



# CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY NEWS RELEASE

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## Department of Toxic Substances Control

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### **State reaches \$55,000 Settlement with Union Pacific and East Carbon Development Company for hazardous waste violations**

Berkeley – The California Environmental Protection Agency’s Department of Toxic Substances Control (DTSC) today announced it has reached a settlement with Union Pacific Railroad Company (UP) and East Carbon Development Company (ECDC) for violations involving the transportation of hazardous waste. The settlement resolves violations cited against UP for transporting hazardous waste without proper registration, and the company’s customers who transferred hazardous waste to UP in San Francisco and Newport Beach. ECDC, operators of a landfill in Utah, transferred hazardous waste to UP for transport on multiple occasions during the period of the company’s lapsed transporter registration.

Under the terms of the Consent Order (Order), approved on September 15, 2005, UP will pay DTSC a total of \$55,000, of which \$27,500 constitutes a civil penalty and \$27,500 constitutes reimbursement of DTSC’s investigative and administrative costs.

“It is imperative that companies comply with all state hazardous waste regulations, including registration requirements,” said DTSC Acting Director Leonard Robinson. “This ensures the safe and secure transport of hazardous waste in California, and protects public health and the environment.”

In July and September 2001, DTSC investigations of waste transfer points in San Francisco and Newport Beach revealed that UP was not registered to transport hazardous waste during those periods. Hazardous waste haulers in California must register with DTSC annually.

UP’s hazardous waste haulers registration lapsed from April 1, 2000 until September 29, 2001, during which time UP customers, including ECDC, used the San Francisco and Newport Beach waste transfer locations to ship hazardous waste by rail throughout the state. After DTSC notified UP of its registration lapse, the company renewed its hazardous waste registration on September 30, 2001.

The settlement resolves any dispute over other UP customers’ transfer of waste materials to the company for transportation to ECDC during the period of UP’s lapsed registration.

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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.***