



# Department of Justice

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## **HUSBAND AND WIFE PLEAD GUILTY TO ILLEGALLY BURYING HAZARDOUS WASTE**

### ***Couple Directed the Dumping of Napthalene on Property Adjacent to Their Business***

ATLANTA, GA - JENNIFER DUFFEY and JOHN DUFFEY, both 38 years old, of Locust Grove, Georgia, pleaded guilty today in federal district court to conspiring to illegally dispose of hazardous waste.

“The defendants not only engaged in a conspiracy to illegally dispose of naphthalene -- exposure to which can cause liver and neurological damage -- but also tried to cover up their crime,” said Maureen O'Mara, Special Agent in Charge of EPA's Criminal Enforcement office in Atlanta. “Those who ‘cut corners’ and put the public or the environment at risk will be prosecuted.”

According to Acting United States Attorney Yates, the charges and other information presented in court: JENNIFER DUFFEY and JOHN DUFFEY ran Joint Military Development Services (“JMDS”), a company engaged in conducting military training exercises for the United States’ armed forces. In their work with the military, JMDS purchased approximately 560 “napalm bursts” for use in the military exercises. These napalm bursts are explosives and contain the federally-listed hazardous waste called naphthalene. On two separate occasions, JENNIFER DUFFEY instructed an employee to dig a hole in the woods on property adjacent to the warehouse out of which JMDS operated and bury the naphthalene. This property belonged to a third party who was unaware that hazardous waste had been buried on their land. JENNIFER DUFFEY assisted in disassembling the naphthalene charges, mixing water into buckets with the naphthalene, and then transporting and dumping the mixture into a hole in the ground. JMDS did not have a permit from EPA to dispose of this hazardous waste.

After the first illegal disposal in mid-October 2008, the employee who had been ordered to dispose of the product complained of the smell and stated it caused him to have a headache. For the second disposal in mid-November 2008, JOHN DUFFEY instructed another employee to get masks so that the strong, noxious odor would not affect them while they dug a hole and buried the remaining napalm bursts. JOHN DUFFEY also monitored

the two employees who illegally disposed of the hazardous waste in November. JENNIFER DUFFEY instructed the workers to cover the site of the hazardous waste disposal with fallen leaves and a pallet. Once under investigation, JOHN DUFFEY created a false time line of events in an attempt to hide the crime, provided it to the employee engaged in the illegal disposal, and told him to stick to the story contained therein. Napthalene is an EPA-listed hazardous waste and must be disposed in specifically identified hazardous waste disposal facilities.

JENNIFER DUFFEY and JOHN DUFFEY were charged in a Criminal Information in November 2009, with conspiring to illegally dispose of the hazardous waste napthalene. They both pleaded guilty to that charge. JOHN DUFFEY admitted to obstructing witnesses. Both JOHN and JENNIFER DUFFEY could receive a maximum sentence of five years in prison and a fine of up to \$250,000. In determining the actual sentence, the Court will consider the United States Sentencing Guidelines, which are not binding but provide appropriate sentencing ranges for most offenders.

Sentencing is scheduled for March 4, 2010, at 9:30 a.m., before United States District Judge Richard W. Story.

This case is being investigated by Special Agents of the Environmental Protection Agency.

Assistant United States Attorney Susan Coppedge is prosecuting the case.

For further information please contact Sally Q. Yates, Acting United States Attorney, or Charysse L. Alexander, Executive Assistant United States Attorney, through Patrick Crosby, Public Affairs Officer, U.S. Attorney's Office, at (404) 581-6016. The Internet address for the HomePage for the U.S. Attorney's Office for the Northern District of Georgia is [www.usdoj.gov/usao/gan](http://www.usdoj.gov/usao/gan).