

# ENFORCEMENT MEMORANDUM

## Altona Chemical Company — Suspected Legacy Waste Diversion, Railcar Storage, and Cross-Border Dumping

|                 |                                                                                                                    |
|-----------------|--------------------------------------------------------------------------------------------------------------------|
| Reference       | EPA-R8-ALTONA-ENF-22-117                                                                                           |
| Prepared By     | Office of Enforcement and Compliance Assurance                                                                     |
| Date            | 03 March 2026                                                                                                      |
| Affected Areas  | North Dakota, Minnesota, Montana, Manitoba border corridor, Saskatchewan border corridor                           |
| Company Contact | Altona Chemical Company Corporate Counsel via Seth Jenkins & Associates                                            |
| Purpose         | Summarize environmental concerns requiring continued monitoring, inspection support, and interagency coordination. |

POTENTIAL SUPERFUND LIABILITY    HOLD FOR FURTHER REVIEW

### Observed Conditions

Site visits, contractor interviews, and records review identified multiple concerns relating to aging railcar storage, undocumented transfers between temporary holding yards, and discrepancies between manifested waste volumes and actual tank capacities.

Investigators also documented remote sidings containing corroded railcars with incomplete chain-of-custody documentation. Several railcars appeared to have remained in place for years beyond any reasonable staging or treatment timeline.

### Noted Indicators

- Missing or inconsistent tank-content coding on selected manifests.
- Unexplained variance between invoiced disposal volume and sampled residual volume.
- Rural well and surface-water complaints proximate to known or alleged tanker travel routes.
- Evidence of hurried soil disturbance near discontinued transfer points.
- Contractor statements alleging that certain loads were described internally as "*Canadian runs*".

### Response by Company

Through counsel, Altona denied intentional wrongdoing, stated that legacy materials were frequently inherited through acquisitions or government contracts, and contended that historical record gaps make definitive attribution impossible. Counsel further asserted that the company has repeatedly cooperated while reserving all rights to challenge liability assumptions.

### Recommendation

Continue targeted inspections; preserve photographic and sample evidence; coordinate with state agencies and Canadian counterparts where feasible; and maintain all records relevant to potential cost-recovery action. At present, evidence supports a pattern of concern but does not conclusively establish the full decision chain behind suspected dumping events.

FICTIONAL MDU RECORD