

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IGNACIA S. MORENO
Assistant Attorney General
Environment & Natural Resources Division
LESLIE M. HILL
MICHELLE R. LAMBERT
Trial Attorneys
U.S. Department of Justice
Environmental Defense Section
P.O. Box 23986
Washington, DC 20044-3986
Tel.: (202) 514-0375; Fax: (202) 514-8865
leslie.hill@usdoj.gov; michelle.lambert@usdoj.gov
Attorneys for Defendants

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ARC ECOLOGY, et al.,

Plaintiffs,

and

CALIFORNIA REGIONAL WATER
QUALITY CONTROL BOARD, SAN
FRANCISCO BAY REGION,

Plaintiff-

Intervenor

v.

UNITED STATES MARITIME
ADMINISTRATION, et al.,

Defendants.

2:07-CV-2320 GEB KJN

**DEFENDANTS' QUARTERLY
STATUS REPORT FOR THE PERIOD
JULY 1, 2010 – SEPTEMBER 30, 2010**

Judge: Hon. Garland E. Burrell, Jr.

Pursuant to Paragraph 7(a) of the Consent Decree entered by this Court
in the captioned case (Dkt. 126), Defendants provide the quarterly status
report on Defendants' implementation of the Consent Decree during the
quarter ending September 30, 2010 (attached as Exhibit A).

//
//

1 Respectfully submitted,

2 Dated: October 27, 2010

BENJAMIN B. WAGNER
United States Attorney for the
Eastern District of California
TODD A. PICKLES
Assistant United States Attorney
501 I Street, suite 10-100
Sacramento, CA 95814
Telephone: (916) 554-2766
Facsimile: (916) 554-2900

8 IGNACIA S. MORENO
Assistant Attorney General

11 /s/ Leslie M. Hill
MICHELLE LAMBERT
LESLIE M. HILL
Trial Attorneys
Environment & Natural Resources Division
Environmental Defense Section
P.O. Box 23986
Washington, DC 20044-3986
Telephone: (202) 514-0375 (Hill)
(202) 616-7501 (Lambert)
Facsimile: (202) 514-8865
E-Mail: leslie.hill@usdoj.gov
michelle.lambert@usdoj.gov

20 *Of Counsel:*

21 Denise R. Krepp
22 Paul M. Geier
23 Jay R. Gordon
24 Lane H. Nemirow
Michaela E. Noble

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

/s/
Leslie M. Hill

EXHIBIT A

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

Arc Ecology, et al. v. Maritime Administration, et al.

E.D. Cal. 2:07-cv-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:

<u>Vessel</u>	<u>Scheduled Removal Date</u>
<i>Dawn</i>	<i>TBD (To be determined)</i>
<i>H.H. Hess</i>	<i>TBD</i>
<i>Bay</i>	<i>TBD</i>
<i>American Reliance</i>	<i>TBD</i>
<i>American Racer</i>	<i>TBD</i>

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

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

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:

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**

Status of Exfoliated Paint Removal			
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	
SOLOM 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**

