



***United States Attorney
Southern District of New York***

**FOR IMMEDIATE RELEASE
MARCH 8, 2011**

**CONTACT: U.S. ATTORNEY'S OFFICE
ELLEN DAVIS, CARLY SULLIVAN,
JERIKA RICHARDSON, EDELI RIVERA
PUBLIC INFORMATION OFFICE
(212) 637-2600**

**EPA
ELIAS RODRIGUEZ
PUBLIC INFORMATION OFFICE
(212) 637-3664**

**FORMER ASBESTOS INVESTIGATOR, PREVIOUSLY CONVICTED
OF CLEAN AIR ACT VIOLATIONS, PLEADS GUILTY IN MANHATTAN
FEDERAL COURT TO LYING ABOUT CONTINUED ASBESTOS WORK**

PREET BHARARA, the United States Attorney for the Southern District of New York, announced that PETER WARD, formerly a licensed asbestos investigator, pled guilty today in Manhattan federal court to violating the conditions of his supervised release imposed following his 2006 conviction for asbestos-related violations of the Clean Air Act. One of those conditions prohibited WARD from engaging in any asbestos-related employment; however, he repeatedly lied to the U.S. Probation Office by falsely describing his work as unrelated to asbestos. WARD pled guilty before Judge NAOMI REICE BUCHWALD. WARD also pled guilty on Friday, March 4, 2011, before the United States District Judge P. KEVIN CASTEL, to a seventeen-count charging him with filing seventeen false reports with the Probation Office regarding his asbestos-related employment.

Manhattan U.S. Attorney PREET BHARARA said: "Peter Ward repeatedly flouted the rules designed to protect the public from asbestos, a known carcinogen, and demonstrated a breathtaking disregard for the judicial system, particularly the United States Probation Office. This Office, working with our partners at the Environmental Protection Agency, will continue to vigorously enforce the environmental laws and ensure that individuals who lie to the Probation Office will be prosecuted and punished."

WILLIAM LOMETTI, Special Agent in Charge of the U.S. Environmental Protection Agency's Criminal Investigation Division in New York, said: "After serving time for failing to notify the EPA prior to performing asbestos removals, the defendant has now

pled guilty to lying to the U.S. Probation Office and violating the terms of supervised release by engaging in asbestos-related activities. The Government will not tolerate those who repeatedly violate the law and place the public's health at potential risk."

According to the Information, statements made during court proceedings, and documents submitted in court:

For most of the early 1990s until July 2005, WARD held a New York City Asbestos Investigator's license. In July 2005, his Asbestos Investigator's license was revoked, after which he held no licenses to perform asbestos-related work. WARD operated two companies, TUC Environmental Group, Inc. ("TUC"), and Oak Drive Enterprises, Inc. ("Oak Drive"). Since April 2002 neither company has been licensed to perform asbestos-related work.

In 2006, WARD was convicted in the U.S. District Court for the Southern District of New York of Clean Air Act violations involving asbestos-related conduct, specifically, failing to provide EPA with written notice of intention to remove asbestos material at least ten working days before asbestos removal work began. WARD was sentenced by Judge BUCHWALD to 27 months in prison to be followed by three years of supervised release, with conditions of release including the following:

- that WARD submit truthful and complete monthly reports to the U.S. Probation Officer concerning his employment, among other things;
- that WARD provide the Probation Officer with access to any requested financial information; and
- that WARD not engage in any employment that involved asbestos material.

In February 2008, WARD completed his term of incarceration. From that time forward, he was on supervised release, under the jurisdiction of the Probation Office, subject to these conditions.

From May 2008 through the summer of 2010, WARD submitted "Monthly Supervision Reports" to the Probation Office. Each of WARD's Monthly Supervision Reports bore his signature. All were on a Probation Office form that contained a warning stating, in substance, that making false statements on the form was a crime subject to criminal and other potential penalties, as well as a certification of completeness and correctness above the signature line that read: "I CERTIFY THAT ALL INFORMATION FURNISHED IS COMPLETE AND CORRECT." Among other things, each of

WARD's reports included a "Monthly Financial Statement" which purported to set forth WARD's earnings from employment and to include as attachments documentation constituting proof of his earnings.

From spring 2008 through July 2010, WARD, operating through TUC and Oak Drive, engaged in asbestos-related employment in violation of the conditions of his release. In order to conceal his asbestos work from the Probation Office, and contrary to the certifications of completeness and correctness referred to above, he repeatedly submitted Monthly Supervision Reports to the Probation Office that were incomplete and incorrect by:

- failing to submit any documentation reflecting certain earnings from asbestos-related work;
- failing to submit documentation showing that certain earnings he did report related in whole or part to asbestos-related work; and
- submitting documentation that misleadingly characterized certain work that was in fact asbestos-related in such a way as to conceal that fact, for example, by calling it demolition work.

* * *

WARD, 48, currently resides in the Bronx, New York. He faces a maximum penalty of two years in prison for the supervised release violations before Judge BUCHWALD, and a maximum sentence of five years in prison for each of the seventeen false statement counts to which he pled guilty before Judge CASTEL. WARD is scheduled to be sentenced on the supervised release violations and the false statements conviction on May 11, 2011.

* * *

Mr. BHARARA praised the work of the United States Environmental Protection Agency's Criminal Investigation Division.

This case is being handled by the Office's Complex Frauds Unit. Assistant United States Attorneys ANNE C. RYAN and JANIS ECHENBERG are in charge of the prosecution.

11-068

###