



# Department of Justice

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## **FORMER POMEROY VILLAGE ADMINISTRATOR SENTENCED FOR MAKING FALSE STATEMENTS TO OHIO EPA**

COLUMBUS – John A. Anderson, 64, of Pomeroy, Ohio, was sentenced in United States District Court for making false statements to the Ohio Environmental Protection Agency (“Ohio EPA”) related to the operation of the sewage treatment plant (the “plant”) that services the Village of Pomeroy. Mr. Anderson was sentenced to serve 36 months of probation, the first 12 months of which will be served as home confinement. In addition, Mr. Anderson was fined \$2,000 and ordered to perform 104 hours and community service. As a result of this conviction and the Court’s order, Mr. Anderson will never again operate a sewage treatment plant.

Carter M. Stewart, United States Attorney for the Southern District of Ohio, Ohio Attorney General Mike DeWine, Randall K. Ashe, Special Agent in Charge of the U.S. Environmental Protection Agency (“U.S. EPA”), and Scott J. Nally, Director of the Ohio EPA, announced the sentence imposed by U.S. District Court Judge Peter C. Economus.

Anderson was the village administrator of Pomeroy from approximately 1989 to 2009. Part of his job duties included responsibility for the operation of the village’s wastewater treatment plant, including filing the required reports with the State of Ohio. The plant discharges the treated sewage to the Ohio River.

The plant has a permit issued by Ohio EPA that limits the amount of pollution that can be discharged into the Ohio River. Discharge limits have been established to protect human health and the environment. The permit also requires the sampling of the discharge from the plant.

On one occasion in 2007 and one occasion in 2008, Ohio EPA inspectors found the plant to be in an unsatisfactory condition in that large quantities of solids were being discharged into the Ohio River. In general, solids are related to fecal coliform in the discharge. The more solids in the discharge, the higher level of fecal coliform in the discharge.

During 2006, 2007, 2008, and 2009, Anderson, on some occasions, failed to collect and/or analyze the required samples from the plant. Because samples were not taken and/or analyzed, there is no way to verify if the plant’s discharge was below or above the applicable permit limits. However, Anderson did not report that he failed to collect and/or analyze the samples. Instead, on those occasions, Anderson fabricated numbers for several pollutants, including solids and fecal coliform bacteria, and submitted the fabricated numbers to Ohio EPA. The fabricated numbers misrepresented that the plant was in compliance with the permit.

“This sentence sends the message that lying to regulators will not be tolerated and will be punished,” said Randall K. Ashe, Special Agent in Charge of U.S. EPA’s criminal enforcement program in Ohio. “It is also significant that Mr. Anderson will never operate a sewage treatment plant again.”

Stewart commended the cooperative investigation by federal and state law enforcement agencies who investigated the case, and Assistant United States Attorney J. Michael Marous, Special Assistant U.S. Attorney Brad J. Beeson, with the U.S. EPA, and Ohio Assistant Attorney General Robert Cheugh, who prosecuted the case.

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