

# Motorola, 2 firms fined \$500K total in tainted-water case

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Motorola and two other companies responsible for cleaning up trichloroethylene dumped decades ago into the groundwater in the North Indian Bend Wash must pay collectively a \$500,000 civil penalty for two incidents involving the release of the contaminant.

The Environmental Protection Agency and the Department of Justice levied the fine announced Monday.

In January TCE was accidentally released into the drinking supply of nearly 5,000 Paradise Valley and Scottsdale customers of the Arizona American Water Co. The incident led to a three-day ban on using the water.

Last October, a blower failure resulted in groundwater leaving the facility above levels allowed for TCE.

The settlement resolves violations of a North Indian Bend Wash 2003 consent decree.

On Jan. 15, a malfunction occurred at the 10-year-old plant run by Arizona American near Miller Road and McDonald Drive. The plant pumps and treats contaminated groundwater so that TCE does not exceed an acceptable federal limit of 5 parts per billion.

The plant was designed and built by the North Indian Bend Wash Participating Cos., who are Motorola Inc., Siemens Corp. and SmithKline Beecham Corp.

The trio were identified as the source of the TCE contamination decades ago and are responsible for the cost of operating and maintaining the plant as part of a federally mandated Superfund cleanup site.

"This unique approach allowed the EPA and the justice department to impose significant penalties and sends a strong message to these companies that system failures are unacceptable," said Wayne Nastri, administrator for the EPA's Pacific Southwest office. "Proper operation and maintenance of the treatment system is the responsibility of the participating companies and is essential to ensuring that these types of failures do not occur in the future," he said in a prepared statement.

The three failed to properly treat the groundwater for TCE at the site and also failed to alert proper authorities about the release despite being under an agreement to do both, according to the Justice Department.

After the January incident, the plant was shut down. It restarted in late April after receiving approval from federal, state and county regulators.

Changes include additional safety measures, the presence of an operator 24 hours a day and the installation of new control panels, alarms and daily sampling. Arizona American Water also no longer uses water treated from the well most contaminated with TCE.

The EPA will discuss the issue at a public meeting of the North Indian Bend Wash Superfund Site Community Involvement Group Wednesday. The meeting is from 5:30 to 7:30 p.m. at the Scottsdale Civic Center Library, 3839 N. Drinkwater Blvd.