



Monthly

Bulletin

Environmental Crimes Section

March 2020

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Incinerator illegally operated at night [see U.S. v. Gray inside, for more details on this case]

District/Circuit	Case Name	Case Type/Statutes
District of Alaska	United States v. Christopher L. Gordon	Polar Bear Killing/MMPA
██████████	██████████	██████████
Central District of California	██████████ United States v. Jose Torres	██████████ Coral Sales/Lacey Act, Smuggling
Eastern District of California	United States v. Jeremiah Young et al. United States v. Dimas Ortiz et al. ██████████	Wastewater Discharges/Conspiracy, CWA, False Statement, Witness Tampering Marijuana Grow/ Depredation of Public Lands, Drugs
Northern District of California	United States v. Unix Line PTE, Ltd., et al.	Vessel/APPS
Southern District of California	United States v. Luis Alberto Vargas United States v. Curtis Technology, Inc.	Pesticide Imports/Smuggling Hazardous Wastes/RCRA
District of Connecticut	United States v. Collegiate Entrepreneurs, Inc.	Lead Paint/TSCA, Falsifying Records
Northern District of Florida	United States v. Shane Sprague et al.	Dog Fighting/Animal Welfare Act, Conspiracy
Northern District of Georgia	United States v. Terry Foster	Pesticide/FIFRA
District of Hawaii	██████████ United States v. Bernhard Schulte Shipmanagement (Singapore) PTE LTD et al.	██████████ Vessel/APPS
District of Kansas	United States v. Thomas S. Fritzel	Asbestos Disposal/CAA
District of New Jersey	United States v. Thomas Toy	Drum Reconditioning/RCRA
██████████ ██████	██████████	██████████
Northern District of Ohio	United States v. Anthony Gray	Drum Reconditioning/Conspiracy
District of Oregon	United States v. Xiao Dong Qin	Turtle Exports/Conspiracy, Smuggling
Middle District of Pennsylvania	United States v. Brian Mellott et al.	Exhaust System Devices/Conspiracy

District/Circuit	Case Name	Case Type/Statutes
District of South Dakota	United States v. Dugan Traversie United States v. Troy Young Fairbanks et al.	Deer Hunting/Lacey Act, Larceny Bird Feathers and Parts/BGEPA, Conspiracy
██████████ ██████████	████████████████████	████████████████████
Southern District of Texas	United States v. Leonard Cornelius	Eagle Killing/BGEPA
Eastern District of Virginia	United States v. Forrest Sewer Pump Service, Inc.	Wastewater Discharges/CWA
District of Vermont	United States v. Jafet Rodriguez	Bird Exports/ESA, Smuggling
Western District of Wisconsin	United States v. Edward Taylor et al.	Raptor Sales/Conspiracy

Trials

United States v. Shane Sprague et al., No. 3:19-CR-00110 (N.D. Fla.), ECS Trial Attorney Ethan Eddy, AUSA Ryan Love, ECS Law Clerk Amanda Backer, and ECS Paralegal Samantha Goins.

In the early morning hours of Saturday, February 29, 2020, a jury convicted Shane P. Sprague of conspiracy to violate the dog fighting prohibitions of the Animal Welfare Act (AWA) (18 U.S.C. § 371). Co-defendants James Peek, Haley C. Murph, and David L. Moser, previously pleaded guilty for their involvement with Sprague and others in a dog fighting operation centered in Pensacola, Florida. The jury acquitted co-defendant Derek J. Golson.

Murph pleaded guilty to conspiring to violate the dog fighting prohibitions of the AWA; traveling to Alabama to purchase a fighting dog from a known dog fighter; and possessing the dog for purposes of using it in an animal fighting venture. Peek pleaded guilty to conspiracy; delivering a dog to Sprague to use in an animal fighting venture; and possessing a dog to use in an animal fighting venture. Moser pleaded guilty to conspiracy (18 U.S.C. §§ 371, 7 U.S.C §§ 2156(a)(1),(b)).

