

Department of Justice

Office of Public Affairs

FOR IMMEDIATE RELEASE

Tuesday, March 29, 2011

California Man Convicted of Conspiracy and Violating the Clean Air Act by Improperly Handling Asbestos

WASHINGTON – A Santa Clarita, Calif., resident was convicted today of five environmental charges related to the improper renovation of a San Fernando Valley, Calif., apartment complex – work that caused asbestos to be released into the complex and the surrounding community.

Following a two-week trial in U.S. District Court, Charles Yi, 45, was found guilty of five felony offenses, including conspiring to violate the Clean Air Act.

The jury also convicted Yi of failing to notify the Environmental Protection Agency (EPA) and the South Coast Air Quality Management District about a renovation containing asbestos, failing to provide a properly trained person during a renovation containing asbestos, failing to properly remove asbestos and failing to properly dispose of asbestos wastes.

Yi faces a maximum sentence of 25 years in federal prison when he is sentenced on June 6, 2011, by U.S. District Judge Percy Anderson.

Yi was the owner of the now-defunct Millennium Pacific Icon Group, which owned the Forest Glen apartment complex, a 204-unit complex in Winnetka, Calif., that was being converted into condominiums in 2006. Knowing that asbestos was present in the ceilings of apartments in the Forest Glen complex, Yi and his co-conspirators hired a group of workers who were not trained or certified to conduct asbestos abatements. The workers scraped the ceilings of the apartments without knowing about the asbestos and without wearing any protective gear. The illegal scraping resulted in the repeated release of asbestos-containing material throughout the apartment complex and the surrounding area because Santa Ana winds were blowing during the time of the illegal work. After the illegal asbestos abatement was shut down by an inspector from the South Coast Air Quality Management District, the asbestos was cleaned up at a cost of approximately \$1.2 million.

“Mr. Yi knowingly violated federal laws that set standards for proper disposal of asbestos and placed the workers that he hired at an unacceptable risk of exposure,” said Assistant Attorney General Ignacia S. Moreno for the Environment and Natural Resources Division. “As this conviction shows, we will aggressively prosecute those who deliberately ignore the nation’s Clean Air Act.”

The federal Clean Air Act requires those who own or supervise the renovation of buildings that contain asbestos to adhere to certain established work practice standards. These standards were created to ensure the safe removal and disposal of the asbestos and the protection of workers.

“Exposure to asbestos can be fatal,” said Nick Torres, Special Agent in Charge of EPA’s criminal enforcement program in California. “The defendant knew his operation produced waste material that contained asbestos and, despite being told by inspectors to stop removing it, the illegal asbestos removal continued. Today’s conviction by a jury shows that the American people will not tolerate those who put illegal financial gain ahead of their obligation to obey the law.”

Previously in this case, two co-conspirators pleaded guilty.

John Bostick, 40, of Santa Clarita, who was the vice president of Millennium Pacific Icon Group, pleaded guilty on February 23, 2011, to conspiring to violate the Clean Air Act. Bostick, who faces a maximum sentence of five years in federal prison, is scheduled to be sentenced by Judge Anderson on May 2, 2011.

On June 14, 2010, Joseph Yoon, 33, of Studio City, Calif., who was the project manager on the Forest Glen conversion, pleaded guilty to conspiracy to violate the Clean Air Act. Yoon, who is scheduled to be sentenced by Judge Anderson on April 25, 2011, faces a maximum sentence of five years in federal prison.

The jury that convicted Yi on the five counts today also acquitted Yi of one count of failing to inspect for asbestos prior to conducting an asbestos renovation.

The case against Yi, Bostick and Yoon was investigated by the EPA’s Office of Criminal Enforcement, the California South Coast Air Quality Management District and the California Department of Toxic Substances Control. The case is being prosecuted by Assistant U.S. Attorney Bayron T. Gilchrist of the Environmental Crimes Section and Senior Trial Attorney David P. Kehoe of the U.S. Justice Department’s Environmental Crimes Section of the Environment and Natural Resources Division.