

**UNITED STATES ATTORNEY'S OFFICE  
Western District of Washington**



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**AUBURN CAR DEALER SENTENCED FOR VIOLATIONS  
OF THE CLEAN AIR ACT  
Removed Asbestos Without Proper Permits or  
Safeguards**

WOLFGANG "TITO" ROEMPKE, 73, owner of Auburn Valley Cars, was sentenced today in U.S. District Court in Seattle to 30 days in prison, three years of supervised release, a \$50,000 fine and a \$50,000 community service payment for Failing to Properly Remove Asbestos – a felony violation of the Clean Air Act. ROEMPKE was indicted in March 2010, in connection with the illegal removal and disposal of regulated asbestos containing material during the demolition of a building he owns in Auburn, Washington. The building, formerly known as the "Old Town and Country Diner" on Auburn Way North, was demolished in late August and early September 2008 to accommodate ROEMPKE's business expansion plans. ROEMPKE pleaded guilty in October 2010, admitting he ignored an assessment that asbestos needed to be safely removed from the building prior to demolition. Instead, ROEMPKE had two workers from his car dealership demolish the building with no safeguards to contain and properly dispose of the asbestos. At sentencing U.S. District Judge John C. Coughenour said he was sending "a message to the public that environmental crimes will result in jail time."

"Asbestos is a silent killer. It has taken many lives and destroyed families. We know its dangers and have environmental regulations such as the Clean Air Act to protect us all," said U.S. Attorney Jenny A. Durkan. "Mishandling asbestos puts unprotected workers and members of the public at risk. We will not allow businesses to cut corners on environmental protection at the expense of our communities."

"Asbestos exposure can cause cancer and other serious respiratory diseases," said Tyler Amon, Special Agent-in-Charge for EPA's Office of Criminal Enforcement in Seattle. "In this case, Mr. Roempke avoided hiring professionals, did the work 'on the cheap' and willfully put others at risk. If you cut corners on asbestos removal to save money, we will pursue and prosecute you."

Under the terms of the plea agreement, ROEMPKE will pay a \$50,000 criminal fine, and a \$50,000 community service payment to the National Environmental Education Foundation, a Congressionally mandated foundation established and dedicated to advancing environmental education.

According to the plea agreement, in May 2008, a certified inspector hired by ROEMPKE collected 80 samples of suspected asbestos containing materials from throughout the building on Auburn Way North. In June, the inspector submitted his report to ROEMPKE revealing widespread asbestos contamination. Ten different types of

building materials were found to contain asbestos above the regulatory threshold, including: acoustical popcorn ceiling texture, twelve inch ceiling tile mastic, orange peel textured gypsum wallboard system, exterior window glaze, built up roofing, vent sealant, wall paneling mastic, troweled-on textured gypsum wallboard, floor tile, and wall paneling mastic. The materials contained between 2% and 10% asbestos. ROEMPKE subsequently solicited bids from two different companies to lawfully remove the asbestos. Both bids were approximately \$20,000. Believing those costs to be too high, ROEMPKE chose instead to hire co-defendant Michael Neureiter to find a second inspector to reassess the building. In mid-July 2008, Neureiter contacted co-defendant Bruce Thoreen and asked him to conduct an asbestos survey of the facility. He instructed Thoreen to conduct the survey in such a way as to minimize the amount of asbestos contamination. Thoreen was a certified asbestos building inspector, authorized to prepare the required survey. Thoreen inspected the building and produced a written report falsely reporting that the building contained no regulated asbestos containing materials. In August 2008, Neureiter removed salvage materials from the building but did not remove any asbestos containing materials.

In late August 2008, individuals employed by ROEMPKE in his car dealership used heavy equipment to demolish the facility. The Defendant did not disclose to the employees that regulated asbestos containing materials were present in the facility at the time of demolition. The prescribed work practice standards applicable to removing, packaging, transporting and disposing of the regulated asbestos containing material were not followed. The demolition debris was handled as ordinary construction debris.

In asking that ROEMPKE serve prison time, Assistant United States Attorney Jim Oesterle highlighted the deterrence message of such a sentence. "Mr. Roempke is a self-described leader in the local business community. As a leader, others look to him as an example of how to conduct their business affairs. A minimal term of imprisonment, together with the requested home detention and financial penalties, would alert Mr. Roempke's peers to the real costs associated with violating environmental regulations, particularly those that endanger the health of others," Mr. Oesterle wrote in his sentencing memo.

Co-defendant Michael Neureiter was sentenced today to a year and a day in prison and three years of supervised release. In October 2010, co-defendant Bruce Thoreen was sentenced to a probationary sentence.

The case was investigated by the Environmental Protection Agency Office of Criminal Enforcement with assistance from the Puget Sound Clean Air Agency and the Washington State Department of Labor and Industries.

The case was prosecuted by Assistant United States Attorneys Jim Oesterle and Katheryn Frierson.

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