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[Recent Additions](#) | [Contact Us](#) | [Print Version](#)

[EPA Home](#) > [EPA Newsroom](#) > Man Receives Jail Time for Illegal Asbestos Remova...

EPA Newsroom Home

News Releases

Comunicados
En Español

Get News by E-mail

RSS XML

Media Contacts

Visiting Offices & Labs

Regional Newsrooms

U.S. Government
Newsrooms

Broadcast Services

Public Service
Announcements

Image Gallery

Media Kits

Speeches

Testimony

Transcripts

EPA History

FOIA

Glossary

Acronyms

Man Receives Jail Time for Illegal Asbestos Removal

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(8/1/07) Dylan Starnes, an employee of the Atlanta based Environmental Contracting Company, was sentenced to 33 months in prison and three years of probation for improperly removing asbestos from a low-income public housing project on St. Thomas. In addition to the jail sentence, Starnes must also pay for the cost of medical surveillance required for any people who were exposed to the asbestos. Starnes was sentenced July 27, 2007.

In 2002, Starnes, a licensed and certified asbestos contractor, was hired by the Virgin Islands Housing Authority to oversee the remediation of more than 220,000 sq. ft. of asbestos and to conduct air monitoring in the housing project. The evidence at trial established that Starnes and Cleve Allan George failed to follow applicable federal regulations for asbestos removal outlined in their work plan, a violation of federal law. George is the owner of the Virgin Island Asbestos Removal Co.

Specifically, Starnes and George were convicted of failing to ensure that asbestos-containing material remained wet until contained, discharging visible asbestos emissions to the outside air, and failing to use one of the required emission control and waste treatment methods. The defendants were also found guilty of filing false air monitoring documents with the Virgin Islands Housing Authority and falsely labeling asbestos as non-friable when it was sent to Florida for disposal.

Asbestos is a carcinogen and exposure can result in serious or fatal respiratory diseases, including lung cancer and mesothelioma. Asbestos is commonly used in thermal insulation, fireproofing and other building materials. When asbestos-containing materials become damaged or disturbed, the fibers separate and may become airborne and inhaled into the lungs. EPA procedures require that the materials be kept wet in order to prevent any asbestos fibers from becoming airborne.

Starnes, of Atlanta, Ga., and co-defendant George were convicted June 30, 2005, by a federal jury on 15 counts involving the illegal removal of asbestos-containing material at the housing project in 2001 and making materially false statements to federal agencies concerning air monitoring at the project. George has yet to be sentenced.

[More information on asbestos and asbestos containing materials: epa.gov/asbestos/](http://epa.gov/asbestos/)

[More information on EPA's Criminal Enforcement program: epa.gov/compliance/criminal/index.html](http://epa.gov/compliance/criminal/index.html)

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