

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
 DIVISION OF LAW ENFORCEMENT OFFENSE INCIDENT REPORT

Juvenile Original
 Supplement

EVENT DATA	Agency ORI Number FL0114000	Date of Report 10/25/06	Bureau/District BEI SOUTH	Agency Report Number 2006-0708		
	Time Dispatched N/A	Time Arrived N/A	Specific Location Longitude	Latitude Other Agency Report Number		
	-Location ELKHAM ROAD AND JOY CIRCLE, MARCO ISLAND, FL					
	Offense #1 03 MISDEMEANOR	Type 03 MISDEMEANOR	Description LITTERING - ASBESTOS	Attempted/Commit. C = COMMITTED	Statute Viol. No. 403.413	FCIC Code
	Offense #2	Type	Description	Attempted/Commit.	Statute Viol. No.	FCIC Code
Location Type 13 PARK/WOODS/FIELD		Other Location Type (if Other Selected)		Weapon Type N/A	Other Weapon Type (if other selec.)	
Number of Offenses 1		Number of Victims 1		Number of Offenders UNK		
				No. of Premises Entered 0		
				Number of Veh/Vess Stolen 0		
VICT./WIT.	Offense Indic. 01 #1	V/W Code C REPORTING PERSON	V/W # W1	Victim Type 02 LE OFFICER	Name (Last, First, MI or Business) GUERRO, LINDA (DETECTIVE)	
	Address (Street, Apt. Number, City, State, Zip Code) 1280 SAN MARCO ROAD, MARCO ISLAND, FL 34145				Residence Phone	Business Phone (239) 389-5050
	Residence Type 01 CITY	Residence Status 01 FULL YEAR	Race N/A	Sex N/A	DOB/Age	Victim Relationship to Offender N/A
	Extent of Injury N/A	Injury Type (1) N/A		Injury Type (2) N/A		Injury Type (3) N/A
	Offense Indicator	V/W Code	V/W #	Victim Type	Name (Last, First, MI or Business)	
Address (Street, Apt. Number, City, State, Zip Code)				Residence Phone	Business Phone	
Residence Type	Residence Status	Race	Sex	DOB/Age	Victim Relationship to Offender	
Extent of Injury		Injury Type (1)		Injury Type (2)	Injury Type (3)	
Offense Indicator	V/W Code	V/W #	Victim Type	Name (Last, First, MI or Business)		
Address (Street, Apt. Number, City, State, Zip Code)				Residence Phone	Business Phone	
Residence Type	Residence Status	Race	Sex	DOB/Age	Victim Relationship to Offender	
Extent of Injury		Injury Type (1)		Injury Type (2)	Injury Type (3)	
Offense Indicator 1 01 #1	Suspect Code S SUSPECT	Citation #(s)	OBTS #	FCIC/NCIC	Juvenile <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Adjud Adult	
Name (Last, First, MI or Business) UNKNOWN		Maiden Name (Last, First, MI)		Nickname/Alias		
Last Known Address (Street, Apt. Number, City, State, Zip Code)					Residence Phone	
Occupation		Employer/School & Address			Business/School Phone	
Social Security #	Driver's License State/Number	Immigration/Naturalization Number		Other Identification		
Place of Birth	DOB	Race	Sex	Height	Weight	
				Eye Color	Hair Color	
Hair Style	Facial Hair	Complexion	Build	Teeth	Speech/Voice	
Special Identifiers						
Tattoos/Scars/Marks (Location/Description)			Clothing (Describe)			
Comments						

NARRATIVE:

On 10/25/06, Detective Guerro reports that Marco Island city maintenance workers located broken pieces of asbestos pipe on the lot at Elkhart Road and Joy Circle, Marco Island, FL. This site was the staging location for asbestos pipe that had been removed from a bridge that was under construction. The site where the broken pieces of pipe were located had been cleaned and inspected and was deemed safe in April of 2006. An unknown resident called into to the City of Marco Island that asbestos pieces had been located on the cleaned site. Marco Island Police Department is handling the lead on an investigation into whether the pieces of asbestos had intentionally been dumped on the cleaned site. Detective Guerro has requested D.E.P. Law Enforcement's assistance with technical information.

