

DEPARTMENT OF JUSTICE

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TWO CHARLOTTE MEN PLEAD GUILTY TO CLEAN AIR ACT VIOLATIONS The Defendants Conducted Nearly 1,300 False Vehicle Emission Inspections CHARLOTTE, N.C. – Two Charlotte men pled guilty today to violating the Clean Air Act by conducting false vehicle emission inspections, announced Anne M. Tompkins U.S. Attorney for the Western District of North Carolina.

Joining U.S. Attorney Tompkins in making today's announcement are Special Agent in Charge Maureen O'Mara of the U.S. Environmental Protection Agency, Criminal Investigation Division (EPA-CID) of the Atlanta Area Office, and Donnie Varnell, Special Agent in Charge of the Diversion and Environmental Crimes Unit of the North Carolina State Bureau of Investigation (NC SBI).

In October 2011, two separate criminal bills of information charged Ronald Eugene Kinard, 44, and Jack Bard Haney, 47, both of Charlotte, with one count of conspiracy to violate the Clean Air Act. Haney was also charged with, and pled guilty to, making false material statements to an EPA criminal investigator during the course of the investigation. According to filed court documents and court proceedings, Kinard is the owner and operator of Autoworks of Charlotte, where Haney worked as an employee. From in or about January 2010 to in or about August 2011, the defendants provided false passing scores for state emissions inspections of vehicles on almost 1,300 occasions, by connecting a different vehicle to the onboard diagnostics system, an activity referred to as "clean scanning." Court records indicate that when the EPA-CID investigator interviewed Haney, he falsely stated that he had only done clean air scans for friends, and that he had only done 20 clean scans total. According to court documents, investigators found that Haney had done over 100 clean scans.

Both defendants have been released on bond. They each face a maximum sentence of five years in prison and a \$250,000 fine for the Clean Air Act violation. Haney also faces a maximum sentence of five years in prison and a \$250,000 fine for the false statements charge. Sentencing dates for the defendants have not been set yet. Since April 2011, the U.S. Attorney's Office for the Western District of North Carolina has filed criminal charges against nine individuals for violating the Clean Air Act by conducting false emissions inspections. To date, all nine defendants have pled guilty to the charges.

The investigation is being handled by the EPA-CID, the SBI, and the North Carolina Department of Motor Vehicles Licence and Theft Bureau. The prosecution is being handled by Assistant U.S. Attorney Steven R. Kaufman.

United States v. Kinard;
Case Number 3:11-cr-340-RJC;

United States v. Haney;
Case Number 3:11-cr-342-RJC.