

**FOR FURTHER INFORMATION CONTACT**

**AUSA VICKIE E. LEDUC or  
MARCIA MURPHY at 410-209-4885**

**October 26, 2009**

**FOR IMMEDIATE RELEASE**

**<http://www.usdoj.gov/usao/md>**

---

WEST VIRGINIA HEALTH AND SAFETY OFFICIAL  
SENTENCED TO PRISON

Accepted Payments in Connection with Contracts to Maryland Firms  
for Asbestos and Lead Abatement

Greenbelt, Maryland - U.S. District Judge Peter J. Messitte sentenced Paul Prendergast, age 47, of Gaithersburg, Maryland, late last week to a year and a day in prison followed by three years of supervised release for accepting gratuities in connection with asbestos and lead abatement contracts he supervised as a West Virginia state official, announced United States Attorney for the District of Maryland Rod J. Rosenstein and Acting Assistant Attorney General for the Justice Department's Environment and Natural Resources Division John C. Cruden.

According to Prendergast's plea agreement, from 1998 to March 2003 Prendergast worked as an Occupational Health and Safety Coordinator at the West Virginia Department of Administration, General Services Division (GSD), receiving and reviewing bids submitted for asbestos and lead-abatement projects. For certain asbestos and lead abatement jobs, Prendergast had primary authority to award contracts to the lowest bidder. He was also responsible for overseeing work performed on the projects and had primary authority to approve payment requests submitted by the contractor.

Two of these contractors were Maryland corporations engaged in asbestos and lead abatement work in Maryland and West Virginia. The contractors were affiliated companies, and were jointly operated and managed. Between August 1998 and January 2003, these contractors performed a number of abatement contracts for GSD. Immediately upon leaving his employment with GSD, Prendergast worked for one of these companies.

Prendergast unlawfully provided one of these contractors with confidential bid information that he received from other abatement firms regarding contracts to perform asbestos and lead abatement at various buildings in the West Virginia State Capitol Complex. This contractor then used the bid information to submit bids to the State of West Virginia that were lower than those submitted by other abatement companies. Prendergast awarded the contracts and approved

payments to the contractor. While he maintained bid and operational authority over contracts of interest to the contractor, Prendergast also received money and other benefits from the contractor, including three checks from 2000 to 2003 in the amounts of \$6,000, \$2,500 and \$2,500.

In 2003, while still employed by GSD, Prendergast prepared a business proposal for the contractor involving a joint venture for a landfill in West Virginia, with the expectation that he would share jointly in the proceeds.

In April 2003, following negotiations that had begun in 2002, the other affiliated company hired Prendergast at nearly triple his state salary: from April 2003 to January 2005, Prendergast was paid \$85,000 as "salary" from this company; and from December 2003 to December 2004, Prendergast received \$55,000 that was funneled through a subcontractor to him.

United States Attorney Rod J. Rosenstein praised the U.S. Environmental Protection Agency - Criminal Investigation Division, the West Virginia Legislature's Commission on Special Investigations and the Naval Criminal Investigative Service for their investigative work. Mr. Rosenstein thanked Assistant U.S. Attorney Gina L. Simms and U.S. Department of Justice Trial Attorney Noreen McCarthy, who prosecuted the case.

---

---