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VENTURA
SUPERIOR COURT
FILED

AUG 07 2015

MICHAEL D. PLANET

BY: _____, Deputy

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF VENTURA**

THE PEOPLE OF THE STATE OF CALIFORNIA,

vs

GREEN COMPASS ENVIRONMENTAL
SOLUTIONS LLC
SANTA CLARA WASTE WATER COMPANY
CHARLES RAY MUNDY (12-27-1963)
DOUGLAS BRIAN EDWARDS (09-10-1956)
BROCK GUSTIN WILLIAM BAKER (02-08-1974)
DEAN MICHAEL POE (04-28-1965)
MARK STEPHEN AVILA (02-19-1966)
WILLIAM JAMES MITZEL (03-15-1957)
KENNETH DOUGLAS GRIFFIN JR (07-04-1995)
MARLENE JOAN FALTEMIER (01-13-1965)
DAVID JCSEPH WIRSING (10-15-1971)

Defendant(s).

VCIJIS Case: 2015023881

~~[PROPOSED]~~ INDICTMENT

The Ventura County Grand Jury hereby accuses the above-named defendants as follows:

COUNT 1

On or about January 4, 2014 through July 20, 2015, in the above named Judicial District, the crime of CONSPIRACY TO COMMIT A CRIME, in violation of Penal Code 182(a)(1), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, DEAN MICHAEL POE and MARLENE JOAN FALTEMIER, who did unlawfully conspire together and with another person and persons whose identity is unknown to commit the crime of disposal of hazardous waste, in violation of section 25189.5 of the Health and Safety Code, and in furtherance of the conspiracy, the said defendant(s) and co-conspirators committed the following overt acts in the county of Ventura.

OVERT ACT NO 1.

On or about January 4, 2014, Green Compass Kern County Manager Wade Loudermilk sent an email to SCWW Vice President of Environmental Compliance Charles Mundy and Santa Clara Waste Water Vice President of Sales and Marketing Carl Edwards advising them that "the analytical shows HAZ for CAM corrosivity. Does the lab still have the samples? If so, have them dry them and retest. You probably have cement returns in the mud."

OVERT ACT NO 2.

On or about May 24, 2014, Santa Clara Waste Water Supervisor Marco Hernandez sent a text to HR Director Marlene Faltermeir and asked her if a "load of cement returns with a ph of 14 is it ok to take?"

OVERT ACT NO 3.

On or about May 24, 2014, Marlene Faltermeir responded to Marco Hernandez's text regarding a hazardous load, telling him "Hold on."

OVERT ACT NO 4.

On or about May 30, 2014, Marco Hernandez sent a text to Marlene Faltermeir and informed her about an incoming load, stating "Got a vintage well returns with a ph 13."

OVERT ACT NO 5.

On or about May 30, 2014, Marlene Faltermeir responded to Marco Hernandez's text about the hazardous load by asking him "Is it cement?"

OVERT ACT NO 6.

On or about May 30, 2014, Marlene Faltermeir sent a text to Marco Hernandez about the hazardous load and asked him "Who's hauling?"

OVERT ACT NO 7.

On or about May 30, 2014, Marco Hernandez sent a text back to Marlene Faltermeir and informed her that about the incoming load, stating "Patriot. We already took care of it. Thanks."

OVERT ACT NO 8.

On or about and between June 1 and June 30, 2014, SCWW Dean Poe asked BC Lab sales representative Alan Repede to have BC Labs run analytical tests on samples taken from Vintage "wastewater" loads and provided several samples.

OVERT ACT NO 9.

On or about July 9, 2014, Alan Repede of BC Labs informed Dean Poe that two of the SCWW samples tested had pH results above 12.5.

OVERT ACT NO 10.

On or about July 9, 2014, Dean Poe called Alan Repede and requested that Alan Repede check samples for pH before sending them to the lab and, if they tested 12.5 or above, to not run other tests.

OVERT ACT NO 11.

On or about July 9, 2014, Dean Poe told Alan Repede of BC Labs that he did not want lab reports for the Vintage waste samples that had pH results of 12.5, 12.51 and 12.7, and that Santa Clara Waste Water would not pay for them.

OVERT ACT NO 12.

On or about November 19, 2014, Dean Poe concealed a report from BC Labs that a sample of "wastewater" had tested with a flashpoint under 40° F within a black satchel in his office at Santa Clara Waste Water.

COUNT 2

On or about July 01, 2014 through January 18, 2015, in the above named Judicial District, the crime of CONSPIRACY TO COMMIT A CRIME, in violation of Penal Code 182(a)(1), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, DOUGLAS BRIAN EDWARDS, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA, WILLIAM JAMES MITZEL, KENNETH DOUGLAS GRIFFIN JR, MARLENE JOAN FALTEMIER and DAVID JOSEPH WIRSING, who did unlawfully conspire together and with another person and persons whose identity is unknown to commit the crime of Impeding Enforcement By A CUPA Official, in violation of section 25515.4 of the Health & Safety Code, and in furtherance of the conspiracy, the said defendant(s) and co-conspirators committed the following overt acts in the county of Ventura.

OVERT ACT NO 1.

On or about July 1, 2014, Green Compass Environmental Solutions LLC entered into a lease with the City of Santa Paula for a yard located on South Palm Avenue with the express provision that the company would not "use, generate, store or dispose of any hazardous material" on or about the leased yard.

OVERT ACT NO 2.

On or about and between July 1, 2014, and November 18, 2014, Green Compass Environmental Solutions, LLC and Santa Clara Waste Water Company procured chemicals in excess of the allowable quantities reported to the State in their Hazardous Materials Business Plan for their wastewater plant located at 815 Mission Rock Road in the City of Santa Paula.

OVERT ACT NO 3.

On or about September 27, 2014, Environmental Compliance Officer Charles Mundy sent an email to CEO William Mitzel, President Doug Edwards and Operations Manager Brock Gus Baker to inform them that an Environmental Health inspector had set an appointment to inspect the 815 Mission Rock Road wastewater plant on November 5, 2014, and told the recipients "FYI Environmental Health wants to come by next week. Talk to you tomorrow about it."

OVERT ACT NO 4.

On or about September 27, 2014, Charles Mundy sent a second email to William Mitzel, Doug Edwards and Brock Gus Baker to inform them that an Environmental Health inspector had set an appointment to inspect the 815 Mission Rock Road wastewater plant on November 5, 2014, and told the recipients "We can talk tomorrow about this. Standard visit, we just have a few things to do."

OVERT ACT NO 5.

On or about November 2, 2014, Charles Mundy sent an email to William Mitzel and Brock Gus Baker regarding tasks to be performed, and stated that "Clean up for EHD inspection on Wednesday 10am. Shut down clean outs and such before then."

