



# U.S. EPA's Office of Criminal Enforcement Forensics and Training (OCEFT)



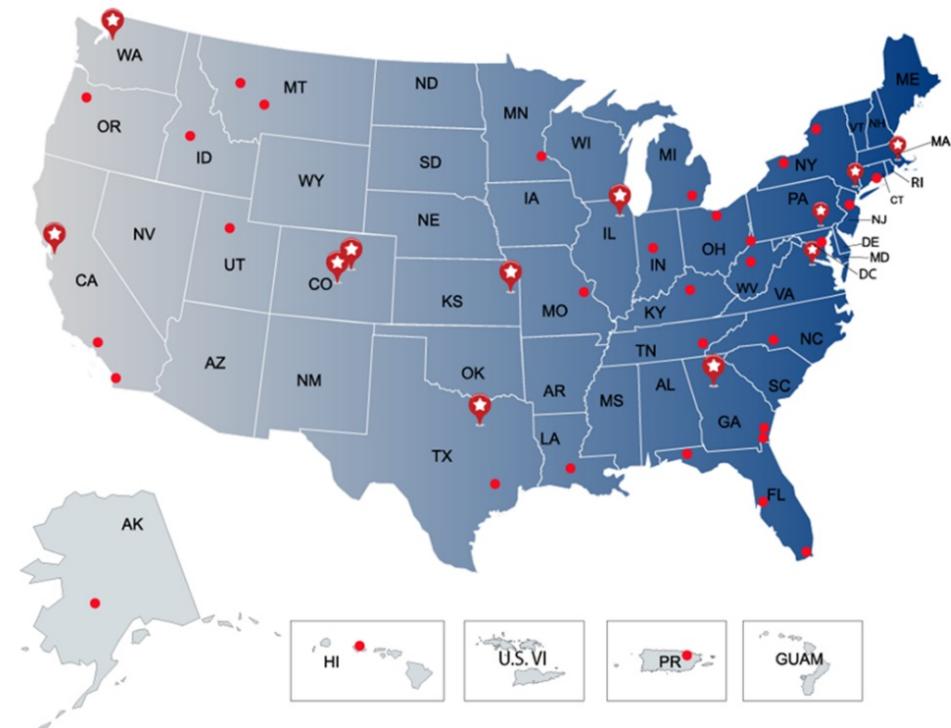


## Who We Are in OCEFT

A team of professionals who work with federal, state and tribal partners to investigate environmental and related crimes including:

- ◆ 160 Criminal Investigation Division (CID) agents; additional EPA Administrator Protection Detail agents
- ◆ 87 scientists, engineers, regulatory experts and supporting discipline at the National Enforcement Investigations Center (NEIC), a fully accredited forensics center that supports both civil and criminal cases
- ◆ A dozen HQ attorneys and two dozen attorneys in EPA Regions with expertise in environmental crimes

# Where We Are in OCEFT



- OCEFT Headquarters (DC)
- 43 CID Offices
- NEIC and LCD Support (CO)
- NCFL - TEC Support (FL)
- FLETC Training Center (GA)

# Criminal Investigation Division

*Special Agents Have Full Federal Law Enforcement Authorities*

- Full Title 18 Authority, so agents can also conduct investigations of non-environmental statutes
- Authorized to carry firearms
- Execute/Serve Search and Arrest Warrants
- Authorized to Use Grand Jury process
- Interviews, Surveillance, and Undercover
- DOJ: Prosecution and Trials

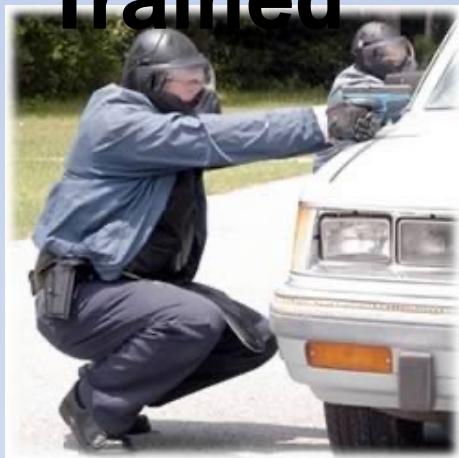


# National Criminal Enforcement Response Team (NCERT)



**NCERT** is a specialized forensics team of law enforcement personnel and scientists whose primary mission is to provide evidence collection support for environmental crime investigations and law enforcement support/liaison to EPA during regional or national disasters and emergency responses

