

# ***NEWS RELEASE***

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*For Immediate Release*

## **SEWAGE DUMPER SENTENCED TO SIX MONTHS IN PRISON**

**NEWS RELEASE SUMMARY - December 2, 2013**

United States Attorney Laura E. Duffy announced today that Las Vegas resident Eric Russell was sentenced by the Honorable Roger T. Benitez to time served (approximately six months) in custody for dumping thousands of gallons of raw sewage on Bureau of Land Management (BLM) land in Imperial County. Russell, who has been in custody since June 2013 after absconding from authorities, was also ordered to pay \$21,244.19 in restitution.

Russell had been a driver for All-in-One Environmental Services of Havasu, Arizona. On January 3, 2012, Russell was driving an All-in-One waste disposal truck along Highway 72 in Imperial County. In

order to save the time it would take to drive to a lawful disposal site and properly dispose of his cargo, Russell illegally dumped approximately 1,500-2,000 gallons of domestic sewage onto BLM land alongside Highway 72. BLM rangers responded to the scene, and saw Russell's sewage tanker truck stuck in a wash along Highway 78 (SR 78), near mile post 66 in Imperial County, and smelled a strong stench of sewage. Russell, the driver of the truck, told the ranger that the trunk contained nothing but water, but he declined to take a sip of the "water" himself. The passenger in the sewage truck advised the ranger that they had ended up in the wash after pumping out the holding tanks at a commercial center in the Imperial Sand Dune Recreation Area. But the passenger also indicated that Russell's stepfather directed him to dump the sewage, and it was their practice to drive 10-15 miles outside of Blythe and dump waste on Red Cloud Road. BLM had to send a team to remediate the dump site, at a cost to the taxpayers of \$21,244.19

Another All-in-One Environmental Services driver, Dennis Johnson (Russell's stepfather) previously pleaded guilty to dumping sewage on the ground in Imperial County and was sentenced to probation and a fine (12-cr-05096).

"Dumping sewage in the middle of nowhere is not only disgusting and harmful to the environment but it is a federal crime that is worthy of time in custody," said U.S. Attorney Duffy. "These defendants couldn't be bothered to do the right thing, and now they are paying a price."

"Untreated sewage contains bacteria and other pathogens that can cause a wide variety of acute illnesses, which is why sewage disposal is a regulated activity that must be done legally and safely," said Jay M. Green, Special Agent-in-Charge of EPA's criminal enforcement program in California. "Rather than abide by the law, the defendants in these cases devised a scheme to indiscriminately and dangerously dump untreated sewage onto federal lands located in Imperial County, California - saving them money and time. Today's sentencing is a reminder that those who try to profit by committing environmental

crimes will be held responsible for their actions.”

The BLM manages public lands -- many of which are remote areas that attract illegal dumping. Every year, California BLM Field Offices spend thousands of dollars to reverse the damage caused by abandoned automobiles, dumping and littering. In the California Desert District around 100-tons of solid waste was removed from public lands in 2013 according to Sterling White, Hazardous Materials Program Specialist. Illegally dumped wastes found on BLM lands are primarily nonhazardous materials that are dumped to avoid either disposal fees or the time and effort required for proper disposal. These materials typically include: (1) construction and demolition waste such as drywall, roofing shingles, lumber, bricks, concrete, and siding, (2) abandoned automobiles, auto parts, and scrap tires, (3) appliances or "white goods," (4) furniture, (5) yard waste, (6) household trash, and (7) tires. Such wastes end up being illegally dumped because they are banned from certain landfills, or because it costs money to properly dispose of them. BLM reminded the public that if they see anyone dumping these or other prohibited waste on public lands, please contact the nearest BLM Field Office or contact BLM through its web site, [www.blm.gov](http://www.blm.gov).

**DEFENDANT**

**Criminal Case No. 13cr1273-BEN**

Eric Russell

**SUMMARY OF CHARGES**

Unlawful Disposal of Sewage, in Violation of Title 33, United States Code, Sections 1319 and 1345.

Maximum Penalties: 3 years in custody and \$50,000 fine/day of violation, a minimum fine of \$5,000/day of violation, \$100 special assessment.

**AGENCIES**

Bureau of Land Management  
U.S. Environmental Protection Agency, Criminal Investigations Division