

Manitowoc Herald Times Reporter
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New DNR rule ends farm emissions suit

By Neil Rhines
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TOWN OF CENTERVILLE — A recent decision by the Wisconsin Department of Natural Resources would seek to regulate dairy and other livestock operations for air pollution emissions.

Just like a power plant is regulated for pollutants it sends through a smokestack, so too could livestock operations that exceed DNR thresholds for various pollutants, including ammonia. Alternatively, farms could adopt a set of "best management practices" that seek to reduce their emissions.

Although the new ruling would not actually take effect until 2008, and the best management practices to reduce ammonia and other emissions have yet to be agreed upon, the move has been greeted with much enthusiasm by local environmental groups.

At a meeting Thursday morning in the town of Centerville, Andrew Hanson, an attorney with Midwest Environmental Advocates, a Madison-based firm, said the Centerville CARES group took a big risk when it gave the Maple Leaf Dairy a notice of intent to sue about seven months ago. The notice invoked the Federal Clean Air Act, because the DNR and the owner of Maple Leaf were unresponsive, he said.

According to Hanson, the group will not go ahead with the lawsuit, although it was fully prepared to do so. Livestock operations have until now been exempt when it came to emissions, but no longer, he said.

According to Russ Tooley, President of CARES, he and other members formed and initiated the potential lawsuit against the neighboring farm, because "our homes should be a refuge, not a bunker."

The advised regulations in Chapter NR 445 now specifically include "emissions associated with agricultural waste." Changes would provide for a three-year exemption from the ruling and from permitting requirements for emissions. At the end of the three-year period, existing sources would have to come into compliance and new sources would have to comply on start-up.

A group formed from the siting legislation currently on Gov. Jim Doyle's desk would develop the best management practices. The group, assembled by the Department of Agriculture, Trade and Consumer Protection, would compose the practices, which then require final approval by the DNR.

Dan Siemers, general manager of the 1,800-head Siemers Holstein Farms on Mineral Springs Road, said "I'm all for farms doing a good job and being stewards of the land, but some of this stuff is pretty darn tough to judge."

In the five generations his family has farmed the area, Siemers said the family has come to understand that if something smells bad, it gives a bad name to the industry, but he has a lot of questions about the rule change. For example, he doesn't know how the new ruling could affect him, and he doesn't know how the ammonia is going to be measured.

He does understand, however, that some types of ammonia have been shown to cause illness, and "no farmer wants to make their neighbors sick." Also, he said, it makes sense for the DNR to begin the process, and for an implementation phase, but he's still waiting for the details.

Manitowoc County Dairy Agent Scott Gunderson said that while the best management practices to minimize ammonia emissions have yet to all be agreed upon, some are already being done by farmers in the county.

He cited phosphorous and sediment reduction, aeration, manure storage, diet manipulation, windbreaks, filtering and a separation from the source to housing as examples.

“That’s the way we’re going to meet and exceed those (thresholds), with best management practices,” he said.

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