

Department of Justice

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PITTSFORD MAN SENTENCED FOR VIOLATING THE CLEAN AIR ACT

ROCHESTER, N.Y.-- U.S. Attorney William J. Hochul, Jr. announced today that Kenneth J. Horan, 38, of Pittsford, N.Y., was sentenced to one year in prison and fined \$10,000 for violating the Clear Air Act and National Emission Standards by District Court Judge David G. Larimer.

Assistant U.S. Attorney John J. Field, who handled the case, stated that Horan supervised a renovation project in October 2009 for a commercial building located at 4366 Culver Road, in the Town of Irondequoit. Although the defendant knew that the project required him to remove materials containing friable asbestos, a hazardous substance and carcinogen, Horan failed to comply with legally-required safety measures for removing such toxic material. The defendant hired unskilled and untrained workers to remove the asbestos in an improper manner, exposing them to the toxic substance. In addition, environmental testing of samples taken from around the property showed dangerous levels of chrysotile asbestos, meaning that members of the public may have been exposed to the toxic substance.

"This case should serve as a warning to those involved in remediation or renovation projects," said U.S. Attorney Hochul. "You have an obligation to follow the federal environmental health laws. If you ignore federal regulations, you can endanger the lives of those working on a project as well as those live nearby and you will be prosecuted."

The sentencing is the culmination of investigative efforts by the United States Environmental Protection Agency, Criminal Investigation Division, under the direction of Special Agent-In-Charge, William V. Lometti, the New York State Department of Environmental Conservation Police, under the direction of Captain David Bennett, the Irondequoit Police Department, under the direction of Chief Richard Boyan, and Irondequoit Fire Marshal Greg Merrick.

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