

**UNITED STATES ATTORNEY'S OFFICE  
District of Oregon**



**PRESS ROOM**

02/19/2009

**Former Port Director Gearin Pleads Guilty to Clean Water Act  
Violation**

*Port of Astoria Agrees to Civil Resolution*

Portland, Ore. – U.S. Attorney Karin J. Immergut announced today the Office of the U. S. Attorney, District of Oregon, has filed an information charging Peter Gearin with one count of violating the Clean Water Act. Gearin, the former Executive Director of the Port of Astoria entered a guilty plea to the charge this morning before U.S. District Judge Ancer L. Haggerty. Gearin was terminated by the Port following the violation and a subsequent investigation. Judge Haggerty scheduled the sentencing hearing on May 8, 2009 at 9:30 a.m. The maximum penalty for the violation is three years in prison and a fine in the amount of \$50,000.00 for each day of the violation.

The U.S. Attorney's Office also filed a civil complaint against the Port of Astoria for the same conduct and announced that the Port had agreed to settlement terms pending approval by the Department of Justice.

As part of the settlement, the Port is expected to pay a total monetary penalty of \$125,000, along with a commitment to retain an environmental compliance officer to ensure future compliance with environmental regulations.

The case arose out of an investigation of the Port's dredging activity and compliance with an Army Corps of Engineers Permit in 2005. The dredging of slips began in early March 2005 and needed to be done to accommodate the cruise ship business that summer. The dredged material and water was pumped into upland containment ponds, where it was supposed to be allowed to settle and then tested for contaminants. Only after those steps were complete should the water have been allowed to flow back into the Columbia River.

Instead, Gearin allowed the dredged water to rush through the containment ponds back into the Columbia River. Gearin knew that it was the Port's responsibility, according to the permit, to have the return water sampled before allowing it to discharge. The untested water entered Youngs Bay, although subsequent testing of the return water did not reveal violations of the applicable water quality standards.

United States Attorney Karin J. Immergut said, "Oregonians expect public officials and public entities to follow the same rules as everybody else. Protection of our environment is critical to this state, and to our nation, and this office will aggressively guard one of

Oregon's most important assets.”

“Persons in positions of public trust must be held to the highest standards and must face the serious consequences of criminal conviction when they violate that trust.” said Mark Measer, Special Agent in Charge for the Seattle Office of the Environmental Protection Agency-Criminal Investigation Division.

This case is being investigated by the Army Corps of Engineers and the Environmental Protection Agency – Criminal Investigation Division and handled by Assistant U.S. Attorney Neil J. Evans.