80	Emergency Response Pho PLICA-OCCUT CONT	MISSEC: 00	105	19277 (GBF
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Case 2:07-cv-02320-GEB-KJN Document 133-2 Filed 10/27/10 Page 13 of 35

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Please print or type. (Form designed for use on elite (12-pitch) typewriter.) 1. Generator ID Number 2. Page 1 of 3. Emergency Response Phone UNIFORM HAZARDOUS 7500h 368-4778 **WASTE MANIFEST** CA5690090571 · Generator's Site Address (if different than mailing address) 5. Generator's Name and Mailing Address US DOY MARITIME ADMIN SUISUN BAY RESERVE LARE HERIMH ROTFOOT SUISUM & 测路 LAYE HERWARED GENICIA 17.4 94510 BEMICIA 34510 707 765-9604 Generator's Phone: U.S. EPA ID Number 6. Transporter 1 Company Name CAR000135201 ENVIRONMENTAL RECOVERY SERVICES MIC.... U.S. EPA ID Number 7. Transporter 2 Company Name 8. Designated Facility Name and Site Address U.S. EPA ID Number US ECOLOGY HWY 95, 12 MILES SOUTH 09009 BEATTY NVT330010000 (775)553-2205 Facility's Phone: 9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, 10. Containers 9a 11. Total 12. Unit 13. Waste Codes and Packing Group (if any)) HM Quantity Wt./Vol. No. Туре PAZ INDOUG WASTE SOUD, N.O.A., Q. NASWY, POWALEADY 131 7300 6 BA \mathcal{L} 14. Special Handling Instructions and Additional Information 世代四章(36)、171 世を名3 W. OJI を約15・EC6 * CONTRACTOR: 981) 07-012-8385-229 - PAINT CHIES CHRITINED CONTINGS ** BILL TO ENVIROSERY "WILL A PROPER PRE 15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. 1 certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true. Generator's/Offeror's Printed/Typed Name Day Signafûre Month Year KUDDILLY KITLE TO THE 16. International Shipments Import to U.S. Export from U.S. Port of entry/exit: Transporter signature (for exports only): Date leaving U.S.: 17. Transporter Acknowledgment of Receipt of Materials Transporter 1 Printed/Typed Name Day Signature Month. Year Transporter 2 Printed/Typed Name Sianature Morsib Year 18. Discrepancy 18a. Discrepancy Indication Space Type Quantity Residue Partial Rejection Full Rejection Manifest Reference Number: 18b. Alternate Facility (or Generator) U.S. EPA ID Number Facility's Phone:

Signature

EPA Form 8700-22 (Rev. 3-05) Previous editions are obsolete.

19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)

20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a

18c. Signature of Alternate Facility (or Generator)

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Printed/Typed Name

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* PA	Form	18700 22 (Pov. 3 05) Ch	religion and the shall be		rax	- Klein	n)_			104	7/10	10

Please print or type. (Form designed for use on elite (12-pitch) typewriter.) Form Approved. OMB No. 2050-0039 1. Generator ID Number 2. Page 1 of 3. Emergency Response Phone 4. Manifest Tracking Number UNIFORM HAZARDOUS WASTE MANIFEST JJK 800-424-9300-CHEMTREC
Generator's Site Address (if different than mailing address) CA5690090571 5. Generator's Name and Mailing Addres US DOT MARITIME ADMIN SUISUN BAY RESERVELAKE HERMAN RD FOOT / SUISUN BAY BENICIA, CA 94510 BENICIA, CA 94510 U.S. EPA ID Number FREMOUW ENVIRONMENTAL SERVICES INC CAR000171017 7. Transporter 2 Company Name U.S. EPA ID Number CLEAN HARBORS ENVIRONMENTAL SERVICES INC MAD039322250 8. Designated Facility Name and Site Address U.S. EPA ID Number **CLEAN HARBORS** SAN JOSE LLC CAD059494310 1021 BERRYESSA ROAD **SAN JOSE, CA 95133** Facility's Phone: 408-441-0962 9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, 10. Containers 9a 11. Total 12. Unit 13. Waste Codes and Packing Group (if any)) НМ Quantity Wt./Vol. No. Type GENERATOR UN1950, Waste Aerosols, (Flammable each not exceeding 1 L Capacity), DF P 331 D001 2.1 DOT-SP12842 Non-RCRA Hazardous Waste Solid (Oily Debris)(Absorbent) DM 223 Non-RGRA Hazardous Waste Liquids (City Studge ST. 14. Special Handling Instructions and Additional Information BT Handlers to be 40hr trained and use ppe. 9b1) CH 434503 ERG#126 -ERG # 171-9b2) CH 435474 9 ERG#171 GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true. Generator's/Offeror's Printed/Typed Name Dav Year OHA 16. International Shipments Import to U.S. Export from U.S. Port of entry/exit: Transporter signature (for exports only): Date leaving U.S. TRANSPORTER 17. Transporter Acknowledgment of Receipt of Materials Transporter 1 Printed/Typed Name Signature Month Day Year ION Transporter 2 Printed/Typed Name 18. Discrepancy 18a. Discrepancy Indication Space Quantity Residue Partial Rejection __ Full Rejection Manifest Reference Number: 18b. Alternate Facility (or Generator) U.S. EPA ID Number Facility's Phone: 18c. Signature of Alternate Facility (or Generator) Month Day Year 19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems) 20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a Printed/Typed Name Month Day

