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9 **SUPERIOR COURT FOR THE STATE OF CALIFORNIA**
10 **FOR THE COUNTY OF ALAMEDA**
11

12 CENTER FOR ENVIRONMENTAL
13 HEALTH,

14 Plaintiff,

15 v.

16 AERODYNAMIC AVIATION, *et al.*,

17 Defendants.
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Case No. RG-11-600721

Hon. Somnath Raj Chatterjee

**DECLARATION OF DANIEL DEMEO
IN SUPPORT OF DEFENDANTS'
OPPOSITION TO MOTION TO
ENFORCE AND MODIFY CONSENT
JUDGMENT**

Date: February 25, 2025

Time: 2:30 p.m.

Reservation Number: 690015831804

Complaint Filed: October 20, 2011
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1 5. Using FlightAware, a publicly accessible website that shows current and past
2 aircraft flights, I looked up N315L’s flight history, which showed the aircraft had visited
3 Watsonville Municipal Airport, Watsonville, CA (“Watsonville”), on December 26, 2024, and
4 departed on December 27, 2024. Attached hereto as **Exhibit E** is a true and correct copy of
5 N315L’s December 2024 flight data from Flight Aware, which is publicly available at:
6 <https://www.flightaware.com/live/flight/N315L/history>. Watsonville had recently started to offer
7 the GAMI G100UL unleaded avgas at its self-service fuel island.

8 **Inability to Store or Dispense GAMI G100UL at Rabbit Aviation**

9 6. As Rabbit purchases, stores, and sells various types of aviation fuel, the company
10 offers 100LL and Swift 94 Unleaded (“UL94”) avgas for sale; however, airplanes that require a
11 high-Octane fuel, such as N315L, cannot use UL94 because of their Octane requirements. San
12 Carlos does offer a high-Octane fuel, such as 100LL, etc.

13 7. San Mateo County has published Minimum Commercial Standards, to which
14 Rabbit and other airport service organizations, fixed base operators (“FBO”) etc., must adhere.
15 San Mateo County mandates that “[f]uel delivered, stored, or dispensed by FBO shall comply
16 with the quality specifications outlined in American Society for Testing and Materials (ASTM) D
17 1655 (Jet Fuel), ASTM D 910 (100LL Avgas), and ASTM D7547 (Unleaded Avgas). Ensuring
18 the quality of the Fuel is the sole responsibility of FBO.” [emphasis added]. See Minimum
19 Standards, County of San Mateo San Carlos Airport (SQL) Half Moon Bay Airport (HAF), at
20 *14, which is attached hereto as **Exhibit F**, and is publicly available at
21 <https://www.smcgov.org/media/45916/download?inline=>.

22 8. I am familiar with the San Mateo County FBO fuel handling and dispensing
23 regulations and guidelines because I must ensure, as part of my duties as an FBO owner, that
24 Rabbit complies with the same. As such, I possess extensive professional knowledge of aviation
25 fuel products and practices.

26 9. To the best of my knowledge, Swift UL94 complies with the ASTM D7547
27 standard, and 100LL complies with the ASTM D 910 standard. GAMI’s G100UL does not
28 possess an ASTM standard certification, according to a publicly-held statement on GAMI’s

1 website, a screenshot of which, that I affirm is true and correct, is attached hereto as **Exhibit G**,
2 and is accessible at:
3 <https://www.g100ul.com/faq#:~:text=Does%20the%20G100UL%20specification%20require,The>
4 [y%20are%20very%20similar.](https://www.g100ul.com/faq#:~:text=Does%20the%20G100UL%20specification%20require,The)

5 10. A large part of my business at Rabbit is the sale of aviation fuel products. As such,
6 I purchase, store, and ultimately dispense large volumes of aviation fuels, including UL94,
7 100LL, and jet fuel. ASTM standards are important in my business because it is an industry
8 standard that allows me to ensure that any products (i.e., avgas) that I store and sell will not
9 damage my tanks and are safe to sell to the pilots who purchase our fuel.

