

1 Darryl Cotton, *In pro se*
2 6176 Federal Boulevard
3 San Diego, CA 92114
4 Telephone: (619) 954-4447
5 151DarrylCotton@gmail.com

ELECTRONICALLY FILED
Superior Court of California,
County of San Diego
8/14/2026 5:09:55 PM

Clerk of the Superior Court
By J. Rael ,Deputy Clerk

6 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
7 **COUNTY OF SAN DIEGO — CENTRAL DIVISION**

8 DARRYL COTTON, an individual,
9 Plaintiff and Petitioner

10 v.

11 CITY OF SAN DIEGO, a municipal corporation; and
12 DOES 1 through 100, inclusive,
13 Defendants and Respondents.
14
15
16

Case No. 26CU045721C

**DECLARATION OF DARRYL
COTTON IN SUPPORT OF VERIFIED
PETITION FOR WRIT OF MANDATE**
[Code Civ. Proc. §§ 1085, 1060; Gov. Code §
7923.100]

17 I, Darryl Cotton, declare as follows:

18 1. I am the Petitioner in this action and appear in pro se. I have personal knowledge of the facts
19 stated in this declaration and, if called as a witness, could and would competently testify to them.

20 2. I make this declaration to authenticate and place before the Court the documentary exhibits
21 offered in support of my Verified Petition for Writ of Mandate. The exhibits are lettered Exhibit A
22 through Exhibit H, are Bates-stamped COTTON-001 through COTTON-032, and are attached to this
23 declaration; an Index of Exhibits (COTTON-001) precedes them.

24 3. Attached as Exhibit A (COTTON-002 through COTTON-006) is a true and correct copy of
25 Public Records Act Request No. 26-6343 to the City's Fire-Rescue Department, its complete
26 NextRequest disposition and timeline, and the City's August 12, 2026 extension communication.

27 4. Attached as Exhibit B (COTTON-007 through COTTON-009) is a true and correct copy of
28 Petitioner's July 14, 2026 response to the City's determination and request for prompt production of

1 records under PRA No. 26-6343.

2 5. Attached as Exhibit C (COTTON-010 through COTTON-015) is a true and correct copy of the
3 City of San Diego Code Enforcement record for Case No. CE-0541944 and its status.

4 6. Attached as Exhibit D (COTTON-016 through COTTON-017) is a true and correct copy of
5 Petitioner's hazardous (classified) location standard analysis (Class I, Division 1–2; NFPA 70 (2023);
6 NEC Article 500).

7 7. Attached as Exhibit E (COTTON-018 through COTTON-020) is a true and correct compilation
8 of United Rentals' own published materials — its frac-tank guidance and closed-top "Gas Buster" tank
9 — together with the County Hazardous Materials Division referral concerning the operation at 6144
10 Federal Boulevard.

11 8. Attached as Exhibit F (COTTON-021 through COTTON-024) is a true and correct copy of
12 Petitioner's June 15 and June 26, 2026 correspondence with the San Diego Fire-Rescue Department.

13 9. Attached as Exhibit G (COTTON-025 through COTTON-028) is a true and correct copy of
14 United Rentals' County of San Diego Sewage Hauler Operating Permit application, No. LSHOP-
15 000063.

16 10. Attached as Exhibit H (COTTON-029 through COTTON-032) is a true and correct
17 copy of the video log documenting the continuous, all-hours operation of the FRAC tank at 6144
18 Federal Boulevard. The dated entries link to video recordings that I made or caused to be made.

19 11. The matters stated in this declaration are true of my own knowledge, except those stated
20 on information and belief, and as to those I believe them to be true. The attached exhibits are true and
21 correct copies or compilations of the documents identified herein, and Exhibit H fairly and accurately
22 records the observations and events depicted in the underlying recordings.

23 I declare under penalty of perjury under the laws of the State of California that the foregoing is
24 true and correct.

25 Executed on August 14, 2026, at San Diego, California.

26
27 A handwritten signature in black ink, appearing to read 'Darryl Cotton', is written over a horizontal line.

28 Darryl Cotton, Declarant and Petitioner In pro se

EXHIBITS

*Cotton v. City of San Diego — Verified Petition for Writ of Mandate
(San Diego Fire-Rescue / HAZMAT; PRA No. 26-6343)*

INDEX OF EXHIBITS

Exhibit A [COTTON-002–006]

PRA Request No. 26-6343 to San Diego Fire-Rescue (June 26, 2026), its complete NextRequest disposition and timeline, and the City’s August 12, 2026 extension message (rolling-basis review; reserved exemptions; nothing produced). (Petition at p. 9)

Exhibit B [COTTON-007–009]

Petitioner’s July 14, 2026 Response to Determination and Request for Prompt Production (PRA No. 26-6343). (Petition at p. 3)

Exhibit C [COTTON-010–015]

Code Enforcement / BLUE Case No. CE-0541944 (June 22, 2026) and the City’s record and status (highest priority; “Case Opened”; no inspection). (Petition at pp. 3, 9)

Exhibit D [COTTON-016–017]

Hazardous (Classified) Location Standard Analysis — Class I, Division 1–2 (NFPA 70 (2023); NEC Article 500) re 6144 Federal Boulevard. (Petition at p. 5)

Exhibit E [COTTON-018–020]

United Rentals’ own contradictions — County Hazardous Materials referral (“not within industry standards”); the open-top 6144 tank vs. UR’s closed-top “Gas Buster”; UR’s own frac-tank guidance and admissions. (Petition at pp. 7, 9–10)

Exhibit F [COTTON-021–024]

