



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

Biodiesel/Criminal Environmental Enforcement: U.S. Department of Justice Announces Conviction Of Biofuel Company Owners for Alleged Tax and False Statements Conspiracy

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The United States Department of Justice (“DOJ”) announced in an April 23rd news release that two individuals were found guilty of:

- One count of conspiracy to make false statements to the United States Environmental Protection Agency (“EPA”)
- Six counts of making false statements to the EPA
- One count of conspiracy to defraud the Internal Revenue Service (“IRS”)
- One count of aiding and assisting in the filing of a false claim with the IRS

The individuals’ names in the news release were Ben T. Wootton and Race A. Miner. They were found guilty following a jury trial in Harrisburg, Pennsylvania .

The two individuals are stated to have co-owned and operated Keystone Biofuels, Inc. (“Keystone”). Keystone is stated to have purported to be a producer and seller of biodiesel (“i.e., a type of renewable fuel).

From August 2009 through September 2013 the two individuals are stated to have participated in a conspiracy to fraudulently generate renewable fuel credits – identified by renewable identification numbers on Keystone Fuel. Further, through January 2012 they were alleged to have fraudulently claimed tax refunds based on the Biodiesel Mixture Tax Credit – a federal excise tax credit for persons or businesses who mix biodiesel with petroleum and use or sell the mixture as a fuel.

A copy of the news release can be downloaded [here](#).