10 11. In the furtherance of this business practice, in 2016, I purchased a 12,000-gallon
11 avgas storage system (“storage tank”) from Fuel Tech, Inc., Mims, FL, for approximately
12 \$130,000. See <https://www.fueltech.com/>. Attached hereto as **Exhibit H** is a photograph, which I
13 affirm to be true and correct, of the actual storage tank I purchased from Fuel Tech and currently
14 use at Rabbit, while the tank was still in Florida. I use this storage tank to hold the 100LL that
15 Rabbit sells. I possess another 10,000-gallon tank that I use to store and dispense UL94.

16 12. My 12,000-gallon avgas storage system contains a storage tank that was
17 manufactured by the Modern Welding Company of Florida, Inc., Orlando, FL (“Modern
18 Welding”), which is one of nation’s leading tank manufacturers. The storage tank adheres to the
19 *Airline Transport Association’s 103 standard* for fuel storage tanks, which is considered the
20 industry standard, and requires bare metal tanks to possess an epoxy lining to prevent rust, etc.
21 Before purchasing my new avgas storage system in 2016, I contacted Modern Welding to
22 ascertain if my storage tanks could safely hold the UL94 avgas. I personally spoke with a shop
23 foreman, whose name I cannot recall, who told me he has personally applied Modern Welding
24 tank linings for over 20 years and that the epoxy used in my storage tank was called *BAR-*
25 *RUST™ 236 Multi-Purpose Epoxy Coating* (“*BAR-RUST 236*”), which is manufactured by Devoe
26 Coatings. Attached hereto as **Exhibit I** is a copy of the Devoe Coating *BAR-RUST* product
27 specification and data sheet.
28

1 13. Circa 2019, I intended to start purchasing Swift’s unleaded UL94 fuel with the
2 intention of placing it into my 10,000-gallon storage tank. I contacted J. Scott Borders, Senior
3 Partner & Founder, Bay Area Tank & Coatings, LLC, who is known in the Bay Area to be a
4 leader in aviation storage tank cleaning, repair, and refurbishment (i.e., applying new epoxy to
5 tanks). See <https://www.bayareatankcoatings.com/about-us>. Mr. Borders had previously
6 refurbished the lining of my 10,000-gallon storage tank with an epoxy called *Enviroline 376-30*. I
7 informed Mr. Borders that I intended to put UL94 into either of my avgas storage tanks, to which
8 he asked me for the fuel’s ASTM specification; I provided the UL94 ASTM D7547 reference to
9 him. Mr. Borders then confirmed with one of his coating representatives and relayed to me that
10 both of my storage tank’s interior linings (i.e., with the *BAR-RUST 236* and *Enviroline 376-30*
11 epoxies) were compatible with Swift’s UL94 ASTM specification.

12 14. In late 2022, after GAMI received its Fleetwide STC authorization from the FAA,
13 I again contacted Mr. Borders to inquire if the GAMI G100UL could be stored in my storage
14 tanks, as it was a candidate to eventually replace 100LL as a high-Octane unleaded fuel. Again,
15 Mr. Borders asked me for the GAMI G100UL’s ASTM specification, to which I informed him
16 that GAMI, to the best of my knowledge, did not have an ASTM specification and did not intend
17 to undergo the ASTM review process. Mr. Borders told me that without an ASTM specification,
18 he could not warrant that the GAMI G100UL would be compatible with my storage tank’s *BAR-*
19 *RUST 236* or *Enviroline 376-30* epoxy linings. Mr. Borders further told me that the only other
20 option would be to have the GAMI G100UL tested with the tank’s interior lining components,
21 which he stated costs approximately \$7,500-\$10,000. Mr. Borders stated that if a non-ASTM-
22 approved substance was put into the tanks, and the tank’s epoxy lining was damaged, it would
23 cost approximately \$40,000 to repair.

