



U.S. ENVIRONMENTAL PROTECTION AGENCY

NEWS RELEASE

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EPA and DOJ Settlement Will Address Problems at Toa Alta Landfill *Landfill on Path to Closure*

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NEW YORK (February 13, 2024) - The Municipality of Toa Alta has agreed to a settlement with the U.S. Environmental Protection Agency (EPA) and the U.S. Department of Justice (DOJ) to address environmental and public health risks at its landfill in Puerto Rico. The settlement, announced today, requires the Municipality of Toa Alta to deal with the contaminated liquid, known as leachate, in the southeast portion of the landfill and to pay a \$50,000 civil penalty for its past violations. Prior actions are addressing other risks posed by the landfill.

"This settlement will protect people by requiring that the contaminated liquid under the landfill be properly managed. This is a major milestone in our efforts with the residents to address the long-standing problems at the Toa Alta landfill," **said Regional Administrator Lisa F. Garcia.** "The community has helped shape EPA and DNER's work to address the unacceptable risks that have been posed by this landfill and we look forward to getting input on this proposed settlement."

This agreement between the Municipality of Toa Alta and the United States is subject to a 30-day public comment period, the public's right to request a public meeting, and ultimately, acceptance by the federal court judge presiding over the case. [You can view the agreement on DOJ's website.](#)

The EPA and the DOJ filed a lawsuit against the municipality, alleging that the landfill posed serious threats to human health and the environment due to its poor operation of the landfill, lack of controls, steep slopes, uncovered waste, and inadequate management of leachate.

[In August 2022](#), a Federal Court ordered Toa Alta to take immediate action to address several of these issues. The order did not address the leachate problem in the landfill's southeast cell area or the civil penalty.

The second stipulation and final order addresses the southeast cell leachate problem, and the civil penalty as follows:

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- The Municipality will cooperate with a former operator of the landfill to complete the testing and repair, if feasible, of the system to collect leachate from under the southeast cell, as required by a 2017 administrative order issued by EPA.
- The municipality will operate the leachate collection system if it can be repaired, and dispose of the leachate properly under the oversight of the Department of Natural and Environmental Resources of Puerto Rico (DNER), the approved regulator of municipal solid waste landfills in Puerto Rico.
- Even if the system can't be repaired, the municipality will work with DNER to implement near-term and long-term measures to address the leachate from the southeast cell area as part of the permanent final closure plan for the landfill.
- The Municipality of Toa Alta will pay a \$50,000 civil penalty to the United States within 30 days of the effective date of this order.

The August 2022 agreement included reporting requirements Toa Alta must follow so that EPA can maintain oversight and keep the community informed of developments at or concerning the landfill.

Visit the [Toa Alta Municipal Landfill web page](#) for additional background.

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