



The United States Attorney's Office

Western District of Virginia

NEWS RELEASE UNITED STATES ATTORNEY'S OFFICE WESTERN DISTRICT OF VIRGINIA

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LOCAL SUBSIDIARY OF INTERNATIONAL BIOTECHNOLOGY FIRM PLEADS GUILTY AND IS SENTENCED FOR POLLUTING STREAM IN SALEM, VA

United States Attorney Julia C. Dudley announced today that Novozymes Biologicals, Inc. ("Novozymes"), a local subsidiary of Denmark-based Novozymes A/S, one of the largest biotechnology firms in the world, pled guilty today in the United States District Court for the Western District of Virginia in Roanoke to a one-count felony information charging Novozymes with illegally discharging pollutants into Masons Creek, a tributary of the Roanoke River, without a permit, in violation of the Clean Water Act.

Federal District Judge Samuel G. Wilson sentenced Novozymes to three years probation, a \$275,000 fine and required the corporation to spend a minimum of \$250,000 in community service projects. The sentence was based on the terms of a plea agreement between Novozymes and the United States Attorney's Office.

"It is our duty as law enforcement officials to protect the air we breathe, the land on which we raise our families and the water we use and drink," United States Attorney Julia C. Dudley said today. "Our natural resources are precious and must be protected from exploitation and pollution. I applaud all the agencies that investigated these allegations and brought this violation to the light of day."

"There is simply no excuse for an international company like Novozymes to illegally dispose of pollutants that end up harming children and killing aquatic life," said Granta Y. Nakayama, Assistant Administrator of EPA's Office of Enforcement and Compliance Assurance, the agency's highest ranking enforcement official. "Those who put human health and the environment at risk will be prosecuted."

Novozymes, located in Salem, Virginia, manufactures, packages, stores, and distributes a wide variety of industrial microbiological products used for wastewater treatment, soil remediation, septic and drain line maintenance, and grease degradation, among other uses. Representatives of the company took responsibility today in United States District Court for dumping approximately 4,015 gallons of off-specification and outdated products through a floor drain at its Salem plant. The drain led these waste materials directly to an adjacent

water stream known as Masons Creek, one of the Roanoke River's tributary streams.

Specifically, in October 2004, Novozymes employees knowingly discarded two, 275-gallon totes of an off-specification product into a floor drain. In April 2005, employees knowingly discarded sixty-three, 55-gallon drums (roughly 3,465 gallons) of various products, including a foaming agent, into the floor drain.

As a result of discarding the foaming agent through the floor drain, foaming occurred in nearby Masons Creek. Three minor children were playing in and around the creek when the foaming occurred and came into contact with the substance. The children suffered minor skin rashes and eye irritation. In addition, according to the Virginia Department of Game and Inland Fisheries, approximately 6,670 fish were killed along the stream.

As its required community service project under the plea agreement, Novozymes has chosen to fund the construction of a walking trail along the Roanoke River. The project, which has been deemed appropriate to satisfy the terms of the plea agreement by the United States Attorney's Office, will promote public health and the environment and have a positive impact on watershed water quality by providing a buffer area which reduces storm water and other runoff into the Roanoke River.

The Clean Water Act was enacted to restore and maintain the chemical, physical, and biological integrity of the Nation's waters. The Act regulates, among other things, the direct discharge of pollutants to waters of the United States through National Pollutant Discharge Elimination System ("NPDES") permits. It prohibits the unpermitted discharge of pollutants from a point source into waters of the United States.

The case was investigated by the U.S. Environmental Protection Agency – Criminal Investigation Division (EPA), the Roanoke City Police Department, the Salem Police Department, the City of Salem Fire and EMS Department, the Virginia Department of Environmental Quality (DEQ), the Western Virginia Water Authority, the Virginia Department of Game and Inland Fisheries and the Salem Water and Sewer Department, all members of the Blue Ridge Environmental Task Force. The case was prosecuted by Assistant United States Attorney Jennie L. M. Waering and Special Assistant United States Attorney David Lastra of EPA's Regional Counsel's Office. This case demonstrates the effectiveness of the Blue Ridge Environmental Task Force which facilitates cooperative law enforcement efforts in the environmental arena.