



# Department of Justice

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## **NEW JERSEY SOLID WASTE MANAGEMENT FACILITY PLEADS GUILTY TO ILLEGAL DUMPING IN UPSTATE, NEW YORK**

### ***Eagle Recycling Defrauded the United States and Violated Clean Water and Wire Fraud Laws***

United States Attorney Richard S. Hartunian and the U.S. Justice Department Environment and Natural Resources Division announced today that Lieze Associates, d/b/a Eagle Recycling, of New Jersey, pleaded guilty in federal court in Utica, N.Y., to conspiring to violate the Clean Water Act and to defraud the United States.

Eagle Recycling pleaded guilty before U.S. District Judge Hurd for the Northern District of New York to one criminal felony count for conspiring to violate the Clean Water Act's prohibition on filling wetlands and committing wire fraud to conduct that filling. According to the charges, Eagle Recycling and other co-conspirators, engaged in a multi-year scheme to illegally dump 8,100 tons of pulverized construction and demolition debris that was processed at Eagle Recycling's North Bergen, N.J. solid waste management facility and then transported to a farmer's property in Frankfort, N.Y.

According to court documents, Eagle Recycling and other conspirators concealed the illegal dumping by fabricating a New York State Department of Environmental Conservation (DEC) permit and forged the name of a DEC official on the fraudulent permit. Eagle Recycling admitted in the plea agreement that once DEC and the U.S. Environmental Protection Agency (EPA) learned of the illegal dumping, the company began a systematic pattern of document concealment, alteration, and destruction including but not limited to destroying documents during the execution of a federal search warrant, secreting documents responsive to Grand Jury subpoenas, falsifying certifications submitted to the Grand Jury, and falsifying and submitting environmental sampling to the EPA.

As part of the plea agreement, Eagle Recycling has agreed to pay a criminal fine of \$500,000, to implement an environmental compliance plan at its North Bergen, N.J. facility, and to pay restitution which potentially includes cleanup costs at the Frankfort, N.Y. site. Sentencing is scheduled for September 9, 2011.

U.S. Attorney Richard S. Hartunian said " This case is another example of our continued efforts to aggressively prosecute those who illegally pollute the environment. The joint efforts of the state and federal investigation team that brought this case to a successful conclusion are to be commended."

"This investigation underscores the extent that environmental polluters will go to avoid New York and Federal environmental laws," said New York State Department of Environmental Conservation Commissioner Joe Martens. This long term investigation, first stated in 2006, highlights the complexity of the crime and propensity of the criminal actors to cross State lines to

help cover their actions. It was only through the cooperative investigation by the New York State Environmental Conservation Police, Bureau of Environmental Crimes (BECI), EPA, US Attorney's office and the New Jersey State Police that this criminal enterprise was uncovered and further environmental damage avoided."

This case was investigated by Criminal Investigators with the BECI, Special Agents from the EPA's Criminal Investigation Division and the Internal Revenue Service, investigators from the New Jersey State Police Office of Business Integrity Unit, the New Jersey Department of Environmental Protection, and the Ohio Department of Environmental Protection. The case is being prosecuted by Assistant U.S. Attorney Craig A. Benedict, of the Northern District of New York, and Todd W. Gleason of the Environmental Crimes Section of the Environment and Natural Resources Division of the U.S. Department of Justice.

For more information, contact Assistant U.S. Attorney Craig Benedict at 315-448-0672 or the Office of Public Affairs at 202-514-2007.