



CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
Department of Toxic Substances Control

News Release

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Barbara A. Lee, Director

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DTSC Files Complaint Against Glass and Clay Tile Manufacturer in San Benito County

Sacramento – The Department of Toxic Substances Control has filed a complaint against Fireclay Tile, Inc., a manufacturer of glass and clay tiles and bricks, for multiple hazardous waste violations.

The complaint alleges that San Francisco-based Fireclay unlawfully generated, stored, treated and disposed of hazardous waste at its facility in Aromas (San Benito County). The California Attorney General's Office filed the complaint in San Francisco County Superior Court on behalf of DTSC.

Fireclay produces glass tiles made from solar glass tubes and cathode ray tube (CRT) panel glass. At the facility, the solar glass tubes and CRT panel glass are crushed by a hammer mill and ground into glass particles. The glass particles are then sorted by size using mechanical sieves into plastic containers both outdoors and indoors.

Under the terms of a loan agreement with the California Department of Resources Recycling and Recovery (CalRecycle), Fireclay was required to divert debris and glass, which Fireclay uses as ingredients in its tiles, from landfills. The agreement also required Fireclay to comply with all laws, expressly including the Hazardous Waste Control Law.

The complaint alleges that Fireclay unlawfully treated CRT panel glass and solar glass tubes, which are hazardous wastes. The complaint also alleges that spills of crushed glass particles and glass dust were found throughout the facility and glass particles and dust were disposed of into trash cans and a municipal dumpster.

As part of the inspection, DTSC collected samples throughout the facility and found that all but one of the samples exceeded the regulatory threshold for barium, antimony, and/or zinc.

The complaint also alleges that Fireclay:

- Failed to make hazardous waste determinations on the waste streams generated at the facility;
- Failed to provide hazardous waste and universal waste training to its employees and contractors; and

- Failed to properly maintain or operate the facility to minimize the release of hazardous waste into the environment.

The violations, if proven, subject Fireclay to civil penalties of up to \$25,000 for each separate violation and \$25,000 for each day a violation continued. A copy of the complaint may be viewed [here](#).



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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.