



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

Hazardous Waste Enforcement: California Environmental Protection Agency and Apple, Inc. Enter into Settlement Agreement Addressing Alleged Violations

Arkansas Environmental, Energy, and Water Law Blog

12/12/2016

The California Environmental Protection Agency – Department of Toxic Substances Control (“CEPA”) and Apple, Inc. (“Apple”) entered into a settlement agreement addressing alleged hazardous waste violations at company facilities in Silicon Valley, California.

A November 29th proposed Final Judgment Pursuant to Stipulation has been filed in Santa Clara County Superior Court.

The settlement agreement addresses alleged violations that CEPA is stated to have found from an inspection of Apple facilities conducted on June 13th, 2013. The alleged violations are also based on subsequent information requests from the agency.

CEPA is stated to have determined that Apple opened, operated and then closed an electronic waste shredding facility from 2011 to 2012 without:

- CEPA’s knowledge
- complying with universal waste regulations (including the mismanagement of metal dust from shredder operations)

The company is stated to have processed about 1.1 million pounds of electronic waste at the Apple facility before it closed in January 2013 and shifted operations to a facility in Sunnyvale, California. The company is also alleged to have dismantled, shredded and disposed of more than 800,000 pounds of electronic waste before notifying CEPA of the plant’s existence and complying with all universal waste regulations.

The following alleged violations are identified:

- Transportation of hazardous waste without a proper manifest
- Failing to report and track exports of hazardous waste
- Failing to label or otherwise mark used oil containers as “hazardous waste”
- Failing to provide notice of closure for the facility in Cupertino, California
- Failing to submit a written closure plan and cost estimate for closing the facility in Cupertino
- Failing to demonstrate assurance to fund the eventual closure of two facilities

Apple agrees to a civil penalty of \$450,000. The company also agrees to increase facility inspections.

[A copy of the CEPA news release and proposed Final Judgment Pursuant to Stipulation can be downloaded here.](#)