This case will be coordinated with Marco Island P.D. for further investigation.

ADMINISTRATIVE:				
Report Contains				
Officer(s) Reporting		Officer's Signature / Date		
S/A D. Harris N37		<i>S/A D. Harris N37</i>		
Reviewed By		Reviewer's Signature / Date		
<i>G. T. Colman n73</i>		<i>G. T. Colman n73</i>		
Citation Number(s)		Number Arrested	OBTS Number	
Case Status	Clearance Type (Arrest/Exc/Unf)	Adult <input type="checkbox"/> Juvenile <input type="checkbox"/>	Date Cleared	Arrest/Booking Number(s)
Exception Type				

NARRATIVE:

The following narrative is an accurate description of the facts determined to be pertinent to this case as a result of my investigation.

November 2, 2007

On today's date, I, Special Agent David Harris, Department of Environmental Protection (FDEP), Law Enforcement Division, made contact with Detective Guerro from the Marco Island Police Department in reference to this asbestos case. Detective Guerro informed me they have closed their criminal investigation into this case as unfounded. She further advised that our assistance in this case is no longer needed. This case may be closed as referred to regulatory.

This investigation may be closed as Unfounded for criminal violations and referred to regulatory for follow-up on asbestos cleanup.

ADMINISTRATIVE:

Report Contains

Officer(s) Reporting		S/A D. HARRIS N37		Officer's Signature / Date		S/D. Vay N37	
Reviewed By		L. T. Colson n73		Reviewer's Signature / Date		L. T. Colson n73	
Citation Number(s)			Number Arrested		OBTS Number		
Case Status	Clearance Type (Arrest/Exc/Unf)	Adult Juvenile	<input type="checkbox"/>	Date Cleared	Arrest/Booking Number(s)		
Exception Type							

NARRATIVE:

Case Summary

In speaking with Sherrill Culver, DEP, Regulatory, South District, Air Section, at the time the initial report was taken I had asked him if DEP was involved in the cleanup at the site at Elkhart Rd and Joy Circle on Marco Island. Culver stated he had responded to the site to inspect for contamination but he did not have PPE equipment so he could not walk the grounds.

Since my initial report and contact with Detective Guerro of Marco Island P.D. she has not called or requested assistance from DEP law enforcement.

On February 1, 2007, I called Detective Guerro to see if she needed any assistance from DEP/Law Enforcement and she stated she did not.

On March 5, 2007, I was contacted by Detective Dave White of the Collier County Sheriff's Office reference to our involvement in the investigation. Detective White is from the Economic Crimes Unit and is following up on a complaint about Marco Island City personnel not handling this case properly. I then explained to him that Det. Guerro had not requested any assistance from DEP/Law Enforcement as of this time. I further explained to him that I was aware DEP/Regulatory had responded out to the site and I referred him Jon Iglehart, DEP, South District, Director, for further information about regulatory action. Iglehart later told me that he had spoken with Det. White and had told him that Sherill Culver had responded out to the site and had conducted a limited site inspection. Iglehart further explained that the responsibility for the site clean up and inspection lies with American Contractor's Resources Group (AMRC) the company that actually conducted the clean up. There has been no further contact reference to this case since that time.

ADMINISTRATIVE:

Report Contains					
Officer(s) Reporting <i>S/A J. Harris</i>		Officer's Signature / Date <i>S/A J. Harris 2/3/07</i>			
Reviewed By <i>L. T. Colman 2/3/07</i>		Reviewer's Signature / Date <i>LT Colman 2/3/07</i>			
Citation Number(s)		Number Arrested		OBTS Number	
Case Status	Clearance Type (Arrest/Exc/Unf)	Adult <input type="checkbox"/>	Juvenile <input type="checkbox"/>	Date Cleared	Arrest/Booking Number(s)
Exception Type					