OVERT ACT NO 6.

On or about November 2, 2014, William Mitzel acknowledged Charles Mundy's email also copying Brock Gus Baker stating "Thanks, Chuck."

OVERT ACT NO 7.

On or about and between July 1, 2014, and November 5, 2014, Doug Edwards admitted to plant employee Michael Grindrod that the chemical totes stored separately from the chemical totes used in processing wastewater at the 815 Mission Rock Road plant were "for the yard."

OVERT ACT NO 8.

On or about and between September 27, 2014 and November 5, 2014, Dispatch Supervisor David Wirsing and Site Supervisor Kenny Griffin moved chemical totes from the plant at 815 Mission Rock Road to the yard located at South Palm Avenue in Santa Paula.

OVERT ACT NO 9.

On or about November 4, 2014, Charles Mundy sent an email to William Mitzel and Brock Gus Baker to remind them that an Environmental Health inspector would be visiting the 815 Mission Rock Road plant on November 5, 2014.

OVERT ACT NO 10.

On or about November 5, 2014, Chuck Mundy, Gus Baker and Mark Avila walked EHD Inspectors Reem Dajani and Craig Cooper through the plant.

OVERT ACT NO 11.

On or about November 5, 2014, Chuck Mundy forwarded an email he sent to Environmental Health Inspector Reem Dajani thanking her for the visit to the plant.

OVERT ACT NO 12.

On or about November 6, 2014, David Wirsing sent a text to Marlene Faltemeir and stated "Perfect. I still have a box of gc trans. Ill pick them up after I move my bio hazard at the trans yard. Nice play by chuck. New yard works well for overstock of chemicals on important days. Lol!"

OVERT ACT NO 13.

On or about and between November 6, 2014, and November 17, 2014, David Wirsing moved chemical totes from the yard located at South Palm Avenue in Santa Paula to the wastewater plant at 815 Mission Rock Road.

OVERT ACT NO 14.

On or about November 17, 2014, Charles Mundy sent a text to an unknown person explaining operations at Santa Clara Waste Water, stating that "Gus and I direct what is being done at SCWW. We direct these things to Mark Avila and the shift supervisors."

OVERT ACT NO 15.

On or about November 26, 2014, Kenneth Griffin exchanged a series of texts regarding concealing the movement of chemicals to the yard at South Palm Avenue in Santa Paula and told Eleazar Magana that "We did it at night."

COUNT 3

On or about August 24, 2014 through November 18, 2014, in the above named Judicial District, the crime of KNOWING FAILURE TO WARN OF SERIOUS CONCEALED DANGER, in violation of Penal Code 387(a), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA, WILLIAM JAMES MITZEL and KENNETH DOUGLAS GRIFFIN JR, who is a corporation, limited liability company, and person who is a manager with respect to a product, facility, equipment, process, place of employment and business practice, had actual knowledge of a serious concealed danger associated with that product, a component of that product, and business practice that is subject to the regulatory authority of an appropriate agency, to wit; knowingly failed within 15 days of acquiring actual knowledge of the danger to notify, in writing, the Division of Occupational Safety and Health in the Department of Industrial Relations of the serious concealed danger, and warn its affected employees in writing of the serious concealed danger.

COUNT 4

On or about January 14, 2014 through November 18, 2014, in the above named Judicial District, the crime of DISPOSAL OF HAZARDOUS WASTE, in violation of Health and Safety Code 25189.5(b), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, DEAN MICHAEL POE and MARLENE JOAN FALTEMIER, who did knowingly dispose of and reasonably should have known that he was disposing and causing the disposal of hazardous waste to a location not authorized and not permitted for the disposal of hazardous waste pursuant to the Hazardous Waste Control law.

COUNT 5

On or about April 15, 2014 through November 18, 2014, in the above named Judicial District, the crime of DISPOSAL OF HAZARDOUS WASTE, in violation of Health and Safety Code 25189.5(b), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, DOUGLAS BRIAN EDWARDS, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA, WILLIAM JAMES MITZEL and KENNETH DOUGLAS GRIFFIN JR, who did knowingly dispose of and reasonably should have known that he was disposing and causing the disposal of hazardous waste to a location not authorized and not permitted for the disposal of hazardous waste pursuant to the Hazardous Waste Control law.

COUNT 6

On or about November 18, 2014, in the above named Judicial District, the crime of HANDLING HAZARDOUS WASTE WITH RECKLESS DISREGARD, in violation of Health and Safety Code 25189.6(b), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA and KENNETH DOUGLAS GRIFFIN JR, who did knowingly place another person, to wit: Nick Arbuckle, in imminent danger of death or serious bodily while the defendant did knowingly, or with reckless disregard for the risk, treat, handle, transport, dispose, or store a hazardous waste in a manner which caused an unreasonable risk of fire, explosion, serious injury or death.

COUNT 7

On or about November 18, 2014, in the above named Judicial District, the crime of HANDLING HAZARDOUS WASTE WITH RECKLESS DISREGARD, in violation of Health and Safety Code 25189.6(b), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA and KENNETH DOUGLAS GRIFFIN JR, who did knowingly place another person, to wit: Mike Topete, in imminent danger of death or serious bodily while the defendant did knowingly, or with reckless disregard for the risk, treat, handle, transport, dispose, or store a hazardous waste in a manner which caused an unreasonable risk of fire, explosion, serious injury or death.

COUNT 8

On or about November 18, 2014, in the above named Judicial District, the crime of HANDLING HAZARDOUS WASTE WITH RECKLESS DISREGARD, in violation of Health and Safety Code 25189.6(b), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA and KENNETH DOUGLAS GRIFFIN JR, who did knowingly place another person, to wit: Alex Arriaga, in imminent danger of death or serious bodily while the defendant did knowingly, or with reckless disregard for the risk, treat, handle, transport, dispose, or store a hazardous waste in a manner which caused an unreasonable risk of fire, explosion, serious injury or death.

COUNT 9

On or about November 18, 2014, in the above named Judicial District, the crime of HANDLING HAZARDOUS WASTE WITH RECKLESS DISREGARD, in violation of Health and Safety Code 25189.6(b), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA and KENNETH DOUGLAS GRIFFIN JR, who did knowingly place another person, to wit: Devin Kurtz, in imminent danger of death or serious bodily while the defendant did knowingly, or with reckless disregard for the risk, treat, handle, transport, dispose, or store a hazardous waste in a manner which caused an unreasonable risk of fire, explosion, serious injury or death.

