

## HELPING OTHERS MAINTAIN ENVIRONMENTAL STANDARDS

*Via email*

March 11, 2009

Patrick Kuefler, Section 2 Chief  
U.S. EPA, Region 5  
Water Enforcement & Compliance Assurance Branch  
77 W. Jackson Blvd. (WC-15J)  
Chicago, IL 60604  
kuefler.patrick@epa.gov

PC#12  
R12-23

Re: Follow-up to Complaints filed on January 29, 2009 and February 18, 2009 relating to Construction Stormwater and Silage Leachate Discharges from the Traditions South Dairy Site of Jo Daviess County, Illinois

Dear Mr. Kuefler:

This follows two complaints filed with your office on January 29, 2009 and February 18, 2009 concerning stormwater construction and silage leachate discharges occurring at the Traditions South Dairy site in violation of the Federal Clean Water Act National Pollutant Discharge Elimination System (NPDES). This is to provide you with additional evidence related to these violations.

The Traditions South facility is located in Jo Daviess County, Illinois, near the town of Nora. The approximate location of the facility is shown in Figure 1.

### January 29, 2009 NPDES Stormwater Construction Complaint

On January 29, 2009 we filed a complaint providing USEPA Region 5 with water sample results from the City of Dubuque Environmental Monitoring Laboratory showing discharges of stormwater runoff from the construction site of the Traditions South Dairy into the Tributary to the Apple River.

On February 7, 2009 water samples were taken from four separate sample points located near the Traditions South site. The sample point locations are identified in Figure 1 as Sample Points A1-D4, hereinafter referred to as SPA1-D4. The samples were analyzed by PDC Laboratories, Inc. of Peoria, Illinois. The sample results are provided in Figure 2. The sample results show extremely high levels of erosion from the facility's construction site discharging into the Tributary of the Apple River at SPD4.

On February 8, 2009 a member of Helping Others Maintain Environmental Standards (HOMES) observed that the facility's construction site silt fences were compromised. The photos in Figure 3 document this.

Additional water samples were taken from the site on February 11, 2008. The lab results again show a particularly high level of sediment runoff coming from the construction site. The lab results, as well as a photo of the sample being taken from the Tributary, are shown in Figure 4.

Water samples were also collected from the site during a heavy rainfall event on February 26, 2009. The Tributary of the Apple River at SPD4 was again heavily impacted by uncontrolled runoff from the construction area. This is shown in the City of Dubuque Environmental

Monitoring Laboratory water sample analysis report provided in Figure 5. A photo showing the turbidity of the water is also included in Figure 5. Prior to the rainfall event of February 26th, the water in the stream at SPD4 was clear with high visibility.

We believe that the sampling results and the obvious excessive levels of sediments in the Tributary located just south of the Traditions South construction site demonstrate that the compromised silt fences are not controlling construction site run-off and that the dairy continues to fail to comply with its NPDES permit for erosion control during construction.

#### February 18, 2009 NPDES Silage Leachate Discharge Complaint

On February 18, 2009 we filed a complaint with USEPA, Region 5 regarding a silage leachate discharge occurring at the Traditions South Dairy site. The discharge occurred on February 17, 2008 as a result of the application of silage leachate on frozen ground near the stream located east of the Tributary of the Apple River, which is identified as SPC3 in Figure 1.

Samples were taken from the stream at the time the discharge was observed. The samples were analyzed by PDC Laboratories, Inc. The results of the lab analysis are provided in Figure 6. The sample results show extremely high Biochemical Oxygen Demand (BOD) levels. It should also be noted that the results show elevated levels of Nitrogen, Ammonia, and Phosphorus, especially in comparison to the Figure 2 sample results taken from SPC3 on February 7, 2009.

Samples were also taken from SPC3 on February 26, 2009 during the first heavy rainfall event occurring after the leachate was land applied to frozen ground. The lab results from these samples are shown in Figure 5. The lab analysis report shows elevated levels of Total Suspended Solids, BOD, and Ammonia. A photograph showing the turbidity of the water from SPC3 is shown in Figure 7. The water had been running clear days prior to the rainfall event.

Based on the evidence presented herein, we believe the Traditions South Dairy facility is in violation of its stormwater construction pollution prevention plan. We also believe that the facility is illegally discharging silage leachate from its land application area into the stream located east of the Tributary of the Apple River. As such, we request that you take this information into consideration when evaluating the site. We also ask that you provide us with an update on how these apparent NPDES violations are being dealt with as soon as possible.

Thank you for your attention to this matter.

Respectfully,

Matthew Alschuler  
Helping Others Maintain Environmental Standards  
814 Anson St.  
Warren, Illinois 61087  
815.745.2500

Cc: Marcia Willhite, IEPA Water Bureau  
Lee Heeren, IEPA Rockford Regional Office