June 15 and June 26, 2026 correspondence with Andranee “Nae” Tate, San Diego Fire-Rescue — the June 26 email expressly raising NFPA 820 — with no response. (Petition at pp. 3, 8)

Exhibit G [COTTON-025–028]

United Rentals’ County of San Diego Sewage Hauler Operating Permit application (No. LSHOP-000063, Sept. 18, 2024) and the County’s per-vehicle inspection column. (Petition at pp. 7, 10)

Exhibit H [COTTON-029–032]

Video log — recorded evidence of the continuous, all-hours operation of the FRAC tank at 6144 Federal Boulevard. (Petition at p. 4)

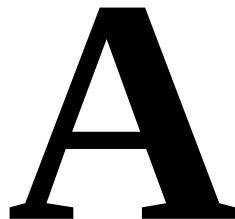


EXHIBIT A

PRA Request No. 26-6343 to San Diego Fire-Rescue (June 26, 2026), with its complete NextRequest disposition and timeline.

[Skip to main content](#)

City of San Diego

 NextRequest**Request Visibility:**  Embargoed -- Will be auto-published 72 hours after closure

Request 26-6343 Open



Dates

Received

June 26, 2026 via web

Requester

 Darryl Cotton 151darrylcotton@gmail.com 6176 Federal Blvd, San Diego, CA, 92114 6199544447 Fleet Systems

Staff assigned

Departments

Fire-Rescue

Point of contact

Angela Laurita

Request

California Public Records Act Request — City of San Diego Fire-Rescue Department

Requester: Darryl Cotton, 6176 Federal Blvd., San Diego, CA 92114 — 619.954.4447 — 151darrylcotton@gmail.com

Under the California Public Records Act (Gov. Code § 7920.000 et seq.), I request the following records concerning the United Rentals facility at 6144 Federal Blvd., San Diego, CA 92114, and specifically the FRAC tank used there to store human waste (septage) pumped from vacuum trucks:

1. All correspondence between me and the Fire-Rescue Department regarding 6144 Federal Blvd., including my emails to Andranee ("Nae") Tate (Wildfire Prevention & Mitigation Administrator) and any other Fire-Rescue staff, sent on or about June 15, 2026 and June 26, 2026, together with any attachments and any record reflecting the routing, assignment, or handling of those communications.
2. All inspection reports, field notes, observation logs, checklists, and photographs created by any Fire-Rescue

COTTON-003

Department personnel (including the Fire Prevention Bureau and any hazardous-materials or fire/life-safety unit) in connection with any visit to, or evaluation of, 6144 Federal Blvd.

3. Any notices of violation, correction notices, orders, or other directives (written or memorialized) issued by the Fire-Rescue Department to United Rentals — or to the property owner, Westport Properties, Inc. — regarding 6144 Federal Blvd.
4. All internal Fire-Rescue Department communications (including emails, text messages, and memoranda) referencing 6144 Federal Blvd., the FRAC tank, the stored human waste, the reported odor, or any fire, explosion, flammable-gas, hydrogen-sulfide, or other hazardous condition at that site.
5. Any records reflecting a determination, analysis, or discussion of whether the Fire and Life Safety Codes (including the California Fire Code) apply to the FRAC tank or the operation at 6144 Federal Blvd., and of whether the matter falls within the Department's jurisdiction.
6. Any referrals, correspondence, or communications between the Fire-Rescue Department and other agencies — including the San Diego County Air Pollution Control District, the County Department of Environmental Health / Hazardous Materials Division, and Cal/OSHA — regarding 6144 Federal Blvd.

If any responsive record is withheld in whole or in part, please identify the record and state the specific exemption claimed. I am happy to receive records on a rolling basis as they become available, and I am available to

narrow any category if it would speed production.

Show less

Timeline

Documents



Message to requester

Requester + Staff

Please be advised that City staff have received your CPRA request. Within the next 10 days, we will determine whether your request seeks copies of disclosable records in the City's possession or whether the City will require an extension. If your request is submitted on a Saturday, Sunday, or City holiday, the City considers the request received on the following business day.

June 26, 2026, 4:45pm



Department assignment

Anyone with access to this request

Fire-Rescue

June 26, 2026, 4:45pm by the requester



Request opened

Anyone with access to this request

Request received via web

June 26, 2026, 4:45pm by the requester

FAQS
Help
Privacy
Terms

 **CIVICPLUS**
NextRequest

PRA No. 26-6343 — City of San Diego message of August 12, 2026

Third deferral: rolling-basis review; update promised by August 26; exemptions and privileges reserved; no records produced.

City of San Diego Public Records

**A message was sent to you regarding
record request #26-6343:**

Good afternoon,

To update you on the status of your request, the City is in the process of reviewing records for applicable exemptions. We will provide any disclosable records on a rolling basis as they become available. We expect to provide an update by August 26. We reserve the right to withhold and/or redact any records or information that may be exempt from disclosure under the Public Records Act, and/or other applicable legal privileges including, but not limited to, attorney work product and attorney client privileges.

Kind regards.

[View Request 26-6343](https://sandiego.nextrequest.com/requests/26-6343)

<https://sandiego.nextrequest.com/requests/26-6343>

B

EXHIBIT B

Petitioner's July 14, 2026 Response to Determination and Request for Prompt
Production (PRA No. 26-6343).