COUNT 10

On or about November 18, 2014, in the above named Judicial District, the crime of HANDLING HAZARDOUS WASTE WITH RECKLESS DISREGARD, in violation of Health and Safety Code 25189.6(b), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA and KENNETH DOUGLAS GRIFFIN JR, who did knowingly place another person, to wit: Robert Alamillo, in imminent danger of death or serious bodily while the defendant did knowingly, or with reckless disregard for the risk, treat, handle, transport, dispose, or store a hazardous waste in a manner which caused an unreasonable risk of fire, explosion, serious injury or death.

COUNT 11

On or about November 18, 2014, in the above named Judicial District, the crime of HANDLING HAZARDOUS WASTE WITH RECKLESS DISREGARD, in violation of Health and Safety Code 25189.6(b), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA and KENNETH DOUGLAS GRIFFIN JR, who did knowingly place another person, to wit: Mike Grindrod, in imminent danger of death or serious bodily while the defendant did knowingly, or with reckless disregard for the risk, treat, handle, transport, dispose, or store a hazardous waste in a manner which caused an unreasonable risk of fire, explosion, serious injury or death.

COUNT 12

On or about November 18, 2014, in the above named Judicial District, the crime of HANDLING HAZARDOUS WASTE WITH RECKLESS DISREGARD, in violation of Health and Safety Code 25189.6(b), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA and KENNETH DOUGLAS GRIFFIN JR, who did knowingly place another person, to wit: Dale Chester, in imminent danger of death or serious bodily while the defendant did knowingly, or with reckless disregard for the risk, treat, handle, transport, dispose, or store a hazardous waste in a manner which caused an unreasonable risk of fire, explosion, serious injury or death.

COUNT 13

On or about November 18, 2014, in the above named Judicial District, the crime of HANDLING HAZARDOUS WASTE WITH RECKLESS DISREGARD, in violation of Health and Safety Code 25189.6(b), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA and KENNETH DOUGLAS GRIFFIN JR, who did knowingly place another person, to wit: Trent Dowler, in imminent danger of death or serious bodily while the defendant did knowingly, or with reckless disregard for the risk, treat, handle, transport, dispose, or store a hazardous waste in a manner which caused an unreasonable risk of fire, explosion, serious injury or death.

COUNT 14

On or about November 18, 2014, in the above named Judicial District, the crime of HANDLING HAZARDOUS WASTE WITH RECKLESS DISREGARD, in violation of Health and Safety Code 25189.6(b), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA and KENNETH DOUGLAS GRIFFIN JR, who did knowingly place another person, to wit: Mark Alcantar, in imminent danger of death or serious bodily while the defendant did knowingly, or with reckless disregard for the risk, treat, handle, transport, dispose, or store a hazardous waste in a manner which caused an unreasonable risk of fire, explosion, serious injury or death.

COUNT 15

On or about November 18, 2014, in the above named Judicial District, the crime of WITHHOLD INFORMATION REGARDING A SUBSTANTIAL DANGER TO PUBLIC SAFETY, in violation of Health and Safety Code 25191(b)(4), a Misdemeanor, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY and KENNETH DOUGLAS GRIFFIN JR, who did knowingly withhold information regarding a real and substantial danger to the public health and safety when that information had been requested by the Department of Toxic Substances Control and by a local officer or agency authorized to enforce Chapter 6.5 of Division 20 of the Health and Safety Code pursuant to subdivision (a) of Section 25180, and who was required to carry out the responsibilities of the Department and the authorized local officer and agency pursuant to Chapter 6.5 in response to a real and substantial danger.

COUNT 16

On or about November 18, 2014, in the above named Judicial District, the crime of VIOLATION CAUSING IMPAIRMENT OF BODY OF EMPLOYEE, in violation of Labor Code 6425(a), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA, WILLIAM JAMES MITZEL and KENNETH DOUGLAS GRIFFIN JR, who , as an employer having direction, management, control, or custody of any employment, place of employment or of any other employee, did willfully violate any occupational safety or health standard, order or special order, to wit: 8 California Code of Regulations 5164(a) Storage of Hazardous Substances, the violation of which caused prolonged and permanent impairment to the body of an employee, to wit: Nick Arbuckle.

COUNT 17

On or about November 18, 2014, in the above named Judicial District, the crime of VIOLATION CAUSING IMPAIRMENT OF BODY OF EMPLOYEE, in violation of Labor Code 6425(a), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA, WILLIAM JAMES MITZEL and KENNETH DOUGLAS GRIFFIN JR, who , as an employer having direction, management, control, or custody of any employment, place of employment or of any other employee, did willfully violate any occupational safety or health standard, order or special order, to wit: 8 California Code of Regulations 5164(a) Storage of Hazardous Substances, the violation of which caused prolonged and permanent impairment to the body of an employee, to wit: Mike Topete.

COUNT 18

On or about November 18, 2014, in the above named Judicial District, the crime of VIOLATION CAUSING IMPAIRMENT OF BODY OF EMPLOYEE, in violation of Labor Code 6425(a), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA, WILLIAM JAMES MITZEL and KENNETH DOUGLAS GRIFFIN JR, who , as an employer having direction, management, control, and custody of any employment, place of employment and an employee, did willfully violate an occupational safety and health standard, order and special order, to wit, 8 California Code of Regulations 5164(a) Storage of Hazardous Substances the violation of which caused prolonged and permanent impairment to the body of an employee, to wit: Dale Chester.

COUNT 19

On or about November 18, 2014, in the above named Judicial District, the crime of VIOLATION CAUSING IMPAIRMENT OF BODY OF EMPLOYEE, in violation of Labor Code 6425(a), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA, WILLIAM JAMES MITZEL and KENNETH DOUGLAS GRIFFIN JR, who , as an employer having direction, management, control, and custody of any employment, place of employment and an employee, did willfully violate an occupational safety and health standard, order and special order, to wit: 8 California Code of Regulations 5164(a) Storage of Hazardous Substances, the violation of which caused prolonged and permanent impairment to the body of an employee, to wit: Devin Kurtz.

COUNT 20

On or about November 18, 2014, in the above named Judicial District, the crime of VIOLATION CAUSING IMPAIRMENT OF BODY OF EMPLOYEE, in violation of Labor Code 6425(a), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA, WILLIAM JAMES MITZEL and KENNETH DOUGLAS GRIFFIN JR, who , as an employer having direction, management, control, and custody of any employment, place of employment and an employee, did willfully violate an occupational safety and health standard, order and special order, to wit: to wit: 8 California Code of Regulations 5164(a) Storage of Hazardous Substances, the violation of which caused prolonged and permanent impairment to the body of an employee, to wit: Robert Alamillo.

