



*United States Attorney
Southern District of New York*

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CONTACT: U.S. ATTORNEY'S OFFICE
HERBERT HADAD, MEGAN GAFFNEY,
HEATHER TASKER, BRIDGET KELLY
(212) 637-2600

**FORMER LICENSED ASBESTOS HANDLER SENTENCED TO 27 MONTHS IN
FEDERAL PRISON FOR ILLEGAL ASBESTOS REMOVALS
FROM NEW YORK CITY BUILDINGS**

MICHAEL J. GARCIA, the United States Attorney for the Southern District of New York, announced that PETER WARD, formerly a licensed asbestos investigator, was sentenced to 27 months in prison in Manhattan federal court late yesterday for removing asbestos in violation of the Clean Air Act from a police precinct building in Queens and an apartment building in Brooklyn.

In imposing sentence, United States District Judge NAOMI REICE BUCHWALD stated that the Court viewed WARD's crimes as "very serious," and noted that the regulations governing the removal of asbestos are scientifically grounded and designed to protect people, including workers, from potentially life-threatening harms.

WARD pleaded guilty to two felony violations of the Clean Air Act. In pleading guilty, WARD admitted that in 2001 he had caused asbestos to be removed from a Queens police precinct building located at 168-02 91st Street and a Brooklyn apartment building located at 1120 Brighton Beach Avenue without notifying the United States Environmental Protection Agency ("EPA") in advance, as required by regulations promulgated under the Clean Air Act for asbestos-removal jobs over a certain size. WARD admitted during his guilty pleas that he had failed to notify the EPA because he was attempting to conceal the fact that the work would not be done in accordance with the law.

WARD, as a licensed asbestos investigator, was authorized to inspect for and take samples of asbestos. He also ran companies that were licensed to conduct asbestos abatement work. As explained in the Informations containing the charges against WARD, federal regulations contain specific, well-defined

rules for handling asbestos, a hazardous air pollutant. These rules include requirements that asbestos-containing material be adequately wet while being removed, remain wet until collected and contained, and sealed in leak-tight containers while wet. In pleading guilty, WARD admitted that he had caused workers to remove asbestos-containing materials from the police precinct building and the apartment building, that he knew that this work would not be done in compliance with the law, and that it was not. He admitted that the workers did not adequately wet the asbestos-containing material before removing it, ensure that the material remain wet until collected and contained, or seal all asbestos waste material in leak-tight containers while wet.

As set forth in a sentencing memorandum filed by the Government ("the Memorandum"), WARD has an extensive record of violations of legal requirements relating to asbestos going back more than a decade. During that time, WARD and companies he controlled were issued notices of violation of asbestos-related provisions of the New York City Administrative Code for work performed at 29 separate locations, including the sites that were the subject of the federal criminal charges, and fined over \$115,000 by the City of New York. As explained in the Memorandum, Ward's violations continued while he remained at liberty after he first pleaded guilty on June 1, 2005 to a felony charge relating to the Brooklyn apartment building. He was thereafter charged with, and on January 19, 2006, pleaded guilty to, the second felony count, relating to the police precinct building. His bail was revoked and he was incarcerated on March 9, 2006.

WARD remains in custody, serving his sentence.

Mr. GARCIA praised the efforts of the Federal Bureau of Investigation and of the EPA's Criminal Investigations Division in the investigation of this case. He also praised the New York City Department of Environmental Protection's Asbestos Control Program for their work in connection with the investigation of the illegal removals of asbestos charged in the Informations.

Assistant United States Attorney ANNE C. RYAN is in charge of the prosecution.

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