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6 Attorneys for Respondents
7 Emhart Industries, Inc. Kwikset Locks Inc., Kwikset
Corporation, Black & Decker (U.S.) Inc., and Black &
8 Decker Inc.

9 BEFORE THE CALIFORNIA
10 STATE WATER RESOURCES CONTROL BOARD

11
12 IN THE MATTER OF
13 PERCHLORATE CONTAMINATION AT
THE 160-ACRE SITE IN THE RIALTO
14 AREA,
15 vs.
16 Defendant.

Case No. SWRCB/OCC FILE A-1824
WITNESS TESTIMONY SUMMARIES
EMHART INDUSTRIES, INC., KWIKSET
LOCKS, INC., KWIKSET CORPORATION,
BLACK & DECKER (U.S.) INC., AND
BLACK & DECKER INC.

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1 Emhart Industries, Inc. ("Emhart"), Kwikset Locks, Inc. ("KLI"), Kwikset Corporation
2 ("Kwikset"), Black & Decker (U.S.) Inc. ("BD(US)I"), and Black & Decker Inc. ("BDI")
3 (collectively the "Emhart Parties") hereby submit their summary of witness testimony in
4 accordance with the Revised Notice of Hearing issued March 8, 2007 by the Hearing
5 Officer in this proceeding.

6 **REGIONAL BOARD STAFF MEMBERS:**

7 **1. Gerard J. Thibeault**

8 Mr. Thibeault has been the Executive Officer of the Santa Ana Regional Water
9 Quality Control Board (the "Regional Board") since September of 1988, and has been
10 employed by the Regional Board since December of 1985. As a Regional Board
11 employee, and specifically as Executive Officer, Mr. Thibeault has had personal
12 involvement in, and/or ultimate oversight responsibility for, various facilities suspected of
13 contributing to contamination of groundwater in the Rialto-Colton Basin. Mr. Thibeault
14 will testify about the Regional Board's involvement in the installation, monitoring and
15 purported closure of the Pyrotronics disposal pit known as the McLaughlin Pit. The
16 testimony the Emhart Parties intend to elicit on this issue from Mr. Thibeault can be
17 located at the following pages of Mr. Thibeault's deposition transcripts: (Vol. 1) 95:9-
18 95:22; 97:18-98:23; 100:12-21; 125:8-15; 128:14-25; 130:2-11; 132:2-9; 136:8-12;
19 138:22-139:3; 144:15-22; 146:1-147:5; 148:9-22; 155:21-156:10; 157:19-158:5; 159:19-
20 24; 164:5-9; 166:19-167:5; 170:5-171:8; 173:22-174:8; 174:22-175:4; 178:5-15; 179:18-
21 24; 184:2-185:2; 191:9-21; 198:12-17; 205:23-206:14; (Vol. 2) 243:23-244:5; 256:7-25;
22 319:18-320:8; 327:16-328:25; 333:4-13; 339:10-340:5; 342:4-19; 353:1-22; 364:12-365:4;
23 373:11-15; 376:1-8; 378:19-379:5; 467:15-468:14; 477:25-478:18; 479:20-480:3; 481:24-
24 482:8.

25 Mr. Thibeault will also testify about the Regional Board's approval of the use of
26 "wash" or "settlement" ponds by Robertson's Ready Mix at the expansion area of the Mid
27 Valley Sanitary Landfill, and the contamination caused thereby. The testimony the
28 Emhart Parties intend to elicit on this issue from Mr. Thibeault can be located at the

1 following pages of Mr. Thibeault's deposition transcripts: (Vol. 1) 59:19-60:6; 63:23-64:7;
2 64:10-16; (Vol. 2) 436:1-11; 436:19-437:9; 443:11-16; 444:2-6; 446:3-13; 446:17-447:13;
3 450:17-451:25; 452:3-15; 453:17-454:4; 454:12-18; 455:8-456:11; 456:24-457:20; 463:7-
4 18.

5 Mr. Thibeault will also testify as to evidence, or lack thereof, that West Coast
6 Loading Corporation ("WCLC") caused or permitted, or threatens to cause or permit a
7 discharge of perchlorate or TCE to groundwater in the Rialto-Colton Groundwater Basin
8 that will adversely and unreasonably affect the beneficial uses of that groundwater. The
9 testimony the Emhart Parties intend to elicit on this issue from Mr. Thibeault can be
10 located at the following pages of Mr. Thibeault's deposition transcripts: (Vol. 1) 48:7-15;
11 51:-18; 76:23-78:14; 172:2-17; 208:15-209:9; (Vol. 2) 232:3-233:23; 466:17-22; 473:21-
12 474:8; 487:3-488:5; 497:10-13.

13 In addition to such specific uses of Mr. Thibeault's testimony, the Emhart Parties
14 intend to submit the foregoing testimony to demonstrate that no Party to this proceeding
15 can establish the validity of the facts and/or assertions relating to the Emhart Parties, or
16 any of them, set forth in the 2006 Draft CAO. The Emhart Parties reserve the right to
17 supplement this submission based on the submissions of any other Party, and further
18 reserve the right to offer any portion of Mr. Thibeault's transcripts for impeachment and/or
19 rebuttal purposes.

