

Wisconsin Clean Water News

FOR IMMEDIATE RELEASE

April 12, 2002

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Citizens in Marathon County act to stop manure spill into local river

Madison and Wausau, Wisconsin. The Wisconsin River Country Group of the Sierra Club in Marathon County, Wisconsin, today announced its intention to clean up Wisconsin's waters by ensuring that the Maple Ridge Dairy, a mega-livestock factory, stops dumping cow manure into Wisconsin's rivers and stream. Midwest Environmental Advocates, Inc., an environmental law center, is representing the Sierra Club.

"I fish in the Big Eau Pleine River and intend to take every step necessary to protect it from livestock factories that damage and pollute our shared clean water resources," stated Richard Wentzel, a resident of Marathon County. Wentzel is chair of the Wisconsin River Country Group of the Sierra Club and is a named party in the lawsuit.

The Sierra Club sent their notice of intent to file a lawsuit in response to a major manure spill that occurred on February 27, 2002, during land spreading of manure by Maple Ridge Dairy.

"This is just another example of how large livestock factories are mismanaging millions of gallons of animal waste," said Andrew Hanson, attorney with Midwest Environmental Advocates, Inc. "Unlike a small family farm, the damage from a livestock factory's overapplication of manure can be much more extensive due to the increased volume of manure."

The notice letter states that Maple Ridge Dairy spilled thousands of gallons of manure into unnamed tributaries of the Upper Big Eau Pleine River on February 27, 2002. Maple Ridge Dairy applied 250,000 gallons of manure on 32 acres of frozen ground, causing manure to run off the field, form pools almost one foot deep on a neighbor's property, and then pour into unnamed tributaries of the Big Eau Pleine River.

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According to the Sierra Club's letter, the Clean Water Act violations by Maple Ridge include:

- Dumping manure on a field not authorized by the DNR for manure disposal;
- Dumping manure on frozen and snow covered ground within 200 feet of a stream;
- Dumping manure on steep slopes;
- Failure to report its annual manure disposal and other information.

The letter also alleges that Maple Ridge Dairy, in applying manure on frozen and snow covered ground, operated an "open dump" in violation of the Resource Conservation and Recovery Act, a federal law that bans open dumping of solid waste when it adversely affects the environment or public health.

The Big Eau Pleine River is listed by the DNR as having too much bacteria and too little oxygen in the water. Both problems can lead to fish kills.

"If the Assembly's version of the Budget Repair Bill, which completely eliminates the DNR's Animal Waste Program, becomes law, we are going to see more manure runoff problems in Wisconsin's rivers and streams," according to Caryl Terrell, of the John Muir Chapter of the Sierra Club.

Penalties could be as high as \$27,500 for each violation of federal law.

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Photos in electronic format of the manure spill are available on request to Sierra Club Chapter office 608-256-0565, john.muir.chapter@sierraclub.org.