

RRRA - Summary of PSM Lawsuit

NOTE: All quotations are from PEOPLE OF THE STATE OF ILLINOIS, Complainant, v. PROFESSIONAL SWINE MANAGEMENT, LLC, an Illinois limited liability corporation, and HILLTOP VIEW, LLC, an Illinois limited liability corporation, WILDCAT FARMS, LLC, an Illinois limited liability corporation, HIGH-POWER PORK, LLC, an Illinois limited liability corporation, EAGLE POINT, LLC, an Illinois limited liability corporation, LONE HOLLOW, LLC, an Illinois limited liability corporation, TIMBERLINE, LLC, an Illinois limited liability corporation, PRAIRIE STATE GILTS~ LTD, an Illinois corporation, NORTH FORK PORK, LLC, an Illinois limited liability Corporation, LITTLE TIMBER, LLC, and Illinois limited liability corporation, TWIN VALLEY PUMPING, INC, an Illinois corporation. For a complete copy of the Complaint, please go to www.ruralresidentsforresponsibleagriculture.com.

- **Hilltop View, LLC, Schuyler County:** “By threatening, causing or allowing storm water run-off and sediment and soil erosion to discharge from the facility construction site without obtaining a construction storm water NPDES permit or otherwise complying with construction storm water requirements, Respondents Hilltop and PSM have caused, threatened or allowed the discharge of contaminants into the environment so as to cause or tend to cause water pollution in Illinois,…”
- **Wildcat Farms, LLC, Hancock County:** “A sample was collected from an accumulation of liquid in the flow path of the manure release. The liquid was turbid, dark colored and contained a strong swine waste odor....The stream contained a swine waste odor....By causing or allowing the discharge of contaminants that resulted in bottom deposits and turbid, discolored and odor conditions in the waters of an unnamed tributary to Wildcat Creek, Respondents Wildcat and PSM Wildcat and PSM have violated Section 12(a) of the Act, 415 ILCS 5/12(a), and Section 302.203 of the Board's Water Pollution Regulations, 35 Ill. Adm. Code 302.203.”
- **High-Power Pork, LLC, Adams County:** “On November 10, 2008, swine waste discharged from the High-Power facility due to a break and/or leak in a six-inch diameter PVC pipeline between the High-Power facility's lift station and one of its approximately 3.5 million gallon capacity, above-ground manure storage tanks. During the incident, approximately 90,000 gallons of liquid swine waste was released from the PVC pipeline that was backfilled the week prior to November 10, 2008. The break and/or leak in the PVC pipeline resulted in swine waste oozing out of the ground and then flowing down a grassed waterway, under the township road into an unnamed tributary of the South Branch of Cedar Creek and then into South Branch Cedar Creek and Cedar Creek, causing a fish kill.”
- **Eagle Point, LLC, Fulton County:** “On May 10, 2007, the Illinois EPA inspected the Eagle Point facility. At the time of the inspection, there was a discharge from the north gestation building perimeter tile onto the land in a manner in which the discharge drained into a strip mine lake. The discharge was slightly cloudy and had a slight livestock waste odor.... Respondents Eagle Point and PSM have caused or allowed contaminants to be deposited upon the land in such place and manner as to create a water pollution hazard by causing contaminants to remain on the land and subject to surface drainage or leaching into waters of the State.”
- **Lone Hollow, LLC, Hancock County:** “On September 13, 2007, a swine manure release occurred at the Lone Hollow facility.... Liquid swine manure drained out of the 8-inch pipe at the southeast corner of the farrowing building and flowed southeast across the gravel drive. The manure continued to flow east until it reached the waterway to the east of the swine confinement buildings.... The liquid was turbid, light brown in color and odorous....A very low flow of clear liquid was discharging from the perimeter tile for the isolation confinement building.”

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- **Timberline, LLC, Schuyler County:** “On October 30, 2003, the Illinois EPA conducted an inspection of the Timberline facility in response to a report of a swine manure release.... The hose clamp failed near the edge of the land application field and the waste flowed into an intermittent waterway.... On September 11, 2008, the Illinois EPA conducted an inspection of the Timberline facility and at the time of the inspection, the Illinois EPA inspector observed a discharge of leachate from the facility's dead animal composting structure. The purple colored liquid was observed exiting the unroofed composting structure and entering a dry dam which discharges to an unnamed tributary of the West Branch of Sugar Creek. ...On April 22, 2009, at approximately 6:30 p.m. to 7:00 p.m., at a time when no one was present at the Timberline facility (emphasis added), a fire broke out. The fire was reported by a passing motorist. An estimated 3,000 sows and 10,000 piglets were killed by the fire.”
- **Prairie State Gilts, LLC, Schuyler County:** “On July 7, 2008,... Livestock waste exited the pipeline at the decapitated clean-out pipe rather than at the lagoon, and entered a small unnamed tributary of one of the facility's on-site ponds. The pond is used to provide water for the swine in the fall when it is dry and the on-site well does not yield adequate water. The pond that received the swine waste has a surface area of .5 to .75 acres and during periods of high water discharges into an adjacent pond to the east. The east pond ultimately discharges to an unnamed tributary of Honey Branch.... On July 24, 2008 (emphasis added), the Illinois EPA conducted an inspection of the Prairie State Gilts site in response to a report of the release. A narrow channel of swine waste was observed entering the north end of the receiving pond. The pond was covered with algae and had a septic odor consistent with that of swine waste. The north end of the pond was observed to have a dark gray/black color and to be turbid. An overflow pipe existed on the site, between the receiving pond and adjacent pond to the east. At the time of the inspection, facility personnel indicated the facility intended to pump down the receiving pond and land apply the contents to wheat ground.. On October 29, 2008, the Illinois EPA inspector spoke to facility personnel to determine if the contents of the receiving pond had been land applied. On October 30, 2008, the facility responded that nothing had been pumped from the pond (emphasis added).”
- **North Fork Pork, LLC, Hancock County** “On December 3, 2003, the Illinois EPA inspected the North Fork facility. At the time of the inspection, there was a discharge from a perimeter tile serving the facility's south gestation building. On August 12, 2004, the Illinois EPA conducted an inspection at the North Fork facility in response to a report of a manure spill. The release occurred through a leak in a 6-inch diameter flexible waste application hose, being used to pump from the gestation pit at the North Fork facility. The manure was released approximately 50 feet north of the intersection of gravel roads 1400 E and 450 N in St Albans Township, Hancock County, just north of the North Fork facility.... On December 19,2007, the Illinois EPA conducted an inspection of the site. At the time of the inspection, a flow of liquid was draining in an area between the swine farrowing building and gestation building #2, west to east. The liquid contained a diesel fuel odor and slight oil sheen....At the time of the December 19, 2007 inspection, the Illinois EPA inspector observed leachate and runoff draining from the contents of the facility's uncovered mortality compost structure to a small pond on the site.”
- **Little Timber, LLC, Hancock County:** “At the time of the June 1, 2004 inspection, the inspector observed dark colored, turbid, odorous leachate and surface runoff draining west from the mortality compost unit at the Little Timber facility. The runoff drains west in a ditch of the gravel access lane, then flows into a north/south waterway....A sample collected 20 yards downstream

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from the compost unit consisted of liquid that was dark colored, very turbid with a strong, offensive, nauseating odor (emphasis added). ... At the time of the June 1, 2004 inspection, odors were observed from the swine confinement buildings, lagoon and dead livestock compost unit. The odor in the vicinity of the compost pile was very strong and offensive. Swine waste odors were observed off-site at County Road 2450 E. About 1 mile northeast of the facility. Wind direction was from the southwest. (emphasis added).”