



Monthly
Bulletin

Environmental Crimes Section

August 2015

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Send your federal case updates to: [redacted]

U.S. Department of Justice
 Environment and Natural Resources
 Division
 Environmental Crimes Section
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Approximately 2,000 abalone were seized from defendants. See [U.S. v. Kaven Company, inside](#), for more details on the case.

“South Alabama has one of the most diverse ecological systems in the Southeast, and migratory birds are a key part of this ecosystem. In recent years, migratory bird populations in coastal Alabama have been severely affected by oil spills. This spill is yet another example of how human error has adversely affected migratory bird populations. The [USFW] Service will continue to be vigilant in the prosecution of corporations and individuals responsible for harming migratory birds,” said Luis Santiago, Special Agent in Charge in the Service’s Southeast Region. From [Gulf Coast Asphalt press release](#) July 29, 2015.

District/Circuit	Case Name	Case Type/Statutes
Southern District of Alabama	United States v. Gulf Coast Asphalt Company	Oil Spill/MBTA
Eastern District of California	United States v. Juan Pedro Jimenez	Illegal Marijuana Site /Drug Charges, Depredation of Public Land
Southern District of California	United States v. Kam Wing Chan United States v. Michael J. Conrad	Marine Wildlife Sales/Smuggling Debarment/False Statement
District of Hawaii	United States v. Waste Management of Hawaii, Inc.	Landfill Waste Discharges/CWA
Southern District of Iowa	United States v. Kinsman Bruce Wolfe	Deer Hunts/Lacey Act, Conspiracy
Northern District of Iowa	United States v. Larry Wolf United States v. Michael J. Wolf	Asbestos Removal/CAA Pork Processing Plant/CWA
District of Kansas	United States v. Sean Riley United States v. C&R Plating	Recycling Facility/CAA, RCRA Plating Facility/CWA
Western District of Louisiana	United States v. Brian Osborn	Oil and Gas Platform/CWA
Eastern District of Michigan	United States v. Lip Bor Ng	E-Waste Exports/Conspiracy
Western District of Missouri	United States v. Arkadiy Lvovskiy	Paddlefish Caviar/Lacey Act, Conspiracy
District of New Jersey	United States v. Miguel Castillo United States v. Valerii Georgiev	Chemical Products/RCRA, False Statement Vessel/APPS
Eastern District of New York	United States v. Lou's Fish Market	Fish Overharvesting/Wire Fraud, Falsification of Federal Records, Lacey Act
Southern District of Ohio	United States v. Marietta Industrial Enterprises	Oil Spill/Refuse Act, CWA
District of Puerto Rico	United States v. Aireko Construction Company	Asbestos Removal/CAA, CERCLA

Trials

United States v. Kinsman Bruce Wolfe, No. 4:14-CR-00071 (S.D. Iowa), AUSA Kelly Mahoney.

On July 23, 2015, Kinsman Bruce Wolfe was convicted by a jury on Lacey Act and conspiracy violations for his role in unlawfully guided deer hunts (18 U.S.C. § 371; 16 U.S.C. §§ 3372(a)(2)(A), 3373(d)(1)(B)).

From October 2013 to December 2013, Wolfe assisted Robert Wilkins in guiding hunts for trophy white-tail buck deer in rural Lucas County, Iowa. Non-resident hunters were allowed to hunt on the property during the paid hunts, despite not having paid for Iowa hunting licenses, fees and transportation tags. The capes and antlers of illegally taken deer were transported from Iowa to Alabama. Wilkins previously pleaded guilty to a Lacey Act conspiracy violation (18 U.S.C. § 371) and was sentenced on July 17 to a four-year term of probation to include six months' home confinement. Wilkins also was ordered to pay \$12,000 in restitution to the Iowa Department of Natural Resources.

The landowner, Steven Miller, pleaded guilty to a misdemeanor Lacey Act violation (16 U.S.C. § 3372(a)(2)(A), 3373(d)(2)) for the unlawful sale of wildlife. Both Miller and Wolfe are scheduled to be sentenced on October 21, 2015.

This case was investigated by the U.S. Fish and Wildlife Service, the Iowa Department of Natural Resources, and the Alabama Division of Game and Natural Resources.



Deer taken during undercover hunt

Indictments/Informations

United States v. Juan Pedro Jimenez, No. 1:15-CR-00193 (E.D. Calif.), AUSA Karen Escobar.

