Medical Waste/Environmental Criminal Enforcement: Maryland Special Medical Waste Incinerator Enters into Guilty Plea Addressing State Charges

Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

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The Maryland Attorney General ("AG") announced on October 17th that Curtis Bay Energy, LP ("Curtis Bay") entered into a guilty plea to a forty-count criminal information resulting from an investigation that had been conducted by his Office of Environmental and Natural Resources Crimes Unit.

The guilty plea is stated to address Curtis Bay's special medical waste incinerator facility ("Incinerator") located in South Baltimore City, Maryland.

Charges to which Curtis Bay pled guilty are allegedly related to:

- Insufficient treatment and improper handling of special medical waste
- Operation and concealment of an unpermitted discharge outlet

Medical waste is described by the AG as consisting primarily of "red bag" waste from waste from hospital and laboratory settings. They are required to be removed from the general waste stream and placed into marked biohazard containers.

The AG's Office of Environmental and Natural Resources Crimes Unit is stated to have initiated an investigation in 2019 that:

. . . established evidence of systemic, improper, and unsafe handling, transport, and disposal of insufficiently incinerated special medical waste at Curtis Bay Energy, in violation of the company's refuse disposal permit issued by the Maryland Department of the Environment (MDE).

The guilty plea is stated to have indicated that the company's employees routinely overloaded the facility's incinerators with special medical waste to process material faster. This is stated to have resulted in insufficiently incinerated waste.

Curtis Bay was sentenced in the Circuit Court of Maryland. The company is placed on two years' probation. In addition, it is required to:

- Pay a penalty of $1,000,000 to the Clean Water Fund
- Undertake a Supplemental Environmental Project at a cost of $750,000

Links to the AG's news release and the plea agreement can be found below.

https://www.marylandattorneygeneral.gov/press/2023/101723.pdf

https://www.marylandattorneygeneral.gov/news%20documents/101723_CBE.pdf