



**Status Report Pursuant to Administrative Order on Consent,  
Docket No. SDWA-05-2025-0001, Paragraph 68  
May 15, 2026**

This Status Report describes the actions taken by ADM in accordance with Paragraph 68 of the Administrative Order on Consent (AOC), and includes the following information:

- a) A description of the actions that have been taken towards achieving compliance with this AOC during the previous two months, including an assessment of milestones due, whether they were met, and, if not, what actions will be taken or planned to meet the milestones, the timeline for meeting milestones, and any impact on future milestones;
- b) An assessment of the effectiveness of such actions;
- c) A summary of all Permit violations that occurred in the previous two months; and,
- d) An analysis of the cause of each such Permit violation.

Paragraph 68 (a): Actions taken towards achieving compliance with the AOC

ADM has taken the following actions towards achieving compliance with the AOC in the two-month period since the submission of its Third Status Report, dated March 15, 2025, (Fourth Status Report Period):

- Timely completed and submitted the Third Status Report by March 15, 2025, as required under Paragraph 68 of the AOC.
- Continued to implement monitoring in accordance with the Alternative Monitoring Plan, including in-zone monitoring using the recompleted VW#1 and above confining zone monitoring using the recompleted VW#2, as required under Paragraph 67(a)(ii) of the AOC.
- Constructed the well pad for monitoring wells VW#3-A and VW#3-B in accordance with Phase 3 of the Alternative Monitoring Plan, as required under Paragraph 67(a)(ii) of the AOC.
- Continued to maintain the publicly accessible webpage<sup>1</sup> where ADM posts compliance summaries, status reports, and other relevant documentation, as required under Paragraph 67(h) of the AOC.
- All CCS permit application modifications were submitted within 90 days of the effective date of the AOC, as required under Paragraph 67(i) of the AOC. ADM continues to cooperate and coordinate with the Agency throughout the technical review stage and cross cutter analysis, including Endangered Species Act and National Historic Preservation Act compliance, to facilitate timely finalization of the draft permits. ADM has participated in monthly technical

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<sup>1</sup> Available at: <https://www.adm.com/en-us/standalone-pages/adm-and-carbon-capture-and-storage/>



meetings with the Agency since February 2026, to facilitate the technical review of its applications.

As identified above, all actions taken toward achieving compliance with the AOC during the Fourth Status Report Period were timely completed. ADM does not anticipate the submission of additional permit applications or modifications to comply with the requirements of the AOC and will continue to consult and cooperate with the Agency's permit-writing staff to ensure timely issuance of the draft permits. As all requirements of the AOC during the Fourth Status Report Period were timely satisfied, a discussion of actions to be taken to complete the unmet requirements is inapplicable.

Paragraph 68(b): Assessment of Effectiveness of Actions

ADM's actions were effective in meeting all applicable requirements of the AOC during the Fourth Status Report Period, as described below:

- ADM's response actions to date have effectively addressed the violations articulated in the AOC because, (1) ADM has resolved the alleged failure to construct, operate, maintain, plug, or conduct any other injection activity in a manner that does not allow movement of injection and formation fluids into an unauthorized zone by recompleting monitoring wells VW#1 and VW#2, and (2) ADM has resolved the alleged failure to conduct testing and monitoring at VW#2 as required by its Testing and Monitoring Plan monitoring by implementing the Alternative Monitoring Plan in consultation with the Agency.
- Recompleted monitoring wells VW#1 and VW#2 monitored the CO<sub>2</sub> plume in accordance with the Alternative Monitoring Plan and all data collected to date continues to confirm the conclusions provided in the Migration Assessment Report, Corrective Action Plan, and the Remedial Action Plan required under Paragraphs 67(c), (d), (e), and (g) of the AOC, including:
  - The "Migrated Fluids," as defined in the AOC, continue to be sequestered in the intended location, confirming the long-term effectiveness of this remedial alternative.
  - No new conduits through which fluid migrates or has migrated from the injection zone into the Ironton-Galesville formation have been detected.
  - The sequestered Migrated Fluids do not pose a risk of further migration.
  - The sequestered Migrated Fluids do not pose a risk to underground sources of drinking water.
  - Production of the sequestered Migrated Fluids would pose significantly more risk to human health and the environment than their continued long-term sequestration.
  - Recompleted monitoring wells VW#1 and VW#2 have mechanical integrity and are not conduits through which injection fluid is anticipated to migrate.
  - CCS#1 and CCS#2 continue to have mechanical integrity and are not conduits through which injection fluid is anticipated to migrate.