Figure 1 Location of facility and sample point locations

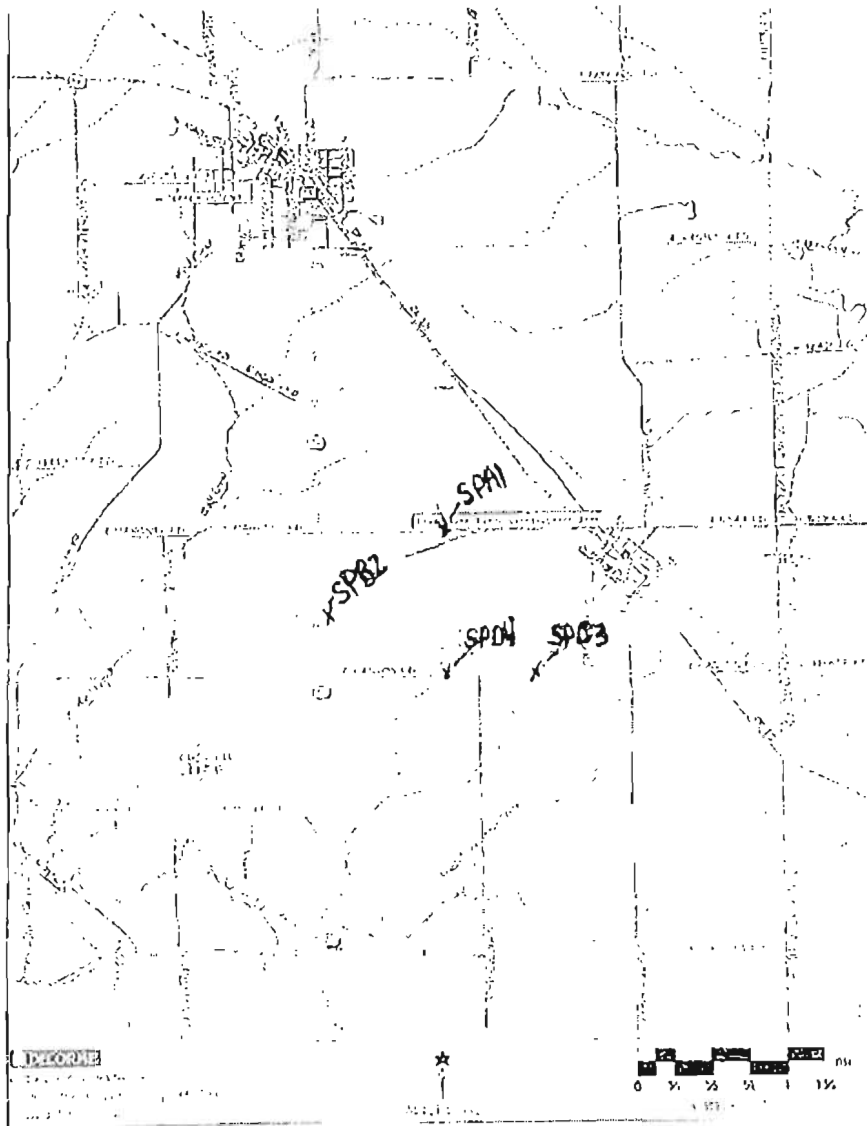


Figure 2 February 7, 2009 water sample results from PDC Laboratory



PDC Laboratories, Inc.  
 1000 W. 11th St., Suite 100  
 Chicago, IL 60607-1100



Northern Illinois University  
 Dept. of Anthropology  
 202C Stevens Bld. NIU  
 Dekalb, IL 60115-2854  
 Attn: Mr. Kendall Thu

Date Received: 10-Feb-09  
 Date Reported: 13-Feb-09

Sample No.	Client Id.	Site	Collect Date	Locator	Result	Units	Date / Time	Analyst
09022164-1	WASTE WATER	S7-F1-SPA1	07-Feb-09 14:45	GRAB				
SM (18) 2540D								
Solids, Total Suspended					120	mg/l	10-Feb-09 15:25	acb
SM (18) 4500 NH3 B,H								
Nitrogen, Ammonia as N					0.58	mg/l	12-Feb-09 12:38	lgarg
SM (18) 4500 P B,F								
Phosphorus, Total as P					0.55	mg/l	13-Feb-09 12:32	lgth
09022164-2	WASTE WATER	S7-F1-SPB2	07-Feb-09 15:05	GRAB				
SM (18) 2540D								
Solids, Total Suspended					290	mg/l	10-Feb-09 15:24	acb
SM (18) 4500 NH3 B,H								
Nitrogen, Ammonia as N					0.61	mg/l	12-Feb-09 12:40	lgarg
SM (18) 4500 P B,F								
Phosphorus, Total as P					0.84	mg/l	13-Feb-09 12:33	lgth
09022164-3	WASTE WATER	S7-F1-SPC3	07-Feb-09 13:15	GRAB				
SM (18) 2540D								
Solids, Total Suspended					150	mg/l	10-Feb-09 15:11	acb
SM (18) 4500 NH3 B,H								
Nitrogen, Ammonia as N					2.9	mg/l	12-Feb-09 12:41	lgarg
SM (18) 4500 P B,F								
Phosphorus, Total as P					1.1	mg/l	13-Feb-09 12:34	lgth
09022164-4	WASTE WATER	S7-F1-SPD4	07-Feb-09 12:54	GRAB				
SM (18) 2540D								
Solids, Total Suspended					680	mg/l	10-Feb-09 15:24	acb
SM (18) 4500 NH3 B,H								
Nitrogen, Ammonia as N					0.58	mg/l	12-Feb-09 12:42	lgarg
SM (18) 4500 P B,F								
Phosphorus, Total as P					1.6	mg/l	13-Feb-09 12:35	lgth

Figure 3 Photos of compromised silt fenced taken on February 8, 2009



Figure 4 February 11, 2009 water sample results from the City of Dubuque laboratory and photos of water sample

IOWA LAB #014

WASTEWATER ANALYSIS REPORT  
CITY OF DUBUQUE  
ENVIRONMENTAL MONITORING LABORATORY

NAME Matt A/schuler, Cotton Expressions 815 745  
 ADDRESS 814 Anson St Warren IL 61087  
Street/RR# Town County State Zip  
 COLLECTOR'S NAME Matt A/schuler TIME/DATE OF COLLECTION 2-11-09  
 COMMENTS \_\_\_\_\_ TIME/DATE OF SUBMISSION 2-12-09

	COLLECTION POINT		
	Runoff		
CBOD <sub>5</sub> mg/l			
✓ TSS mg/l	350		
pH			
AMMONIA mg/l as N			
FECAL COLIFORM			
OTHER:			

< means less than

TOTAL CHARGE \$ 12<sup>00</sup> EMS# 11129

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Photo of water sample taken on February 11, 2009 with SPD4 in background



Photo of water sample taken from SPD4 in comparison to other samples taken on February 11, 2009 from other sample points, which are not located downstream from the construction site



Figure 5 February 26, 2009 water sample results from the City of Dubuque Laboratory and photo of water sample from SPD4

DBQ Fax

3/9/2009 2:28:44 PM PAGE 2/002 Fax Server

815-745-2500 ph  
815-745-2511 Fax  
IOWA LAB #014

WASTEWATER ANALYSIS REPORT  
CITY OF DUBUQUE  
ENVIRONMENTAL MONITORING LABORATORY

NAME Matthew Alschuler  
ADDRESS 814 Anson St Warren IL 61087  
Street/RR# Town County State Zip  
COLLECTOR'S NAME Leroy Behrens TIME/DATE OF COLLECTION 2-26-09 1730  
COMMENTS \_\_\_\_\_ TIME/DATE OF SUBMISSION 2-27-09 1315

	COLLECTION POINT	
	57-F1-SPC3	57-F1-SPD4
CBOD <sub>5</sub> mg/l	✓ 210	✓ 20
TSS mg/l	✓ 1680	✓ 4090
pH		
AMMONIA mg/l as N	✓ 19.6	✓ 8.4
FECAL COLIFORM		
OTHER:	all results reported in mg/l	

< means less than

~~please attach on debit bill and return with your payment for proper credit~~  
TOTAL CHARGE \$ 90<sup>00</sup> ~~Phone number~~ EMS# 11168 ~~City of Dubuque~~

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Photo of water sample taken from SPD4 on February 26, 2009 showing the turbidity of the water



