

**U.S. Department of Justice  
Michael W. Cotter  
United States Attorney  
District of Montana**

## **NEWS RELEASE**

**FOR IMMEDIATE RELEASE**

**Contact:  
Jessica T. Fehr  
Assistant U.S. Attorney for the District of Montana  
(406) 247- 4637**

### **ROBERT DARREN FROMDAHL PLEADS GUILTY IN U.S. FEDERAL COURT**

The United States Attorney's Office announced that during a federal court session in Great Falls, on June 14, 2011, before U.S. District Judge Sam E. Haddon, ROBERT DARREN FROMDAHL, a 46-year-old resident of Billings, pled guilty to transporting hazardous waste to an unpermitted facility and storing hazardous waste without a permit. Sentencing has been set for October 17, 2011. He is currently released on special conditions.

In an Offer of Proof filed by Assistant U.S. Attorney Kris A. McLean, the government stated it would have proved at trial the following:

On June 6, 2010, a Wolf Point area rancher reported to the Valley County Sheriff's Office that he had found approximately 45 drums of unknown substances on land he was leasing from the Fort Peck Indian Reservation tribal government. The Valley County HAZMAT team responded to the site and found 44, 55-gallon drums, some of which were marked "sulphuric acid," "caustic potash," and "caustic soda beads." The team took three samples from the pile of drums. These samples were tested and determined to have a pH of less than 2, making them highly corrosive.

Based on these results, on June 23, 2010, an Environmental Protection Agency (EPA) Emergency Response Unit was dispatched from Denver to conduct further sampling and clean up the site. At that time, the owner of the property where the drums were located was interviewed by EPA-CID agents. During this interview, the owner stated that sometime between August and October 2009, FROMDAHL had approached him and offered \$500 to store the barrels on his property. The owner described FROMDAHL bringing the barrels on a trailer towed behind FROMDAHL's pickup truck. FROMDAHL told the owner the drums contained salt water, nickel and possibly some zine, but nothing hazardous or toxic. The owner stated that shortly after FROMDAHL left the drums on his property, he received two Moneygram wire transfers from

FROMDAHL's father, totaling \$500. The owner gave written consent for EPA to enter his property, sample and remove the drums.

EPA found a total of 74 containers on the site. Analysis of sampling of these containers revealed that 28 of them contained substances with a pH of less than 2 and 4 had a pH of greater than 12—the characteristic of a corrosive hazardous waste. EPA also found a drum with a label that stated "Classic Plating, 2146 Old Hardin Road, Billings, MT 59101." Investigation determined Classic Plating was located at 2237 Main Street in Billings.

On November 16, 2010, EPA-CID executed a federal search warrant at Classic Plating. During the search, it was discovered the business had recently shut down operations and sold the plating equipment and chemicals to a company from Rapid City, South Dakota. While executing the search warrant agents interviewed FROMDAHL. During this interview, FROMDAHL provided information concerning his knowledge of the drums found on the Fort Peck Indian Reservation. FROMDAHL admitted that he originally moved the drums from Classic Plating to a family farm north of Wolf Point approximately three years prior to the interview. FROMDAHL explained that he moved the drums because he did not know what to do with them as they contained hazardous materials. FROMDAHL explained further that he and another person moved the drums from the family farm to the tribal property approximately one year prior to the interview.

During the interviews, agents learned that the business records of Classic Plating were stored at the FROMDAHL residence in Billings. Agents obtained a federal search warrant for this residence and executed it immediately. During the execution of this search warrant, agents found a receipt showing the rental of a trailer and a Bobcat loader on September 16, 2009. FROMDAHL's father confirmed that this was the receipt for the trailer and Bobcat used by FROMDAHL to move the drums from the family farm to the tribal property. FROMDAHL's father also told agents he had wired \$500 to build a shed to store the drums.

EPA-CID agents interviewed another witness on January 11, 2011. During the interview, the witness described assisting FROMDAHL move the drums from the family farm to the tribal property in great detail. The witness stated that FROMDAHL did not tell him what was in the drums. The witness described that during his efforts to move one drum, some of the substance inside splashed onto his hands and started burning him. He wiped his hands on his pants and it began burning his legs to the point that he had to remove his pants. The witness stated the burning eventually stopped, but his hands were stained yellow for days. FROMDAHL told the witness the substance was a weak acid.

A specialist with the Montana Department of Environmental Quality summarized the results of EPA's sampling and cleanup of the site: 74 various sized containers found on the tribal property contained 1,801 gallons of waste, of that 1,258 gallons were determined to be hazardous waste. As such, Classic Plating was required to obtain a permit to store or transport these materials. The specialist checked the appropriate

databases and determined that Classic Plating and FROMDAHL had not obtained the required permit to transport and/or store these materials on the Classic Plating facility, the family farm north of Wolf Point and/or the tribal property.

FROMDAHL faces possible penalties of 5 years in prison, a \$50,000 fine and 3 years supervised release.

The investigation was conducted by the Environmental Protection Agency - Criminal Investigation Division.