



# AMERICA'S ENVIRONMENTAL CRIME FIGHTERS

[www.epa.gov/enforcement/criminal](http://www.epa.gov/enforcement/criminal)



## LAWS WE ENFORCE

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EPA's criminal enforcement program investigates crimes under environmental statutes and Title 18 of the United States Code. Title 18 is the Federal Criminal Code for offenses such as fraud, conspiracy, and obstruction of justice, which are often committed in association with the commission of environmental crimes. Environmental statutes include the: Clean Air Act; Clean Water Act; Comprehensive Environmental Response, Compensation and Liability Act (Superfund); Emergency Planning and Community Right-to-Know Act; Federal Insecticide, Fungicide, and Rodenticide Act; Oil Pollution Act; Ocean Dumping Act; Resource Conservation and Recovery Act (hazardous waste); Safe Drinking Water Act; and Toxic Substances Control Act. Other EPA offices are responsible for civil enforcement actions, issuing regulations and permits, monitoring regulated businesses, conducting research and implementing other statutory requirements.



**Hazardous Waste**



**Air Pollution**



**Surface Water**



**Pesticides and Toxics**



**Drinking Water**



# AMERICA'S ENVIRONMENTAL CRIME FIGHTERS

## EPA Criminal Enforcement

### WHO WE ARE

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We are the Nation's environmental police, providing investigative, scientific and technical expertise to support environmental crimes prosecutions at the Federal, State, Tribal and local levels. We protect human health and the environment by developing criminal cases against individuals and corporations that violate environmental and associated laws. Successful prosecutions deter other potential violators, eliminate the temptation for companies to "pay to pollute," and help ensure that businesses that follow the rules don't face unfair competition from those that break the rules.

We are a team of 350 professionals, including 200 EPA special agents in more than 40 offices nationwide who work closely with scientists, attorneys, and others to uncover and investigate environmental crimes. EPA special agents are Federal law enforcement officers with the full authority to conduct investigations, carry firearms, make arrests for any Federal crime, and to execute search and arrest warrants. Our specialized laboratories employ scientists, engineers, analysts, technicians, and environmental and computer specialists to perform the essential science for environmental investigations. Attorneys specializing in environmental crimes prosecutions advise on environmental regulations, enforcement-related legislation, and other complex legal issues that arise during day-to-day operations of a national law enforcement program.



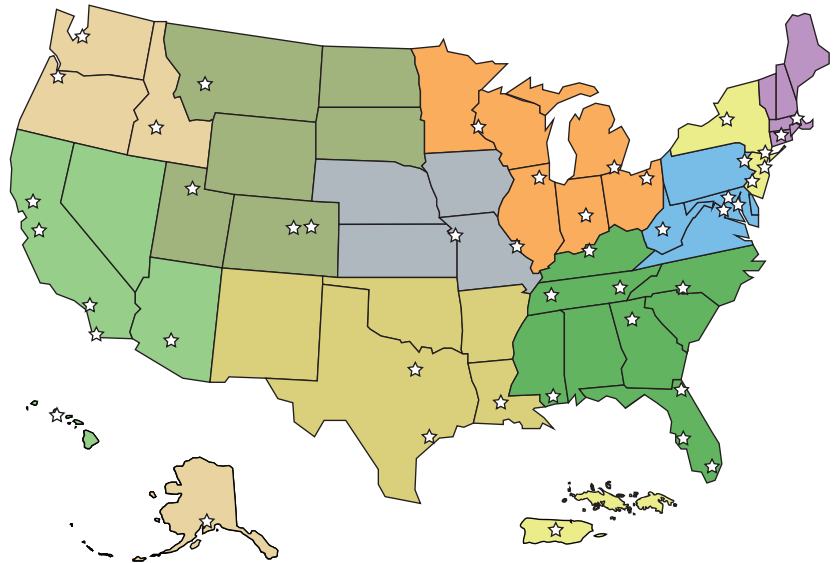


## WHERE WE ARE

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### EPA CRIMINAL ENFORCEMENT OFFICES

Different colors represent EPA Regions



Boston, New Haven, New York, Syracuse, Edison, Puerto Rico, Philadelphia, Arlington, Baltimore, Charleston, WV, Atlanta, Nashville, Louisville, Charlotte, Knoxville, Gulf Breeze, Miami, Tampa, Chicago, Minneapolis, Indianapolis, Cleveland, Detroit, Dallas, Baton Rouge, Houston, Kansas City, St. Louis, Denver, Helena, Salt Lake City, San Francisco, Sacramento, Honolulu, Los Angeles, Phoenix, San Diego, Seattle, Anchorage, Portland, Boise, Washington DC headquarters, Lakewood, CO National Enforcement Investigations Center and the Jacksonville, FL National Computer Forensics Laboratory.

