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# ENVIRONMENTAL CRIMES SECTION

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## MONTHLY BULLETIN

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*March 2014*

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### EDITOR'S NOTES:

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If you have significant updates and/or interesting photographs from a case, please email them to [NAME REDACTED]. If you have information concerning state or local cases, please send it directly to the [Regional Environmental Enforcement Associations'](#) website.

REMINDER: We are now producing a *separate* public version of the ECS Monthly Bulletin. When submitting details about your case developments please bear in mind that the information you provide could be disclosed to the public. As such, it would be very helpful if you would include a press release whenever possible to help ensure that the facts we are using are publically available. If a press release was not issued, then please only provide facts that are appropriate to disclose to the public.

The [Environmental Crimes Intranet Site](#) is available to those who have access to USDOJ-operated sites.

## In Memoriam:

On February 5, 2014, ECS Senior Counsel Claire Whitney passed away from complications of the cancer she tenaciously fought for several years. We will miss her in many ways, including her infectious laugh and her can-do spirit.

Claire was a dedicated public servant for nearly 35 years, and had been at the Environmental Crimes Section for 26 years, having joined the Section as a Trial Attorney in March of 1987. She was promoted to Senior Trial Attorney in March of 1997, and in September of 2000, Claire was promoted to Senior Counsel. In 2006, she was awarded the Attorney General's John Marshall Award for Outstanding Legal Achievement for Support of Litigation for her work on *U.S. v. Pacific States, et al.* Not coincidentally, during her tenure, Claire worked on a number of ground-breaking cases, among them were *U.S. v. MacDonald and Watson*, *U.S. v. M/G Transport*, and *U. S. v. Tumin*.

*MacDonald and Watson* was a hard-fought RCRA prosecution involving the unlawful disposal of toluene-contaminated soil. Claire agreed to step in and lead the charge when both the attorney that built the case and his immediate successor left the Section. The trial in Providence, Rhode Island, was a knock-down drag-out affair that lasted several weeks and resulted in the conviction of several defendants and the company. This case was among the first felony environmental criminal cases to concisely set forth the parameters of the "responsible corporate officer" doctrine.

The *M/G Transport* case was equally significant. One of the first "vessel" cases handled by ECS, the prosecution involved the routine unlawful dumping of oily bilge water and trash by tow boat operators pushing barges along the Ohio and Mississippi Rivers. Claire and her co-counsel were able to secure convictions against the company, a senior executive, and several boat captains following a seven-week jury trial. When the judge (who made no effort to conceal his hostility to the case) dismissed most of the charges after the jury had returned convictions against the defendants, the government appealed and succeeded in having the convictions reinstated. This high-profile case was subsequently credited with significantly altering the corporate culture of towboat and barge companies that transport materials on America's internal rivers and waterways.

The defendant in *Tumin*, originally the subject of a drug investigation, was the first individual to be successfully prosecuted under the knowing endangerment provisions of RCRA. Evidence adduced during the 1988 trial showed that Tumin disposed of three 55-gallon drums of ethyl ether (a substance used in the manufacture of cocaine) in a vacant lot in a residential area of Queens, New York. Ethyl ether has an extremely low flash point and high vapor pressure which renders it highly explosive. For this conduct, Tumin was found guilty of knowingly disposing of hazardous waste; of placing others in imminent danger of death or serious bodily injury while doing so; and of transporting hazardous waste to a facility without a permit. He was sentenced in October 1988 to serve two years in prison. The case remains an excellent example of how environmental criminal provisions can be effectively used to complement law enforcement efforts in other non-environmental areas.

Finally, in more recent times, Claire turned to a new challenge and began working on wildlife crimes cases. In a recent success, working closely with agents from the U.S. Fish & Wildlife Service on a paddlefish roe case, Ronnie Dale Tubbs, the ringleader, was sentenced to serve jail time, something we were told "was not likely to happen." What is more remarkable, but in true form to her dedication to this job, Claire handled the sentencing from her hospital bed.