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7141Case 2:07-cv-02320-GEB-KJN Document 133-2 Filed 10/27/10 Page 18 of 35

P.	ease	эрліnt or type. (Form desig				V	*			Approved.	OMB No.	2050-0039
		NIFORM HAZARDOUS WASTE MANIFEST	1. Generator ID Numb	CAS690090571	2. Page 1 of	3. Emergency Respo	9-1760	4. Manifes	Tracking No.	3665	9	=LE
	5	Generator's Name and Mailin SUISUN BAY I 2595 LAKE HE BENICIA	RESERVE FLI ERMAN RD	EET CA 9451		Generator's Site Addr	ess (if different tr	nan mailing addre	388)		-	- - 1
	G 6.	enerator's Phone: 707 Transporter 1 Company Nam SAFETY-KLEET	7-745-5604	7100				U.S. EPA ID	Number			
	L.	<u> </u>		INC.		,,		1		TXR00	0050	930
H	1"	Transporter 2 Company Nam	В			•		U.S. EPA ID	Number			
	8.	Designated Facility Name and	i	BAFETY-KLEEN SYSTI 5000 88TH STREET BACRAMENTO	EMS, IM	C. . CA 958	28	<u> </u>	Number		•	
	Fa	916-	386~4913					1		CA000	0084	517
	9a HI	' l		pping Name, Hazard Class, ID Number,		10. Con No.	tainers Type	11. Total Quantity	12. Unit Wt.Vol.	13. W	aste Code	8
GENERATOR		1. NON-RCRA (AQUEOUS	HAZARDOUS PARTS WASH	WASTE, LIQUID MER SOLUTION)		2	MG	44	G	134		
GEN	ĺ.	2.									-	
		3.						· · · · · · · · · · · · · · · · · · ·				
	_	4.					1					
	L					1						
	s v	GENERATOR'S/OFFEROR marked and labeled/placard	CY #1-800- TO RETAIN 'S CERTIFICATION: I	SK SHIP#20189 468-1760 (SAFETY-LICENSED SUBSEQU hereby declare that the contents of this at in proper condition for transport account conform to the terms of the attached	KLEEN - ENT CAR consignment are rding to applicat	- 94138) RTERS AS If fully and accurately of the international and oc	lescribed above i	RY by the proper shi	040 CS	and are classif	ied, packa the P <i>r</i> ima	ged, ry
	Ger	I certify that the waste minim erator's/Offeror's Printed/Type	ization statement ident	ified in 40 CFR 262.27(a) (if I am a large	quantity genera Signa	itor) or (b) (if I am a sn	nall quantity gene	eralor) is true.		Month	Day	Year
Ų.	10		Mag	da leek	بلك	NA	6	are		19	127	110
INT		International Shipments Insporter signature (for exports	import to U.S	i. 🗆	Export from 0.5		entry/exit: ving_U.S.;					
TER	17.	Fransporter Acknowledgment of sporter 1 Printed/Typed Name	f Receipt of Materials		Signat		A D	A		Monin	Ďay	Year
SPOR	,,,,,,,		bryph	MOTON L	Oignat	010	WX	FAR		19	127	1 0
TR ANSPORTER		sporter 2 Printed/Typed Name			Signat	ure	(D-1)			Month	Day	Year
\uparrow		Discrepancy Indication Space	Quantity			Residue		Partiel Reje	ction		Full Rejec	lino
						•		attai tteje			i i Bir reque	
È	185.	Alternate Facility (or Generate	и)			Manifest Reference	se Number:	U.S. EPA ID N	ımber	<u> </u>		
FAC	Facil	ily's Phone:						1				
DESIGNATED FACILITY		Signalure of Allemate Facility	(or Generator)							Month	Day	Year
Sign	19. I	azardous Wasle Report Man	agement Method Codes	(i.e., codes for hazardous waste treatm	ent, disposal, ar	id recycling systems)					1	
占	1.		2.		3.			4.				7
			perator: Certification of	receipt of hazardous materials covered			m 18a	l			·	
$\ $	rant	ed/Typed Name			Signal	ıre				Monlin	Day 	Year
ΡĄ	Folu	18700-22 (Rev. 3-05), Pre	vious editions are of	osolele.		DESI	GNATED FA	CILITY TO D	ESTINATION	ON STATE	(IF REC	UIRED)