24 15. I am familiar with some of the suspected problems associated with GAMI’s
25 G100UL. Because of this, Rabbit aviation will not purchase, store, or sell it for use at San Carlos
26 Airport, until such time that it has been evaluated by, and receives a certification, from ASTM.
27 Furthermore, any aviation fuel that I purchase from an authorized aviation fuel distributor in
28 California must only sell me an ASTM-approved fuel for Rabbit to remain in compliance with

1 San Mateo County Commercial Minimum Standards. Because G100UL does not possess an ASTM
2 standard, I cannot purchase, store, or dispense it at San Carlos Airport and remain within
3 compliance of county regulations.

4 I declare under penalty of perjury under the laws of the State of California that the
5 foregoing is true and correct. Executed this 17th day of February, at San Carlos, CA.

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7 By: 
8 Daniel Demeo
9 Rabbit Aviation Services
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EXHIBIT A

FAA REGISTRY

N-Number Inquiry Results

N-NUMBER ENTERED: 315L

AIRCRAFT DESCRIPTION

Serial Number	24-3293	Status	Valid
Manufacturer Name	MOONEY	Certificate Issue Date	08/26/1999
Model	M20J	Expiration Date	04/30/2028
Type Aircraft	Fixed Wing Single-Engine	Type Engine	Reciprocating
Pending Number Change	None	Dealer	No
Date Change Authorized	None	Mode S Code (base 8 / Oct)	50655136
MFR Year	1993	Mode S Code (Base 16 / Hex)	A35A5E
Type Registration	Individual	Fractional Owner	NO

REGISTERED OWNER

Name	KNOBLER MICHAEL D		
Street	652 CALIFORNIA ST APT B		
City	MOUNTAIN VIEW	State	CALIFORNIA
County	SANTA CLARA	Zip Code	94041-2085
Country	UNITED STATES		

AIRWORTHINESS

INFORMATION PROVIDED HERE SHOULD NOT BE USED TO DETERMINE THE AIRWORTHINESS OF AN AIRCRAFT.

Refer to 14 CFR Parts 39, 43, 91, and FAA Order 8130.2 for airworthiness regulations and guidance.

Type Certificate Data Sheet	None	Type Certificate Holder	None
Engine Manufacturer	LYCOMING	Classification	Standard
Engine Model	I0360 SER A&C	Category	Normal

A/W Date	02/11/1993	Exception Code	No
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The information contained in this record should be the most current Airworthiness information available in the historical aircraft record. However, this data alone does not provide the basis for a determination regarding the airworthiness of an aircraft or the current aircraft configuration. For specific information, you may request a copy of the aircraft record at <https://aircraft.faa.gov/e.gov/ND/>

OTHER OWNER NAMES

None

TEMPORARY CERTIFICATES

None

FUEL MODIFICATIONS

None

DEREGISTERED AIRCRAFT

None

The duration of aircraft registration certificates has been extended up to 7 years. The Registry will be issuing revised certificates in batches based on the former expiration date. For verification purposes, even though the expiration date on the registration certificate may not match the expiration date in the FAA Aircraft Registration database, any registration certificate displaying an expiration date of January 31, 2023 or later is still valid. This applies to all foreign Civil Aviation Authorities or anyone else with a verification need.

You are accessing a U.S. Government authorized information system, which includes (1) this computer, (2) this computer network, (3) all computers connected to this network, (4) all devices and storage media attached to this network or to a computer on this network, and (5) all cloud services and hosting environments supporting this information system. This information system is provided for U.S. Government-authorized use only.

Unauthorized or improper use of this system may result in disciplinary action, as well as civil and criminal penalties.

