

Three North Carolina Air Conditioning Repairmen Plead Guilty to Venting Ozone-Depleting Refrigerants

On January 21, Gerald Haywood Butler and Timothy Wayne Parker, both of Fayetteville, N.C., and Theodore Alphonso Smith of Hope Mills, N.C., each plead guilty in U.S. District Court for the Eastern District of North Carolina in Raleigh, N.C., to violating the Clean Air Act by knowingly venting the ozone-depleting the hydrochlorofluorocarbon refrigerant HCFC-22 into the atmosphere. All three men are employed as repairmen by J & J Maintenance at Ft. Bragg, N.C. J & J is responsible for maintaining the housing units at Ft. Bragg. Each of these housing units has a residential air conditioner. When these air conditioning units need repair or replacement, J&J employees are required by law to prevent HCFC-22 from being vented into the atmosphere. The defendants regularly failed to do this beginning in 1998 and continuing until November 2001. Ozone depleting substances damage the earth's ozone layer which protects people from overexposure to ultraviolet radiation. Ultraviolet overexposure can lead to skin cancer, cataracts, and weakened immune systems. It can also lead to reduced crop yield and disruptions in the marine food chain. When sentenced, each defendant faces a maximum possible sentence of up to five years in prison and/or a fine of up to \$250,000. The case was investigated by the EPA Criminal Investigation Division's Atlanta Area Office, the U.S. Army Criminal Investigation Division and the FBI with the assistance of the Science and Ecosystems Support Division of EPA Region 4. It is being prosecuted by the U.S. Attorney's Office in Raleigh.