20 The Emhart Parties also intend to rely upon and incorporate testimony from this
21 witness elicited by Goodrich Corporation and Pyro Spectaculars, Inc.

22 2. Kurt V. Berchtold

23 Mr. Berchtold has been the Assistant Executive Officer of the Santa Ana Regional
24 Water Quality Control Board since October of 1988, and has been employed by the
25 Regional Board since 1981. As a Regional Board employee, Mr. Berchtold has had
26 personal involvement in, and/or supervisory responsibility for, various facilities suspected
27 of contributing to contamination of groundwater in the Rialto-Colton Basin. Mr. Berchtold
28 will testify about the Regional Board's involvement in the installation, monitoring and

1 purported closure of the Pyrotronics disposal pit known as the McLaughlin Pit. The
2 testimony the Emhart Parties intend to elicit on this issue from Mr. Berchtold can be
3 located at the following pages of Mr. Berchtold's deposition transcript: 60:3-11; 67:22-
4 68:2; 106:9-14; 118:14-20; 135:6-10; 143:17-20; 149:23-150:3; 153:24-154:10; 159:23-
5 160:11; 165:24-166:16; 168:7-169:1; 171:9-172:14; 177:16-178:6; 179:10-180:20; 193:3-
6 11; 199:1-8; 213:11-21; 226:16-25; 230:19-231:17; 234:19-235:2; 236:10-237:3; 255:25-
7 256:18; 257:2-10; 259:13-260:9; 265:19-25; 267:22-268:7; 269:18-270:2; 277:24-278:21;
8 287:2-15; 298:5-8; 299:1-12; 312:25-313:9.

9 Mr. Berchtold will also testify as to evidence, or lack thereof, that West Coast
10 Loading Corporation ("WCLC") caused or permitted, or threatens to cause or permit a
11 discharge of perchlorate or TCE to groundwater in the Rialto-Colton Groundwater Basin
12 that will adversely and unreasonably affect the beneficial uses of that groundwater. The
13 testimony the Emhart Parties intend to elicit on this issue from Mr. Berchtold can be
14 located at the following pages of Mr. Berchtold's deposition transcript: 56:6-11.

15 In addition to such specific uses of Mr. Berchtold's testimony, the Emhart Parties
16 intend to submit the foregoing testimony to demonstrate that no Party to this proceeding
17 can establish the validity of the facts and/or assertions relating to the Emhart Parties, or
18 any of them, set forth in the 2006 Draft CAO. The Emhart Parties reserve the right to
19 supplement this submission based on the submissions of any other Party, and further
20 reserve the right to offer any portion of Mr. Berchtold's transcript for impeachment and/or
21 rebuttal purposes.

22 The Emhart Parties also intend to rely upon and incorporate testimony from this
23 witness elicited by Goodrich Corporation and Pyro Spectaculars, Inc.

24 3. Robert Holub

25 Robert Holub is a member of the staff of the California Regional Water Quality
26 Control Board, Santa Ana Region. He has been with the Regional Board for his entire
27 career, starting in 1975, and currently holds the title Supervising Water Resources
28 Engineer. As a Regional Board employee, Mr. Holub has had personal involvement in,

1 and/or ultimate oversight responsibility for, various facilities suspected of contributing to
2 contamination of groundwater in the Rialto-Colton Basin. Mr. Holub will testify about the
3 Regional Board's involvement in the installation, monitoring and purported closure of the
4 Pyrotronics disposal pit known as the McLaughlin Pit. The testimony the Emhart Parties
5 intend to elicit on this issue from Mr. Holub can be located at the following pages of Mr.
6 Holub's deposition transcripts: 311:5-9; 312:4-25; 465:15-466:13; 502:8-14; 507:1-18;
7 508:18-25; 514:3-5; 549:19-550:3; 558:6-24; 567:5-24; 569:5-14; 605:21-606:15; 611:9-
8 612:13; 616:7-19; 618:22-619:13; 628:9-629:2; 633:11-634:10; 638:1-3; 640:9-13;
9 646:10-16; ; 663:4-664:2; 666:10-668:19; 679:19-680:16; 682:6-21; 683:11-684:23;
10 685:15-687:8; 690:10-692:12; 695:17-696:1; 706:3-707:3; 707:9-11; 709:8-23; 710:6-10;
11 714:7-22; 717:1-6; 719:2-720:18; 721:16-19; 723:1-22; 727:13-728:8; 729:21-730:5;
12 732:2-733:2; 734:8-14; 737:13-739:11; 752:9-753:6; 762:14-18; 770:8-773:22; 775:16-
13 776:3; 860:18-861:19; 866:12-19; 870:7-871:9; 873:1-874:6; 874:21-875:9; 884:14-
14 885:20; 899:22-900:4.