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
 DIVISION OF LAW ENFORCEMENT OFFENSE/INCIDENT REPORT

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EVENT DATA	Agency ORI Number FL0114000	Date of Report 11/2/06	Bureau/District BEI SOUTH	Agency Report Number 2006-0708				
	Time Dispatched N/A	Time Arrived N/A	Specific Location Longitude	Latitude				
	Other Agency Report Number							
	-Location ELKHAM ROAD AND JOY CIRCLE, MARCO ISLAND, FL							
Offense #1	Type 03 MISDEMEANOR	Description LITTERING - ASBESTOS	Attempted/Commit. C = COMMITTED	Statute Viol. No. 403.413	FCIC Code			
	Offense #2	Type	Description	Attempted/Commit.	Statute Viol. No. FCIC Code			
Location Type 13 PARK/WOODS/FIELD		Other Location Type (if Other Selected)		Weapon Type N/A	Other Weapon Type (if other selec.)			
Number of Offenses 1		Number of Victims 1		Number of Offenders UNK				
No. of Premises Entered 0		Number of Veh/Vess Stolen 0						
VICT.#1	Offense Indic. 01 #1	V/W Code C REPORTING PERSON	V/W # W1	Victim Type 02 LE OFFICER	Name (Last, First, MI or Business) GUERRO, LINDA (DETECTIVE)			
	Address (Street, Apt. Number, City, State, Zip Code) 1280 SAN MARCO ROAD, MARCO ISLAND, FL 34145				Residence Phone (239) 389-5050	Business Phone		
	Residence Type 01 CITY	Residence Status 01 FULL YEAR	Race N/A	Sex N/A	DOB/Age	Victim Relationship to Offender N/A		
	Extent of Injury N/A	Injury Type (1) N/A		Injury Type (2) N/A		Injury Type (3) N/A		
VICT.#2	Offense Indicator 01 #1	V/W Code W WITNESS	V/W # W2	Victim Type 03 ADULT	Name (Last, First, MI or Business) CULVER, SHERRILL			
	Address (Street, Apt. Number, City, State, Zip Code) 2295 VICTORIA AVE., FT. MYERS, FL. 33901				Residence Phone	Business Phone (239) 332-6975		
	Residence Type 03 FLORIDA	Residence Status 01 FULL YEAR	Race B BLACK	Sex M MALE	DOB/Age	Victim Relationship to Offender N/A		
	Extent of Injury N/A	Injury Type (1) N/A		Injury Type (2) N/A		Injury Type (3) N/A		
VICT.#3	Offense Indicator	V/W Code	V/W #	Victim Type	Name (Last, First, MI or Business)			
	Address (Street, Apt. Number, City, State, Zip Code)					Residence Phone	Business Phone	
	Residence Type	Residence Status	Race	Sex	DOB/Age	Victim Relationship to Offender		
	Extent of Injury	Injury Type (1)		Injury Type (2)		Injury Type (3)		
SUSPECT INFORMATION	Offense Indicator 1 01 #1	Suspect Code S SUSPECT	Citation #(s)	OBTS #	FCIC/NCIC	Juvenile <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Adult		
	Name (Last, First, MI or Business) UNKNOWN		Maiden Name (Last, First, MI)		Nickname/Alias			
	Last Known Address (Street, Apt. Number, City, State, Zip Code)					Residence Phone		
	Occupation		Employer/School & Address			Business/School Phone		
	Social Security #		Driver's License State/Number		Immigration/Naturalization Number		Other Identification	
	Place of Birth	DOB	Race	Sex	Height	Weight	Eye Color	Hair Color
	Hair Style		Facial Hair	Complexion	Build	Teeth	Speech/Voice	
	Special Identifiers							
	Tattoos/Scars/Marks (Location/Description)				Clothing (Describe)			
	Comments							

OFFENSE/INCIDENT REPORT NARRATIVEREPORT # 2006-0708ORIGINAL
SUPPLEMENTAL**NARRATIVE:**

On 10/25/06, Detective Guerro reports that Marco Island city maintenance workers located broken pieces of asbestos pipe on the lot at Elkham Road and Joy Circle, Marco Island, Fl. This site was the staging location for asbestos pipe that had been removed from a bridge that was under construction. The site where the broken pieces of pipe were located had been cleaned and inspected and was deemed safe in April of 2006. An unknown resident called into to the City of Marco Island that asbestos pieces had been located on the cleaned site. Marco Island Police Department is handling the lead on an investigation into whether the pieces of asbestos had intentionally been dumped on the cleaned site. Detective Guerro has requested D.E.P. Law Enforcement's assistance with technical information.

