



CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
Department of Toxic Substances Control

News Release

T – 16 – 15
Barbara A. Lee, Director

FOR IMMEDIATE RELEASE

November 9, 2015

Contact: Jorge Moreno
(916) 327-4383

DTSC removes hazardous waste from a metal plating company in Richmond, owner sent to prison

SACRAMENTO – The Department of Toxic Substances Control (DTSC) began cleanup of hazardous wastes left behind at a metal plating company in Richmond after its owner, who had a history of hazardous waste violations, was sent to jail by a Contra Costa Superior Court judge.

Marion Patigler, owner of Electro-Forming, Co., surrendered herself on November 7, 2015 to the county jail to serve a three year sentence for a probation violation. The probation resulted from a criminal action filed by the Contra Costa County District Attorney's Office.

Patigler pleaded guilty to nine misdemeanor charges and on behalf of her business, pleaded guilty to an additional four felony counts. Electro-Forming, Co. is located at 130 Nevin Avenue. Patigler had been placed on a five-year probation and ordered to remove hazardous waste from the facility as a condition of probation. In sending Patigler to jail, the court ruled that Patigler failed to comply with that probation requirement.

The criminal charges, originally filed in March 2014, included unlawful storage, treatment and disposal of hazardous waste; unpermitted operation of a hazardous waste storage and treatment facility; unregistered transportation of hazardous waste to an unpermitted facility; and unlawful handling or storage of hazardous waste causing unreasonable risk of fire, explosion, serious injury or death.

“DTSC has used the full range of its enforcement resources to stop Ms. Patigler’s reckless behavior and protect the community,” said Reed Sato, Chief Counsel for the Department of Toxic Substances Control. “We value the partnership with the Contra Costa District Attorney’s Office that brought Ms. Patigler to justice and held her personally accountable for her continual mismanagement of hazardous wastes.”

Patigler’s recent incarceration left hazardous wastes at the facility and DTSC’s Emergency Response Unit secured the site to ensure that all such wastes were properly managed.

DTSC and its contractor will package the waste in containers, including cyanide, nitric acid, hydrochloric acid, and plating solutions containing copper and hexavalent chromium and will transport them to a licensed disposal site. The process tanks found at the site will be disposed of as either scrap (non-contaminated) or hazardous waste, leaving only the building and machinery after the work is completed.

One of the conditions of her five-year probation was for Patigler to immediately cease operation of her company. Other conditions included cleanup of the business including removal of all hazardous materials, waste and equipment; not engaging in any type of business that generates hazardous waste; and completing 200 hours of community service. She was ordered to pay \$50,000 in criminal fines, and Electro-Forming, Co., was ordered to pay \$250,000 in criminal fines. In addition, Patigler and the company are liable for \$228,000 in restitution to DTSC.

DTSC's Office of Criminal Investigations began investigating Electro-Forming in 2012. It partnered with the Contra Costa County District Attorney's Office, the Contra Costa County Environmental Health Services Hazardous Materials Unit, Richmond City Fire Department, Alameda County District Attorney's Office, and the Contra Costa County Central Sanitation District to execute a search warrant and develop evidence of environmental crimes

The Office of Criminal Investigations 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.

DTSC also has a civil lawsuit against Patigler filed in Contra Costa County Superior Court. DTSC has obtained a judgment of over \$8 million against the company and is pursuing Patigler for separate penalties.



###

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.