DARRYL COTTON
6176 Federal Blvd., San Diego, CA 92114
619.954.4447 · 151darrylcotton@gmail.com

July 14, 2026

City of San Diego Fire-Rescue Department
Public Records Act Coordinator
Attn: Angela Laurita, Point of Contact
Submitted via the City's NextRequest portal — Request No. 26-6343

RE: Response to the City's July 14, 2026 Determination — Request for Prompt and Rolling Production

California Public Records Act Request No. 26-6343 (received June 26, 2026)
Fire-Rescue records concerning 6144 Federal Blvd., San Diego — United Rentals / Reliable
Onsite Services FRAC-tank human-waste operation

To the Fire-Rescue Department Records Coordinator:

Thank you for the City's message of July 14, 2026 regarding Request No. 26-6343. I appreciate the response and, in particular, the City's confirmation that it “has identified records responsive to [my] request.” This letter responds to that message and asks the City to move now to production.

A note on timing, for the record. The City received this request on June 26, 2026, so a determination under Government Code section 7922.535(a) was due on July 6, 2026, and no written extension under section 7922.535(b) was noticed within that ten-day period. The City's determination therefore issued eight days after the statutory deadline. I note this only so the timeline is complete; my present concern is not the past delay but prompt production going forward.

Production is now the operative obligation. Having identified responsive records, the City's remaining duty under the Act is to make them “promptly available” (Gov. Code, §§ 7922.500, 7922.530). A determination is not a substitute for production, and a promise of a future “update” is not production. Accordingly, I respectfully ask that the City: (a) produce responsive, non-exempt records on a rolling basis as each record or category clears exemption review, rather than holding all records for a single future date; (b) confirm that July 29, 2026 is a date by which records will be produced, not merely a further status update; and (c) release now any records that are already cleared, without waiting for the balance.

Exemptions and redactions. I note the City's reservation of the right to withhold or redact under the Public Records Act and under the attorney work-product and attorney-client privileges. A general reservation is understood; it is not, by itself, a basis to withhold any particular record. Should the City withhold or redact, I ask that it identify each record withheld, state the specific exemption or privilege claimed as to that record, and produce all reasonably segregable non-exempt portions (Gov. Code, §§ 7922.000, 7922.525, 7922.535(a)).

Offer to assist. Consistent with the City's duty to assist (Gov. Code, § 7922.600(a)), I am glad to help focus the work. If it would speed release, the City may prioritize the inspection records and field

observations (category 2) and the inter-agency referrals and communications (category 6); those are of most immediate interest, and I am happy to receive them first.

I appreciate the City's attention to this request and look forward to the first production.

Respectfully,

Darryl Cotton

6176 Federal Blvd., San Diego, CA 92114

619.954.4447 · 151darrylcotton@gmail.com

cc: File — Section 11.70 Public Records File (PRA No. 26-6343)

C

EXHIBIT C

Code Enforcement / BLUE Case No. CE-0541944 (June 22, 2026) and the City’s record and status (Priority I; “Case Opened”; no inspection).

6144 FEDERAL BLVD., SAN DIEGO — PUBLIC RECORDS FILE

Section 11.70 · United Rentals (North America), Inc. dba Reliable Onsite Services — Sewage Disposal Records

Date	June 22 – July 2, 2026
Agency	City of San Diego — Building & Land Use Enforcement (BLUE) / Code Enforcement
Request No.	Building & Land Use Enforcement Complaint Record CE-0541944
Status	OPEN
Description	Code-enforcement complaint that the FRAC-tank human-waste operation at 6144 Federal Blvd. is an environmental and explosion/odor hazard. The City opened a case; as of the record it remained at 'Case Opened.'

Summary

This is the City of San Diego's Building & Land Use Enforcement record for Complaint No. CE-0541944, filed June 22, 2026 concerning the FRAC-tank human-waste operation at 6144 Federal Blvd. The City opened a case. As reflected in the portal record, the case remained at the 'Case Opened' stage as of July 2, 2026, with no inspection shown.

Related records (Section 11.70): City Fire-Rescue PRA 26-6343; County DEHQ PRA 26-3709; Air Pollution Control District; City Stormwater PRA 26-6342 / 26-6563.

Public record, reproduced for transparency. This slip sheet describes the attached document; it is a factual summary, not legal argument. No violation by any party is alleged. The full document follows.

Submit a Building and Land Use Enforcement (BLUE) [Request for Investigation](#).

[Home](#) [DSD Permits](#) [Building & Land Use Enforcement](#) [Short Term Rental](#) [Cannabis](#)

 Private Property Investigation Request

 Search for an Existing Investigation

Record CE-0541944:

Complaint

Record Status: New

Record Info ▼

Location

6144 Federal Bl
San Diego CA 92114 *

Investigation Details

Case Description:

There is a FRAC tank which is the main holding tank for United Rentals human waste processing from all their porta-potties. The stench and toxic odors that emanate from this are an environmental and explosive hazard. This tank is located within 4 feet of my building and hidden by numerous light towers, IBC totes and porta-potties in front and along it. This entire operation is supposed to be in a Class 1 Div 2 hazard location environment. It is clearly not and as such is a danger to my, my property and surrounding properties.

► [More Details](#)

Analysis — What this record shows

City of San Diego Building & Land Use Enforcement · Complaint CE-0541944 · filed June 22, 2026

This section explains what the attached record shows and why it matters. It concerns how a public agency has handled a code-enforcement complaint. It does not allege that any private party has violated the law.

The record in brief

On June 22, 2026, a Building and Land Use Enforcement Request for Investigation was filed through the City's online portal, and the City opened Record CE-0541944 (Complaint) for 6144 Federal Blvd. The complaint's own description reads, in part:

"There is a FRAC tank which is the main holding tank for United Rentals human waste processing from all their porta-potties. The stench and toxic odors that emanate from this are an environmental and explosive hazard. This tank is located within 4 feet of my building... This entire operation is supposed to be in a Class 1 Div 2 hazard location environment. It is clearly not..."

