

Illinois EPA Refers Alleged Stormwater Dischargers to Attorney General for Enforcement

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The Illinois Environmental Protection Agency [has asked the Illinois Attorney General's Office to file an enforcement action](#) against the owners of an ethanol plant located at 23029 E. County Highway 6 in Canton, Fulton County, Illinois, and companies associated with an adjacent grain operations/storage site.

According to the Illinois EPA, an inspection revealed "that both of the sites were discharging contaminated stormwater entering a small lake approximately 11 acres in surface area on the Riverland property. No fish were evident in the small lake, which has odorous black solids and sludge deposits and a delta of distillers grain solids, but at least 50 dead turtles were found. Following the March 12 inspection, an ethanol plant employee removed a beaver dam that had been blocking the small lake outlet, lowering the water level and resulting in a slug of contaminated water entering the larger lake that is approximately 37 acres in surface area."

The Illinois EPA alleges that the owners of these facilities "have violated the Illinois Environmental Protection Act by allowing the discharge of runoff from rotting corn condensate and leachate, stockpiled ash (from the power station) and corn milling products." EPA requests that the Attorney General's Office seek a court order requiring the owners of the facilities "to clean up contamination on the ground and cease all contaminated discharges; plug an outfall from the small lake to the larger lake and install aeration in both lakes; remove sludge deposits from the small lake; and remove the 2.3 million gallons of wastewater at the ethanol plant and transport it for proper treatment, obtaining all required Illinois EPA permits. The Illinois EPA is also recommending that civil penalties be sought."

Stay tuned to the Illinois Environmental Law Blog for more news and developments.