



Department of Justice

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Eastern District of Texas

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KIRBYVILLE MAN GUILTY OF DISPOSING HAZARDOUS WASTE WITHOUT A PERMIT

(BEAUMONT TX) United States Attorney Rebecca A. Gregory announced today that a 34-year-old Kirbyville man has pleaded guilty to environmental crimes in the Eastern District of Texas.

KEVIN WAYNE HESTER admitted to disposing of hazardous waste without a permit yesterday before United States Magistrate Judge Keith Giblin. The offense is a violation of the Resource Conservation and Recovery Act (RCRA), which criminalizes the storage, transportation or disposal of hazardous wastes without a permit.

According to information presented in court, Kevin Hester was president of Simply Aquatics, Inc. In January 2007, investigators with the Environmental Protection Agency (EPA) and the Texas Commission on Environmental Quality (TCEQ) executed a search warrant on Kevin Hester's residential and ranching property located on County Road 3065 in Kirbyville and discovered that Kevin and his father, Lyle Hester, had buried 113 compressed gas cylinders on the property. It was determined during the investigation that 33 of the compressed gas cylinders were under high pressure and contained a combined total of 952 pounds of chlorine gas. Lyle and Kevin Hester were indicted by a federal grand jury on May 7, 2008. Lyle Hester, shop foreman for Simply Aquatics, pleaded guilty to the same charges last week.

Kevin Hester faces up to 5 years in federal prison and a fine of up to \$250,000. A sentencing date has not been set.

This case is being investigated by the EPA Region 6, Criminal Investigation Division and the TCEQ Special Investigations, Litigation Division and is being prosecuted by Assistant United States Attorney Jim Noble.

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