

ECCSCM

Environmentally Concerned Citizens of South Central Michigan

WINTER 2004

Hartland Farms, Jelsma/Mericam fined for manure pollution

Two lawsuits against Hartland Farms and Jelsma/Mericam were settled recently with the CAFOs receiving fines for manure pollution of Bean Creek and River Raisin Watersheds. The Sierra Club and the National Wildlife Federation filed suit under the Clean Water Act against the two Confined Animal Feed Operations after multiple illegal discharges in Lenawee and Hillsdale Counties.

According to the Consent Decree, **Jelsma/Mericam** will pay nearly **\$50,000 in fines and fees** – including \$20,000 in civil penalties, \$10,000 for a supplemental environmental project, plus attorney and expert witness fees to NWF. Also, for any future violations, Mericam will pay stipulated penalties of \$5,000 per day and \$1,000 per day monitoring costs. “This settlement shows us that there is a better way,” said Anne Woiwode, Director of the Sierra Club Mackinac Chapter. “We can find ways to support sustainable agriculture, while making sure that massive animal factories stop contaminating our water.”

Hartland Farms was fined **\$5,000**, with stipulated penalties for future violations set at \$2,500 per day. Neil Kagan, Senior Counsel for the National Wildlife Federation said the agreement assures that Hartland Farms “will not be off the hook for any future violations that could threaten the health and well-being of families and farms downstream.” Hartland Farms will be required to provide and report the results of independent testing and monitoring of waters running off the property in the event of future manure discharges.

Manure pit overflows at Vander Hoff Haley CAFO

On December 3, the manure pit overflowed at the production area of Vander Hoff Haley Dairy on Haley Rd, Dover Twp. Liquid manure entered a catch-basin and drained through tile to Rice Lake Drain. Black water flowed down Rice Lake Drain to Bear Creek in the River Raisin Watershed.

Jon Russell, Jackson District DEQ, told the *Adrian Daily Telegram* (Dec. 7, 2003) that “the error

that allowed [this] to happen is viewed as a serious mistake.” Vander Hoff “should have been more careful,” Russell said.

The DEQ has finally sent the Vander Hoff Haley case to Escalated Enforcement, after multiple illegal discharges over two years to the River Raisin Watershed.

For other recent violations, see page 2.

Mad Cow disease diagnosed in downer US cow, weeks after slaughter for meat processing

December 24, 2003 – Tissue samples from a downer cow, unable to walk, indicated mad cow disease, the first diagnosis in the USA. The cow was slaughtered in Washington state in early December, with the meat processed and apparently sold in 8 western states and Guam. Most US exports of beef have been halted. The USDA has downplayed the risks for

mad cow disease – bovine spongiform encephalopathy – and has tested few cows for the disease. BSE is a brain-wasting disease that can be transmitted to humans as Creutzfeldt-Jakob disease by eating infected animal nerve tissue.

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November 21, 2003 – Bakerlads pivot-spraying liquid manure

Aerosolized manure causes intense stench, public health threats

During many weeks this fall, residents in Hudson Twp, Wright Twp, and Medina Twp experienced serious air pollution concerns with intense stench from CAFOs drag-lining or pivot-spraying liquid manure. Aerosolized manure has caused public health concerns. Neighbors have suffered various symptoms, including nausea, headache, and breathing difficulties. (see Stench Alerts at www.nocafos.org)

If you see polluted water or smell manure in water, call immediately:

Scott Miller, DEQ: 517-780-7003

or PEAS Hotline (24 hrs.): 1-800-292-4706

For fumes, stench, emissions, call PEAS Hotline, and say “Air Quality” concern

Recent air quality concerns, discharges, violations

- Dec. 16 - intense stench, air quality concerns, from **Vreba-Hoff** and **Bill White** manure application at Elm, Tamarack, & Coman Rds. Also, **New Flevo** manure application at Hoddinot and Wilkinson.
- Dec. 8 - stench at Elm, Tamarack, & Coman Roads, from **Vreba-Hoff** field application; odor reported 4-5 miles away.
- Dec. 7 - manure leaks from a vertical silo! on **Ruesinck Farms**, Knight Hwy, drains across lawn into a field.
- Dec. 3 - manure pit overflows at **Vander Hoff Haley**, Haley Rd, with manure flowing into a catch-basin and through tiles to Rice Lake Drain. (DEQ-confirmed discharge)
- Dec. 2 - intense stench, public health threats including nausea, headache, breathing difficulties, from intense spraying and surface drag-lining of liquid manure-- **Hartland Farms**, along Beecher Rd; **Bleich Dairy** along both sides of Hillside; **Vreba-Hoff**, along Ridgeville Rd.
- Nov. 21 - after 2 inches of rain, **Bakerlads Dairy** spray-irrigated liquid manure on saturated fields, including a sloping area with tile riser and connection to the South Branch of the River Raisin.
- Oct. 14 - with 1" of rain, animal wastes flowed into several Bean Creek tributaries. The wetland on Dillon Hwy at **Vreba-Hoff** was flowing fast, black water, with Dissolved Oxygen at dead-zone levels, 2.28mg/L.
- Oct. 14 - **Jelsma/Mericam** applied manure in the rain. The Bennett Drain, just downstream, was flowing dark brown with strong manure odor. (DEQ-confirmed discharge) The DEQ Notice Letter, Dec. 2, noted: "Manure laden storm water was observed flowing across the surface of the field...Water flowing into Bennett Drain on the east side of Highway 127 was brown and had a strong odor of manure." DEQ water samples on Oct. 14 found *E. coli* count of 940,000/100 ml; on Oct. 17 *E. coli* count in Bennett Drain at US-127 was 660,000/100ml.
- Oct. 10 – gray-colored water in Fisk Drain confirmed by DEQ as illegal discharge of silage leachate from **Warner Farms**, Tipton. (DEC-confirmed discharge)

ECCSCM members support Ohio farm with rotational grazing

Several ECCSCM members drove to Defiance, OH before Christmas to purchase chicken, smoked ham, pork, and eggs all grown on a farm using rotational grazing. C/J Natural Meats, 18637 County Road 168, Defiance, OH 43512, is owned by Ralph and Sheila Schlatter. It's best to call ahead (419-399-2350) to make sure someone will be there to serve you.

There are alternatives to CAFOs – support local, sustainable agriculture and farms with rotational grazing.

Vreba-Hoff charged \$39,000 for road damage in Medina Township

The Lenawee County Road Commission has charged Vreba-Hoff \$39,000 for damage this fall to Ingall Hwy and Packard Rd, after the CAFO repeatedly drove manure haulers and other heavy equipment over rain-saturated roads.

Reasons We Have Heard From MDA, DEQ For All This Foul Water

1. It's geese (or deer, or raccoons)
2. It's that house over there
3. It's those 6 horses
4. It's tannins in the water (or cherry trees)
5. etc., etc.

(why never "It's those **4,000 cows & their millions of gallons of liquid waste**"?)

BULLETIN: As we go to press... Major discharge events at the holiday

12/23/03 - ECCSCM identified multiple sites where foul-smelling, manure-contaminated water was running off fields or through field tiles, entering Lime Lake Inlet. These discharges are a threat to the wells on Lime Lake and a potential health threat to the residents. Contamination is from fields spread with liquid manure by **Vreba-Hoff** on and around 12/8/03 and 12/9/03 and 12/16/03. Rain started late 12/22/03. John Klein, Kathy Melmoth, and Lynn Henning reported manure-smelling water from the following locations: 1) black tile on south side of Tamarack Rd., Lime Lake Inlet, 2) multiple tiles in area of Tamarack and Coman Rds, draining to Lime Lake Inlet; soil and manure-smelling water were also pouring onto Tamarack Rd, 3) tile on south side of Lime Lake Rd. draining foul smelling water from field on north side of Lime Lake Rd; tile enters Prattville Drain and goes into Lime Lake, 4) tile from field spread by Vreba Hoff on Elm Rd. draining to Lime Lake Inlet.

ECCSCM IN ACTION: **Lynn Henning** gave a presentation to the League of Women Voters in Perrysburg, OH on Nov. 8, including ECCSCM President **John Klein**'s video of CAFO manure application and water pollution. **Connie Gale, Janet Kauffman,** and **Kathy Melmoth** attended Clean Water Action's Conference on Source Water Protection in Ann Arbor on Nov. 8. **Kathy Melmoth, R.N.**, has begun documenting health impacts near CAFOs, with data on air quality concerns such as hydrogen sulfide, symptoms associated with liquid waste stench, cases of respiratory distress, and other risks to public health.

 For more news, discharge details, odor alerts, go to:
www.nocafos.org

ECCSCM Officers: John Klein, President; Lynn Henning, V-P; Richard Chudey, Sec-Treas
 P.O. Box 254, Hudson, MI 49247
www.eccscm.org

JOIN US: Yes, I want to help protect our water and promote responsible agriculture. Donations support water monitoring programs and community education.

Name: _____

Address: _____

___\$ 25 Family ___\$20 Individual \$ ___ Donation

Mail to: **ECCSCM, P.O. Box 254, Hudson, MI 49247**
Thank you!

We Support Responsible Agriculture –

that preserves & protects water quality in 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