

Asbestos/Criminal Enforcement: U.S. Department of Justice Announces Guilty Plea by Company's Vice President for Property Management



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The United States Department of Justice (“DOJ”) issued a May 21st news release stating that Roger Osterhoudt pleaded guilty to negligently releases asbestos which violated the Clean Air Act.

Mr. Osterhoudt is stated to be of Saugerties, New York, and Vice President of Property Management for TechCity.

Mr. Osterhoudt is stated to have negligently permitted abatement workers to remove asbestos from a former IBM site in Kingston, New York (now known as TechCity). He was alleged to have known that the facility contained over 400,000 square feet of regulated asbestos-containing material. In addition, he is stated to have known that 6,000 linear feet of RACM pipe wrap was present.

An asbestos abatement contractor and a project monitoring company are stated to have been hired by Mr. Osterhoudt to remove all the asbestos from the facility prior to its renovation and/or demolition. He is stated to have been made aware that the hired abatement and project monitoring companies were violating asbestos regulations related to the materials safe containment, handling, and disposal of asbestos wastes.

New York State is stated to have issued notices of violation (“NOVs”) addressing the alleged infractions.

The news release states:

Nonetheless, Osterhoudt not only permitted the work to continue, but further pressured asbestos abatement supervisors and workers to expedite the removal of asbestos at the site to meet contract deadlines. At times, A2ES’s owner, Stephanie Laskin, and other A2ES supervisors, including Gunay Yakup (both of whom have previously entered guilty pleas), instructed workers to remove RACM dry—leading to visible emissions of asbestos—and directed work to proceed in areas that were not properly sealed off with “critical barriers” intended to prevent the escape of asbestos contamination into the surrounding community and environment.

Mr. Osterhoudt is stated to have admitted being aware of the NOVs and allowing such activities to continue resulted in the negligent release of asbestos contamination.

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