VESSEL CONDITION SUMMARY

MAR-612 Cond_LS38 September 30 2010.xlsx

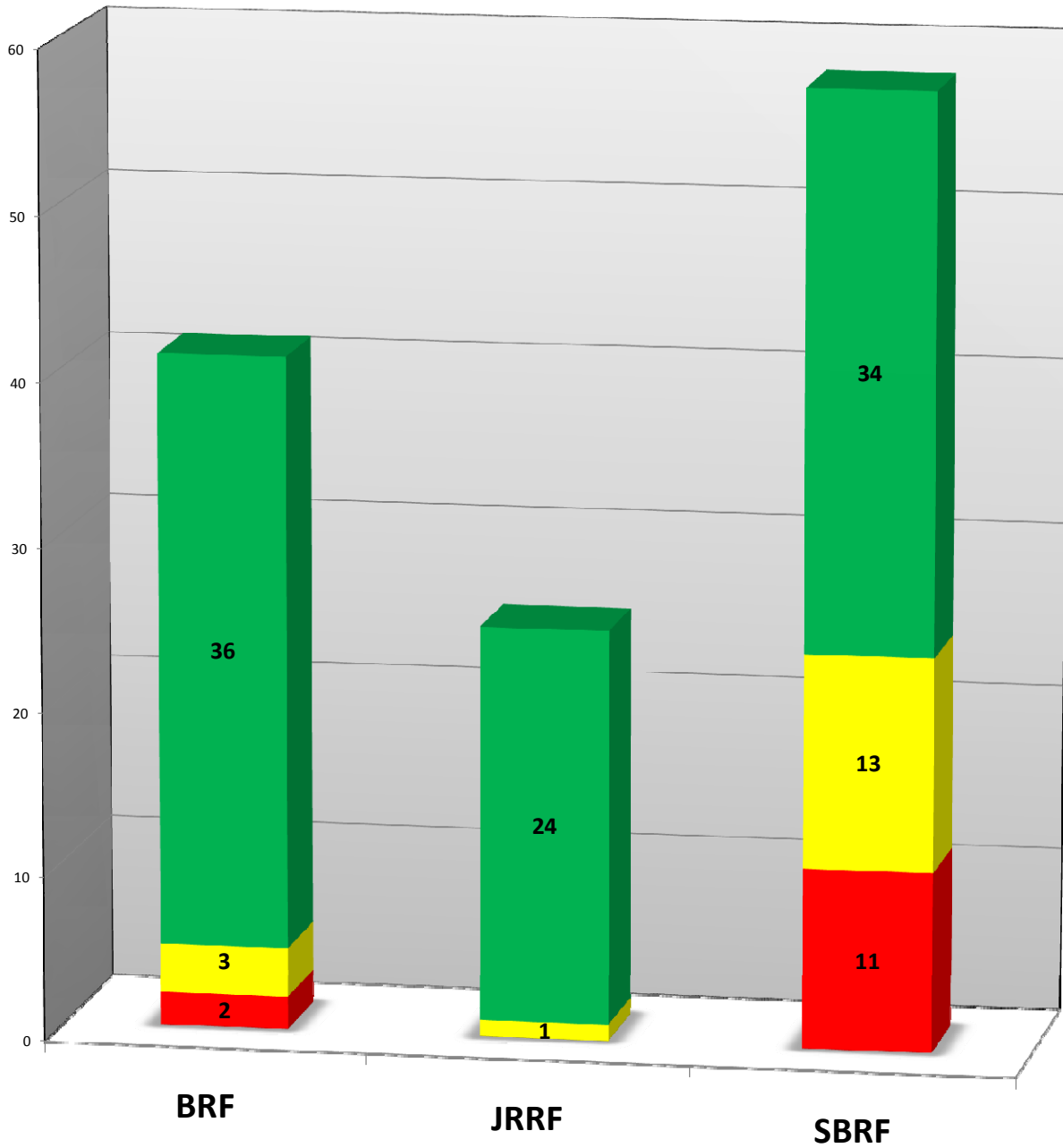
RANK	SCORE	OVERALL RATING	SHIP NAME	PROGRAM	LOCATION	HULL COND	HULL LEAKS	HULL PATCH	TOTAL OIL LT	TOP COND	COAT COND	INT COND	DR COND
1	1.17	RED	EX-STATE OF MAINE	Non-Retention	MOBILE	3	0	0	628.8	1	1	1	1
2	1.50	RED	OHIO	Non-Retention	BRF	3	0	0	261.0	1	1	1	1
3	1.61	RED	DAWN	Non-Retention	SBRF	4	0	1	758.0	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	2.30	RED	OLON TURMAN	Non-Retention	SBRF	5	0	0	831.8	3	2	3	1
9	2.36	RED	PRESIDENT	Non-Retention	SBRF	4	0	1	368.6	2	2	3	1
10	2.36	RED	THOMASTON	Non-Retention	SBRF	3	0	0	44.9	2	3	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	0	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	LINCOLN	Non-Retention	SBRF	4	0	0	198.8	2	2	4	1
16	2.78	YELLOW	NEREUS	Non-Retention	SBRF	3	0	0	86.7	3	2	3	2
17	2.81	YELLOW	SPERRY	Non-Retention	SBRF	3	0	1	124.8	3	2	4	1
18	2.97	YELLOW	SAGAMORE	Non-Retention	SBRF	5	0	0	471.2	3	2	5	1
19	3.00	YELLOW	AMBASSADOR	Non-Retention	SBRF	5	0	0	872.2	3	3	3	3
20	3.06	YELLOW	POINT DEFIANCE	Non-Retention	SBRF	3	0	0	43.6	3	3	3	2
21	3.11	YELLOW	PATRIOT STATE	Non-Retention	JRRF	4	0	0	112.6	2	2	3	4
22	3.17	YELLOW	MISPILLION	Non-Retention	SBRF	5	0	0	779.0	3	3	3	3
23	3.22	YELLOW	ADVENTURER	Non-Retention	SBRF	5	0	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	IOWA	Custody	SBRF	5	0	0	0.0	3	3	3	2
28	3.39	YELLOW	PYRO	Non-Retention	SBRF	4	0	0	0.0	4	3	3	2
29	3.39	YELLOW	WICHITA	Non-Retention	SBRF	5	0	0	0.0	3	3	3	2
30	3.44	YELLOW	ACE SEABEE BARGES	Custody	BRF	2	9	0	0.0	5	3	3	5
31	3.50	GREEN	CAPE CHALMERS	Retention	Chas	5	0	0	1392.9	4	4	4	4
32	3.50	GREEN	PIONEER CRUSADER	Non-Retention	BRF	5	0	0	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	GREEN	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	98.3	3	3	5	2
39	3.56	GREEN	VANCOUVER	Non-Retention	SBRF	5	0	0	20.9	3	3	4	2
40	3.56	GREEN	PIGEON	Non-Retention	SBRF	5	0	0	2.5	3	3	4	2
41	3.56	GREEN	RANGE SENTINEL	Non-Retention	JRRF	5	0	0	0.0	3	2	3	4
42	3.56	GREEN	HOLLAND	Non-Retention	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	GREEN	CAPE JOHN	Retention	BRF	5	0	0	703.5	4	3	5	3
45	3.67	GREEN	PONCHATOUA	Non-Retention	SBRF	4	0	0	115.1	3	3	4	3
46	3.72	GREEN	PLATTE	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	GREEN	YELLOWSTONE	Non-Retention	JRRF	5	0	0	0.0	3	2	4	4
49	3.72	GREEN	ROANOKE	Non-Retention	SBRF	5	0	0	0.0	4	3	4	2
50	3.72	GREEN	WILLAMETTE	Non-Retention	SBRF	5	0	0	0.0	4	3	4	2
51	3.75	GREEN	MOUNT WASHINGTON	Non-Retention	SBRF	5	0	0	228.0	5	3	5	1
52	3.83	GREEN	CAPE FAREWELL	RRF10 Retention	BRF	5	0	0	1885.5	5	4	5	4
53	3.83	GREEN	CAPE FLATTERY	RRF10 Retention	BRF	5	0	0	1431.3	5	4	5	4
54	3.83	GREEN	CAPE MENDOCINO	Retention	JRRF	5	0	0	1222.0	5	4	5	4
55	3.83	GREEN	CAPE ALEXANDER	Non-Retention	JRRF	5	0	0	484.1	3	4	4	4
56	3.83	GREEN	AIDE	Non-Retention	SBRF	5	0	0	399.5	3	3	5	3
57	3.83	GREEN	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	GREEN	HARKNESS	Non-Retention	JRRF	5	0	0	93.6	3	3	3	4
60	3.89	GREEN	AGENT	Non-Retention	SBRF	5	0	0	187.1	4	3	5	2
61	3.89	GREEN	MONONGAHELA	Non-Retention	JRRF	5	0	0	3.5	4	2	4	4
62	3.89	GREEN	MERRIMACK	Non-Retention	JRRF	5	0	0	1.6	4	2	4	4
63	3.89	GREEN	SHENANDOAH	Non-Retention	JRRF	5	0	0	0.4	4	2	4	4
64	3.89	GREEN	VANGUARD	Non-Retention	JRRF	5	0	0	0.0	4	2	4	4
65	4.00	GREEN	GULF BANKER	Non-Retention	BRF	5	0	0	837.1	5	4	5	4
66	4.00	GREEN	EQUALITY STATE	Non-Retention	BRF	5	0	0	662.3	5	4	4	4