15 Mr. Holub will also testify as to the evidence, or lack thereof, demonstrating that
16 discharges of perchlorate by WCLC have contaminated, or threaten to contaminate, the
17 groundwater in the Rialto-Colton Basin. Mr. Holub will also testify about the reputation of
18 the Emhart Parties' environmental investigation firm, ENVIRON. The testimony the
19 Emhart Parties intend to elicit on this issue from Mr. Holub can be located at the following
20 page numbers of Mr. Holub's deposition: 124:18-24; 125:8-12; 308:16-309:15; 408:19-
21 409:6; 687:9-688:21; 752:9-753:6; 775:16-776:3; 955:8-19; 956:1-13; 961:2-11; 983:14-
22 984:23; 988:20-25; 993:6-14; 995:22-996:20; 1005:10-16; 1008:1-24; 1023:1-6.

23 Mr. Holub will also testify regarding whether he is an expert in areas which his
24 proposed testimony to the State Board may cover. The testimony the Emhart Parties
25 intend to elicit on this issue from Mr. Holub can be located at the following pages of Mr.
26 Holub's deposition: 218:6-221:3; 429:22-24; 810:16-811:1.

27 In addition to such specific uses of this witness' testimony, the Emhart Parties
28 intend to submit the foregoing testimony to demonstrate that no Party to this proceeding

1 can establish the validity of the facts and/or assertions relating to the Emhart Parties, or
2 any of them, set forth in the 2006 Draft CAO. The Emhart Parties reserve the right to
3 supplement this submission based on the submissions of any other Party, and further
4 reserve the right to offer any portion of this witness' transcripts for impeachment and/or
5 rebuttal purposes.

6 The Emhart Parties also intend to rely upon and incorporate testimony from this
7 witness elicited by Goodrich Corporation and Pyro Spectaculars, Inc.

8 **4. Ann Sturdivant**

9 Ann Sturdivant is a member of the staff of the California Regional Water Quality
10 Control Board, Santa Ana Region with the title Senior Engineering Geologist. The
11 testimony the Emhart Parties intend to elicit from Ms. Sturdivant includes the evidence, or
12 lack thereof, demonstrating that discharges of perchlorate by WCLC have contaminated,
13 or threaten to contaminate, the groundwater in the Rialto-Colton Basin. The Emhart
14 Parties will also elicit testimony on the deposition pages for this witness as cited in the
15 Emhart Parties' Opening Brief and included as exhibits thereto, including the following
16 pages of Ms. Sturdivant's deposition: 48; 258; 259.

17 In addition to such specific uses of this witness' testimony, the Emhart Parties
18 intend to submit the foregoing testimony to demonstrate that no Party to this proceeding
19 can establish the validity of the facts and/or assertions relating to the Emhart Parties, or
20 any of them, set forth in the 2006 Draft CAO. The Emhart Parties reserve the right to
21 supplement this submission based on the submissions of any other Party, and further
22 reserve the right to offer any portion of this witness' transcripts for impeachment and/or
23 rebuttal purposes.

24 The Emhart Parties also intend to rely upon and incorporate testimony from this
25 witness elicited by Goodrich Corporation and Pyro Spectaculars, Inc.

26 **5. Kamron Saremi**

27 Kamron Saremi is a member of the staff of the California Regional Water Quality
28 Control Board, Santa Ana Region with the title Associate Water Resources Control

1 Engineer. Mr. Saremi will testify regarding the cooperation of Environ and the Emhart
2 Parties with his requests for sampling additional locations at the 160 Acre Site. The
3 testimony the Emhart Parties intend to elicit from Mr. Saremi also includes the evidence,
4 or lack thereof, demonstrating that discharges of perchlorate by WCLC have
5 contaminated, or threaten to contaminate, the groundwater in the Rialto-Colton Basin.
6 The Emhart Parties will also elicit testimony on the deposition pages for this witness as
7 cited in the Emhart Parties' Opening Brief and included as exhibits thereto.

8 In addition to such specific uses of this witness' testimony, the Emhart Parties
9 intend to submit the foregoing testimony to demonstrate that no Party to this proceeding
10 can establish the validity of the facts and/or assertions relating to the Emhart Parties, or
11 any of them, set forth in the 2006 Draft CAO. The Emhart Parties reserve the right to
12 supplement this submission based on the submissions of any other Party, and further
13 reserve the right to offer any portion of this witness' transcripts for impeachment and/or
14 rebuttal purposes.

15 The Emhart Parties also intend to rely upon and incorporate testimony from this
16 witness elicited by Goodrich Corporation and Pyro Spectaculars, Inc.

