



CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
NEWS RELEASE

Department of Toxic Substances Control

T - 17 - 05

For Immediate Release
March 21, 2005

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\$50,000 Settlement Reached with Mirant Delta, LLC

Berkeley - The California Department of Toxic Substances Control (DTSC) and the State Attorney General's Office today announced a settlement with Mirant Delta, LLC (Mirant) resolving hazardous waste violations at its facility at 696 West Tenth Street in Pittsburg, Contra Costa County.

The settlement stems from Mirant's failure to demonstrate valid financial assurance from April 2001 through October 2001 and from January 2002 through May 2002 to cover closure and post-closure costs, as well as third-party liability coverage, for its hazardous waste storage and treatment facilities.

On May 15, 2002, Mirant provided DTSC inspectors with proof of correction of the violations by amending the company's insurance policy, thereby coming into full compliance with state hazardous waste laws.

"We are pleased to see this matter resolved and that Mirant is now in compliance," said B.B. Blevins, DTSC Director.

In California, financial assurance such as an insurance policy or trust account is required by law for facilities that treat, store, or dispose of hazardous waste. This requirement ensures money will be available to properly fund environmental cleanup costs associated with closure and post-closure of hazardous waste facilities, and pay for third party liability claims that may arise from operation of the facility.

In July 2003, Mirant filed for Chapter 11 bankruptcy with a Texas Bankruptcy Court, and continues to operate and manage its Pittsburg facility property as a "debtor-in-possession." Mirant's payment of the \$50,000 settlement to DTSC is contingent upon the direction of the bankruptcy court.

Pacific Gas and Electric formerly owned and operated the Pittsburg facility until 1999, when Southern Energy Delta, LLC acquired ownership and later change the facility name to Mirant Delta, LLC.

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The Department of Toxic Substances Control's mission is to restore, protect, and enhance the environment and ensure public health, environmental quality and economic vitality by regulating hazardous waste, conducting and overseeing cleanups, and developing and promoting pollution prevention.