

# Centerville CARES



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## **FOR IMMEDIATE RELEASE**

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### **Centerville CARES Initiates Federal Lawsuit Against Factory Farm for federal Clean Air Act Violations**

**Centerville, WI.** In a move that may change how factory farms in Wisconsin are regulated, a local group of residents in Manitowoc County sent a letter to a nearby factory farm today stating the group's intent to take the operation to federal court unless it takes swift action to reduce its air pollution within 60 days.

The local group, Centerville Concerned Citizens for Air, River, and Environmental Solutions (Centerville CARES), is frustrated with the suffocating air pollution that drifts from Maple Leaf Dairy, Inc. toward their homes, forcing them to close their windows and stay inside to avoid the noxious odors and pollution. Some of the air pollution consists of ammonia, a toxic gas that can cause eye, nose, and throat irritation and general discomfort in people exposed to the gas. The Wisconsin Department of Natural Resources (DNR) has identified ammonia as a hazardous air pollutant.

"The air pollution from Maple Leaf Dairy, Inc. has been horrible over the past several years," said Garth Hammond, member of Centerville CARES. "We're not going to take it anymore. It is time for these operations to be regulated by the DNR to protect people from exposure to toxic air pollutants."

DNR regulations prohibit sources of air pollution from constructing or modifying their facilities without the required DNR permits if the modification will result in an increase of air pollution. Maple Leaf Dairy failed to get the required DNR permits when it increased the size of its operation to 3,300 head of dairy cattle, and consequently, increased the air pollution coming from the added animal waste gathering in the barns and sitting in nearby waste pits.

This failure, Centerville CARES alleges, is a violation of state air quality rules and the federal Clean Air Act. If Maple Leaf Dairy fails to apply for the required DNR air quality permits before the end of 60 days, Centerville CARES will file their lawsuit in federal court to require Maple Leaf Dairy to do so.

"The federal Clean Air Act was designed to protect us from this air pollution, and there is no reason that livestock factories like Maple Leaf Dairy should be excluded from its requirements," said Russ Tooley of Centerville CARES and a neighbor of Maple Leaf Dairy.

Centerville CARES is also worried that Maple Leaf Dairy's air pollution may be contributing to the excessive algal growth in nearby Point Creek, Fischer Creek, Lake Michigan and other waters downwind of Maple Leaf Dairy. When mixed with other atmospheric gases, ammonia can form a chemical variant known as ammonium nitrate that can deposit on nearby land and water. The nitrogen-based compound acts as catalyst for algal growth in streams in a manner similar to runoff from animal waste and residential lawn fertilizers.

“There are several studies that indicate that ammonia emissions from manure lagoons and freestall barns can contribute to pollution in nearby surface waters,” said Andrew Hanson, a staff attorney with Midwest Environmental Advocates, Inc. representing Centerville CARES. “At the very least, this warrants additional study by the DNR to determine if Maple Leaf Dairy's ammonia emissions are contributing to the pollution in Point and Fischer Creeks.”

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