



CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
NEWS RELEASE

Department of Toxic Substances Control

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For Immediate Release

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DTSC Terminates Authorization / Refers Site to Federal EPA

Los Angeles- - Citing the dangers associated with explosive hazardous wastes currently stored at the Denova Environmental Inc., facility in Rialto, Department of Toxic Substances Control Director Ed Lowry, today announced termination of the firm's authorization to store hazardous waste and referred the site to the federal EPA Emergency Response Unit for the removal of hazardous waste. Upon completion of EPA's work, DTSC will oversee the final closure of the site.

"Considering the types of explosive waste, the condition of some of the containers, mismanagement of records and the owner's inability to comply with a range of hazardous waste and public safety regulations, termination of authorization and referral to the federal EPA for removal ensures that public health and the environment are protected," said Lowry

"This site represents a serious threat to public health and we secured the site as soon as we received the request for assistance from our partners at DTSC," said Dan Meer, EPA's Chief of the Emergency Response Branch for the Pacific Southwest Region. "We are conducting a site assessment and inventory of the hazardous materials to determine our next steps in the cleanup and we will coordinate closely with local officials and DTSC."

In operation since 1999, Denova Environmental Inc., located at 2510 North Alder Avenue, stores explosive and hazardous waste. Broco Inc. and Broco Environmental, Inc previously owned the facility. As a result of several inspections over the last year, DTSC has on-going enforcement actions against Denova, including a pending penalty of \$2.5 million.

DTSC inspections revealed that the facility was storing more than twice the amount of its authorized capacity for hazardous waste, mixing incompatible hazardous wastes, using unsafe management practices for explosive waste materials, and other serious hazardous waste violations.

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In March 2001, DTSC issued an Imminent and Substantial Endangerment Order, which prevented Denova from accepting any additional hazardous waste until certain conditions were met. Additional inspections by DTSC revealed numerous serious continuing violations. In September 2001, DTSC issued a Permit Revocation and Amended Enforcement Order.

This matter was set for hearing in April 2002 but was settled through a Partial Stipulation and Order on March 29, 2002. The Partial Settlement required Denova to remove all hazardous and explosive waste from the site and cease almost all operations. Denova failed to comply with several of the requirements of the Partial Settlement including the removal of all hazardous waste by May 28, 2002. The facility's failure to comply with the settlement prompted the DTSC to revoke its authorization

DTSC's inspections found that Denova:

- Cannot account for 26 hazardous waste manifests (used to track the generation, storage, transfer and disposal of waste in California) of incoming explosive hazardous waste in its inventory;
- Commingled some hazardous waste and explosive waste shipments making it difficult to dispose of or trace the waste back to the original generator;
- Mismanaged the storage of incompatible waste and,
- Failed repeatedly to show proof of adequate financial assurance.

Other environmental and enforcement agencies have also responded to this troublesome facility. The San Bernardino County Bomb Squad conducted a search warrant and, on two separate occasions, has been called to detonate unstable explosives, the Federal Bureau of Investigations issued a search warrant and the federal Environmental Protection Agency's Emergency Response Team and the federal Bureau of Alcohol, Tobacco and Firearms have responded to calls for assistance.

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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.

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"The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at www.dtsc.ca.gov."