VESSEL CONDITION SUMMARY

MAR-612 Cond_LS38 September 30 2010.xlsx

RANK	SCORE	OVERALL RATING	SHIP NAME	PROGRAM	LOCATION	HULL COND	HULL LEAKS	HULL PATCH	TOTAL OIL LT	TOP COND	COAT COND	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	4.33	GREEN	HENRY ECKFORD	Non-Retention	JRRF	5	0	0	0.0	4	4	4	4
95	4.50	GREEN	CAPE VICTORY	ROS-5 Retention	BRF	5	0	0	703.0	5	5	5	5
96	4.50	GREEN	MONSEIGNEUR	Custody	BRF	5	0	0	355.6	5	4	4	5
97	4.50	GREEN	METEOR	Non-Retention	SBRF	5	0	0	226.7	5	4	5	4
98	4.50	GREEN	CAPE NOME	Retention	JRRF	5	0	0	224.1	5	4	5	4
99	4.50	GREEN	DIAMOND STATE	Retention	BRF	5	0	0	222.3	5	4	5	4
100	4.50	GREEN	CAPE ARCHWAY	Non-Retention	JRRF	5	0	0	157.0	4	4	5	4
101	4.50	GREEN	CAPE AVINOF	Non-Retention	JRRF	5	0	0	57.3	4	4	5	4
102	4.50	GREEN	CAPE ANN	Retention	JRRF	5	0	0	48.9	4	4	5	4
103	4.50	GREEN	CAPE ALAVA	Retention	JRRF	5	0	0	37.4	4	4	5	4
104	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	0	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	GREEN	CAPE BRETON	Non-Retention	SBRF	5	0	0	3.3	5	5	5	4
112	4.83	GREEN	STURGIS	Custody	JRRF	5	0	0	0.0	5	5	4	5
113	5.00	GREEN	R/B EXPLORER (MISS NARI)	Custody	BRF	5	0	0	98.5	5	5	5	5
114	5.00	GREEN	AMERICAN QUEEN	Custody	BRF	5	0	0	64.1	5	5	5	5
115	5.00	GREEN	R/B EXPLORER (LASALLE)	Custody	BRF	5	0	0	14.4	5	5	5	5
116	5.00	GREEN	MHC-59 FALCON	Custody	BRF	5	0	0	1.7	5	5	5	5
117	5.00	GREEN	MHC-55 ORIOLE	Custody	BRF	5	0	0	0.9	5	5	5	5
118	5.00	GREEN	MHC-51 OSPREY	Custody	BRF	5	0	0	0.8	5	5	5	5
119	5.00	GREEN	MHC-58 BLACKHAWK	Custody	BRF	5	0	0	0.0	5	5	5	5
120	5.00	GREEN	MHC-62 SHRIKE	Custody	BRF	5	0	0	0.0	5	5	5	5
121	5.00	GREEN	MHC-57 CORMORANT	Custody	BRF	5	0	0	0.0	5	5	5	5
122	5.00	GREEN	MHC-56 KINGFISHER	Custody	BRF	5	0	0	0.0	5	5	5	5
123	5.00	GREEN	ACE CUSTOM DECK BARGES	Custody	BRF	5	0	0	0.0	5	5	5	5
124	5.00	GREEN	CIN BARGE WITH D3 UNIT	Custody	BRF	5	0	0	0.0	5	5	5	5

Vessel Conditions By Fleet



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.

Retention = 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 average 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 a **RED** 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 a **GREEN** vessel.

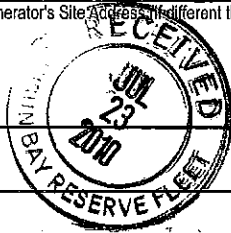
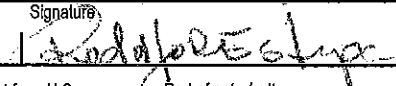
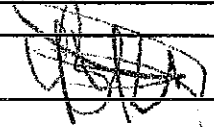
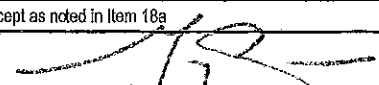
Arc Ecology, et al. v. Maritime Administration, et al.,
Case No. 2:07-cv-02320-GEB-KJN (E.D. Cal.)

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

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

Form Approved. OMB No. 2050-0039

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator ID Number CA5600000574	2. Page 1 of 1	3. Emergency Response Phone 707 365 0150	4. Manifest Tracking Number 001523970 FLE		
5. Generator's Name and Mailing Address US DOT MARITIME ADMIN SUISUN BAY RESERVE 3595 LAKE HERMAN RD DENVER, CA 94510-0313				Generator's Site Address (if different than mailing address)			
Generator's Phone: 707-745-0497							
6. Transporter 1 Company Name ENV Environmental International, Inc				U.S. EPA ID Number CA R000179382			
7. Transporter 2 Company Name				U.S. EPA ID Number			
8. Designated Facility Name and Site Address US Ecology Highway 95 - 12 miles South of Beatty, Nevada 89003				U.S. EPA ID Number NV T300010000			
Facility's Phone: 775 593 2203							
9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers		11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes	
		No.	Type				
1.	HA3077, Hazardous Waste, Solid, n.o.s., (Lead Paint Chips and debris), 9, PG II, ERG 171	069	DM	33000	F	2008	352
2.							
3.							
4.							
14. Special Handling Instructions and Additional Information Send invoice to ENV Environmental, Inc. Attn: Mark Warr - Obj. 1, Profile # 07-0128303-622 Project Number: MAR1004 ERG 171 - when handling wear positive pressure self-contained breathing apparatus (SCBA) - Structural firefighters protective clothing with only limited protection.							
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. 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 R RODOLFO R. ESTEPA				Signature <i>Rodolfo R. Estepa</i>		Month Day Year 8/2/10	
16. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S. Port of entry/exit: _____ Date leaving U.S.: _____							
17. Transporter Acknowledgment of Receipt of Materials							
Transporter 1 Printed/Typed Name <i>WARR</i>				Signature <i>WARR</i>		Month Day Year 7/2/10	
Transporter 2 Printed/Typed Name <i>SABER</i>				Signature <i>SABER</i>		Month Day Year	
18. Discrepancy							
18a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection							
18b. Alternate Facility (or Generator) Manifest Reference Number: _____ U.S. EPA ID Number _____							
18c. Signature of Alternate Facility (or Generator) Facility's Phone: _____ Month Day Year _____							
19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)							
1. <i>AKO</i>		2.		3.		4.	
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 Pat Rebozo				Signature <i>Pat Rebozo</i>		Month Day Year 10/16/10	

