

State of California ~ Department of Justice

OFFICE of the ATTORNEY GENERAL
KAMALA D. HARRIS

Attorney General Kamala D. Harris Announces \$23.8 Million Settlement with AT&T for Environmental Violations

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SAN FRANCISCO – Attorney General Kamala D. Harris and Alameda County District Attorney Nancy E. O’Malley today announced a settlement with AT&T to resolve allegations that hundreds of AT&T’s California facilities unlawfully disposed of hazardous waste and material over a nine-year period. As part of the settlement, AT&T will pay \$23.8 million. In addition, AT&T will spend an estimated \$28 million over the next five years to implement the enhanced environmental compliance measures required by the settlement. The settlement and proposed judgment, filed in Alameda County Superior Court, requires approval from the court before becoming final.

“This settlement holds AT&T accountable for unlawfully dumping electronic waste,” Attorney General Harris said. “The illegal disposal of hazardous waste can lead to serious environmental and health risks for California communities. AT&T will be required to implement strict compliance measures at its facilities that set an example for other companies to safeguard our communities against hazardous waste.”

This is the first enforcement action in California against a telecommunications company for its management of electronic waste.

“Today’s settlement marks a great victory for California’s ongoing efforts to ensure that hazardous waste is disposed of in a safe, legal and environmentally sustainable manner,” states Alameda County DA Nancy E. O’Malley. “Whether a small local business or a huge international company, my Office will pursue all necessary legal action against entities that pollute our environment. This legal action should put others on notice that local and state agencies will continue to work together to investigate and prosecute violations against our environment.”

The civil enforcement action and proposed settlement against AT&T were filed today in Alameda County by Attorney General Harris and the District Attorney O’Malley, and is the product of a robust investigation by the two offices together with the Department of Toxic Substances Control. The enforcement action claims that more than 235 AT&T warehouse and dispatch facilities throughout the state unlawfully handled and disposed of various hazardous wastes and materials over a nine-year period. Those hazardous wastes and materials primarily consisted of electronic equipment, batteries, aerosol cans, as well as certain gels, liquids and other items used by AT&T service technicians in delivering telephone, Internet and video services to residential and business customers in California.

In 2011, inspectors from the Alameda County District Attorney’s Office Environmental Protection Division and investigators from the California Department of Toxic Substances Control conducted a series of waste inspections of dumpsters belonging to AT&T warehouse and dispatch facilities. The inspections revealed that AT&T was routinely and systematically sending hazardous wastes to local landfills that were not permitted to receive those wastes.

Upon notice of the investigation, AT&T immediately agreed to cooperate and promptly implemented measures to halt the removal of regular trash until it could be inspected to remove any potentially hazardous wastes before they reached municipal landfills. AT&T also has voluntarily dedicated additional resources toward environmental

compliance and improving its hazardous and universal waste management compliance programs. In addition to the \$23.8 million settlement payment, AT&T expects to incur another \$28 million over the next five years to implement enhanced environmental compliance measures required by the settlement. For example, AT&T has implemented multiple layers of protection against electronic waste getting into its regular trash, including contractor inspections of “staging bins” before their contents are deposited in dumpsters, hundreds of unannounced dumpster inspections annually, and three independent audits over five years.

There are 13 AT&T facilities in Alameda County and all 13 facilities were found to be unlawfully disposing hazardous waste.

If approved by the court, under the final judgment, AT&T must pay \$18.8 million in civil penalties and costs. An additional \$3 million will fund supplemental environmental projects furthering consumer protection and environmental enforcement in California, and AT&T will pay a minimum of \$2 million to enhance its environmental compliance. The telecom provider will be bound under the terms of a permanent injunction prohibiting similar future violations of law.

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Attachment	Size
 ATT's Complaint.pdf	1.17 MB
 ATT's Stipulation for Entry of Final Judgment.pdf	377.79 KB
 ATT's Proposed Final Judgment.pdf	260.69 KB