## **Glossary for March Edition of the Bulletin:**

The following Table of Cases is organized by District, the name of the case, the type of case, and the statutes. The Districts are spelled out within the chart, but they will be abbreviated within the summary of the case. For example: District of Alaska will be noted as D. of Ak. The case name will be noted as United States v. John Jones. The statutes are cited within the body of each case summary. The statutes will be abbreviated as follows:

CAA = Clean Air Act

CERCLA = Comprehensive Environmental Response, Compensation, and Liability Act

CWA = Clean Water Act

FIFRA = Federal Insecticide, Fungicide, and Rodenticide Act

NESHAPs = National Emission Standards for Hazardous Air Pollutants

RHA = Rivers and Harbors Act

### **OTHER ABBREVIATIONS:**

AUSA = Assistant United States Attorney

ECS = Environmental Crimes Section

EPA = Environmental Protection Agency

NOAA = National Oceanic and Atmospheric Administration

USC = United States Code

USDOJ = United States Department of Justice

## AT A GLANCE:

<i>DISTRICT</i>	<i>CASES</i>	<i>CASE TYPE/ STATUTES</i>
District of Alaska	<u>United States v. John Katzeek et al.</u>	<i>Guided Hunts/Lacey Act</i>
Central District of California	<u>United States v. Hanna Karim et al.</u>	<i>Tiger Skin Sale/ESA</i>
Eastern District of California	<u>United States v. Julio Cesar Villanueva Cornejo et al.</u>	<i>Marijuana Operation/ FIFRA, Firearms, Drugs, Depredation of Public Lands</i>
Southern District of Florida	<u>United States v. Kenneth Coleman</u> <u>United States v. Richard Bunnell</u>	<i>Turtle Egg Poaching/Lacey Act</i> <i>Marine Construction Company/RHA</i>
District of Idaho	<u>United States v. Owyhee Construction, Inc., et al.</u>	<i>Asbestos Removal/CERCLA</i>
Northern District of Illinois	<u>United States v. Brad Foote Gear Works, Inc.</u>	<i>Gear Parts Manufacturer/CWA</i>
Eastern District of Louisiana	<u>United States v. Martha Hebert et al.</u>	<i>Water Testing/CWA, Misprision of a Felony</i>
District of Maine	<u>United States v. Andrew Zarauskas</u>	<i>Narwhal Tusk Smuggling/ Conspiracy, MMPA, Smuggling, Money Laundering</i>
Southern District of Mississippi	<u>United States v. Brent Buchanan</u>	<i>Dolphin Shooting/MMPA</i>
Northern District of Ohio	<u>United States v. Timothy Bayes et al.</u>	<i>Asbestos Removal/CAA</i>
District of Puerto Rico	<u>United States v. Manuel Garcia-Figueroa</u>	<i>Turtle Part Sales/Lacey Act</i>
Southern District of Texas	<u>United States v. Citgo Petroleum Corporation et al.</u>	<i>Oil Refinery/CAA</i>
Eastern District of Virginia	<u>United States v. Billy J. Avery</u>	<i>Demolition/CAA</i>

## *Additional Quick*

### *Links:*

- ◇ [Trials](#) pp. 5 - 6
- ◇ [Informations/Indictments](#) p. 7
- ◇ [Plea Agreements](#) pp. 7 - 8
- ◇ [Sentencings](#) pp. 8 - 12

## **Trials**

### **United States v. John Katzeek et al., No. 1:13-CR-00007 (D. Ak.), AUSA Steve Skrocki.**

On February 14, 2014, Alaskan big game guide John Katzeek was convicted by a jury of a Lacey Act violation (16 U.S.C. §§ 3372(d)(1), 3373(d)(3)(A)) in connection with a guided hunt with three Canadian citizens. He was found guilty of making a false record concerning his guide hunt records, which were provided to the state of Alaska.

Canadians Brian Hicken, Kenneth Cox, and Tyler Antal were acquitted on conspiracy and the filing of false documents in connection with a hunt in October, 2010. Katzeek also was acquitted of two other violations alleging the smuggling of Dall sheep horns and the failure to truthfully report the specific location of a Dall sheep killed in the Yukon Wildlife Sanctuary. Katzeek's conviction stemmed from a goat hunt in October 2011.

This prosecution is a result of "Operation Bruin," a large-scale joint investigation by the United States, the State of Alaska, and Canadian investigators. Multiple defendants have been charged in Canada and in the United States. The Canadian trials are scheduled to begin in late spring, 2014. Katzeek is scheduled to be sentenced on June 23, 2014.