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator ID Number DAE690090571	2. Page 1 of 1	3. Emergency Response Phone 1 800 468-1760	4. Manifest Tracking Number 002422557 SKS			
5. Generator's Name and Mailing Address SUTGAIN BAY RESERVE FLEET 2595 LAKE HERRAN RD BENICIA CA 94610		Generator's Site Address (if different than mailing address)						
Generator's Phone: 707-745-0604								
6. Transporter 1 Company Name SAFETY-KLEEN SYSTEMS, INC.							U.S. EPA ID Number TXR0000010930	
7. Transporter 2 Company Name							U.S. EPA ID Number	
8. Designated Facility Name and Site Address SAFETY-KLEEN SYSTEMS, INC. 5000 88TH STREET SACRAMENTO CA 95828		U.S. EPA ID Number CAC0000084517						
Facility's Phone: 916-386-4913								
9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers		11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes		
		No.	Type					
1.	NON-RCRA HAZARDOUS WASTE, LIQUID (AQUEOUS PARTS WASHER SOLUTION)	1	DR	25	13	134		
2.								
3.								
4.								
14. Special Handling Instructions and Additional Information SK SHTR201102212 51328444 7659022 201028 130:41 24 HR EMERGENCY #1-800-468-1760 (SAFETY-KLEEN - 94130) BY AUTHORIZED TO RETAIN LICENSED SUBSEQUENT LABELING AS NECESSARY								
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. 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 RODOLFO R. ESTEVA		Signature 		Month Day Year 17 9 10				
16. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S. Port of entry/exit: Date leaving U.S.:								
17. Transporter Acknowledgment of Receipt of Materials								
Transporter 1 Printed/Typed Name BRYAN MARTIN		Signature 		Month Day Year 17 9 10				
Transporter 2 Printed/Typed Name		Signature		Month Day Year				
18. Discrepancy								
18a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> 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)								
1. H111		2.		3.		4.		
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 Caren Jensen		Signature 		Month Day Year 07 16 10				

Please print or type. (Form designed for use on elite (12-pitch) typewriter.) Form Approved, OMB No. 2050-0039

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator ID Number CA 5590090571	2. Page 1 of 1	3. Emergency Response Phone 707.365.0150	4. Manifest Tracking Number 001301539 GBF	
5. Generator's Name and Mailing Address US DOT MARITIME ADMIN SUISUN BAY RESERVE 2596 LAKE HERMAN RD BENICIA, CA 94810-0318						
Generator's Site Address (if different than mailing address)						
Generator's Phone: 707-746-0487						
6. Transporter 1 Company Name ENV Environmental International, Inc			U.S. EPA ID Number CARD00178382			
7. Transporter 2 Company Name			U.S. EPA ID Number			
8. Designated Facility Name and Site Address US Ecology Highway 95 - 12 miles South of Beatty, Nevada 89903					U.S. EPA ID Number NVT330010000	
Facility's Phone: 775.553.2203						
8a. HM	8b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers		11. Total Quantity	12. Unit Wt/Vol.	13. Waste Codes
		No.	Type			
1.	NA3077, Hazardous Waste, Solid, n.o.s., (Lead Paint Chips and Debris), 9, PG III, ERG 171	069	DM	28,767	P	D003 362
2.						
3.						
4.						
14. Special Handling Instructions and Additional Information Send invoice to: ENV Environmental, Inc. Attn: Mark Wain - Ob.1. Profile # 07-0128303-822 Project Number: MAR100 ERG 171 - When handling wear positive pressure self-contained breathing apparatus (SCBA) - Structural firefighters' protective clothing will only limited protection.						
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. I certify that the waste identification 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/Officer's Printed/Typed Name Rodolfo R. Estera		Signature <i>Rodolfo Estera</i>		Month 07	Day 30	Year 10
16. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S. <input type="checkbox"/> Port of entry/exit: <input type="checkbox"/> Date leaving U.S.:						
17. Transporter Acknowledgment of Receipt of Materials						
Transporter 1 Printed/Typed Name Crystal Sanchez		Signature <i>Crystal Sanchez</i>		Month 07	Day 30	Year 10
Transporter 2 Printed/Typed Name		Signature		Month	Day	Year
18. Discrepancy						
18a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> 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)						
1.	H132	2.		3.		4.
20. Designated Facility Owner or Operator (Definition of receipt of hazardous materials covered by the manifest except provided in Item 18a.)						
Printed/Typed Name M. FISHER				Signature <i>M. Fisher</i>		Month Day Year 08/06/10

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

DESIGNATED FACILITY TO DESTINATION STATE (IF REQUIRED)