Arc Ecology, et al. v. Maritime Administration, et al., Case No. 2:07-cv-02320-GEB-KJN (E.D. Cal.)

Attachment 4 to Defendants' Quarterly Report for the Period July 1, 2010 – September 30, 2010

Case 2:07-cv-02320-GEB-KJN Document 133-2 Filed 10/27/10 Page 20 of 35

McCampbell Ar "When Quality		1534 Willow Pass Road, Pittsburg, CA 94565-1701 Web: www.mccampbell.com E-mail: main@mccampbell.com Telephone: 877-252-9262 Fax: 925-252-9269							
Certified Coatings Company	Client Project ID: #55-1336	; Mothball Fleet	Date Sampled:	07/02/10					
2320 Cordelia Road			Date Received:	07/02/10					
2525 Cordona Roda	Client Contact: David Broo	ckman	Date Reported:	07/07/10					
Fairfield, CA 94534	Client P.O.: #16783		Date Completed:	07/07/10					

WorkOrder: 1007075

July 07, 2010

Dear David:

(122)

Enclosed within are:

- 1) The results of the 2 analyzed samples from your project: #55-1336; Mothball Fleet,
- 2) A QC report for the above samples,
- 3) A copy of the chain of custody, and
- 4) An invoice for analytical services.

All analyses were completed satisfactorily and all QC samples were found to be within our control limits.

If you have any questions or concerns, please feel free to give me a call. Thank you for choosing

McCampbell Analytical Laboratories for your analytical needs.

Best regards,

Angela Rydelius Laboratory Manager McCampbell Analytical, Inc.

