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(Rev.8/82)

SEARCH WARRANT ON WRITTEN AFFIDAVIT

UNITED STATES DISTRICT COURT	DISTRICT CENTRAL DISTRICT OF CALIFORNIA
UNITED STATES OF AMERICA v. THE SUBJECT PREMISES: Technical Anodize located at 1140, 1142, and 1144 Price Street, Pomona, CA	DOCKET NO. MAGISTRATE'S CASE NO. 12-0188M TO: ANY SPECIAL AGENT(S) OF THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, OR ANY OTHER AUTHORIZED OFFICER

Affidavit(s) having been made before me by the below-named affiant that he/she has reason to believe that on the premises known as

SEE ATTACHMENT A

in the Central District of California

there is now being concealed certain property, namely:

SEE ATTACHMENT B

and as I am satisfied that there is probable cause to believe that the property so described is being concealed on the person or premises above-described and the grounds for application for issuance of the search warrant exist as stated in the supporting affidavit(s), which are incorporated herein by reference and attached hereto.

YOU ARE HEREBY COMMANDED to search on or before ten (10) days (not to exceed 10 days) the person or place named above for the property specified, serving this warrant and making the search (in the daytime--6:00 A.M. to 10:00 P.M.) (at any time in the day or night)* and if the property be found there to seize it, leaving a copy of this warrant and receipt for the property taken, and prepare a written inventory of the property seized and promptly return this warrant to the duty U.S. Magistrate Judge as required by law.

NAME OF AFFIANT	SIGNATURE	DATE/TIME ISSUED
[redacted], SA USEPA	HONOR[redacted]	JANUARY 27, 2012 2:35 pm

*If a search is to be authorized "at any time in the day o[redacted] of Criminal Procedure Rule 41(c), show reasonable cause therefor.

**United States Judge or Judge of a State Court of Record.

[redacted]

AFFIDAVIT

I. INTRODUCTION

1. I am a Special Agent of the United States Environmental Protection Agency, Criminal Investigation Division ("EPA-CID"), located in Los Angeles, California. I have been employed as an EPA-CID agent for over two years. Prior to this assignment, I was employed as a Special Agent of the United States Federal Bureau of Investigation ("FBI") for over twenty-two years. My last fourteen years at the FBI consisted of the exclusive investigation of environmental crimes. I am a member of the Los Angeles Federal Environmental Crimes Task Force, which is a group co-chaired by EPA-CID and the United States Attorney's Office for the Central District of California, and comprised of various local, state, and federal law enforcement and regulatory officers. This task force is specifically designed and dedicated to the investigation and prosecution of state and federal environmental violations in the Southern California area. Other members of this task force include the California Department of Toxic Substances Control ("DTSC"), the Los Angeles County Fire Department Hazardous Materials Control Program ("LACFD"), the Los Angeles County Department of Public Works ("LADPW"), and the County Sanitation Districts of Los Angeles County ("CSDLAC").

2. This affidavit is made in support of an application for a search warrant commanding any agent of EPA-CID, with appropriate assistance from the investigative and technical staff of DTSC, LACFD, LAPDW, and CSDLAC, to search the business premises of a company known as TECHNICAL ANODIZE, located at 1140, 1142, and 1144 Price Street, Pomona, California (the "Subject Premises"), as further described in Attachment A to this affidavit.

3. The premises are believed to contain evidence of violations of the federal Clean Water Act 33 U.S.C. §§ 1317(d) and 1319(c)(2)(A) (discharge of pollutants, namely, industrial wastewaters containing hazardous and chemical wastes into a sewer system operated and maintained by the CSDLAC, in violation of federal regulations and the CSDLAC's pretreatment requirements), as further described in Attachment B to this affidavit.

