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PRESS RELEASE

FOR IMMEDIATE RELEASE
Friday December 22, 2006

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**Environmental Company and Owner fined the
maximum for Illegal Dumping**

El Paso County Attorney José R. Rodríguez announced today the sentencing of two individuals charged with illegally dumping construction debris from the demolished Landmark Building on property located in the desert area near 14640 Las Colonias, in El Paso County.

“*ACME Environmental Systems Co.*” and David Hernández, Jr. were charged with and pled guilty to the charge of illegal dumping for a commercial purpose, more than 5 pounds but less than 200 pounds, in violation of the Texas Health and Safety Code.

According to evidence collected by the Special Investigation Unit of the Texas Commission on Environmental Quality (TCEQ), the offense occurred on or about July 1, 2003, when ACME Environmental Systems Co. subcontracted with Jordan to pick-up, transport, and dispose of the demolition debris from the Landmark Building on Stanton Street. Rather than taking the solid waste to a licensed landfill, “*ACME Environmental*” dumped it on land owned by José and Martín Villegas that was used as a quarry, at 14640 Las Colonias, in El Paso County, Texas. David Hernández, Jr., ACME’s owner son, was also charged for giving the orders to illegally dispose of the rubbish.

The sentence was announced on December 15, 2006, when Judge Alma Trejo fined “*ACME Environmental Systems*” with \$10,000, the maximum allowed by law. Judge Trejo also sentenced David Hernández, Jr. to 12 months probation, to pay a \$4,000 fine, and to complete 200 hours of community service at the Clint Landfill or other community clean-up.

Earlier this year, on April 12, 2006, the County Attorney’s Office had prosecuted the 2 other individuals involved in this case. José and Martín Villegas, owners of “Villegas and Sons”, were accused of receiving commingled construction debris that was

taken from the demolition of the County's *Landmark Building* to this site for cash. Both pled guilty to receiving solid waste at an unapproved site. José Villegas, who had a prior conviction of illegal dumping, was sentenced to 180 days in jail, 9 months probation, to pay a \$2,000 fine along with court costs, and to complete 90 hours of community service at the Clint Landfill or other community clean-up. Martín Villegas was sentenced to 9 months deferred probation, to pay a \$500 fine and to complete 50 hours of community service.

“Illegal dumping is a serious crime which we will prosecute to the fullest extent of the law,” said Rodríguez. “Disposing of construction debris containing glass, metal and plastic is not allowed for fill because these items will decompose and threaten the stability of the land. This is of special concern when the land is being filled for future development of housing. People purchase their homes at a very high price. If trash is used for fill, with time, the foundation may shift or collapse. The victims will be the unwary buyers, their families, and the surrounding homes, whose property value will plummet.”

“It is also unjust and wrong that contractors and subcontractors are paid large sums of money for these types of projects, and to make more money, they illegally dispose of the waste. We all pay a high price for these individuals' avarice.”

Rodríguez added that illegal dumping is an on-going problem in the city and county of El Paso, and he stressed that the County Attorney's Office will continue to prosecute such offenders. The penalty for illegal dumping ranges from a fine of not less than \$10 to up to \$10,000, or up to 2 years in jail, or both. **To report illegal dumping, call your local law enforcement agency. El Paso Police Dept. at 832-4400, or El Paso Sheriff's Dept. at 546-2280.**

For more information contact Cristina Viesca-Santos, Assistant County Attorney, 915-546-2050.

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