

Environmental crime – Asbestos and the Clean Air Act

McAfee & Taft RegLINC - January 2011

By [Chris Paul](#)

A federal jury found an asbestos removal contractor and his company guilty of violating the Clean Air Act and other charges related to improper removal of asbestos (*United States v. Gordon-Smith*, W.D.N.Y., No 08-CR-6019, 11/12/10). They were found guilty of eight counts of violating the Clean Air Act, six counts of failing to provide required notice to EPA, and making false statements to an inspector of the Occupational Safety and Health Administration. The owner faces criminal penalties of up to five years in prison and \$250,000 for each count, while the company faces fines of up to \$500,000 per count.



Workers removed copper pipes, ceiling tiles and scrap metal without wearing any protective gear. The structure contained about 70,000 square feet of asbestos. After receiving complaints from workers, OSHA inspected the site, but the owner told an inspector that workers had not removed any of the materials.

LINKS

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