II. OVERVIEW OF INVESTIGATION

4. This investigation focuses on allegations that, from at least February 2011, to October 2011, employees of TECHNICAL ANODIZE have unlawfully disposed of industrial wastewaters containing hazardous and chemical wastes with a pH less than 6.0 and heavy metals in excess of the pretreatment standards set by the CSDLAC into a local sewer line operated by the City of Pomona that flows directly into the Los Angeles County sewer

system without obtaining the proper permits from the County of Los Angeles for the disposal of such wastes.

III. REGULATORY FRAMEWORK

The Federal Clean Water Act

5. In my present assignment, I am responsible for, among other things, conducting investigations of alleged criminal violations of several federal environmental statutes, including the federal Clean Water Act ("CWA"), Title 33, United States Code, Sections 1251-1387, et seq. Under the CWA, both negligent and knowing violations of the Act are crimes. 33 U.S.C. § 1319(c).

6. The CWA prohibits the owner or operator of any source of pollutants from introducing such pollutants into a municipal sewage system in violation of pretreatment standards under the CWA. 33 U.S.C. § 1317(d). "Pollutant" means, among other things, chemical and industrial waste. 33 U.S.C. § 1362(6).

7. "Owner or operator" is defined as "any person who owns, leases, operates, controls, or supervises a source." 33 U.S.C. § 1316(4).

8. Pursuant to the CWA, 33 U.S.C. §§ 1317(b)&(c), US EPA has promulgated what are called "National Pretreatment Standards" for industrial sources of wastewater, such as anodizing and plating shops, which discharge to Publicly Owned Treatment Works ("POTWs"). 40 C.F.R. Part 33, §§ 33.10 et seq.

9. POTWs are public facilities such as sewage treatment plants that treat municipal sewage or industrial waste. POTWs also include sewers, pipes, or other conveyances that lead to sewage treatment plants. 40 C.F.R. § 403.3(q).

10. Industrial waste dischargers such as anodizing or plating shops are required to pretreat their wastewater before it is discharged to a POTW in order to comply with the National Pretreatment Standards. 33 U.S.C. §§ 1317(b), (d), 40 C.F.R. Part 403, § 403.1 et seq. "Pretreatment includes the reduction of the amount of pollutants, the elimination of certain pollutants, or the alteration of the nature of pollutant properties in wastewater before discharging such pollutants into a POTW. 40 C.F.R. § 403.3(s).

11. Specific numerical limits have been set by US EPA for discharges by industrial categories which have been determined to be the most significant sources of pollution. 40 C.F.R. Part 403, et seq. These standards are commonly referred to as "categorical standards", and operations subject to such standards are commonly referred to as "categorical dischargers or users". Among the promulgated categorical standards are those covering anodizing and plating shops such as TECHNICAL ANODIZE. 40 C.F.R. Part 33. In addition, US EPA has promulgated monitoring and reporting regulations requiring categorical dischargers to submit periodic reports, submit

reports of specific discharges, and monitor and analyze discharges. 40 C.F.R. § 403.12. These national standards are directly enforceable under the CWA. 33 U.S.C. §§ 1317(d) and 1319(c).

12. The National Pretreatment Standards also prohibit the discharge of industrial wastewater into a POTW in violation of specific prohibitions or limits developed by the local POTW. 40 C.F.R. § 403.5(d). Under the CWA, violation of any requirement imposed in an approved pretreatment program is a violation of the CWA. 33 U.S.C. § 1319(c). The CSDLAC has a pretreatment program that was approved on March 27, 1985 by US EPA pursuant to 33 U.S.C. § 1342 and 40 C.F.R. § 403.8.