On July 23, 2015, Juan Pedro Jimenez was indicted on drug charges and depredation to public lands for his alleged involvement in a large-scale marijuana cultivation operation in the Sierra National Forest (21 U.S.C. §§ 841, 846; 18 U.S.C. § 1361).

Jimenez was allegedly found at the illegal grow site located on Chowchilla Mountain in early July 2015. Agents removed close to 7,000 marijuana plants and found fertilizer, trash, water lines, and propane tanks. The cultivation activities caused extensive damage to the land and natural resources. Native trees and plants were cut down, steep hillsides were terraced, and water was diverted from a nearby creek to irrigate the plants.



Damage caused to tree

This case was investigated by the U.S. Forest Service and Mariposa County Sheriff's Office.

United States v. Miguel Castillo, No. 1:15-CR-00360 (D.N.J.), AUSA Kathleen O'Leary.

On July 17, 2015, a three-count indictment was returned charging Miguel Castillo with RCRA storage and false statement violations (42 U.S.C. § 6928(d)(2)(A); 18 U.S.C. § 1001(a)(2),(a)(3)).

According to the indictment, between 2003 and August 2011, Castillo was the former president and CEO of Concord Chemical Co., Inc. Concord manufactured, repackaged, and distributed a wide variety of chemical products, including soaps, waxes, pipe lubricants and emulsions. Some of Concord's products and the raw materials used to make them were hazardous. Castillo also served as the president and director of KW Inc., a company that repackaged and distributed commercial laundry products while leasing space from Concord's Camden facility from May 2008 through the fall of 2009. Neither Concord nor KW had a permit to store hazardous waste at the Camden facility.

While Castillo was in charge of Concord, drums containing hazardous waste were allegedly stored in the Camden facility basement. In 2004 and 2005, Concord employees attempted to remove those drums, but never finished because Castillo claimed the company could not afford to remove them.

By March 2010, Concord and KW had ceased operations at this facility. In August 2010, the EPA found deteriorated drums filled with corrosive and ignitable waste had been abandoned.

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Indictments/Informations

(Continued from page 7)

Castillo also is charged with failing to identify himself as Concord's CEO or KW's president when responding to information requests from EPA seeking to identify responsible parties for cleanup costs.

This case was investigated by the U.S. EPA Criminal Investigation Division.

United States v. Aireko Construction Company, No. 3:15-CR-00448 (D.P.R.), ECS Senior Litigation Counsel Howard Stewart, and AUSA Mariana E. Bauzá-Almonte, with assistance from RCEC Carolina Jordan-García.

On July 13, 2015, a six-count indictment was returned charging Aireko Construction Company with NESHAP Clean Air Act and CERCLA violations for the illegal removal of asbestos during a building renovation (42 U.S.C. §§ 7413 (c)(1), 9603(b)(3)).

In May 2012, subcontractors allegedly removed ceiling materials containing asbestos that was improperly placed in the trash behind the building. The material was not wet down and officials were not properly notified of the release of a hazardous substance.

Company vice president and owner Edgardo Albino was charged with a CERCLA violation for failing to immediately notify government officials of the release of a reportable quantity of a hazardous substance.

This case was investigated by the U. S. EPA Criminal Investigation Division.

Guilty Pleas

***United States v. Marietta Industrial Enterprises, Inc.*, No. 2:15-CR-00166 (S.D. Ohio), ECS Senior Trial Attorney Chris Costantini, AUSA Mike Marous, and RCEC Brad Beeson.**

On July 21, 2015, Marietta Industrial Enterprises, Inc. (MIE) pleaded guilty to violating the Refuse Act and to a misdemeanor CWA violation (33 U.S.C. §§ 407, 411, 1319(c)(1)).

MIE was the owner and operator of a barge moored on the Ohio River. In October 2013, employees moved a large crane onto the barge, which leaked a significant amount of oil onto the deck. The oil subsequently leaked into the barge's ballast tanks. On October 2, 2013, a MIE employee unwittingly pumped the oil and water mixture out of the ballast tanks into the Ohio River. The pumping stopped after the employee saw a sheen on the river; however, the spill was not immediately reported to the National Response Center. Instead of contacting authorities, MIE personnel attempted to remediate the spill by pouring bottles of Dawn detergent on it.

The Coast Guard subsequently responded to the spill only after it was reported by a concerned citizen. Under the plea agreement and the Refuse Act, the concerned citizen who reported the spill will receive half the fine for the Refuse Act count.

