Message

From: Poy, Thomas [poy.thomas@epa.gov]
Sent: 10/22/2014 6:40:42 PM
To: Maraldo, Dean [Maraldo.Dean@epa.gov]; Pierard, Kevin [pierard.kevin@epa.gov]; Swenson, Peter [swenson.peter@epa.gov]; Holst, Linda [holst.linda@epa.gov]
Subject: FW: Groups petition for emergency EPA action: "In Wisconsin, Kewaunee County water problems need federal intervention"
Attachments: 20141022_SDWA_Petition_to_EPA_Release.pdf

Gina McCarthy and Susan Hedman are receiving a petition from Midwest Environmental Advocates for EPA to use its SDWA 1431 authority because of ground water contamination with nitrates and bacteria caused by CAFOs and farms. I'm forwarding this to you as an FYI because your programs may get pulled into this too. A link to the petition is at the very bottom.

Tom

Tom Poy
Chief, Ground Water and Drinking Water Branch
USEPA - Region 5
(312) 886-5991

From: Cannon, Phillippa
Sent: Wednesday, October 22, 2014 10:16 AM
To: Hedman, Susan; Mathur, Bharat; Hyde, Tinka; Poy, Thomas
Cc: Kelley, Jeff; Cassell, Peter; Rowan, Anne
Subject: Fw: Groups petition for emergency EPA action: "In Wisconsin, Kewaunee County water problems need federal intervention"

Midwest Environmental Advocates in Madison issued the news release below. A Green Bay TV reporter is trying to confirm that EPA has received the petition referenced in the release.

From: Brian Kerhin <Brian.Kerhin@WLUK.com>
Sent: Wednesday, October 22, 2014 9:50 AM
To: Cannon, Phillippa
Subject: FW: Groups petition for emergency EPA action: "In Wisconsin, Kewaunee County water problems need federal intervention"

Phillippa -

Can you confirm receipt of the petition below?

What does EPA do with it?

Any information would be helpful.

Brian Kerhin
Assignment Manager
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From: Stacy Harbaugh [mailto:sharbaugh@midwestadvocates.org]
Sent: Wednesday, October 22, 2014 9:44 AM
Subject: Groups petition for emergency EPA action: "In Wisconsin, Kewaunee County water problems need federal intervention"

You might receive similar releases from partner organizations, but I wanted to make sure you received this news. The effort to formally request emergency intervention from the EPA wasn't easy, but people who have polluted, private drinking wells in Kewaunee County need help and the state Department of Natural Resources has not been doing enough to protect drinking water in the region from Brown to Kewaunee to Door Counties.

This petition is coming out, possibly days, before we hope to hear the decision on a lawsuit against the DNR over its issuance of a water pollution permit to Kinnard Farms, Inc. in Kewaunee County. We hope the lawsuit will achieve better water protections, but lawsuits are slow and expensive. EPA intervention is another avenue for action when our state government can't or won't do more to deal with the source of drinking water pollution.

You are receiving this notice because you have written about factory farming, CAFOs, and water pollution problems related to agriculture in the past. If you do not wish to receive similar notices or press releases in the future, please contact sharbaugh@midwestadvocates.org *to be removed from this media list.*

Groups petition for emergency EPA action: "In Wisconsin, Kewaunee County water problems need federal intervention"

Today, environmental protection groups formally requested federal action on groundwater contamination issues in Kewaunee County. Thirty percent of tested drinking water wells have unsafe levels of bacteria, high nitrate levels or both.

Midwest Environmental Advocates joined Clean Wisconsin, Environmental Integrity Project, Midwest Environmental Defense Center, Kewaunee CARES and the Clean Water Action Council of Northeast Wisconsin to jointly file a written Petition for Emergency Action detailing the need for the U.S. Environmental Protection Agency to exercise its emergency powers under the Safe Drinking Water Act and other federal pollution cleanup laws. These laws empower the EPA to step in to provide safe drinking water in an area where contamination poses serious public health threats.

"The people of Wisconsin can't keep fighting our own state government to get the help and protections they need to be sure their drinking water is safe," said Kimberlee Wright, Midwest Environmental Advocates' Executive Director. "The water pollution problem in Kewaunee County is so serious that we have to ask the federal government to do what our state government can't or won't."

Petitioners are asking the EPA to investigate the source of contamination, take action to address the source of the problem, and provide clean drinking water to residents. The EPA took similar action to help manage nitrates in the groundwater of the Lower Yakima Valley in Washington State in 2012. The petition also builds upon ongoing local efforts including the recent 20-0 Kewaunee County Board of Supervisors vote seeking to limit winter manure spreading in the areas most susceptible to groundwater pollution.

"The state of Wisconsin has not used its authority to protect the citizens of Kewaunee County and citizens in other karst regions of the state," said Dean Hoegger, President and Executive Director of the Clean Water Action Council of Northeast Wisconsin. "The EPA must step in to reverse the trend of increasing and serious drinking water contamination in light of the state's failure."

Portions of Kewaunee County are especially susceptible to groundwater pollution because they have shallow soils overlaying fractured carbonate bedrock (karst), resulting in the rapid movement of contaminants, including bacteria and nitrates. Even a single exposure to *Salmonella* or *Campylobacter jejuni,* pathogenic bacteria which have been found in some of Kewaunee County's wells, have been known to cause serious illness or death. High nitrate levels pose significant risks to children and pregnant women including blue baby syndrome, a life threatening condition that limits the blood's ability to carry oxygen to the brain.

Despite well-documented pollution, including a comprehensive task force report conducted in 2007, Kewaunee County's groundwater issues have been largely untouched by local and state officials throughout the past decade. Agriculture is not the sole cause of the contamination but is a major contributor. Intensive agricultural practices are on the rise in Kewaunee County, which has the highest concentration of large livestock confinements of any county in the state.

Records show that the animals on Kewaunee's largest farms, combined, produce the biological waste equivalent of 900,000 humans annually, about nine times the size of the population of the City of Green Bay. Nearly 340 million gallons of liquid manure is spread annually throughout the county.

Midwest Environmental Advocates is currently representing Kewaunee County citizens in a challenge to a water discharge permit for an expansion at one of the Kewaunee County's largest CAFOs, in part to address the lack of monitoring in an area so susceptible to groundwater contamination that it is already heavily polluted.

Resources:
Petition to the Environmental Protection Agency for Emergency Action under the Safe Drinking Water Act

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