



CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
Department of Toxic Substances Control

News Release

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DTSC settles complaint against FedEx Ground for \$3.4 million

Company allegedly mishandled hazardous materials shipped in California

SACRAMENTO – The California Department of Toxic Substances Control (DTSC) settled a civil complaint against FedEx Ground Package System, Inc. (FedEx Ground) in Sacramento County Superior Court for almost \$3.4 million and protections that would deter the company from similar conduct in the future.

The DTSC complaint alleges that, since at least November 2008, FedEx Ground failed to properly manage broken or leaking packages that contained hazardous materials, such as acids, solvents, insecticides, batteries and other flammable, toxic, or corrosive materials. The complaint alleges that there has been more than 1,500 instances of mismanagement of these hazardous wastes, resulting in multiple violations of California's hazardous waste control laws.

"This settlement will promote and preserve the effectiveness of California's system for managing hazardous waste, thereby safeguarding Californians and their environment," said Keith Kihara, Chief of DTSC's enforcement division.

DTSC alleged that FedEx Ground unlawfully transported hazardous waste packages to FedEx Ground hub facilities that were not authorized to accept hazardous waste. The complaint also alleged that:

- At its three California hubs (one each in Sacramento, Los Angeles and San Bernardino Counties), FedEx Ground unlawfully received and stored hazardous waste.
- FedEx Ground transported hazardous waste without hazardous waste transporter registration and without use of a hazardous waste manifest.
- At its 31 California terminals, FedEx Ground failed to:
 - make hazardous waste determinations
 - obtain required identification numbers
 - fill out hazardous waste manifests
 - send the hazardous waste packages to authorized facilities
 - properly label the hazardous waste packages.

FedEx Ground did not admit liability.

In addition to the penalty, the settlement's injunctive provisions require FedEx Ground to comply with California's hazardous waste management laws, and require compliance with specific statutes and regulations that ensure that Californians and their environment are protected when hazardous wastes consisting of damaged packages are removed from FedEx Ground vehicles for disposal.

Fifty percent of the penalties will be distributed into DTSC's Orphan Site Fund and the remaining funds will be distributed between the Attorney General's Office and the Sacramento and San Diego County Certified Unified Program Agencies, all of whom played a significant role in the development and prosecution of the case.



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FOR GENERAL INQUIRIES: Contact the Department of Toxic Substances Control by phone at (800) 728-6942 or visit www.dtsc.ca.gov. To report illegal handling, discharge, or disposal of hazardous waste, call the Waste Alert Hotline at (800) 698-6942.

The mission of DTSC is to protect California's people and environment from harmful effects of toxic substances by restoring contaminated resources, enforcing hazardous waste laws, reducing hazardous waste generation, and encouraging the manufacture of chemically safer products.