MIE is a repeat offender. In 2014, the company was convicted of failure to report a violation under the Clean Air Act Title V program and its president was convicted of being an accessory after the fact for that failure to notify.

This case was investigated by the U.S. Coast Guard and the Central Ohio Environmental Crimes Task Force, which includes the Ohio Bureau of Criminal Identification and Investigation, the Ohio Environmental Protection Agency, and the U.S. EPA Criminal Investigation Division.



Oil Booms

Guilty Pleas

United States v. Kam Wing Chan et al., No. 3:14-CR-003662 (S.D. Calif.), AUSA Melanie Pierson.

On July 21, 2015, A Los Angeles-based furniture business, Kaven Company, Inc., and its owner, Kam Wing Chan, pleaded guilty to smuggling endangered abalone and Totoaba worth millions of dollars in China (18 U.S.C. § 545).

Chan used Kaven, a purported importer of Asian furniture, to purchase endangered fish in Mexico, import them into the United States, and then export them to Asia. In October 2013, Chan smuggled into the United States 37 pounds of dried abalone (including the endangered white and black abalone) and 58 Totoaba swim bladders, which had been purchased in violation of Mexican law. The seafood was then illegally



Totoaba swim bladders

exported to companies owned by one of Chan's relatives in China. Both abalone and Totoaba are prized in Asia where they are considered culinary delicacies.

Totoaba swim bladders are valued in Mexico at approximately \$1,500 to \$1,800 each. Once imported into the United States, their value increases to \$5,000 each. They can then be resold in the overseas market for \$10,000 to \$20,000 apiece.

White abalone used to number in the millions off the California coast. Over-fishing has reduced the population to approximately 1,600-2,500. Black abalone commercial fishing peaked in 1973. By 1993, both commercial and recreational fisheries for black abalone closed. Black abalone is now extinct in certain areas off the coast of California.

Sentencing is scheduled for October 5, 2015.

This case was investigated by the NOAA Office of Law Enforcement and the U.S. Fish and Wildlife Service.

Guilty Pleas

United States v. Arkadiy Lvovskiy, No. 13-CR-04016 (W.D. Mo.), ECS Senior Trial Attorney Jim Nelson, AUSA Lawrence Miller, and ECS Paralegal Casey Layman.

On July 13, 2015, Arkadiy Lvovskiy and Dmitri Elitchev pleaded guilty to participating in a conspiracy to illegally traffic in paddlefish and paddlefish eggs in violation of the Lacey Act. Artour Magdessian pleaded guilty to trafficking in paddlefish and paddlefish eggs in violation of the Lacey Act (18 U.S.C. § 371; 16 U.S.C. §§ 3372 (a)(2)(a), 3373(d)(1)(B)).

In April 2011, Lvovskiy and Elitchev traveled to Missouri where they illegally purchased five female paddlefish and a container of paddlefish eggs. They processed the eggs into caviar and transported it from Missouri to Colorado.

In March 2012, Lvovskiy and Elitchev returned to Missouri to purchase eight more female paddlefish. They processed the eggs into caviar and transported them from Missouri to Colorado.

In April 2012, Lvovskiy, Elitchev, and Magdessian traveled to Missouri with co-defendant Felix Baravik. They befriended covert Fish and Wildlife Service agents who were posing as fishermen staying in the same area. The defendants purchased two female paddlefish from the agents, as well as three more female paddlefish from other sources, in excess of the Missouri take and possession limits. The defendants processed the eggs from all of those paddlefish into caviar and transported them from Missouri to Colorado.

The retail value of the caviar is estimated to be between \$30,000 and \$50,000. Fedor Pakhnyuk pleaded guilty to a Lacey Act violation on August 13, 2015. Bogdan Nahapetyan and Baravik previously pleaded guilty to misdemeanor Lacey Act violations. Petr Babenko is scheduled for trial to begin on August 17, 2015 and Andrew A. Praskovsky is scheduled for trial on October 26, 2015.

This case was investigated by the U.S. Fish and Wildlife Service and the Missouri Department of Conservation, with assistance from the Oklahoma Department of Wildlife Conservation.