Evidence at trial (along with co-defendants' admissions) established that Sprague operated "C Wood Kennels" (C Wood), an operation that arranged fights and trafficked in fighting dogs with Moser and others outside of Florida. Moser and Sprague agreed to fight their dogs against one another, and prepared them to fight. They also discussed concealing evidence that one of Moser's dogs killed another dog. Peek supplied fighting dogs to C Wood, and sold dogs to Sprague and Golson to fight. He also sold a dog to an undercover agent after making representations about the fighting "bloodlines."

Murph acted as a makeshift "veterinarian" for C Wood. Without a veterinary license, Murph performed veterinary and surgical procedures on the dogs, including treating dogs injured in fights and surgically removing their ears. Two animals in her "care" died from their injuries. Murph also supplied a "bait" animal to Golson to test the fighting abilities of one of his dogs. She travelled with Golson to Alabama to receive dogs from a known dog fighter, keeping one for herself to use in fights.

The U.S. Department of Agriculture Office of Inspector General conducted the investigation.



Dog rescued from Sprague's property

Indictments/Informations

***United States v. Jafet Rodriguez*, No. 2:20-CR-00032 (D. Vt.), AUSA Joseph Perella.**

On February 27, 2020, prosecutors filed an indictment charging Jafet Rodriguez with smuggling endangered tropical birds into Vermont from Canada (18 U.S.C. § 545; 16 U.S.C. § 1538(c)(1), 1540(b)(1)).

In December 2019, Rodriguez walked across the Canadian border in Derby Line, Vermont, and approached a car parked in Stanstead, Quebec. He retrieved a black duffle bag containing the birds from the vehicle parked in Quebec and walked back into the United States. Border Patrol agents intercepted Rodriguez after he entered another vehicle in Vermont. They recovered five Yellow-headed Amazons and two White-bellied Parrots from the vehicle. Both species are protected by the



Parrot seized from defendant

Convention on International Trade in Endangered Species. Officials transported the birds to the New York Animal Import Center in Rock Tavern, New York, for quarantine.

The U.S. Border Patrol and Homeland Security Investigations conducted the investigation, with assistance from the U.S. Fish and Wildlife Service.

***United States v. Dugan Traversie*, No. 3:20-CR-30032 (D.S.D.), AUSA Meghan Dilges.**

On February 11, 2020, prosecutors charged Dugan Traversie for illegally hunting deer and stealing property (16 U.S.C. §§ 3372(a)(1), 3373(d)(2); 18 U.S.C. § 1153). Trial is scheduled for April 7, 2020.

Between October 28, 2019, and November 4, 2019, Traversie harvested a white-tailed deer outside of the tribal hunting season, in violation of the Cheyenne River Sioux Tribe hunting regulations. After Traversie shot the deer, he left and returned the next day to remove the head, leaving the carcass behind. The deer, valued at approximately \$1,000, belonged to the Timberlake Elk Ranch.

The U.S. Fish and Wildlife Service; and the Cheyenne River Sioux Tribe, Game, Fish, and Parks Department conducted the investigation.

[illegible]

1. *Journal of the American Medical Association*, 2000; 283: 2686-2692.

Guilty Pleas

***United States v. Luis Alberto Vargas*, No. 3:19-CR-04279 (S.D. Calif.), AUSA Melanie Pierson.**

On February 27, 2020, Luis A. Vargas pleaded guilty to smuggling pesticides into the United States from Mexico (18 U.S.C. § 545).

In September 2019, Vargas smuggled 2.25 liters of Mexican pesticides into the United States. The three containers held chlorpyrifos and abamectin, chemicals deemed restricted-use pesticides in the United States. Labelled only in Spanish, the containers bore no Environmental Protection Agency registration numbers.

The U.S. Environmental Protection Agency Criminal Investigations Division, Homeland Security Investigations, and the California Department of Toxic Substances Control Office of Investigations conducted the investigation.

***United States v. Unix Line PTE, Ltd., et al.*, No. 4:19-mj-71619 (N.D. Calif.), ECS Senior Trial Attorney Ken Nelson, AUSA Katie Lloyd-Lovett, SAUSA Andrew Briggs, and ECS Paralegal John Jones.**

On February 26, 2020, Unix Line PTE, Ltd., a Singapore-based shipping company, pleaded guilty to violating the Act to Prevent Pollution from Ships (APPS) (33 U.S.C. § 1908 (a)). Sentencing is scheduled for March 20, 2020.

