



The United States Attorney's Office

Eastern District of Kentucky

PRESS RELEASE

February 26, 2008

London, Ky. — David L. Bowling, Sr. 62, of Johnson County, Kentucky, the owner and operator of Dave's Concrete, Inc., was sentenced today to 366 days of imprisonment and assessed a \$260,000 dollar fine by United States District Judge Gregory F. Van Tatenhove for the illegal discharge of pollutant into United States Waters. His company was sentenced to five years probation and ordered to pay a \$130,000 dollar fine.

In November 2007, Bowling, individually and on behalf of his company, pleaded guilty to violating the Federal Clean Water act. He illegally discharging the pollutant septic waste into the water of the United States from December of 2005 to December 18th 2006.

In the course of his guilt plea Bowling admitted that without a permit he knowingly used a tanker truck to dump septic waste into the Burnt Cabin Branch Creek, which feeds into the Levisa Fork of the Big Sandy River, in Johnson County, Kentucky James A. Zerhusen, Acting United States Attorney for the Eastern District of Kentucky, and Rick Langois, Special Agent in Charge, Criminal Investigation Division, Environmental Protection Agency, jointly made the announcement today after Bowling and the company were sentenced.

"Mr. Bowling discharged raw sewage directly into a local river in violation of federal environmental laws," said Langois. "Those who cut corners by handling wastes improperly put the public at risk. Today's sentence sends a message that we won't tolerate this type of conduct."

Under federal law, Bowling must served 85 percent of his prison sentence. Bowling will be on supervised release for a term of 1 year.

The investigation was conducted by the Kentucky Environmental Protection Cabinet, and the federal Environmental Protection Agency. The United States was represented in the case by Assistant United States Attorney Robert M. Duncan, Jr..