



December 17, 2018

A.G. Underwood And DOI Commissioner Garnett Announce Arrest Of DEP Inspector Who Accepted Bribes From Asbestos Abatement Contractor

Defendant Allegedly Accepted Cash Bribes in Exchange for Benefits to Contractor, Jeopardizing New Yorkers' Health and Safety

NEW YORK – New York Attorney General Barbara D. Underwood and New York City Department of Investigation (DOI) Commissioner Margaret Garnett today announced the arrest of Samuel Nebedum, 66, an Inspector with the New York City Department of Environmental Protection (DEP), on charges of Bribe Receiving in the Second Degree, a Class C felony, and Official Misconduct, an A misdemeanor. If convicted of the class C felony, the defendant faces up to fifteen years in state prison.

Nebedum allegedly engaged in a long-term bribery relationship with an asbestos abatement contractor, wherein he accepted cash bribes, meals, and fish in exchange for providing various benefits to the contractor, including intentionally overlooking violations at the contractor's worksites and the referral of additional abatement business. The joint Attorney General and DOI investigation revealed that this arrangement has allegedly gone on for over ten years and put the health and safety of workers and New York City residents at risk.

"As we allege, the defendant abused his position by shamelessly accepting bribes – not only violating the public trust, but also jeopardizing New Yorkers' health and safety," said **Attorney General Underwood**. "New Yorkers rely on public servants to do their jobs and keep us safe, and my office has not hesitated to take on those who breach this most fundamental duty."

DOI Commissioner Garnett said, "For nearly 10 years this City Inspector allegedly cashed in his integrity, disregarding serious safety concerns in exchange for thousands of dollars in bribes, expensive fresh-caught fish, and free meals. This defendant had a duty to protect workers and the public; instead, according to the charges, he put their

health at risk, failing to stop the dangerous and improper removal of asbestos. DOI and its partners, including the New York State Attorney General and the DEP, have sought to protect workers and New Yorkers across the City from hazardous and illegal asbestos abatement and removal and will continue to pursue public employees whose violation of the law endangers the community.”

According to the felony complaint filed today in Queens County Supreme Court, Nebedum has been an Inspector with the DEP since May 29, 1990, and during the course of his employment allegedly accepted over \$10,000.00 in bribes from a contractor during that time. The complaint alleges that in exchange for these bribes, Nebedum used his position as an Inspector to give advance notice prior to official DEP inspections taking place at this contractor’s jobsites, ignored asbestos removal violations at this contractor’s jobsites, and referred additional business to the contractor, which stemmed from his official jobsite visits, all in violation of DEP policy.

The DEP is the primary City agency responsible for the regulation of the asbestos abatement industry. Proper abatement procedures involve requiring all workers at a jobsite to wear Personal Protective Equipment, which includes a protective mask and hazmat suit; wetting down all asbestos containing material (“ACM”) when removed, so as to prevent asbestos from becoming airborne; the setting up of a proper decontamination unit with proper air-monitoring equipment, to ensure the work area does not have air containing ACM escaping; and the dumping of materials containing ACM at designated disposal facilities. As set forth in the felony complaint, the Attorney General and DOI allege that Nebedum ignored these regulations during the course of this bribery scheme, putting the health of many workers and City residents at risk for inhaling and ingesting asbestos. Asbestos is a naturally occurring mineral that is hazardous to human health and is known to cause a type of cancer known as mesothelioma.

Nebedum was arraigned today in Queens Criminal Court before the Honorable Judge Jerry Iannece and released on his own recognizance. The case was adjourned to January 11, 2019.

The charges are merely accusations and the defendant is presumed innocent unless and until proven guilty in a court of law.

Attorney General Underwood and DOI Commissioner Garnett would like to thank the New York City Department of Environmental Protection for their assistance during this investigation. Attorney General Underwood and DOI Commissioner Garnett also would also like to thank the New York State Department of Environmental Conservation’s (DEC) Bureau of Environmental Crimes Investigation for their support.

The criminal case is being prosecuted by Assistant Attorneys General Megan Friedland and Russell Satin, and Special Counsel Brian P. Weinberg, all of the Attorney General’s Public Integrity Bureau, under the supervision of Deputy Bureau Chief Stacy Aronowitz.

The Attorney General's investigation was handled by Investigators Anna Ospanova, Brian Metz, and Melissa Kaplan under the supervision of Supervising Inspector Sylvia Rivera and Deputy Chief John MacManus. Audit work was provided by former Forensic Auditor Alex Ozechowski. The forensic audit section is led by Chief Auditor Edward J. Keegan and Deputy Chief Sandy Bizzarro. Additional investigative support was provided by Legal Support Analyst Katharine Litka.

The investigation was conducted for DOI by Confidential Investigators Alaina Infantino and Devin Riley, Deputy Inspector General Michael Antolini, and Inspector General Gregory Cho. The case was supervised by Associate Commissioner Jay Flaherty.