

For Immediate Release
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Illinois Attorney General Files Five-Count Suit Against Megadairy
Suit Requests IL Pollution Control Board to Assess Fines of Over \$250,000

Chicago, IL – On April 20, the Illinois Attorney General filed a five-count suit with the Illinois Pollution Control Board against the Traditions megadairy being built by A.J. Bos in Jo Daviess County, Illinois. This suit adds yet another hurdle that the California millionaire investor will have to clear before he can operate his 5,500-head dairy, which will endanger the pristine Apple River Canyon State Park and jeopardize dozens of family-owned farms.

The five counts address Clean Water Act violations, including water pollution, discharging without a permit, and discharging effluent into waters of the state. Each of the five counts carries a penalty of \$50,000 per incident plus \$10,000 per day, for a total fine of more than \$250,000.

Local citizens, committed to protecting their clean air, safe well water, and rural communities, have fought this facility since the California investor requested a permit in December of 2007.

The suit also asks the court to require the megadairy to apply for a National Pollution Discharge Elimination Systems (NPDES) permit. The IEPA would administer this application process, which could require extensive studies and a public hearing in Jo Daviess County. At that hearing, the public and experts can present evidence that this facility will damage the ecology of the Apple River, threaten endangered species, pollute local streams, and negatively affect the economy of the region, including existing family-owned dairies.

“The county board voted 11-to-5 to deny this facility a permit due to pollution concerns,” said Matthew Alschuler, press agent for HOMES. “These concerns were ignored by the Department of Agriculture when they erroneously issued a construction permit. Now the residents of Jo Daviess County will finally have their voices heard by a state agency.”

Bruce Yurdin, field operations manager for the IEPA, has previously stated that their agency would require some sort of karst testing on site before issuing an NPDES permit to the megadairy. State law has specific requirements that must be followed when building waste treatment ponds over fractured karst bedrock. These laws have not been followed by this facility.

On the morning of October 1, 2010, neighbors to the megadairy were shocked that the water in the Apple River tributary, fed by the megadairy site, was dark purple. Investigators from the IEPA and US EPA arrived on scene later that day, discovered that the megadairy leachate pond was purple, and documented purple biologically active silage leachate pooled on saturated ground. They interviewed a contractor for the megadairy who admitted to applying 320,000 gallons of purple leachate to five acres of land, an application rate about 20 times the customary level. Both environmental agencies took water samples from the purple stream and the purple leachate pond. On October 8, 2010, the IEPA referred the case to the IL Attorney General for enforcement.

A copy of the complaint can be downloaded from the IPCB site:

<<http://www.ipcb.state.il.us/cool/external/CaseView.aspx?referer=results&case=14108>>

A press release from the IL Attorney General can be read at:

<http://www.illinoisattorneygeneral.gov/pressroom/2011_04/20110421.html>

For more information about HOMES and to help support our cause, visit:

<<http://www.StopTheMegaDairy.org>>

HOMES (Helping Others Maintain Environmental Standards) is a 501(c)(3) tax exempt, pro-agriculture group of farmers and citizens dedicated to protecting family farms, rural communities, human health, and the environment by promoting sustainable agriculture and conserving our natural resources.