Figure 6

February 17, 2009 water sample results from PDC Laboratories, Inc. from SPC3



PDC Laboratories, Inc.  
 1000 S. 10th Street  
 Decatur, IL 62521



Northern Illinois University  
 Dept. of Anthropology  
 202C Stevens Bld. NIU  
 DeKalb, IL 60115-2854  
 Attn: Mr. Kendall Thu

Date Received: 18-Feb-09  
 Date Reported: 02-Mar-09

Sample No: 05022994-1	Site: S7-F1-SPC3	Collected Date: 17-Feb-09 14:07
Client Id: WASTE WATER	Locator: GRAB	
	Result	Units
SM (18) 4500 ClE Chloride	37	mg/l
SM (18) 4500 NH3 B,H Nitrogen, Ammonia as N	11	mg/l
SM (18) 4500 P B,F Phosphorus, Total as P	7.6	mg/l
SM (18) 5210B Biochemical Oxygen Demand	H	2200 mg/l
		Date / Time
		Analyst
		IAM/SIAM/SIM

H - Method Hold Time Exceeded

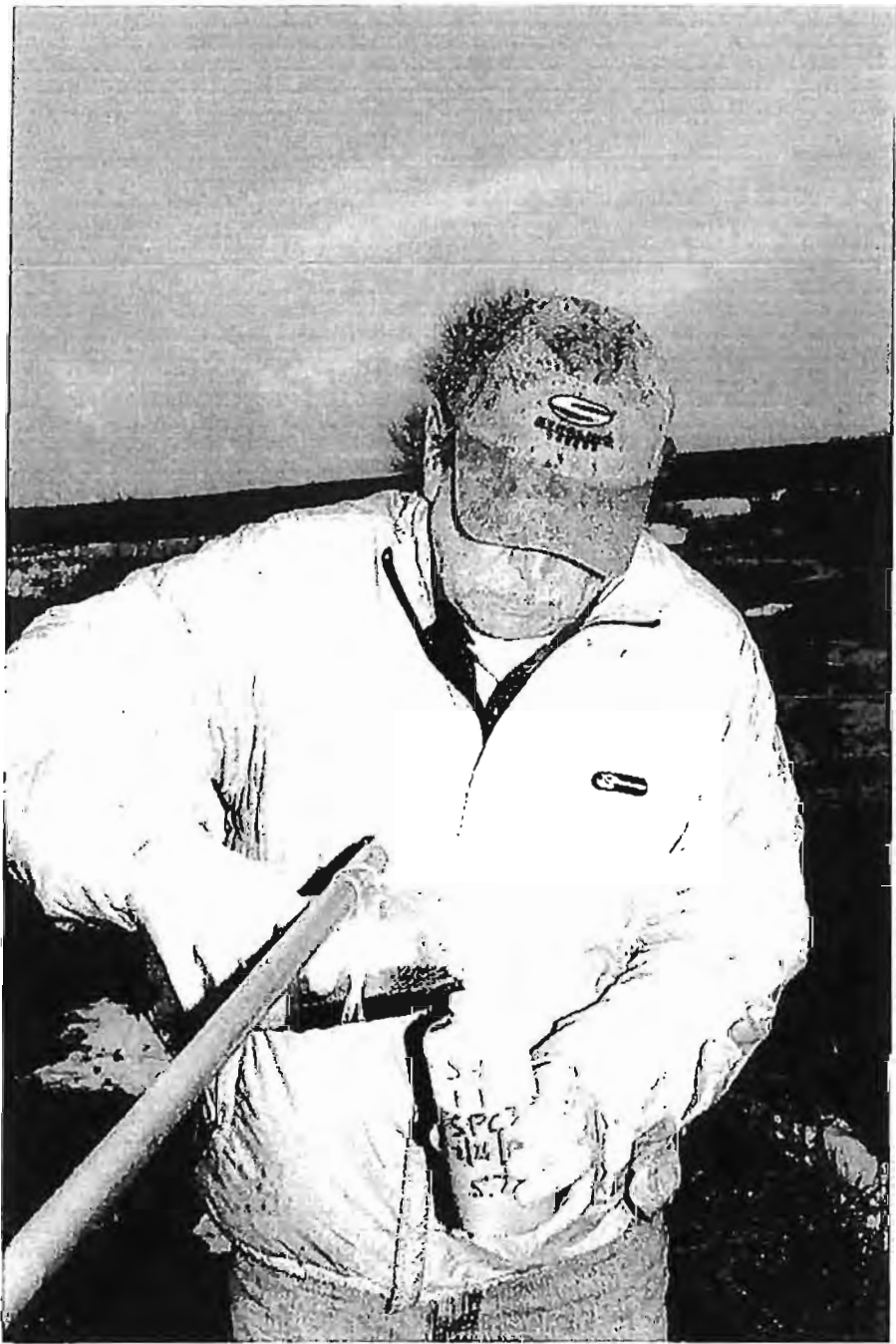
PDC Laboratories participates in the following laboratory accreditation/certification and proficiency programs. Endorsement by the Federal or State Government or their agencies is not implied.

NELAP Accreditation for Drinking Water, Wastewater, Hazardous and Solid Wastes Fields of Testing through IL EPA Lab No. 100210  
 State of Illinois Bacteriological Analysis in Drinking Water Certified Lab Registry No. 17533  
 Drinking Water Certifications: Indiana (C-IL-64); Kansas (E-10338); Kentucky (92058); Missouri (00070); Wisconsin (99829443)  
 Wastewater Certifications: Arkansas; Iowa (243); Kansas (E-10338); Wisconsin (99829443)  
 Hazardous/Solid Waste Certifications: Arkansas; Kansas (E-10338); Wisconsin (99829443)  
 UST Certification: Iowa (243)

Certified by: Janet L. Clutters  
 Janet L. Clutters, Project Manager

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Figure 7 Photo of water sample taken from SPC3 on February 26, 2009 showing the turbidity of the water



## ILLINOIS CITIZENS FOR CLEAN AIR & WATER

*Via email*

March 11, 2009

Patrick Kuefler, Section 2 Chief  
U.S. EPA, Region 5  
Water Enforcement & Compliance Assurance Branch  
77 W. Jackson Blvd. (WC-15J)  
Chicago, IL 60604  
kuefler.patrick@epa.gov

**Re: Follow-up to Complaint filed on February 18, 2009 regarding Illegal Discharges from the Rancho Cantera Dairy of 2866 N. Sunnyside Road, Kent, Illinois**

Dear Mr. Kuefler:

This follows a complaint filed with USEPA, Region 5 on February 18, 2008 regarding Federal Clean Water Act National Pollutant Discharge Elimination System (NPDES) violations occurring at the Rancho Cantera Dairy Concentrated Animal Feeding Operation (CAFO) in Stephenson County, Illinois. This is to provide you with additional evidence related to that complaint.