DIIC	ICCAMP	1534 WI	2:07 -0	-V-102 SS RO	1320	FGE	ВЦ	KUN		Dod	cur	nei	nt '										ag			D3	5Y	R	EC	0	RD		
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	site: <u>www.mc</u> ne: (877) 252		l.com Em	ail: m						0					C	00	Гrа	oko	r E	DE	7	N	PI	RUS			HR					HR	5 DAY (DW)
Тегерио	iic. (6//) 252	2-9202			r	ax: (925	252-	920	09			1	-	. 0	CO.	LIA	CKC	I E	DI			11	T	-	el E	xce	r E	-	YY I	ne	On	(DW)
Report To: David	d Brockman		1	Bill To	: Pai	n Me	Cor	mick					Ť						A	nal	ysis	Rec	lues	t						C	ther		Comments
Company: Certif		s Compa	iny	_				1000																								\dashv	Toricon
2320 Cordelia				-		16								8015)			B&F				gene												Filter
Fairfield, Calif				E-Mai			-		hlh	an.	con	n	- 1	+			5520 E/B&F)				Com						(0	(0			1	A	Samples for Metals
Tele: (925) 300				ax: (4	8021	(17)		/ 55	=	8		OIS/		1			-	/ 602	602			-	3	analysis:
Project #: 55-133		100000		rojec	t Nar	ne: N	1oth	ball	Fle	et			4	(602 /	2 / 8(1664	(418	NO	(sa)	Vrod		picide		2000	NAS	0105	010		1	1,0	7	Yes / No
Project Location: Sampler Signatur		70	1										-	Gas (A 60	8015	ase (bons	21 (H	sticid	(Y;	ides)	Herl	S	(S)	Hs/I	18/	9/87	6020	1	7	ä	
Sampler Signatur	e:								\neg	M	FTE	IOD	Η,	T as	ONLY (EPA 602 / 8021)	TPH as Diesel / Motor Oil (8015)	Total Petroleum Oil & Grease (1664/	Fotal Petroleum Hydrocarbons (418.1)	502.2 / 601 / 8010 / 8021 (HVOCs)	EPA 505/ 608 / 8081 (CI Pesticides)	EPA 608 / 8082 PCB's ONLY; Aroclors / Congeners	EPA 507 / 8141 (NP Pesticides)	EPA 515 / 8151 (Acidic Cl Herbicides)	EPA 524.2 / 624 / 8260 (VOCs)	EPA 525.2 / 625 / 8270 (SVOCs)	8270 SIM / 8310 (PAHs / PNAs)	CAM 17 Metals (200.7 / 200.8 / 6010 / 6020)	LUFT 5 Metals (200.7 / 200.8 / 6010 / 6020)	200,8 / 6010 / 6020)	N	d	7	
		SAM	PLING	90	Type Containers	N	1AT	RIX	_	PRE	SEI	RVE	D	TP	NE	fotor	Oil &	Hydr	8010	91 (0	CB's	NP P	Acidi	8260	8270	8310	200.7	00.7	8 / 6(7	J	O	
SAMPLE ID	LOCATION/			Containers	itai									EX 8		el/N	una ma	E I	/109	8/8	82 P	141	151 (624/	625/	M/	tals (als (2		3	0		
	Field Point Name	Date	Time	ntai	Co	<u>_</u>		e				m		BTE	MTBE / BTEX	Dies	etrole	etrole	2.2 /	2,60	8 / 80	7/8	80 / 50	1.2/	5.27	S 02	Me	Met	Lead (200.7)	Ĩ	4	7	
	- Tunic	Date	111111	S	ype	Water	Air	Sludge	Other	ICE	HCL	HNO	Otmer	MTBE/	LBE	H as	tal P	tal P	A 50	A 50	A 60	A 50	A 51	A 52	A 52	Λ 82	M	FTS	(2) pr	V	2	2	
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7-2-12003	Filter H	2/2	1300	1	802	1			1		T																					\pm	CIP 1.
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McCampbell Analytical, Inc.

7-2-W003

Water

7/2/2010 13:00

CHAIN-OF-CUSTODY RECORD

Page 1 of 1

1534 Willow Pass Rd Pittsburg, CA 94565-1701

WorkOrder: 1007075 ClientCode: CCOC (925) 252-9262 WaterTrax WriteOn EDF Excel Fax ✓ Email HardCopy ThirdParty J-flag Bill to: Report to: Requested TAT: 2 days brockman@muehlhan.com Pam McCormick David Brockman Email: **Certified Coatings Company Certified Coatings Company** cc: Date Received: 07/02/2010 PO: 2320 Cordelia Road #16783 2320 Cordelia Road Fairfield, CA 94534 Fairfield, CA 94534 ProjectNo: #55-1336; Mothball Fleet Date Printed: 07/02/2010 (925) 686-1550 FAX (925) 671-7036 brockman@muehlhan.com Requested Tests (See legend below) Lab ID **Client ID** Collection Date Hold 2 3 5 6 8 9 10 12 Matrix 1 11 1007075-001 7-2-C001 Paint Chips 7/2/2010 13:00 Α

Test Legend:

1007075-002

1 I	PBMS_W	2 TCLPMETALMS_Chip	3	4	5
6		7	8	9	10
11		12			
					Prepared by: Ana Venegas

Comments: 48hr rush

1534 Willow Pass Road, Pittsburg, CA 94565-1701
Web: www.mccampbell.com E-mail: main@mccampbell.com
Telephone: 877-252-9262 Fax: 925-252-9269

