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VWR International, LLC
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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA

10 COALITION FOR CLEAN AIR, et al.,

11 Plaintiff,

12 v.

13 VWR INTERNATIONAL, LLC, et al.,

14 Defendant.
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Case No. 1:12-CV-1569-LJO-BAM

CONSENT JUDGMENT

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18 Pursuant to Rules 54 and 58 of the Federal Rules of Civil Procedure, the Court hereby
19 ORDERS, ADJUDGES AND DECREES as follows:

20 1. Defendant VWR International, LLC (“VWR”) shall install two (2) electric vehicle
21 charging stations at its warehousing and distribution facility located at 8711 West Riggin Avenue
22 in the City of Visalia (the “Project”). VWR shall make said electric vehicle charging stations
23 available to VWR employees and/or customers.

24 2. VWR shall maintain the following features of the Project until June 11, 2022 (10
25 years after the Project became operational), unless VWR ceases to own and operate the Project in
26 its present form and for its present function prior to that time:

27 a. The emergency generator for the Project shall be powered by natural gas and
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- include a catalytic converter.
- b. Ninety percent of the truck carriers contracted to service the Project by VWR shall be Environmental Protection Agency SmartWay partners, provided however, that temporary variances from this percentage due to circumstances not created by VWR shall not be a violation of this order.
- c. The Project shall utilize energy efficient interior lighting, *i.e.*, light-emitting diodes (“LED”), and T5 and T8 fluorescent lamps, provided, however, that this order shall not prohibit VWR from incorporating new or different lighting technology that is at least as efficient.
- d. The Project shall utilize energy efficient exterior lighting, *i.e.*, LED, and T5 and T8 fluorescent lamps, provided, however, that this order shall not prohibit VWR from incorporating new or different lighting technology that is at least as efficient.
- e. The air conditioning system for the management offices at the Project shall use non-chlorofluorocarbon refrigerant.
- f. Cooling for the main warehouse space at the Project shall be provided through evaporative coolers rather than air conditioners, provided, however, that this order shall not prohibit VWR from incorporating new or different cooling technology that is at least as efficient.
- g. The warehouse space at the Project shall incorporate automated airflow and ventilation systems designed to minimize need for supplemental heating and cooling within the warehouse space.
- h. Forklifts and interior vehicles at the Project shall be electric powered.
- i. The Project shall use a building automation system to control and optimize the efficiency of its mechanical systems, including lighting, HVAC, exhaust dampers, fans, and ventilation louvers
- j. Interior lights shall incorporate motion sensors that turn them off when not in use.

- 1 k. The Project shall incorporate a light colored “cool roof” membrane to reduce
2 surface temperature, heat island effect, and heat transfer to the interior of the
3 structure.
- 4 l. The landscape design and irrigation system shall be in compliance with LEED
5 Silver certification standards to reduce water consumption.
- 6 m. The warehouse shall incorporate water-efficient building design with water
7 efficient fixtures and appliances meeting LEED Silver certification standards.
- 8 n. The Project shall have an operational recycling program covering paper,
9 corrugated cardboard, glass, plastics and metals.
- 10 o. A bicycle rack shall be provided at the Project for employees who wish to
11 bicycle commute.
- 12 p. Five (5) premium car/vanpool spaces shall be provided at the Project.

13 3. Notwithstanding the provisions of paragraph 2, above, this order shall not prohibit
14 VWR from incorporating new or different technology at its facility instead of the specific
15 technology specified in paragraph 2, provided that is no less efficient than the technology
16 specified.

17 4. VWR need not take further action to comply with San Joaquin Valley Air
18 Pollution Control District Rule 9510, as incorporated into the California State Implementation
19 Plan under the Clean Air Act (42 U.S.C. Section 7604(a)).

20 5. VWR need not take further action to comply with Visalia Municipal Code Section
21 17.28.040A.

22 6. VWR shall pay no civil penalties.

23 7. Nothing in this judgment shall prohibit VWR from selling, transferring,
24 demolishing, rebuilding, or repurposing the Project, in whole or in part, or the real property upon
25 which it sits.

26 8. Except as may otherwise be provided by written agreement, each party shall bear
27 their own fees and costs.

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1 9. This judgment shall be entered by the clerk of the court forthwith. The Clerk is
2 directed to close this action.

3 IT IS SO ORDERED, ADJUDGED, AND DECREED.

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6 IT IS SO ORDERED.

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8 Dated: September 11, 2013

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE

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