The EPA criminal enforcement program is part of EPA's Office of Enforcement and Compliance Assurance (OECA). It is headquartered in Washington, DC, with field investigative offices in EPA's 10 regional offices and in more than 30 other locations across the country. The National Enforcement Investigations Center (NEIC), in Lakewood, Colorado, provides forensics, science and technical support for both criminal and civil environmental investigations. The National Computer Forensics Laboratory in Jacksonville, Florida, specializes in the seizure, review and analysis of electronic evidence and advanced undercover surveillance operations.

## WHAT ENVIRONMENTAL CRIME IS

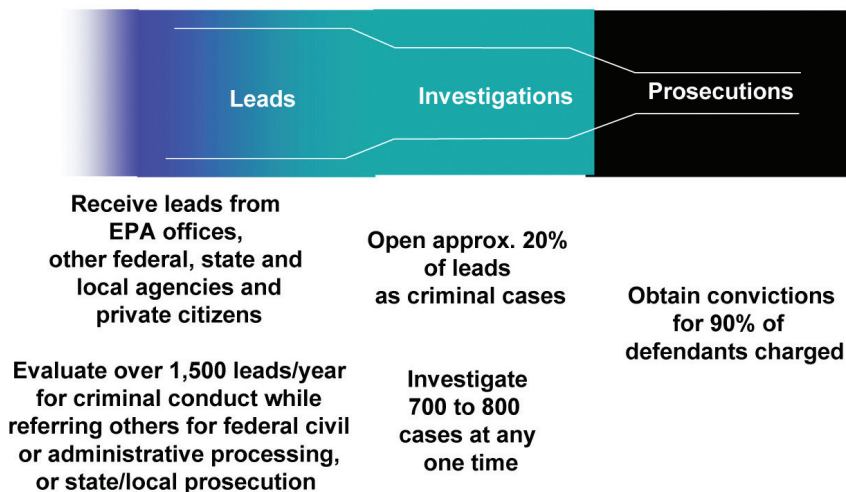
Almost all environmental laws specify that when an individual or corporation knowingly or negligently violates that law, it is a crime. Corporations may be liable to fines and other penalties and individuals (including corporate officers) can face prison time as well. Environmental crimes can include a wide range of illegal activities that contaminate the air, land and water and threaten people's health.

## WHAT WE DO

We investigate environmental crimes using specialized investigative and forensic techniques. We focus on cases that clearly merit criminal investigation, while referring the majority of the leads for civil or administrative review by EPA or a state environmental agency. About 80% of convicted defendants are individuals; the remaining 20% are corporate entities. Criminal enforcement's threat of incarceration is important in deterring violators.

Special agents evaluate leads; interview witnesses and suspects; review documents and data from environmental, inspection, and other databases and files; and determine what additional expertise is needed to prove the crime in court. Although we

### EPA's Criminal Case Pipeline



# Developing A Criminal Case

Violation(s),  
Lead Information,  
Evaluate Case



Plan Case,  
Investigate,  
Forensics



Trial,  
Plea,  
Sentencing



investigate violations of many environmental laws, most cases stem from three statutes: the Clean Water Act, the Clean Air Act, and the Resource Conservation and Recovery Act (hazardous waste). Most cases also involve associated Federal Criminal Code violations, such as fraud, conspiracy, and obstruction of justice.

Environmental criminal enforcement requires state-of-the-art scientific and technical capabilities to analyze evidence with a high degree of scientific certainty so that evidence can be used in court to prove that a defendant is “guilty beyond a reasonable doubt.” Our fully-accredited forensics laboratory supports both criminal and civil investigations with multi-disciplinary teams of experts who conduct field investigations to gather site-specific evidence about potential violations. The forensics staff work with special agents to provide field sampling, engineering evaluations, forensic laboratory analysis, and expert witness services in the courtroom. A skilled team of computer and technology experts extract and analyze evidence found on suspects’ computers, cell phones, and other devices.

Experienced EPA attorneys in Washington DC and Regional Criminal Enforcement Counsels use their environmental law expertise in all aspects of criminal enforcement. For example, attorneys provide guidance on expert witness preparation, evidentiary issues, the interrelationship of environmental and criminal laws, personnel and worker safety law, and the enforceability of proposed regulations and legislation.