Unix Line operated the *Zao Galaxy*, which set sail from the Philippines on January 21, 2019, heading toward Richmond, California. On February 11, 2019, the vessel arrived in Richmond, where it underwent a U.S. Coast Guard inspection and examination. Examiners discovered that during the voyage, First Assistant Engineer Gilbert Fajardo Dela Cruz directed crewmembers to discharge oily bilge water overboard, using a configuration of drums, flexible pipes, and flanges to bypass the vessel's Oil Water Separator. The crew failed to record those discharges in the ship's Oil Record Book presented to the U.S. Coast Guard during the inspection. Dela Cruz is scheduled for trial to begin on June 8, 2020, on APPS and obstruction charges (33 U.S.C. § 1908(a); 18 U.S.C. §§ 1505, 1519).

The U.S. Coast Guard conducted the investigation.

[illegible]

Guilty Pleas

***United States v. Jeremiah Young, et al.* No. 2:18-CR-00068 (E.D. Calif.), AUSAs Philip A. Scarborough and Paul Hemesath.**

On February 10, 2020, Jeremiah Young pleaded guilty to violating the Clean Water Act (33 U.S.C §§ 1317(d), 1319(c)(2)(A)). He is scheduled for sentencing on April 27, 2020.

American Biodiesel d/b/a/Community Fuels, manufactured biodiesel fuel. Between 2014 and 2016, Jeremiah Young worked as an assistant operator. Between March 2009 and December 2016, his brother, Christopher Young, directed the plant's operations. Regulators permitted Community Fuels to discharge wastewater meeting certain parameters (including pH and methanol concentration total flow levels) to the local publically owned treatment works (POTW). The company led local authorities to believe that it transferred unpermitted wastewater off-site to an appropriate wastewater disposal facility. In reality, employees dispersed the wastewater on the facility grounds via landscaping sprinklers, as well as illegally discharged to the POTW, after tampering with monitoring devices. Both Jeremiah and Christopher Young participated in this scheme, which amounted to hundreds of thousands of gallons illegally discharged into the local sewer system.

A court sentenced Community Fuels in July 2019 to pay a \$401,000 fine, and complete a three-year term of probation, to include an environmental compliance plan. The company also must grant 24-hour access to authorities for unannounced inspections on the premises. The court further ordered the company to pay \$256,206 in restitution to be divided between the City of Stockton and the Port of Stockton, California. Community Fuels pleaded guilty to conspiracy and tampering with monitoring equipment.

Prosecutors charged Christopher Young with conspiracy, false statements, Clean Water Act and witness tampering violations (18 U.S.C. §§ 371, 1001(a)(2), 1512(b)(3); 33 U.S.C. §§ 1319 (c)(2)(A), (c)(4)).

The U.S. Environmental Protection Agency Criminal Investigation Division, the City of Stockton Municipal Utilities Department, the San Joaquin County Environmental Health Department, the Port of Stockton, and the California Department of Toxic Substances Control conducted the investigation.

The U.S. Environmental Protection Agency Criminal Investigation Division, the Ohio Bureau of Criminal Investigation, and the Ohio Environmental Protection Agency, conducted the investigation, with assistance from the Cleveland Division of Police, the Cleveland Fire Department, and the Cleveland Division of Air Pollution Control.

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Sentencings

***United States v. Edward Taylor et al.*, Nos. 3:19-mj-00138, 00147 (W.D. Wisc.), AUSA Daniel Graber.**

On March 2, 2020, a court sentenced James Kitzman to pay a \$15,000 fine, complete a three-year term of probation, and banned him from engaging in falconry during the term of probation. The court advised Kitzman that if he violated the three-year ban, he may be held in contempt of court and charged with a felony. Kitzman also will forfeit his Toyota pickup truck that he used for this crime. The court sentenced codefendant Edward Taylor on February 25, 2020, to pay a \$10,000 fine. The two previously pleaded guilty to conspiring to violate the Lacey Act (18 U.S.C. § 371).

