



STATE OF CALIFORNIA  THE RESOURCES AGENCY

# *OSPR News Release*

**DFG OFFICE OF SPILL PREVENTION AND RESPONSE**



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## **Dept. of Fish and Game cites automotive recycler for environmental crimes**

A year and a half-long investigation by California's Office of Spill Prevention and Response (OSPR) – the pollution division of the Department of Fish and Game (DFG) – has led to the filing of a criminal complaint against a Harbor City auto dismantler with 18 violations of California laws enacted to protect the environment, wildlife and public health.

Zachers Automotive Recyclers is located at 25224 Vermont Ave. in Harbor City, and borders the Wilmington Drain, one of the last traces of the Los Angeles Forest. Joseph Zacher, Jr. operates the business, which dismantles buses for parts and scrap metal.

DFG investigators discovered that buses had been dismantled on the property and adjoining public streets, both of which are dirt. Auto dismantlers of this type are required to have protective measures in place to prohibit the release of hazardous wastes to the environment, including but not limited to: concrete or asphalt pavement, overhead covering, and a sump/clarifying system to handle contaminated run-off. Zacher's also unlawfully dismantled the buses on Los Angeles City streets, allowing fluids to soak into the soil.

“We discovered hundreds, potentially thousands of waste tires and automotive parts being used to stabilize the banks inside of the Wilmington Drain, on the edge of Zacher's property,” said Fish and Game Warden Bryan Gollhofer, lead investigator on the case. “We also observed obvious signs of soil contamination, likely the result of the various wastes from the buses being disposed of, unlawfully.”

On December 4, 2002, DFG served a search warrant on Zacher's, with the assistance of the California Department of Toxic Substances Control (DTSC), US Environmental Protection Agency, Los Angeles Police Department, LAPD Hazardous Materials Division, and the US Fish and Wildlife Service.

Enforcement soil sampling was done to evaluate the degree and types of soil contamination. The DTSC analyzed all the samples collected, and compiled a report for Fish and Game on the findings. This information was turned over to the Los Angeles City Attorney's office for prosecution.

On December 3, 2003, the Los Angeles City Attorney's office filed 18 charges against Zacher's Automotive Recyclers and Joseph Zacher. These include Fish and Game Code violations, for the waste tires and automotive parts/debris in the banks of the channel; thirteen counts of Health and Safety Code violations, including five for the illegal disposal of hazardous wastes; and four counts of California Penal Code violations for dumping/disposal of hazardous substances, wastes and litter on public and private property and shorelines.

The five charges of illegal disposal of hazardous waste each carry a maximum penalty of one year in the county jail and/or a \$100,000 fine. The remaining 13 violations of Health and Safety Codes and Fish and Game regulations each carry a maximum penalty of six months in jail and/or \$1,000 fine.

A stunning remnant of the forest communities that once dominated portions of southern Los Angeles, the Wilmington Drain has suffered from many years of unlawful human activities. As a flood control facility managed by the Los Angeles County Department of Public Works, the Wilmington Drain provides flood protection and drainage for several South Bay and Harbor Area cities.

Somewhat hidden and unknown to many, the Wilmington Drain also supports a habitat treasure. Unlike the ubiquitous trash-laden concrete channels in southern California, the Wilmington Drain and adjacent Ken Malloy Harbor Regional Park supports hundreds of resident and migratory wildlife species.

The Wilmington Drain supports one of the last surviving examples of the "Los Angeles Forest," an extensive network of sloughs and backwaters supporting mature southern willow riparian forest, a State-designated Rare Natural Community. Avian resources are particularly rich: a total of over 336 native avian species are known from the area; approximately 55 species currently depend on the area for nesting. At least five federally and or State-listed wildlife species are known to breed in the area.

"We're pleased to have worked with the Los Angeles City Attorney's office, DTSC, and other agencies, said OSPR Administrator Carl Moore. "Working together, we have a better chance of protecting California's remaining urban ecosystems, through vigorous enforcement of environmental protection laws."

For more information on California's wildlife and habitat, visit the Dept. of Fish and Game website at [www.dfg.ca.gov](http://www.dfg.ca.gov).

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