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July 30, 2019

## PRESS RELEASE

## For Immediate Release

## FOUNTAIN HILLS PROSECUTOR CHARGES MESA WASTE COLLECTION COMPANY WITH CRIMINAL POLLUTING

The Fountain Hills Town Prosecutor's Office has announced the filing of a ten-count Criminal Complaint against Green Arrow Environmental Services, Inc., it's owner, Peter Marquardt, and three of its employees, charging each with Criminal Damage to a Public Utility and Criminal Polluting. The case arises from an incident on July 9, 2018, when employees of Green Arrow allegedly pumped over five thousand gallons of raw industrial waste into the Fountain Hills Sanitary District's municipal sewer system, causing a several day disruption to the system's operation and over \$8,000.00 in clean-up costs.

Assistant District Engineer, Christopher Kiriluk, reports that the Sanitary District had been experiencing "upsets of the biological treatment system at the wastewater treatment plant" several times per year for at least two years. These "upsets" were believed to be caused by illegal dumping of industrial wastes into the District's wastewater system. "A typical 'upset' consumes additional manhours, energy (aeration to metabolize the dumped material), and chemicals. It can also cause a situation where FHSD's Aquifer Protection Permit can be violated if the treated effluent that we recycle back into the community does not meet permitted standards of treatment," Kiriluk stated.

Beginning in September, 2017, Sanitary District Manager, Dana Trompke, directed District staff to heighten its vigilance in an effort to identify the person or persons responsible for the dumping incidents. The District's investigation included "marking manhole covers and rims with paint to tell if a manhole had been opened recently, installing motion detecting cameras adjacent to manholes that had been disturbed, and daily inspections of pump stations, which is how the incident of July 9, 2018, was discovered," Kiriluk explained.

Kiriluk, states that on the morning of July 9, 2018, at around 8:30 a.m., District staff members, Tim Shepard and Juan Carlos Hernandez, were conducting their daily inspection at pump station 14 when they "noticed a large, heavy black stream of wastewater entering the pump station 14 wet well. They immediately noticed a different smell which was stronger and more

foul than the typical odors associated with domestic wastewater." Measurements taken near pump station 14 showed dangerous hydrogen sulfide gas levels "in the range where eye damage can occur, and where the olfactory nerve is paralyzed after a few inhalations," reported Kiriluk. Shepard and Hernandez reacted quickly and immediately drove off in the direction from which the black, foul smelling industrial waste was coming. Within minutes, they arrived in front of Kern Plaza, a vacant building located at 17205 E. Shea Boulevard, where they observed two large tanker trucks and three individuals in the road. One of the men they observed was in the process of replacing a manhole cover in the street. Shepard and Hernandez attempted to speak with the three men, however the men quickly got into their trucks and fled from the scene. Shepard and Hernandez were able to take photographs of the trucks, which were identified as being owned and operated by Green Arrow Environmental Services, Inc. from Mesa, Arizona.

The incident was reported to the Maricopa County Sheriff's Office and a criminal investigation was opened. The investigation was directed by Maricopa County Sheriff's Detective David Segura with the assistance of several other Maricopa County Sheriff's deputies and Special Agent Robert Driscoll of the Federal Environmental Protection Agency. On July 23, 2018, a search warrant was served at the offices of Green Arrow Environmental Services, Inc., located at 8007 E. Main Street, Mesa Arizona. Law enforcement officers seized computers, documents and other evidence from Green Arrow and were able to interview the company's owner and several employees.

When the investigation was completed, the case was submitted to the Arizona Attorney General's Office as well as the Maricopa County Attorney's Office. Those agencies reviewed the case and directed that it be submitted to the Fountain Hills Town Prosecutor's Office for criminal prosecution. "This case was submitted to my office just days before the expiration of the one-year statute of limitations, so we had to work quickly to review the case and draft a Criminal Complaint," said Fountain Hills Town Prosecutor Mark Iacovino. "Upon reviewing the case, I was extremely impressed by the diligence and hard work of the Fountain Hills Sanitary District staff, the Sheriff's Office and particularly Detective Segura," said Iacovino.

"When I look back over my 29 years as the Fountain Hills Town Prosecutor, I can't think of a more important case that we have prosecuted," opined lacovino. "This type of illegal dumping poses a direct threat not only to the Sanitary District's employees and water treatment system but also to the general public," said lacovino. He added, "These types of cases need to be prosecuted for the protection of our local businesses as well. Businesses throughout the Phoenix area pay a lot of money to companies like Green Arrow to collect their industrial or hazardous waste and dispose of it safely and properly in a facility designed for that purpose. I imagine that those business owners would be shocked if they learned that the companies they've hired are dumping that waste down the nearest manhole."

All five of the defendants named in the Criminal Complaint are currently scheduled to appear in the Fountain Hills Municipal Court for Arraignments on Wednesday, July 31, 2019.

A copy of the Criminal Complaint is attached.

For more information, please contact Mark Iacovino, Fountain Hills Town Prosecutor, 480-483-2404, townprosecutor@gmail.com.