Sample Receipt Checklist

Client Name:	Certified Coatings Comp	any		Date a	ind Time Received:	//2/2010 5	5:29:58 PM
Project Name:	#55-1336; Mothball Fleet			Check	list completed and	reviewed by:	Ana Venegas
WorkOrder N°:	1007075 Matrix	Paint Chips/Water		Carrie	r: <u>Client Drop-In</u>		
		Chain of Cu	ıstody	(COC) Informa	tion		
Chain of custody	present?	Yes	V	No 🗆			
Chain of custody s	signed when relinquished and	received? Yes	V	No 🗆			
Chain of custody a	agrees with sample labels?	Yes	✓	No 🗌			
Sample IDs noted I	by Client on COC?	Yes	V	No 🗆			
Date and Time of o	collection noted by Client on CC	OC? Yes	V	No 🗆			
Sampler's name no	oted on COC?	Yes	~	No 🗆			
		Sample	Recei	pt Information			
Custody seals inta	act on shipping container/coole	-		No 🗆		NA 🔽	
Shipping container	r/cooler in good condition?	Yes	V	No 🗆			
Samples in proper	r containers/bottles?	Yes	~	No 🗆			
Sample containers	s intact?	Yes	✓	No 🗆			
Sufficient sample	volume for indicated test?	Yes	✓	No 🗌			
	San	nple Preservatio	n and I	Hold Time (HT)	<u>Information</u>		
All samples receiv	red within holding time?	Yes	✓	No 🗌			
Container/Temp Bl	lank temperature	Coole	er Temp	:		NA 🗹	
Water - VOA vials	s have zero headspace / no bu	ibbles? Yes		No 🗆	No VOA vials subr	mitted 🗹	
Sample labels che	ecked for correct preservation?	? Yes	✓	No 🗌			
Metal - pH accepta	able upon receipt (pH<2)?	Yes	V	No 🗆		NA \square	
Samples Received	d on Ice?	Yes		No 🗹			
* NOTE: If the "No	o" box is checked, see comme	ents below.					
=====	=======	=====		=====	=====		======
Client contacted:	ı	Date contacted:			Contacte	d by:	
Comments:							

Case 2:07-cv-02320-GEB-KJN Document 133-2 Filed 10/27/10 Page 24 of 35

McCampbell Analytical, Inc.

1534 Willow Pass Road, Pittsburg, CA 94565-1701
Web: www.mccampbell.com E-mail: main@mccampbell.com
Telephone: 877-252-9262 Fax: 925-252-9269

Certified Coatings Company	Client Project ID: #55-1336; Mothball Fleet	Date Sampled:	07/02/10
2320 Cordelia Road	ricet	Date Received:	07/02/10
	Client Contact: David Brockman	Date Extracted:	07/02/10
Fairfield, CA 94534	Client P.O.: #16783	Date Analyzed:	07/06/10
	<u> </u>		

Lead by ICP-MS*

Extraction method: E200.8 Analytical methods: E200.8 Work Order: 1007075

		,					
Lab ID	Client ID	Matrix	Extraction Type	Lead	DF	% SS	Comments
1007075-002A	7-2-W003	W	TOTAL	ND	1	115	

Reporting Limit for DF =1;	W	TOTAL	0.5	μg/L
ND means not detected at or	S	TOTAL	NA	mg/Kg
above the reporting limit			- 11-2	

*water samples are reported in µg/L, product/oil/non-aqueous liquid samples and all TCLP / STLC / DISTLC / SPLP extracts are reported in mg/L, soil/sludge/solid samples in mg/kg, wipe samples in µg/wipe, filter samples in µg/filter.

means surrogate diluted out of range; ND means not detected above the reporting limit/method detection limit; N/A means not applicable to this sample or instrument.

TOTAL = Hot acid digestion of a representative sample aliquot.

TRM = Total recoverable metals is the "direct analysis" of a sample aliquot taken from its acid-preserved container.

DISS = Dissolved metals by direct analysis of $0.45 \mu m$ filtered and acidified sample.

%SS = Percent Recovery of Surrogate Standard

DF = Dilution Factor

Angela Rydelius, Lab Manager

Case 2:07-cv-02320-GEB-KJN Dogument 133-2 Filed 10/27/10 Page 25 of 35

McCampbell Analytical, Inc.

"When Ouality Counts"

1534 Willow Pass Road, Pittsburg, CA 94565-1701
Web: www.mccampbell.com E-mail: main@mccampbell.com
Telephone: 877-252-9262 Fax: 925-252-9269

Certified Coatings Company	Client Project ID: #55-1336; Mothball Fleet	Date Sampled:	07/02/10
2320 Cordelia Road	ricct	Date Received:	07/02/10
	Client Contact: David Brockman	Date Extracted:	07/02/10-07/03/10
Fairfield, CA 94534	Client P.O.: #16783	Date Analyzed:	07/07/10

Metals*

Extraction method: SW1311/SW3050B Analytical methods: SW6020 Work Order: 1007075

Establish medical 8 V 1511/8 V 5050B									100,0,0
Lab ID	Client ID	Matrix	Extraction Type	Cadmium	Chromium	Lead	DF	% SS	Comments
001A	7-2-C001	С	TCLP	0.22	2.7	15	1	N/A	

Reporting Limit for DF =1;	w	TOTAL	NA	NA	NA	NA
ND means not detected at or	С	TCLP	0.05	0.1	0.1	mg/L

^{*}water samples are reported in μ g/L, product/oil/non-aqueous liquid samples and all TCLP / STLC / DISTLC / SPLP extracts are reported in mg/L, soil/sludge/solid/paint chip samples in mg/Kg, wipe samples in μ g/wipe, filter samples in μ g/filter.

means surrogate diluted out of range; ND means not detected above the reporting limit/method detection limit; N/A means not applicable to this sample or instrument.

