

EXCERPTS FROM
ENVIRONMENTAL REGULATION COMMITTEE

House Hearing Transcript

September 8, 2004

10:14 am to 1:38 pm

Kuempel: Was there a violation...Did you issue a violation to a company for failure to properly manage hazardous waste and then allow that company to dispose of hazardous waste at a non-hazardous waste facility?

Steib: Yes sir.

Kuempel: Was that an illegal treatment?

Steib: We believe we had a legal basis for both of those decisions. We believe that the decision made to issue an NOV addressed an issue that at the time we thought there was some responsibility for that company to determine and know about its contents and what to do in the event of an accident. And they were the carrier. Now, at this point in time, with the commingling of that small residual amount, unintentionally, with the testing that has been done, with the ratio amount of leachable lead in the significant volume of that waste now, not revealing any hazardous characteristics that are normally associated within the parameters of it, we don't feel that it is appropriate now to assess a penalty or perhaps not a fine associated with that. It can be proper...I am sorry, I did not fully answer your question, and now it can be properly disposed of in our mind as a special waste in an appropriate landfill not requiring a hazardous waste classification.

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