

News and Press Releases

Winnebago company pleads guilty to making a false statement under the Clean Air Act

FOR IMMEDIATE RELEASE

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MINNEAPOLIS – Earlier today in federal court, a Winnebago company pleaded guilty to and was sentenced for making false statements in violation of the Clean Air Act. The ethanol producer, which was charged on September 30, 2011, entered its plea before United States District Court Judge John R. Tunheim. For its crime, Corn Plus was sentenced to a \$450,000 fine and three years of probation. Among the conditions of probation are internal compliance monitoring systems and company-wide training requirements.

Corn Plus is an ethanol producer located in Winnebago, Minnesota. During production of its product, Corn Plus's facility produces emissions that are regulated under the Clean Air Act. Multiple baghouses are among the pollution control devices meant to remove potentially harmful particulate matter from its emissions. The baghouses are designed to remove pollutants before they are admitted into the atmosphere.

Corn Plus's Clean Air Act permit requires that it monitor the air pressure drop readings of its baghouses. The air pressure drop readings must be maintained within specified limits to ensure the baghouses are properly working. As part of its plea, Corn Plus admitted that in a report dated January 27, 2011, it failed to disclose that on multiple occasions between July 1 and December 31, 2010, its air pressure readings were outside the parameters set forth in its Clean Air Act permit. In addition, the company admitted that it made similar false statements in reports submitted in 2009 and 2010.

Following today's hearing, Randall Ashe, Special Agent in Charge of the U.S. Environmental Protection Agency's ("EPA") criminal enforcement program in Minnesota, said, "The Clean Air Act is designed to protect the air we all breathe. To assure compliance, governments need complete and accurate reports. Violators who submit false information undermine our efforts to protect the public and the environment. Today's guilty plea shows that if a business chooses to ignore these critical safeguards, it can expect to pay a substantial price."

This case was the result of an investigation by the EPA and the Minnesota Pollution Control Agency. It was prosecuted by Assistant U.S. Attorney David M. Genrich.