TCLP = Toxicity Characteristic Leaching Procedure.

DI TCLP = Toxicity Characteristic Leaching Procedure using DI water.

%SS = Percent Recovery of Surrogate Standard

DF = Dilution Factor

Angela Rydelius, Lab Manager

Document 1534 Willow Pass Road Pittsburg CA 94565-1701 26 of 35

Telephone: 877-252-9262 Fax: 925-252-9269

QC SUMMARY REPORT FOR E200.8

W.O. Sample Matrix: Water QC Matrix: Water BatchID: 51566 WorkOrder 1007075

EPA Method E200.8	Extrac	tion E20	0.8					S	piked San	nple ID:	: 1006733-0	05A
Analyte	Sample	Spiked	MS	MSD	MS-MSD	LCS	LCSD	LCS-LCSD	Acceptance Criteria (%)			١
/ tildly to	μg/L	μg/L	% Rec.	% Rec.	% RPD	% Rec.	% Rec.	% RPD	MS / MSD	RPD	LCS/LCSD	RPD
Lead	ND	10	99.5	97.9	1.56	101	99.7	1.62	70 - 130	20	85 - 115	20
%SS:	110	750	113	109	3.61	109	111	1.72	70 - 130	20	70 - 130	20

All target compounds in the Method Blank of this extraction batch were ND less than the method RL with the following exceptions: NONE

BATCH 51566 SUMMARY

Lab ID	Date Sampled	Date Extracted	Date Analyzed	Lab ID	Date Sampled	Date Extracted	Date Analyzed	
1007075-002A	07/02/10 1:00 PM	M 07/02/10	07/06/10 4:03 PM					

MS = Matrix Spike; MSD = Matrix Spike Duplicate; LCS = Laboratory Control Sample; LCSD = Laboratory Control Sample Duplicate; RPD = Relative Percent Deviation.

% Recovery = 100 * (MS-Sample) / (Amount Spiked); RPD = 100 * (MS - MSD) / ((MS + MSD) / 2).

MS / MSD spike recoveries and / or %RPD may fall outside of laboratory acceptance criteria due to one or more of the following reasons: a) the sample is inhomogenous AND contains significant concentrations of analyte relative to the amount spiked, or b) the spiked sample's matrix interferes with the spike recovery.

N/A = not applicable to this method.

NR = analyte concentration in sample exceeds spike amount for soil matrix or exceeds 2x spike amount for water matrix or sample diluted due to high matrix or analyte content.

QA/QC Officer

Documented 334 Willow Pass Road, Pittsburg CA 94565-1701

Documented 335 Willow Pass Road, Pittsburg CA 94565-1701

Documented 345 W

Telephone: 877-252-9262 Fax: 925-252-9269

QC SUMMARY REPORT FOR SW6020

W.O. Sample Matrix: Paint Chips QC Matrix: Soil BatchID: 51518 WorkOrder 1007075

EPA Method SW6020	Extraction SW1311/SW3050B Spiked Sample ID: N/A											
Analyte	Sample	Spiked	MS	MSD	MS-MSD	LCS	LCSD	LCS-LCSD	Acce	Acceptance Criteria (%)		
7 mary to	mg/L	mg/L	% Rec.	% Rec.	% RPD	% Rec.	% Rec.	% RPD	MS / MSD	RPD	LCS/LCSD	RPD
Cadmium	N/A	10	N/A	N/A	N/A	99.6	104	4.28	N/A	N/A	75 - 125	20
Chromium	N/A	10	N/A	N/A	N/A	99.4	103	3.71	N/A	N/A	75 - 125	20
Lead	N/A	10	N/A	N/A	N/A	96.3	100	3.75	N/A	N/A	75 - 125	20

All target compounds in the Method Blank of this extraction batch were ND less than the method RL with the following exceptions: NONE

BATCH 51518 SUMMARY

Lab ID	Date Sampled	Date Extracted	Date Analyzed	Lab ID	Date Sampled	Date Extracted	Date Analyzed
1007075-001A	07/02/10 1:00 PM	1 07/02/10	07/07/10 2:11 PM				

MS = Matrix Spike; MSD = Matrix Spike Duplicate; LCS = Laboratory Control Sample; LCSD = Laboratory Control Sample Duplicate; RPD = Relative Percent Deviation.

