

## **EPA Contract Laboratory Settles Civil Suit for \$200,000**

On November 16, 2006, while admitting no wrongdoing, Liberty Analytical Corporation entered into a \$200,000 Civil Settlement Agreement with the U.S. Attorney's Office for the Eastern District of North Carolina to settle allegations that the company submitted false claims to EPA.

Compuchem Environmental, a division of Liberty Analytical, Cary, North Carolina, provided false analytical data to EPA under the Superfund Analytical Services Contract Laboratory Program. Specifically, the company failed to properly calibrate gas chromatograph/mass spectrometer (GC/MS) instruments used in the analysis of samples from EPA Superfund sites. Each invoice submitted to EPA that contained false analytical data resulted in a false claim.

The investigation determined that quality control standards were routinely bypassed, in that improper calibration procedures extended the "run time" of the GC/MS instruments, therefore producing false analytical data. Some analysts admitted that they had been following this procedure since as early as 1992. Three Compuchem analysts involved in the improper calibration practice were criminally charged and entered guilty pleas in U.S. District Court. All three analysts received probation, fines or restitution, and community service, and were subsequently debarred. Because of missing data, it was not possible to determine which samples were affected by improper calibration and, therefore, which Superfund sites were potentially affected. Compuchem has been a part of the EPA Contract Laboratory Program since the 1980s.

*(Case Cost: \$133,869)*