

PUBLIC NOTICE
Archer-Daniels-Midland Company
4666 Faries Parkway
Decatur, IL

Docket No. SDWA-05-2025-0001

The U.S. Environmental Protection Agency, Region 5, is providing notice of its intent to issue an Administrative Order on Consent (AOC) to Archer-Daniels-Midland Company (ADM) under the authority of Section 1423(c)(1) of the Safe Drinking Water Act (SDWA), 42 U.S.C. §300h-2(c).

The AOC addresses only EPA's allegations contained therein that ADM failed to comply with the SDWA, 42 U.S.C. §300h-2, requirements of its Underground Injection Control (UIC) Permit No. IL-115-6A-0001 (Permit), and the UIC regulations at Title 40 of the Code of Federal Regulations Part 144 and Part 146 at its Class VI injection well facility in Decatur, Macon County, Illinois (Well). Specifically, EPA alleges in the AOC that there was movement of fluid from the Mount Simon formation injection zone – located at depths between 5,553 feet and 7,043 feet below ground surface – to the shallower Ironton-Galesville formation due to holes in the sample tubing in one of ADM's monitoring wells. This is an alleged violation because ADM constructed, operated, maintained, plugged, or conducted injection activity in a manner that allowed the movement of injection and formation fluids into an unauthorized zone. EPA also alleges that ADM failed to monitor the Well in accordance with the Permit.

The AOC requires that ADM implement compliance measures at its Well. Pursuant to the compliance plan, ADM must implement certain provisions of the Permit's Emergency and Remedial Response Plan for a monitoring well integrity failure including identifying and implementing appropriate remedial actions, submit a status report, conduct an evaluation of the extent of fluid migration, identify if any wells require corrective action due to the migrated fluid and conduct this corrective action, and submit any necessary permit applications.

A copy of the proposed AOC may be viewed online at: www.epa.gov/aboutepa/epa-region-5#events by clicking on the link on the Region 5 events calendar for the docket number identified above. Alternatively, you may request a copy of the AOC by contacting the Regional Hearing Clerk at the address listed below.

OPPORTUNITY FOR COMMENT: EPA is providing public notice of the proposed settlement pursuant to Section 1423(c)(3) of SDWA, 42 U.S.C. §300h-2(c)(3).

Any person who wishes to comment on this proposed AOC may do so pursuant to 42 U.S.C. § 300h-2(c)(3).

EPA requests that all written comments be sent via email to the Regional Hearing Clerk at r5hearingclerk@epa.gov.

If you are unable to submit written comments by email, please contact the Regional Hearing Clerk at (312) 886-9868.

Your comments should include the case name and docket number listed above, and your full name and complete mailing address or email. Failure to do so may jeopardize your ability to receive notice of EPA's final decision or your ability to appeal said decision.

All comments received will be included in the public docket without change and may be available online, including any personal information provided. Do not submit information that you consider to be confidential business information or otherwise personal or protected through e-mail. If your comment contains sensitive information such as personal information or confidential business information, please reach out to the Regional Hearing Clerk for directions on how to submit your comment.

Comments and documents sent to any EPA employee other than the Regional Hearing Clerk are not assured of consideration in this matter. Note that EPA requires your mailing address to use the U.S. Postal Service or email should we need to reply, request additional information, or notify you of a hearing, and/or to provide a copy of any final order.

All written comments must be received in the Regional Hearing Clerk's Office no later than 11:59pm, Central Time, on the Comment Period End Date, October 21, 2024, shown on the Region 5 events calendar page for this docket number: www.epa.gov/aboutepa/epa-region-5#events.

All documents filed in this proceeding (including documents submitted by the Respondent or by the public) are available electronically on the EPA website: <http://yosemite.epa.gov/oa/rhc/epaadmin.nsf>.

Should EPA decide to issue a Final Order after considering any comments received, EPA will send a copy of the AOC to any persons who submitted written comments during the public comment period. Commenters may refer to 42 U.S.C. § 300h-2(c)(6) for information on filing an appeal with the appropriate United States District Court.