Defendants with paddlefish

Guilty Pleas

United States v. Waste Management of Hawaii, Inc., No. 14-CR-00468 (D. Hawaii), AUSA Marshall Silverberg, ECS Senior Trial Attorney Dan Dooher, Trial Attorney Leslie Lehnert, USAO Paralegal Specialist Ora Morita, ECS Supervisory Paralegal Specialist Lisa Brooks, and ECS Paralegal Specialist Cynthia Longmire.

On July 10, 2015, defendants Waste Management of Hawaii, Inc. (WMH); Joseph R. Whelan, vice president and general manager; and environmental protection manager Justin H. Lottig each pleaded guilty to Clean Water Act violations stemming from the illegal discharge of millions of gallons of contaminated storm water from a landfill on the island of Ohau, into coastal waters. The discharges were from the Waimanalo Gulch Sanitary Landfill, operated by WMH, after heavy rain storms in December 2010 and January 2011. The discharges included storm water contaminated with wastes from the landfill, including sewage sludge, garbage, and medical waste. WMH pleaded guilty to two misdemeanor violations, negligent discharges of pollutants from the landfill to the coastal waters, from December 19-23, 2010, and on January 12-13, 2011. Whelan and Lottig each pleaded guilty to negligent discharges of pollutants from the landfill to coastal waters, from December 19-23, 2010 (33 U.S.C. §§ 1311(a), 1319(c)(1)(A)).

The defendants had been variously charged with knowing discharges of pollutants, conspiracy, false statements, and withholding critical information from the Hawaii Department of Health Clean Water Branch and EPA.

Sentencing is scheduled for October 26, 2015.

This case was investigated by the U.S. EPA Criminal Investigation Division, with assistance from the Hawaii Department of Health Clean Water Branch.



Sewage discharge and other trash

Guilty Pleas

United States v. Lou's Fish Market, No. 2:15-CR-00278 (E.D.N.Y.), ECS Trial Attorney Christopher Hale and ECS Paralegal Casey Layman.

On July 7, 2015, Lou's Fish Market Inc., a federally-licensed fish dealer, and company president, Mark Parente, pleaded guilty to charges stemming from their role in systematically covering up purchases of illegal fluke (summer flounder), scup, and black sea bass that were harvested in violation of the federal Research Set-Aside (RSA) Program.

Parente pleaded guilty to two counts of wire fraud, one count of aiding and abetting mail fraud, and one count of falsification of federal records for fraud schemes that ran from May through December 2011 (18 U.S.C. §§ 1341, 1343, 1519).

Two trawlers utilized the RSA Program as a mask for unlawful quota overages. In order to conceal the fishermen's illicit catch, Parente directed unwitting company personnel to prepare at least 78 false dealer reports that were sent to NOAA. These reports omitted or misidentified approximately 203,000 pounds of fluke, 50,000 pounds of scup, and 12,000 pounds of black sea bass. The wholesale value of the fish was stipulated as \$481,000. Lou's Fish Market pleaded guilty to a falsification of federal records charge and Lacey Act false labeling for the knowing use of false documents in connection with approximately 70,000 pounds of fluke that was shipped to interstate customers (18 U.S.C. § 1519; 16 U.S.C. §§ 3372(d)(2), 3373(d)(3)(A)).

Sentencing is scheduled for December 3, 2015. This case was investigated by NOAA's National Marine Fisheries Service.

United States v. Michael J. Conrad, No. 3:15-CR-01685 (S.D. Calif.), AUSA Melanie Pierson.

On July 1, 2015, chemist Michael J. Conrad pleaded guilty to a false statement violation for submitting false documents to the EPA to obscure his involvement in a prior federal criminal case to avoid becoming ineligible for federal contracts (18 U.S.C. § 1001 (a)(3)). Between April 14, 2013, and April 10, 2015, Conrad made eight written submissions to the EPA Suspension and Debarment Office to make it appear that he was not involved in the actions that gave rise to the previous criminal case.

In 2012, Conrad pleaded guilty on behalf of Asgard Associates, LLC, to illegally storing hazardous wastes. Conrad signed the corporate resolution that was filed on behalf of the Asgard Board of Directors. Asgard was sentenced to a three-year term of probation and was ordered to pay \$175,412 in restitution for the costs incurred during the removal of the chemicals from the facility. Conrad acknowledged that by signing the resolution, he personally agreed to pay the restitution in the event of default by Asgard. As a result of the company's conviction, the EPA issued a suspension notice to Conrad in February 2013, and initiated debarment proceedings.

