



# National Enforcement Investigations Center (NEIC) Case Results – Boasso America Resource Conservation and Recovery Act Violations Expert Toxicology Support

## NEIC's Support:

- Toxicological expertise

## NEIC's Other Capabilities:

- Forensics-based field investigations and analytical support under ISO/IEC: 17025, General Requirements for the Competence of Testing and Calibration Laboratories
- Statistical services
- CAA, CWA, and EPCRA expertise
- Training

**Background:** Approximately 90 drums and containers were found abandoned in February 2015 at several properties in Savannah, Georgia. These properties were owned by CSX Railroad and the city of Savannah and were in a residential area. The containers were found to have Boasso America (Boasso) labels. Boasso provides transportation services for tank containers containing hazardous waste. The state of Georgia's Environmental Protection Division emergency response program conducted field assessment and sampling at a residential area where dumping had occurred. Laboratory analysis of soil samples revealed naphthalene at concentrations up to 750,000 parts per million (ppm) and liquid waste with a pH of 14 pooled in an area where children were known to play.



**NEIC's support:** In early 2016, EPA's Criminal Investigation Division (CID) requested expert toxicology support from NEIC to describe the potential for harm due to the toxic effects of naphthalene and the hazards associated with corrosive liquids.

NEIC's toxicologist testified in a sentencing hearing for Raymond Mitchell (a subcontractor for the Boasso wastewater treatment plant) in 2016, resulting in a nine-count sentence enhancement for the potential to cause harm or serious bodily injury and one felony count of RCRA disposal without a permit. The toxicology testimony indicated that the pH of the liquid waste found in a waste pit in a residential neighborhood could result in serious burns and permanent tissue damage. Furthermore, the testimony demonstrated how the levels of naphthalene that were measured in soil in the residential area could be lethal to a child if ingested. The expert testimony presented by NEIC's toxicologist was also considered in the sentencing of the other defendants at later dates.

## Enforcement results:

Boasso and six individuals plead guilty and received the following sentences:

- \$500,000 penalty
- \$58,052 in restitution
- 308 months of incarceration (cumulative for all defendants)
- 60 months of probation (cumulative for all defendants)
- 192 months of supervised release (cumulative for all defendants)

## How to obtain NEIC's support

NEIC provides environmental forensics support for criminal and civil enforcement cases. If you would like more information on NEIC or to request laboratory analysis, toxicological support, an investigation, technical assistance, or training from NEIC, please contact us at [neic\\_project\\_requests@epa.gov](mailto:neic_project_requests@epa.gov). You may also contact your regional enforcement coordinator for more information on requesting NEIC's support on civil projects and EPA's CID for support on criminal projects.