




## NEWS RELEASE

**GREGORY D.  
TOTTEN**

For Immediate Release

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*VENTURA, California* – District Attorney Gregory D. Totten announced today the indictment of Santa Clara Waste Water Company, Green Compass Environmental Solutions LLC, Douglas Brian Edwards of Oxnard (DOB 09/10/1956), William James Mitzel of La Verne (DOB 03/15/1957), Charles Ray Mundy of Ventura (DOB 12/27/1963), Dean Michael Poe of Ventura (DOB 04/28/1965), Brock Gustin William Baker of Carpinteria (DOB 02/08/1974), Mark Stephen Avila of Fillmore (DOB 02/19/1966), Marlene Joan Faltemier of Ventura (DOB 01/13/1965), David Joseph Wirsing of (DOB 10/15/1971), and Kenneth Douglas Griffin Jr. of Ventura (DOB 07/04/1995) for crimes related to the operations of Santa Clara Waste Water Company’s Santa Paula facility. This case was investigated by the Ventura County District Attorney’s Office, the United States Environmental Protection Agency, the United States Department of Transportation, the Ventura County Environmental Health Department, and the Ventura County Fire Department.

This case arises from a nine-month investigation into the November 18, 2014, explosion which occurred at the Santa Clara Waste Water Company facility located at 815 Mission Rock Road in Santa Paula. The explosion and its chemical residue caused injury to numerous individuals, including employees of the company and first responders. Sixty-seven individual witnesses testified before the Grand Jury during

the eleven days of proceedings leading to the indictment of nine individuals and two corporate entities. The charges include conspiracy to dispose of hazardous waste, failure to warn of a serious concealed danger, handling a hazardous waste with a reckless disregard for human life, withholding information regarding a substantial danger to public safety, filing a false or forged instrument, and dissuading a witness. For information on the specific charges alleged against each defendant, see the attached Indictment and Summary of Charges.

Santa Clara Waste Water Company and Green Compass Environmental Solutions LLC were arraigned today. The remaining nine defendants are expected to be arraigned within the next week.

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August 19, 2015

## **People v. Santa Clara Waste Water Company, et al.**

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### SUMMARY OF CHARGES

The specific persons and entities and the charges on which they were indicted are listed below:

Santa Clara Waste Water Company:

- Conspiracy to Dispose of Hazardous Waste in violation of Penal Code section 182 and Health & Safety Code section 25189.5(b), a felony;
- Conspiracy to Impede Enforcement by a Certified Uniform Program Agency (CUPA) Official in violation of Penal Code section 182 and Health & Safety Code section 25515.4, a felony;
- Knowing Failure to Warn of a Serious Concealed Danger in violation of Penal Code section 387(a), a felony;
- Disposal of Hazardous Waste in violation of Health & Safety Code section 25189.5(b), a felony (2 counts);
- Handling a Hazardous Waste with a Reckless Disregard for Human Life in violation of 25189.6(b), a felony (9 counts);
- Withholding Information Regarding a Substantial Danger to Public Safety in violation of Health & Safety Code section 25191(b)(4), a misdemeanor;
- Violation Causing Impairment of the Body of an Employee in violation of Labor Code section 6425(a), a felony (14 counts);
- Filing a False or Forged Instrument in violation of Penal Code section 115, a felony (5 counts);
- Dissuading a Witness in violation of Penal Code section 136.1, a felony;
- Causing Great Bodily Injury by Emitting an Air Contaminant in violation of Health & Safety Code section 42400.3(c), a felony (15 counts);

- Causing Great Bodily Injury by Negligently Emitting an Air Contaminant in violation of Health & Safety Code section 42400.1(b), a misdemeanor (15 counts);
- Failure to Update Hazardous Materials Inventory in violation of Health & Safety Code section 25515.1, a misdemeanor;
- Interference with Enforcement in violation of Health & Safety Code section 25515.4, a misdemeanor; and
- Repeated Violation of a Labor Safety Standard in violation of Labor Code section 6423(a)(2), a misdemeanor (4 counts).