A map locating the Rancho Cantera Dairy CAFO is shown in Figure 1. It also shows the location of an environmental sample taken during a dry weather discharge at the facility, as well as where large piles of manure from the facility are being stored immediately adjacent to the Yellow Creek.

As noted in the February 18, 2009 complaint, members of the Illinois Citizens for Clean Air & Water (ICCAW) observed and sampled a dry weather discharge from the facility on February 14, 2009. The discharge was flowing from the facility's production area into a roadside ditch and subsequently to Yellow Creek. Samples of the discharge were taken that day and sent to PDC Laboratories, Inc. of Peoria, Illinois for analysis. The results of the analysis demonstrate elevated levels of Nitrogen, Ammonia, and Phosphorus (see Figure 2).

The February 18, 2009 complaint also noted that large piles of manure from the facility were being stored immediately adjacent to the Yellow Creek. The manure piles were initially observed on February 16, 2009. At that time, the storage piles were not being contained in any fashion and there were no runoff controls in place. This was still the case as of March 8, 2009 as evidenced by photographs, which were taken of runoff flowing from the manure piles into the Yellow Creek during a rainfall event. These photographs are provided in Figure 3.

Additional water samples of discharges occurring at the facility were taken on March 8, 2009. We will provide you with a copy of the lab results upon receipt.

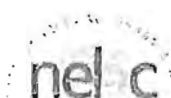


Figure 2

February 14, 2009 dry weather discharge water sample results from PDC Laboratories, Inc



PDC Laboratories, Inc.  
 202C Stevens Blvd. NIU  
 DeKalb, IL 60115-2854



Northern Illinois University  
 Dept. of Anthropology  
 202C Stevens Bld. NIU  
 DeKalb, IL 60115-2854  
 Attn: Mr. Kendall Thu

Date Received: 17-Feb-09  
 Date Reported: 23-Feb-09

Sample No.	Client Id	Site	Collect Date	Local'er	Result	Units	Date / Time	Analyst
09022860-1	WASTE WATER	S7-F2-SPB	14-Feb-09 16:35	GRAB				
SM (18) 4500 NH3 B,H					11	mg/l	18-Feb-09 12:04	lgth
Nitrogen, Ammonia as N								
SM (18) 4500 P B,F					1.6	mg/l	23-Feb-09 9:54	lgth
Phosphorus, Total as P								

PDC Laboratories participates in the following laboratory accreditation/certification and proficiency programs. Endorsement by the Federal or State Government or their agencies is not implied.

NELAC Accreditation for Drinking Water, Wastewater, Hazardous and Solid Wastes Fields of Testing through IL EPA Lab No. 100230

State of Illinois Bacteriological Analysis in Drinking Water Certified Lab Registry No. 17533

Drinking Water Certifications: Indiana (C-IL-04); Kansas (E-10338); Kentucky (90058); Missouri (00870); Wisconsin (998294430)

Wastewater Certifications: Arkansas; Iowa (240); Kansas (E-10338); Wisconsin (99829443)

Hazardous/Solid Waste Certifications: Arkansas; Kansas (E-10338); Wisconsin (998294430)

UST Certification Iowa (240)

Certified by: Janel L. Clutters  
 Janel L. Clutters, Project Manager

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Figure 3

Photographs of runoff from the manure storage piles discharging into the Yellow Creek on March 8, 2008.



**ILLINOIS CITIZENS FOR CLEAN AIR & WATER**

*Via email*

Patrick Kuefler, Section 2 Chief  
U.S. EPA, Region 5  
Water Enforcement & Compliance Assurance Branch  
77 W. Jackson Blvd. (WC-15J)  
Chicago, IL 60604  
kuefler.patrick@epa.gov

March 24, 2009

**Re: Follow-up to Complaint filed on March 11, 2009 regarding Illegal Discharges from the Rancho Cantera Dairy of 2866 N. Sunnyside Road, Kent, Illinois**

Dear Mr. Kuefler:

This follows a complaint filed with USEPA, Region 5 on March 11, 2009 regarding Federal Clean Water Act violations occurring at the Rancho Cantera Dairy Concentrated Animal Feeding Operation (CAFO) in Stephenson County, Illinois. This is to provide you with additional evidence related to that complaint.

A map showing the location of the Rancho Cantera Dairy CAFO is shown in Figure 1. Figure 1 also shows the location where large piles of manure from the facility are being stored immediately adjacent to the Yellow Creek. In addition, Figure 1 shows where water samples were taken of discharges from the manure storage piles and the facility. The sample points are identified as SPD and SPB, respectively.

As noted in the March 11, 2009 complaint, a discharge from the facility's manure storage area into the Yellow Creek was observed on March 8, 2009. Water samples were taken of this discharge, as well as a discharge occurring from the facility itself. The samples were sent to the City of Dubuque Environmental Monitoring Laboratory for analysis on March 9, 2009.

Figure 2 shows the results of the lab analysis. You will note extremely high levels of fecal coliform in the sample taken from the Yellow Creek downstream of the manure stock piles. You will also note elevated biochemical oxygen demand (BOD) levels, ammonia, and fecal coliform in the sample taken from the drainage located adjacent to the facility.

Thank you for your attention to this matter. We look forward to receiving an update from you as to how these violations are being dealt with.

Respectfully,

Danielle Diamond, Counsel  
Illinois Citizens for Clean Air & Water  
181 Illinois Street  
Crystal Lake, IL 60014  
ddiamond@iccaw.org  
815-403-0278

Cc: Marcia Willhite, IEPA Bureau of Water  
Lee Heeren, IEPA Rockford Regional Office



Figure 1 Map showing the location of the Dairy, manure stockpiles, and water sample points.