IV. STATEMENT OF PROBABLE CAUSE

13. In July, 2011, CSDLAC Supervising Civil Engineer Robert Wienke told me the following:

a. CSDLAC was investigating a company called TECHNICAL ANODIZE, located at 1140 Price Street, Pomona, California. TECHNICAL ANODIZE does not have a discharge permit with the CSDLAC. Nevertheless, since TECHNICAL ANODIZE handles hazardous materials and has a sanitary sewer connection, they are still subject to periodic inspections as a zero discharge "categorical" standards company.

b. Clandestine monitoring of the sewer connection leading from TECHNICAL ANODIZE was conducted for several days in February 2011, June 2011, and October 2011. Grab samples were also taken from TECHNICAL ANODIZE's industrial wastewater stream in October 2011. Preliminary analyses revealed that low pH material and wastewater high in heavy metals, such as copper, nickel, and zinc, was being discharged from the subject premises.

14. From my investigation in this matter, including conversations with Robert Wienke, I have learned the following:

a. The sewer monitoring was initiated by Peter Carlstrom, the current inspector assigned to TECHNICAL ANODIZE. Inspector Carlstrom told Wienke that he was suspicious of the purported waste treatment procedures at TECHNICAL ANODIZE. Carlstrom said that he observed volumes of wastewater on the premises, and did not believe representatives of the company who said that they were evaporating it. Carlstrom requested surveillance monitoring to confirm his suspicions, although there was no obvious evidence of illegal discharges.

b. The CSDLAC business survey in the immediate area found no other entities, besides TECHNICAL ANODIZE, which would be discharging that level of pH or metals into the sewer system.

c. The monitors that are used in this investigation to measure the discharges emanating from TECHNICAL ANODIZE are called Instrument Specialties Company ("ISCO") automatic samplers. ISCO samplers are self-contained battery operated machines which obtain liquid samples at timed intervals. The samples were periodically removed and submitted to a CSDLAC laboratory for analysis. In this case, the samplers were set to take an aliquot (liquid sample) every fifteen minutes. One bottle in the sampling mechanism is filled with four aliquot samples taken over an hour's duration. Samples obtained downstream of TECHNICAL ANODIZE that were turned into the laboratory for further analysis field tested at a pH lower than 4.0 or bore a distinct coloration. When a downstream sample was presented to the laboratory, the corresponding upstream sample (if one was taken) was also analyzed for comparison.

d. Wienke told me that on some occasions, there was no upstream sample obtained for comparison to the downstream sample. He believes that, due to the time of day when the illict discharges occurred (early morning hours), there may have been a very low flow upstream or no flow at all

15. I have reviewed business license information from the City of Pomona, which states the following:

a. 1140 Price Street is the location of TECHNICAL ANODIZE, LLC. The business start date is listed as October 12, 2001. The names of the owners are Fernando Salazar and [redacted].

b. 1142 Price Street A and B is the location of Samuel Renteria Prime and Paint. The business owners are listed as Fernando Salazar and [redacted]. The start date for the business is listed as February 1, 2006. There is no listed information for 1144 Price Street.

16. I have reviewed the CSDLAC inspection reports for TECHNICAL ANODIZE, which state the following:

a. Inspections began in May 2003, based on source information regarding potential illegal industrial waste discharges from TECHNICAL ANODIZE. Fernando Salazar was identified as the shop manager and contact. The type of work done was sulfuric acid anodizing. There were no hazardous waste manifests on file for disposal. Salazar told the inspector that there were no manifests because business had been slow, and they had not generated enough waste for disposal. Salazar said that he was evaporating his wastewater and storing the sludge. No evidence of discharge to the sewer was found.

b. On December 8, 2003, the inspector noted that waste collected from the anodizing production floor was stored in two 55 gallon drums located in the rear of the building.

c. On May 24, 2004, an inspection revealed a leak underneath the spill containment area. The pH of the material was less than 2.0. A pump in the anodizing area was connected to a hose which could have reached the restroom area. No evidence was found of discharge to the sewer.

d. On April 11, 2005, the inspector observed three full 55 gallon drums of hazardous waste and two 55 gallon drums containing waste and rainwater. The secondary containment area was full of rainwater.

e. On April 18, 2005, Salazar said that the drums of hazardous waste had been full for almost three years. The company was informed by the inspector that full drums of hazardous waste had to be hauled off site within 90 days.