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

Form Approved. OMB No. 2050-0039

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator ID Number CA 5690090571	2. Page 1 of 1	3. Emergency Response Phone 707.385.0150	4. Manifest Tracking Number 001301538 GBF	
5. Generator's Name and Mailing Address US DOT MARITIME ADMIN SUISUN BAY RESERVE 2595 LAKE HERMAN RD BENICIA, CA 94510-0318				Generator's Site Address (if different than mailing address)		
Generator's Phone: 707-745-0487						
6. Transporter 1 Company Name ENV Environmental International, Inc				U.S. EPA ID Number CAR000179382		
7. Transporter 2 Company Name				U.S. EPA ID Number		
8. Designated Facility Name and Site Address US Ecology Highway 95 - 12 miles South of Beatty, Nevada 89003				U.S. EPA ID Number		
Facility's Phone: 775.553.2203				NVT330010000		
9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers		11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes
		No.	Type			
1.	NA3077, Hazardous Waste, Solid, n.o.s., (Lead Paint Chips and Debris), 9, PG III, ERG 171	76 <i>80</i>	DM	30,500	P	D008 352
2.						
3.						
4.						
14. Special Handling Instructions and Additional Information Send invoice to: ENV Environmental, Inc. Attn: Mark Wam - 9b.1. Profile # 07-0128303-822 Project Number: MAR1001 ERG 171 - When handling wear positive pressure self-contained breathing apparatus (SCBA) - Structural firefighters' protective clothing will only limited protection.						
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. 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 <i>Rodolfo R. Estiba</i>				Signature <i>Rodolfo R. Estiba</i>		Month Day Year 8 6 10
16. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S. Port of entry/exit: _____ Date leaving U.S.: _____						
17. Transporter Acknowledgment of Receipt of Materials						
Transporter 1 Printed/Typed Name <i>George Scott</i>				Signature <i>George Scott</i>		Month Day Year 8 6 10
Transporter 2 Printed/Typed Name				Signature		Month Day Year
18. Discrepancy						
18a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> 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)				Signature		Month Day Year
19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)						
1.	2.	3.	4.			
1.	H32					
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 <i>Pat Relino</i>				Signature <i>Pat Relino</i>		Month Day Year 10 8 10

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

DESIGNATED FACILITY TO DESTINATION STATE (IF REQUIRED)

Please print or type. (Form designed for use on offite (12-pitch) typewriter.)

Form Approved. OMB No. 2060-0039

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator ID Number CA 5690090571	2. Page 1 of 1	3. Emergency Response Phone 707.366.0160	4. Manifest Tracking Number 001301537 GBF		
5. Generator's Name and Mailing Address PACIFIC MARITIME ADMIN SUISUN BAY RESERVE 2535 LAKE HERMAN RD GENICIA, CA 94510-0318 Generator's Phone: 707-745-0487.		Generator's Site Address (if different than mailing address)					
6. Transporter 1 Company Name ENV Environmental International, Inc				U.S. EPA ID Number CAR000179382			
7. Transporter 2 Company Name				U.S. EPA ID Number			
8. Destination Facility Name and Site Address Highway 95 - 12 miles South of Beatty, Nevada 89003 Facility's Phone: 775.653.2203				U.S. EPA ID Number NVT330010000			
GENERATOR	9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers No. Type		11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes
	1.	NA3077, Hazardous Waste, Solid, n.o.s., (Lead Paint Chips and Debris), 9, PG III, ERG 171	71	DM	28400	P	D008 352
	2.						
	3.						
	4.						
14. Special Handling Instructions and Additional Information Send invoice to: ENV Environmental, Inc. Attn: Mark Wam - 9b.1. Profile # 07-0128303-622 Project Number: MAR1001 ERG 171 - When handling wear positive pressure self-contained breathing apparatus (SCBA) - Structural firefighters' protective clothing will only limited protection.							
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. 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/Officer's Printed/Typed Name JOHN COLBERG				Signature <i>John Colberg</i>		Month Day Year 10/13/10	
16. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S. Port of entry/exit: Date leaving U.S.:							
TRANSPORTER INTL	17. Transporter Acknowledgment of Receipt of Materials						
	Transporter 1 Printed/Typed Name Jesse V. Hardsell				Signature <i>Jesse Hardsell</i>		Month Day Year 10/13/10
Transporter 2 Printed/Typed Name				Signature		Month Day Year	
DESIGNATED FACILITY	18. Discrepancy						
	18a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection						
	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)							
1. <i>AB2</i>		2.		3.		4.	
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 W. CASER				Signature <i>W. Caser</i>		Month Day Year 10/17/10	

EPA Form 8700-22 (Rev. 3-95) Previous editions are obsolete.

DESIGNATED FACILITY TO DESTINATION STATE (IF REQUIRED)

COPY TO DTS
18 AUG 10 10

Please print or type. (Form designed for use on elite (12-pitch) typewriter.) Form Approved. OMB No. 2050-0039

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator ID Number CA5690090371	2. Page 1 of 1	3. Emergency Response Phone (500) 368-4778	4. Manifest Tracking Number 007701589 JJK		
5. Generator's Name and Mailing Address US NAVY MARITIME ADMIN SUSUN BAY RESERVE 2955 LAKE HERMAN RD BENICIA CA 94510 Generator's Phone: 707 745-5604				Generator's Site Address (if different than mailing address) LAKE HERMAN RD / FOOT SUSUN B BENICIA CA 94510			
6. Transporter 1 Company Name ENVIRONMENTAL RECOVERY SERVICES INC.				U.S. EPA ID Number CAR000186201			
7. Transporter 2 Company Name				U.S. EPA ID Number			
8. Designated Facility Name and Site Address UR ECOLOGY HWY 95, 12 MILES SOUTH BEATTY NV 89009 Facility's Phone: 775/553-2203				U.S. EPA ID Number NVT330010000			
9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers		11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes	
		No.	Type				
X	1. HAZARDOUS WASTE SOLID, N.O.S., B, (MS07, POIS/LEAD)	6	BA	7300	P	DA09	181
	2.						
	3.						
	4.						
14. Special Handling Instructions and Additional Information REF: 07-012-8384-229 - PAINT CHIPS EPA# 1981 171 - EPA NO. 65513 - PCB* CONTRACTOR CERTIFIED COATING** BILL TO ENVIROSERV** WEAR PROPER PPE							
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. 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 RODOLFO M. ...				Signature [Signature]		Month Day Year 8 18 10	
16. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S. Port of entry/exit: _____ Date leaving U.S.: _____							
17. Transporter Acknowledgment of Receipt of Materials							
Transporter 1 Printed/Typed Name [Name]				Signature [Signature]		Month Day Year 8 18 10	
Transporter 2 Printed/Typed Name				Signature		Month Day Year	
18. Discrepancy							
18a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> 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)							
1.		2.		3.		4.	
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				Signature		Month Day Year	

Print or type. (Form designed for use on elite (12-pitch) typewriter.) Form Approved. OMB No. 2050-0039