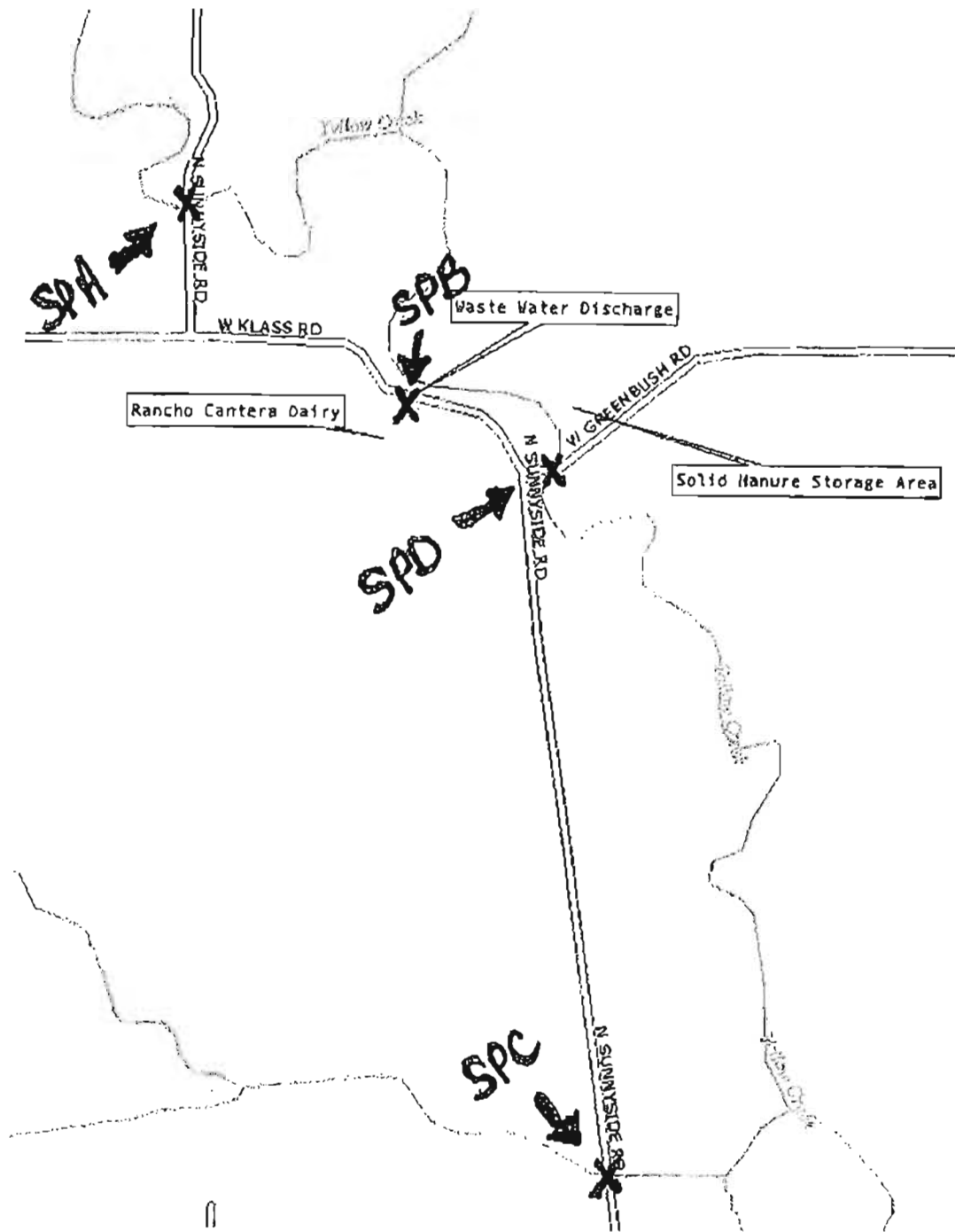


Figure 2 March 8, 2009 water sample analysis report from the City of Dubuque Environmental Monitoring Laboratory.

IOWA LAB #014

WASTEWATER ANALYSIS REPORT  
CITY OF DUBUQUE  
ENVIRONMENTAL MONITORING LABORATORY

NAME Matthew Alschuler  
 ADDRESS PO Box 325 Warren IL 61087  
Street/RR# Town County State Zip  
 COLLECTOR'S NAME [Signature] TIME/DATE OF COLLECTION 3-8-09  
 COMMENTS \_\_\_\_\_ TIME/DATE OF SUBMISSION 3-9-09 2:20pm

	COLLECTION POINT		
	3:25	3:15	
	57 SPB F2	57 SPD F2	
CBOD <sub>5</sub> mg/l	✓ 36	✓ 10	
TSS mg/l			
pH			
AMMONIA mg/l as N	✓ 3.9	✓ 1.4 mg/L	
FECAL COLIFORM	✓ 8640	✓ 3000	(colonies/100 mL)
OTHER:			

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~~\_\_\_\_\_~~  
 TOTAL CHARGE \$ 96.00 ~~\_\_\_\_\_~~ EMS# 11201 ~~\_\_\_\_\_~~

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## HELPING OTHERS MAINTAIN ENVIRONMENTAL STANDARDS

*Via email*

March 24, 2009

Patrick Kuefler, Section 2 Chief  
U.S. EPA, Region 5  
Water Enforcement & Compliance Assurance Branch  
77 W. Jackson Blvd. (WC-15J)  
Chicago, IL 60604  
kuefler.patrick@epa.gov

Re: March 8, 2009 and March 10, 2009 Construction Stormwater and Silage Leachate Discharges from the Traditions South Dairy of Jo Daviess County, Illinois, in Violation of the Federal Clean Water Act

Dear Mr. Kuefler:

This is to inform you of continuing storm water construction and silage leachate discharges occurring at the Traditions South Dairy site in violation of the Federal Clean Water Act National Pollutant Discharge Elimination System (NPDES). This follows complaints filed with USEPA on January 29, 2009, February 28, 2009, and March 11, 2009. The following information pertains to discharges from the Traditions South facility occurring on March 8, 2009 and March 10, 2009.

The Traditions South facility is located in Jo Daviess County, Illinois, near the town of Nora. The approximate location of the facility is shown in Figure 1.

### March 8, 2009 Stormwater Construction Discharges

During a rainfall event on March 8, 2009, members of Helping Others Maintain Environmental Standards (HOMES) observed very high levels of sediments being discharged into the Tributary to the Apple River, which is located just south of the Traditions South Dairy construction site.

Water samples were taken by HOMES on March 8, 2009 from the Tributary at Sample Point D4 (SPD4) (identified in Figure 1) and sent to the City of Dubuque Environmental Monitoring Laboratory for analysis. The lab analysis report is shown in Figure 2. The report indicates that an extremely high level of erosion continues to occur at the construction site and that sediments from the erosion are being discharged into the Tributary.

We believe that the sampling results and the obvious excessive levels of sediments in the Tributary demonstrate that the Dairy continues to fail to comply with its NPDES permit for erosion control during construction.

We would also like to call your attention to a large white pipe or conduit, which appears discharging storm water from the site directly into the stream as shown in the photographs provided in Figure 3. The location of the conduit is identified in Figure 1. There is concern that that this pipe or conduit is contributing to the elevated sediment levels in the Tributary. We ask that you investigate this further. We also request that you provide us with information regarding when this conduit was installed, as well as its intended purpose.

### March 10, 2009 Silage Leachate Discharges

On March 10 and 11, 2009 your office was notified that a complaint had been filed with the Illinois EPA (IEPA) Rockford Regional Office on March 10, 2009 regarding silage leachate discharges from the Traditions South Dairy into the stream located to the east of the Tributary of the Apple River. The location of the stream is identified in Figure 1 as SPC3.