# Criminal Investigators Are Highly Trained



- Three Month Criminal Investigator Training Program (CITP)
- One Month Environmental Investigations Basic (EIB) Program
- Specialized Advanced Training



# National Enforcement Investigations Center (NEIC)



NEIC is EPA's environmental forensics center, comprised of field forensics specialists and a sophisticated laboratory utilizing a variety of analytical techniques to support criminal and civil investigations by:

- *Conducting complex on-site forensic investigations to determine compliance with environmental laws,*
- *Identifying and quantifying pollutants as supporting evidence to evaluate alleged environmental law violations* *Conducting applied research to improve the scope of existing compliance-related analytical methods.*

# EPA Criminal Cases

## **"Beyond Lying, Cheating, & Stealing"**

The goal of EPA criminal enforcement is to serve as a general deterrence to the regulated community and in turn encourage compliance with environmental regulations.

EPA CID has full Title 18 Authority so can conduct investigations on non-environmental statutes.

EPA Office of Inspector General (EPA OIG) is a separate law enforcement office at EPA. EPA CID conducts investigations which involve the EPA programmatic implementation and not employee misconduct or misuse of Agency funds.

# EPA Criminal Cases

## **Beyond Lying, Cheating, & Stealing**

EPA-CID focuses its resources on the most significant environmental crimes. Case opening decisions are based on factors such as:

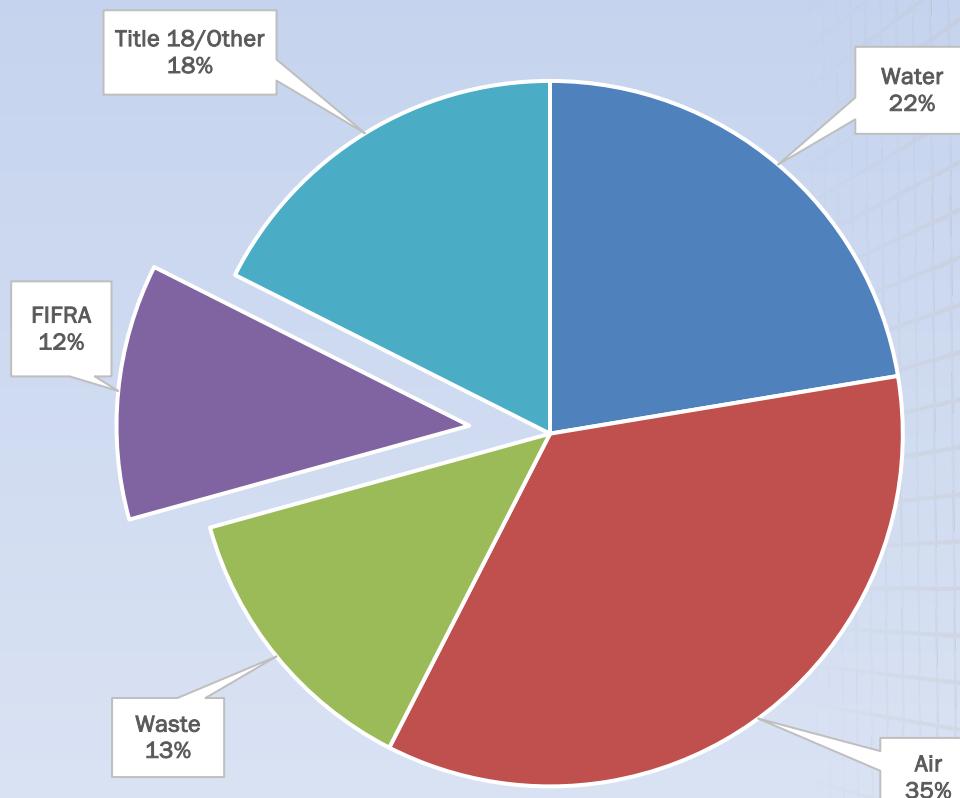
- Death or serious injury
- Hazardous or toxic substances and wastes
- Environmental impact
- Human exposure or other threats to community health
- Repeat offenders/multiple violations
- A large or significant corporate enterprise (Don't have to be big to be bad)
- Unpermitted or conduct not meant to be regulated

# Sources of Tips/Complaints

- EPA Region
- State/Local Agency (Delegated Programs)
- Federal/State/Local Task Force
- Other Federal Agency
- EPA Tipline
- Anonymous/Citizen Complaint/Informant
- EPA Headquarters/OIG
- News Media/Open Source
- Other

# OCEFT Criminal Investigations

- 70% of our open cases are in Air, Water (CWA) and Waste
- Title 18/Other includes EPCRA, TSCA (Asbestos, Lead & PCBs), SDWA, RHA, Vessel Pollution, Conspiracy, Customs Violations & Smuggling, False Statements, Mail/Wire Fraud
- Environmental Justice is a current priority.



