



State of Wisconsin Department of Justice

Attorney General Peg Lautenschlager



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Environmental Protection Unit

News

STATE FILES ENVIRONMENTAL LAWSUIT IN PORTAGE COUNTY

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MADISON – Attorney General James Doyle announced today that his office has filed an environmental lawsuit against two companies for alleged violations of Wisconsin’s water pollution and hazardous substance spill laws that occurred in Portage County.

Doyle said that the lawsuit is against Eco Products of Plover, Co., Plover, and Central Wisconsin Alcohol, Inc., Merrill. Eco Products is an Indiana-based corporation that operates an alcohol production facility on property located at 5611 Highway 54, Plover, that is owned by Central Wisconsin Alcohol, Inc. Eco Products leased the facility from Central Wisconsin Alcohol, Inc.

According to the Department of Justice’s complaint, Eco Products produced ethanol from the distillation of whey permeate, which produces a waste product called "stillage." The stillage was stored in a 1.7 million gallon tank located on the premises.

The complaint alleges that between approximately November 3, 1998, and December 18, 1998, about one million gallons of stillage leaked from the tank onto the ground. The complaint also alleges that the stillage contained high levels of chlorides, nitrogen, BOD and a very low pH. The state contends that groundwater sampling completed at the site established that the stillage leak contaminated the groundwater.

In addition, the complaint alleges that both Eco Products and Central Wisconsin Alcohol learned that the tank was leaking on November 3, 1998, but neither company took steps to stop the leak, to notify the Department of Natural Resources (DNR) or to take action to minimize the harmful effects of the discharge.

Doyle said the lawsuit seeks forfeitures for the alleged violations, costs and an injunction requiring the companies to take DNR-approved measures to restore the environment and minimize the harmful effects of the discharge of pollutants. The Department of Justice filed the lawsuit at the request of the DNR. The case has been assigned to Portage County Circuit Court Judge Thomas Flugaur.

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