



American Commercial Barge Line (ACBL) Found Not at Fault for 2008 Mississippi River Collision and Oil Spill

ACBL Purchases Wildlife Habitat in Louisiana As Commitment To Environmental Stewardship

JEFFERSONVILLE, IN (December 2, 2021) - Following more than 13 years of legal proceedings, American Commercial Barge Line (ACBL) has been cleared of any fault related to the 2008 M/V Mel Oliver collision and resulting oil spill on the Mississippi River.

The announcement is the result of a settlement agreement reached on November 18, 2021, with the U.S. Department of Justice and the State of Louisiana regarding the case.

It was determined DRD Towing was entirely at fault for the collision and resulting oil spill. DRD Towing operated and crewed the M/V Mel Oliver, which was towing the ACBL-owned DM-932 barge at the time of the collision.

Even though ACBL was found not at fault, The Oil Pollution Act of 1990 (OPA 90) requires the owner/operator of a red flagged barge to cover damages left unpaid by the negligent insolvent party. "Accordingly, ACBL agreed in October 2016 to compromise the government's claim for all damages resulting from the oil spill for \$20,000,000, which was fully paid in August of 2018. In addition to the settlement payment, ACBL and its insurers paid more than \$75,000,000 to clean up the spill," explained John Nicoletti, outside counsel for ACBL throughout the 13-year M/V Mel Oliver proceeding.

"Although the Mel Oliver collision was a disastrous event for our industry, ACBL has worked diligently and transparently from the beginning with all parties involved to mitigate the damages that occurred due to DRD's negligence," said ACBL CEO Mike Ellis. "After many years, we are pleased to see this case finally reach its conclusion."

As part of ACBL's continued commitment to strengthening its environmental stewardship and helping protect the rivers on which it operates and surrounding habitats, the company recently funded the acquisition of 650 acres of property for the protection of wildlife in upper Plaquemines Parish, La.

"Our commitment to the environment never wavered throughout this process and remains strong today," said Ellis. "The woodland wildlife habitat will be managed by The Woodlands Conservancy, a local nonprofit that will keep the land available for recreation and educational purposes. Most importantly, this will forever preserve the local ecosystem."

"ACBL has a strong legacy of more than 105 years of safe, efficient, marine transportation service in the U.S.," added Ellis. "Every day, we move our customers' products, safely and efficiently throughout the U.S. inland waterway systems. Our commitment to the safety of our people, our customers' cargos and our environment, is the backbone of our culture."