



For Immediate Release

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MADIGAN ACTS TO STOP ALLEGED KANKAKEE RIVER POLLUTION AND FORCE CLEANUP OF NEARBY CREEK

Chicago — A Kankakee County judge has entered an agreed order for an immediate and preliminary injunction filed by Attorney General Lisa Madigan requiring a Kankakee County man to stop polluting the Kankakee River after he allegedly arranged for a mixture of sucrose and fructose given to him by a local facility to be dumped into a ditch that eventually flows into the river.

The mixture potentially threatened fish and other aquatic species.

The order, entered on June 27, also requires Richard Wardynski, doing business as Apple Lawn Farms, at the 16500 East Block of Route 114 in Momence Township, to begin immediate remediation of the site by removing all sucrose- and fructose-contaminated water from the ditch. Wardynski also was ordered to consult with the Illinois Environmental Protection Agency (IEPA) in conducting water quality tests.

In the accompanying complaint filed June 19, Madigan said that on June 2, Kankakee County officials observed that a red liquid had been dumped into a ditch on land leased by Wardynski. While they were at the site, the officials stopped a driver employed by Wardynski as the driver prepared to dump a 5,500-gallon tanker containing more of the liquid. The driver told authorities the substance was corn syrup, which is typically land applied or fed to cattle.

According to Madigan's complaint, the solution is given to farmers such as Wardynski by a Momence company, Van Drunen Farms, which produces freeze-dried fruit. The production process involves soaking partially dried fruit in the fructose/sucrose solution which eventually becomes so infused with fruit flavors and contaminants that it must be discarded.

Also on June 2, an IEPA inspector obtained samples from the creek and followed the release approximately 2,000 feet downstream and observed grayish, cloudy material with a septic odor in the creek. The water was black where the creek entered the Kankakee River. Inspectors also discovered Wardynski allegedly dammed the ditch into several sections in an apparent effort to contain the release. According to the IEPA, 400 feet of the ditch closest to where the release occurred is heavily contaminated with fermenting fructose and sucrose. The agency referred the case to Madigan's office June 7.

“An immediate cleanup is absolutely necessary so that the Kankakee River environment will not be harmed any more than it has already experienced,” Madigan said. “This order contains specific dates for action.”

Wardynski must remove all contaminated water and decaying vegetation at the bottom of the ditch and test the water in the ditch to ensure that any water released into the Kankakee not adversely impact the river’s color, dissolved oxygen or turbidity. By July 3, Wardynski must excavate any remaining sucrose and fructose-contaminated sediments from the first 400 feet of the ditch under terms of the agreed order and to land apply recovered solid and liquid contaminants to property owned by Van Drunen Farms.

Madigan’s complaint charges Wardynski with substantial danger to the environment, public health and welfare, water pollution and creating a water pollution hazard. Each violation carries a possible civil penalty of \$50,000 and an additional \$10,000 for each day the violation continues.

Assistant Attorney General Katherine Hausrath is handling the case for Madigan’s Environmental Bureau.

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