Sentencing is scheduled for September 11, 2015. This case was investigated by the U.S. EPA Criminal Investigation Division, the EPA OIG, and the FBI.

Sentencings

United States v. Gulf Coast Asphalt Company, No. 1:15-CR-00154 (S.D. Ala.), AUSA Mike Anderson.

On July 29, 2015, Gulf Coast Asphalt Company was sentenced after pleading guilty to violating the Oil Pollution Act and the Migratory Bird Treaty Act as the result of an oil spill into the Mobile River in 2011 (33 U.S.C § 1321(b)(3); 16 U.S.C. § 703(a)).

In September 2011, employees over-filled a tank during a transfer of oil. Because they miscalculated the volume of the receiving tank, it ruptured and oil was released into a secondary containment area that ultimately flowed into the Mobile River. The river was closed to ship and vessel traffic.



Ruptured tank

The company will pay a \$667,000 fine and make a \$333,000 community service payment to the National Fish and Wildlife Foundation. It also will pay an additional \$292,000 in restitution to the Coast Guard and \$75,000 to the Alabama Department of Conservation and Natural Resources for clean-up costs.

This case was investigated by the U.S. EPA Criminal Investigation Division and U.S. Fish and Wildlife Service.

United States v. Ronan Bakshi, Nos. 14-CR-00456 (E.D. Pa.), SAUSAs Martin Harrell and Patricia C. Miller, and AUSA Mary E. Crawley.

On July 21, 2015, Ronan Bakshi was sentenced to one month and a day of incarceration, followed by one year of supervised release. He also will pay a \$30,000 fine. Bakshi previously pleaded guilty to wire fraud and falsification of records to obstruct a matter within the jurisdiction of EPA for his involvement in an illegal asbestos abatement project (18 U.S.C §§ 1343, 1519).

In 2008, Siloam Ministries, Inc., an HIV community support non-profit, hired Bakshi to perform an asbestos survey of a former church in Philadelphia. Bakshi was responsible for monitoring co-defendant Anthony Biello, II, the contractor who would perform all air sampling and conduct visual inspections during the course of the asbestos project.

After the City of Philadelphia discovered that Biello had not notified it about removing asbestos and had improperly removed some material, Bakshi presented false log books and air monitoring data to City officials in late April 2009, which purported to show that he had been present during asbestos abatement work performed by Biello when

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Sentencings

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he in fact was not. In May, 2009, Bakshi admitted to City personnel that he had not been present when Biello had taken air samples the previous month. In addition, Bakshi billed Siloam for work he later admitted he had not performed, and then billed for additional work resulting from Biello's improper abatement activities.

Biello was sentenced in March 2015 to one year and a day of incarceration, followed by two years' supervised release, after previously pleading guilty to a Clean Air Act violation (42 U.S.C. § 7413(c)(1)). Biello also will pay \$12,000 in restitution to the City of Philadelphia.

This case was investigated by the U.S. EPA Criminal Investigation Division.

United States v. Brian Osborn, No. 6:15-CR-00142 (W.D. La.), AUSA Myers Namie.

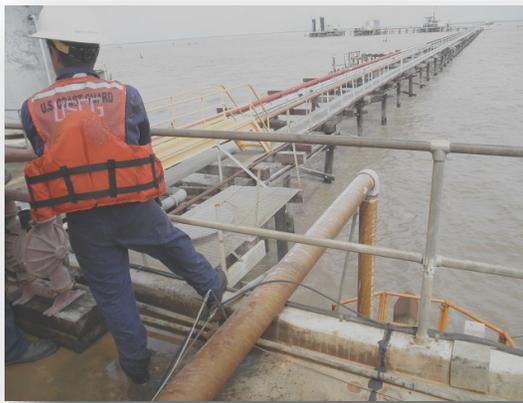
On July 15, 2015, Brian Osborn pleaded guilty to a negligent Clean Water Act violation (33 U.S.C. § 1319 (c)(1)(a)) and was sentenced to one day of incarceration (with credit for time served) followed by one year of supervised release, during which Osborn must complete 200 hours of community service.

Osborn managed an oil and gas production platform for Gulfport Energy Corporation. Responding to a confidential tip in March 18, 2012, Coast Guard personnel conducted an inspection of the platform and observed produced waters being diverted to an overboard "sump" by way of a pipe connected to one of the storage tanks.