On today's date, I. Special Agent David Harris, Department of Environmental Protection (FDEP), Law Enforcement Division, made contact with Detective Guerro from the Marco Island Police Department in reference to this asbestos case. Detective Guerro informed me they have closed their criminal investigation into this case as unfounded. She further advised that our assistance in this case is no longer needed. This case may be closed as referred to regulatory.

This investigation may be closed as Unfounded for criminal violations and referred to regulatory for follow-up on asbestos cleanup.

CASE CLOSED

ADMINISTRATIVE:				
Report Contains				
Officer(s) Reporting	S/A D. Harris N37	Officer's Signature / Date	<i>S/A D. Harris N37</i>	
Reviewed By	Lt. T. Gorman M73	Reviewer's Signature / Date		
Citation Number(s)	Number Arrested	OBTS Number		
Case Status Closed	Clearance Type (Arrest/Exc/Unf)	Adult <input type="checkbox"/> Juvenile <input type="checkbox"/>	Date Cleared	Arrest/Booking Number(s)
Exception Type				

Sheriff



SHERIFF DON HUNTER • COLLEGE BLVD

May 18, 2007

Roger Reinke, Chief
Marco Island Police Department
1280 San Marco Road
Marco Island, Florida 34145

Dear Chief Reinke:

Our agency received a request from citizens of Marco Island to conduct an investigation concerning the existence of asbestos material on a parcel of property owned by the City of Marco Island. I am of the understanding that the Marco Island Police Department has an active investigation concerning this matter. Further that the Florida Department of Environmental Protection, along with the Federal Environmental Protection Agency is supervising cleanup of the site and that any criminal wrongdoing noted by inspectors will be forwarded to the appropriate entity for investigation.

Based on this information and pending review of final outcomes, I have directed that my agency will not supersede the active investigation of the Marco Island Police Department.

The Collier County Sheriff's Office remains available to assist in this investigation at your request.

Sincerely,

A handwritten signature in black ink, appearing to read "Don Hunter", written over a circular stamp or seal.

Don Hunter, Sheriff

DH:393/mc
CC: File

Sheriff



SHERIFF DON HUNTER • COLLIER COUNTY

3301 Tamiami Trail East, Bldg - J, Naples, FL 34112-4902
(239) 774-4434 www.colliersheriff.org

May 15, 2007

Mr. Butch Neylon
141 Wyben Road
Westfield, MA 01085

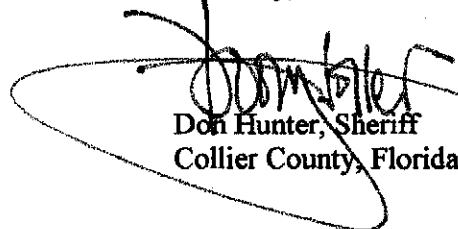
Dear Mr. Neylon:

In your letter of March 9, 2007, you asked that the Collier County Sheriff's Office (CCSO) initiate an investigation into "who or what organization placed asbestos on the plot". The United States Environmental Protection Agency (EPA) is involved with the asbestos issue on Marco Island including both Sites "A" and "C".

Investigators with the CCSO Economic Crimes Unit have been in contact with the EPA and have been assured that if any criminal violations are discovered, the case will be forwarded to the EPA's Criminal Investigations Division. The CCSO has offered any and all assistance to the EPA.

If you have any questions or concerns please contact Sgt. D.A. White at 2685 Horseshoe Drive South, Suite 21s/213 Naples, Florida 34104 or dwhite2@sao.cjis20.org.

Sincerely,



Don Hunter, Sheriff
Collier County, Florida

DH:DW
CC: File

"The duty of the Collier County Sheriff's Office is to preserve and protect the lives, property and constitutional guarantees of all persons."

