



Department of Justice

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FOR IMMEDIATE RELEASE
Tuesday, June 22, 2011
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BOB KNAPP SENTENCED TO 41 MONTHS IN PRISON FOR CLEAN AIR ACT AND ASBESTOS REMOVAL VIOLATIONS

DES MOINES – Bobby Joe Knapp, the former owner and operator of the Equitable Building in downtown Des Moines, Iowa, was sentenced today by U.S. District Judge James E. Gritzner to 41 months in prison for conspiring to violate the Clean Air Act and the Clean Air Act's asbestos work practice standards for his role as the during the renovation of more than 10 floors of the building between 2005 and 2008, announced United States Attorney Nicholas A. Klinefeldt.

Knapp's prison sentence will be followed by two years of supervised release and 300 hours of community service. He must also pay a \$12,500 fine and \$200 crime victim special assessment fee.

"This office will continue to pursue serious violations of the environmental laws that put the community at risk," said United States Attorney Klinefeldt. "Compliance with the Clean Air Act is tremendously important to ensuring good health and the quality of life that Iowans enjoy."

On March 18, 2011, Knapp, of West Des Moines, pleaded guilty to one count of conspiracy to violate the Clean Air Act and one count of failing to remove all regulated material containing asbestos from the Equitable Building before beginning the renovation project. Knapp owned the building and oversaw the renovation project, which involved converting several floors into luxury residential condominium units, and renovating other floors to attract additional commercial tenants.

"Knapp's illegal conduct put at risk the health of workers who lacked basic training and protective equipment," said Ignacia S. Moreno, Assistant Attorney General for the Environment and Natural Resources Division at the U.S. Department of Justice, which participated in this prosecution. "The Clean Air Act work practice standards are designed to protect people's health from real dangers, and we will hold violators fully responsible for their actions."

"No level of exposure to asbestos is safe. Ignoring the safeguards put into place to protect workers and the public from the risk of exposure to asbestos is inexcusable," said Cynthia Giles, assistant administrator for EPA's Office of Enforcement and Compliance Assurance. "Today's sentence reflects the seriousness of the crime and should serve as a strong warning to anyone else thinking of cutting corners to save money at the expense of people's health."

In the plea agreement, Knapp admitted that he conspired with Russell Coco, who was also charged and pleaded guilty to the same counts on Feb. 15, 2011, to remove materials containing asbestos from the Equitable Building without complying with the requirements of the Clean Air Act. Exposure to asbestos increases the risk of developing lung cancer and other respiratory diseases.

According to testimony presented at sentencing, while Knapp was overseeing the project, material containing asbestos was removed from the building and disposed of in an uncovered dumpster. The testimony also showed that the demolition work was performed by workers who were not provided with personal protective equipment to reduce exposure to the asbestos. Testimony also showed that the building workers, one of whom was disabled, and tenants, were exposed to large amounts of dust that resulted from the demolition. A worker testified that the workers were not instructed to wet the tile containing asbestos before and during the demolition process, which increased their exposure to dust.

The Clean Air Act requires that owners of public buildings that contain asbestos follow federally established work practice standards to ensure the safe removal of the asbestos. The required standards include providing notice to the U.S. Environmental Protection Agency (EPA) before starting asbestos removal, adequately wetting the asbestos during the removal and before disposal, and properly disposing of the asbestos at an EPA-approved disposal site.

The case was investigated by the EPA's Criminal Investigation Division and the Iowa Department of Natural Resources. The case was prosecuted by the U.S. Attorney's Office for the Southern District of Iowa and the U.S. Justice Department's Environmental Crimes Section of the Environment and Natural Resources Division.

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