## WHO WE WORK WITH

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We work closely with the U. S. Department of Justice (DOJ) and state agencies that prosecute environmental crimes, Federal, State and tribal law enforcement agencies and with other EPA programs. We work primarily with DOJ's Environmental Crimes Section and the 93 United States Attorneys to build strong cases for prosecution and occasionally with State and Tribal prosecutors. During investigations, we frequently combine our expertise with that of other law enforcement groups (such as the Department of Interior's Fish and Wildlife Service or the Department of Agriculture's Forest Service) to investigate cases with possible violations of a wide variety of laws. Criminal enforcement also relies on scientists, regulators, permit writers and other experts working in sister EPA offices such as the air, water and hazardous waste programs, and civil enforcement.

## HOW TO GET INVOLVED

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- Report potential crimes at [www.epa.gov/tips](http://www.epa.gov/tips)
- Report a fugitive sighting at [www.epa.gov/fugitives](http://www.epa.gov/fugitives)
- Find out about EPA careers - [www.epa.gov/careers](http://www.epa.gov/careers) (Apply for all Federal jobs at [www.usajobs.gov](http://www.usajobs.gov)) or
- Call your local government office (which are generally responsible for trash, recycling pickup, and household chemical disposal (e.g., paints, pesticides, oil, antifreeze, etc.) )

Look for the 7 signs of environmental crimes, including:

- Strong, offensive, or unusual chemical odors
- Large numbers of dead birds, fish or other animals
- Pipes or valves that bypass waste treatment systems
- Tank trucks discharging into drains, manholes or surface waters
- Oily slicks on bodies of water
- Corroded, leaking waste containers
- Drums or other containers dumped at odd hours in out-of-the-way places

Citizens' reports have helped protect human health and the environment and catch fugitives. Since the tips website launched in January 2006, EPA has received more than 30,000 tips and referred more than 22,000 for further investigation, including tips shared with state or local authorities.



**Idaho man sentenced to 17 years in federal prison for environmental crimes that left a 20 year-old employee permanently brain damaged**

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On a hot August morning, 20 year-old Scott Dominguez reported to work at Evergreen Resources, a small fertilizer manufacturing plant in his hometown, Soda Springs, Idaho. "I'm afraid to go to work," Dominguez said to his girlfriend before he left on that day that would change his life forever. The owner of the company, Allan Elias wanted his workers to clean out a 25,000-gallon tank that contained cyanide waste. He refused to test the air or the waste inside the tank. He ignored the pleas of his workers for safety equipment. When the workers complained of sore throats and difficulty breathing, Mr. Elias told them to finish the job or find work somewhere else. Mr. Dominguez, a high school graduate, wanted to keep his job. Wearing just jeans and a T-shirt, he used a ladder to descend into the tank. Two hours later, covered in sludge and barely breathing, he was

removed from the tank by paramedics and rushed to the hospital, a victim of cyanide poisoning. Later in the day Elias went to visit Dominguez in the local hospital, where the doctor asked him if they might be looking at a case of cyanide poisoning. Elias told the doctors there was nothing but mud and water in that tank. The next day, Elias went back to his office fabricating and backdating all employee safety plans. He proceeded to white out each and every mention of cyanide. Mr. Dominguez suffered severe and permanent brain damage. He now has the rigid body movement and stammering speech found in patients with advanced Parkinson's disease. As a result of EPA CID's criminal investigation, a jury convicted Elias of three felonies

for violating the federal Resource Conservation and Recovery Act (RCRA) and for illegally disposing of deadly cyanide waste. Elias was also convicted of making a false statement by fabricating and backdating a safety plan for entering the storage tank containing cyanide. Elias was sentenced to serve 17 years in prison for his crimes and ordered to pay \$6 million in restitution to the victim and his family.





## **Chief Executive and company owner jailed for smuggling ozone-depleting substances**

Kroy Corporation, Miami, Florida, and James Garrido, its chief executive, were sentenced for illegally smuggling into the United States HCFC-22, an illegal ozone-depleting refrigerant. James Garrido received a sentence of 30 months incarceration. Additionally, Garrido and the company were assessed a fine of \$40,000 and forfeited \$1.35 million to the United States government. This case was part of a multi-agency initiative known as "Operation Catch-22" aimed at stopping the smuggling and distribution of illegal ozone-depleting substances in the United States.