f. On June 27, 2005, the inspector confirmed that the drums of hazardous waste had been hauled away for disposal. The inspector again advised the company that hazardous waste could be stored for a maximum of 90 days.

g. In December 2005, there was a fire at TECHNICAL ANODIZE. Periodic follow up inspections indicated that TECHNICAL ANODIZE did not resume business until February 2007.

h. On March 19, 2007, an inspection revealed that drums of spent acid and sludge had been stored outside the business since the 2005 fire. TECHNICAL ANODIZE still had no permit to discharge industrial wastewater to the sewer.

i. On June 12, 2007, a follow up inspection was done to see whether the hazardous waste drums stored since the fire had been hauled away. The drums were still stored at the company. The inspector noticed a stream of water running down the driveway which field tested between pH 3 and 4. The source of the water was traced back to the re-circulating chiller used to cool the sulfuric acid tank. The discharge did not leave the property.

j. On July 25, 2007, TECHNICAL ANODIZE was still storing the drums of hazardous waste solids and solutions. The waste had been stored in the back of the facility for over two years.

k. On August 20, 2007, [redacted], the [redacted], told the inspector that the waste had been hauled away on August 13, 2007.

l. On April 18, 2008, an inspection was conducted of area businesses to investigate a suspicious discharge to the CSDLAC plant. Drums of hazardous waste acid and caustic were stored outside TECHNICAL ANODIZE, with no recent hazardous waste manifests. Salazar said that the company was a "small generator". Salazar also said that he was the new owner of the entire industrial park.

m. On January 12, 2009, a routine annual inspection was conducted for categorical companies with no discharge to the sewer. The hazardous waste was still being stored, and [redacted] stated that no waste was hauled away in 2008 because business was slow.

n. On March 28, 2011, Inspector Carlstrom was told by a representative of TECHNICAL ANODIZE that the main metal finishing operation is conducted at 1140. Polishing and sand blasting is done at 1142B. 1142A is the main office, which also has a powder coating setup. 1144 is used as dry storage. The inspector noted that no evidence of illicit discharge was observed, but wondered how all the wastewater he observed could be timely evaporated using the small hot tank at the facility. Salazar was not present at the time of the inspection.

o. On March 29, 2011, Inspector Carlstrom conducted a follow up visit to speak with Fernando Salazar about

operations. Salazar said that the wastewater was recycled into the process tanks or evaporated in the hot tank. After the inspector expressed skepticism, Salazar said that they also use an evaporator located in 1142A, but it was currently broken. The inspector noticed that the evaporator Salazar claimed to use was very small, and appeared not to have been operated in some time. There were few hazardous waste manifests on file. The manifests in existence were mostly for solid waste, with shipments about once per year. Salazar said he has not filled the process tanks for six or seven years, as there is no need. The inspector stressed that no industrial wastewater could be discharged to the sewer without a permit, and that any liquid wastewater must be hauled away. Salazar indicated that he might be installing a wastewater treatment system, and would then apply for a permit.

17. I have reviewed hazardous waste manifests provided by the California Department of Toxic Substances Control which state the following:

a. On May 25, 2005, TECHNICAL ANODIZE had three 55 gallon drums of hazardous waste described as "waste corrosive liquids, Acidic, Inorganic, n.o.s. (Sulfuric acid, Hydrochloric acid) hauled away for disposal.

b. On November 7, 2005, TECHNICAL ANODIZE had 500 gallons of hazardous waste described as "Waste Sulfuric Acid, Spent", hauled away for disposal.

c. On December 1, 2005, TECHNICAL ANODIZE had 2,400 gallons of hazardous waste described as "Waste Sulfuric Acid, Spent" hauled away for disposal.

d. On August 13, 2007, TECHNICAL ANODIZE had 3,000 pounds of non-RCRA hazardous waste, described as "acid solids" hauled away for disposal.

e. On October 6, 2009, TECHNICAL ANODIZE had 1,500 pounds of non-RCRA hazardous waste described as "acid solids" hauled away for disposal.

f. On February 16, 2010, TECHNICAL ANODIZE had 7,000 pounds of non-RCRA hazardous waste described as "acid solids" hauled away for disposal.

g. On March 17, 2011, TECHNICAL ANODIZE had 500 pounds of non-RCRA hazardous waste described as "acid solids" hauled away for disposal.