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator ID Number CA5090090571	2. Page 1 of 1	3. Emergency Response Phone 707.365.0150	4. Manifest Tracking Number 001301560 GBF	
5. Generator's Name and Mailing Address US DOT MARITIME ADMIN SUISUN BAY RESERVE 2595 LAKE HERMAN RD BENICIA, CA 94510-8318			Generator's Site Address (if different than mailing address)			
Generator's Phone: 707-745-0487						
6. Transporter 1 Company Name ENV Environmental International, Inc			U.S. EPA ID Number CA R000179382			
7. Transporter 2 Company Name			U.S. EPA ID Number			
8. Designated Facility Name and Site Address US 280101 Highway 95 - 12 miles South of Beatty, Nevada 89003			U.S. EPA ID Number NVT330010000			
Facility's Phone: 775.553.2203						
9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers		11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes
		No.	Type			
1.	NA3077, Hazardous Waste, Solid, n.o.s., (Lead Paint Chips and Debris), 9, PG III, ERG 171	68	DM	22,600	P	D008 352
2.						
3.						
4.						
14. Special Handling Instructions and Additional Information Send invoice to: ENV Environmental, Inc. Attn: Mark Wain - 9b.1. Profile #07-0128303-822 Project Number: MAR100 ERG 171 - When handling wear positive pressure self-contained breathing apparatus (SCBA) - Structural firefighters' protective clothing will only limited protection.						
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. 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/Officer's Printed/Typed Name RODOLFO R. ESTEPA		Signature <i>Rodolfo Restepa</i>		Month Day Year 19 3 10		
16. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S. Port of entry/exit: _____ Date leaving U.S.: _____						
17. Transporter Acknowledgment of Receipt of Materials						
Transporter 1 Printed/Typed Name JEEC V. HADSELL		Signature <i>Jeev Hadsell</i>		Month Day Year 19 3 10		
Transporter 2 Printed/Typed Name		Signature		Month Day Year		
18. Discrepancy						
18a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection						
18b. Alternate Facility (or Generator) Manifest Reference Number: _____ 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)						
1.	2.	3.	4.			
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 Pat Rebus		Signature <i>Pat Rebus</i>		Month Day Year 10 10 10		

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

Form Approved. OMB No. 2050-0039

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator ID Number CA5000090671		2. Page 1 of 2		3. Emergency Response Phone 800-424-6300-CHEMTREC		4. Manifest Tracking Number 007400177 JJK				
		5. Generator's Name and Mailing Address US DOT MARITIME ADMIN SUISUN BAY RESERVE 2595 LAKE HERMAN ROAD BENICIA, CA 94510						Generator's Site Address (if different than mailing address) LAKE HERMAN RD FOOT / SUISUN BAY BENICIA, CA 94510				
6. Transporter 1 Company Name FREMOW ENVIRONMENTAL SERVICES INC		U.S. EPA ID Number CAR000171017						7. Transporter 2 Company Name CLEAN HARBORS ENVIRONMENTAL SERVICES INC		U.S. EPA ID Number MAD039322250		
8. Designated Facility Name and Site Address CLEAN HARBORS SAN JOSE LLC 1021 BERRYESSA ROAD SAN JOSE, CA 95133		U.S. EPA ID Number CAD059494310						Facility's Phone: 408-441-0062				
9a. HM		9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))				10. Containers No. Type		11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes		
1.		UN1950, Waste Aerosols, (Flammable each not exceeding 1 L Capacity), 2.1 DOT-SP12842				1 DF		45	P	331	D001	
2.		Non-RCRA Hazardous Waste Solid (Oily Debris)(Absorbent)				9 DM		1,350	P	223		
3.		Non-RCRA Hazardous Waste Liquids ^{Solids (Gross)} (Oily Sludge) BT				BT DM			BT	343	253	
4.												
14. Special Handling Instructions and Additional Information Handlers to be 40hr trained and use ppe. 9b1) CH 434503 CH 430220 ERG # 126 ERG # 171 9b2) CH 435474 ERG # 171												
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. 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/Offoror's Printed/Typed Name JOHN COLBERG						Signature <i>John Colberg</i>			Month Day Year 10 9 11			
16. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S. Port of entry/exit: _____ Date leaving U.S.: _____												
17. Transporter Acknowledgment of Receipt of Materials												
Transporter 1 Printed/Typed Name Brian Thomas						Signature <i>Brian Thomas</i>			Month Day Year 10 9 11			
Transporter 2 Printed/Typed Name						Signature			Month Day Year			
18. Discrepancy												
18a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection												
18b. Alternate Facility (or Generator) _____ U.S. EPA ID Number _____												
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)												
1. _____			2. _____			3. _____			4. _____			
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						Signature			Month Day Year			


Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

Form Approved. OMB No. 2050-0039

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator ID Number CA5690090571	2. Page 1 of 1	3. Emergency Response Phone 1-800-468-1760	4. Manifest Tracking Number 004336659 FLE		
5. Generator's Name and Mailing Address SUISUN BAY RESERVE FLEET 2595 LAKE HERMAN RD BENICIA CA 94510					Generator's Site Address (if different than mailing address)		
Generator's Phone: 707-745-5604							
6. Transporter 1 Company Name SAFETY-KLEEN SYSTEMS, INC.					U.S. EPA ID Number TXR000050930		
7. Transporter 2 Company Name					U.S. EPA ID Number		
8. Designated Facility Name and Site Address SAFETY-KLEEN SYSTEMS, INC. 6000 88TH STREET SACRAMENTO CA 95828					U.S. EPA ID Number 7E21		
Facility's Phone: 916-386-4913					CA0000084517		
9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers		11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes	
		No.	Type				
	1. NON-RCRA HAZARDOUS WASTE, LIQUID (AQUEOUS PARTS WASHER SOLUTION)	2	DM	44	G	134	
	2.						
	3.						
	4.						
14. Special Handling Instructions and Additional Information SK SHIP#201899146 51982530 2658822 201040 CSG: 41							
24 HR EMERGENCY #1-800-468-1760 (SAFETY-KLEEN - 94138) SK AUTHORIZED TO RETAIN LICENSED SUBSEQUENT CARRIERS AS NECESSARY							
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. 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 <i>Magda Peek</i>					Signature <i>[Signature]</i>		Month Day Year 9 27 10
16. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S. Port of entry/exit: _____ Date leaving U.S.: _____							
17. Transporter Acknowledgment of Receipt of Materials							
Transporter 1 Printed/Typed Name <i>BYRON MARTIN</i>					Signature <i>[Signature]</i>		Month Day Year 9 27 10
Transporter 2 Printed/Typed Name					Signature		Month Day Year
18. Discrepancy							
18a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> 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)							
1.		2.		3.		4.	
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					Signature		Month Day Year