Green Compass Environmental Solutions LLC:

- Conspiracy to Dispose of Hazardous Waste in violation of Penal Code section 182 and Health & Safety Code section 25189.5(b), a felony;
- Conspiracy to Impede Enforcement by a CUPA Official in violation of Penal Code section 182 and Health & Safety Code section 25515.4, a felony;
- Knowing Failure to Warn of a Serious Concealed Danger in violation of Penal Code section 387(a), a felony;
- Disposal of Hazardous Waste in violation of Health & Safety Code section 25189.5(b), a felony (2 counts);
- Handling a Hazardous Waste with a Reckless Disregard for Human Life in violation of 25189.6(b), a felony (9 counts);
- Withholding Information Regarding a Substantial Danger to Public Safety in violation of Health & Safety Code section 25191(b)(4), a misdemeanor;
- Violation Causing Impairment of the Body of an Employee in violation of Labor Code section 6425(a), a felony (14 counts);
- Filing a False or Forged Instrument in violation of Penal Code section 115, a felony (5 counts);
- Dissuading a Witness in violation of Penal Code section 136.1, a felony;
- Causing Great Bodily Injury by Emitting an Air Contaminant in violation of Health & Safety Code section 42400.3(c), a felony (15 counts);

- Causing Great Bodily Injury by Negligently Emitting an Air Contaminant in violation of Health & Safety Code section 42400.1(b), a misdemeanor (15 counts);
- Failure to Update Hazardous Materials Inventory in violation of Health & Safety Code section 25515.1, a misdemeanor;
- Interference with Enforcement in violation of Health & Safety Code section 25515.4, a misdemeanor; and
- Repeated Violation of a Labor Safety Standard in violation of Labor Code section 6423(a)(2), a misdemeanor (4 counts).

Douglas Brian Edwards:

- Conspiracy to Impede Enforcement by a CUPA Official in violation of Penal Code section 182 and Health & Safety Code section 25515.4, a felony;
- Disposal of Hazardous Waste in violation of Health & Safety Code section 25189.5(b), a felony;
- Interference with Enforcement in violation of Health & Safety Code section 25515.4, a misdemeanor; and
- Repeated Violation of a Labor Safety Standard in violation of Labor Code section 6423(a)(2), a misdemeanor (4 counts).

William James Mitzel:

- Conspiracy to Impede Enforcement by a CUPA Official in violation of Penal Code section 182 and Health & Safety Code section 25515.4, a felony;
- Knowing Failure to Warn of a Serious Concealed Danger in violation of Penal Code section 387(a), a felony;
- Disposal of Hazardous Waste in violation of Health & Safety Code section 25189.5(b), a felony;
- Violation Causing Impairment of the Body of an Employee in violation of Labor Code section 6425(a), a felony (14 counts);
- Interference with Enforcement in violation of Health & Safety Code section 25515.4, a misdemeanor; and

- Repeated Violation of a Labor Safety Standard in violation of Labor Code section 6423(a)(2), a misdemeanor (4 counts).

Charles Ray Mundy:

- Conspiracy to Dispose of Hazardous Waste in violation of Penal Code section 182 and Health & Safety Code section 25189.5(b), a felony;
- Conspiracy to Impede Enforcement by a CUPA Official in violation of Penal Code section 182 and Health & Safety Code section 25515.4, a felony;
- Knowing Failure to Warn of a Serious Concealed Danger in violation of Penal Code section 387(a), a felony;
- Disposal of Hazardous Waste in violation of Health & Safety Code section 25189.5(b), a felony (2 counts);
- Handling a Hazardous Waste with a Reckless Disregard for Human Life in violation of 25189.6(b), a felony (9 counts);
- Withholding Information Regarding a Substantial Danger to Public Safety in violation of Health & Safety Code section 25191(b)(4), a misdemeanor;
- Violation Causing Impairment of the Body of an Employee in violation of Labor Code section 6425(a), a felony (14 counts);
- Filing a False or Forged Instrument in violation of Penal Code section 115, a felony (5 counts);
- Dissuading a Witness in violation of Penal Code section 136.1, a felony;
- Causing Great Bodily Injury by Emitting an Air Contaminant in violation of Health & Safety Code section 42400.3(c), a felony (15 counts);
- Causing Great Bodily Injury by Negligently Emitting an Air Contaminant in violation of Health & Safety Code section 42400.1(b), a misdemeanor (15 counts);
- Failure to Update Hazardous Materials Inventory in violation of Health & Safety Code section 25515.1, a misdemeanor;
- Interference with Enforcement in violation of Health & Safety Code section 25515.4, a misdemeanor; and

- Repeated Violation of a Labor Safety Standard in violation of Labor Code section 6423(a)(2), a misdemeanor (4 counts).

Dean Michael Poe:

- Conspiracy to Dispose of Hazardous Waste in violation of Penal Code section 182 and Health & Safety Code section 25189.5(b), a felony; and
- Disposal of Hazardous Waste in violation of Health & Safety Code section 25189.5(b), a felony.