18. As a result of subsequent discussions with Robert Wienke, CSDLAC installed clandestine sewer monitoring equipment to sample the discharge from TECHNICAL ANODIZE during the month of October, 2011, to verify earlier findings.

a. On October 18, 2011, Wienke told me that on the first day of monitoring (October 17, 2011), the inspectors assigned to place the monitors noticed that the business opened around 3:30 a.m. Shortly thereafter, before the monitors were installed, the inspectors noticed a dark, purple or reddish liquid passing through the sewer line. The inspectors took a "grab" sample of the discharge. The field test of the discharge indicated a pH of 2.8. Wienke said that the color of the discharge could be indicative of material coming from an anodizing facility, due to the use of dye in the process.

b. On October 25, 2011, Wienke told me that on the morning of October 19, 2011, the inspectors felt that they were observed by employees of TECHNICAL ANODIZE when they arrived to service the monitoring equipment at approximately 3:30 a.m. The inspectors left, and subsequent samples taken by the monitoring equipment sometime after 6:00 a.m. and around 7:00 to 8:00 a.m. revealed that a discharge emanated from TECHNICAL ANODIZE. Typically, these discharges occurred earlier. The inspectors told Wienke they felt that the employees waited until they left the area to dispose of the material.

19. During conversations with Robert Wienke regarding this investigation, I learned that the CSDLAC permit prescribes limitations on dischargers for pH levels and concentrations of

particular metals. No one is allowed to discharge a pH level below 6.0. For certain heavy metals present in this case, the permit limits are as follows: Nickel 3.98 milligrams per liter; Chromium 2.77 milligrams per liter; Copper 3.38 milligrams per liter; and Zinc 2.61 milligrams per liter. Due to the fact that TECHNICAL ANODIZE has no permit from CSDLAC to discharge any industrial waste whatsoever, any levels of heavy metals found in their sewer discharge would potentially constitute a violation of the Clean Water Act.

20. I have reviewed the results of the field pH tests and laboratory analysis for metals concentrations in the discharges found downstream and upstream of TECHNICAL ANODIZE. From that review, I have learned the following:

a. On February 22, 2011, between 6:00 and 7:00 a.m., the sample contained a pH of 2.46, Nickel in the amount of 7.19 milligrams per liter, Zinc in the amount of 3.56 milligrams per liter, and was purple-blue in color. There was no corresponding upstream sample. Between 7:00 and 8:00 a.m., the pH in the sample was 3.15, and was purple-blue in color. The corresponding upstream sample showed no violations.

b. On February 23, 2011, between 7:00 and 8:00 a.m., the sample contained a pH of 4.46, Nickel in the amount of 5.60 milligrams per liter, Zinc in the amount of 2.68 milligrams per

liter, and was blue in color. The corresponding upstream sample had no violations.

c. On February 24, 2011, between 7:00 and 8:00 a.m., the sample contained Chromium in the amount of 7.05 milligrams per liter, Zinc in the amount of 2.90 milligrams per liter, and was blue in color. There was no corresponding upstream sample.

d. On June 13, 2011, at 4:10 a.m., a "grab" sample contained a pH of 3.24, Chromium in the amount of 3.51 milligrams per liter, Copper in the amount of 5.71 milligrams per liter, Nickel in the amount of 11.4 milligrams per liter, and Zinc in the amount of 23.9 milligrams per liter. The color was listed as "blue with solids". There was no violation in the corresponding upstream sample.

