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ADEQ Director Owens Announces \$90,000 Penalty for Water Quality, Waste Violations at Bradley Landfill

PHOENIX (June 11, 2008) -- Arizona Department of Environmental Quality Director Steve Owens today announced that Bradley Investment Comp. and its successor corporation, BXB Assets, will pay a \$90,000 penalty for violations of Arizona solid waste and water quality protection statutes at the closed Bradley Landfill, 4346 E. Magnolia Street in Phoenix.

Bradley Investment violated Arizona law by failing to comply with maintenance and monitoring responsibilities detailed in a 2001 permit issued to Bradley by ADEQ.

For about 25 years, Bradley Investment operated the landfill in east Phoenix. After the landfill was closed in the 1990s, Bradley was required to continually monitor the site for potential pollutant contamination to groundwater, surface water and air. Bradley also was required to maintain safety at the closed landfill by keeping it adequately covered and secured from public access.

An aquifer is located only about 30 to 60 feet below the Bradley Landfill. The landfill contains solid waste and garbage and unknown other industrial waste that pose a potential risk to the groundwater in the area.

“Bradley failed to comply with its permit and violated our state laws protecting our precious groundwater resources and controlling solid waste landfills,” Director Owens said. “A company cannot just close down a landfill and walk away from responsibility.”

Attorney General Terry Goddard said, “It is important to protect our water supplies from this type of pollution in order to maintain a strong community, a stable economy and public health. These types of violations will not be tolerated.”

The settlement agreement requires Bradley to pay \$90,000 in civil penalties and requires strict compliance in the future to avoid future violations.