This case was investigated by the U.S. Fish and Wildlife Service, the Alaska Wildlife Troopers, Environment Canada, the Yukon Conservation Officer Service, Alberta Fish and Game, Parks Canada, the British Columbia Conservation Officer Service, and the Public Prosecution Service of Canada.

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**United States v. Andrew Zaruskas, No. 1:12-CR-00188 (D. Maine), ECS Trial Attorneys Todd Mikolop and Jim Nelson, and ECS Paralegal Casey Layman.**



**Narwhal skull**

On February 14, 2014, Andrew J. Zaruskas was convicted on all six counts after a four-day jury trial. Zaruskas was found guilty of conspiring to violate the MMPA and the ESA, a money laundering conspiracy, and substantive smuggling and money laundering violations (18 U.S.C. §§ 371, 545, 1956(a)(2)(A)) for buying narwhal tusks that had been illegally imported into the United States, as well as for selling or attempting to sell the tusks. Co-defendants

Jay Conrad and Eddie Dunn pleaded guilty to similar charges.

From 2002 to 2008, Zaruskas purchased approximately 33 narwhal tusks that he knew were illegally imported into the United States. Narwhal tusks are commonly collected for display purposes and can fetch large sums of money. He conspired with others in Canada to illegally import the protected tusks for re-sale in the United States, and they laundered the funds obtained from those purchases.

Throughout the conspiracy, Zaruskas and his co-conspirators made payments to the Canadian supplier of the narwhal tusks, totaling \$85,000, by sending the payments to a mailing address in Bangor, Maine, or directly to the supplier in Canada. The payments allowed the Canadian supplier to purchase and re-supply Zaruskas and Conrad with more narwhal tusks that they could then re-sell. Conrad sold between \$400,000 and \$1 million worth of narwhal tusks and Dunn sold tusks worth approximately \$1.1 million.

Co-defendant Gregory R. Logan's extradition from Canada to the U.S. is pending. These cases were investigated by the NOAA Office of Law Enforcement and the U.S. Fish and Wildlife Service Office of Law Enforcement, with assistance from Environment Canada Wildlife Enforcement.

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## Informations/Indictments

### **United States v. Kenneth Coleman, No. 9:14-mj-008007 (S.D. Fla.), AUSA Lauren Jorgensen.**

On January 9, 2014, a complaint was filed charging Kenneth Coleman with Lacey Act charges (16 U.S.C. §§ 3372(a)(1), 3373(d)(1)(B)) for allegedly poaching more than 300 sea turtle eggs from Juno Beach on July 3 and 4, 2013. Coleman has a previous federal conviction from 2010 and a state conviction from 2005 for poaching turtle eggs.

According to the complaint, on July 3, 2013, employees from the Loggerhead Marinelife Center in Juno Beach discovered that several sea turtle nests had been disturbed. Local police and wildlife officers searched the beach and found a wooden stick that appeared to have been used for probing the turtle nests. They also found three canvas bags with a total of 219 eggs. The eggs were reburied and the stick and bags were seized as evidence.

On the morning of July 4<sup>th</sup>, police made contact with Coleman after a resident reported seeing a suspicious person. He gave his name as Daryl Coleman and was released after retrieving his bicycle from the beach. After additional turtle nests were found to have been disturbed, officials confirmed Coleman's true identity, along with his history of arrests and convictions for sea turtle egg poaching. Coleman was subsequently apprehended. A search of Coleman's vehicle provided additional evidence of his alleged poaching activities. A pre-trial detention order was filed on February 6, 2014.

This case was investigated by the U.S. Fish and Wildlife Service.

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## Plea Agreements

### **United States v. Owyhee Construction, Inc., et al., Nos. 3:13-CR-00021, 00044 (D. Idaho), ECS Senior Trial Attorney Ron Sutcliffe and AUSA D. Marc Haws.**

On February 27, 2014, Owyhee Construction pleaded guilty to a CERCLA violation (42 U.S.C. § 9603) for failing to report the release of asbestos.

Owyhee Construction, Inc., Douglas Greiner, and Bradley Eberhart worked on a project known as the Riverside Water and Sewer District. The project involved the renovation/replacement of the City of Orofino's water lines during the spring and fall of 2009 and the spring of 2010. Existing waterlines were known to consist of asbestos-containing concrete pipe that was approximately 5,000 feet in length. When Eberhart and other employees removed the regulated asbestos-containing material (RACM), they failed to: adequately wet all RACM exposed during cutting or disjoining operations; place the RACM in sealed, leak-tight containers with appropriate warning labels; and dispose of the asbestos at a licensed facility. Greiner was responsible for the disposal of RACM removed from trenches on private property in Orofino.