17 **6. Dixie Lass**

18 Dixie Lass is a member of the staff of the California Regional Water Quality
19 Control Board, Santa Ana Region. As a Regional Board employee, Ms. Lass has had
20 personal involvement in, and/or supervisory responsibility for, facilities suspected of
21 contributing to contamination of groundwater in the Rialto-Colton Basin. The testimony
22 the Emhart Parties intend to elicit from Ms. Lass includes her involvement in the Regional
23 Board's approval and monitoring of the "wash" or "settlement" ponds by Robertson's
24 Ready Mix at the expansion area of the Mid Valley Sanitary Landfill, and the
25 contamination caused thereby. The Emhart Parties also intend to elicit testimony
26 regarding the applicability of Subchapter 15 requirements to the McLaughlin Pit and the
27 Regional Board's enforcement of, or failure to enforce, such requirements.

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1 The Emhart Parties also intend to rely upon and incorporate testimony from this
2 witness elicited by Goodrich Corporation and Pyro Spectaculars, Inc.

3 **EMHART PARTIES' EXPERTS**

4 7. **George O. Linkletter (Expert)**

5 Expert Qualifications: George O. Linkletter is a Principal at ENVIRON
6 International Corporation ("Environ") and has over thirty years of experience in the fields
7 of geochemistry and environmental geology. He received A.B. and A.M. degrees in
8 geology from Dartmouth College, and a Ph.D. in geology from the University of
9 Washington, Seattle. He has authored and co-authored over 30 technical papers in the
10 earth and atmospheric sciences. In the 1970s, he developed one of the first academic
11 programs in environmental geology in the United States. A copy of his curriculum vitae is
12 attached to his declaration submitted concurrently herewith.

13 Testimony Summary: Dr. Linkletter has submitted a declaration setting forth
14 portions of his testimony and submitting certain reports Environ has generated. He will
15 testify regarding the environmental investigation of the 160-Acre Site conducted by
16 Environ on behalf of the Emhart Parties. His testimony will also address the documents
17 attached to his declaration, including the March 30, 2007 Focused Summary Report of
18 Investigation of the WCLC Use Areas prepared by Environ and submitted to the Regional
19 Board and U.S. EPA on the same date; a February 2006 Remedial Investigation Work
20 Plan prepared jointly by Environ and Adverus, Inc. on behalf of Emhart Industries, Inc.,
21 PyroSpectaculars, Inc., respectively, at the request of the Regional Board; and a January
22 2005 Site Investigation Report prepared by Environ on behalf of Emhart Industries, Inc. at
23 the request of the U.S. Environmental Protection Agency in coordination with the
24 Regional Board. Dr. Linkletter will testify regarding the selection of study areas at the
25 160 Acre Site in full cooperation and coordination with, and the approval of, the Regional
26 Board and the U.S. EPA. Dr. Linkletter will also testify as to the costs incurred by the
27 Emhart Parties in undertaking the investigations.

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1 **8. David R. Dillehay, Ph.D. (Expert)**

2 Expert Qualifications: David R. Dillehay, Ph.D. is the President of Technical
3 Consultants, Inc. located in Marshall, Texas, which is in the business of consulting on
4 propellants, explosives and pyrotechnics for the military and industry. He received a B.A.
5 in Chemistry from Rice University in 1958, and a Ph.D. in Chemistry from Clayton
6 University in 1983. Dr. Dillehay has been professionally engaged for over 48 years in the
7 field of propellants, explosives, and pyrotechnics. Prior to founding Technical
8 Consultants in 1997, he was employed by Thiokol Corporation from 1958 to 1996, where
9 he held the following positions: Chief Scientist (1994-1996), Advanced Engineering
10 Manager (1984-1994), Processing Engineering Supervisor (1977-1984), and
11 Development Chemist/Project Engineer (1958-1976). During his career with Thiokol
12 Corporation, he supervised pyrotechnic manufacturing operations at the Longhorn Army
13 Ammunition Plant in Marshall, Texas, and managed the production of illuminants, flares,
14 and simulators. Dr. Dillehay's professional activities have included co-founding The
15 International Pyrotechnics Society in 1980, and serving on the United States Navy
16 investigating team for the 1989 USS Iowa gun incident. He holds 11 patents and has
17 published over 52 technical papers in the field of pyrotechnics and energetic materials
18 processing. He recently co-authored a text called "Pyrotechnic Chemistry," published by
19 the Journal of Pyrotechnics, Inc. in 2004.

20 Testimony Summary: Dr. Dillehay's testimony is set forth in his declaration
21 submitted concurrently herewith. Dr. Dillehay's testimony will addresses the opinions of
22 the Advocacy Team, set forth at pages 14 through 19 of the Advocacy Team's
23 Memorandum of Points and Authorities, dated March 27, 2007, that: (a) at least 2,245 or
24 2,257 lbs. of scrap potassium perchlorate was generated between 1952 and 1957 by
25 WCLC at its facility in Rialto, California; (b) all of the scrap potassium perchlorate
26 generated by WCLC was dumped on the bare ground by its employees; and (c) an
27 explosion during the production of the M112 Photoflash Cartridge caused a significant
28 release of potassium perchlorate to the environment.