% Recovery = 100 * (MS-Sample) / (Amount Spiked); RPD = 100 * (MS - MSD) / ((MS + MSD) / 2).

MS / MSD spike recoveries and / or %RPD may fall outside of laboratory acceptance criteria due to one or more of the following reasons: a) the sample is inhomogenous AND contains significant concentrations of analyte relative to the amount spiked, or b) the spiked sample's matrix interferes with the spike recovery.

N/A = not applicable to this method.

NR = analyte concentration in sample exceeds spike amount for soil matrix or exceeds 2x spike amount for water matrix or sample diluted due to high matrix or analyte content.

QA/QC Officer

Arc Ecology, et al. v. Maritime Administration, et al., Case No. 2:07-cv-02320-GEB-KJN (E.D. Cal.)

Attachment 5 to Defendants' Quarterly Report for the Period July 1, 2010 – September 30, 2010



ENVIRONMENTAL LABORATORIES, Ltd

Client:

Suisun Bay Reserve Fleet 2595 Lake Herman Road Benicia, CA 94510

Attention: John Colberg

Reference: R17907_PCB

Method:

8082

Sampled:

06/29/10

Received:

07/07/10 Solid

Matrix Analyzed

07/15/10

D.F.

Reported: Units:

07/15/10 mg/kg

Laboratory Results of Analysis for PCBs

			EPA	3082			
		Reporting			Results		
	CAS NO.	Limit	17907-1	17907-2	17907-3	17907-4	17907-5
Analyte	CAS NO.	mg/kg	WABAS #!1	WICHITA #1	ROANOKE #1	ROANOKE #1	RECLAIMER#1
		E-1					
PCBs				ND.	ND	ND	ND
PCB 1016	12674-11-2	0.02	ND	ND			ND
PCB 1221	11104-28-2	0.08	ND	ND	ND	ND	
PCB 1232	11141-16-5	0.02	ND	ND	ND	ND	ND
	53469-21-9	0.02	ND	ND	ND	ND	ND
PCB 1242			ND	ND	ND	ND	ND
PCB 1248	12673-2-29-6	0.02				ND	ND
PCB 1254	11097-69-1	0.02	ND	ND	ND		0.197*
PCB 1260	11096-82-5	0.02	ND	ND	ND	ND	0.197

ND: Not Detected

PCB 1260

H. Khoshkhoo, PhD.,

Laboratory Director/President

11096-82-5

^{*}The chromatograph of the sample does not match the pattern of the standard PCBs. If the observed peaks are evaluated as PCBs the reported values for each sample would be the estimated values of the PCBs in the sample.

water • waste water • hazardous waste • fuel • Air • soil



ENVIRONMENTAL LABORATORIES, Ltd

Client:

Suisun Bay Reserve Fleet 2595 Lake Herman Road Benicia, CA 94510

Attention: John Colberg

Reference: R17907_PCB_2

Method:

8082

Sampled:

06/29/10

Received:

07/07/10

Matrix

Solid 07/15/10

Analyzed D.F.

1**

Reported:

07/15/10

Units:

mg/kg

Laboratory Results of Analysis for PCBs

			EPA 808	2							
		Reporting	Results 17907-9 17907-10								
	CAS NO.	Limit	17000 7 1700		17907-8	17907-8 17907-9					
Analyte	CAS NO.	mg/kg	SAGAMORE #1	FLORIKAN #1	CIMARRON #2	PIGEON #1	CLAMP #1				
PCBs				N.D.	ND	ND	ND				
PCB 1016	12674-11-2	0.02	ND	ND	ND						
PCB 1221	11104-28-2	0.08	ND	ND	ND	ND	ND_				
PCB 1232	11141-16-5	0.02	ND	ND	ND	ND	ND				
	53469-21-9	0.02	ND	ND	ND	ND	ND				
PCB 1242				ND	ND	ND	ND				
PCB 1248	12673-2-29-6	0.02	ND				ND				
PCB 1254	11097-69-1	0.02	ND_	ND	ND	ND					
DCD 1000	11006-82-5	0.02	ND	.091*	.089*	ND	0.615*				

PCB 1260 ND: Not Detected ND

0.02

H. Khoshkhoo, PhD.,

Laboratory Director/President

11096-82-5

^{*}The chromatograph of the sample does not match the pattern of the standard PCBs. If the observed peaks are evaluated as PCBs the reported values for each sample would be the estimated values of the PCBs in the sample.