This discharge was apparently the result of an effort to avoid an overflow of the facility's containment ponds. A photograph from March 7, 2009 provided in Figure 4 shows that the silage leachate holding pond was nearing its containment capacity after several days of warm weather and snow melt. This was taken before a rainfall event, which occurred on March 8, 2009.

After the March 8, 2009 rainfall event, an attempt was made by the facility operator, apparently at the direction of the IEPA, to avoid the overflow of the containment structures by applying the excess silage leachate to the oversaturated land located adjacent to the silage storage area. This occurred on March 10, 2009 and resulted in a discharge into the stream. A water sample was taken from SPC3 and sent to the City of Dubuque Environmental Monitoring Laboratory for analysis. A photograph of the sample being taken is provided in Figure 5. The lab analysis report, which is also provided in Figure 5, shows extremely high levels of Biochemical Oxygen Demand (BOD) in the SPC3 sample.

It should be noted that the February 17, 2009 silage leachate discharge was also the result of inadequate storage capacity and the subsequent land application of excess leachate during inopportune weather conditions. As you may recall, leachate was land applied on snow frozen and snow covered ground in an effort to avoid an overflow of the facility's containment ponds leading to a direct discharge of silage leachate into the stream.

This being said, it is apparent that the facility has inadequate storage capacity. And, regardless of whether the containment structures overflow or excess silage leachate is over-applied to nearby land to avoid an overflow, discharges from the site are occurring on a regular basis. This is especially concerning considering the fact that the facility is not even fully operational at this time.

It is also concerning that the IEPA instructed the operator to deal with the problem in a manner that resulted in a significant discharge of pollutants into waters of the State. It is unclear why ongoing discharges from the facility continue without proper regulatory oversight, especially in light of requests made by HOMES to both the IEPA and the USEPA to require Traditions South to apply for an NPDES permit for its proposed discharges.

Based on the evidence presented herein, we believe the Traditions South Dairy continues to violate its storm water construction pollution prevention plan. We also believe that the facility continues to illegally discharge silage leachate into the stream located east of the Tributary of the Apple River. We ask that you investigate these matters immediately. We would be willing to meet with both USEPA and IEPA as part of your investigation to discuss what we have observed taking place at the site. We would also be willing to show agency personnel where we have been taking water samples of the discharges from the facility.

Should you have any questions or wish to schedule a meeting, please feel free to contact me at any time at the number provided below. Thank you for your attention to this matter. We look forward to your response.

Respectfully,

Matthew Alschuler  
Helping Others Maintain Environmental Standards  
814 Anson St.  
Warren, Illinois 61087  
815.745.2500

Cc: Marcia Willhite, IEPA Water Bureau  
Lee Heeren, IEPA Rockford Regional Office

Figure 1 Location of the facility, sample points, and the pipe/conduit that is discharging into the Tributary of the Apple River

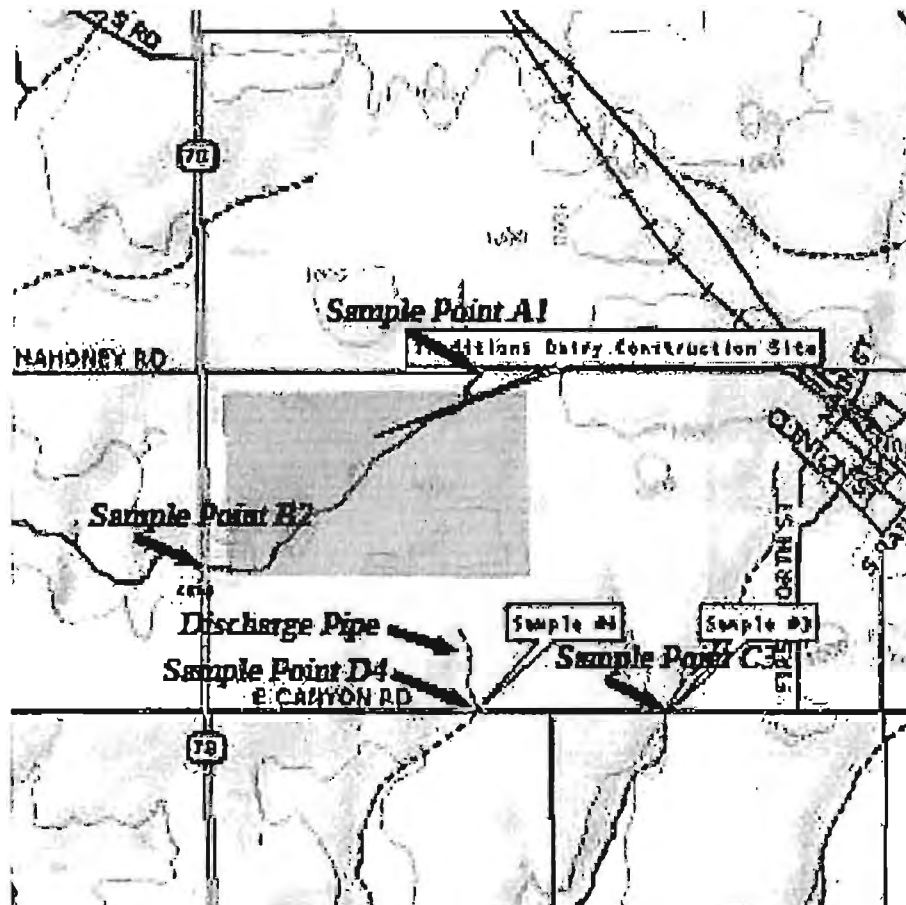


Figure 2

March 8, 2008 water sample results from the City of Dubuque Environmental Monitoring Laboratory

FAX: 815-745-2511

IOWA LAB #014

WASTEWATER ANALYSIS REPORT  
CITY OF DUBUQUE  
ENVIRONMENTAL MONITORING LABORATORY  
Phone: 815-745-2500

NAME Matthew Alschuler  
ADDRESS PO Box 325 Warren IL 61087  
Street/RR# Town County State Zip  
COLLECTOR'S NAME Jim Franklin TIME/DATE OF COLLECTION 3-8-09  
COMMENTS \_\_\_\_\_ TIME/DATE OF SUBMISSION 3-9-09 2:20 pm

	COLLECTION POINT		
	<small>2:10 pm</small> SPD4 F1 <sup>ST</sup>	<small>2:10 pm</small> SP2 F1	<small>3:25 pm</small> SPC F2
CBOD, mg/l	✓ 6	✓ 8	✓ 9
TSS mg/l	✓ 2050	✓ 700	
pH			
AMMONIA mg/l as N		✓ 4.2	✓ <1
FECAL COLIFORM			
OTHER:			