1 As set forth in his declaration, Dr. Dillehay's testimony includes his expert opinions
2 regarding which products manufactured by WCLC at its Rialto facility used potassium
3 perchlorate as an ingredient; how much potassium perchlorate was generated as scrap
4 during WCLC's production of products which contained potassium perchlorate; the
5 means of disposal regarding potassium perchlorate at WCLC and the generally accepted
6 safe disposal practices in the 1950's for scrap potassium perchlorate or scrap powders
7 containing potassium perchlorate in the munitions industry; and whether the explosion at
8 WCLC Building 42 on April 12, 1955, caused a significant release of potassium
9 perchlorate to the environment.

10 **9. Robert L. Powell, Ph.D. (Expert)**

11 Expert Qualifications: Dr. Powell is a Principal and a practicing environmental
12 engineer and ground water hydrologist at ENVIRON International Corporation. He
13 received a Ph.D. in Civil Engineering (Groundwater Hydrology) in 1983, an M.S. in Civil
14 Engineering (Water Resources) in 1977, and a B.S. in Civil Engineering (Environmental
15 Engineering) in 1973, each from the University of Maryland. Dr. Powell has over 30
16 years of experience as a practicing consultant in the fields of environmental engineering,
17 surface and ground water hydrology, hazardous waste management, contaminated site
18 investigation/ remediation, risk assessment, and environmental risk management. This
19 experience includes professional consulting services at many of the largest hazardous
20 waste disposal sites throughout the United States and Canada that are regulated under
21 federal and state environmental statutes. His work in this regard has included remedial
22 investigations and the evaluation and design of corrective actions at numerous industrial
23 and commercial facilities that generate hazardous wastes and other regulated materials.
24 These have included facilities that have undergone closure under RCRA, TSCA,
25 CERCLA, and related state regulatory programs such as the California Water Code.
26 Much of his experience in the past 20 years has been at facilities in California, where he
27 has conducted field investigation, modeling studies, developed and implemented
28 compliance monitoring programs and prepared feasibility studies for many waste disposal

1 and industrial sites undergoing closure under CERCLA, the Water Code and the Health &
2 Safety Code. Among his recent assignments, Dr. Powell is currently serving the state of
3 California EPA (DTSC) for the completion of a Supplemental Feasibility Study for the final
4 closure of the Stringfellow NPL Site in Glen Avon, California. Predominant contaminants
5 found at this site include perchlorate and TCE. Dr. Powell has previously been qualified
6 as an expert and testified in United States federal and state courts in the fields of ground
7 water hydrology, environmental investigations and remediation planning, environmental
8 risk management, and cost allocation/National Contingency Plan (NCP) consistency
9 under CERCLA regulations. A copy of his curriculum vitae is attached to his declaration.

10 Testimony Summary: Dr. Powell's testimony is set forth in his declaration
11 submitted concurrently herewith. As set forth in his declaration, Dr. Powell will testify
12 regarding his evaluation of historic information and more recently developed scientific
13 data related to the occurrence and movement of perchlorate and TCE in soils beneath
14 the former WCLC facility and the determination of what effect, if any, such chemicals
15 have had or could have on the quality of ground water in the vicinity of the former WCLC
16 facility. His testimony includes his expert opinion that there is no empirical evidence of a
17 significant release of potassium perchlorate between 1952 and 1957 at the 160-Acre Site
18 in the WCLC Study Areas which are the subject of Environ's March 30, 2007 report , and
19 that only trace amounts of perchlorate were released into soil in only three areas of the
20 160-Acre Site in which WCLC conducted historic operations. His testimony also includes
21 his expert opinion that the perchlorate released into soil in the areas in which WCLC
22 formerly operated at the 160-Acre Site has not adversely impacted the beneficial uses of
23 the ground water, and that any perchlorate released into the soil in those areas has been
24 retained in the nearby shallow soil horizon and has not migrated to any significant degree
25 towards the deeper water table. There has been no effect on ground water quality in the
26 Rialto-Colton Basin from these releases. Dr. Powell will also testify that the perchlorate
27 released into soil in the area in which WCLC formerly operated at the 160-Acres Site will
28 not eventually reach ground water to the degree that it interfere with or adversely affect

1 the beneficial uses of the ground water in the Rialto-Colton Basin, such that there will be
2 no effect on ground water in the future. Dr. Powell will also testify that there no empirical
3 evidence of a release of TCE between 1952 and 1957 at the 160-Acre Site in the WCLC
4 Study Areas which are the subject of Environ's March 30, 2007 report.

5 **10. Min-Ying Jacob Chu (Expert)**

6 Expert Qualifications: Min-Ying Jacob Chu is a Senior Associate in the
7 engineering and geoscience group at ENVIRON. Mr. Chu's resume is attached to his
8 declaration submitted concurrently herewith.