^{**}The dilution factor for 17907-10 is 10 therefore the reporting limits are .2 and .8 mg/kg.

ENVIRONMENTAL LABORATORIES, Ltd

Client:

Suisun Bay Reserve Fleet 2595 Lake Herman Road Benicia, CA 94510

Attention: John Colberg

Ref:

R17907_Pb

Method:

EPA 1311/200.7

Sampled: Received: 06/29/10 07/07/10

Analyzed:

07/13/10

Reported:

07/14/10

Analyst:

ZT TCLP Extract Matrix:

Units:

mg/L

Laboratory Results of Analysis for TCLP Lead

1311/200.7

Sample ID	Lab ID	Reporting Limit (mg/L)	Results Analyte Lead
Wabas #1	17907-1	0.05	ND
Wichita #1	17907-2	0.05	ND
Roanoke #1	17907-3	0.05	ND ND
Roanoke #2	17907-4	0.05	ND ND
Reclaimer #1 Sagamore #1	17907-5 17907-6	0.05	1.18
Florikan #1	17907-7	0.05	1.82
Cimarron #2	17907-8	0.05	ND
Pigeon #1	17907-9	0.05	ND
Clamp #1	17907-10	0.05	3.69

ND: Not Detected

H. Khoshkhoo, Ph.D.

Laboratory Director/President

Delta Environmental Laboratories



Quality Control Report

Client:

Suisun Bay Reserve Fleet 2595 Lake Herman Road Benicia, CA 94510 Ref.

Q17907

Method:

EPA 8082

Matrix:

Solid

Unit:

mg/kg 07/15/10

Analyzed: Reported:

07/15/10

Spiked Sample: Blank

Quality Control Report of Analysis for PCB

		S	pike Recovery		
Analyte	Sample Result	Spike Added mg/kg	LCS Percent Recovery	LCSD Percent Recovery	Relative % Difference RPD
PCB1260	ND	0.2	83	82.1	1.1

ND: Not Detected

LCS: Laboratory Control Sample, LCSD: Laboratory Control Sample Duplicate

H. Khoshkhoo, PhD.,

Laboratory Director/President



ENVIRONMENTAL LABORATORIES, Ltd

Client:

Suisun Bay Reserve Fleet 2595 Lake Herman Road Benicia, CA 94510 **Quality Control Report**

Ref.

Q17907_Pb_sample

Method:

EPA 1311/7420

Matrix: Unit: TCLP Extract mg/L

Analyzed:

07/13/10 07/15/10

Reported: Analyst:

ZT

Spiked Sample: 17907-2 x 10 tclp

Quality Control Report of Analysis for TCLP Lead

			S	pike Recover		1.000	Relative
Analyte	Reporting Limit mg/L	Spike Added mg/L	LCS Recovery mg/L	LCSD Recovery mg/L	LCS % Recovery	LCSD % Recovery	% Difference
		T				400	2.8
<u> </u>	1	5.00	5.230	5.420	105	108	2.0

H. Khoshkhoo, PhD.,

Laboratory Director/President Delta Environmental Laboratories



ENVIRONMENTAL LABORATORIES, Ltd

Client:

Suisun Bay Reserve Fleet 2595 Lake Herman Road Benicia, CA 94510

Quality Control Report

Ref.

Q17907 Pb

Method: Matrix:

EPA 1311/200.7 TCLP Extract

Unit:

mg/L

Analyzed:

07/13/10

Reported: Analyst:

07/15/10 ZΤ

Spiked Sample:Blank

Quality Control Report of Analysis for TCLP Lead

			S	pike Recover		LCCD	Relative
Analyte	Reporting Limit mg/L	Spike Added mg/L	LCS Recovery mg/L	LCSD Recovery mg/L	LCS % Recovery	LCSD % Recovery	% Difference
						102	1.0
ad	1	5.00	5.160	5.110	103	102	

H. Khoshkhoo, PhD.,

Laboratory Director/President **Delta Environmental Laboratories**