

Department of Justice

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TWO INDIVIDUALS AND TWO CORPORATIONS INDICTED ON CHARGES RELATED TO VIOLATIONS OF THE CLEAN AIR ACT & MAIL FRAUD

BUFFALO, N.Y.– U.S. Attorney William J. Hochul, Jr. announced today that a federal grand jury in Buffalo has returned a 16-count Indictment charging Sean P. Doctor, 46, and Raj Chopra, 48, both of Grand Island, N.Y., and companies that they own and operate, S.D. Specialty Services, LLC (“S.D. Specialty”) and Comprehensive Employee Management, Inc. (“CEM”), with conspiracy to defraud the United States and violate the Clean Air Act, conspiracy to commit mail fraud, and substantive mail fraud counts.

Doctor and S.D. Contracting are additionally charged with substantive violations of the Clean Air Act relating to three asbestos abatement projects conducted in Buffalo, N.Y. The charges carry a maximum penalty of 20 years in prison, a fine of \$250,000, or both.

Assistant U.S. Attorney Aaron J. Mango, who is handling the case, stated that the Indictment identifies the federal Clean Air Act, along with the Environmental Protection Agency (EPA) as closely regulating the stripping, removal, transportation, and disposal of asbestos-containing waste. The law and regulations cover asbestos which is a human carcinogen known to cause a wide range of life threatening illnesses, including mesothelioma and asbestosis.

As alleged in the Indictment, between July 28, 2009, and May 16, 2011, the defendants conspired to defraud the EPA and violate the Clean Air Act by utilizing a 40 yard closed box container located at 1815 Love Road, Grand Island, NY, the business addresses for the defendants’ companies, to improperly transport and store asbestos waste material. Specifically, the defendants allowed asbestos waste to be transported to the waste container without being properly manifested pursuant to the Clean Air Act, and then stored in the waste container and consolidated with other asbestos waste prior to disposal.

In a separate conspiracy, the defendants are charged with conspiring to defraud the New York State Insurance Fund (“NYSIF”) by failing to properly classify employees of S.D. Specialty as asbestos workers for calculation of workers’ compensation premiums. Instead, the defendants classified the employees as clerical workers so that a lower premium was owed to the NYSIF, defrauding the Fund out of approximately \$195,000 in premiums. Other counts relate to individual mail fraud charges for each check that was mailed to the NYSIF and was payment for S.D. Specialty’s workers’ compensation coverage with the improperly classified workers.

Defendant Doctor and his company are also accused of violating the Clean Air Act during an asbestos abatement project at the Roosevelt Park Shelter in December of 2009 to January of 2010, owned by the City of Buffalo. Other counts relate to an asbestos abatement project defendant Doctor and his company completed at the Graystone Building located at 24 Johnson Park South, Buffalo, NY in February and March of 2011, and at several vacant houses on Grant Street in Buffalo, NY.

The Indictment is the culmination of an investigation on the part of Special Agents of the U.S. Environmental Protection Agency - Criminal Investigation Division, under the direction of Special Agent-In-Charge, William Lometti, and Investigators of the New York State Department of Environmental Conservation Police, BECI, under the direction of Captain David Bennett. Additional assistance was provided by the New York State Department of Labor, Asbestos Control Bureau.

The fact that the defendants have been charged with a crime is merely an accusation and the defendants are presumed innocent until and unless proven guilty.

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