

For Immediate Release
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US EPA Gives Megadairy Last Chance to Comply with Clean Water Act
Letter Says Purple Discharge Renders Moot the Megadairy's Claim of Zero Discharge

Warren, IL - On Wednesday, October 27, the US EPA sent a letter to the law firm representing the proposed megadairy near Nora, IL, giving them “a final opportunity to comply with the July 1, 2010 Request for Information EPA issued to the Dairy.”

“Failure to comply with the Information Request may result in enforcement action by the EPA,” stated the letter from the EPA, which gave the megadairy 5 days to reply to this latest request.

The Clean Water Act, created by the US Congress, is administered by the US EPA. This Act gives the EPA the authority to ask for information about a site that may discharge contaminants to waters of the United States.

Lawyers for the dairy had objected to the EPA’s previous request for testing saying that “the Requests exceed EPA’s legal authority and additionally are unreasonable and unnecessary.”

The EPA addressed this by stating, “On October 1, 2010 there was an alleged unauthorized discharge of pollutants from the Tradition(s) South Dairy site to waters of the United States. This development makes the prior disagreement concerning the July 1, 2010 Request irrelevant.”

The US EPA further expressed their dissatisfaction with the dairy lawyers by saying, “You also stated that there is no authority for the EPA to make such a demand in section 308, because the Dairy is not a point source given that it neither proposes to nor will discharge. EPA strongly disagrees with these statements. Moreover EPA believes the argument concerning the scope of EPA’s authority is now moot, because of the alleged unauthorized discharge of pollutants from the Dairy site.”

Opponents of the megadairy argue that Traditions Dairy’s inability to properly land-apply 20,000 gallons of silage leachate, which caused this discharge, does not instill confidence in their ability to safely dispose of more than 100,000,000 gallons of animal waste which the 5,500 cow facility asserts they would produce annually. The owner of this facility had hoped to build three additional megadairies once this one became operational.

Copies of the EPA letter, obtained via the Freedom of Information Act, are available to the media.

For more information about HOMES and to help support our cause, visit:
www.StopTheMegaDairy.org

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