In late 2016 through August 2017, Kitzman and Taylor (both permitted falconers and raptor propagators), arranged to barter a northern goshawk taken from the wild in exchange for a captive-bred Finnish goshawk. Kitzman took a wild female northern goshawk from a nest in May 2018 and traded Taylor for the Finnish goshawk. They both falsified reports submitted to Michigan and Wisconsin Departments of Natural Resources officials to conceal their actions.

Regulations allow falconers to take raptors from the wild to train them and transfer them to other permitted falconers as “gifts,” but it is illegal to sell, trade, or barter a wild raptor.

The U.S. Fish and Wildlife Service, the Wisconsin Department of Natural Resources Bureau of Law Enforcement, and the Michigan Department of Natural Resources conducted the investigation.

***United States v. Christopher L. Gordon*, No. 4:19-CR-00009 (D. Alaska), AUSA Ryan Tansey.**

On February 28, 2020, a court sentenced Christopher L. Gordon to three months’ incarceration, followed by one year of supervised release, and ordered him to pay a \$4,500 fine. Gordon pleaded guilty to violating the Marine Mammal Protection Act (MMPA) for shooting and killing a polar bear and wasting the harvestable remains (16 U.S.C. §§ 1372(a)(2)(A), 1371(b)(3), 1375(b)).

In December 2018, Gordon attracted a polar bear to his front yard after leaving butchered whale meat out in the open for a substantial period of time. Gordon shot and killed the bear in his yard, leaving its carcass covered with snow for five months without salvaging any of the meat.

Subsequently, a snow plow arrived in May 2019, inadvertently ripping off one of the bear’s legs. Gordon caused the polar bear carcass to be discarded and burned in the Kaktovik dump without using any of its parts for subsistence purposes. The MMPA permits coastal dwelling Alaskan natives to take marine mammals for subsistence purposes, as long as it is not done in a wasteful manner.

The U.S. Fish and Wildlife Service conducted the investigation.

Sentencings

***United States v. Xiao Dong Qin*, No. 6:19-CR-00503 (D. Ore.), AUSA Pamela Paaso.**

On February 27, 2020, a court sentenced Chinese national Xiao Dong Qin to two years' probation and to pay \$7,858 restitution to be divided among three wildlife-related entities. Qin pleaded guilty to smuggling hundreds of endangered turtles from the United States to China (18 U.S.C §§ 371, 554).

Between May 2017 and June 2018, Qin directed a co-conspirator to purchase more than 300 protected turtles from reptile dealers in Alabama, California, Florida, Kentucky, Michigan, New Jersey, Nevada, North Carolina, and South Carolina.

Investigators recovered 136 Florida box turtles, 76 eastern box turtles, 57 North American wood turtles, 20 spotted turtles, 18 diamondback terrapins, and seven yellow-blotched map turtles. The turtles' market value (based upon demand for the Chinese pet trade) exceeded \$250,000.

The U.S. Fish and Wildlife Service conducted the investigation, with assistance from the U.S. Postal Inspection Service.

***United States v. Leonard Cornelius*, No. 2:20-mj-00479 (S.D. Tex.), AUSA Robert D. Thorpe, Jr.**

On February 26, 2020, a court sentenced Leonard Cornelius to complete a one-year term of probation and to pay \$11,907 in restitution to the Texas Parks and Wildlife Department. Cornelius pleaded guilty to violating the Bald and Golden Eagle Protection Act for killing a bald eagle (16 U.S.C. § 668(a)).

In March 2018, authorities located a dead bald eagle and a number of other dead animals that appeared had been poisoned near a field. Authorities began looking for the source of the poison and encountered Cornelius inspecting nearby farm fields. Cornelius admitted to placing poison on his fields to kill birds to keep them from damaging his crops. He coated approximately 30 pounds of corn with poison, spreading it over several of his fields.

The U.S. Fish and Wildlife Service conducted the investigation, with assistance from Texas Parks and Wildlife Department .



Poisoned eagles

Sentencings

***United States v. Dimas Ortiz et al.*, No. 2:17-CR-00152 (E.D. Calif.), AUSA David W. Spencer.**

On February 24, 2020, a court sentenced Dimas Ortiz to ten years' incarceration and to pay \$10,000 in restitution to the U.S. Forest Service. Ortiz previously pleaded guilty to depredation of public lands and growing marijuana in a national forest (21 U.S.C. § 841; 18 U.S.C. § 1361).