9 Testimony Summary: Mr. Chu's testimony is set forth in his declaration submitted
10 concurrently herewith. As set forth in his declaration, Mr. Chu will provide an expert
11 opinion concerning the mobility of surficial perchlorate present in the vadose zone under
12 natural precipitation conditions at the 160-Acre Parcel in Rialto, California. His evaluation
13 and opinion are further set forth in a report entitled "Estimation Of The Extent Of
14 Perchlorate Movement In The Vadose Zone At The 160-Acre Parcel Rialto, California,"
15 which is attached to his declaration submitted herewith.

16
17 **11. Wayne M. Grip (Expert)**

18 Expert Qualifications: Wayne M. Grip is the President of Aero-Data Corporation, a
19 professional consulting firm in the field of aerial photography and mapping, environmental
20 photointerpretation, and accident site investigations. A copy of Mr. Grip's resume is
21 attached to his declaration submitted herewith. Mr. Grip was awarded a BS in Geology
22 from the University of Wisconsin, Madison in 1966. He served as an officer, reaching the
23 rank of Captain in the U. S. Air Force between 1966-1970 where he specialized in aerial
24 photography interpretation for intelligence purposes. Thereafter, he pursued graduate
25 studies in soils and turf-grass agronomy at the University of Wisconsin, Madison from
26 1970-1971. Mr. Grip has attended numerous seminars on photogrammetry and remote
27 sensing and have given short courses on environmental photointerpretation and mapping
28 for the University of Wisconsin, U.S. Army Corps of Engineers, U.S. Office of Surface

1 Mining, and the Louisiana Department of Environmental Quality. He is a member of the
2 American Society of Photogrammetry and Remote Sensing and American Congress on
3 Surveying and Mapping. As a geologist, cartographer, photographer, photointerpreter
4 and pilot, he has designed and directed all aspects of projects involving
5 photointerpretation, photogrammetry, and photography acquisition (includes overflights
6 with Aero-Data aircraft). He has evaluated over 1000 sites in 36 different states and has
7 examined historical aerial photography for hazardous waste site investigations, surface
8 mine inspections and permitting, environmental audits, and accident site investigations.
9 He has also documented site uses with aerial photography, video, and thermal imagery,
10 and conducted contour mapping of plant sites and determined stock pile volumes.

11 Testimony Summary: Mr. Grip's testimony is set forth in his declaration submitted
12 concurrently herewith. As set forth in his declaration, Mr. Grip will testify that based on
13 his examination of aerial photographs, there is no evidence of waste disposal pits, burn
14 pits, trenches, or landfills at the 160 Acre site from 1952 to 1957 and that there were no
15 impoundment/levied areas containing liquids at the 160 Acre site during 1952-1957. He
16 will also testify that based on his examination of aerial photographs, there is evidence of
17 substantial agricultural activity on locations within the Rialto Colton Basin from 1930 to
18 1976 to the northwest, east, and southeast of the 160-Acre site, as illustrated on the
19 annotated aerial photographs submitted with his declaration.

20 **12. Nicholas L. Steenhaut (Expert)**

21 Expert Qualifications: Nicholas L. Steenhaut is a senior associate at ENVIRON
22 International Corporation ("Environ"). A copy of his resume is attached to his declaration
23 submitted concurrently herewith.

24 Testimony Summary: Mr. Steenhaut's testimony is set forth in his declaration
25 submitted concurrently herewith. As set forth in his declaration, he will testify regarding
26 observations made at four trenches which were excavated in a portion of the 160-Acre
27 Site designated as "Area 9" on Figure 2 of the March 30, 2007 Focused Summary Report
28 of the WCLC Areas, an area selected for investigation based on testimony from a former

1 WCLC employee (Ray Davis) that chemical and other waste materials had been
2 disposed of by WCLC employees in this location. Mr. Steenhaut will testify that no signs
3 of rags, gloves or other debris were observed in the four trenches, dug to a depth of
4 approximately 15 feet, and laboratory results for samples taken from the trenches were
5 non-detect for perchlorate and TCE. Mr. Steenhaut also submits a copy of a daily field
6 activities update written on April 13, 2006, by Jack Robinson, one of Environ's field
7 personnel, regarding the investigation of a Study Area as shown therein.

8 **13. Suzanne Ravano Thompson (Expert)**

9 Expert Qualifications: Suzanne Ravano Thompson is an Associate Director at
10 Navigant Consulting, Inc. ("Navigant Consulting"), where, as part of her regular practice,
11 she analyze business records, including financial statements, journal vouchers, general
12 ledgers and other operational reports, to determine whether the records support claims
13 made in litigation or in other dispute situations. Previously, she was a Manager at Tucker
14 Alan Inc. and worked in the audit practice of Deloitte & Touche LLP. She is a Certified
15 Public Accountant, licensed in the State of California since 1998. She earned a Bachelor
16 of Science degree in Accounting, Summa Cum Laude, from the University of San
17 Francisco in 1996, and a Master of Business Administration from the University of
18 Southern California in 2002. She has over 10 years of professional experience, primarily
19 in financial and accounting analysis in claims and disputes. Ms. Thompson has helped
20 teach a course covering accounting, economic and financial issues at Stanford University
21 in the Graduate School of Engineering for five years. She is a member of the American
22 Institute of Certified Public Accountants and the California Society of Certified Public
23 Accountants, and is a Certified Fraud Examiner and a member of the Association of
24 Certified Fraud Examiners. A copy of her curriculum vitae is attached to her declaration.

