



News Release

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Criminal Charges Filed Against Richmond Plating Facility for Alleged Unlawful Management of Hazardous Waste

SACRAMENTO, Calif. – The Department of Toxic Substances Control (DTSC) announced today that the Contra Costa County District Attorney’s Office has filed criminal charges against Electro-Forming, Co., and its owner Marion Patigler for numerous alleged violations of California’s hazardous waste laws.

Electro-Forming, Co., a metal plating company operating in Richmond, and Patigler are charged with 11 felony counts and 12 misdemeanor counts for the mismanagement of hazardous waste, including the unlawful disposal, storage, treatment, and transportation of hazardous waste. This action arises from an investigation by DTSC’s Office of Criminal Investigations (OCI).

“The reckless behavior of this company and its owners warrants a tough enforcement response,” said Reed Sato, DTSC Chief Counsel. “We are grateful for the partnership with the district attorney to address this misconduct. The enforcement actions brought against Electro-Forming, Co. and its owners, through the good work of OCI, is a textbook example of how hazardous waste violations are discovered, investigated, stopped and prosecuted.”

The criminal complaint alleges that the Richmond facility illegally treated and stored plating waste for several years in various unlabeled drums, containers, a strip tank, and an unpermitted 6,900-gallon Baker tank. It also alleges that Electro-Forming, Co. unlawfully disposed of hazardous waste polishing dust and plating filters contaminated with metals. It also states that the facility knowingly treated, handled, disposed or stored hazardous waste in a manner that allowed hazardous waste to accumulate underneath the floor in the plating area. These practices also created an unreasonable risk of fire, explosion, serious injury or death in the tank. In addition, the facility failed to make a waste determination, and failed to label drums, provide employee training, operate the facility in a manner to prevent a release, and obtain a valid hazardous waste transporters registration.

“The goals of the filing of this criminal case are to hold Marion Patigler and her company, Electro-Forming, Co., accountable for their conduct, protect the public and ensure a safer worker environment at the facility,” District Attorney Mark Peterson said. “The prosecutors and investigators in the Contra Costa County Environmental Protection Unit work closely with the Office of Criminal Investigations, and we would like to thank them because without their hard work and support, this case would never have occurred.”

The criminal charges follow a civil complaint filed in August 2013 by the California Attorney General's Office against Electro-Forming, Co. on behalf of DTSC. The complaint alleged that the facility illegally disposed of hazardous waste in the street and on adjacent property. It also alleged that the company was unlawfully boiling off liquid plating waste and combining different types of hazardous waste in a tank. Less than a month later, DTSC obtained a court order that required the facility and its owners to stop ongoing violations of the state's hazardous waste laws and immediately remove large quantities of hazardous waste from their property. The owners and the company complied with the removal requirements.

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

See the complaint [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 properties, identifying and promoting safer ingredients in consumer products, and ensuring stewardship through enforcement, regulation and pollution prevention.