Greiner and Eberhart are currently incarcerated after pleading guilty to a Clean Air Act NESHAPs violation (42 U.S.C. § 7413(c)(1)).

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

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**United States v. Martha Hebert et al., Nos. 2:13-CR-00270, 00271 (E.D. La.), AUSA Emily Greenfield.**

On January 23, 2014, Martha Hebert pleaded guilty to misprision of a felony (18 U.S.C § 4) stemming from the falsification of water testing data.

Hebert was the co-owner of Laboratory Technology, (LT), a company that performed water toxicity tests for companies that were involved in the production of oil and gas in the Gulf. These companies are responsible for the management of wastewater that is generated during oil and gas production.

From approximately July 2008 through June 2012, LT supervisor Leonard Johnson did not follow the required protocol for toxicity testing for samples provided by client companies. Johnson instructed lab employees and Hebert to falsify information that was given to their clients, who in turn used this information to prepare monthly discharge monitoring reports that were filed with U.S. EPA.

Hebert was responsible for sending clients the results of these tests and knew Johnson was certifying the information as accurate. Johnson previously pleaded guilty to a CWA false statement violation (33 U.S.C. § 1319(c)(4)) and is scheduled to be sentenced on May 14, 2014. Hebert is scheduled to be sentenced on April 24, 2014.

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

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## **Sentencings**

**United States v. Richard Bunnell, No 1:13-CR-20863 (S.D. Fla.), SAUSA Jodi Mazer and AUSA Tom Watts-FitzGerald.**

On February 25, 2014, Richard A. Bunnell was sentenced for a violation of the Rivers and Harbors Act (33 U.S.C. §§ 403, 406) for the illegal construction of two docks and a pier in 2011 and 2012. He was sentenced to serve six months' home detention as a condition of a five-year term of probation. Bunnell will pay a \$175,000 fine and make a \$50,000 community service payment to the South Florida National Parks Trust for management, restoration, and research related to the sea grasses and other marine living resources of the National Parks in South Florida. Finally, Bunnell must obtain permits for all properties involved in the case, and take any corrective action required by the Army Corps of Engineers (ACOE) to modify or alter the installations to comply with federal law, including payment for damage to natural resources. The defendant has a previous RHA conviction from 2005.

The Bunnell Foundation, Inc., a marine construction company, has 40 years' experience in the construction and installation of piers, docks, seawalls, and other structures in navigable waters. In 2011 and 2012, the ACOE approved permit applications submitted by the defendant for dock and pier construction projects. After the projects were completed, however, inspectors found that Bunnell had not complied with the agreed upon specifications.

This case was investigated by the ACOE.

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**United States v. Brent Buchanan, No. 1:13-CR-00098 (S.D. Miss.) ECS Trial Attorney Colin Black and AUSA Cleveland Gaines.**

On February 24, 2014, Brent Buchanan was sentenced to pay a \$2,500 and will complete a three-year term of probation with a special condition of three months' home confinement. He also will perform 200 hours of community service on marine and environmental projects.

The defendant previously pleaded guilty to a violation of the Marine Mammal Protection Act (16 U.S.C. §§ 1372(a)(2)(a), 1375(b)) for shooting a dolphin. Buchanan admitted to knowingly shooting a dolphin with a shotgun while shrimping in the Mississippi Sound during the summer of 2012.

This case was investigated by the NOAA Office of Law Enforcement, with assistance from the U.S. Bureau of Alcohol, Tobacco, Firearms, and Explosives; the U.S. Customs and Border Protection Office of Air and Marine; the Alabama Marine Police; and the Alabama Department of Conservation and Natural Resources, Marine Resource Division.

NOAA is investigating a number of other possible dolphin shootings along the northern Gulf Coast since 2012.

