



April 21, 2011

ATTORNEY GENERAL MADIGAN FILES COMPLAINT FOR WATER POLLUTION, DISCHARGE VIOLATIONS AT UNFINISHED DAIRY FARM

Chicago — Attorney General Lisa Madigan has filed a water pollution complaint against the owner of a dairy farm under construction in Jo Daviess County after a pink and purple-colored liquid flowed into the South Fork of the Apple River. It is alleged the liquid was leachate from silage stored at the facility.

Traditions South Dairy, 12504 E. Canyon Road near Stockton, is owned by A.J. Bos of Bakersfield, Calif. Bos' Tradition Investments, LLC is named in the complaint filed yesterday with the Illinois Pollution Control Board (IPBC).

According to Madigan's complaint, on Oct. 1, 2010, the Illinois Environmental Protection Agency (IEPA) investigated a citizen complaint of discoloration in the west branch of the South Fork. Inspectors traced the color back to a location at the dairy where a field tile discharged into the tributary. Results of samples collected by the IEPA revealed, among other things, an elevated level of suspended solids attributable to the discharge of silage leachate. In addition, the unnatural color also violates state water regulations. Traditions employees told the IEPA the silage was collected at the dairy in anticipation of livestock that had yet arrived and leachate from the silage was stored in a holding pit at the dairy. The contract land applicator told inspectors he applied approximately 320,000 gallons of the silage leachate on five acres the previous day as well as Oct. 1, 2010.

Madigan's complaint requests the IPCB to schedule a hearing in Jo Daviess County where Traditions Investments will have an opportunity to answer the five counts in the complaint that includes water pollution and operating without a National Pollutant Discharge Elimination System permit. Each count seeks a civil penalty of \$50,000 per violation and an additional \$10,000 for each day the violation continued.

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

-30-

[Return to April 2011 Press Releases](#)

