

## Southern Michigan Dairies, facility 1 – shut down. For how long?



New Year's Eve, 2011—all barns at SMD facility 1 on Dillon Hwy are closed down. The house and barn across the road were bulldozed, leveled in December. Photos are stills from a video taken Dec. 31, 2011 – see ECCSCM's YouTube channel: <http://www.youtube.com/user/eccscm>

### CAFO permit process continues for SMD 1 and 2; public hearing set for Feb 1 in Hudson

The Department of Environmental Quality has scheduled a public hearing for citizen comments on Southern Michigan Dairies draft CAFO permits on Wednesday, Feb. 1 from 7-9 p.m. in the Hudson Middle/High School Cafeteria.

Information from SMD 1 & 2 draft permits is discussed below. To read the full draft permits and SMD applications, download the files from our website: [www.eccscm.org](http://www.eccscm.org)

Instead of one permit for the two facilities, as in the past, Southern Michigan Dairies submitted separate CAFO applications for SMD 1 (the Dillon Rd facility) and SMD 2 (the US-127 facility).

The draft language for both permits, however, appears identical, including the same restrictions and prohibitions of some land application practices.

#### Deletions, Additions, Prohibitions

In the Public Hearing Notice, DEQ specifies that the new permits include **deletion** "of language and requirements pertaining to the Enhanced Wastewater Treatment System."

In other words, Vreba-Hoff's EarthMentor System – is GONE!

**Additions** to the permits include "unique land application prohibitions and restrictions, and storage structure upgrade due dates consistent with the Administrative Consent Order entered on March 24, 2011."

Some of the land application **prohibitions** include (from p.10-11 of the draft):

–CAFO waste shall not be land applied from December 15 of each year through March 15 of the following year, except in an emergency...

–A minimum 35-foot wide, well vegetated buffer around all ditches that are conduits to surface waters, surface waters, open tile line intake structures... CAFO waste shall not be applied within the buffer.

–In the Lime Lake watershed, CAFO waste shall not be land applied on or 2 days before each of these holidays: Memorial Day, Fourth of July, Labor Day and Thanksgiving.

#### Cow, Manure Numbers

Both permit applications list identical cow capacity of 3,400; identical lagoon storage capacity of 106,000,000 gallons; identical fields available for manure as 4,416 acres. Are these combined numbers, or are separate facility numbers somehow exactly the same? Yearly manure produced is listed as slightly different: SMD 1 – 35,000,000 gallons/yr; SMD 2 – 33,000,000 gallons/yr. Typo? or cows producing different amounts of manure?

#### Manure in Impaired Watersheds

Both SMD facilities have manure application fields in impaired watersheds, as the draft permits note (p.18):

*"The permittee's production area or land application areas are located within a watershed(s) covered by the approved Bean Creek (Pathogen), Prattville Drain and Lime Lake (E. coli), and River Raisin (E. coli) TMDL. The Department will develop and publish guidance regarding how to evaluate operations and determine additional pollutant control measures."*

Within 15 months of receiving DEQ's findings, SMD must conduct a "comprehensive evaluation of its operations."

However, that "guidance" and "evaluation" of operations is years away. In the meantime, the permit doesn't require any special measures – testing outflow from tile outlets, for instance – to protect the impaired streams.

### PUBLIC HEARING SMD 1 & 2 PERMITS

Please comment on the CAFO permits.  
Let DEQ know your concerns.

Wednesday, Feb. 1, 2012  
7:00 p.m. to 9:00 p.m.

Hudson Middle/High School Cafeteria  
771 North Maple Grove Avenue  
Hudson, Michigan 49247

or email your comments to Mike Bitondo, DEQ  
[bitondom@michigan.gov](mailto:bitondom@michigan.gov)

### Ohio citizens petition EPA to take CAFO permitting away from state

In November 2011, Ohio citizens petitioned the Environmental Protection Agency to withdraw Ohio's authority to issue CAFO permits as well as Ohio's "permits to install" and "permits to operate" CAFOs.

The petition argues that "Ohio has failed to regulate industrial animal operations as required under the Clean Water Act," and notes that excessive nutrients from agricultural runoff have contributed to toxic algae blooms in western Lake Erie and other Ohio lakes, the petition asks the EPA to investigate.

