

## Criminal Enforcement/Clean Water Act: U.S. Department of Justice Announces Guilty Plea by Biodiesel Fuel Company



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The United States Department of Justice (“DOJ”) issued a June 5th news release stating that Fuel Bio One LLC (“FBO”) pleaded guilty to an alleged Clean Water Act violation.

FBO allegedly discharged over 45,000 gallons of wastewater from its commercial biodiesel fuel production facility into the Arthur Kill waterway that separates New Jersey from Staten Island.

The FBO facility is stated to generate wastewater that includes methanol, biodiesel and other contaminants as a byproduct of its biodiesel fuel production at its Elizabeth, New Jersey, facility. Employees at FBO are alleged to have released on September 6, 2013, and November 9, 2013, a total of approximately 45,000 gallons of wastewater into a storm water pit at the facility:

... causing the pump to operate and, as a result, wastewater to be discharged into the Arthur Kill.

The plea agreement is stated to require the payment of \$100,000 and the company be placed on a probationary term of five years. The probation is also stated to include a requirement that the company:

Provide to the court biannual reports of any waste it generates and the steps taken to properly dispose of such waste.

Also required is the development of an employee training program to ensure that all storage, treatment and disposal of wastewater complies with the Clean Water Act and any other applicable laws. Access must also be provided to the EPA to all offices, warehouses and facilities.

A copy of the [news release](#) can be downloaded here.