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BOEING PAYS \$471,000 FINE FOR POLLUTION VIOLATIONS

Penalty to Fund Environmental Programs Benefiting Los Angeles and Ventura Counties

Los Angeles—\$471,190 in fines has been paid by The Boeing Company in response to a complaint issued on behalf of the Los Angeles Regional Water Quality Control Board. The penalties were for 79 violations of Boeing’s permit, which occurred between October 2004 and January 2006 at Boeing’s Santa Susana Field Laboratory in Simi Valley. The violations consisted of wastewater and storm water run-off discharges with elevated levels of chromium, dioxin, lead, mercury and other pollutants that entered Bell Creek, which is a tributary to the Los Angeles River, and the Arroyo Simi.

“I am extremely concerned and alarmed whenever pollution reaches our rivers, lakes or beaches,” said Francine Diamond, Chair of the Los Angeles Regional Water Quality Control Board. “Water pollution harms our drinking water aquifers and threatens human health, aquatic life, and our multi-billion dollar coastal economy. It is absolutely critical that water quality laws are rigorously followed and violations are seriously addressed. The Boeing Company’s runoff has violated water quality standards established to protect our waters. The Regional Board, by this action, is enforcing the Clean Water Act which is our responsibility.”

Upon issuance of the complaint, the public was notified of the opportunity to comment on the proposed fine, and Boeing had 30 days to decide whether to contest the allegations in the Complaint and the imposition of administrative civil liabilities by the Regional Board. On August 27th, Boeing elected not to challenge the allegations in the complaint and the amount of civil liability and submitted full payment.

“It is not uncommon for fines to be questioned by those who say they are too high as well as those who say they are too low,” stated Interim Executive Officer Deborah Smith. “Staff takes their enforcement role seriously and exercises great care in making sure that their recommendations are sound, responsible and defensible. Assessed well above the minimum penalty that could have been imposed, Boeing’s fine is appropriate for the number and significance of violations recorded. This near half-million dollar penalty is a clear statement that violations of California’s clean water laws will not be tolerated and will result in significant penalties.”

The California Water Code specifies how money collected for water quality violations can be allocated. In most cases, a portion of any fine for violating permit limits must be

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deposited in the Cleanup and Abatement Account, which is used for environmental cleanups throughout California. The remaining portion can be used to fund environmental programs that benefit the geographic area impacted by the violation. The Los Angeles Regional Board has a pre-approved list of environmental projects for this purpose.

In this case, Boeing's fine will be allocated as follows:

- \$235,595 to be deposited in the Cleanup and Abatement Account, managed by the State Water Resources Control Board.
- \$199,500 to fund a study on how trace metals, such as copper, are transported from watersheds to estuaries and to determine their impact on water quality and habitat and aquatic life. The study will be conducted by the Southern California Coastal Water Research Project.
- \$22,000 to fund kelp bed restoration in the Santa Monica Bay. The restoration project will be managed by the Santa Monica Baykeeper.
- \$14,095 to fund the creation and distribution of a publication identifying environmentally beneficial ways to manage storm water runoff. This project will be overseen by the Los Angeles and San Gabriel Rivers Watershed Council.

“There is some comfort in knowing that the money collected for violating clean water regulations is used to restore and protect the environment,” said Diamond. “I am pleased that the Regional Board has the authority to allocate a significant portion of Boeing's penalty--over \$235,000--to three projects that will greatly benefit our local watersheds.”

The Los Angeles Regional Water Quality Control Board is one of nine regional boards in the state. Among its principal duties, the Board sets region-wide water quality standards and waste discharge requirements, enforces both federal and state clean water statutes, regulates cleanup of sites that pose an immediate or potential threat to water quality, and educates the public on water quality issues. Each Regional Board is comprised of nine individuals, who are appointed by the Governor, and a small professional staff, comprised mostly of scientists, engineers and geologists. For additional information, go to: www.waterboards.ca.gov/losangeles/ (END).