The EPA can revoke the authority of a state to administer CAFO permits if the permit is not equivalent to Clean Water Act requirements. The Ohio petition cites the state's Manure Management Plans as less stringent, not equivalent to federal Nutrient Management Plans.

The petition also states that the Ohio CAFO permit's "Distribution and Utilization" option for manure is a "transfer loophole" that circumvents liability for illegal discharges.

### FDA restricts ag use of antibiotics (announced Jan 4, 2012 – see p. 2)

## FDA restricts ag use of some antibiotics

The Federal Drug Administration announced Jan 4, 2012 that livestock producers must restrict their use of one class of antibiotics – cephalosporins, which include brands like Cefzil and Keflex.

These antibiotics are commonly used to treat pneumonia, strep throat, skin and urinary tract infections.

### Token Gesture

However, cephalosporins make up less than 1 percent of the total 29 million pounds of antibiotics used on farm animals each year. The use of penicillin and tetracyclines are still not restricted. In a New York Times column Jan 6, Mark Bittman calls the FDA move a “token gesture.”

The heavy use of antibiotics in agriculture, often to stimulate growth rather than treat disease, has led to the development of multi-drug resistant bacteria, a development that many doctors say has cost thousands of lives.

## Dairy air pollutants impact health – for miles

A study published in *Environmental Health Journal* in August, 2011 by researchers at the Johns Hopkins School of Medicine and School of Public Health measured the impact of dairy operations’ air emissions on nearby communities by assessing particulate matter, ammonia, and cow allergens.

The study was conducted inside and outside 40 homes in the Yakima Valley, Washington State, where dozens of dairies are located.

The researchers found airborne contaminants significantly greater at homes within one-quarter mile of dairy facilities but of concern up to 3 miles away. Their conclusion: “dairy operations increase community exposures to agents with known human health effects. This study also provides evidence that airborne biological contaminants...associated with airborne particulate matter are statistically elevated at distances up to three miles (4.8 km) from dairy operations.”



## JOIN US!

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Manure lagoons at SMD 2 on US-127. None have monitoring wells or flow metering.  
Photo: ECCSCM/Sierra Club/Lighthawk

## New Mexico requires monitoring wells, flow metering for manure lagoons

After years of concern from a citizens’ coalition about groundwater contamination from manure lagoons, and years of lawsuits and negotiations, New Mexico has implemented a rigorous set of rules for constructing and monitoring manure lagoons.

The main protections, according to an article in *High Country News*, include synthetic liners in new lagoons, monitoring wells, and flow metering and nutrient management systems to limit and track nitrates.

The Nevada Water Quality Control Commission unanimously approved the final version of the rules which went into effect Dec. 31, 2011.

An attorney who represented the citizen coalition called New Mexico’s rules some of the strongest in the country. “While none of this is a magic wand,” he said, “from the point of what we care about, these regulations are going to slowly change the face of dairy production in this state and bring it in line with higher and higher levels of best practices.”

Nevada’s Environment Secretary David Martin said, “Regular citizens can make a difference in protecting the environment.”

Amen to that!

### How to report CAFO pollution (air emissions, odor, water pollution)

- 1) Call MDARD Right to Farm: 1-877-632-1783
- 2) Notify DEQ Air Division: 517-780-7481  
or DEQ Water Resources: 517-780-7847
- 3) Fill out this ECCSCM form:  
[www.nocafos.org/reports/index.html](http://www.nocafos.org/reports/index.html)

In an emergency, call 24-hr DEQ Pollution Emergency Hotline:  
1-800-292-4706

*ECCSCM Meetings - 3rd Wednesday of the month, 7:30 p.m. Hudson Community Center*

**JOIN US:** Yes, I want to help protect our water and air, and promote sustainable agriculture. **All contributions support monitoring projects and community education.**

Name: \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

\_\_\_ Annual Membership \$25 \_\_\_ Senior Membership \$10

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Click on the button on [www.eccscm.org](http://www.eccscm.org)

Or, mail check to: ECCSCM, P.O. Box 254, Hudson, MI 49247

### We Support Sustainable Agriculture

- that preserves and protects our air, streams and lakes
- that raises animals in a healthy, natural environment, grazing, absorbing sunshine
- that avoids the steady diet of hormones and antibiotics given animals in the crowded, confined conditions of industrial facilities
- that values and protects farmland, the environment and the rural community

**Thank You!**