## **"Sham" recycler sentenced to more than 3 years incarceration for illegally burying hazardous waste that contaminated soil and groundwater**



Dennie Pridemore, the former company president and manager of Hydromex, Yazoo City, Mississippi, was sentenced to 41 months in prison for illegally storing and disposing of hazardous waste contaminated with the heavy metals cadmium and chromium. From 2000 through 2003, Pridemore portrayed his company as a recycling operation, thereby exempting the waste he received from regulation under the Federal hazardous waste laws. In reality, rather than recycle the hazardous wastes, Hydromex buried it in the ground, polluting the soil and groundwater.

**British Petroleum (BP) guilty of environmental crime resulting in a fatal refinery explosion in Texas**

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BP Products North America, Inc. paid a \$50 million criminal fine after pleading guilty to a Clean Air Act felony violation. This violation was a result of illegal company conduct that precipitated a fatal explosion on March 23, 2005, at its Texas City refinery, which killed 15 workers and injured more than 170 others. This was the first criminal prosecution under a section of the Clean Air Act specifically designed to prevent accidental releases that result in death or serious injury.



**Real estate developer sentenced to 9 years incarceration and company fined more than \$5 million for destruction and contamination of wetlands and defrauding home buyers**

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Robert Lucas, a real estate developer in southern Mississippi, and two other defendants committed Clean Water Act crimes when they filled hundreds of acres of wetlands to develop home sites. They installed septic systems in saturated soil, which resulted in a public health threat, and then fraudulently told prospective buyers that the property was habitable. Robert Lucas was sentenced to 9 years in prison; the other defendants were sentenced to over 7-year prison sentences. The defendants had to pay \$1.4 million in mitigation costs, and their companies were fined a total of \$5.3 million.



# SNAPSHOT OF EPA CRIMINAL ENFORCEMENT

## Mission

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EPA's criminal enforcement program investigates the most egregious environmental crimes committed by individual and corporate defendants by providing:

- Federal, state and local prosecutors with the evidence needed to prosecute environmental crimes
- Environmental forensic analyses and technical evaluations for both civil and criminal enforcement
- Computer evidence retrieval and evaluation
- Expert legal advice and counsel to the criminal enforcement program and other offices within EPA

We strive to make a difference where people live and work through three overall Office of Enforcement and Compliance Assurance goals: (1) Aggressively going after pollution problems that matter to communities, (2) Building partnerships with States, Tribes, and localities, and (3) Improving public information and transparency.

## People

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More than 350 specially trained investigators, chemists, engineers, technicians, lawyers, and support staff help investigate environmental crimes, including:

- 200 fully authorized Federal law enforcement agents
- 70 forensic scientists and technicians
- 45 attorneys who specialize in environmental crimes prosecutions

## Locations

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Criminal enforcement personnel serve in more than 40 locations nation-wide. The program headquarters is located in Washington, DC, with a criminal enforcement area office co-located in each of EPA's 10 regional offices. Additional offices include:

- 30 resident offices in strategic locations across the country
- The National Enforcement Investigations Center (forensics laboratory) in Lakewood, Colorado
- The National Computer Forensic Laboratory in Jacksonville, Florida
- Training office at the Federal Law Enforcement Training Center in Glynco, Georgia

## Accomplishments

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Of the 700 - 800 investigations open at any one time:

- 67% of our cases where search warrants are executed result in criminal charges being filed
- 80% of defendants charged are individuals while 20% are corporations
- More than 90% of charged defendants are convicted of the crimes alleged



## Get Involved

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Report a fugitive sighting at  
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## Get More Information

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- EPA's criminal enforcement program – [www.epa.gov/enforcement/criminal](http://www.epa.gov/enforcement/criminal)
- EPA laws and regulations – [www.epa.gov/lawsregs/laws/index.html](http://www.epa.gov/lawsregs/laws/index.html)
- Civil Enforcement and Compliance History Online (ECHO) with information about approximately 800,000 EPA-regulated facilities. <http://www.epa-echo.gov/echo>
- EPA careers - [www.epa.gov/careers](http://www.epa.gov/careers) (Apply for all Federal jobs - [www.usajobs.gov](http://www.usajobs.gov))

## Contact by Phone or by Mail

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Office of Criminal Enforcement  
1200 Pennsylvania Avenue NW, Mail Code 2231A  
Washington, DC 20004  
Phone: 202-564-2480, Fax: 202-501-0599