By logging in and using this information system, you understand and consent to the following:

- You have no reasonable expectation of privacy regarding communications or data transiting or stored on this information system.*
- At any time, and for any lawful Government purpose, communication between the user and this information system, data transiting to/from the system, or stored on this system is subject to monitoring, interception, and search.*

- ***Any communications or data transiting or stored on this information system may be disclosed or used for any lawful Government purpose.***

Exhibit B



OPEN
U.S. GALLONS
CLOSE

GIOUL AVAS
STC 341197M
PATENT SEE: www.gioul.com
DAMP P/N: 06-860012
AVAS P/N: 06-860013

Exhibit C



Exhibit D



Exhibit E

N315L Flight Activity History

N315L

- [Live](#) [N315L Flight Status](#)
- [Resources](#) [N315L Aircraft Registration](#)
- [Photos](#) [N315L Photos](#)

Filter by date

Show flights between and filter

Want a full history search for N315L, dating back to 1998? Buy now. Get it within one hour.

Date	Aircraft	Origin	Destination	Departure	Arrival	Duration
14-Feb-2025	M20P	San Luis Obispo County Rgmt (KSBE)	San Carlos (KSJL)	15:27 PST	16:45 PST	1:17
14-Feb-2025	M20P	San Francisco Bay Oakland Intl (KOAK)	San Luis Obispo County Rgmt (KSBE)	13:51 PST	15:08 PST	1:17
14-Feb-2025	M20P	San Carlos (KSJL)	San Francisco Bay Oakland Intl (KOAK)	13:08 PST	13:19 PST	0:10
09-Feb-2025	M20P	Watsonville Muni (KXVW)	San Carlos (KSJL)	15:28 PST	15:54 PST	0:26
09-Feb-2025	M20P	San Carlos (KSJL)	Watsonville Muni (KXVW)	13:04 PST	13:27 PST	0:23
09-Feb-2025	M20P	San Carlos (KSJL)	San Carlos (KSJL)	11:28 PST	12:06 PST	0:38
26-Jan-2025	M20P	Sacramento Exec (KSMA)	San Carlos (KSJL)	16:26 PST	17:00 PST	0:33
26-Jan-2025	M20P	Rohnerville (KEOT)	Sacramento Exec (KSMA)	14:48 PST	16:13 PST	1:24
26-Jan-2025	M20P	San Carlos (KSJL)	Rohnerville (KEOT)	11:40 PST	13:16 PST	1:36
15-Jan-2025	M20P	Santa Clara County (KRHV)	San Carlos (KSJL)	17:40 PST	17:54 PST	0:14
15-Jan-2025	M20P	Meadows Fid (KEEL)	Santa Clara County (KRHV)	14:42 PST	15:55 PST	1:13
12-Jan-2025	M20P	San Carlos (KSJL)	Meadows Fid (KEEL)	14:37 PST	16:00 PST	1:23
08-Jan-2025	M20P	Santa Monica Muni (KSMA)	San Carlos (KSJL)	21:25 PST	23:43 PST	2:17
04-Jan-2025	M20P	San Carlos (KSJL)	Santa Monica Muni (KSMA)	09:44 PST	11:27 PST	1:43
27-Dec-2024	M20P	Watsonville Muni (KXVW)	San Carlos (KSJL)	09:09 PST	09:43 PST	0:33
26-Dec-2024	M20P	Fullerton Muni (KEUL)	Watsonville Muni (KXVW)	21:18 PST	23:37 PST (I)	2:19
26-Dec-2024	M20P	Santa Monica Muni (KSMA)	Fullerton Muni (KEUL)	18:06 PST	18:30 PST	0:23
22-Dec-2024	M20P	San Carlos (KSJL)	Santa Monica Muni (KSMA)	15:32 PST	17:30 PST	1:57
20-Dec-2024	M20P	Jack Mc Namara Fid (KJCE)	San Carlos (KSJL)	21:07 PST	23:58 PST	2:50
20-Dec-2024	M20P	San Carlos (KSJL)	Jack Mc Namara Fid (KJCE)	19:01 PST	20:49 PST	1:47
10-Dec-2024	M20P	Casa Grande Muni (KGGZ)	San Carlos (KSJL)	17:11 PST	21:28 PST	4:17

