



**Midwest Environmental
ADVOCATES**
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LAWSUIT RESULTS IN SLAUGHTERHOUSE CLEANUP

Settlement with Sierra Club Requires Emmpak Corporation to Stop Polluting

Milwaukee, WI-- After years of violating the Clean Water Act, Emmpak Foods has stopped illegally dumping excess oil and grease into the Milwaukee Metropolitan Sewerage District (MMSD) system. Sierra Club, represented by the public interest law firm of Midwest Environmental Advocates, brought and settled a lawsuit to ensure that the waters of Milwaukee are protected from illegal pollution.

Since March of 2000, Emmpak has been operating under an MMSD Wastewater Discharge Permit, which governs pretreatment limits and other conditions for the discharge of wastewater from the company into the sewerage system. Public records show that Emmpak violated the local limit of 300 milligrams per liter (mg/l) of oil and grease on more than 71 days since May of 2000. Oil and grease can clog sewer pipes and increase the likelihood of sewer overflows.

“Clean water is a basic human right. Every company that discharges into the Great Lakes watershed has a duty to the public to keep our water safe—for our families, and for our future,” said Rosemary Wehnes, conservation organizer for the John Muir Chapter of the Sierra Club.

“After years of pollution Emmpak has finally installed new technology that will help keep Milwaukee’s water cleaner,” explained Jodi Habush Sinykin, Of Counsel to Midwest Environmental Advocates and lawyer for the Sierra Club in this action. She added, “There is no doubt that the company’s expeditious efforts to bring its facility into compliance was a direct result of the Sierra Club’s action.”

Similar praise for the Sierra Club came from MMSD Staff Attorney Tom Crawford, who described the citizen suit against Emmpak as, “meritorious” and “consistent with MMSD’s pretreatment goals under the Clean Water Act.”

“This settlement provides additional benefits to our Milwaukee community,” stated Cheri Briscoe of the Milwaukee area Sierra Club. “Instead of paying a penalty to the government, the Sierra Club settlement directs Emmpak to donate \$30,000 to two community groups that will directly benefit our local environment,” according to Ms. Briscoe.

The Urban Ecology Center will use the funds to conduct a feasibility study for the creation of a satellite environmental education center in the Menomonee Valley, where the Emmpak plant is located.

“We are excited about the possibility of expanding upon the Ecology Center’s successful neighborhood-based environmental education project in Riverside Park. The Menomonee Valley offers an opportunity to turn an environmental liability into a community asset and an educational resource for local residents and schools,” said Ken Leinbach, Executive Director.

The Jefferson Parent-Teacher Association will use their funds to help create rain gardens and conduct environmental education at Jefferson Elementary School in Wauwatosa and Hawley Environmental School in Milwaukee. Both schools are in the Menomonee River Watershed.

“We really appreciate that the Sierra Club was able to stop a polluter and then see that the money went to helping people like us improve our local environment,” said Amy Hawthorne of Jefferson Elementary School. “The kids at our two neighborhood schools are going learn so much from this project, and hopefully, they can turn around and teach their parents about stopping stormwater runoff at home.”

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FAST FACTS ABOUT THIS ISSUE

- Emmpak, was formerly known as Emmbars Foods, and before that it was known as Peck Meat Packing Company. In 2001 Excel Corporation purchased Emmpak. Excel Corporation is the United State’s third-largest meatpacking enterprise, operating sixteen slaughterhouses or meat processing plants in eleven states and Canada. Based in Wichita, Kansas, Excel Corporation is a wholly owned subsidiary of Cargill Food Solutions, Inc., one of the largest privately held corporations in the world with eight hundred operations in fifty-nine countries and with 2003 sales and revenues approaching sixty billion dollars.
- The Sierra Club's members are more than 700,000 of your friends and neighbors. Inspired by nature, we work together to protect our communities and the planet. The Club is America's oldest, largest and most influential grassroots environmental organization. For more information about the Sierra Club-Great Waters Group, go to <http://wisconsin.sierraclub.org/gwg/>.
- Midwest Environmental Advocates is Wisconsin’s first and only non-profit, public interest environmental law center. Midwest Environmental Advocates provides legal representation and community organizing assistance to community groups who are working for clean air, clean water, and environmental justice. For more information, go to www.midwestadvocates.org.
- Midwest Environmental Advocates and Sierra Club recently settled another water enforcement case against an industrial laundry, Cintas Corp., that had similarly sent excessive amounts of oil and grease into the MMSD system. The settlement provided \$47,000 to two local non profits to increase public access to the Milwaukee River by purchasing land for the Beerline B Bicycle Trail and to increase public awareness about water quality by purchasing water testing equipment, a boat, and a digital camera to monitor water quality problems in Milwaukee.