Ortiz oversaw several men involved in a grow operation in the Shasta-Trinity National Forest located at an elevation of approximately 2,500 feet. Maintaining his distance, Ortiz helped finance the operation, provided supplies for the grow site, and directed his co-defendants. Ortiz expected to receive \$125,000 (from the yield of 800 pounds of processed marijuana, worth \$500,000).

Significant quantities of carbofuran littered the site, along with an estimated 4,500 feet of plastic water lines and 1,500 pounds of soluble fertilizer. The operation used approximately 15,000 gallons of water per day and open latrines were placed near waterways. In August 2017, law enforcement officials executed a search, removing more than 1,000 pounds of trash and destroying 2,500 plants.

A court previously sentenced Sebastian Martinez Arreola to 20 months' and Armando Mayorga Gonzalez to 50 months' incarceration. Gonzalez also will pay \$10,000 in restitution to the U.S. Forest Service. Armando Mayorga Garcia pleaded guilty and is scheduled to be sentenced on March 30, 2020.

The U.S. Forest Service investigated the case, with assistance from the U.S. Bureau of Land Management, the California Department of Fish and Wildlife, the North State Marijuana Investigation Team, and the Trinity County Sheriff's Office.

***United States v. Thomas S. Fritzel*, No. 5:18-CR-40058 (D. Kan.), AUSA Richard Hathaway.**

On February 20, 2020, a court sentenced developer Thomas S. Fritzel to three months' incarceration, followed by one year of supervised release. He also will pay a \$55,000 fine. A jury convicted Fritzel in July 2019 for violating the Clean Air Act by illegally disposing of asbestos (42 U.S.C § 7413 (c)(2)(B)).

In January 2016, Fritzel purchased a country club and began to demolish/renovate the building. Fritzel knew that the roof contained 75 percent chrysotile asbestos. The previous owners, who sold the club to Fritzel in January 2016, decided not to replace the roof because of the cost of abating the asbestos.

In October 2016, Kansas Department of Health and Environment (KDHE) inspectors observed large piles of debris containing asbestos. An inspector told Fritzel and an employee to cease



Building under demolition

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Sentencings

(Continued from page 14)

demolition and not move any of the piles. The inspector also informed Fritzel that he must employ a licensed asbestos contractor to properly remove and dispose of the asbestos. A few weeks after this discussion, local officials discovered that someone had hauled asbestos debris from the site to a nearby unapproved landfill.

The U.S. Environmental Protection Agency Criminal Investigation Division conducted the investigation.

United States v. Terry Foster, No. 1:20-CR-00061 (N.D. Ga.), AUSA Alex Sistla.

On February 20, 2020, a court sentenced Terry Foster to pay a \$1,000 fine for violating the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) for lacing deer carcasses with a restricted, highly poisonous pesticide to bait and kill coyotes (7 U.S.C. §§ 136j(a)(2)(G), 136l(b)(2)).

In December 2018, a private citizen contacted the Georgia Department of Natural Resources about a possible wildlife poisoning. Investigators found two deer carcasses cut open and laced with a blue, granular substance, and several dead (and dying) animals nearby, including an opossum and two red tailed hawks. Upon further investigation, they learned that Foster hunted on nearby property. After executing a search warrant on Foster's truck, they recovered several items including hunting knives, a bucket containing the blue substance, and deer hair. Upon questioning, Foster stated he "wanted nothing more than to kill coyotes."

Further toxicology and DNA analysis of the deer, hunting knives, and truck confirmed Foster possessed the deer. Testing identified the poison as methomyl, sold under the trade name "Golden Malrin," used for fly bait. The product label clearly warns: "It is illegal to use this product with the intention to kill raccoons, skunks, opossums, coyotes, wolves, dogs, cats, or [other animals...]."

The Georgia Department of Natural Resources, U.S. Fish and Wildlife Service Office of Law Enforcement, and U.S. Environmental Protection Agency Criminal Investigation Division conducted the investigation.

