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PRESS RELEASE

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Andrew T. Baxter, United States Attorney for the Northern District of New York, and John C. Cruden, Acting Assistant Attorney General for the Justice Department's Environment and Natural Resources Division, announced today the Indictment of an asbestos air monitoring company and laboratory, including one of its owners and six present and former employees, together with a supervisor of an asbestos abatement company. The Indictment describes a decade long scheme in which asbestos was removed illegally, scattered, and left behind in numerous buildings and homes in Syracuse and other upstate New York areas, while the air monitoring company and laboratory gave the asbestos abatement contractors false and fraudulent air results which led building owners to believe that the asbestos had been properly and fully removed. In still other instances where asbestos was properly removed, fraudulent air monitoring still occurred.

The sixteen count indictment charges the defendants with a conspiracy to: (1) defraud the United States; (2) violate the Clean Air Act; (3) violate the Toxic Substances Control Act; and (4) commit mail fraud. The defendants are also charged with counts of Clean Air

Act violations, mail fraud, and making false statements to Special Agents of the United States Environmental Protection Agency.

The corporation and individuals who have been Indicted are:

- (1) Certified Environmental Services, Inc., (CES) Syracuse, NY, an asbestos air monitoring company and laboratory;
- (2) Barbara Duchene, an owner of CES and its Laboratory Manager;
- (3) Nicole Copeland, a supervisor responsible for the CES asbestos air monitoring program;
- (4) Elisa Dunn, a former field supervisor for CES and an air monitor;
- (5) Sandy Allen, a long time CES air monitor;
- (6) Thomas Juliano, a CES air monitor;
- (7) Frank Onoff, an asbestos abatement supervisor for Paragon Environmental Construction, Inc. Paragon Environmental Construction, Inc., and another of its supervisors have previously pled guilty to felonies related to illegal asbestos abatement in violation of the Clean Air Act.

The Indictment sets forth dozens of locations where illegal asbestos removal and/or fraudulent laboratory results are alleged to have been generated. The sites are located in Syracuse, Liverpool, Fayetteville, DeWitt, Baldwinsville, Oneonta, Cincinnattus, and Wampsville, New York. Fraudulent air monitoring, and laboratory results based thereon, were produced for asbestos abatement projects performed within schools, churches, a television station, a facility established to aid mentally disabled individuals, a sorority house, a library reading room, private homes and government buildings, among others.

The conspiracy and substantive counts of the Indictment each carry a maximum possible term of incarceration of five years and a fine of \$250,000, twice the gross gain to

a defendants, or twice the gross loss to a victim.

Asbestos has been determined to cause lung cancer, asbestosis and mesothelioma, an invariably fatal disease. The Environmental Protection Agency has determined that there is no safe level of exposure to asbestos.

The allegations in the Indictment are mere accusations and all persons are presumed innocent until and unless proven guilty beyond a reasonable doubt in a court of law.

This case was investigated by Special Agents of the Environmental Protection Agency and the New York State Department of Environmental Conservation. Assistance was also provided by the New York State Department of Labor, Asbestos Control Bureau. The case is being prosecuted by Assistant United States Attorney Craig A. Benedict and Todd Gleason, Environmental Crimes Section, United States Department of Justice. Questions may be directed to AUSA Benedict at 315-448-0672.