e. On June 14, 2011, between 5:00 and 6:00 a.m., the sample contained a pH of 2.6, Copper in the amount of 4.61 milligrams per liter, Nickel in the amount of 8.78 milligrams per liter, and Zinc in the amount of 29.6 milligrams per liter. The color was listed as "blue with solids". The corresponding upstream sample showed no violation. Between 6:00 and 7:00 a.m., the sample contained a pH of 2.7, Copper in the amount of 3.92 milligrams per liter, Nickel in the amount of 7.89 milligrams per liter, Zinc in the amount of 22.2 milligrams per liter, and blue in color. There is no corresponding upstream

sample. Between 7:00 and 8:00 a.m., the sample had a pH of 5.71. The color was listed as "blue with solids". The corresponding upstream sample had no violation.

f. On June 15, 2011, between 7:00 and 8:00 a.m., the sample had a pH of 5.23, contained Zinc in the amount of 4.06 milligrams per liter, and was blue in color. There are no violations present in the corresponding upstream sample.

g. On June 16, 2011, between 2:00 and 3:00 a.m., the sample contained a pH of 2.64, Nickel in the amount of 5.87 milligrams per liter, Zinc in the amount of 19.6 milligrams per liter, and was blue in color. There is no corresponding upstream sample. Between 3:00 and 4:00 a.m., the sample contained a pH of 2.57, Copper in the amount of 5.42 milligrams per liter, Nickel in the amount of 9.97 milligrams per liter, Zinc in the amount of 24.3 milligrams per liter, and was blue in color. There is no corresponding upstream sample. At 4:20 a.m., a "grab" sample contained a pH of 5.27, Chromium in the amount of 3.62, Copper in the amount of 8.24 milligrams per liter, Nickel in the amount of 16.6 milligrams per liter, Zinc in the amount of 24 milligrams per liter, and was blue in color. The corresponding upstream sample showed no violations. Between 4:00 and 5:00 a.m., the sample contained a pH of 2.99, Copper in the amount of 6.93 milligrams per liter, Zinc in the amount of

25.0 milligrams per liter, Nickel in the amount of 13.1 milligrams per liter, and was blue in color. There is no corresponding upstream sample.

h. On October 17, 2011, at 3:45 a.m., a "grab" sample contained a pH of 2.9, Nickel in the amount of 6.38 milligrams per liter, and Zinc in the amount of 5.63 milligrams per liter. No violations were present in the upstream sample. Between 4:00 and 5:00 a.m., the sample had a pH of 2.94 and had a purple color. The upstream sample had no violations. Between 5:00 and 6:00 a.m., the sample had a pH of 2.77 and was blue-grey in color. The upstream sample had no violations.

i. On October 18, 2011, between 5:00 and 6:00 a.m., the sample had a pH of 3.38 and was purple in color. The corresponding upstream sample had no violations. Between 6:00 and 7:00 a.m., the sample had a pH of 1.4, Chromium in the amount of 4.3 milligrams per liter, Copper in the amount of 4.66 milligrams per liter, Nickel in the amount of 5.71 milligrams per liter, Zinc in the amount of 7.34 milligrams per liter, and was purple in color. The upstream sample showed no violations. Between 7:00 and 8:00 a.m., the sample had a pH of 1.71, Nickel in the amount of 6.21 milligrams per liter, Zinc in the amount of 4.76 milligrams per liter, and was grey in color. The corresponding upstream sample had no violations.

j. On October 19, 2011, between 6:00 and 7:00 a.m., the sample had a pH of 2.47, Chromium in the amount of 9.73 milligrams per liter, Zinc in the amount of 126 milligrams per liter, and was brown in color. The corresponding upstream sample had no violation. Between 7:00 and 8:00 a.m., the sample had a pH of 2.05, Chromium in the amount of 17.9 milligrams per liter, Zinc in the amount of 235 milligrams per liter, and was light grey in color. The corresponding upstream sample had no violations.