EXHIBIT F



Improvements (square feet)	SQL	HAF	Notes
Ramp	Optional	Optional	Ramp, which may be leased, or managed by the FBO, but shall be associated with, and located immediately adjacent to, the FBO Terminal Building.
Paved Tiedowns	Prohibited	Prohibited	

Fuel Storage Facility (SQL Only)

At SQL only, FBO shall own or lease an above ground Fuel storage facility in a location approved by the County. Fuel storage facility shall have total capacity for three days peak supply (excluding special events) of Fuels for Aircraft being serviced by FBO. Fuel storage is prohibited at HAF. In no event shall the total storage capacity be less than:

Fuel Storage Facility Capacity (gallons)	SQL	HAF	Notes
Jet Fuel (minimum total storage capacity)	12,000		
Number of tanks	1		
Size of each tank	12,000		
100 LL Avgas (minimum total storage capacity)	12,000		
Number of tanks	1		
Size of each tank (gallons)	12,000		
Unleaded Avgas (minimum total storage capacity)	10,000		
Number of tanks	1		
Size of each tank	10,000		
Auto gas or Diesel (minimum total storage capacity)	200		For Vehicles and Equipment
Number of tanks	N/A		
Waste Fuel			FBO shall have adequate and proper storage for waste Fuel or test samples.

At SQL, FBO shall demonstrate that satisfactory arrangements have been made with a reputable Fuel supplier for the delivery of Fuels in the quantities necessary to meet the requirements set forth herein or the reasonable peak demands of customers. FBO shall provide the County with a written Spill Prevention, Control, and Countermeasures (SPCC) Plan that meets Legal Requirements for FBO’s Fuel storage facilities and Commercial Activities. An updated copy of the SPCC Plan shall be filed with the County at least thirty (30) calendar days prior to any scheduled changes in operations. Fuel delivered, stored, or dispensed by FBO shall comply with the quality specifications outlined in American Society for Testing and Materials (ASTM) D 1655 (Jet Fuel), ASTM D 910 (100LL Avgas), and ASTM D7547 (Unleaded Avgas). Ensuring the quality of the Fuel is the sole responsibility of FBO.

Fueling Reports (SQL Only)

On or before the 10th calendar day of the subsequent month, FBO at SQL shall: (a) provide a summary report to the County identifying the number of gallons of aviation Fuel by Fuel type: (i) purchased by FBO, (ii) delivered to FBO’s Fuel storage facility, and (iii) dispensed by FBO at the Airports to FBO and customer Aircraft and (b) pay the appropriate fees due to the County.

EXHIBIT G



FAA Approved G100UL Avgas Specification

S1 Does G100UL avgas have an ASTM specification?

No.

GAMI elected to use the existing and approved STC pathway to obtain approval for our general aviation aircraft and engines to use G100UL avgas. [More Info](#)

Also, please review the following [complete G100UL Avgas -12C9 Specification](#)

S2 Can I freely mix G100UL Avgas with 100LL?

EXHIBIT H



EXHIBIT I



Devoe Coatings is a member of the ICI Paints World Group

BAR-RUST™ 236

Multi-Purpose Epoxy Coating

Cat. # 236KXXXX

PRODUCT DESCRIPTION

Generic: Advanced Technology Epoxy

General Description: A high performance, multi-purpose, surface tolerant, two-component chemically-cured epoxy semi-gloss coating.

Typical Uses: BAR-RUST 236 is a true universal coating. Excellent for use on water tanks and any other water containment structures offering cargo, chemical, fuel, and solvent resistance. See the Tank Lining Chemical Resistance Table for specific information. Also used on structural steel, equipment, piping, and masonry at pulp and paper mills, chemical and fertilizer plants, sewage treatment plants, tank farms, and on bridges.