This water was then illegally discharged into the West Cote Blanche Bay. Gulfport does not have a permit to discharge produced water into the Bay. Investigators further determined that Gulfport's storage capacity for produced water was often insufficient compared to the amount of water generated during extraction.

After pleading guilty to a negligent CWA violation, the company was sentenced in October 2014 to pay a \$1,125,000 fine and \$375,000 in community service payments to be allocated as follows: \$125,000 to the Louisiana Wildlife & Fisheries Public Oyster Seed Ground Account to help restore the Oyster population in West Cote Blanche Bay; \$100,000 to the Louisiana State Police Emergency Services Unit; \$100,000 to the Louisiana Department of Environmental Quality (LDEQ); and \$50,000 to the Southern Environmental Enforcement Network. As a result of this investigation, Gulfport has spent approximately \$1.3 million dollars to upgrade its salt water disposal system.

This case was investigated by the U.S. EPA Criminal Investigation Division, the LDEQ Criminal Investigation Division, the Louisiana State Police Emergency Services Unit, and the U.S. Coast Guard Marine Safety Unit.



Discharge pipe (foreground)

Sentencings

United States v. Larry Wolf, No. 5:14-CR-004055 (N.D. Iowa), AUSA Forde Fairchild.

On July 16, 2015, Larry Wolf was sentenced to a year and a day incarceration, followed by two years' supervised release. A fine was not assessed. Wolf previously pleaded guilty to a Clean Air Act violation for mishandling asbestos during the demolition of an old YMCA building (42 U.S.C. §§ 7412(l)(1),(7), 7413(a)(1), (c)(2)(b)).

Wolf was informed of the presence of asbestos in the building within months after he purchased it in July 2009. In September 2010, Wolf met with representatives of an environmental remediation and demolition firm, who estimated that it would cost approximately \$172,000 to properly remove the asbestos. The defendant and others proceeded with the demolition activities without removing the asbestos. Wolf sold copper, brass, aluminum, and other metals, boasting that he made \$80,000 doing the demolition. Wolf admitted that, in the summer of 2010, when asked by one of his employees if the building was safe to work in, he falsely stated that asbestos already had been removed.

This case was investigated by the U.S. EPA Criminal Investigation Division and the Iowa Department of Natural Resources.

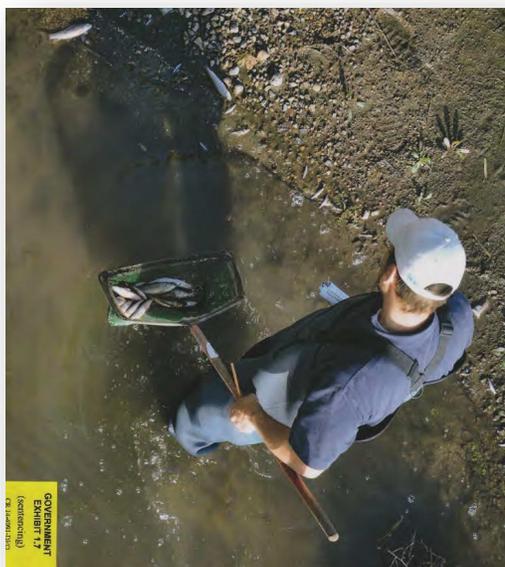


Inside the YMCA building

United States v. Michael J. Wolf, No. 14-CR-04091 (N.D. Iowa), AUSA Forde Fairchild.

On July 15, 2015, Michael J. Wolf was sentenced to complete a one-year term of probation, with a special condition of six weekends in jail, after previously pleading guilty plea to a felony Clean Water Act violation (33 U.S.C. 1311(a), 1319(c) (2) (A), 1342).

Wolf was employed as a maintenance manager at Sioux-Preme Packing, a pork processing facility. During a two-day period in October 2012, Wolf intentionally discharged biological materials and agricultural wastes (including blood, fecal material, animal guts, and cleaning chemicals) from one of the plant's waste lagoons into a tributary of



Cleaning up fish kill (Continued on page 18)

Sentencings

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the West Branch of the Floyd River. The discharge lasted close to 12 hours, polluting more than 11 miles of river. More than 190,000 fish of various species were killed and the state has spent \$5,000 in response costs. The fish are valued at approximately \$20,000.

One witness described watching fish jumping out of the water in an effort to avoid the deadly plume. Wolf lied to first responders, causing a delay that likely worsened the effects of the spill.