# EPA's Criminal Case "Pipeline"



Evaluate over  
**2,500**  
leads/year

Open **12%**  
of leads as criminal cases

Approximately  
**500** open  
cases at a time

Refer other leads  
for civil, administrative,  
or state/local prosecution

FY2023

**100%**  
of charged  
defendants  
were  
convicted

**74%** of  
criminal  
cases have  
individual  
defendants

# Border Pesticide Initiative

- Summary of Results between July 2019 – October 2023
- Sixty-five (65) defendants have been charged for smuggling dangerous chemicals
- \$162,941 restitution and \$19,250 fines
- Over 3 years of cumulative jail time
- Over 57 years in probation
- Over 32 years in supervised release
- 392 days of community service



# COVID-19 Fraud

- In 2020, OCEFT initiated an enforcement priority into COVID-19 fraud
- Opened 69 cases
- Thirteen cases (13) remain open
- Twenty-four (24) defendants have been charged
- Over \$3 million in restitution, \$303,549 in fines, & \$427,689 in forfeiture
- Over 5 years of cumulative jail time & 6 months in home detention
- Over 47 years in probation
- 6 years in supervised release



# Bugman - Utah



- Bugman Pest and Lawn and an applicator were convicted on a misdemeanor count of unlawful use of a registered pesticide.
- The pesticide application resulted in the deaths of 2 children.
- This case illustrates a “gap” in the law. The act does not provide for felony prosecutions of unlawful use of pesticides.

“...our dear four-year old daughter Rebecca Kaye Toone returned to our Father in Heaven on Saturday, February 6, 2010....

The following Tuesday, February 9<sup>th</sup>, she was joined by her baby sister, Rachel Ana Toone.”

# Terminix - USVI



- Terminix International Company LP (TERMINIX LP) and its U.S. Virgin Islands affiliate were convicted of multiple violations of FIFRA for illegally applying methyl bromide in residential buildings in the U.S. Virgin Islands, including a condominium complex in St. John where a family of four fell seriously ill, causing serious injury and hospitalization, after the unit below them was fumigated.
- TERMINIX LP and TERMINIX, USVI were sentenced to pay a total of \$9.2 million in criminal fines, community service, and restitution payments. Jose Rivera, the former Branch Manager was sentenced to 12 months in prison. A separate civil settlement was made with the family.

# David Grummer - California

- David Grummer worked at the household hazardous waste recycling facility for San Diego County
- Grummer took material from recycling events including banned substances such as DDT/chlordane, as well as refrigerants that were meant for disposal and resold them on the internet for personal gain



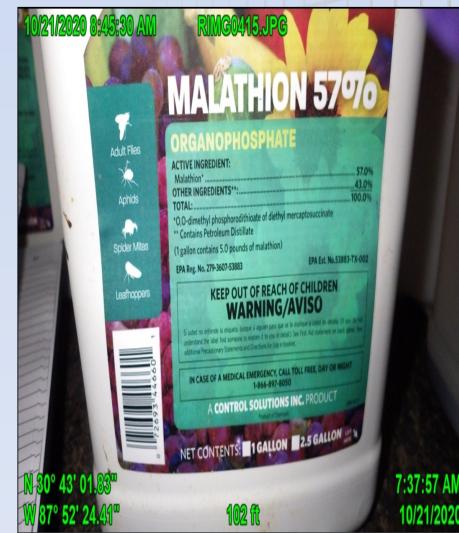
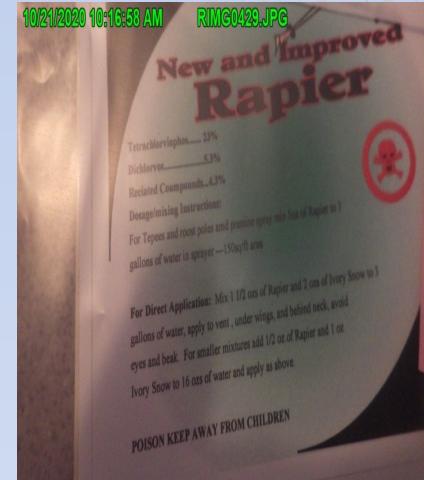
# David Grummer - California