United States v. Collegiate Entrepreneurs, Inc., No. 3:19-CR-00284 (D. Conn.), AUSA Ray Miller and RCEC Diane Chabot.

On February 19, 2020, a court sentenced Collegiate Entrepreneurs, Inc., (CEI) to pay a \$50,000 fine, complete a five-year term of probation, and pay \$30,000 in restitution to a victim homeowner in West Hartford, Connecticut. The company pleaded guilty to violating the Toxic Substances Control Act and falsifying records related to its illegal removal of lead paint (15 U.S.C. §§ 2689, 2615(b); 18 U.S.C. § 1519).

CEI provides house-painting services in Connecticut and other New England states. Some of the houses the company painted in 2015 contained lead-based paint. For those jobs, the U.S. Environmental Protection Agency required CEI to adhere to the

(Continued on page 16)

Sentencings

United States v. Forrest Sewer Pump Service, Inc., No. 2:19-CR-00118 (E.D. Va.), AUSA Joseph Kosky, and SAUSAs Jessica Goldstein and David Lastra.

On February 12, 2020, a court sentenced Forrest Sewer Pump Service, Inc., (FSPS) to pay a \$50,000 fine and complete a five-year term of probation, to include implementing an environmental compliance plan. The company previously pleaded guilty to violating the Clean Water Act for illegally discharging pollutants into unauthorized manholes and pump stations (33 U.S.C. §§ 1317(d), 1319(c)(2)).

FSPS provided wastewater and grease hauling services for more than 20 years. The company cleaned, pumped, and maintained sewer lines, pump stations, and grease traps for numerous private clients and public institutions throughout the Virginia Beach, Hampton Roads, and Norfolk, Virginia, areas.

On several instances between 2014 and 2016, FSPS employees discharged pollutants into the publically owned treatment works (at unauthorized discharge points) and in violation of FSPS' industrial user wastewater discharge permit. The company took advantage of its unfettered access to the undesignated sewer locations to avoid dumping fees.

Surveillance cameras operated by the U.S. Environmental Protection Agency and Virginia State Police show company employees illegally dumping pollutants on several occasions.

The U.S. Environmental Protection Agency Criminal Investigation Division conducted the investigation.

United States v. Brian Mellott et al., Nos. 4:18-CR-00174, 00267 (M.D. Pa.), AUSAs Phillip J. Caraballo and Sean Camoni, and SAUSA Patricia C. Miller.

On February 12, 2020, a court sentenced Brian Mellott to six months' incarceration, followed by one year of supervised release, and 50 hours of community service. Mellott previously pleaded guilty to conspiring to impede the lawful functions of the U.S. Environmental Protection Agency and the Department of Transportation, and to violate the Clean Air Act (18 U.S.C. § 371).

Mellott worked as an analyst at Rockwater Northeast LLC, a company that serviced the fracking industry in Pennsylvania. In the course of his employment, he conspired to modify the emissions systems on a number of Rockwater heavy-duty diesel trucks by using "defeat devices." He and co-conspirators concealed defeat device purchases in



Truck discharging pollutants into undesignated location

(Continued on page 18)

The U.S. Environmental Protection Agency Criminal Investigation Division and the Department of Transportation Office of the Inspector General conducted the investigation, with assistance from the Federal Motor Carrier Safety Administration, and the Pennsylvania State Police.

[illegible]

The U.S. Fish and Wildlife Service conducted the investigation as part of Operation Jungle Book, a law enforcement initiative that targeted wildlife smuggling.

Sentencings

***United States v. Bernhard Schulte Shipmanagement (Singapore) PTE LTD et al.*, Nos. 1:20-CR-00004, 1:19-CR-00175, 177 (D. Hawaii), ECS Trial Attorney Steve Da Ponte and AUSA Marc A. Wallenstein.**

On February 10, 2020, a court sentenced Bernhard Schulte Shipmanagement (Singapore) PTE LTD. (Bernhard), a vessel operating company, after pleading guilty to violating the Act to Prevent Pollution from Ships (APPS) (33 U.S.C. § 1908(a)). Bernhard will pay a \$1,750,000 fine and complete a four-year term of probation. This is the largest fine ever imposed in the District of Hawaii for this type of offense. Bernhard must implement a robust environmental compliance plan, which applies to all 38 vessels operated by the company that call on U.S. ports. Chief Engineer Skenda Reddy and Second Engineer Padmanaban Samirajan previously pleaded guilty to violating APPS for their conduct. They are scheduled for sentencing in early April 2020.