Brock Gustin William Baker:

- Conspiracy to Impede Enforcement by a CUPA Official in violation of Penal Code section 182 and Health & Safety Code section 25515.4, a felony;
- Knowing Failure to Warn of a Serious Concealed Danger in violation of Penal Code section 387(a), a felony;
- Disposal of Hazardous Waste in violation of Health & Safety Code section 25189.5(b), a felony;
- Handling a Hazardous Waste with a Reckless Disregard for Human Life in violation of 25189.6(b), a felony (9 counts);
- Violation Causing Impairment of the Body of an Employee in violation of Labor Code section 6425(a), a felony (14 counts);
- Causing Great Bodily Injury by Emitting an Air Contaminant in violation of Health & Safety Code section 42400.3(c), a felony (15 counts);
- Causing Great Bodily Injury by Negligently Emitting an Air Contaminant in violation of Health & Safety Code section 42400.1(b), a misdemeanor (15 counts);
- Interference with Enforcement in violation of Health & Safety Code section 25515.4, a misdemeanor; and
- Repeated Violation of a Labor Safety Standard in violation of Labor Code section 6423(a)(2), a misdemeanor (4 counts).

Mark Stephen Avila:

- Conspiracy to Impede Enforcement by a CUPA Official in violation of Penal Code section 182 and Health & Safety Code section 25515.4, a felony;

- Knowing Failure to Warn of a Serious Concealed Danger in violation of Penal Code section 387(a), a felony;
- Disposal of Hazardous Waste in violation of Health & Safety Code section 25189.5(b), a felony;
- Handling a Hazardous Waste with a Reckless Disregard for Human Life in violation of 25189.6(b), a felony (9 counts);
- Violation Causing Impairment of the Body of an Employee in violation of Labor Code section 6425(a), a felony (14 counts);
- Causing Great Bodily Injury by Emitting an Air Contaminant in violation of Health & Safety Code section 42400.3(c), a felony (15 counts);
- Causing Great Bodily Injury by Negligently Emitting an Air Contaminant in violation of Health & Safety Code section 42400.1(b), a misdemeanor (15 counts);
- Interference with Enforcement in violation of Health & Safety Code section 25515.4, a misdemeanor; and
- Repeated Violation of a Labor Safety Standard in violation of Labor Code section 6423(a)(2), a misdemeanor (4 counts).

Marlene Joan Faltemier:

- Conspiracy to Dispose of Hazardous Waste in violation of Penal Code section 182 and Health & Safety Code section 25189.5(b), a felony;
- Conspiracy to Impede Enforcement by a CUPA Official in violation of Penal Code section 182 and Health & Safety Code section 25515.4, a felony;
- Disposal of Hazardous Waste in violation of Health & Safety Code section 25189.5(b), a felony;
- Dissuading a Witness in violation of Penal Code section 136.1, a felony;
- Causing Great Bodily Injury by Emitting an Air Contaminant in violation of Health & Safety Code section 42400.3(c), a felony (15 counts); and
- Interference with Enforcement in violation of Health & Safety Code section 25515.4, a misdemeanor.



David Joseph Wirsing:

- Conspiracy to Impede Enforcement by a CUPA Official in violation of Penal Code section 182 and Health & Safety Code section 25515.4, a felony; and
- Interference with Enforcement in violation of Health & Safety Code section 25515.4, a misdemeanor.

Kenneth Douglas Griffin Jr.:

- Conspiracy to Impede Enforcement by a CUPA Official in violation of Penal Code section 182 and Health & Safety Code section 25515.4, a felony;
- Knowing Failure to Warn of a Serious Concealed Danger in violation of Penal Code section 387(a), a felony;
- Disposal of Hazardous Waste in violation of Health & Safety Code section 25189.5(b), a felony;
- Handling a Hazardous Waste with a Reckless Disregard for Human Life in violation of 25189.6(b), a felony (9 counts);
- Withholding Information Regarding a Substantial Danger to Public Safety in violation of Health & Safety Code section 25191(b)(4), a misdemeanor;
- Violation Causing Impairment of the Body of an Employee in violation of Labor Code section 6425(a), a felony (14 counts);
- Causing Great Bodily Injury by Emitting an Air Contaminant in violation of Health & Safety Code section 42400.3(c), a felony (15 counts);
- Causing Great Bodily Injury by Negligently Emitting an Air Contaminant in violation of Health & Safety Code section 42400.1(b), a misdemeanor (15 counts);
- Failure to Update Hazardous Materials Inventory in violation of Health & Safety Code section 25515.1, a misdemeanor;
- Interference with Enforcement in violation of Health & Safety Code section 25515.4, a misdemeanor; and
- Repeated Violation of a Labor Safety Standard in violation of Labor Code section 6423(a)(2), a misdemeanor (4 counts).