The portal shows a four-stage track — Case Opened → Prep Research → Investigator Action → Closed. As of July 2, 2026 — nine working days after filing — the record remained at "Case Opened," with Record Status "New," no assigned priority shown, and no indication that an inspection had occurred.

The City's own priority framework

The City's Building & Land Use Enforcement Division publishes a three-tier priority framework and states that it "responds swiftly to address serious private property violations." Priority I — imminent health and safety hazards — are to be inspected within one business day, and the City's enumerated examples include dangerous structures, live exposed electrical wires, and "leaking sewage." Priority II (significant code violations) is five business days; Priority III is twenty. A complaint alleging a health, safety, and explosion/odor hazard from stored human waste falls within the Priority I category — and, at the least favorable reading, Priority II. On the City's own timetable that means an inspection within one to five business days. Nine working days at "Case Opened," with no inspection shown, exceeds both.

The other side

There is a fair reading in the City's favor. Unlike several other agencies, the City did not disclaim jurisdiction or refer the matter away — it opened a case, which is the correct first step. The classification of the hazard (building/zoning versus fire or hazardous-materials) is genuinely the City's call, and if the Division concludes the core hazard belongs to Fire-Rescue or the County, that is a defensible judgment, provided it is made and communicated. The City's own page also notes FY2026 budget cuts affecting enforcement, and "Case Opened" is an early stage — the absence of a public status change is not proof that nothing has happened internally.

Bottom line

The City accepted the complaint rather than referring it elsewhere, but as of this record the case had sat at "Case Opened" past the City's own inspection targets, with no inspection shown. Whether and when the complaint is inspected is the open question this record leaves.

Prepared for public understanding from the attached public record. The priority framework is from the City's published 'Priority of Cases' page; the classification of any complaint is the City's to make. Commentary concerns the handling of a public agency; no violation by any private party is alleged.

The City of



Online Services

Announcements

Register for an Account

Login

Submit a Building and Land Use Enforcement (BLUE) Request for Investigation.

Home

DSD Permits

Building & Land Use Enforcement

Cannabis

Short Term Rental

Private Property Investigation Request

Search for an Existing Investigation

Record CE-0541944:

Complaint

Record Status: New

Record Info

Location

6144 Federal Bl
San Diego CA 92114

Investigation Details

Case Description:

CD- 4 There is a FRAC tank which is the main holding tank for United Rentals human waste processing from all their porta-potties. The stench and toxic odors that emanate from this are an environmental and explosive hazard. This tank is located within 4 feet of my building and hidden by numerous light towers, IBC totes and porta-potties in front and along it. This entire operation is supposed to be in a Class 1 Div 2 hazard location environment. It is clearly not and as such is a danger to my, my property and surrounding properties.

More Details

Case Information

COTTON-015

D

EXHIBIT D

Hazardous (Classified) Location Standard Analysis — Class I, Division 1–2
(NFPA 70 (2023); NEC Article 500) re 6144 Federal Blvd.

HAZARDOUS (CLASSIFIED) LOCATION STANDARD

Class I, Divisions 1 and 2 — NFPA 70 (2023) (National Electrical Code), Article 500 Reference Exhibit — 6144 Federal Boulevard, San Diego (United Rentals FRAC-Tank Septage Operation)

1. The classification standard.

Locations in which flammable gases or vapors may be present are classified under the National Electrical Code (NFPA 70, 2023), Article 500, titled “Hazardous (Classified) Locations.” The classification is given legal force in California through the 2025 California Electrical Code (Cal. Code Regs., tit. 24, pt. 3, which adopts NFPA 70 (2023)), and, for workplaces, is incorporated by federal regulation at 29 C.F.R. § 1910.307.

2. Class I location — NEC § 500.5(B).

A “Class I” location is an area in which flammable gases or vapors “*may be present in quantities sufficient to produce explosive or ignitable mixtures.*” (NFPA 70 § 500.5(B).)

3. Class I, Division 1 — NEC § 500.5(B)(1).

A Division 1 location is one in which ignitable concentrations of flammable gases or vapors can exist under normal operating conditions, may exist frequently because of repair or maintenance operations or because of leakage, or may be released by breakdown or faulty operation of equipment. (NFPA 70 § 500.5(B)(1).)

4. Class I, Division 2 — NEC § 500.5(B)(2).

A Division 2 location is one in which flammable gases or vapors are normally confined within closed containers or systems and “*would become hazardous only in case of an accident or of some unusual operating condition,*” or an area adjacent to a Division 1 location. (NFPA 70 § 500.5(B)(2).)

5. What the standard requires in a classified location.

In a Class I location, electrical equipment and wiring must be “*identified for the class and the explosive, combustible, or ignitable properties of the specific gas, vapor, dust, or fiber/flyings that will be present,*” (NFPA 70 § 500.8(B)(1)), and equipment operating temperatures may not exceed the autoignition temperature of the gas present (NFPA 70 § 500.8(D)(1)). Ordinary, unrated electrical equipment is not permitted in a classified location.

6. Application to the operation.

Decomposing human waste (septage) held in a bulk storage tank generates hydrogen sulfide and methane, both flammable gases — hydrogen sulfide is flammable across approximately 4.3%–46% in air (NEC Group C); methane is flammable from approximately 5% in air (NEC Group D). A large septage vessel that is vented and periodically drawn down is therefore a location in which ignitable concentrations of flammable gas may be present. The 6144 Federal Boulevard yard operates ordinary, unrated electrical equipment (including light towers and related fixtures) within a few feet of that vessel, without the equipment ratings — or the corresponding controls — that a Class I classification requires.

