

NEWS RELEASE



OFFICE OF THE UNITED STATES ATTORNEY SOUTHERN DISTRICT OF CALIFORNIA

San Diego, California

***United States Attorney
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For Immediate Release

CORPORATION SENTENCED FOR ILLEGALLY STORING HAZARDOUS WASTE

NEWS RELEASE SUMMARY – December 3, 2012

United States Attorney Laura E. Duffy announced that Asgard Associates, LLC, a Delaware corporation that previously maintained a laboratory on Roselle Street in San Diego, was sentenced to three years of probation and ordered to pay clean-up costs of \$175,000 for unlawfully storing hazardous waste at the Sorrento Valley facility. In July 2012, Asgard Associates pled guilty to a felony environmental crime because of its storage at the site of chemicals and biological agents that posed a threat of imminent and identifiable harm to the public health and safety.

According to court records and admissions during the guilty plea, between January 26, 2010, and March 18, 2010, Asgard Associates knew that numerous containers of chemicals were stored at the Roselle Street laboratory in lieu of disposal. Among other things, the company acknowledged it was aware that

some of the chemicals stored (without a permit) had the potential to pose a substantial risk to human health and the environment. Nonetheless, the company refused to provide funds for the disposal of these hazardous chemicals.

Due to the company's failure to properly dispose of these hazardous chemicals, on May 6, 2010 and June 10, 2010, San Diego County Department of Environmental Health Services ("DEH") personnel conducted inspections and sampling of the chemicals. These tests led the U.S. Environmental Protection Agency ("EPA") to conduct clean-up operations at the Roselle laboratory (under the authority of Superfund) in August 2010. According to the EPA, the laboratory contained over 2,500 containers of chemicals (many of them unlabeled), requiring the agency to spend over \$167,000 to properly clean-up the site.

Some of the chemicals stored at the Roselle laboratory, in the form in which they were stored, were federally regulated hazardous wastes. These chemicals had to be "detonated" by the EPA and the San Diego Fire Department Bomb Squad, as they were too unstable to safely transport.

United States District Judge M. James Lorenz ordered Asgard Associates to repay the costs incurred by the EPA and DEH, and ordered, as a condition of the three-year term of probation, that its employee, Michael Conrad, perform 240 hours of community service.

DEFENDANT

Criminal Case No. 12cr2905-L

Asgard Associates, LLC

Date of Incorporation: 2006

SUMMARY OF CHARGE

Unlawful Storage of Hazardous Waste, in violation of Title 42, United States Code, Section 6928(d)(2)(A).

INVESTIGATING AGENCIES

U.S. Environmental Protection Agency, Criminal Investigations Division

Federal Bureau of Investigation

San Diego County Department of Environmental Services, Hazardous Materials Management Division