- He also pled guilty to environmental charges of Unlawful Transportation of Hazardous Substances, Illegal Distribution of Pesticides, and Clean Air Act Violations
  - 18 months of incarceration
- During a search warrant, forensic examiners also found child pornography on his computer, and he later was convicted at trial on those charges
  - over 24 years of incarceration



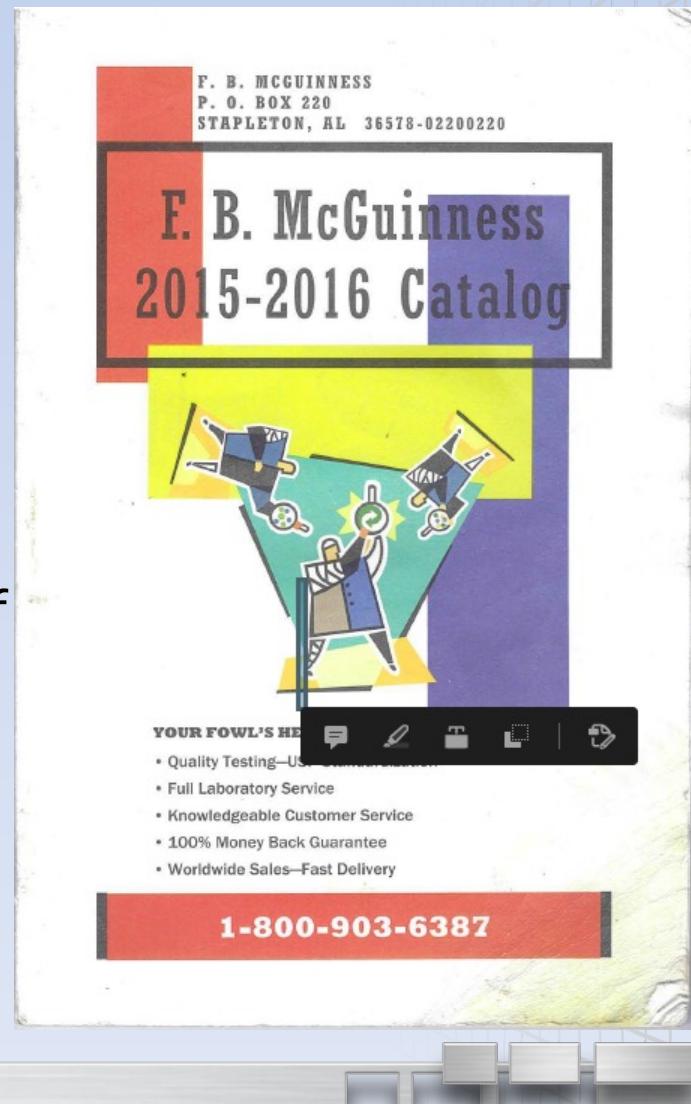
# F. B. McGuiness - Alabama

- Richard & Monique Parker – Owners of F.B. McGuiness, a home business manufacturing veterinary drugs and products for chicken farmers and customers involved in animal-fighting. Purchase, repackage & re-label pesticides for retail distribution (FIFRA).
- Search warrant executed supported by FBI, FDA, FDA Center for Vet Medicine, NEIC & Alabama Department of Agriculture and Industries. Over 120 veterinary drugs and pesticides seized, along with \$10,500 cash.



# F. B. McGuiness – Alabama

- Parkers plead guilty to four counts (2 FIFRA misdemeanors and 2 FDA counts, 1 felony and 1 misdemeanor). FIFRA counts for distribution of unregistered pesticides and adulterated/misbranded pesticides.
- Parkers were sentenced to three years of probation and a \$100,000 joint forfeiture.
- Conviction ended a 35-year long criminal enterprise with 12,000 customers



# What's Next?

- Continued focus on illegal importation
- Pesticide applications which result in injury or death
- Criminal enforcement which supports regional and local civil compliance challenges through resources alignment (Not just lying, cheating, & Stealing)