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**

 McC Campbell Analytical, Inc. "When Quality 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 2320 Cordelia Road Fairfield, CA 94534	Client Project ID: #55-1336; Mothball Fleet		Date Sampled: 07/02/10
			Date Received: 07/02/10
	Client Contact: David Brockman		Date Reported: 07/07/10
	Client P.O.: #16783		Date Completed: 07/07/10

WorkOrder: 1007075

July 07, 2010

Dear David:

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

McC Campbell Analytical Laboratories for your analytical needs.

Best regards,



Angela Rydelius
Laboratory Manager
McC Campbell Analytical, Inc.

McC Campbell Analytical, Inc.

CHAIN-OF-CUSTODY RECORD



1534 Willow Pass Rd
Pittsburg, CA 94565-1701
(925) 252-9262

WorkOrder: 1007075

ClientCode: CCOC

WaterTrax WriteOn EDF Excel Fax Email HardCopy ThirdParty J-flag

Report to:	David Brockman	Email: brockman@muehlhan.com	Bill to:	Pam McCormick	Requested TAT:	2 days
	Certified Coatings Company	cc:		Certified Coatings Company	<i>Date Received:</i>	07/02/2010
	2320 Cordelia Road	PO: #16783		2320 Cordelia Road	<i>Date Printed:</i>	07/02/2010
	Fairfield, CA 94534	ProjectNo: #55-1336; Mothball Fleet		Fairfield, CA 94534		
	(925) 686-1550 FAX (925) 671-7036			brockman@muehlhan.com		

Lab ID	Client ID	Matrix	Collection Date	Hold	Requested Tests (See legend below)												
					1	2	3	4	5	6	7	8	9	10	11	12	
1007075-001	7-2-C001	Paint Chips	7/2/2010 13:00	<input type="checkbox"/>		A											
1007075-002	7-2-W003	Water	7/2/2010 13:00	<input type="checkbox"/>	A												

Test Legend:

1	PBMS_W	2	TCLPMETALMS_Chip	3		4		5	
6		7		8		9		10	
11		12							

Prepared by: Ana Venegas

Comments: 48hr rush

NOTE: Soil samples are discarded 60 days after results are reported unless other arrangements are made (Water samples are 30 days).
Hazardous samples will be returned to client or disposed of at client expense.



McC Campbell Analytical, Inc.

"When Quality 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

Sample Receipt Checklist

Client Name: **Certified Coatings Company** Date and Time Received: **7/2/2010 5:29:58 PM**
 Project Name: **#55-1336; Mothball Fleet** Checklist completed and reviewed by: **Ana Venegas**
 WorkOrder N°: **1007075** Matrix Paint Chips/Water Carrier: Client Drop-In

Chain of Custody (COC) Information

Chain of custody present? Yes No
 Chain of custody signed when relinquished and received? Yes No
 Chain of custody agrees with sample labels? Yes No
 Sample IDs noted by Client on COC? Yes No
 Date and Time of collection noted by Client on COC? Yes No
 Sampler's name noted on COC? Yes No

Sample Receipt Information

Custody seals intact on shipping container/cooler? Yes No NA
 Shipping container/cooler in good condition? Yes No
 Samples in proper containers/bottles? Yes No
 Sample containers intact? Yes No
 Sufficient sample volume for indicated test? Yes No

Sample Preservation and Hold Time (HT) Information

All samples received within holding time? Yes No
 Container/Temp Blank temperature Cooler Temp: NA
 Water - VOA vials have zero headspace / no bubbles? Yes No No VOA vials submitted
 Sample labels checked for correct preservation? Yes No
 Metal - pH acceptable upon receipt (pH<2)? Yes No NA
 Samples Received on Ice? Yes No

* NOTE: If the "No" box is checked, see comments below.

Client contacted: Date contacted: Contacted by:

Comments:



McC Campbell Analytical, Inc.

"When Quality Counts"

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

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

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; ND means not detected at or above the reporting limit	W	TOTAL	0.5	µg/L
	S	TOTAL	NA	mg/Kg

*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 µm filtered and acidified sample.

%SS = Percent Recovery of Surrogate Standard
 DF = Dilution Factor



QC SUMMARY REPORT FOR E200.8

W.O. Sample Matrix: Water

QC Matrix: Water

BatchID: 51566

WorkOrder 1007075

EPA Method E200.8		Extraction E200.8							Spiked Sample ID: 1006733-005A			
Analyte	Sample	Spiked	MS	MSD	MS-MSD	LCS	LCSD	LCS-LCSD	Acceptance Criteria (%)			
	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	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.



QC SUMMARY REPORT FOR SW6020

W.O. Sample Matrix: Paint Chips

QC Matrix: Soil

BatchID: 51518

WorkOrder 1007075

Analyte	EPA Method SW6020 Extraction SW1311/SW3050B								Spiked Sample ID: N/A			
	Sample	Spiked	MS	MSD	MS-MSD	LCS	LCSD	LCS-LCSD	Acceptance Criteria (%)			
	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	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.

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**



WATER • WASTE WATER • HAZARDOUS WASTE • FUEL • AIR • SOIL

ENVIRONMENTAL LABORATORIES, Ltd

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

Reference: R17907_PCB

Method: 8082
Sampled: 06/29/10
Received: 07/07/10
Matrix: Solid
Analyzed: 07/15/10
D.F.: 1
Reported: 07/15/10
Units: mg/kg

Attention: John Colberg

**Laboratory Results of Analysis for PCBs
 EPA 8082**

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

ND: Not Detected

*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.


