

NEWS RELEASE



OFFICE OF THE UNITED STATES ATTORNEY SOUTHERN DISTRICT OF CALIFORNIA

San Diego, California

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For Immediate Release

NATIONAL CITY PAWN SHOP AND ITS OWNER CONVICTED OF DUMPING HAZARDOUS WASTE

NEWS RELEASE SUMMARY - March 2, 2012

United States Attorney Laura E. Duffy announced that on March 1, 2012, a federal jury in San Diego convicted We Lend More, Inc., a National City pawn shop, and its owner, Marc Vogel, of several environmental crimes related to their dumping of lethal hazardous wastes at the Miramar Landfill in March 2011. Vogel and his company were found guilty of unlawful transportation of hazardous waste, unlawful disposal of hazardous waste, and transportation of hazardous waste without a manifest, based on their role in dumping of potassium cyanide – a poisonous toxin that is lethal to humans in very small doses – and concentrated nitric acid. According to testimony presented at trial, if these two chemicals had combined during their disposal, the mixture would have created deadly hydrogen cyanide gas, threatening the life of anyone in the immediate vicinity.

According to evidence presented at trial, on March 12, 2011, Vogel contacted a trash hauler and asked for a truck to be sent to We Lend More to dispose of some “junk.” Vogel did not inform the trash hauling

company that “junk” included cyanide and acids. Later that day, co-defendant Raul Gonzalez-Lopez arrived at We Lend More with a truck, negotiated with Vogel for a price of \$100 to remove the “junk,” and tossed the discarded items into the truck – including two 7-pound containers of potassium cyanide and a gallon of nitric acid. No waste manifests were prepared for either of these hazardous wastes. The following day, Gonzalez-Lopez disposed of the potassium cyanide and nitric acid, along with other trash, at the Miramar Landfill, which does not have a permit to accept such hazardous waste. Fortunately, landfill workers promptly discovered the hazardous wastes and took precautionary measures, including hiring a hazardous waste disposal company to properly deal with the dangerous items. Vogel later admitted to investigators that he knew that the chemicals he was seeking to dispose of could not be removed as ordinary trash. Indeed, We Lend More had previously obtained an EPA “generator” number in connection with the disposition of some other chemicals, but never prepared a manifest for this shipment of hazardous waste.

Co-defendant Gonzalez-Lopez is currently a fugitive on the same charges that were brought against Vogel and We Lend More.

Sentencing for Vogel and We Lend More is set for May 29, 2012 at 9:00 a.m., before the Honorable Michael M. Anello, United States District Judge.

DEFENDANTS

Criminal Case No. 11cr3327-MMA

We Lend More, Inc.
Marc Vogel

SUMMARY OF CHARGES

- Count 1 Unlawful Transportation of Hazardous Waste, in violation of Title 42, United States Code, Section 6928(d)(1); Maximum Penalties: Five years in custody and a fine of \$50,000 per day of violation
- Count 2 Unlawful Disposal of Hazardous Waste, in violation of Title 42, United States Code, Section 6928(d)(2)(A); Maximum Penalties: Five years in custody and a fine of \$50,000 per day of violation
- Count 3 Transportation of Hazardous Waste Without a Manifest, in violation of Title 42, United States Code, Section 6928(d)(5); Maximum Penalties: Two years in custody and a fine of \$50,000 per day of violation

AGENCIES

U.S. Environmental Protection Agency, Criminal Investigations Division
Federal Bureau of Investigation