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Waste Management slapped with nearly \$240,000 landfill fine

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A record fine has been levied against **Waste Management Inc.** for alleged environmental violations at the company's landfill in Northeast Travis County.

The Austin-based Texas Commission on Environmental Quality imposed a \$239,370 fine against Houston-based Waste Management [NYSE: WMI]. Although the fine is far less than the initial proposed amount of \$800,000, it is the largest against a landfill since state lawmakers gave the Commission on Environmental Quality the authority to issue fines in 1986, commission spokeswoman Adria Dawidczik says.

The average fine in the state's last fiscal year was \$9,752, says Paul Sarahan, director of the commission's litigation division.

Waste Management agreed to pay the fine while still denying the commission's allegations.

The Commission on Environmental Quality is the state's environmental agency. Its responsibilities include permitting, licensing and registering landfills.

Many of the alleged violations involve unpleasant odors emitted from landfills in Northeast Austin. Nearby businesses and residents have complained about the odors for years.

Sarahan says Waste Management was able to negotiate a lower fine by showing Waste Management's level of emissions wasn't high enough to be classified in the "major source" category, and the company didn't financially benefit from the alleged violations by more than \$15,000. The commission found Waste Management benefited by \$13,000 from the alleged violations.

In a statement, Waste Management says that "we have recently completed paving part of the road on landfill property ... and are installing the wheel wash system, both of which should greatly reduce the likelihood of mud on Giles Road during wet weather. Also, we are adding additional groundwater monitoring wells/piezometers in the western 55 acres that have been requested by neighbors as part of our 1990 agreement with them."

Of the \$239,370 fine, \$119,685 will go toward surveying a three-mile area in Travis County for illegal dump sites and installing new water connections for the Northridge Acres subdivision.

Meanwhile, the Commission on Environmental Quality is in the process of assessing a fine against another Travis County landfill operator -- BFI, owned by Scottsdale, Arizona-based Allied Waste Industries Inc. BFI's proposed fine is tied to unpleasant landfill odors.

In April, the commission announced a \$60,000 fine was being considered. Dawidczik says the amount is being negotiated.

In a previous statement, BFI said: "We have taken a very proactive approach to addressing any of the issues raised by TCEQ. In the past there have been some odor issues and we've taken responsibility for the issues on our site. In the last 18 months we have implemented a vast array of improvements to not only address the odor issue from 2001, but also to get 'ahead of the curve' in 2003."

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