Note: The NEC governs the suitability of electrical equipment within a classified location. Separate and parallel workplace-safety obligations — atmospheric monitoring, ventilation, respiratory protection, and permit-required confined-space procedures for personnel working the vessel — arise under Cal/OSHA (8 C.C.R. §§ 5155, 5157) and are addressed separately.

Authorities: NFPA 70 (2023) (National Electrical Code), Article 500 — §§ 500.5(B), 500.5(B)(1)–(2), 500.8(B)(1), 500.8(D)(1); 29 C.F.R. § 1910.307 (hazardous (classified) locations); 2025 California Electrical Code, Cal. Code Regs., tit. 24, pt. 3. Gas properties: OSHA, Hydrogen Sulfide — Hazards; NIOSH Pocket Guide (hydrogen sulfide; methane). Prepared as an internal reference exhibit; NEC provisions are cited and characterized, not reproduced in full.

E

EXHIBIT E

Composite demonstrative — the County Hazardous Materials Division referral (“not within industry standards”; “out of our jurisdiction”); the open-top tank at 6144 Federal Blvd. against United Rentals’ own closed-top “Gas Buster”; United Rentals’ own frac-tank guidance; and United Rentals’ own admissions that gas-producing service requires a closed, sealed system.

To: Lee, Joann <Joann.Lee@sdcounty.ca.gov>
Cc: Moreno, Zoraida <Zoraida.Moreno@sdcounty.ca.gov>
Subject: FW: [External] Re: [EXTERNAL] 6144 Federal Blvd., SD CA 92114 Waste Processing Permits

Hi Joann,

Sending a complaint over to you that we received regarding sewage processing and sewage storage in Frac tanks (which I have learned is not within industry standards) but is out of our jurisdiction.

I think you already have this and are responding but am sending over what we received just in case not.

Thank you,

S-)



Sharon Preece BA MS REHS, Program Coordinator
[Hazardous Materials Division](#) | Department of Environmental Health and Quality
Cell: 619-249-9024
[SanDiegoCounty.gov](#) | [News Updates](#) | [Engage](#)



*“Standard open-top tanks are “ideal for storing **non-hazardous liquids** such as wastewater, ground water remediation or storm water run-off,” but products that “**off gas regulated vapors** ... typically require a **closed top vapor-tight tank**” — expressly to prevent vapors “settling around the exterior of the tank and **creating the conditions for a flash vapor fire.**”*

“Frac tanks are beneficial for a range of projects that involve storing liquid. They come in a variety of types, and choosing the right type of frac tank for the application is critical to project success as well as worker and environmental safety. Storing hazardous liquid in the wrong tank could lead to an industrial accident or an ecological disaster. When in doubt, your temporary equipment vendor can steer you to the tank that will serve you best.” <https://www.unitedrentals.com/project-uptime/equipment/frac-tank-guide-choosing-best-frac-tank-job>



What Ms. Preece, Program Coordinator for the San Diego County’s Hazardous Materials Division, confirms is that the FRAC tank, as shown in the upper two images is an open-top tank and by NFPA-820 regulations for septage storage explosive environment conditions, requires a closed top tank such as the United Rentals Gas Buster tank as shown on the image on the left.

<https://www.unitedrentals.com/marketplace/equipment/pumps-tanks-filtration/tanks/gas-buster-frac-tank-21000-gal>

United Rentals Vacuum Trucks must meet the required environmental standards and regulations for sealed-closed systems that prevent the escape of those gases created during the hauling of human waste. The FRAC tank, with open ventilation allowing these gases to escape into the atmosphere, does not.



United Rentals knew. United Rentals’ own materials show it knows precisely what this waste produces and how dangerous it is. Its frac-tank guidance warns that gas-producing service requires a “closed top vapor-tight tank” to prevent vapors from “creating the conditions for a flash vapor fire,” and that “storing hazardous liquid in the wrong tank could lead to an industrial accident or an ecological disaster.” It manufactures and rents the closed-top “Gas Buster” tank for exactly this service, at this very size. And it hauls this same septage only in sealed, closed vacuum trucks built to “prevent the escape of those gases created during the hauling of human waste” — gases (hydrogen sulfide, toxic; methane, explosive) that are hazardous and tightly regulated at every step.

Knowing all of this, United Rentals consolidated gas-producing human-waste septage in a standard open-top frac tank — the vessel its own literature reserves for “non-hazardous liquids” — set it a few feet from an occupied office, and never disclosed the on-site storage tank in the permitting that exists to regulate exactly these hazards. This was not an oversight. United Rentals chose the wrong tank while holding the right one in its own catalog, circumvented the disclosure the permit process requires, and deliberately expose their neighbors and their employees to the toxic and explosive conditions it knows full well these gases create.



F

EXHIBIT F

June 15 and June 26, 2026 correspondence with Andranee “Nae” Tate, San Diego Fire-Rescue — the June 26 email expressly raising NFPA 820, with no response.



Darryl Cotton <151darrylcotton@gmail.com>

(no subject)

3 messages

Tate, Andranee <ALTate@sandiego.gov>
To: "151darrylcotton@gmail.com" <151darrylcotton@gmail.com>

Mon, Jun 15, 2026 at 10:22 AM

Good morning,

This is Nae' from San Diego Fire – Rescue.

Thank you,

Nae' Tate
Wildfire Prevention & Mitigation Administrator

City of San Diego

Fire - Rescue Department
📞 O: (619) 533-4444

Confidential Communication:

"To protect lives and the environment of San Diego by preventing fires and other hazardous conditions through inspections and enforcement of the Fire and Life Safety Codes."