COUNT 21

On or about November 18, 2014, in the above named Judicial District, the crime of VIOLATION CAUSING IMPAIRMENT OF BODY OF EMPLOYEE, in violation of Labor Code 6425(a), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA, WILLIAM JAMES MITZEL and KENNETH DOUGLAS GRIFFIN JR, who , as an employer having direction, management, control, and custody of any employment, place of employment and an employee, did willfully violate an occupational safety and health standard, order and special order, to wit: 8 California Code of Regulations 5164(a) Storage of Hazardous Substances, the violation of which caused prolonged and permanent impairment to the body of an employee, to wit: Mike Grindrod.

COUNT 22

On or about November 18, 2014, in the above named Judicial District, the crime of VIOLATION CAUSING IMPAIRMENT OF BODY OF EMPLOYEE, in violation of Labor Code 6425(a), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA, WILLIAM JAMES MITZEL and KENNETH DOUGLAS GRIFFIN JR, who , as an employer having direction, management, control, and custody of any employment, place of employment and an employee, did willfully violate an occupational safety and health standard, order and special order, to wit, 8 California Code of Regulations 5164(a) Storage of Hazardous Substances the violation of which caused prolonged and permanent impairment to the body of an employee, to wit Mark Alcantar.

COUNT 23

On or about November 18, 2014, in the above named Judicial District, the crime of VIOLATION CAUSING IMPAIRMENT OF BODY OF EMPLOYEE, in violation of Labor Code 6425(a), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA, WILLIAM JAMES MITZEL and KENNETH DOUGLAS GRIFFIN JR, who , as an employer having direction, management, control, and custody of any employment, place of employment and an employee, did willfully violate an occupational safety and health standard, order and special order, to wit, 8 California Code of Regulations 5194(h)(1) Hazard Communication, the violation of which caused prolonged and permanent impairment to the body of the employee, to wit: Nick Arbuckle.

COUNT 24

On or about November 18, 2014, in the above named Judicial District, the crime of VIOLATION CAUSING IMPAIRMENT OF BODY OF EMPLOYEE, in violation of Labor Code 6425(a), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA, WILLIAM JAMES MITZEL and KENNETH DOUGLAS GRIFFIN JR, who , as an employer having direction, management, control, and custody of any employment, place of employment and an employee, did willfully violate an occupational safety and health standard, order and special order, to wit, 8 California Code of Regulations 5194(h)(1) Hazard Communication, the violation of which caused prolonged and permanent impairment to the body of the employee, to wit: Mike Topete.

COUNT 25

On or about November 18, 2014, in the above named Judicial District, the crime of VIOLATION CAUSING IMPAIRMENT OF BODY OF EMPLOYEE, in violation of Labor Code 6425(a), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA, WILLIAM JAMES MITZEL and KENNETH DOUGLAS GRIFFIN JR, who , as an employer having direction, management, control, and custody of any employment, place of employment and an employee, did willfully violate an occupational safety and health standard, order and special order, to wit, 8 California Code of Regulations 5194(h)(1) Hazard Communication, the violation of which caused prolonged and permanent impairment to the body of the employee, to wit: Dale Chester.

COUNT 26

On or about November 18, 2014, in the above named Judicial District, the crime of VIOLATION CAUSING IMPAIRMENT OF BODY OF EMPLOYEE, in violation of Labor Code 6425(a), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA, WILLIAM JAMES MITZEL and KENNETH DOUGLAS GRIFFIN JR, who , as an employer having direction, management, control, and custody of any employment, place of employment and an employee, did willfully violate an occupational safety and health standard, order and special order, to wit, 8 California Code of Regulations 5194(h)(1) Hazard Communication, the violation of which caused prolonged and permanent impairment to the body of the employee, to wit: Devin Kurtz.

COUNT 27

On or about November 18, 2014, in the above named Judicial District, the crime of VIOLATION CAUSING IMPAIRMENT OF BODY OF EMPLOYEE, in violation of Labor Code 6425(a), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA, WILLIAM JAMES MITZEL and KENNETH DOUGLAS GRIFFIN JR, who , as an employer having direction, management, control, and custody of any employment, place of employment and an employee, did willfully violate an occupational safety and health standard, order and special order, to wit, 8 California Code of Regulations 5194(h)(1) Hazard Communication, the violation of which caused prolonged and permanent impairment to the body of the employee, to wit: Robert Alamillo.

COUNT 28

On or about November 18, 2014, in the above named Judicial District, the crime of VIOLATION CAUSING IMPAIRMENT OF BODY OF EMPLOYEE, in violation of Labor Code 6425(a), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA, WILLIAM JAMES MITZEL and KENNETH DOUGLAS GRIFFIN JR, who , as an employer having direction, management, control, and custody of any employment, place of employment and an employee, did willfully violate an occupational safety and health standard, order and special order, to wit, 8 California Code of Regulations 5194(h)(1) Hazard Communication, the violation of which caused prolonged and permanent impairment to the body of the employee, to wit: Mike Grindrod.

COUNT 29

On or about November 18, 2014, in the above named Judicial District, the crime of VIOLATION CAUSING IMPAIRMENT OF BODY OF EMPLOYEE, in violation of Labor Code 6425(a), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA, WILLIAM JAMES MITZEL and KENNETH DOUGLAS GRIFFIN JR, who , as an employer having direction, management, control, and custody of any employment, place of employment and an employee, did willfully violate an occupational safety and health standard, order and special order, to wit, 8 California Code of Regulations 5194(h)(1) Hazard Communication, the violation of which caused prolonged and permanent impairment to the body of the employee, to wit: Mark Alcantar.

COUNT 30

On or about March 13, 2014, in the above named Judicial District, the crime of FILE FALSE OR FORGED INSTRUMENT [EXCL], in violation of Penal Code 115(a), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY and CHARLES RAY MUNDY, who did unlawfully and knowingly procure and offer a false and forged instrument to be filed, registered, and recorded in a public office within this state, which instrument, if genuine, might be filed, registered, and recorded under a law of this state or the United States.

NOTICE: An executed sentence for a felony shall be served in state prison because this offense does not come within the sentencing scheme of Penal Code section 1170(h)(1).

COUNT 31

On or about May 12, 2014, in the above named Judicial District, the crime of FILE FALSE OR FORGED INSTRUMENT [EXCL], in violation of Penal Code 115(a), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY and CHARLES RAY MUNDY, who did unlawfully and knowingly procure and offer a false and forged instrument to be filed, registered, and recorded in a public office within this state, which instrument, if genuine, might be filed, registered, and recorded under a law of this state or the United States.

NOTICE: An executed sentence for a felony shall be served in state prison because this offense does not come within the sentencing scheme of Penal Code section 1170(h)(1).

