



Department of Justice

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TAMPA COMPANY AND TWO EMPLOYEES SENTENCED FOR DUMPING DIESEL FUEL INTO STORM DRAIN

Tampa, FL - U.S. District Judge Steven D. Merryday today sentenced James Driggers, age 49, to 15 months' imprisonment and a term of supervised release of one year for knowingly violating the Clean Water Act by discharging diesel fuel from a fuel tank into a storm drain which flowed into McKay Bay Preserve, which is part of Tampa Bay. DRIGGERS, a former employee of Cypress Gulf Development Corporation, was the third defendant to be sentenced for unlawfully discharging diesel fuel into a storm drain on October 17, 2006 at the company's premises in Ybor City, Florida. WILLIAM STYERS, age 68, of Lakeland, Florida, who pleaded guilty to a misdemeanor violation of the Clean Water Act, was sentenced on March 11, 2008 to a term of one year probation, a \$2,500.00 fine, and 200 hours of community service directed at cleaning up the environment. Cypress Gulf Development Corporation, which also pleaded guilty to a misdemeanor violation of the Clean Water Act, was sentenced on January 3, 2008 to a fine of \$5,000.00. In addition, the company paid more than \$21,000 to clean up the diesel fuel in McKay Bay Preserve; paid a fine of \$10,301 to the Florida Department of Environmental Protection; and paid a fine of \$3,000 to the United States Coast Guard.

According to court documents, on October 17, 2006, DRIGGERS and STYERS, both mechanics working for Cypress Gulf Development Corporation, were instructed to clean out a 2,000 gallon above-ground fuel storage tank. The words "No. 2 Diesel Fuel" were painted on both sides of the tank. DRIGGERS moved the tank over a storm drain located on 34th Street in Tampa, Florida, and allowed the contents of the tank to drain out of the tank for approximately 20 to 25 minutes. As some point STYERS, who supervised DRIGGERS, saw that DRIGGERS was dumping the fuel into the drain but he did nothing to stop the unlawful discharge. The dumping of the fuel was observed by a number of citizens who immediately contacted the authorities.

According to testimony offered today in court, the diesel fuel that entered McKay Bay harmed the environment in a number of ways, including killing a number of fish and creating serious longer-term consequences for small creatures that live in the mud and wading birds, including protected species such as the roseate spoonbills and wood storks.

U.S. Attorney Robert E. O'Neill stated, "Environmental crimes such as this effect marine life as well as human life. The investigation, prosecution and punishment for this disregard of our environment is important."

"The defendants' illegal discharge of pollution killed marine life and required a cleanup of the Preserve," said Ricky Langlois, Special Agent in Charge of EPA Criminal Investigation Division's Atlanta Area Office. "Their sentences send a clear message to individuals whose criminal acts damage the environment - you will be prosecuted."

The case was investigated by the United States Environmental Protection Agency, the Florida Department of Environmental Protection (Bureau of Environmental Investigation and Bureau of Emergency Response), and the United States Coast Guard. The case was prosecuted by Assistant United States Attorney Cherie L. Kringsman.