



Department of Justice

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Oregon Corporation Sentenced for Clean Water Act Violation

WASHINGTON— California Shellfish Company Inc., doing business as Point Adams Packing Co. (PAPCO), was sentenced today by U.S. District Court Judge Garr M. King in Portland, Ore., to pay \$75,000 for a felony violation of the Clean Water Act for unpermitted discharges of wastewater into the Columbia River, the Justice Department announced.

As part of the criminal fine, \$26,250 will be placed in the congressionally-established National Fish and Wildlife Fund in order to fund various environmental projects in the state through the Oregon Governor's Fund for the Environment. Projects funded by these grants serve to reduce pollution and otherwise cleanup Oregon rivers, streams, and coastal areas and restore and preserve fish, wildlife, and plant resources critical to those rivers, streams and coastal areas.

PAPCO pleaded guilty on March 27, 2008 and admitted to violating the Clean Water Act, which makes it a crime to knowingly discharge pollutants in violation of a National Pollution Discharge Elimination System (NPDES) permit by discharging unpermitted chicken processing wastewater from its Hammond, Ore., facility. The former manager of the facility, Thomas Libby, was previously sentenced for a misdemeanor violation of the Clean Water Act. Modesto Tallow Co., doing business as California Spray Dry (CSD), which operated PAPCO's plant, has also pleaded guilty and been sentenced for a felony Clean Water Act violation.

According to documents filed with the court, PAPCO had obtained a NPDES permit to discharge fish processing wastewater from its facility and in June 2003 leased a portion of its facility to CSD. CSD intended to process chicken carcasses at the PAPCO facility for the production of various by-products including flavoring for pet foods. Neither CSD nor PAPCO obtained a modification to the NPDES permit to allow the discharge of chicken processing wastewater into the Columbia River. As a result there were unpermitted discharges beginning in December 2003 and lasting until approximately June 2004. The Environmental Protection Agency (EPA) was prompted to investigate the matter as a result of complaints from several neighbors about odors from the discharges.

"PAPCO knowingly discharged pollutants into the Columbia River without regard for the law or the environment," said John C. Cruden, Acting Assistant Attorney General for the Justice Department's Environment and Natural Resources Division. "This case underscores the Justice Department's commitment to enforce the nation's laws that protect the public and the environment from pollution."

Karin Immergut, U.S. Attorney for the District of Oregon, stated, "Corporations that don't play by the rules will be held accountable. We are pleased that the corporation, as part of its criminal penalty, will contribute to protecting the environment here in Oregon."

"The defendants' illegal discharges broke some of the most basic laws put in place to protect the Columbia River," said Acting Special Agent in Charge Tyler Amon with the EPA's Criminal Investigation Division, Seattle, WA. "The Oregon Environmental Crimes Task Force did an excellent job of investigating

and prosecuting this case, and it will continue to pursue criminal charges against those companies and individuals that pollute Oregon's waterways."

The case was investigated by the EPA's Criminal Investigation Division and prosecuted by Assistant U.S. Attorney Dwight C. Holton and Senior Trial Attorney J. Ronald Sutcliffe of the Justice Department's Environmental Crimes Section.

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