



*United States Attorney  
Southern District of New York*

FOR IMMEDIATE RELEASE  
NOVEMBER 15, 2005

CONTACT: U.S. ATTORNEY'S OFFICE  
HERBERT HADAD, MEGAN GAFFNEY  
HEATHER TASKER, BRIDGET KELLY  
PUBLIC INFORMATION OFFICE  
(914) 993-1916, (212) 637-2600

**NYC DEPARTMENT OF ENVIRONMENTAL PROTECTION EMPLOYEE SENTENCED  
TO 6 MONTHS OF HOME CONFINEMENT AND 2 YEARS OF PROBATION  
FOR FALSE STATEMENTS RELATING TO DRINKING WATER MONITORING**

MICHAEL J. GARCIA, the United States Attorney for the Southern District of New York, announced that DIETER GREENFELD, 64, of the Bronx, a former employee of the New York City Department of Environmental Protection ("DEP"), was sentenced today in White Plains before United States District Judge STEPHEN C. ROBINSON to a two-year term of probation, including six months of home confinement, for making false entries in DEP records relating to monitoring of drinking water while he was a DEP employee.

GREENFELD pleaded guilty on August 4, 2005, to a felony charge of making false entries in a DEP log book relating to monitoring of drinking water for turbidity, which is a measure of cloudiness. In pleading guilty, GREENFELD admitted that on March 7, 2005, without testing a water sample for turbidity, he entered false readings in a DEP log book. GREENFELD also admitted that on multiple other occasions, he did not complete turbidity tests and entered false readings in the log book. In addition, GREENFELD admitted that when questioned by federal agents he denied that such conduct had occurred on occasions other than March 7, 2005.

In imposing sentence, Judge ROBINSON expressed the hope that anyone who looks at the sentence would see that the court "takes the offense seriously." Judge ROBINSON termed the penalty "a just punishment that provides adequate deterrence." He also noted that one serious factor in his determination of the sentence was the defendant's reported medical condition.

The federal criminal charge to which GREENFELD pleaded guilty was contained in an Indictment filed in May, 2005. According to the Indictment, the United States Environmental Protection Agency ("EPA") required DEP to monitor water for turbidity at a number of locations, including a DEP water supply facility known as the Catskill Lower Effluent Chamber. Also according to the Indictment, EPA personnel periodically reviewed a log book maintained by DEP at the Catskill Lower Effluent Chamber ("the log book") which purported to reflect the results of DEP's

turbidity monitoring at that facility, information relating to the calibration of certain turbidity monitoring equipment located there, and the initials of the DEP employee who performed the monitoring and the calibration. According to the Indictment, the log book purported to set forth both the results of turbidity monitoring performed by an instrument that took continuous turbidity readings and the results of the analysis of "grab samples," that is, samples taken by holding a container in a stream of running water. The Indictment alleged that DEP submitted periodic reports to EPA that purported to reflect the results of its turbidity monitoring in the Catskill Lower Effluent Chamber ("the turbidity reports"). The Indictment alleged that EPA utilized data provided by DEP about turbidity monitoring to ascertain whether DEP was in compliance with applicable regulations, and that failure to comply with those regulations could have triggered a requirement to filter water flowing to New York City through the Catskill and Delaware aqueducts.

The Indictment alleged that GREENFELD was responsible for performing turbidity monitoring at certain times in the Catskill Lower Effluent Chamber and for recording the results of that monitoring in the log book. The Indictment charged that on four occasions during February and March, 2005, the last of which was March 7, 2005, GREENFELD entered the Catskill Lower Effluent Chamber and made entries in the turbidity log book that falsely purported to reflect that he had calibrated turbidity monitoring equipment and taken and analyzed grab samples of water flowing through the facility when, in fact, he had not.

According to the Indictment, EPA has found that although turbidity itself has no health effects, turbidity can be harmful in other ways, including by interfering with disinfection and providing a medium for microbial growth. In addition, according to the Indictment, EPA has found that turbidity can indicate the presence of disease-causing organisms, including bacteria, viruses, and parasites, and that increased turbidity levels can contribute to the development of certain potentially harmful disinfection byproducts.

DEP has been serving a term of probation since August 2001 as a result of its conviction for federal environmental crimes. GREENFELD's criminal conduct was the basis for a finding of a violation of probation by DEP itself in July 2005.

Mr. GARCIA praised the efforts of the United States Environmental Protection Agency's Criminal Investigation Division, the Federal Bureau of Investigation, and the New York City Department of Investigation in connection with this investigation. Mr. GARCIA said that the investigation is continuing.

Assistant United States Attorney ANNE C. RYAN is in charge of the prosecution.