- Construction of the well pads for VW#3A and VW#3B allowed ADM to proceed towards fully implementing the Alternative Monitoring Plan, as required by the AOC, which provides for additional in-zone and above-zone monitoring wells.
- ADM's continued consultation and cooperation with the Agency is intended to ensure the permit modification applications are timely processed, thereby incorporating the AOC's obligations into the new permits. Specifically, the new permits would incorporate the obligations outlined in the Alternative Monitoring Plan, the Remedial Action Plan submitted under Paragraph 67(g) of the AOC to monitor the Migrated Fluids, and provide for updated operation and construction parameters to ensure the movement of injection and formation fluids into an unauthorized zone, through monitoring wells or otherwise, does not occur.

#### Paragraph 68(c-d): Permit Violation Analysis

No permit violations occurred during the Fourth Status Report Period. Therefore, a permit violation analysis is inapplicable for the Fourth Status Report Period. ADM continues to implement the Alternative Monitoring Plan, dated April 22, 2025.

#### Update to January 2026 Status Report

Following submission of ADM's January 2026 Status Report, ADM received follow-up from the EPA requesting additional information concerning the Paragraph 68(b): Assessment of Effectiveness of Actions section of the January 2026 Status Report. ADM provides the requested information as follows.

*1. How do the permit modifications address the alleged violations articulated in the AOC?*

The AOC alleges two violations: (1) the failure to construct, operate, maintain, plug, or conduct any other injection activity in a manner that does not allow movement of injection and formation fluids into any unauthorized zones; and (2) the failure to monitor the VW#2 in accordance with the permit.

The permit modifications address these alleged violations by providing for modified construction and operation of the monitoring wells in a manner that does not allow movement of injection and formation fluids into an unauthorized zone. In particular, ADM recompleted VW#1 and VW#2 to provide single-zone monitoring, above or below the confining zone. Construction included additional barriers to migration with upgraded metallurgy. Additionally, ADM demonstrated mechanical integrity after recompletion. The permit modifications also revise the Testing and Monitoring plan by incorporating the April 22, 2025, Alternative Monitoring Plan, which provides for mechanical integrity assessments and a four-phase plan to allow injection while ensuring continuous monitoring.



In sum, the permit modifications address the alleged violations in the AOC by providing updated construction and operation specifications for the recompleted monitoring wells and newly installed monitoring wells to ensure fluid movement into unauthorized zones does not occur and also incorporates updated continuous monitoring and mechanical integrity assessments for verification.

2. *How do the permit modifications incorporate any Response Actions to the extent necessary to address the Migrated Fluids?*

The permit modifications incorporate the Alternative Monitoring Plan which implements the proposed alternative in the Remedial Action Plan to address the Migrated Fluids through monitoring the upper portion of the Ironton-Galesville formation to detect any movement of the Migrated Fluids, in accordance with 67(g)(ii) of the AOC.

3. *Do the permit modifications fulfill any of the Compliance Requirements articulated in the AOC?*

The permit modifications incorporate the Alternative Monitoring Plan and provide for its continued implementation as required in 67(a)(ii) of the AOC. Additionally, as earlier described, the Alternative Monitoring Plan implements the proposed alternative in the Remedial Action Plan to address the Migrated Fluids by monitoring the upper portion of the Ironton-Galesville formation in accordance with 67(g)(ii) of the AOC.

4. *Please also discuss whether ADM anticipates submitting any additional permit applications, notifications, or modification requests to satisfy paragraph 67(i).*

ADM does not anticipate submitting additional permit applications, notifications, or modification requests pursuant to paragraph 67(i) of the AOC at this time.