



CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY  
Department of Toxic Substances Control

## News Release

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Deborah O. Raphael, Director

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**FOR IMMEDIATE RELEASE**

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### **Lowe's to Pay \$18.1 Million Settlement for Illegal Handling and Disposal of Hazardous Waste**

**SACRAMENTO, Calif.** – The California Department of Toxic Substances Control (DTSC) announced today that Lowe's Home Centers will pay \$18.1 million as part of a settlement of a civil environmental prosecution following a joint investigation by DTSC's Office of Criminal Investigations (OCI), 31 California district attorneys and two city attorneys.

The judgment is the culmination of a civil enforcement action filed in Alameda County and led by the district attorneys of Alameda, San Joaquin and Solano counties, which alleged that more than 118 Lowe's stores throughout the state unlawfully handled and disposed of hazardous wastes over a six and a half year period. Those hazardous wastes and materials included pesticides, aerosols, paint and colorants, solvents, adhesives, batteries, mercury-containing fluorescent bulbs, electronic waste and other toxic, ignitable and corrosive materials.

"The support of statewide hazardous waste prosecutions brought by city attorneys and district attorneys is a top priority for the Office of Criminal Investigations," said Reed Sato, DTSC Chief Counsel. "OCI will always provide assistance for these important efforts to obtain hazardous waste management compliance by the retail industry."

From 2011 to 2013, OCI scientists and investigators conducted 17 dumpster examinations to gather evidence in this case. These dumpster examinations revealed that Lowe's was routinely and systematically sending hazardous wastes into local landfills throughout California that were not permitted to receive those wastes. At some Lowe's stores, employees were unlawfully throwing away batteries and compact fluorescent light bulbs that customers had turned in to be recycled.

Under the final judgment, Lowe's must pay \$12.9 million in civil penalties and costs. An additional \$2.1 million will fund supplemental environmental projects furthering consumer protection and environmental enforcement in California, and Lowe's will fund hazardous waste minimization projects of \$3.2 million. The retailer will be bound under terms of a permanent injunction prohibiting similar future violations of the law. DTSC will receive about \$1.67 million paid as penalties.

Stores are required to retain their hazardous waste in segregated, labeled containers to minimize the risk of exposure to employees and customers and to ensure that incompatible wastes do not combine to cause dangerous chemical reactions. Hazardous waste produced by California Lowe's stores through damage, spills and returns is being collected by hazardous waste haulers registered with DTSC and taken to proper disposal facilities.

DTSC has assisted state and local prosecutors in cases that, since 2010, have generated about \$105 million as penalties, judgments or projects through statewide environmental enforcement cases. Of that total, DTSC received about \$4.8 million in costs, penalties or judgments. The information below reflects the total funds generated from each settlement.

<b>Retailer</b>	<b>Year</b>	<b>Total Settlement</b>	<b>Money Recouped by DTSC</b>
Wal-Mart	2010	\$27.7 Million	\$1.17 Million
Target	2011	\$22.5 Million	\$578,000
Walgreens	2012	\$16.6 Million	\$991,625
CVS	2012	\$13.75 Million	\$249,625
Costco	2012	\$3.5 Million	\$37,750
Save Mart	2013	\$2.55 Million	\$28,000
Lowe's	2014	\$18.1 Million	\$1.67 Million

OCI is a special investigation unit within DTSC consisting of peace officers, scientists and a computer forensic specialist who investigate criminal misconduct and other violations of the hazardous waste laws in California. It is the only criminal investigations unit within the California Environmental Protection Agency. It is part of the Office of Legal Affairs.



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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](http://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 properties, identifying and promoting safer ingredients in consumer products, and ensuring stewardship through enforcement, regulation and pollution prevention.***