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MOTOROLA, SIEMENS CORP. AND GLAXOSMITHKLINE PAY \$500,000 PENALTY FOR SYSTEM FAILURES AT SUPERFUND SITE IN SCOTTSDALE, ARIZONA

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SAN FRANCISCO – Motorola, Inc., Siemens Corp. and GlaxoSmithKline will collectively pay a \$500,000 civil penalty for system failures that led to the release of trichloroethylene (TCE) into the public drinking water system in Scottsdale, Ariz., the U.S. Environmental Protection Agency and the Department of Justice announced today.

The settlement resolves violations of the North Indian Bend Wash consent decree, filed in 2003, which occurred when TCE above contamination limits was released from the Miller Road Treatment Facility on two separate occasions, in October 2007 and January 2008.

Given the serious nature of these incidents, the EPA and the Justice Department promptly demanded the significant penalties provided for under the Superfund law for each groundwater violation as well as demanding penalties for inaccurate reporting of the incidents to the regulator.

“This unique approach allowed the EPA and the justice department to impose significant penalties and sends a strong message to these companies that system failures are unacceptable,” said Wayne Nastri, Administrator for the EPA’s Pacific Southwest office. “Proper operation and maintenance of the treatment system is the responsibility of the participating companies and is essential to ensuring that these types of failures do not occur in the future.”

“These three companies failed to properly treat groundwater for TCE at the site and further failed to alert proper authorities about the release despite being under an agreement to do both,” said Ronald J. Tenpas Assistant Attorney General for the Justice Department’s Environment and Natural Resources Division. “The Justice Department remains committed to ensuring that responsible parties meet their obligations and are held accountable for the cleanup of Superfund sites.”

Though the Miller Road Treatment Facility is owned and operated by the Arizona American Water Company, under the terms of the consent decree, Motorola, Inc., Siemens Corporation and GlaxoSmithKline are responsible for the remedy, which requires pumping and treating contaminated groundwater so that TCE does not exceed an acceptable limit of 5 parts per billion.

The first incident at the Miller Road facility occurred in October 2007 when a blower failure resulted in groundwater leaving the facility above the contamination level. Equipment failures in January 2008 resulted in untreated groundwater entering the drinking water system above contamination limits.

After the second system failure, the Miller Road Treatment Facility was shut down to investigate and remedy system malfunctions. Following approval from the EPA, the Arizona Department of Environmental Quality and Maricopa County officials, in late April the system was restarted. Upgrades and operation and maintenance improvement include, additional safety measures, the presence of an operator 24 hours a day and the installation of new control panels, alarms and daily sampling. Moreover, the most contaminated well is no longer used by Arizona American Water Company.

On May 21, 2008, the EPA is holding a public meeting at the Scottsdale Civic Center Library from 5:30 – 7:30 p.m. to discuss operations at the Miller Road Treatment Facility, the recent penalty and future plans for the site.

The Indian Bend Wash Superfund Site is approximately 13 square miles and is located in Scottsdale and Tempe, Ariz. In 1981, TCE was discovered in several drinking water wells in the area. Since September 1988, EPA has required the

construction of treatment facilities to contain the TCE and to provide potable water to Scottsdale. On June 6, 2003, a settlement was reached that obligated Motorola, Siemens and SmithKlineBeecham, now GlaxoSmithKline, to continue operating and maintaining the enhanced remedy.

The complaint and stipulation and order were both filed today in U.S. District Court in Phoenix.

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