Between May and July 2019, Bernhard, acting through Reddy and Samirajan, used a portable pneumatic pump and hose to bypass the *T/V Topaz Express*' pollution prevention equipment and discharge bilge waste directly into the ocean. They failed to record these overboard discharges in the vessel's oil record book. During the U.S. Coast Guard's inspection, Reddy destroyed sounding sheets and altered a copy of the ship's electronic sounding log, in an effort to conceal the amount of bilge waste illegally discharged.

The U.S. Coast Guard conducted the investigation.

***United States v. Thomas Toy*, No. 1:18-CR-00034 (D.N.J.), ECS Trial Attorney Adam Cullman, AUSA Kathleen O' Leary, and ECS Supervisory Paralegal Lisa Brooks.**

On February 5, 2020, a court sentenced Thomas Toy to 30 days' incarceration, followed by 30 days' home confinement, and three years' supervised release. Toy also will pay \$4.2 million in restitution to the U.S. Environmental Protection Agency for clean-up costs. Toy previously pleaded guilty to violating Resource Conservation and Recovery Act for illegally storing and disposing of corrosive and hazardous waste (42 U.S.C. § 6928(d)(2) (A)).

Toy was the owner and president of Superior Barrel and Drum, a company specializing in the cleaning and reconditioning of industrial drums. He directed and supervised operations, including the storage and disposal of large amounts of waste onsite. Superior did not possess a permit to store or dispose of hazardous waste. From September 2013 to September 2014, the U.S. Environmental Protection Agency removed approximately 1,800 containers of waste from the property, much of which was hazardous.

The U.S. Environmental Protection Agency Criminal Investigation Division conducted the investigation.

Announcements

When submitting a press release for posting with the Executive Office of U.S. Attorneys <https://www.justice.gov/usao/pressreleases>, please be sure it is tagged for the “Environment/Wildlife” topic. This will help ensure that your case is not overlooked for reporting in the Bulletin.

News from state, local, and Canadian cases is posted on the Regional Environmental Enforcement Associations [website](#) .

If you are in need of sentencing data for your wildlife or pollution cases, please contact [REDACTED] with your search requests.

Please notify ECS of any appeals taken in your cases, as per [Section 5-11.118](#) of the U.S. Attorneys’ Manual.

A public version of the [Bulletin](#) is available for non-law enforcement readers.

Position	Name	Phone
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Deputy Chief	Joseph Poux	
Assistant Chief	Thomas Ballantine	
Assistant Chief	Wayne Hettenbach	
Assistant Chief	Lana Pettus	
Assistant Chief	Jennifer Whitfield	
Senior Litigation Counsel	Howard P. Stewart	
Senior Litigation Counsel	Richard Udell	
Senior Counsel for Wildlife	Elinor Colbourn	
Senior Counsel	Kris Dighe	
Senior Trial Attorney	Jennifer Blackwell	
Senior Trial Attorney	Christopher Costantini	
Senior Trial Attorney	Daniel Dooher	
Senior Trial Attorney	Todd Gleason	
Senior Trial Attorney	Jeremy Korzenik	
Senior Trial Attorney	Ken Nelson	
Trial Attorney	Cassandra Barnum	
Trial Attorney	Mary Dee Carraway	
Trial Attorney	Ryan Connors	
Trial Attorney	Adam Cullman	
Trial Attorney	Stephen DaPonte	
Trial Attorney	Gary Donner	
Trial Attorney	Patrick Duggan	
Trial Attorney	Ethan Eddy	
Trial Attorney	Matthew Evans	
Trial Attorney	Stephen Foster	
Trial Attorney	Christopher Hale	
Trial Attorney	Joel LaBissonniere	
Trial Attorney	Samuel (Charlie) Lord	
Trial Attorney	Shennie Patel	
Trial Attorney	Erica Pencak	
Trial Attorney	Richard Powers	
Trial Attorney	Lauren Steele	