COUNT 32

On or about July 08, 2014, in the above named Judicial District, the crime of FILE FALSE OR FORGED INSTRUMENT [EXCL], in violation of Penal Code 115(a), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY and CHARLES RAY MUNDY, who did unlawfully and knowingly procure and offer a false and forged instrument to be filed, registered, and recorded in a public office within this state, which instrument, if genuine, might be filed, registered, and recorded under a law of this state or the United States.

NOTICE: An executed sentence for a felony shall be served in state prison because this offense does not come within the sentencing scheme of Penal Code section 1170(h)(1).

COUNT 33

On or about August 14, 2014, in the above named Judicial District, the crime of FILE FALSE OR FORGED INSTRUMENT [EXCL], in violation of Penal Code 115(a), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY and CHARLES RAY MUNDY, who did unlawfully and knowingly procure and offer a false and forged instrument to be filed, registered, and recorded in a public office within this state, which instrument, if genuine, might be filed, registered, and recorded under a law of this state or the United States.

NOTICE: An executed sentence for a felony shall be served in state prison because this offense does not come within the sentencing scheme of Penal Code section 1170(h)(1).

COUNT 34

On or about September 11, 2014, in the above named Judicial District, the crime of FILE FALSE OR FORGED INSTRUMENT [EXCL], in violation of Penal Code 115(a), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY and CHARLES RAY MUNDY, who did unlawfully and knowingly procure and offer a false and forged instrument to be filed, registered, and recorded in a public office within this state, which instrument, if genuine, might be filed, registered, and recorded under a law of this state or the United States.

NOTICE: An executed sentence for a felony shall be served in state prison because this offense does not come within the sentencing scheme of Penal Code section 1170(h)(1).

COUNT 35

On or about November 18, 2014, in the above named Judicial District, the crime of DISSUADING A WITNESS FROM REPORTING A CRIME, in violation of Penal Code 136.1(b)(1), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY and MARLENE JOAN FALTEMIER, who did unlawfully attempt to prevent and dissuade Mike Grindrod, a victim and witness of a crime from making a report of such victimization to a peace officer, state and local law enforcement officer, probation, parole, and correctional officer, prosecuting agency, and judge.

COUNT 36

On or about November 18, 2014, in the above named Judicial District, the crime of CAUSE GREAT BODILY INJURY OR DEATH BY EMITTING AN AIR CONTAMINANT, in violation of Health and Safety Code 42400.3(c), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY and CHARLES RAY MUNDY and BROCK GUSTIN WILLIAM BAKER and MARK STEPHEN AVILA and KENNETH DOUGLAS GRIFFIN JR, who caused great bodily injury to, or death of, a person, to wit: Milo Bustillos, by willfully and intentionally, or with reckless disregard for the risk of great bodily injury, to or death of any person, emitting an air contaminant that caused injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endangered the comfort, repose, health, or safety of any of those persons or the public, or that caused, or had a natural tendency to cause, injury or damage to business or property.

COUNT 37

On or about November 18, 2014, in the above named Judicial District, the crime of CAUSE GREAT BODILY INJURY OR DEATH BY EMITTING AN AIR CONTAMINANT, in violation of Health and Safety Code 42400.3(c), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA and KENNETH DOUGLAS GRIFFIN JR, who caused great bodily injury to, or death of, a person, to wit: Matthew May, by willfully and intentionally, or with reckless disregard for the risk of great bodily injury, to or death of any person, emitting an air contaminant that caused injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endangered the comfort, repose, health, or safety of any of those persons or the public, or that caused, or had a natural tendency to cause, injury or damage to business or property.

COUNT 38

On or about November 18, 2014, in the above named Judicial District, the crime of CAUSE GREAT BODILY INJURY OR DEATH BY EMITTING AN AIR CONTAMINANT, in violation of Health and Safety Code 42400.3(c), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA and KENNETH DOUGLAS GRIFFIN JR, who caused great bodily injury to, or death of, a person, to wit: Mark Alcantar, by willfully and intentionally, or with reckless disregard for the risk of great bodily injury, to or death of any person, emitting an air contaminant that caused injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endangered the comfort, repose, health, or safety of any of those persons or the public, or that caused, or had a natural tendency to cause, injury or damage to business or property.

COUNT 39

On or about November 18, 2014, in the above named Judicial District, the crime of CAUSE GREAT BODILY INJURY OR DEATH BY EMITTING AN AIR CONTAMINANT, in violation of Health and Safety Code 42400.3(c), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA and KENNETH DOUGLAS GRIFFIN JR, who caused great bodily injury to, or death of, a person, to wit: Robert Alamillo, by willfully and intentionally, or with reckless disregard for the risk of great bodily injury, to or death of any person, emitting an air contaminant that caused injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endangered the comfort, repose, health, or safety of any of those persons or the public, or that caused, or had a natural tendency to cause, injury or damage to business or property.

COUNT 40

On or about November 18, 2014, in the above named Judicial District, the crime of CAUSE GREAT BODILY INJURY OR DEATH BY EMITTING AN AIR CONTAMINANT, in violation of Health and Safety Code 42400.3(c), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA and KENNETH DOUGLAS GRIFFIN JR, who caused great bodily injury to, or death of, a person, to wit: Matt Lindsey, by willfully and intentionally, or with reckless disregard for the risk of great bodily injury, to or death of any person, emitting an air contaminant that caused injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endangered the comfort, repose, health, or safety of any of those persons or the public, or that caused, or had a natural tendency to cause, injury or damage to business or property.

COUNT 41

On or about November 18, 2014, in the above named Judicial District, the crime of CAUSE GREAT BODILY INJURY OR DEATH BY EMITTING AN AIR CONTAMINANT, in violation of Health and Safety Code 42400.3(c), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA and KENNETH DOUGLAS GRIFFIN JR, who caused great bodily injury to, or death of, a person, to wit: Chris Gonzales, by willfully and intentionally, or with reckless disregard for the risk of great bodily injury, to or death of any person, emitting an air contaminant that caused injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endangered the comfort, repose, health, or safety of any of those persons or the public, or that caused, or had a natural tendency to cause, injury or damage to business or property.

COUNT 42

On or about November 18, 2014, in the above named Judicial District, the crime of CAUSE GREAT BODILY INJURY OR DEATH BY EMITTING AN AIR CONTAMINANT, in violation of Health and Safety Code 42400.3(c), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA and KENNETH DOUGLAS GRIFFIN JR, who caused great bodily injury to, or death of, a person, to wit: John Chinda Butchan, by willfully and intentionally, or with reckless disregard for the risk of great bodily injury, to or death of any person, emitting an air contaminant that caused injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endangered the comfort, repose, health, or safety of any of those persons or the public, or that caused, or had a natural tendency to cause, injury or damage to business or property.