Special Qualifications: Performance alternate for Federal Specifications Mil-P-23236B(SH)-Type I & IV, Type I & IV, and Class 2. Also used on grain cargo – North England Ind. Health Ser.

Suitable for use on structural surfaces or surfaces where there is a possibility of incidental food contact in commercial food preparation establishments, food processing plants and federally inspected meat and poultry plants. USDA no longer requires or furnishes product certification letters.

FEATURES

Advantages:

- Low VOC
- Outstanding corrosion protection
- Suitable for salt & fresh water immersion
- Suitable for corrosive environments
- Resistant to many solvents and chemicals
- Resistant to cathodic disbondment
- Lowers cost of surface preparation
- Surface tolerant
- Good adhesion to damp surfaces and tight rust
- Low temperature cure to 0°F (-18°C)
- Fast dry-to-recoat
- Self-priming for steel & masonry substrates

Limitations of Use: Exterior exposure will cause a color change, early dulling, and loss of gloss, but this does not affect protective properties. Epoxy coatings may yellow during application and cure if exposed to the combustion by-products of improperly vented fossil fuel burning heaters. Commonly finished with Devoe Coatings DEVTHANE™ Urethane Enamel for maximum exterior color & gloss retention.

SPECIFICATION DATA

Color: Off White (tintable to light pastel colors only), ready-mixed colors

Finish: Semi-Gloss

Reduction Solvent: T-10 Thinner

Clean-up Solvent: T-10 Thinner

Weight/Gallon: 12.9 lbs./gal. (1.5 kg/L) – varies with color

VOC (EPA 24): 1.41 lbs./gal. (170 g/L) – varies with color

Solids By Volume (ASTM D 2697 – 7 day): 80%

Theoretical Coverage at 1.0 Mil (25 microns) Dry: 1283 sq. ft./gal. (31.5 m²/L)

Recommended Film Thickness: 4.0-8.0 mils (100-200 microns) dry – 5.9-11.7 mils (147-293 microns) wet. (Make allowances for loss due to overspray & irregular surfaces.)

Service Temperature Limits: 250°F (121°C) dry

Minimum Dry Time (ASTM D 1640): At 6 mils (150 microns) DFT

	20°F(-7°C)	40°F(4°C)	60°F(16°C)	80°F(27°C)
To Recoat	28 hours	9 hours	6 hours	4 hours
Dry Hard	>32 hours	17 hours	10 hours	7 hours

Ventilation, film thickness, humidity, thinning, and other factors can influence the rate of dry.

Shelf Life: Over 24 months at 77°F (25°C) – unopened

Hardness (ASTM D 3363, 7 day cure @ 77°F (25°C): 3H

Mix Ratio By Volume: 4 (base): 1 (converter) – see mixing instructions.

Induction: 15 minutes @ 77°F (25°C) – see mixing instructions.

Pot Life: 4 hours @ 77°F (25°C) & 50% R.H.

PERFORMANCE DATA

Adhesion: (ASTM D 4541) – Excellent

Salt Spray Resistance: (ASTM B 117) – Excellent

Abrasion Resistance: (ASTM D 4060) – Good

Humidity Resistance: (ASTM D 2247) – Excellent

Chemical Resistance: (ASTM D 1308 – 24 hr. contact) Excellent. Resists splash and spillage of alkalis, salts, moisture, oils, greases, foodstuffs and detergents, 50% Sodium Hydroxide, 28% Ammonia, 5% Trisodium Phosphate, 25% Citric Acid, 25% Lactic Acid, 10% Sulfuric Acid, Crude Oil, 10% Hydrochloric Acid, 20% Tannic Acid, 5% Sodium Chloride, 10% Ammonium Hydroxide, sewage.

FINISHES
SPECIAL COATINGS (9800)

ICI DEVOE COATINGS
A member of the ICI Paints World Group.



A member of the ICI Paints World Group.

FINISHES
SPECIAL COATINGS (9800)