



June 19, 2013

**ATTORNEY GENERAL MADIGAN, STATE'S ATTORNEY BRUSCATO: SITE OF AMMONIA LEAK TO REMAIN CLOSED
PENDING INVESTIGATION**

Chicago — Attorney General Lisa Madigan and Winnebago County State's Attorney Joseph Bruscatto today announced a court order will keep an anhydrous ammonia loading dock closed at a Rockford farm co-op where an ammonia leak occurred earlier this month until the extent of environmental damage is known.

The joint filing against Conserv FS, Inc. and Schoff Farm Service, Inc. is in response to the ammonia leak that began on June 4 at Conserv FS, located at 1925 S. Meridian Rd. A driver delivering anhydrous for Schoff struck and severed the overhead anhydrous pipe connecting the tank loading stations. A shutoff mechanism on the dock failed, resulting in an uncontrolled discharge of approximately 40,000 pounds of compressed anhydrous ammonia for approximately 12 hours. Anhydrous ammonia is a hazardous substance, and exposure can cause death to humans and animals, including fish and aquatic life. Emergency responders used approximately 100,000 gallons of water to mitigate the effects of the ammonia release. The resulting contaminated waste water flowed off site into a tributary of Kent Creek.

According to the joint complaint, the ammonia release and the shutoff mechanism's failure presents a substantial danger to human health and the environment. In addition, there must be a detailed evaluation to determine whether damage to the air, soil and groundwater in and around Conserv FS occurred before the loading dock operations are allowed to resume.

"This incident created a significant health and safety threat in the surrounding area," Madigan said. "The court order will ensure the facility remains closed until the shutoff system is fixed and any environmental damage is fully addressed."

"In any case involving the release of a potentially dangerous substance into the environment, the primary concern of the State's Attorney's office is the protection of residents in the area surrounding the release," stated State's Attorney Chief of Staff David Kurlinkus who is representing the State's Attorney's office in the case. "We will provide any service and support required to assist the Attorney General as the court proceedings move forward."

The immediate injunction requires Conserv FS to cease any anhydrous ammonia loading activities, maintain the dikes and temporary barriers constructed for containing storm water and continue remediation of the nearby South Branch of Kent Creek that contains waste water runoff. The order also requires Conserv FS to submit a plan to investigate soil, surface and ground water contamination and the status of drinking water wells. In addition, Conserv FS must submit an engineering report on the structural problems that contributed to the shutoff system's failure. The Agreed Order requires Conserv FS and Schoff to submit a cleanup plan for offsite contamination for approval by the Illinois Environmental Protection Agency (IEPA), and once approved, the defendants must implement the plan according to approved timelines. The defendants must submit a final report upon completion of remediation for review and approval by the IEPA.

The complaint filed by Madigan and Bruscatto's offices seeks civil penalties of \$50,000 for each violation of the state's environmental laws and an additional \$10,000 for each day of each violation.

Assistant Attorneys General Robert Petti and Christopher Grant are handling the case for Madigan's Environmental Bureau.

-30-

[Return to June 2013 Press Releases](#)