COUNT 43

On or about November 18, 2014, in the above named Judicial District, the crime of CAUSE GREAT BODILY INJURY OR DEATH BY EMITTING AN AIR CONTAMINANT, in violation of Health and Safety Code 42400.3(c), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA and KENNETH DOUGLAS GRIFFIN JR, who caused great bodily injury to, or death of, a person, to wit: Jose Arreloa, by willfully and intentionally, or with reckless disregard for the risk of great bodily injury, to or death of any person, emitting an air contaminant that caused injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endangered the comfort, repose, health, or safety of any of those persons or the public, or that caused, or had a natural tendency to cause, injury or damage to business or property.

COUNT 44

On or about November 18, 2014, in the above named Judicial District, the crime of CAUSE GREAT BODILY INJURY OR DEATH BY EMITTING AN AIR CONTAMINANT, in violation of Health and Safety Code 42400.3(c), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA and KENNETH DOUGLAS GRIFFIN JR, who caused great bodily injury to, or death of, a person, to wit: Mike Topete, by willfully and intentionally, or with reckless disregard for the risk of great bodily injury, to or death of any person, emitting an air contaminant that caused injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endangered the comfort, repose, health, or safety of any of those persons or the public, or that caused, or had a natural tendency to cause, injury or damage to business or property.

COUNT 45

On or about November 18, 2014, in the above named Judicial District, the crime of CAUSE GREAT BODILY INJURY OR DEATH BY EMITTING AN AIR CONTAMINANT, in violation of Health and Safety Code 42400.3(c), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA and KENNETH DOUGLAS GRIFFIN JR, who caused great bodily injury to, or death of, a person, to wit: Alex Arriaga, by willfully and intentionally, or with reckless disregard for the risk of great bodily injury, to or death of any person, emitting an air contaminant that caused injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endangered the comfort, repose, health, or safety of any of those persons or the public, or that caused, or had a natural tendency to cause, injury or damage to business or property.

COUNT 46

On or about November 18, 2014, in the above named Judicial District, the crime of CAUSE GREAT BODILY INJURY OR DEATH BY EMITTING AN AIR CONTAMINANT, in violation of Health and Safety Code 42400.3(c), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA and KENNETH DOUGLAS GRIFFIN JR, who caused great bodily injury to, or death of, a person, to wit: Devin Kurtz, by willfully and intentionally, or with reckless disregard for the risk of great bodily injury, to or death of any person, emitting an air contaminant that caused injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endangered the comfort, repose, health, or safety of any of those persons or the public, or that caused, or had a natural tendency to cause, injury or damage to business or property.

COUNT 47

On or about November 18, 2014, in the above named Judicial District, the crime of CAUSE GREAT BODILY INJURY OR DEATH BY EMITTING AN AIR CONTAMINANT, in violation of Health and Safety Code 42400.3(c), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA and KENNETH DOUGLAS GRIFFIN JR, who caused great bodily injury to, or death of, a person, to wit: Mike Grindrod, by willfully and intentionally, or with reckless disregard for the risk of great bodily injury, to or death of any person, emitting an air contaminant that caused injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endangered the comfort, repose, health, or safety of any of those persons or the public, or that caused, or had a natural tendency to cause, injury or damage to business or property.

COUNT 48

On or about November 18, 2014, in the above named Judicial District, the crime of CAUSE GREAT BODILY INJURY OR DEATH BY EMITTING AN AIR CONTAMINANT, in violation of Health and Safety Code 42400.3(c), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA and KENNETH DOUGLAS GRIFFIN JR, who caused great bodily injury to, or death of, a person, to wit: Lucas Beller, by willfully and intentionally, or with reckless disregard for the risk of great bodily injury, to or death of any person, emitting an air contaminant that caused injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endangered the comfort, repose, health, or safety of any of those persons or the public, or that caused, or had a natural tendency to cause, injury or damage to business or property.

COUNT 49

On or about November 18, 2014, in the above named Judicial District, the crime of CAUSE GREAT BODILY INJURY OR DEATH BY EMITTING AN AIR CONTAMINANT, in violation of Health and Safety Code 42400.3(c), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA and KENNETH DOUGLAS GRIFFIN JR, who caused great bodily injury to, or death of, a person, to wit: Joe Dullam, by willfully and intentionally, or with reckless disregard for the risk of great bodily injury, to or death of any person, emitting an air contaminant that caused injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endangered the comfort, repose, health, or safety of any of those persons or the public, or that caused, or had a natural tendency to cause, injury or damage to business or property.

COUNT 50

On or about November 18, 2014, in the above named Judicial District, the crime of CAUSE GREAT BODILY INJURY OR DEATH BY EMITTING AN AIR CONTAMINANT, in violation of Health and Safety Code 42400.3(c), a Felony, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA and KENNETH DOUGLAS GRIFFIN JR, who caused great bodily injury to, or death of, a person, Robert Stockman, by willfully and intentionally, or with reckless disregard for the risk of great bodily injury, to or death of any person, emitting an air contaminant that caused injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endangered the comfort, repose, health, or safety of any of those persons or the public, or that caused, or had a natural tendency to cause, injury or damage to business or property.

COUNT 51

On or about November 18, 2014, in the above named Judicial District, the crime of CAUSE GREAT BODILY INJURY BY NEGLIGENTLY EMITTING AN AIR CONTAMINANT, in violation of Health and Safety Code 42400.1(b), a Misdemeanor, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA and KENNETH DOUGLAS GRIFFIN JR, who caused great bodily injury by negligently emitting an air contaminant that caused injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endangered the comfort, repose, health, or safety of any of those persons, to wit: Milo Bustillos, or the public, or that caused, or had a natural tendency to cause, injury or damage to business or property.

COUNT 52

On or about November 18, 2014, in the above named Judicial District, the crime of CAUSE GREAT BODILY INJURY BY NEGLIGENTLY EMITTING AN AIR CONTAMINANT, in violation of Health and Safety Code 42400.1(b), a Misdemeanor, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA and KENNETH DOUGLAS GRIFFIN JR, who caused great bodily injury by negligently emitting an air contaminant that caused injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endangered the comfort, repose, health, or safety of any of those persons, to wit: Matthew May, or the public, or that caused, or had a natural tendency to cause, injury or damage to business or property.

