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ENVIRONMENTAL TESTING LAB COMPANY AND OWNER CHARGED WITH FALSIFYING TEST RESULTS

Blue Marsh Laboratories, Inc., located in Douglassville, PA, and its president, laboratory director and owner Michael McKenna, were charged today by Indictment¹ with 84 counts of fraud and false statements in connection with environmental laboratory testing, announced United States Attorney Zane David Memeger.

According to the indictment, defendants Blue Marsh and McKenna were engaged in the business of analytical testing of environmental samples, including water and wastewater samples, in order to determine the amounts of pollutants and levels of other chemicals present in the water. The defendants allegedly provided environmental testing services and reports to numerous customers, including federal agencies, local municipalities and business entities, that were required to comply with environmental laws pursuant to U.S. Environmental Protection Agency ("EPA") and Pennsylvania Department of Environmental Protection ("PA DEP") regulations. Following the analytical testing, it is alleged that defendant McKenna caused Blue Marsh to prepare, send and mail environmental test reports to customers. Defendants Blue Marsh and McKenna allegedly knew and understood that their customers were required to report certain environmental test results to the PA DEP, under authority delegated to it by the EPA, and sometimes were required to include these test results in an annual report to EPA. These environmental tests allegedly included the analysis of various water samples for the presence of cyanide, dioxin, and other pollutants and chemicals pursuant to approved EPA Methods.

The indictment alleges that defendants Blue Marsh and McKenna caused environmental test reports to be prepared and mailed to customers which falsely stated that the proper EPA methods for analysis were being performed when, as the defendants knew, the EPA Methods for testing and analysis were not being followed and the results were false, inaccurate and unreliable. For example, it is alleged that from approximately September 2005 through October 2005, the defendants prepared and mailed false and fraudulent test results for Hurricane Katrina flood water samples which were required by EPA to be tested for contamination by various pollutants, including, among others, cyanide, and herbicides MCPA and MCPP. From approximately June 2006 through December 2006, the defendants allegedly prepared and mailed false and fraudulent water test results required by the United States Army Corps of Engineers for four separate reservoirs which were required to be tested for contamination by various pollutants, including ammonia; tested for Total Suspended Solids ("TSS") to determine whether the water contained excess solids which do not dissolve in water and which may be harmful to fish and other organisms in the water; and tested for Total Kjeldahl

¹An Indictment or Information is an accusation. A defendant is presumed innocent unless and until proven guilty.