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**United States v. Julio Cesar Villanueva Cornejo, No. 1:12-CR-00221 (E.D. Calif.), AUSA Karen Escobar.**

On February 24, 2014, Mexican national Julio Cesar Villanueva Cornejo was sentenced to serve six years' incarceration, followed by five years' supervised release. He pleaded guilty to possessing a firearm and a FIFRA violation (7 U.S.C. §§ 136j (a)(1)(A), 136l (b)(2); 18 U.S.C. § 924 (c)(1)(A)) for distributing illegal rat poison (zinc phosphide) and insecticides (Carbofuran) in connection with a large marijuana cultivation operation in the Sequoia National Forest. Cornejo also was ordered to pay \$4,294 in restitution to the U.S. Forest Service for damages to public land caused by the cultivation operation. He is subject to deportation after he serves his prison sentence.

From March through June of 2012, Cornejo delivered chemicals and supplies to a marijuana cultivation operation in the Lilly Canyon area of the Sequoia National Forest. The operation caused extensive environmental damage. Native oak trees and other vegetation were killed or cut down to make room for close to 10,000 marijuana plants. Two firearms also were found on the property.

Co-defendant Marcelina Botello Charles is charged in a five-count indictment with depredation of public lands, FIFRA, and drug-related charges (7 U.S.C. §§ 136j (a)(1)(A), 136l (b)(2); 18 U.S.C. § 1361(b)(2); 21 U.S.C. §§ 841, 846). She is scheduled for trial to begin on May 13, 2014.

This case was investigated by the U.S. Forest Service, the U.S. Drug Enforcement Administration, the U.S. Immigration and Customs Enforcement Homeland Security Investigations, the U.S. EPA Criminal Investigation Division, and the Kern County Sheriff's Department.

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**United States v. Brad Foote Gear Works, Inc., No. 1:13-CR-00760 (N.D. Ill.), AUSA Peter Flanagan.**

On February 19, 2014, Brad Foote Gear Works, Inc., (BFGW) was sentenced to pay a \$1.5 million fine after pleading guilty to a felony Clean Water Act violation (33 U.S.C. § 1319(c)(2)(A)) for illegally discharging industrial wastewater into the public sewer system.

The company is a manufacturer of precision gear parts for wind turbines. BFGW admitted to illegally discharging spent acid and alkaline wastewaters, industrial rinse waters, oil, grease, and

metal-bearing wastewater into the local POTW without a permit between April 2007 and February 2011. The discharges occurred on 300 separate days.

Following the search of its premises in February 2011, the company began cooperating and implementing protocols to ensure the proper discharge and disposal of industrial wastewater from its facility.

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

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**United States v. Hanna Karim et al., No. 2:13-CR-00509 (C.D. Calif.), AUSA Amanda Bettinelli.**

On February 18, 2014, Hanna Karim and his wife, Margarita Licomitros, were sentenced after pleading guilty to violations of the Endangered Species Act (16 U.S.C. §§ 1538(a)(1)(F), 1540(b)(1)) for selling a Sumatran Tiger skin for \$8,000 on Craigslist. They were each ordered to pay \$1,500 fines to the Lacey Act Reward fund, complete one year terms of probation, perform 25 hours of community service, and to forfeit the tiger skin.

This case was investigated by the U.S. Fish and Wildlife Service.

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**Taxidermy Tigerskin rug with head mount (very rare) - \$5000 (Huntington Beach)**

Date: 2012-07-14, 11:00AM EDT  
Reply to: [nism-3139236683@sale.craigslist.org](mailto:nism-3139236683@sale.craigslist.org) [Buy this item on eBay](#)

This is an Extremely Rare 1927 Tigerskin rug. Very Interesting story & pictures



**Taxidermy Tigerskin rug with head mount**

**United States v. Manuel Garcia-Figueroa, No. 3:13-CR-00838 (D.P.R.), ECS Trial Attorney Christopher Hale and AUSAs Carmen Márquez and Hector Ramirez.**



On February 18, 2014, Manuel Garcia-Figueroa was sentenced to serve 15 days in jail, followed by three years' supervised release. He also will perform 150 hours of community service. Figueroa previously pleaded guilty to a felony violation of the Lacey Act (16 U.S.C. §§ 3372(a)(1), 3373(d)(1)(B)) for the illegal sale of sea turtle meat. Between December 2009 and January 2010, the defendant admitted to selling meat and carapaces from endangered hawksbill sea

**Hawksbill sea turtle carapace** turtles and meat from a threatened green sea turtle.

This case is the result of a joint undercover operation by the NOAA Office of Law Enforcement and the FBI.

