



SAN DIEGO COUNTY
REGIONAL AIRPORT AUTHORITY
STAFF REPORT

Item No.
6

Meeting Date: **JANUARY 10, 2013**

Subject:

Authorize the Rejection of Claim of TDY Industries, LLC

Recommendation:

Adopt Resolution No. 2013-0004, authorizing the Rejection of the Claim of TDY Industries, LLC.

Background/Justification:

On December 6, 2012, TDY Industries ("TDY") filed a claim (Attachment A) with the Authority alleging that during a recent cleanout of the Stormwater Conveyance System on the former Teledyne Ryan Leasehold, the Airport twice suddenly discharged large volumes of water into the 54" storm sewer during its project. TDY claims damages in the amount of \$8,660 to cover the cost of collecting, treating and discharging the excess water.

TDY alleges in its claim that during a recent, properly noticed period of maintenance to the Stormwater Conveyance System two separate incidents of excess water discharge occurred, causing run off into the 54" storm sewer. TDY believes the San Diego County Regional Airport Authority is responsible for the two discharges of water and TDY's costs of treatment and discharge.

TDY's claim should be denied. An investigation into the incident revealed no discharge of water by the Authority into or near the 54" storm sewer during the Stormwater Conveyance System cleanout project. An investigation into the sources responsible for the discharged water is ongoing.

Fiscal Impact:

Not applicable.

Authority Strategies:

This item supports one or more of the Authority Strategies, as follows:

- Community Strategy Customer Strategy Employee Strategy Financial Strategy Operations Strategy

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Environmental Review:

- A. California Environmental Quality Act: This Board action is not a project that would have a significant effect on the environment as defined by the California Environmental Quality Act (CEQA), as amended. 14 Cal. Code Regs. §15378. The Board action is not a "project" subject to CEQA. Cal. Pub. Res. Code §21065.

- B. California Coastal Act: This Board action is not a "development" as defined by the California Coastal Act. Cal. Pub. Res. Code §30106.

Equal Opportunity Program:

Not applicable.

Prepared by:

SUZIE JOHNSON
PARALEGAL

SDCRAA
DEC 06 2012
Corporate Services

TDY Industries, LLC
Edgard Bertaut
1000 Six PPG Place
Pittsburgh, PA 15222
Ph: (412) 395-3052
Fax: (412) 394-3010

San Diego County Regional Airport Authority

Document No. CL-184

Filed 12-06-12

November 12, 2012

Paul Manasjan, M.S., R.E.H.S.
Director, Environmental Affairs
San Diego County Regional Airport Authority
P.O. Box 82776
San Diego, CA 92138-2776

Re: **Request for Reimbursement**

Dear Mr. Manasjan:

As you may be aware, during the recent cleanout of the Stormwater Conveyance System at the former Teledyne Ryan Aeronautical facility, the Airport suddenly discharged a large volume of water to the 54" storm sewer. The discharge happened twice despite advance notice of TDY's work and repeated reminder to the Airport about the ongoing work. Approximately 55,000 gallons of water were discharged during two events. The water had to be collected, treated and discharged since the SWCS was plugged for cleaning. TDY incurred \$8,660 in handling the water discharged by the Airport.

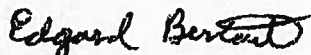
TDY requests reimbursement for these costs that it would not have incurred if the Airport had not discharged during the cleanout efforts.

Please make payment to:

TDY Industries, LLC
1000 Six PPG Place
Pittsburgh, PA 15222
Attn: Lauren S. McAndrews

Thank you for your prompt attention to this matter.

Sincerely,



Edgard F. Bertaut

EFB/grd

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RESOLUTION NO. 2013-0004

A RESOLUTION OF THE BOARD OF THE
SAN DIEGO COUNTY REGIONAL AIRPORT
AUTHORITY AUTHORIZING THE REJECTION OF
THE CLAIM OF TDY INDUSTRIES, LLC

WHEREAS, on December 6, 2012, TDY Industries filed a claim with the San Diego County Regional Airport Authority for damages allegedly incurred as a result of water discharges into the 54" storm sewer on the former Teledyne Ryan Leasehold; and

WHEREAS, at a special meeting on January 10, 2013, the Board considered the claim filed by TDY Industries, the report submitted to the Board, and found that the claim should be rejected.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby AUTHORIZES the rejection of the claim of TDY Industries, LLC.

BE IT FURTHER RESOLVED that this Board DETERMINES this action is not a "project" as defined by the California Environmental Quality Act (CEQA), Cal. Pub. Res. Code §21065; nor is it a "development" as defined by the California Coastal Act, Cal. Pub. Res. Code §30106.

PASSED, ADOPTED, AND APPROVED by the Board of the San Diego County Regional Airport Authority at a special meeting this 10th day of January, 2013, by the following vote:

AYES: Board Members:

NOES: Board Members:

ABSENT: Board Members:

ATTEST:

TONY R. RUSSELL
DIRECTOR, CORPORATE SERVICES/
AUTHORITY CLERK

APPROVED AS TO FORM:

BRETON K. LOBNER
GENERAL COUNSEL

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