25 Testimony Summary: Ms. Thompson's testimony is set forth in her declaration
26 submitted concurrently herewith. As set forth in her declaration, Ms. Thompson will
27 testify regarding the history and disposition of West Coast Loading Corporation's
28 ("WCLC") munitions loading and assembly business located in Rialto, California . Her

1 testimony includes expert opinions that: WCLC discontinued all operations by March
2 1957; AHC did not continue the WCLC munitions loading and assembly business after
3 the dissolution of KLI at June 30, 1958; AHC did not record any existing contingent
4 environmental liability pertaining to the former WCLC or KLI, at or after the dissolution of
5 KLI at June 30, 1958; KLI's lockset return policy, the Kwikset Pension Trust obligation,
6 and KLI's potential future income tax liability were known contingencies before the
7 dissolution of KLI and were later properly recorded and disclosed as such by AHC in its
8 financial statements; the number of units of the M112 Photoflash Cartridge, XF-5A
9 Photoflash Cartridge, and M115 Ground Burst Simulator produced and the timing of such
10 production; and that there is no documentary record of a degreasing machine at WCLC.

11 **FORMER EMPLOYEES**

12 Based on the Revised Hearing Notice, the Emhart Parties believe that the Hearing
13 Officer is excluding deposition testimony for witnesses where it would be excluded by the
14 California Evidence Code. In the event the Hearing Officer determines otherwise, the
15 Emhart Parties have submitted all references to deposition testimony as exhibits.

16 **14. John Allegranza**

17 John Allegranza is a former employee of WCLC. Mr. Allegranza will testify about
18 the operations of WCLC. The testimony the Emhart Parties intend to elicit from this
19 witness can be located at the following pages of the witness' deposition: 113:16-20;
20 115:15-25; 123:9-16, which have been submitted as an exhibit.

21 **15. William Ashurst**

22 William Ashurst is a former employee of WCLC. Mr. Ashurst will testify about the
23 operations of WCLC. The testimony the Emhart Parties intend to elicit from this witness
24 can be located at the following pages of the witness' deposition: 73:17-74:18; 198:1-13
25 which have been submitted as an exhibit.

26 **16. Gerald Bland**

27 Gerald Bland is a former employee of WCLC. Mr. Bland will testify about the
28 operations of WCLC. The testimony the Emhart Parties intend to elicit from this witness

1 can be located at the following pages of the witness' deposition: 70:9-71:1; 23:17-124:4;
2 142:3-12; 227:12-228:5; 308:2-25; 396:13-22; 446:24-447:11; 451:7-15; 496:2-21;
3 538:20-25; 540:3-7; 548:19-549:15; 551:11-18; 567:25-570, which have been submitted
4 as an exhibit.

5 **17. Harold Cardin**

6 Mr. Cardin is a former chief accountant for WCLC. Mr. Cardin will testify about the
7 operations of WCLC and the corporate functioning of WCLC. The testimony the Emhart
8 Parties intend to elicit from Mr. Cardin can be located at the following pages of Mr.
9 Cardin's deposition: 84:17-20; 83:10-20; 88:13-15; 401:12-14, which have been
10 submitted as an exhibit. The Emhart Parties will also elicit testimony on the deposition
11 pages for this witness as cited in the Emhart Parties' Opening Brief and included as
12 exhibits thereto.

13 **18. Raymond Davis**

14 Mr. Davis is a former WCLC employee. Mr. Davis will testify about the operations
15 of WCLC. He will also testify regarding his purported recollection of a disposal trench at
16 WCLC and the explosion of Building 42, as cited in the Opening Brief. The testimony the
17 Emhart Parties intend to elicit from Mr. Davis can be located at the following pages of Mr.
18 Davis' deposition: 164; 184:7-185:2; 323:8-22; 470:14-471:11; 485:20-486:25; 634:4-8;
19 798-800; 902:17-903:14, which have been submitted as an exhibit. The Emhart Parties
20 will also elicit testimony on the deposition pages for this witness as cited in the Emhart
21 Parties' Opening Brief and included as exhibits thereto.