This electronic mail message and any attachments are intended only for the use of the addressee(s) named above and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not an intended recipient, or the employee or agent responsible for delivering this e-mail to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you received this e-mail message in error, please immediately notify the sender by replying to this message or by telephone. Thank you.

Darryl Cotton <151darrylcotton@gmail.com>
To: "Tate, Andranee" <ALTate@sandiego.gov>

Fri, Jun 26, 2026 at 7:23 AM

Nae',

Following up on our June 15 contact regarding the United Rentals operation at 6144 Federal Blvd., adjacent to my property at 6176 Federal Blvd. I have not received any further communication since then, and the operation is continuing daily — 10 or more vacuum trucks delivering porta-potty (septage) waste into the on-site FRAC storage tank.

I'm bringing this back to Fire-Rescue specifically because of your department's fire and life-safety authority. Your own correspondence describes the mission as preventing "fires and other hazardous conditions through inspections and enforcement of the Fire and Life Safety Codes," and that is exactly the issue here.

Since we last spoke, I had the tank's roof vent and hatch reviewed; the analysis is attached. In brief: the corrosion is concentrated at the vent and hatch in a pattern consistent with hydrogen-sulfide and biogenic sulfuric-acid attack from the stored waste. The same anaerobic decomposition produces methane, so the headspace carries a mixture that is both toxic and flammable. The photographs do not show the ignition-control features expected for this service — flame arrestor, pressure/vacuum vent, bonding and grounding, hazardous-area-rated electrical — and a general-purpose light tower and electrical sit nearby. The analysis is explicit that photographs cannot confirm the cause and that an on-site assessment by a licensed engineer or industrial hygienist is needed. That is precisely what I'm asking your department to do: look.

For context on where this stands with the other agencies:

- The Air Pollution Control District documented the strong odor but closed its Rule 51 complaint and directed explosion/safety questions to the County Haz Mat team.
- The County Department of Environmental Health, Hazardous Materials Division, advised that the human waste itself is excluded from the hazardous-waste definition and is therefore outside the CUPA's purview, and referred the matter elsewhere.

The result is that the flammable/toxic-gas and tank-integrity hazard — the fire and life-safety question — has not been examined by anyone. Recognized standards bearing on it include NFPA 820 (wastewater facilities), API 2000 (tank venting), the NEC hazardous-location articles, and OSHA hot-work and confined-space rules.

I would ask that you, or the appropriate Fire Prevention inspector if this should be routed within your department, confirm jurisdiction and arrange an on-site inspection of the tank's venting and ignition-control configuration. Because access to the property has been denied to my representative, an inspection by your office may be the only practical way to verify the condition. Please also forward to me any corrective orders issued to United Rentals or the property owner, Westport Properties, LLC.

I'm attaching the corrosion/explosion analysis and the supporting record. Please confirm receipt and let me know the case or reference number assigned.

Thank you.

[Quoted text hidden]

--

Darryl Cotton
619.954.4447

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3 attachments



1) Petition w Signatures.pdf
2265K



4.10) 2026.06.18 FRAC_Tank_Roof_Vent_Corrosion and Explosion_Analysis.pdf
3573K



4.11) 6144 Federal Historical Timeline Images.pdf
750K

Note: The June 15, 2026 email (10:22 a.m.) was the only communication ever received from Ms. Tate or the San Diego Fire-Rescue Department. Cotton's June 26, 2026 email — expressly raising NFPA 820 and asking Fire-Rescue to confirm jurisdiction and inspect — received no response.

G

EXHIBIT G

United Rentals’ County of San Diego Sewage Hauler Operating Permit application (No. LSHOP-000063, Sept. 18, 2024) — naming the governing authorities and the County’s per-vehicle inspection of each truck’s “Hoses, Valve, Cap, [and] Waste Transfer.”



**DEPARTMENT OF ENVIRONMENTAL HEALTH & QUALITY
LAND AND WATER QUALITY DIVISION**

5500 Overland Ave. Suite # 210, San Diego, CA 92123
(858) 565-5173 | LWQDuty.DEH@sdcounty.ca.gov

2025

APPLICATION FOR ANNUAL SEWAGE HAULER PERMIT

**TO ENGAGE IN THE CLEANING OF SEPTIC TANKS, CHEMICAL TOILETS, CESSPOOLS, OR SEEPAGE PITS
AND THE TRANSPORTATION AND DISPOSAL OF CLEANINGS**

Name of Business:	United Rentals (North America), Inc.; DBA: Reliable Onsite Services		
Mailing Address:	791 East 64th Ave		
City:	Denver	State:	CO Zip Code: 80229
Business Address:	6144 Federal Ave		
City:	San Diego	State:	CA Zip Code: 92114
Business Phone Number:	619-210-2850	Email:	environmental@ur.com
Legal Owner(s):	United Rentals (North America), Inc		
Address:	100 First Stamford Place, Suite 700		
City:	Stamford	State:	CT Zip Code: 06902
Phone Number:	303-286-4394	Email:	environmental@ur.com
Emergency Contact:	Luis Campuzana	Cell Phone Number:	619-565-0059

Services Provided:	☐ Septic Tanks ☐ Seepage Pits ☒ Portable Restrooms ☐ Cesspools ☐ Other		
Primary Liquid Waste Disposal Facility Name:	Pump Station #1		
Facility Address:	3550 East Harbor Drive		
City:	San Diego	State:	CA Zip Code: 92101
Alternate Liquid Waste Disposal Facility Name:	Ocean County Sanitation District		
Facility Address:	10844 Ellis Dr		
City:	Fountain Valley	State:	CA Zip Code: 92708

The undersigned hereby applies for a sewage hauling permit registration. I declare under penalty of perjury that to the best of my knowledge and belief, the information I have provided is true and accurate. I understand that to become and remain registered and eligible to provide hauling services in San Diego County, I must pay the annual registration fee established by the County under applicable law. I also agree to conform to all conditions, orders, and directions issued pursuant to the California Health and Safety Code and all applicable County and City Ordinances including California Health and Safety Code Division 104, Part 13, Chapter 4, Article 1. and San Diego County Code Sections 68.601 – 68.613.