< means less than

TOTAL CHARGE \$ 108<sup>00</sup> EMS# 11200

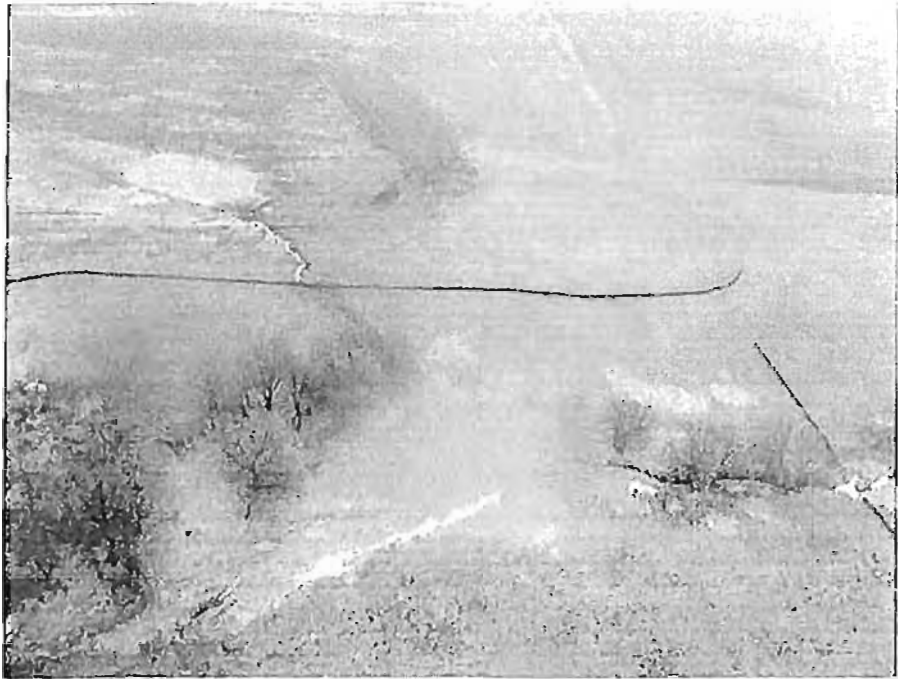
THIS IS NOT A BILL - INVOICE WILL BE SENT

white copy - Customer

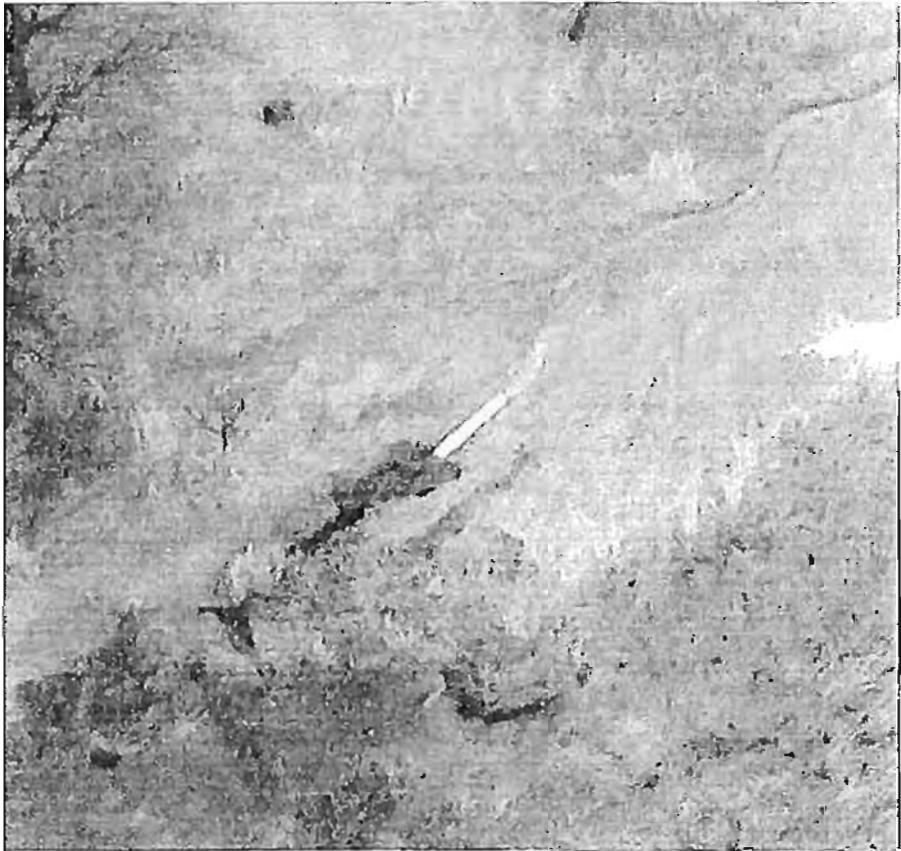
pink copy - Billing office

gold copy - Laboratory

**Figure 3** Overview photograph of the location of the conduit/pipe discharging into the Tributary to the Apple River



**Close-up of the conduit/pipe**



**Figure 4** Photograph of the silage leachate containment pond taken on March 7, 2009 before a rainfall event



**Figure 5** Photograph of the sample being taken from SPC3 on March 10, 2009





March 10, 2009 water sample results from the City of Dubuque Environmental Monitoring Laboratory

IOWA LAB #014

WASTEWATER ANALYSIS REPORT  
CITY OF DUBUQUE  
ENVIRONMENTAL MONITORING LABORATORY

NAME MATTHEW ALSCHULER  
 ADDRESS 814 ANSON ST. WARREN IL 61087  
Street/RR# Town County State Zip  
 COLLECTOR'S NAME MATTHE ALSCHULER TIME/DATE OF COLLECTION 3/10/09 1635  
 COMMENTS SLUDGE LEACHATE TIME/DATE OF SUBMISSION 3/11/09 0920  
WASTE WATER - GRAB

