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Ark. poultry companies accused of water pollution

LINCOLN, Ark. — Poultry farmer Gene Pharr scoffs at the thought of chicken droppings as hazardous waste.



Employee Jim Hollenback checks out some chicks at Peterson Farms, a hatchery in Decatur, Ark.

By April L. Brown, AP

Poultry waste spread along the Ozark Mountains has turned the region into a lush green, he says. And chickens have made the northwestern corner of Arkansas truly prosperous.

That's why Pharr fears a lawsuit targeting the industry that could put chicken waste on par with industrial solvents, pesticide remnants and old car batteries. "We could see the loss of this industry to this country," says Pharr, whose 125,000 chickens are a fraction of the region's \$2 billion industry.

Oklahoma's attorney general, Drew Edmondson, sees it another way. Edmondson says phosphorous from poultry litter runoff fuels algae growth that reduces the clarity of rivers and streams, depletes oxygen and can kill certain populations of fish.

He remembers that, as a college student in Tahlequah, Okla., he could stand chest-high in the Illinois River and still see his toes. "I've seen it change," Edmondson says. "It's nice to have green land. It's not so nice to have green rivers."

Last month, he sued 14 Arkansas poultry companies — including three run by Tyson Foods, the world's largest meat producer — accusing them of tainting Oklahoma waters with the waste from millions of chickens and turkeys.

Oklahoma's lawsuit, filed June 13, seeks unspecified money to clean up the Illinois River and is using the same South Carolina law firm that handled lawsuits against tobacco companies.

The farmers have banded together as a group called "Poultry Partners."

"The poultry industry is not the tobacco industry, and poultry litter is not a hazardous waste," says Janet Wilkerson of Peterson Farms, a spokeswoman for the companies.

Poultry companies say Edmondson is ignoring phosphorus added to the water by a growing population. Even so, while the region is rapidly expanding, it still has well fewer than 1 million people.

According to the lawsuit, Arkansas has 2,363 chicken houses in the Illinois River watershed while Oklahoma has 508. The chickens add phosphorus waste equivalent to 10.7 million people per year, Edmondson says.

The Arkansas growers question why Oklahoma sued rather than seek more regulatory standards. They say money

would be better spent developing alternative ways to use poultry litter, such as in composting or in generating electricity.

The poultry industry has been good for the economy of northwestern Arkansas and eastern Oklahoma.

Tyson Foods is a Fortune 100 company that had \$26.4 billion in revenue last year. Thousands of people work in the industry, from hatcheries to slaughterhouses to processing plants.

Attempts to have animal waste declared a noxious substance have been tried in court before. The city of Waco, Texas, alarmed by phosphorus levels in the North Bosque River, is using the federal Comprehensive Environmental Response, Compensation and Liability Act to fight dairies.

The Oklahoma lawsuit is generating hard feelings. Arkansas state Rep. Mike Kenney of Siloam Springs says his town might cut services provided to West Siloam Springs, Okla., if it must spend more money to improve water quality.

Edmondson says he wants the companies, not the farmers, to pay for the cleanup.

But Bev Saunders, who raises broilers with her husband on their Colcord, Okla., farm and manages the Poultry Partners group, says her family's future is tied to Peterson Farms, one of the companies named in the lawsuit.

"If the companies don't survive, we don't survive," she says. "If we don't survive, it could have a drastic impact on America's food supply."

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