k. On October 20, 2011, between 4:00 and 5:00 p.m., the sample had a pH of 5.41 and was grey in color. The corresponding upstream sample had no violations. Between 5:00 and 6:00 p.m., the sample had a pH of 4.68 and was grey in color. The corresponding upstream sample had no violations. Between 6:00 and 7:00 p.m., the sample had a pH of 5.28 and was grey in color. The corresponding upstream sample had no violations.

l. On October 21, 2011, at 5:00 a.m., the "grab" sample had a pH of 3.55, Nickel in the amount of 5.42 milligrams per liter, and was purple in color.

21. In total, the laboratory report indicates that TECHNICAL ANODIZE has illegally discharged corrosive and toxic water pollutants into the CSDLAC sewer system on at least 12

separate days between February and October 2011. Given the lack of water pollutants in the samples taken from the sewers upstream of TECHNICAL ANODIZE, I have concluded that the water pollutants identified in the sewer flow immediately downstream of TECHNICAL ANODIZE were illegally discharged by TECHNICAL ANODIZE.

22. Based on my training and experience, familiarity with investigations involving illicit discharges to the POTW gained in part through discussions with experts at the CSDLAC, and the facts presented in this affidavit, I have probable cause to believe that between February and October 2011, employees of TECHNICAL ANODIZE unlawfully disposed of industrial wastewaters containing hazardous and chemical wastes with a pH less than 6.0 and heavy metals in excess of the pretreatment standards set by the CSDLAC directly into the Los Angeles County sewer system without obtaining the proper permits from the County of Los Angeles for the disposal of such wastes. Although inspectors of CSDLAC have not recently monitored or sampled the waste effluent of TECHNICAL ANODIZE, given the lengthy and serial nature of its 2011 discharges, I have no reason to conclude that TECHNICAL ANODIZE is not continuing to illegally discharge water pollutants into the Los Angeles County sewer system. For these reasons, I have probable cause to believe that the "subject

premises" of TECHNICAL ANODIZE, located at 1140, 1142, and 1144 Price Street, Pomona, California, as further described in Attachment A to this affidavit, contain evidence of violations of the federal Clean Water Act 33 U.S.C. §§ 1317(d) and 1319(c)(2)(A) (discharge of pollutants, namely, industrial wastewaters containing hazardous and chemical wastes into a sewer system operated and maintained by the CSDLAC, in violation federal regulations and the CSDLAC's pretreatment requirements) committed by its agents and employees between the dates of February and October 2011, as further described in Attachment B to this affidavit.

/S/

[redacted]

Special Agent
United States Environmental
Protection Agency - Criminal
Invesigations Division

Subscribed and sworn to before me
on this 27 day of January, 2012

[redacted]

UNITED STATES MAGISTRATE JUDGE

ATTACHMENT A

DESCRIPTION OF THE PREMISES TO BE SEARCHED

The subject premises are the business premises of TECHNICAL ANODIZE located at 1140, 1142, and 1144 Price Street, Pomona, California. The subject premises are further described as being located within a one story commercial building of grey cinder blocks. There is a large garage door to the right of the front door facing Price Street. The words "TECHNICAL ANODIZE" appear at the front of the building in blue lettering. The number "1140" is posted on the front door. The addresses 1140, 1142, and 1144 are part of the same one story industrial complex and are adjoining.

