



Department of Justice

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Eastern District of Texas

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EMORY, TEXAS MAN PLEADS GUILTY TO ILLEGAL STORAGE OF HAZARDOUS WASTES

(Tyler, TX) United States Attorney Becky Gregory announced today that a Emory, Texas man has pleaded guilty to the felony offense of Storage of Hazardous Waste Without a Permit in connection with his former business, Extreme Metal Finishing, Inc. in Point, Texas. **DILE KENT MCNAIR, 51**, admitted to storing spent cyanide plating bath solutions and plating bath residues from the bottom of plating baths, from electroplating operations at the Point, Texas facility without a permit.

According to information presented in court, from September, 2004 through October, 2006, McNair operated the metal plating business, Extreme Metal Finishing, Inc. from a facility located at 581 West Industrial Boulevard in Point, Texas. On September 27, October 12, and October 19, 2006, Texas Commission on Environmental Quality (TCEQ) inspectors conducted inspections of the Point, Texas facility and observed and documented McNair's storage of thousands of gallons/pounds of listed and characteristic hazardous wastes. On October 12, 2006, McNair moved the operations from the Point, Texas facility to a new facility located at 830 Farm to Market Road 515, Building 5, in Emory, Texas. McNair did not move and continued to store, at the Point, Texas facility, thousands of gallons/pounds of listed and characteristic hazardous wastes. At no point during this period of time had a permit under the Resource Conservation and Recovery Act (RCRA) had been issued to McNair that would have allowed him to legally receive, store or dispose of hazardous wastes at the Point, Texas facility.

McNair and the former metal plating companies that he has operated have extensive histories of civil environmental noncompliance, and two of McNair's companies, Crews Plating, Inc. and Perfection Industries, Inc, were the subject of prior criminal investigations: In 1994, McNair pleaded guilty to a Clean Water Act felony. In August, 2004, Perfection Industries, Inc. pleaded guilty to one false statement felony count related to falsification of Clean Water Act Discharge Monitoring Reports, while McNair pleaded guilty to a one felony count of Felon in Possession of a Firearm. In January 2008, United States District Judge Barbara Lynn sentenced McNair to eighteen months in federal prison, as a result of McNair's probation violations from his conviction in the Perfection Industries, Inc. case.

McNair is facing up to 5 years imprisonment and a fine of up to \$50,000.00 for each day of violation at sentencing. A sentencing date has not been set.

This case was investigated by the Environmental Protection Agency's Criminal Investigations Division, Dallas Office, the Texas Commission on Environmental Quality's Special Investigation Division, Tyler Office and the Texas Environmental Enforcement Task Force. The case is being

prosecuted by Assistant United States Attorney Jim Noble.

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[back to top](#)

[Back](#)