This case was investigated by the U.S. EPA Criminal Investigation Division and the Iowa Department of Natural Resources.

United States v. Lip Bor Ng a/k/a Paul Wu, No. 2:15-CR-20098 (E.D. Mich.), ECS Trial Attorney Jenn Blackwell, AUSA Lynn Dodge, and RCEC Dave Taliaferro.

On July 14, 2015, Lip Bor Ng, also known as Paul Wu, was sentenced to pay a \$25,000 fine and will complete a five-year term of probation. Ng previously pleaded guilty to conspiring to submit false and misleading export information to the United States, to fraudulently and knowingly export electronic waste in violation of United States law, and to export hazardous waste without filing a notification of intent to export with the U.S. Environmental Protection Agency (18 U.S.C. § 371).

On two occasions in 2011, Ng submitted fraudulent export information to the Automated Export System, an electronic database maintained by U.S. Customs and Border Protection. He falsely declared the commodities as plastic and metal scrap, when in fact, they contained various types of used electronics and computer components, including cathode-ray tube (CRT) monitors. CRT monitors are considered hazardous waste under certain conditions and their export is regulated by EPA.

Anyone who exports unusable CRT monitors must file a notification of intent to export CRT monitors and also must receive permission from the receiving country, in this case, China and Hong Kong, to allow import of this material. Ng did not file the appropriate notification, or receive permission from China and Hong Kong to import the CRT monitors.

This case was investigated by the U.S. EPA Criminal Investigation Division, U.S. Immigration and Customs Enforcement Homeland Security Investigations, U.S. Department of Commerce, and the U.S. Postal Inspection Service.

United States v. Valerii Georgiev, No. 15-CR-00294 (D.N.J.), ECS Trial Attorney Joel LaBissonniere and AUSAs Kathleen O'Leary and Matthew Smith.

On July 8, 2015, chief mate Valerii Georgiev was sentenced to three months' incarceration, after previously pleading guilty to violating APPS (33 U.S.C. § 1908).

Georgiev served as chief mate onboard the *M/V Murcia Carrier*, a Panamanian-flagged refrigerated cargo vessel operated by Norbulk Shipping UK. On April 29, 2014, under Georgiev's direction, crew members dumped 20 barrels of hydraulic oil overboard.

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Sentencings

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Each barrel contained approximately 55 gallons of oil from the ship's hydraulic cranes. The discharges occurred while the vessel was in international waters off the coast of Florida, while in route from Costa Rica to Gloucester, New Jersey. Georgiev later presented falsified oil record and garbage record books to Coast Guard personnel when the vessel arrived in New Jersey.

Norbulk Shipping UK was sentenced after pleading guilty to failing to maintain an accurate oil record book and giving false statements to the U.S. Coast Guard concerning the vessel's garbage record book. The company was ordered to pay a \$750,000 fine and complete a three-year term of probation.

This case was investigated by the U.S. Coast Guard.

United States v. Sean Riley, No. 6:13-CR-10185 (D. Kan.), AUSA Alan Metzger.

On July 6, 2015, Sean Riley was sentenced after pleading guilty to a negligent Clean Air Act violation (42 U.S.C. § 7413(c)(4)) for negligent exposure to a hazardous air pollutant. Co-defendant Brian Riley previously pleaded guilty to a similar violation.

Sean Riley was the owner of Integrated Plastic Solutions, LLC (IPS), a facility that recycled plastics and electronics. His brother, Brian, was a general manager. The company stored hazardous wastes at its facility including, paints, solvents, and other chemicals. The paints and solvents contained ethyl benzene, a hazardous air pollutant. After



Drums of hazardous waste

becoming aware that the Kansas Department of Health and Environment was investigating the company's waste handling practices, the defendants allowed paints and solvents to be dumped on IPS grounds, releasing ethyl benzene and exposing employees to the risk of flash fire and explosion.

Sean Riley will complete 18 months' unsupervised probation and is jointly and severally responsible with his brother for \$118,807 to be paid to the EPA. Brian Riley was sentenced to complete a three-year term of probation with a special condition of three months' home confinement.

IPS pleaded guilty to a RCRA storage violations and is scheduled for sentencing on August 26, 2015.

This case was investigated by the U.S. EPA Office of Inspector General and the U.S. EPA Criminal Investigation Division.

Sentencings

United States v. C&R Plating, No. 5:14-CR-40035 (D. Kans.), AUSA Richard Hathaway.