ATTACHMENT B

THE LIST OF ITEMS TO BE SEIZED

The following is a list of items to be seized from the subject premises of TECHNICAL ANODIZE located at 1140, 1142, and 1144 Price Street, Pomona, California, as evidence of violations of the federal Clean Water Act 33 U.S.C. §§ 1317(d) and 1319(c)(2)(A) (discharge of pollutants, namely, industrial wastewaters containing hazardous and chemical wastes into a sewer system operated and maintained by the CSDLAC, in violation of federal regulations and the CSDLAC's pretreatment requirements) committed by its agents and employees of TECHNICAL ANODIZE between the dates of February and October 2011:

a. Containers, receptacles, and locations for the treatment, storage, or disposal of hazardous materials, substances, wastes, or pollutants, including barrels, drums, tanks, containers and receptacles capable of holding or storing solutions or waste, and samples of their contents, as well as soil or ground samples from the ground area of the subject premises;

b. Plumbing and other equipment which reflect the use of such items for the discharge of hazardous materials, substances, chemicals, wastes or pollutants to the sewer system, including clarifiers, sumps, sinks, tubing or pipes and other connections to the sewer system, and samples of their contents;

c. Dye testing of plumbing and associated equipment to determine access points from the subject premises to the sewer system;

d. Pumps, hoses, or any other mechanical devices capable of pumping, siphoning, spraying or disposing of chemical solutions;

e. Samples of any materials, substances, wastes, or pollutants, utilized, maintained or stored on the Subject Premises;

f. Documents and records relating to the purchase, production, storage, shipping, disposal, transportation, treatment, processing, acceptance, sampling or testing of any hazardous materials, substances, chemicals, or wastes, or pollutants, including uniform hazardous waste manifests, receipts, records, work orders, work logs, invoices, purchase orders, inventory records, company report, memoranda, or correspondence;

g. Documents and records relating to the purchase, use, and disposal of production and treatment chemicals;

h. Documents and records regarding the storage, treatment, disposal or discharge of any hazardous materials, substances, chemicals, wastes, or pollutants, including correspondence, mail, notes, memoranda, Notices of Violation ("NOVs"), Sanitation Districts Industrial Wastewater documents and permits, National Pollution Discharge Elimination System ("NPDES") permits, Hazardous Waste Treatment permits, documents to and from local, state, and federal regulatory agencies, and copies of statutes, rules, or regulations;

i. Documents and records indicating ingredients and additives to products, solutions, or wastes located at the subject premises, or regarding safety or health precautions to be used in the handling of any materials or wastes on the subject premises, including Material Safety Data Sheets ("MSDS"), material specification sheets, letters, memoranda, instructions, brochures, pamphlets, training materials, guidelines, reports, or labels;

j. Documents and records showing the location, description, or use in any process on the above described subject premises of any hazardous materials, substances, chemicals, wastes, or pollutants, including plans, business plans, maps, diagrams, reports, memoranda, and notes;

k. Documents and records tending to establish identity of persons in control of TECHNICAL ANODIZE and any storage areas or containers thereon, such as desks, drawers, or file cabinets, including corporate charters, corporate minutes, personnel records, payroll records, utility company receipts, rent receipts for the subject premises, signs, articles of personal

property, lists, records, files, correspondence, memoranda, notes, mail, and bills;

l. Documents and records regarding responsibilities of corporate officers, partners, management and employees of TECHNICAL ANODIZE, and identifying person at TECHNICAL ANODIZE who have been or are responsible for the treatment, storage, disposal or discharge of hazardous materials, substances, wastes, or pollutants, including lists, records, files, correspondence, job descriptions, payroll records, shift records, overtime records, training and performance evaluations, and directions to perform job-related tasks;

m. Documents, records and equipment relating to effluent flow and wastewater discharge from the subject premises, including all effluent monitoring equipment recording charts, flowmeter charts, logs, equipment maintenance logbooks, manuals, and notes for such equipment;

n. Documents and records relating to wastewater effluent sampling, or analysis, and quality assurance and quality control procedures, including all laboratory analytical results, laboratory certification documents, bench sheets, charts, notes, and logbooks;

o. Authorization to photograph and videotape the subject premises at TECHNICAL ANODIZE, including the wastewater pretreatment systems, plating and anodizing production systems, and areas, of treatment, storage, containment, and disposal of any hazardous materials, substances, chemicals, wastes, or pollutants.