22 **19. Frank Gardner**

23 Mr. Gardner is a former chemist for WCLC. Mr. Gardner will testify about the
24 operations of WCLC. Mr. Gardner will testify as to the location of certain operations at
25 the WCLC facilities and regarding the explosion at Building 42, as cited in the Opening
26 Brief. The testimony the Emhart Parties intend to elicit from Mr. Gardner can be located
27 at the following pages of Mr. Gardner's deposition: 44:13-19; 65:1-7; 66:1-25; 83:6-84:1;
28 97:21-98:3; 98:17-21; 101:12-18; 117:4-118:19; 131:18-134:17; 186:16-24; 189:14-21;

1 274:8-275:9; 276:10-13; 277:23-278:4; 367:9-368:21; 379:2-12; 392:18-394:21; 426:8-19;
2 496:24-497:5; 526:22-527:8; 528:19-24; 610:14-611:23; 619:11-18; 620:18-621:12, which
3 have been submitted as an exhibit. The Emhart Parties will also elicit testimony on the
4 deposition pages for this witness as cited in the Emhart Parties' Opening Brief and
5 included as exhibits thereto.

6 **20. Lino Hernandez**

7 Lino Hernandez is a former employee of WCLC. Mr. Hernandez will testify about
8 the operations of WCLC. The testimony the Emhart Parties intend to elicit from this
9 witness can be located at the following pages of the witness' deposition: 30:4-9; 31:11-
10 17; 33:14-24; 38:12-20; 40:7-41:11; 61:25-62:4; 83:1-6; 153:23-154:6; 176:25-177:6,
11 which have been submitted as an exhibit.

12 **21. Robert Hutchison**

13 Mr. Hutchison is a former accountant for KLI. He will testify regarding his lack of
14 foundation regarding the content of the Form of Assumption Agreement as to what
15 liabilities were assumed by AHC in the transactions with KLI. The Emhart Parties will
16 elicit testimony on the deposition pages for this witness as cited in the Emhart Parties'
17 Opening Brief and included as exhibits thereto.

18 **22. Don Land**

19 Don Land is a former employee of WCLC. Mr. Land will testify about the
20 operations of WCLC. The testimony the Emhart Parties intend to elicit from this witness
21 can be located at the following pages of the witness' deposition: 43:4-14; 121:4-6;
22 130:11-22; 145:15-146:9; 145:15-146:9; 148:22-149:3; 196:12-197:21; 198:10-21; 204:3-
23 18, which have been submitted as an exhibit.

24 **23. Charlotte Martinez**

25 Charlotte Martinez is a former employee of WCLC. Ms. Martinez will testify about
26 the operations of WCLC. The testimony the Emhart Parties intend to elicit from this
27 witness can be located at the following pages of the witness' deposition: 83:5-84:1; 85:1-
28 86:6; 117:20-118:9; 178:12-24; 224:1-6, which have been submitted as an exhibit.

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24. Cleland Nelson

Mr. Nelson is a former controller, chief accountant and cost accounting manager of KLI. Mr. Nelson will testify regarding the accounting practices of KLI, the treatment of liabilities on the books and records of KLI and AHC, and the transfer of certain liabilities to AHC in the transactions of 1958. The Emhart Parties will also elicit testimony on the deposition pages for this witness as cited in the Emhart Parties' Opening Brief and included as exhibits thereto.

25. Robert Parrett

Mr. Parrett is a former plant manager at KLI. He will testify regarding his lack of foundation regarding the content of the Form of Assumption Agreement as to what liabilities were assumed by AHC in the transactions with KLI. The Emhart Parties will also elicit testimony on the deposition pages for this witness as cited in the Emhart Parties' Opening Brief and included as exhibits thereto.

26. Donald Ransom

Mr. Ransom was an industrial engineer who worked on defense products at the 160-Acre Site. Mr. Ransom is deceased. Mr. Ransom will testify regarding his resignation from KLI with the discontinuance of the defense business prior to the transactions with AHC. The testimony the Emhart Parties intend to use from Mr. Ransom can be located at the following pages of Mr. Ransom's deposition: 156:5-19; 291:18-292:20, which have been submitted as an exhibit. The Emhart Parties will also elicit testimony on the deposition pages for this witness as cited in the Emhart Parties' Opening Brief and included as exhibits thereto.

27. Fred Skovgard

Fred Skovgard is a former employee of WCLC. Mr. Skovgard will testify about the operations of WCLC. The testimony the Emhart Parties intend to elicit from this witness can be located at the following pages of the witness' deposition: 288:20-290:10; 340:9-18; 551:23-552:21; 604:18-19; 628:17-20; 632:16-634:9; 692:6-12; 695:8-696:1; 700:19-701:7; 720:11-721:5; 721:7-25, which have been submitted as an exhibit.

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28. Merle Vernon

Merle Vernon is a former employee of WCLC. Mr. Vernon will testify regarding his resignation from KLI upon discontinuance of the defense business prior to the transactions with AHC. The Emhart Parties will also elicit testimony on the deposition pages for this witness as cited in the Emhart Parties' Opening Brief and included as exhibits thereto.

29. Viola Waters

Viola Waters is a former employee of WCLC. Ms. Waters will testify about the operations of WCLC. The testimony the Emhart Parties intend to elicit from this witness can be located at the following pages of the witness' deposition: 41:15-22; 63:23-25, which have been submitted as an exhibit.