# CID Contacts

- **Region 1 & 2 (CT, ME, MA, NH, RI, V, NJ, NY, Puerto Rico & U.S. Virgin Islands)**
  - SAC Tyler Amon, 617-352-4584, [amon.tyler@epa.gov](mailto:amon.tyler@epa.gov)
- **Region 3 (DE, DC, MD, PA, VA and WV)**
  - ASAC Allison Landsman, 571-329-8980, [landsman.allison@epa.gov](mailto:landsman.allison@epa.gov)
- **Region 4 (AL, FL, GA, KY, MS, NC, SC, & TN)**
  - SAC Charles Carfagno, 404-569-7504, [carfagno.charles@epa.gov](mailto:carfagno.charles@epa.gov)
- **Region 5 (IL, IN, MI, MN, OH & WI)**
  - ASAC Lisa Matovic, 440-343-4411, [matovic.lisa@epa.gov](mailto:matovic.lisa@epa.gov)
- **Region 6 (AR, LA, NM, OK & TX)**
  - SAC Kim Bahney, 913-333-0352
  - [bahney.kimberly@epa.gov](mailto:bahney.kimberly@epa.gov)
- **Region 7 & 8 (IA, KS, MO, NE, CO, MT, ND, SD, UT, & WY)**
  - SAC Lance Ehrig, 303-551-4346
  - [ehrig.lance@epa.gov](mailto:ehrig.lance@epa.gov)
- **Region 9 (AZ, CA, HI, NV, Guam & Islands)**
  - ASAC Ben Carr, 415-271-6405
  - [carr.benjamin@epa.gov](mailto:carr.benjamin@epa.gov)
- **Region 10 (AK, ID, OR, & WA)**
  - ASAC Eric Goetz, 206-458-8356, [goetz.eric@epa.gov](mailto:goetz.eric@epa.gov)



# Additional Information & Resources

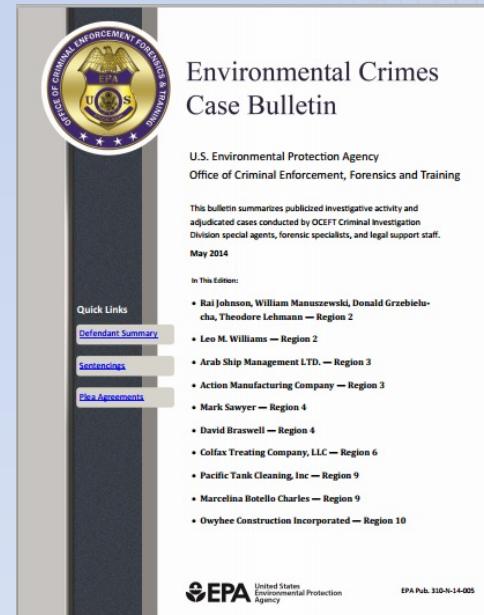
Visit our Website: <https://www.epa.gov/enforcement/criminal-enforcement>



The screenshot shows the 'Criminal Enforcement' section of the EPA website. The left sidebar includes links for Enforcement Home, Enforcement Basics, Air Enforcement, Water Enforcement, Waste, Chemical and Cleanup Enforcement, and Criminal Enforcement (which is currently selected). The main content area features a circular seal for 'Criminal Enforcement' and a brief description of the program's focus on criminal conduct that threatens people's health and the environment. Below this are four image thumbnails: 'Investigations' (a person in a blue shirt with a badge), 'Press Releases' (a person holding a tablet with 'THE NEWS' on the screen), 'Scientific Support' (a person working with laboratory equipment), and 'Reports & Data' (a person working on a laptop).



The screenshot shows the 'Report Environmental Violations' page of the ECHO website. It features a search bar and a 'Related Information' box with links to 'What to Report' and 'Whistleblower Protection'. The main content area contains instructions for reporting violations, a note about verification issues, and a form for entering violation details. The form includes fields for 'Violation Location' (with 'Manually Enter Location' and 'Use Facility Lookup' options) and 'Suspected Violator's Name'.



The screenshot shows the 'Environmental Crimes Case Bulletin' for May 2014. It features a large seal for the 'Office of Criminal Enforcement, Forensics and Training'. The left sidebar has a 'Quick Links' section with links to 'Defendant Summary', 'Sentencing', and 'Plea Agreements'. The main content area lists 12 cases, each with the defendant's name and region: Rui Johnson, William Manuszewski, Donald Grzebiech-cha, Theodore Lehmann — Region 2; Leo M. Williams — Region 2; Arab Ship Management LTD. — Region 3; Action Manufacturing Company — Region 3; Mark Sawyer — Region 4; David Braswell — Region 4; Colfax Treating Company, LLC — Region 6; Pacific Tank Cleaning, Inc — Region 9; Marcelina Botello Charles — Region 9; and Owyhee Construction Incorporated — Region 10.

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