

# Criminal Enforcement: Former Electronics Recycling Company President Sentenced for Alleged Hazardous Waste Violations



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

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The United States Attorney for the Western District of Wisconsin issued a November 19th news release stating that James Moss (“Moss”) of Ladysmith, Wisconsin, was sentenced by a U.S. District Judge to 18 months in federal prison for allegedly:

- Conspiring to store and transport hazardous waste without required Resource Conservation and Recovery Act (“RCRA”) permits and manifests
- Conspiring to evade the payment of employment and income taxes to the Internal Revenue Service

Moss is described as a former President of 5R Processors Ltd (“5R”) which was a Ladysmith, Wisconsin, corporation that recycled electronic equipment, appliances, and other assets.

Moss is described as having been responsible for managing all plant operations which included shipping, receiving, trucking, sales, de-manufacturing, warehousing, accounting, and payroll.

Moss and others are alleged to have conspired to:

1. store hazardous waste (i.e, broken and crushed CRT glass that contained lead) at unpermitted facilities in Catawba and Glen Flora in Wisconsin, and in Morristown, Tennessee;
2. transport the hazardous waste without a required manifest; and
3. conceal the above violations from state regulators in Wisconsin and Tennessee, as well as auditors with a nationwide recycling certification program (R2).

Moss is stated to have admitted at the plea hearing to have attempted to conceal illegal storage and transport of crushed leaded glass by various means, which included:

1. changing the date labels on the containers;
2. hiding the containers by putting them inside semi-trailers and locking the trailer doors;
3. moving the containers to the back of the warehouse and stacking other pallets in front of them, making it impossible for regulators to see the boxes or inspect them;
4. storing the containers at a warehouse on Artisan Drive in Glen Flora, Wisconsin (known as the “Sunshine Building”), and not disclosing the existence of this warehouse, or its contents, to state regulators or R2 auditors;

5. storing the containers at 5R's plant in Morristown, Tennessee in two warehouse spaces that did not have electricity or power, and which were referred to by 5R employees as the "dark side" and the "dark-dark side;" and
6. providing the state regulators with inaccurate inventory and shipping records for the leaded glass.

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