COUNT 53

On or about November 18, 2014, in the above named Judicial District, the crime of CAUSE GREAT BODILY INJURY BY NEGLIGENTLY EMITTING AN AIR CONTAMINANT, in violation of Health and Safety Code 42400.1(b), a Misdemeanor, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA and KENNETH DOUGLAS GRIFFIN JR, who caused great bodily injury by negligently emitting an air contaminant that caused injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endangered the comfort, repose, health, or safety of any of those persons, to wit: Matthew Lindsey, or the public, or that caused, or had a natural tendency to cause, injury or damage to business or property.

COUNT 54

On or about November 18, 2014, in the above named Judicial District, the crime of CAUSE GREAT BODILY INJURY BY NEGLIGENTLY EMITTING AN AIR CONTAMINANT, in violation of Health and Safety Code 42400.1(b), a Misdemeanor, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA and KENNETH DOUGLAS GRIFFIN JR, who caused great bodily injury by negligently emitting an air contaminant that caused injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endangered the comfort, repose, health, or safety of any of those persons, to wit: Chris Gonzales, or the public, or that caused, or had a natural tendency to cause, injury or damage to business or property.

COUNT 55

On or about November 18, 2014, in the above named Judicial District, the crime of CAUSE GREAT BODILY INJURY BY NEGLIGENTLY EMITTING AN AIR CONTAMINANT, in violation of Health and Safety Code 42400.1(b), a Misdemeanor, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA and KENNETH DOUGLAS GRIFFIN JR, who caused great bodily injury by negligently emitting an air contaminant that caused injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endangered the comfort, repose, health, or safety of any of those persons, to wit: John Chinda Butchan, or the public, or that caused, or had a natural tendency to cause, injury or damage to business or property.

COUNT 56

On or about November 18, 2014, in the above named Judicial District, the crime of CAUSE GREAT BODILY INJURY BY NEGLIGENTLY EMITTING AN AIR CONTAMINANT, in violation of Health and Safety Code 42400.1(b), a Misdemeanor, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA and KENNETH DOUGLAS GRIFFIN JR, who caused great bodily injury by negligently emitting an air contaminant that caused injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endangered the comfort, repose, health, or safety of any of those persons, to wit: Lucas Beller, or the public, or that caused, or had a natural tendency to cause, injury or damage to business or property.

COUNT 57

On or about November 18, 2014, in the above named Judicial District, the crime of CAUSE GREAT BODILY INJURY BY NEGLIGENTLY EMITTING AN AIR CONTAMINANT, in violation of Health and Safety Code 42400.1(b), a Misdemeanor, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA and KENNETH DOUGLAS GRIFFIN JR, who caused great bodily injury by negligently emitting an air contaminant that caused injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endangered the comfort, repose, health, or safety of any of those persons, to wit: Joe Dullam, or the public, or that caused, or had a natural tendency to cause, injury or damage to business or property.

COUNT 58

On or about November 18, 2014, in the above named Judicial District, the crime of CAUSE GREAT BODILY INJURY BY NEGLIGENTLY EMITTING AN AIR CONTAMINANT, in violation of Health and Safety Code 42400.1(b), a Misdemeanor, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA and KENNETH DOUGLAS GRIFFIN JR, who caused great bodily injury by negligently emitting an air contaminant that caused injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endangered the comfort, repose, health, or safety of any of those persons, to wit: Jose Arreola, or the public, or that caused, or had a natural tendency to cause, injury or damage to business or property.

COUNT 59

On or about November 18, 2014, in the above named Judicial District, the crime of CAUSE GREAT BODILY INJURY BY NEGLIGENTLY EMITTING AN AIR CONTAMINANT, in violation of Health and Safety Code 42400.1(b), a Misdemeanor, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA and KENNETH DOUGLAS GRIFFIN JR, who caused great bodily injury by negligently emitting an air contaminant that caused injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endangered the comfort, repose, health, or safety of any of those persons, to wit: Mike Topete, or the public, or that caused, or had a natural tendency to cause, injury or damage to business or property.

COUNT 60

On or about November 18, 2014, in the above named Judicial District, the crime of CAUSE GREAT BODILY INJURY BY NEGLIGENTLY EMITTING AN AIR CONTAMINANT, in violation of Health and Safety Code 42400.1(b), a Misdemeanor, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA and KENNETH DOUGLAS GRIFFIN JR, who caused great bodily injury by negligently emitting an air contaminant that caused injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endangered the comfort, repose, health, or safety of any of those persons, to wit: Alex Arriaga, or the public, or that caused, or had a natural tendency to cause, injury or damage to business or property.

COUNT 61

On or about November 18, 2014, in the above named Judicial District, the crime of CAUSE GREAT BODILY INJURY BY NEGLIGENTLY EMITTING AN AIR CONTAMINANT, in violation of Health and Safety Code 42400.1(b), a Misdemeanor, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA and KENNETH DOUGLAS GRIFFIN JR, who caused great bodily injury by negligently emitting an air contaminant that caused injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endangered the comfort, repose, health, or safety of any of those persons, to wit: Devin Kurtz, or the public, or that caused, or had a natural tendency to cause, injury or damage to business or property.

COUNT 62

On or about November 18, 2014, in the above named Judicial District, the crime of CAUSE GREAT BODILY INJURY BY NEGLIGENTLY EMITTING AN AIR CONTAMINANT, in violation of Health and Safety Code 42400.1(b), a Misdemeanor, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA and KENNETH DOUGLAS GRIFFIN JR, who caused great bodily injury by negligently emitting an air contaminant that caused injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endangered the comfort, repose, health, or safety of any of those persons, to wit: Mike Grindrod, or the public, or that caused, or had a natural tendency to cause, injury or damage to business or property.

COUNT 63

On or about November 18, 2014, in the above named Judicial District, the crime of CAUSE GREAT BODILY INJURY BY NEGLIGENTLY EMITTING AN AIR CONTAMINANT, in violation of Health and Safety Code 42400.1(b), a Misdemeanor, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA and KENNETH DOUGLAS GRIFFIN JR, who caused great bodily injury by negligently emitting an air contaminant that caused injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endangered the comfort, repose, health, or safety of any of those persons, to wit: Robert Stockman, or the public, or that caused, or had a natural tendency to cause, injury or damage to business or property.

COUNT 64

On or about November 18, 2014, in the above named Judicial District, the crime of CAUSE GREAT BODILY INJURY BY NEGLIGENTLY EMITTING AN AIR CONTAMINANT, in violation of Health and Safety Code 42400.1(b), a Misdemeanor, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA and KENNETH DOUGLAS GRIFFIN JR, who caused great bodily injury by negligently emitting an air contaminant that caused injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endangered the comfort, repose, health, or safety of any of those persons, to wit: Robert Alamillo, or the public, or that caused, or had a natural tendency to cause, injury or damage to business or property.