Date: 9/18/2024

Jeffrey Walker

Print Name

Jeffrey Walker

Digitally signed by Jeffrey Walker
Date: 2024.09.18 08:43:31 -0400

Signature

FOR OFFICE USE ONLY

Permit Number	# of Vehicles	Date
LSHOP-000063	15	9/27/24

2025 SEWAGE HAULER TRUCK INVENTORY

(Complete separate form for each location where vehicles are stored)

5:55

Inspection 11/19/24
Dakane + Hyatt
at yard facility

Completed By Applicant for Each Permitted Vehicle					Completed by Department of Environmental Health & Quality		
Truck or Trailer?	Vehicle Make	License Plate	Tank Size (total gal)	Split Tank? (gal/ side)	3" Lettering on Vehicle? (yes or no) ¹	Decal #	DEHQ Observations and Comments on Hoses, Valve, Cap, Waste Transfer, etc.
Truck	Mack	3284107	995	695/300	Not available Yes	025045	Not ready (brand new) ✓ Decal issued
Truck	Mack	3482288	1600	1100/500	Not available Yes	025044	Not ready (brand new) off
Truck	Mack	3482510	1600	1100/500	Yes	025043	
Truck	Peterbilt	3533049	4000	4000	Yes	025042	Observed dripping "blue" mechanical fluid on main valve
Truck	Isuzu	3791919	995	695/300 699 240	Yes	025041	
Truck	Mack	3482874	995	695/300 pending capacity	Yes	025040	- slider tank
Truck	Mack	3710606	1600 ^{sk}	1100/500	Yes	025039	
Truck	Mack	3710607	1600	1100/500	Yes	025038	Good
Truck	Isuzu	3778078	995	695/300 699 240	Yes	025037	

¹lettering includes name of business and phone number

Additional Comments (To Be Completed By DEHQ):



DEPARTMENT OF ENVIRONMENTAL HEALTH & QUALITY

LAND AND WATER QUALITY DIVISION

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(858) 565-5173 | LWQDuty.DEH@sdcounty.ca.gov

11/19/24
Annual Inspection
conducted at the
yard facility.
- Hype & Parane

2025 SEWAGE HAULER TRUCK INVENTORY

(Complete separate form for each location where vehicles are stored)

Company Name: Reliable Onsite Services		Owner: United Rentals (North America), Inc		Contact: Luis Campuzano		Phone: 619-565-0059	
Company Address: 791 East 64th Ave, Denver, CO 80229		Vehicle Storage Address: 6144 Federal Blvd, San Diego 92114		Email: lcampuzano@ur.com			
Location(s) Where Waste Is Disposed: 1) Pump Station #1 - 3350 East Harbor Dr, San Diego, CA 2) Ocean County Sanitation District 10844 Ellis Dr, Fountain Valley, CA 92708							
Completed By Applicant for Each Permitted Vehicle					Completed by Department of Environmental Health & Quality		
Truck or Trailer?	Vehicle Make	License Plate	Tank Size (total gal)	Split Tank? (gal/ side)	3" Lettering on Vehicle? (yes or no) ¹	Decal #	DEHQ Observations and Comments on Hoses, Valve, Cap, Waste Transfer, etc.
Truck	Hino	01851Y2	1600	1100/500 ✓	Yes	025036	
Truck	Ford	76662Y2	1150	800/350	Not available	025035	in the shop
Truck	Hino	3145317	995	695/300 Please confirm capacity	Yes	025034	Slider tank
Truck	Peterbilt	3213370	1600	1100/500 ✓	Yes	025033	
Truck	Peterbilt	3224527	1600	1100/500 ✓	Yes	025032	
Truck	Peterbilt	3224519	1600	1100/500 ✓	Yes	025031	

¹lettering includes name of business and phone number

H

EXHIBIT H

Video Log — Recorded Evidence of the Continuous, All-Hours Operation of the
FRAC Tank at 6144 Federal Boulevard.

EXHIBIT H — VIDEO LOG

Recorded evidence of the continuous, all-hours operation of the United Rentals FRAC tank at 6144 Federal Blvd., San Diego

This exhibit is a log of the recorded video and photographic evidence I have kept of the United Rentals operation at 6144 Federal Boulevard. Taken together, it documents an operation that runs at all hours — routinely before dawn, through the day, and into the night, seven days a week. Vacuum trucks and a single-compartment bulk hauler pump into and out of the fixed FRAC tank on no schedule a normal business would keep; the heaviest movements are captured in the pre-dawn dark, between roughly 2:00 and 5:00 a.m.

What the footage cannot fully convey is what it is like to work beside it. Day and night, the operation subjects my property at 6176 Federal Boulevard — and the businesses around it — to a horrific stench: the unmistakable odor of raw human waste and the gases it releases (hydrogen sulfide, ammonia, and methane), which are at once nauseating, toxic, and — around a FRAC tank of this kind — explosive. Over that runs the constant noise of diesel vacuum pumps and tankers. These are the working conditions the operation imposes on 6176, a commercial property carrying on its own lawful operations in that same fouled air. The point is not that a business operates nearby, or at what hour, but that this particular operation floods the shared air with toxic, foul gases and runs heavy equipment at all hours in a way no ordinary commercial use does. These conditions — the odor, the gases, and the noise — are what a group of some ninety neighbors and I have documented and reported for more than a year. The recordings below are identified by date and time; the underlying files are retained and available for inspection.



