



October 3, 2008

MADIGAN ORDERS MEASURES TO PROTECT LOCAL ENVIRONMENT FROM HENDERSON COUNTY SWINE PRODUCER

Chicago — Attorney General Lisa Madigan has obtained a court order requiring a swine producer to take immediate steps to guard against future leaks of liquid livestock waste at its Henderson County facility near Gladstone, Ill. The court order is the result of the Attorney General's lawsuit against SF Ventures, LCC, a 10,000 head swine production facility, following a damaging waste leak in August that flowed onto neighboring property and resulted in a fish kill in a nearby creek that leads to the Mississippi River.

The court order requires that SF Ventures, LLC, and co-defendant Great River Farms, LLC, wholly owned by TriOak Foods, Inc., an Iowa corporation that owns the swine kept at the facility, stop all discharges of liquid livestock waste and monitor on a daily basis all of the drain tubing serving four confinement buildings. The new facility just opened in December 2007 but Madigan's complaint alleged that the leak was caused by a poorly designed holding pond with an unsealed water pipe that penetrated the eight foot holding pond wall. Three other buildings on the site feature similar construction with water pipes that penetrate the walls of the waste holding ponds.

"An obvious design flaw created the leak and caused serious danger to the environment and to the public health," Madigan said. "I want to ensure that the flaw is corrected so that this cannot happen again."

As a result of the order that was filed September 24, 2008, in Henderson County Circuit Court, the defendants will submit monthly written reports on visual inspections of each holding pond to the Illinois Department of Agriculture (IDOA) and the Illinois Environmental Protection Agency (IEPA). In addition, the court ordered the defendants - within 30 days - to permanently modify the holding pond at the building where the leak occurred and begin excavating and inspecting the condition of the holding ponds at the three other buildings. The defendants will submit work plans and specifications for approval by IDOA detailing the modifications and redesign to the waste storage and removal systems at the buildings.

A fish kill investigation in August by the Illinois Department of Natural Resources (IDNR) revealed that the waste discharge flowed east to an adjacent cornfield, to a pasture east of the facility, and eventually to a tributary of Deep Run Creek. Both IEPA and IDNR inspectors observed dead fish downstream in the creek. The value of the fish kill has yet to be established by the IDNR.

Assistant Attorney General Jane McBride is handling the case for Madigan's Environmental Bureau.

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