COUNT 65

On or about November 18, 2014, in the above named Judicial District, the crime of CAUSE GREAT BODILY INJURY BY NEGLIGENTLY EMITTING AN AIR CONTAMINANT, in violation of Health and Safety Code 42400.1(b), a Misdemeanor, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA and KENNETH DOUGLAS GRIFFIN JR, who caused great bodily injury by negligently emitting an air contaminant that caused injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endangered the comfort, repose, health, or safety of any of those persons, to wit: Mark Alcantar, or the public, or that caused, or had a natural tendency to cause, injury or damage to business or property.

COUNT 66

On or about August 24, 2014 through November 18, 2014, in the above named Judicial District, the crime of FAILURE TO UPDATE HAZARDOUS MATERIALS INVENTORY, in violation of Health and Safety Code 25515.1, a Misdemeanor, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY and CHARLES RAY MUNDY, who being a business subject to Article 1 of Chapter 6.95 of Division 20 of the Health and Safety Code, knowingly failed after reasonable notice to update a business plan within 30 days of handling of a previously undisclosed hazardous material subject to the inventory requirements within the meaning of Health and Safety Code section 25508.1(b).

COUNT 67

On or about November 05, 2014, in the above named Judicial District, the crime of INTERFERENCE WITH ENFORCEMENT, in violation of Health and Safety Code 25515.4, a Misdemeanor, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, DOUGLAS BRIAN EDWARDS, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA, WILLIAM JAMES MITZEL, KENNETH DOUGLAS GRIFFIN JR, MARLENE JOAN FALTEMIER and DAVID JOSEPH WIRSING, who did willfully prevent, interfere with, and attempt to impede the enforcement by any authorized representative of a unified program agency of Article 1 of Chapter 6.95 of the California Health and Safety Code.

COUNT 68

On or about January 01, 2014 through November 18, 2014, in the above named Judicial District, the crime of REPEATED VIOLATION OF A LABOR SAFETY STANDARD, in violation of Labor Code 6423(a)(2), a Misdemeanor, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY and CHARLES RAY MUNDY, DOUGLAS BRIAN EDWARDS, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA and KENNETH DOUGLAS GRIFFIN JR, who having direction, management, control and custody of employment, place of employment and an employee, did repeatedly violate any standard, order, or special order, and any provision of Division 5 of the Labor Code; to wit: 8 California Code of Regulations 5164(a) Storage of Hazardous Substances.

COUNT 69

On or about January 01, 2014 through November 18, 2014, in the above named Judicial District, the crime of REPEATED VIOLATION OF A LABOR SAFETY STANDARD, in violation of Labor Code 6423(a)(2), a Misdemeanor, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, DOUGLAS BRIAN EDWARDS, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA and KENNETH DOUGLAS GRIFFIN JR, who having direction, management, control and custody of employment, place of employment and an employee, did repeatedly violate any standard, order, or special order, and any provision of Division 5 of the Labor Code; to wit: 8 California Code of Regulations 5194(f)(6) Hazard Communication.

COUNT 70


On or about January 01, 2014 through November 18, 2014, in the above named Judicial District, the crime of REPEATED VIOLATION OF A LABOR SAFETY STANDARD, in violation of Labor Code 6423(a)(2), a Misdemeanor, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY, CHARLES RAY MUNDY, DOUGLAS BRIAN EDWARDS, BROCK GUSTIN WILLIAM BAKER, MARK STEPHEN AVILA and KENNETH DOUGLAS GRIFFIN JR, who having direction, management, control and custody of employment, place of employment and an employee, did repeatedly violate any standard, order, or special order, and any provision of Division 5 of the Labor Code; to wit: 8 California Code of Regulations 3380(f)(1) Personal Protective Devices.

COUNT 71

On or about January 01, 2014 through November 18, 2014, in the above named Judicial District, the crime of REPEATED VIOLATION OF A LABOR SAFETY STANDARD, in violation of Labor Code 6423(a)(2), a Misdemeanor, was committed by GREEN COMPASS ENVIRONMENTAL SOLUTIONS LLC, SANTA CLARA WASTE WATER COMPANY and CHARLES RAY MUNDY and DOUGLAS BRIAN EDWARDS and BROCK GUSTIN WILLIAM BAKER and MARK STEPHEN AVILA and KENNETH DOUGLAS GRIFFIN JR, who having direction, management, control and custody of employment, place of employment and an employee, did repeatedly violate any standard, order, or special order, and any provision of Division 5 of the Labor Code; to wit: 8 California Code of Regulations 5194(h)(1) Hazard Communication.

A TRUE BILL.

DATED: 8/7/15


PAUL SCOTT ORCUTT
GRAND JURY FOREPERSON
CRIMINAL GRAND JURY

Witness List

1. Robert Alamillo
2. Mark Alcantar
3. Anahit Alvazya
4. Nick Arbuckle
5. Jose Arreola
6. Alex Arriaga
7. Kyle Aston
8. Mark Avila
9. Gus Baker
10. Jeff Barry
11. Lucas Beller
12. Cpt. Milo Bustillos
13. Chinda Butchan
14. Dale Chester
15. Steven Correa, M.D.
16. Reem Dajami
17. Tonie DeMarino
18. Jeff Donabedian
19. Trent Dowler
20. Joe Dullam
21. Carl Edwards
22. Marlene Faltemier
23. George Flack
24. Desmond Gibson
25. Chris Gonzales
26. Jeremy Grant
27. Hunter Griffin
28. Kenny Griffin
29. Kyle Grindrod
30. Michael Grindrod
31. Albert Hernandez
32. Marco Hernandez
33. Dan Horan
34. Frank Huber
35. Devin Kurtz
36. Chief Dustin Lazenby
37. Kenneth Leighton
38. Matt Lindsey
39. Dr. Joel Lowry
40. Henry Madrid
41. Eleazar Magana
42. Steve Mattern
43. Matt May
44. Andreea Minea
45. Bill Mitzel
46. Angel Montiel

47. Richard Mooney
 48. Theresa Morris
 49. Michael Miles
 50. Chuck Mundy
 51. Oscar Ortega
 52. Donald Osborn
 53. Elizabeth Paniagua
 54. Cpt. Barry Parker
 55. Gloria Peacock
 56. Dean Poe
 57. Alan Repede
 58. Commander Juan Reynoso
 59. Karen Ryan
 60. Jimmy Seidel
 61. Dana Sullivan
 62. Robert Stockman
 63. Mike Topete
 64. Jim Wada
 65. Eric Weatherbey
 66. Bailey Williams
 67. Dave Wirsing
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