 H. Khoshkhoo, PhD.,
 Laboratory Director/President



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
Analyzed: 07/15/10
D.F.: 1**
Reported: 07/15/10
Units: mg/kg

**Laboratory Results of Analysis for PCBs
EPA 8082**

Analyte	CAS NO.	Reporting Limit mg/kg	Results					
			17907-6	17906-7	17907-8	17907-9	17907-10	
			SAGAMORE #1	FLORIKAN #1	CIMARRON #2	PIGEON #1	CLAMP #1	
PCBs								
PCB 1016	12674-11-2	0.02	ND	ND	ND	ND	ND	ND
PCB 1221	11104-28-2	0.08	ND	ND	ND	ND	ND	ND
PCB 1232	11141-16-5	0.02	ND	ND	ND	ND	ND	ND
PCB 1242	53469-21-9	0.02	ND	ND	ND	ND	ND	ND
PCB 1248	12673-2-29-6	0.02	ND	ND	ND	ND	ND	ND
PCB 1254	11097-69-1	0.02	ND	ND	ND	ND	ND	ND
PCB 1260	11096-82-5	0.02	ND	.091*	.089*	ND	0.615*	

ND: Not Detected

*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.

H. Khoshkhoo
H. Khoshkhoo, PhD.,
Laboratory Director/President



WATER • WASTE WATER • HAZARDOUS WASTE • FUEL • AIR • SOIL

ENVIRONMENTAL LABORATORIES, Ltd

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


Ref: R17907_Pb
 Method: EPA 1311/200.7
 Sampled: 06/29/10
 Received: 07/07/10
 Analyzed: 07/13/10
 Reported: 07/14/10
 Analyst: ZT
 Matrix: TCLP Extract
 Units: mg/L

Attention: John Colberg

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
Roanoke #2	17907-4	0.05	ND
Reclaimer #1	17907-5	0.05	ND
Sagamore #1	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



WATER • WASTE WATER • HAZARDOUS WASTE • FUEL • AIR • SOIL

ENVIRONMENTAL LABORATORIES, Ltd

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
Analyzed: 07/15/10
Reported: 07/15/10


Spiked Sample: Blank

Quality Control Report of Analysis for PCB

Spike 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



WATER • WASTE WATER • HAZARDOUS WASTE • FUEL • AIR • SOIL

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: TCLP Extract
Unit: mg/L
Analyzed: 07/13/10
Reported: 07/15/10
Analyst: ZT

Spiked Sample: 17907-2 x 10 tcip

Quality Control Report of Analysis for TCLP Lead

Analyte	Reporting Limit mg/L	Spike Added mg/L	Spike Recovery		LCS % Recovery	LCSD % Recovery	Relative % Difference
			LCS Recovery mg/L	LCSD Recovery mg/L			
Lead	1	5.00	5.230	5.420	105	108	2.8


H. Khoshkhoo, PhD.,
Laboratory Director/President
Delta Environmental Laboratories



WATER • WASTE WATER • HAZARDOUS WASTE • FUEL • AIR • SOIL

ENVIRONMENTAL LABORATORIES, Ltd

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

Quality Control Report

Ref: Q17907_Pb
Method: EPA 1311/200.7
Matrix: TCLP Extract
Unit: mg/L
Analyzed: 07/13/10
Reported: 07/15/10
Analyst: ZT

Spiked Sample: Blank

Quality Control Report of Analysis for TCLP Lead

Analyte	Reporting Limit mg/L	Spike Added mg/L	Spike Recovery		LCS % Recovery	LCSD % Recovery	Relative % Difference
			LCS Recovery mg/L	LCSD Recovery mg/L			
Lead	1	5.00	5.160	5.110	103	102	1.0

H. Khoshkhoo, PhD.,
Laboratory Director/President
Delta Environmental Laboratories

Delta Environmental Laboratories



Chain of Custody (COC) Form

685 Stone Road #11 & 12
 Benicia, Ca, 94510
 (707) 747-6081, 800-747-6082 FAX (707) 747-6082

Project Name: _____

Analysis Requested

LAB ID 17907
 Ref # _____

Results to: John Colberg
 Suisun Bay Reserve Fleet
 2595 Lake Herman Road
 Benicia, CA 94510

Tel 747-0487 Fax: _____

SAMPLER (signature): _____ (print): _____

Turnaround: _____

#	Sample ID or Location	Date	Time	Matrix	Cont. Type	Preserva live	No. of containers					Comments:
							pH	Temperature	Oil & Grease	PCB	Lead (TCLP)	
1	WATBAS SAMPLE #1	6/29/10	1000	S	OTC	N/A						
2	WICHTA SAMPLE #1											
3	ROANOKE SAMPLE #1											
4	ROANOKE SAMPLE #2											
5	RECLAIMER SAMPLE #1											
6	SAGAMORE SAMPLE #1											
7	FLORIKAN SAMPLE #1											
8	CHARRON SAMPLE #2											
9	PIGEON SAMPLE #1											
10	CLAMP SAMPLE #1											
Relinquished by: <u>John Colberg</u>		Date: <u>7/16/10</u>										
Received By: <u>[Signature]</u>		Date: <u>7-7-10</u>										
Relinquished by: _____		Date: _____										
Received By: _____		Date: _____										

**CONTAINER TYPES: AL = Amber Litr; AHL = 500 ml Amber; PT = Pint (Plastic); QT = Quart (Plastic); HG = Half Gallon (Plastic); SJ = Soil Jar; B4 = 4oz. BACT; BT = Brass Tube; VOA = 40ml VOA; OTC - Other Type Container

Have all samples received been stored on ice? Y
 Did any VOA samples received have any head space? N/A
 Were samples in appropriate containers and packaged properly? Y
 Were samples received in good condition? Y

*MATRIX: AQ = Aqueous Nondrinking Water, Digested Metals; FE = Low R.L.s. Aqueous Nondrinking Water, Digested Metals; DW = Drinking Water; SL = Sludge/Solid; S=Soil; FP = Free Product

*PRESERVATIVE: 1=HNO3; 2=HCl; 3=H2SO4; 4=Na2S2O3; 5=NAOH; 6=NH4Cl; 7=ZnAc