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Hog Waste: Court order filed

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Posted: Saturday, August 8, 2009 12:00 am | Updated: 2:56 pm, Fri Aug 31, 2012.

BY KATIE ANDERSON

The owner of the Murrayville swine operation whose disposal of livestock waste killed fish and aquatic life in a neighbor's pond and may have polluted nearby wells has agreed to terms of a court order filed by the Illinois Attorney General's Office.

The agreed injunction filed Friday in Morgan Circuit Court orders Don Irlam of 2067 Midwest Road to immediately cease discharge of waste from his facility, remove and clean up all livestock waste that could drain into nearby waterways, and propose a plan to the Environmental Protection Agency to investigate and remediate any damage to a neighbor's pond.

The injunction also prohibits Irlam from taking on any new swine without court approval and requires him to submit a waste management plan to the Illinois EPA for approval by Sept. 15.

An investigation conducted by the Illinois EPA on July 31 into a fish kill near Irlam's property alerted authorities to the overflow of hog waste from his 600-animal facility northeast of Murrayville.

At the time of the investigation, all of the waste storage pits under Irlam's four swine confinement buildings were full of liquid and solid livestock waste.

It was determined a minimum of 31,000 gallons of livestock waste, including settleable solid waste, visible oil, grease, scum and sludge solids, was released on to the ground on Irlam's property over the past 45 days.

As a result, waste ended up in a creek and a pond on the property of neighbor Steve Suttles, causing the creek area and pond to become black and "smell of swine manure," according to a report from the Illinois EPA.

Charges in the injunction describe the waste so bad that it rendered the water in Suttle's cattle-watering pond "harmful or detrimental or injurious to public health, safety or welfare to agriculture, recreational or other legitimate uses."

"Dead fish were found lining the pond," the Illinois EPA report said.

During an investigation on Irlam's property Tuesday, it surfaced that Irlam only has 2 or 3 acres of land suitable for the land application of livestock waste. That amount is insufficient for proper land application disposal of the amount of waste his facility creates.

In the past, Irlam apparently used neighbor's fields in addition to his own, but because of the wet weather was denied access this year.

The Morgan County Health Department has been asked to help the Illinois EPA investigate whether some private



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wells in the vicinity of Irlam's property have been contaminated.

Richard Smith, administrator of the Morgan County Health Department said only one person from the area has contacted the Health Department to ask for a contamination test, which is scheduled for Monday.

"If somebody is wanting their well sampled in proximity of the hog lot or don't feel comfortable they can come up to the Health Department and pick up a kit," Smith said.

Irlam is scheduled for a status hearing in Morgan Circuit Court at 9 a.m. Sept. 28.

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