



U.S. Department of Justice

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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, today announced the guilty plea of Frank Onoff, an asbestos removal supervisor for Paragon Environmental Construction, Inc.,(PEC). Onoff was indicted last May along with Certified Environmental Systems, Inc.,(CES) and six of its employees. CES runs an air monitoring company and laboratory that samples and analyzes the air during asbestos removal projects. 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 communities. The indictment further charges that CES provided false and fraudulent laboratory results to the removal contractors, thereby leading building owners to believe that the asbestos had been properly and fully removed.

Onoff acknowledged that he participated in a conspiracy with CES to: (1) defraud the United States; (2) violate the Clean Air Act; (3) violate the Toxic Substances Control Act;

and (4) commit mail fraud. He now faces a maximum possible penalty of 5 years in jail and a \$250,000 fine or twice the gross gain to the defendants, or twice the gross loss to any victims. As part of the plea agreement, Onoff has agreed to cooperate against remaining defendants. They are:

- (1) Certified Environmental Services, Inc., (CES) Syracuse, NY.
- (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;

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.

Sentencing has been scheduled for March 12, 2010 at 2 p.m. before the Honorable David N. Hurd, in Utica, NY.

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, Todd Gleason and Jessica Moats, the latter two being prosecutors with the Environmental Crimes Section, United States Department of Justice. Questions may be directed to AUSA Benedict at 315-448-0672.