



Barry Groveman leads the defense team in appearance before Superior Court



Grand jury indicts Santa Clara Waste Water

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VENTURA, Calif. - A Ventura County grand jury has indicted the Santa Clara Waste Water Co. and 10 other defendants in a case connected to a November chemical explosion at the company plant outside Santa Paula.

The 29-page indictment unsealed by a judge Wednesday lists 71 counts of various criminal offenses, including conspiracy to commit a crime, disposal of hazardous waste, recklessly handling hazardous waste, known failure to warn of serious concealed danger and causing impairment to an employee's body.

Senior Deputy District Attorney Chris Harman said the allegations are connected to the explosion on Nov. 18 that caused injuries to several people and other issues found in the course of an investigation launched after the blast.

"We have some seriously injured people," he said. "It's a big case."

The indictment comes nine months after the rear of a truck exploded at the company plant west of Santa Paula, causing a 1,000-gallon chemical spill.

(<https://s3.amazonaws.com/s3.documentcloud.org/documents/2288751/20150819-santa-clara-waste-water-indictment.pdf>)

Ventura County Superior Court Judge David Hirsch postponed the arraignment of Santa Clara Waste Water and the affiliated business entity Green Compass Environmental Solutions until Sept. 24 at the request of company attorney Barry Groveman.

Groveman said he could not comment on the allegations because he had just seen the indictment for the first time Wednesday morning after Hirsch unsealed the document.

“It’s too many pages,” he said. “I need to be able to review it.”

Nine managers and executives are scheduled to be arraigned in coming days. According to job titles listed on the company website they are: Board Chairman Douglas Edwards; Vice President Charles Mundy; Operations Manager Mark Avila; Vice President Dean Poe; Assistant General Manager Marlene Faltemier; General Manager Brock Gustin Baker; CEO William Mitzel; Kenneth Griffin, a supervisor; and David Wirsing, who appears to have worked as a general manager.

The DA’s Office arrested them on suspicion of an array of felonies and misdemeanors earlier this month, including causing impairment of an employee’s body, conspiracy to commit a crime, dissuading a witness from reporting a crime, known failure to warn of serious concealed danger, withholding information regarding a substantial danger to public safety, filing a false or forged instrument, and disposal of hazardous waste.

Most were arrested on Aug. 7, the same day the grand jury issued the indictment after meeting in secret for about three weeks on the matter, according to officials. The indictment shows that 67 witnesses were called to testify.

Groveman said he would be seeking a delay in the arraignments for the individual defendants as well.

Before the court proceeding Wednesday in Superior Court, Groveman said he would provide a clear response and mount a “very vigorous defense” after he had seen the legal documents and allegations.

“I hope they are afforded the presumption of innocence until the process is completed,” he said. “This is the result of an industrial accident.”