



# Department of Justice

United States Attorney James R. Dedrick  
Eastern District of Tennessee

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CONTACT: SHARRY DEDMAN-BEARD  
PHONE: 865-545-4167  
FAX: 865-545-4176

## **ARCHER DANIELS MIDLAND PLEADS GUILTY TO CLEAN WATER ACT MISDEMEANORS**

### ***ADM Pays \$100,000 Fine and Funds Community Service Projects***

CHATTANOOGA, TENNESSEE—Agricultural products giant Archer Daniels Midland Company entered guilty pleas in U.S. District Court on Wednesday, March 5, 2008, to charges that it negligently violated the Clean Water Act at its Southern Cellulose facility in Chattanooga, Tennessee, by discharging contaminated process water to Chattanooga Creek. The Information filed by the United States Attorney for the Eastern District of Tennessee charged ADM with allowing contaminated process water to enter Chattanooga Creek, a tributary of the Tennessee River on four separate occasions from October 16, 2003, to September 25, 2005.

Under the terms of the Plea Agreement, ADM paid a \$100,000 fine; additionally, ADM paid \$50,000 to the Tennessee Department of Environment and Conservation (TDEC), \$25,000 to the City of Chattanooga, and \$25,000 to an environmental training fund. The funding will be used by TDEC to equip and train forensic sampling teams in TDEC's Environmental Field Offices in Jackson, Nashville, and Knoxville. The environmental training fund will be used by the Southern Environmental Enforcement Network, an alliance of regulatory and law enforcement agencies, to provide environmental enforcement training to local, state, and federal environmental regulators and law enforcement personnel.

James R. Dedrick, United States Attorney for the Eastern District of Tennessee stated, "These violations were the result of negligent conduct by ADM personnel occurring over the span of several years. The investigation and prosecution were pursued to address serious and avoidable violations of federal environmental law. The plea agreement will assist the environmental regulatory and law enforcement authorities in their mission to keep Tennessee waterways clean through a significant, punitive fine coupled with environmentally-based community service projects located here in Tennessee."

"Archer Daniels Midland's lax compliance effort and sloppy operations were inexcusable, given the size and sophistication of this company," said Ricky Langlois, Special Agent in Charge of EPA Criminal Investigation Division's Atlanta Area Office. "This prosecution and conviction demonstrates the EPA's commitment to prosecuting companies that put the environment at risk through their negligent acts."

Since the violations occurred, Archer Daniels Midland Company has made changes to plant management and spent more than \$350,000 to upgrade the Southern Cellulose Plant in Chattanooga to avoid future violations of this nature.

The investigation of the offenses was conducted by the East Tennessee Environmental Crimes Task Force, which includes personnel from the U.S. Environmental Protection Agency (EPA) - Criminal Investigation Division, EPA - Office of Inspector General, Tennessee Valley Authority Office of Inspector General, U.S. Fish and Wildlife Service, TDEC, Tennessee Attorney General's Office, U.S. Department of Justice - Environmental Crimes Section, and the U.S. Attorney's Office for the Eastern District of Tennessee.

Members of the public can report suspected environmental violations to the Environmental Protection Agency at <http://www.epa.gov/tips/> or to the East Tennessee Environmental Crimes Task Force at (865) 693-4724.