

SFGate.com

Target sued, accused of dumping toxic waste

Kelly Zito, Chronicle Staff Writer

Tuesday, June 16, 2009

California Attorney General Jerry Brown, 20 counties and the city of Los Angeles on Monday sued retail giant Target Corp. for illegally dumping bleach, paints, oven cleaners and other toxic materials into the state's landfills.

The complaint, filed in Alameda County Superior Court, claims the Minneapolis-based chain's 200 California stores improperly disposed of damaged, returned and past-due chemicals, resulting in more than 300 notices of violations from local environmental health inspectors over the last eight years.

In one 2008 incident, the suit claims, an employee at a San Joaquin County Target told county inspectors that the store routinely dumped hazardous substances, including pesticides, into the facility's trash compactor.

The suit seeks damages of \$25,000 per violation and for Target stores to comply with California's hazardous waste codes. Attorneys for five Bay Area counties - Alameda, Contra Costa, San Mateo, Santa Clara and Solano - signed on to the complaint.

"It's an issue of how these big companies deal with what is essentially hazardous waste - they can't just throw it in the trash," said Scott Gerber, spokesman for the California Department of Justice. "This state has laws about how these wastes are dealt with, and this company has not been following these laws."

Under California codes, hazardous waste must be disposed of using a licensed hazardous waste hauler who transports it to a specified hazardous waste facility.

Target released a statement saying it is "disappointed" in the complaint after the company participated in talks with state and local attorneys and provided access to its California stores and distribution centers over the last three years.

"We continue to believe that further review of our practices will lead to the conclusion that our program not only meets but surpasses the requirements of California law," the statement said.

Target is not the only big retailer that California attorneys have accused of illegally dumping noxious chemicals into local landfills.

The attorney general's office also announced Monday that it had reached an \$8.65 million settlement with Kmart over similar charges. Officials said investigation found that Kmart had failed to account for most of the hazardous waste it generated between 2002 and 2007.

E-mail Kelly Zito at kzito@sfchronicle.com.

<http://sfgate.com/cgi-bin/article.cgi?f=/c/a/2009/06/16/BAON187S3J.DTL>

This article appeared on page **B - 3** of the San Francisco Chronicle