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Contact: Frank Mateljan
(213) 978-8340 (O)
(213) 479-5675 (M)

L.A. CITY ATTORNEY ROCKY DELGADILLO FILES CRIMINAL CHARGES AGAINST WILMINGTON REFINERY FOR MULTIPLE OIL SPILLS

LOS ANGELES – Los Angeles City Attorney Rocky Delgadillo today announced his office's Environmental Justice and Protection Unit has filed multiple criminal charges against the Wilmington-based Warren E&P oil refinery, resulting from four separate incidents involving significant oil spills between March and November of 2007.

Warren E&P, Inc. was charged with eight criminal counts, including one count of failing to report the threatened discharge of oil into marine waters; one count of failing to prepare and implement an oil spill contingency plan; four violations of the California Fish and Game Code regarding discharge of petroleum into waters of the state; and two violations of the California Clean Water Act.

Bruce Berwager, 52, Senior Vice President and General Manager; Vince Begin, 45, the production superintendent; Russell Burkhardt, 37, the field supervisor; Herbert Morgan, 65, an environmental consultant; Gonzalo Bucio, 22, the daytime pump operator; and Simi Vavao, 48, an employee, also face criminal counts for their role in the various incidents.

On March 7, 2007, the Warren E&P facility on East "I" Street in Wilmington released more than 4,000 barrels of oil through a crack in a storage tank. Leaking oil was released and collected within a cinder block wall containment area on the property. The oil eventually seeped through the containment wall and leaked onto the ground surrounding the wall. The complaint alleges officials with Warren Oil failed to make proper notifications to law enforcement as required by law and failed to have a contingency plan in the event of a spill.

Officials from the California Department of Fish and Game came upon the spill two days after it occurred when they noticed two vacuum trucks outside of the facility leaking fresh oil. The operator of the trucks was also observed burying puddles of oil in the dirt road surrounding the property and other employees were attempting to clean up the large collected pool of oil without protective equipment.

In another incident on July 14, 2007, Port Police received a call from the Los Angeles Fire Department (LAFD) regarding a spill at the Warren Oil Facility on Colon Avenue in Wilmington. Investigating officers observed a black liquid flowing from the property into the nearby storm drain. Officials with Warren Oil admitted Bucio, the daytime pump operator, had failed to close a bypass valve, causing the pump to overflow for more than 90 minutes before being shut off. LAFD engineers successfully blocked the storm drain with dirt to prevent further runoff.

Two other incidents were also documented by authorities on September 3 and November 14, 2007. Results of each of the investigations against Warren Oil and its employees were forwarded to City Attorney Delgadillo's Criminal and Special Litigation Section for prosecution by Deputy City Attorneys Elise Ruden and Lauren Halligan of the Environmental Justice and Protection Unit.

Each count for failure to report the discharge of oil in marine waters to the Office of Emergency Services carries a maximum penalty of a \$250,000 fine and one year in jail; each count for failure to prepare and implement an oil spill contingency plan carries a maximum penalty of a \$250,000 fine and one year in jail; each count of California Fish and Game Code violations for discharge of petroleum into the waters of the state carries a maximum penalty of a \$2,000 fine and one year in jail; and each violation of the California Clean Water Act for causing oil to overflow and spill into the local storm drain carries a \$25,000 per day maximum fine.

Arraignment for Warren Oil and its employees is scheduled for March 11 in Department 81.

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