On July 6, 2015, Kevin Cline, the owner of a metal plating company, was sentenced to four months in prison followed by six months' home confinement and one year of supervised release for violating the Clean Water Act (33 U.S.C. § 1319(c)(2)(B)). C&R Plating will complete a three-year term of probation, pay a \$10,000 fine, and is jointly and severally responsible with Cline for \$281,503 in restitution to the City of Minneapolis, Kansas. The company also is required to implement a compliance and ethics program.

C&R Plating performs zinc and chromate plating, including plating of steel nuts, bolts, and washers. Beginning in 2007, Cline submitted fraudulent samples and reports to the Kansas Department of Health and Environment to conceal the fact that untreated waste water was being discharged into the city POTW. High levels of zinc were ultimately traced back to the company, as it was the only entity connected to the city's sewer system that could cause zinc levels to exceed allowable limits.

This case was investigated by the U.S. EPA Criminal Investigation Division.

Environmental Crimes Section Attorneys

Position	Name	Phone
Chief	Deborah Harris	
Deputy Chief	Joseph Poux	
Assistant Chief	Thomas Ballantine	
Assistant Chief	Elinor Colbourn	
Assistant Chief	Wayne Hettenbach	
Senior Litigation Counsel	Howard P. Stewart	
Senior Litigation Counsel	Richard Udell	
Senior Counsel	Robert Anderson (Montana)	
Senior Counsel	Kris Dighe	
Senior Counsel	Rocky Piaggione	
Senior Trial Attorney	Georgiann Cerese	
Senior Trial Attorney	Christopher Costantini	
Senior Trial Attorney	Daniel Dooher	
Senior Trial Attorney	Todd Gleason	
Senior Trial Attorney	David Kehoe	
Senior Trial Attorney	Jeremy Korzenik	
Senior Trial Attorney	Lana Pettus	
Senior Trial Attorney	Jennifer Whitfield	
Trial Attorney	Cassandra Barnum	
Trial Attorney	Jennifer Blackwell	
Trial Attorney	Mary Dee Carraway	
Trial Attorney	Ryan Connors	
Trial Attorney	Adam Cullman	
Trial Attorney	Gary Donner	
Trial Attorney	Patrick Duggan	
Trial Attorney	Ethan Eddy	
Trial Attorney	Thomas Franzinger	
Trial Attorney	Christopher Hale	
Trial Attorney	Joel LaBissonniere (NOAA)	
Trial Attorney	Leslie Lehnert	
Trial Attorney	James Nelson	
Trial Attorney	Ken Nelson	
Trial Attorney	Brandy Parker (USCG)	
Trial Attorney	Shennie Patel	
Trial Attorney	Richard Powers	
Trial Attorney	Mark Romley (Colorado)	
Trial Attorney	Brendan Selby	
Trial Attorney	Lauren Steele	
Trial Attorney	Shane Waller	

Announcements

In November 2014, a number of federal animal protection statutes were assigned to the Environmental Crimes Section for criminal enforcement purposes. [Title 5 of the USAM](#) been revised to include the following: Animal Fighting Venture Prohibition Act, Animal Welfare Act, Horse Protection Act, Humane Methods of Livestock Slaughter Act, 28-Hour Law, and the Animal Crush Video Prohibition Act. ECS has added a new [Animal Prosecutions Cruelty](#) page to its website that contains helpful materials to assist prosecutors working these cases. Please contact [\[redacted\]](#) if you have any questions.

The first of two issues of the U.S. Attorney's Bulletin devoted to wildlife crimes was published in [May 2015](#) and features articles on current issues related to the Lacey Act; wildlife charges in oil spill cases; forensics in wildlife cases; illegal, unreported, and unregulated (IUU) fishing and seafood fraud; the use of the criminal enforcement to stop the growing threat of invasive species; restitution in wildlife cases and the use of civil and administrative alternatives to criminal enforcement. These articles reflect the contributions of prosecutors in ECS, ENRD's Appellate, Law and Policy, and Wildlife and Marine Resources Sections, Assistant U.S. Attorneys, and agents, scientists and regulators at FWS, NOAA and USDA. The second issue will be published in September 2015.

New press releases have been added to the [ECS Webpage](#).

Please send information regarding State and local cases to the [Regional Environmental Enforcement Association's Webpage](#). Updates on federal cases should be sent to [\[redacted\]](#)