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**United States v. Citgo Petroleum Corporation et al., No. 2:06-CR-00563 (S. D. Tex.), ECS Senior Litigation Counsel Howard Stewart and ECS Trial Attorney Jim Nelson.**



**Tank with ten-foot-deep layer of oil**

On February 5, 2014, Citgo Petroleum Corporation and Citgo Refining and Chemicals Company (CITGO) were each sentenced to pay a \$1 million for a total \$2 million fine. The court deferred ruling on victim restitution and a remedial order for 90 days. Approximately 80 victims appeared for the sentencing hearing.

In June 2007, a jury convicted CITGO of illegally operating two tanks (the size of football fields) at its Corpus Christi East Plant Refinery between January 1994 and May 2003. The open top tanks were the source of emissions including benzene, a known carcinogen, and other volatile organic compounds, which affected persons in the surrounding communities. Texas state investigators testified at the trial that, on several occasions, they linked emissions that caused burning eyes, sore throat, difficulty breathing and other acute health effects back to the tanks. The tanks were used as oil water separators but were not equipped with either a fixed or floating roof, nor vented to a control device. Oil water separators upstream of the tanks never worked to remove the oil from the wastewater before it entered the tanks. Internal company documents established that the refinery engineer and members of the refinery and corporate environmental offices recommended placing emission controls on the tanks during the construction phase. The engineer noted that the upstream oil-water separators were inadequate and that the tanks would have oil "feet deep" on the surface. During an unannounced inspection in March 2002, state inspectors found approximately 4.5 million gallons of oil in the two open top tanks exposed to the atmosphere. The tanks also attracted migratory birds, some of which were killed after they landed and became trapped in the oil.

This case was investigated by the Texas Environmental Crimes Task Force which includes the U.S. EPA Criminal Investigation Division, the U.S. Fish and Wildlife Service, the FBI, the Texas Commission on Environmental Quality, and the Texas Parks and Wildlife Division.

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**United States v. Billy J. Avery, No. 2:13-CR-00129 (E.D. Virginia), AUSA Joseph Kosky and SAUSA David Lastra.**

On January 28, 2014, Billy J. Avery was sentenced to serve five months' incarceration, followed by five months' home confinement and three years' supervised release. He also will pay a \$2,000 fine. Avery previously pleaded guilty to a Clean Air Act NESHAP violation (42 U.S.C. § 7413(c)(1)) for the illegal removal of asbestos.

The defendant served as the Secretary and Treasurer of EC&C Environmental (EC&C), an environmental services company. In July 2012, a contractor was retained to demolish the Wayside

Motor Inn in Virginia Beach. Prior to the demolition, the contractor subcontracted EC&C and Avery to conduct an asbestos inspection of the hotel to identify the presence and location of asbestos-containing materials (ACM). During the inspection, Avery took samples of suspected ACM and provided them to a laboratory for analysis. After test results confirmed the presence of asbestos, an asbestos removal permit was issued to EC&C to remove approximately 1,450 linear feet of the material from the inn.

EC&C and Avery did not follow the asbestos work practice standards, and admitted to dumping some of this material into dumpsters. Avery also has a previous Clean Water Act conviction where he was sentenced to serve nine months' incarceration.

This case was investigated by the U.S. EPA Criminal Investigation Division; the Chesapeake, Virginia, Fire Marshal's Office; and the Virginia Department of Environmental Quality.

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**United States v. Timothy Bayes et al., No. 3:13-CR-00242 (N.D. Ohio), AUSA Thomas A. Karol and SAUSA James J. Cha.**

On January 27, 2014, Timothy Bayes was sentenced to pay a \$5,000 fine (suspended), and will complete a two-year term of probation. Co-defendant John Mayer was previously sentenced to serve one year and one day of incarceration, followed by two years' supervised release. Mayer also was ordered to pay a \$2,000 fine. Both previously pleaded guilty to violating the Clean Air Act (42 U.S.C. § 7413(c)(1)) for the illegal removal of asbestos-containing material.

Between September 2010 and December 2010, Mayer directed individuals to remove insulation-containing asbestos from boilers, duct work, and pipes in a former manufacturing facility to sell the scrap metal. The insulation was not wetted during the removal process nor were regulators properly notified of the project. Under Mayer's direction, Bayes dumped approximately 80 garbage bags filled with the asbestos-containing insulation at various locations throughout Toledo.

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

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