



Department of Justice

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McCULLOUGH SENTENCED TO 4 MONTHS IMPRISONMENT; HE AND COMPANY FINED A TOTAL OF MORE THAN HALF A MILLION DOLLARS FOR DISCHARGING POLLUTANTS

PRESS RELEASE

Timothy M. Morrison, Acting United States Attorney for the Southern District of Indiana, announced that ANTHONY McCULLOUGH, 64 of Bargersville, Indiana, was sentenced to 4 months imprisonment and fined \$340,000 and MILLER ENVIRONMENTAL was sentenced to a \$170,000 fine and 5 years probation today by U.S. District Judge David F. Hamilton following their guilty pleas to violations of the Clean Water Act. This case was the result of a investigation by the Indiana Interagency Environmental Crime Task Force for the Southern District of Indiana, including Environmental Protection Agency (EPA), the Federal Bureau of Investigation (FBI), the Indiana Department of Environmental Management (IDEM) and the Department of Natural Resources (DNR), Law Enforcement Division.

ANTHONY McCULLOUGH is the owner of MILLER ENVIRONMENTAL. MILLER ENVIRONMENTAL operated two facilities in Shelbyville, Indiana and one facility in Rushville, Indiana. The Miller Street location in Shelbyville was used mainly for oil reclamation but did a few other processes. The Elston Drive location in Shelbyville manufactured and blended chemicals that were sold to customers as floor cleaners, rust preventatives, and coolants. The Rushville facility derusted metal parts. Each of the facilities generated waste from their processes that should have been treated or disposed of properly. Instead, the employees of MILLER ENVIRONMENTAL, at the direction of McCULLOUGH, illegally discharged the wastes down the floor drains which went directly to the city of Shelbyville and Rushville's wastewater treatment plants. The two defendants each pleaded to three felony counts which included 13 discharges at the Miller Street facility; 20 discharges at the Elston Drive facility, and one discharge at the Rushville facility during the time period alleged in the Informations.

In pronouncing sentence, U.S. District Judge David Hamilton noted that these were business crimes that used economic calculations to undermine the market place. He concluded that it was important to send the message that there is personal risk besides money that goes along with environmental crimes.

“The defendants disrupted the wastewater treatment plant by dumping industrial wastes down the sewer,” said Penny Prochazka, Special Agent in Charge of Environmental Protection Agency Criminal Investigation Division in Chicago. “EPA will pursue any criminal acts against human health and the environment.”

According to Assistant United States Attorney Gayle L. Helart, who prosecuted the case for the government, Judge Hamilton also imposed one year supervised release following McCULLOUGH’s release from imprisonment. A special condition of probation imposed upon the company is that they must develop and implement a government-approved environmental ethics and compliance program.

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