

## Home Depot settles waste case; The retailer will pay \$10 million for improperly storing hazardous materials at its stores. Marina del Rey blast sparked probe.

[HOME EDITION]

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### Document Text

Home Depot agreed Friday to pay nearly \$10 million to settle a civil case filed by state and Los Angeles County prosecutors over the retailer's failure to properly store and transport hazardous sludge.

The case stems from the explosion of a 55-gallon drum at Home Depot's Marina del Rey store in 2004 that caused a fire and forced the evacuation of customers and employees. Investigators discovered that chemicals were mixed together into an explosive brew.

State Atty. Gen. Jerry Brown said that his office was looking at other companies, including "some big, large names," and that he expected the settlement to act as a deterrent.

"Home Depot is not the only company that has problems," he said.

"Because of a cost-cutting campaign under the last CEO, safety measures definitely declined," Brown said of Home Depot.

"So now, under pressure of my office and that of a number of county district attorneys," he said, "they've totally revamped their procedures and put themselves in a position to deal with hazardous materials in a sound way."

In a statement, Home Depot said it was improving its handling of hazardous waste.

"We have been working with the state officials to address their concerns, and have developed and implemented a best-in-class program for labeling and

disposing of the waste generated in our stores," the statement read.

Prosecutors said that in the case of the Marina del Rey store, it didn't take much to cause an explosion.

"It was a volatile mixture that reacted and exploded," said Patty Bilgin, supervising attorney for the environmental justice and protection section of the Los Angeles city attorney's office. "These big-box outlets have become mini-chemical warehouses."

Fortunately, Bilgin said, the drum that blew up was in a back room.

After the explosion, a waste hauler contracted by Home Depot was stopped by the California Highway Patrol in Ripon in San Joaquin County. The truck was not certified by the state.

"Waste haulers must be certified by the state," said Stanley P. Williams, assistant head deputy for the Los Angeles County district attorney's Consumer Protection Division. "Home Depot was required to hire haulers that are certified."

As a result, a multi-agency investigation was begun; it included the state attorney general's office and prosecutors from Los Angeles, Riverside, Santa Clara, San Joaquin and Monterey counties.

The settlement may be the largest involving hazardous waste and a big-box retailer in California, Williams said.

The investigation concluded that Home Depot stores across California improperly stored their hazardous waste while awaiting off-site disposal. In addition, haulers sometimes improperly stored and labeled the waste and did not keep good records of materials about to be transported.

Of the total penalty to be paid by Home Depot, the Los Angeles County district attorney's office will get \$837,000 in civil penalties and costs. The L.A. County Fire Department will get \$250,000.

Prosecutors declined to comment on whether they are investigating other retailers or whether they found more uncertified waste-hauling trucks during their investigation.

"It's a problem that was very important for us to act upon because of the potential for harm," Williams said.

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