August 3, 2026 at 3:27 p.m. shows two United Rentals / Reliable Onsite vacuum tank trucks in operation with the unpermitted FRAC tank at their 6144 Federal Blvd. yard just 4 ft from my 6176 Federal Blvd. yard.

PRESENTATIONS & MEDIA COVERAGE

[2026.07.06, Porta-Potty's Full Presentation Video](#) Overview presentation of the operation.

[2026.08.11, El Cajon City Council Hearing](#) Petitioner's public comment before the City of El Cajon City Council on the United Rentals septage operation.

OPERATION VIDEO LOG

[2026.05.27, Wednesday at 3:34 p.m.](#) Roof-top video of the pumps running and the open FRAC tank hatches.

[2026.06.10, Wednesday at 10:03 a.m.](#) Noise conditions recorded inside the 6176 offices while the pumps are running.

[2026.06.23, Tuesday at 6:06 a.m.](#) Baseline — recorded without the pumps running, for comparison.

[2026.06.23, Tuesday at 5:52 a.m.](#) Noise conditions at the property line with the pumps running.

[2026.06.27, Saturday at 4:11 a.m.](#) One UR tanker truck pumping operations with the FRAC tank.

[2026.07.02, Thursday at 2:51 a.m.](#) One UR tanker truck pumping operations with the FRAC tank.

[2026.07.14, Tuesday at 9:51 a.m.](#) One UR tanker truck pumping operations with the FRAC tank.

[2026.07.15, Wednesday at 2:48 a.m.](#) Two UR tanker trucks pumping operations with the FRAC tank.

[2026.07.16, Thursday at 2:42 p.m.](#) Two UR tanker trucks pumping operations with the FRAC tank.

[2026.07.17, Friday at 2:48 a.m.](#) One UR tanker truck pumping operations with the FRAC tank.

[2026.07.17, Friday at 1:23 p.m.](#) One UR tanker truck pumping operations with the FRAC tank.

[2026.07.17, Friday at 2:33 p.m.](#) Two UR tanker trucks pumping operations with the FRAC tank.

[2026.07.20, Monday at 8:33 a.m.](#) One UR tanker truck pumping operations with the FRAC tank.

[2026.07.20, Monday at 2:25 p.m.](#) Two UR tanker trucks pumping operations with the FRAC tank.

[2026.07.21, Tuesday at 4:44 a.m.](#) One UR tanker truck pumping operations with the FRAC tank.

[2026.07.21, Tuesday at 2:10 p.m.](#) Two UR tanker trucks pumping operations with the FRAC tank.

[2026.08.01, Saturday at 8:43 a.m.](#) Two UR tanker trucks pumping operations with the FRAC tank.

[2026.08.02, Sunday at 10:50 a.m.](#) Two UR tanker trucks pumping operations with the FRAC tank.

[2026.08.02, Sunday at 12:20 p.m.](#) Two UR tanker trucks pumping operations with the FRAC tank.

[2026.08.03, Monday at 10:09 a.m.](#) One UR tanker truck pumping operations with the FRAC tank.

[2026.08.03, Monday at 2:47 p.m.](#) One UR tanker truck pumping operations with the FRAC tank.

[2026.08.03, Monday at 3:27 p.m.](#) Two UR tanker trucks pumping operations with the FRAC tank.

[2026.08.04, Tuesday at 12:27 p.m.](#) One UR tanker truck pumping operations with the FRAC tank.

[2026.08.04, Tuesday at 1:41 p.m.](#) One UR tanker truck pumping operations with the FRAC tank.

[2026.08.04, Tuesday at 2:55 p.m.](#) One UR tanker truck pumping operations with the FRAC tank.

[2026.08.04, Tuesday at 3:53 p.m.](#) One UR tanker truck pumping operations with the FRAC tank.

[2026.08.04, Tuesday at 4:27 p.m.](#) Late afternoon — the FRAC tank in the yard among the portable-restroom inventory.

[2026.08.05, Wednesday at 12:32 p.m.](#) Two UR tanker trucks pumping operations with the FRAC tank.

[2026.08.05, Wednesday at 3:41 p.m.](#) One UR tanker truck pumping operations with the FRAC tank.

[2026.08.06, Thursday](#) The FRAC tank in operation in the yard.

[2026.08.07, Friday](#) One UR tanker truck pumping operations with the FRAC tank.

[2026.08.07, Friday](#) Two UR tanker trucks pumping operations with the FRAC tank.

[2026.08.07, Friday](#) Two UR tanker trucks pumping operations with the FRAC tank.

[2026.08.07, Friday](#) Two UR tanker trucks pumping operations with the FRAC tank.

[2026.08.10, Monday](#) Two UR tanker trucks pumping operations with the FRAC tank.

[2026.08.11, Tuesday](#) Two UR tanker trucks pumping operations with the FRAC tank.

[2026.08.12, Wednesday](#) Two UR tanker trucks pumping operations with the FRAC tank.

[2026.08.12, Wednesday](#) One UR tanker truck pumping operations with the FRAC tank.

Note: the five August 4 captures above document the operation running repeatedly across a single ordinary Tuesday (12:27 p.m. through 4:27 p.m.), on no known “large event” — with a vacuum truck present at the tank in four of the five.