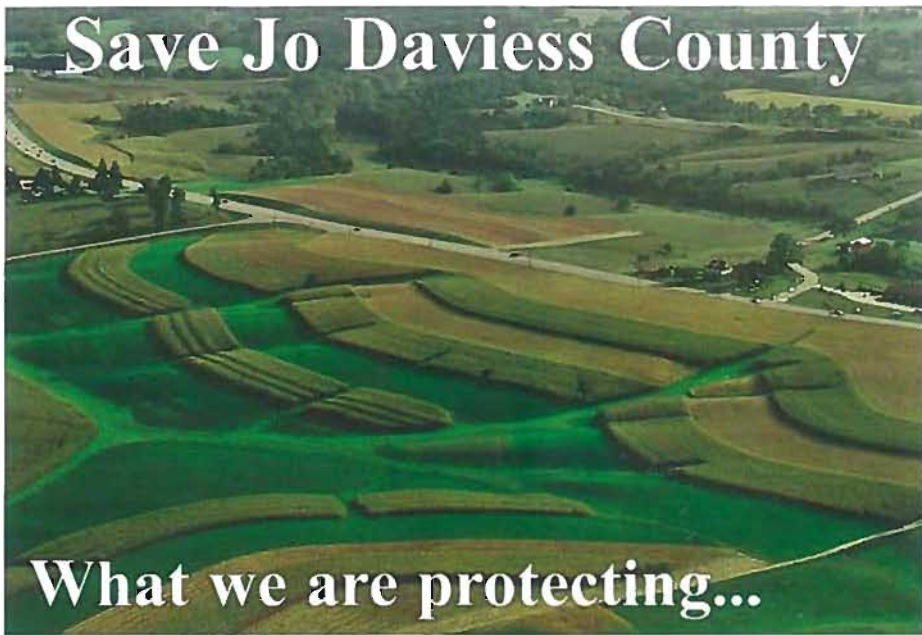
	COLLECTION POINT		
	57-F1-SR3		
CBOD, mg/l	✓ 153		
TSS mg/l	✓ 385		
pH	✓ 7.1		
AMMONIA mg/l as N	✓ 2.5		
FECAL COLIFORM			
OTHER:			

< means less than

~~\_\_\_\_\_~~  
 TOTAL CHARGE \$ 48<sup>00</sup> ~~\_\_\_\_\_~~ EMS# 11209 ~~\_\_\_\_\_~~

THIS IS NOT A BILL - INVOICE WILL BE SENT

white copy - Customer      pink copy - Billing office      gold copy - Laboratory



# Save Jo Daviess County

What we are protecting...

**Protect**  
our family farms,  
our environment,  
our sustainable future.  
DONATE to HOMES' legal fund today at:

**StopTheMegaDairy.org**

Or send a check to:  
**HOMES, PO Box 674  
Warren, IL 61087**

As a 501(c)(3), donations are tax exempt.  
For information, call or email:  
815-818-1253 or 815-745-9013  
info@StopTheMegaDairy.org

**Massive animal factories** are being lured to Illinois by industrial agriculture interest groups, including Farm Bureau.

**They are attracted to Illinois** due to our lax environmental standards and free water.

**This 5,500 head dairy** near Galena was permitted against the wishes of the County Board, and will be one of the largest animal factories east of the Mississippi.

**Citizens trying to stop** this facility were told by the courts that they had no standing to question the permit issued by the IL Department of Agriculture.

**State agricultural law** favors industrial facilities over sustainable family farms and must be changed to protect our air, water, soil and food supply.

## ...What we are protecting it from



- 130-acre construction site of first proposed megadairy
- 42 acres (42 football fields) of stagnating manure ponds 20 feet deep, 1/2 mile from houses
- Stream flowing under manure ponds will transport waste directly into the Apple River

**42 acres of manure ponds will leak "a little less than 1,000 gallons per day per acre"**

*Court testimony, 9/29/08, by James Evans, Senior Agricultural Engineer for Maurer Stutz, the firm that engineered this mega-dairy.*

### Illinois Attorney General Files Five-Count Suit Against Megadairy

On Oct 1, 2010, a tributary to the Apple River that originates at the megadairy turned purple. HOMES members alerted the IEPA and US EPA and they immediately investigated. An employee of the megadairy told the IEPA he spread 320,000 gallons of purple leachate onto 5 acres of land, or well over 10 times the customary application rate.

On April 20, 2011 the Illinois Attorney General filed a five-count suit with the Illinois Pollution Control Board against the megadairy.

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. There are no animals present on the partially constructed facility yet they are already polluting.



Culvert feeding Apple River Oct. 1, 2010



Leachate pond October 4, 2010 - 3 days after discharge.

**Please Donate Now: [www.StopTheMegaDairy.org](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.

# Animal Factories Invade the Midwest!

*Industrial-scale facilities are displacing family farmers and destroying communities!*

Corporate agriculture sees the Midwest as the perfect place to relocate their industrial-scale animal factories:

- Our abundant grain, free water, and lax environmental regulations make our states prime targets for industrial-scale dairy, poultry, beef, and hog facilities.
- Corporate owners have been moving their animal factories here to capitalize on our state's weak environmental laws because they're tired of strict regulations in states already damaged by their pollution.
- Once a facility is permitted, others quickly follow, flooding the entire region with hundreds of thousands of confined animals producing more untreated sewage than large cities.
- Government subsidies allow these huge facilities to pay higher prices for land, which forces out sustainable family farmers. Animal factories also pass the costs of air and water pollution, road repair, topsoil depletion, antibiotic resistance, etc., to the community. Family farmers care about their communities and the future. Without them acting as stewards for the land the future of sustainable farming is bleak.
- The environmental damage is staggering, with rivers and streams heavily polluted, fish dying, and private wells contaminated with animal feces and bacteria.

**Don't let this happen to Illinois!**

## What you can do to help...

- Donate to HOMES at [www.StopTheMegaDairy.org](http://www.StopTheMegaDairy.org).
  - Write or call your elected officials. Tell them to support sustainable family farms and strengthen environmental regulations. Ask them to return local control to communities so citizens can decide if they want an animal factory degrading their environment and hurting sustainable farmers.
  - Write a Letter to the Editor of your local paper.
  - Buy your food locally, from regional producers at farmers' markets.
  - Ask your grocery store to carry locally grown meats and produce.
  - Volunteer your time to educate others at festivals and fairs.
- Need talking points for letters or phone calls? Visit our web site [www.StopTheMegaDairy.org](http://www.StopTheMegaDairy.org)

## Points to discuss with your representatives...

### Illinois

- Vote for HB3504 - Permit Fees for CAFOs. Bill is supported by IEPA. This bill will give the IEPA funds to police CAFOs that have a history of polluting.
- Ask your representative to restore local control.  
The Livestock Management Facilities Act (LMFA) gives the IL Department of Agriculture the power to overrule city and county boards. Communities know what is in their best interest. They should have the democratic right to accept or reject these industrial facilities.

### Federal

- Prohibit non-therapeutic uses of antibiotics in food animals.  
Massive quantities of antibiotics are used to keep food animals alive in factories, which has caused a surge in antibiotic resistant infections in humans. See [SaveAntibiotics.org](http://SaveAntibiotics.org) for more info.

**HOMES • PO Box 674 • Warren, IL 61087 • 815-745-9013 • [StopTheMegaDairy.org](http://StopTheMegaDairy.org)**