

[Press Releases](#)

June 4, 2010

**ATTORNEY GENERAL MADIGAN ANNOUNCES CRIMINAL INDICTMENTS IN FOX RIVER VALLEY FISH KILL*****Business Allegedly Poured Industrial Cleaner into Storm Drain Leading to Fox River***

Chicago — Attorney General Lisa Madigan announced criminal charges this afternoon in connection with the chemical dumping that resulted in a fish kill in a creek that leads to the Fox River in May.

A Kane County grand jury returned an indictment of D & Y Trade, Inc., a South Elgin recycling business, its chief executive officer, Yu Tan Zheng, and An Hong, an employee at the business, on one felony count each of water pollution and additional charges of misdemeanor water pollution.

The criminal charges are the result of the collaborative efforts of the Attorney General's Office, the South Elgin Police Department, the Illinois Department of Natural Resources, the U.S. Environmental Protection Agency, the South Elgin Fire Department, the Illinois Environmental Protection Agency and the U.S. Coast Guard.

"As a result of the thorough investigative efforts of all of these law enforcement agencies, we were able today to obtain this indictment and will move swiftly to hold this company and these individuals accountable for violating the criminal environmental laws," said Attorney General Madigan.

The Attorney General's office coordinated the multi agency investigation after South Elgin Police received a complaint from an area resident on May 15, 2010 that he had discovered foam and dead fish in his backyard pond and the nearby creek, which is located near the D & Y Trade facility at 670 Sundown in South Elgin. Arriving at the scene, a South Elgin police officer observed an individual at the business allegedly pouring the contents of a blue plastic drum into a storm drain at the D & Y facility. The drain flows to a creek, which empties into the Fox River. A sampling of the material taken from the storm drain has been identified as an industrial cleaner toxic to fish and slow to biodegrade.

Based on today's indictment, the defendants will receive a summons requiring that they appear in court on July 9. The public is reminded that these are merely charges and the defendants are considered innocent until proven guilty. Felony Water Pollution is a Class 4 Felony punishable by up to three years in the Illinois Department of Corrections and a \$25,000 fine for each day of violation.

The Attorney General's Environmental Crimes Bureau Chief, Paula Becker Wheeler and Assistant Attorney General Colette Kennedy will prosecute the case. The Kane County State's Attorney's Office is assisting with the prosecution.

-30-

[Return to June 2010 Press Releases](#)