



State of Wisconsin | DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Matthew Frank, Secretary  
Ronald W. Kazmierczak, Regional Director

Northeast Region Headquarters  
2984 Shawano Ave., P.O. Box 10448  
Green Bay, Wisconsin 54307-0448  
Telephone 920-662-5410  
FAX 920-662-5413  
TTY Access via relay - 711

September 12, 2007

Roy and Glen Paustier  
3870 Dickinson Road  
De Pere, WI 54115-0796

Dear Messrs. Paustier:

The purpose of this letter is to inform you that the Department of Natural Resources (Department) believes your livestock operations have more than 1,000 animal units. As such, an Animal Units Calculation Worksheet is enclosed for you to fill out, sign, and return. The total number of animal units to be included will be based on all animal units for all livestock located at all of your operations. These calculations must also include the animals from any satellite facilities under common ownership or management (e.g., Lime Kiln Rd.).

If you are currently over or near the Concentrated Animal Feeding Operation (CAFO) threshold of 1,000 animal units, an initial site visit will be arranged, at which time a Wisconsin Pollutant Discharge Elimination System (WPDDES) permit application package will be provided.

If you are currently below 1,000 animal units but are considering reaching permit size in the future, an initial application must be received at least 12 months prior to reaching the threshold. If you do not expect to reach or exceed 1,000 animal units, a permit is not required; however, the enclosed Animal Unit Calculation Worksheet still needs to be returned.

I look forward to receiving the Animal Unit Calculation Worksheet by October 12, 2007.

Please call me at (920) 662-5400 with any questions.

Sincerely,

Craig Webster  
Watershed Expert and Program Coordinator  
C. Brown County LWCD

Enclosure

dnr.wi.gov  
wisconsin.gov

Quality Natural Resources Management  
Through Excellent Customer Service



State of Wisconsin Department of Natural Resources

ANIMAL UNITS CALCULATION WORKSHEET  
INSTRUCTIONS Form 3400-25A Rev. 04/07

This worksheet must be submitted regardless of whether a permit is required.

Notice: Use this worksheet to calculate the number of animal units on your operation, both at the current time and after any proposed expansions planned within the next five years. You are required to complete these calculations to determine if you must apply for a Wisconsin Pollutant Discharge Elimination System (WPDDES) permit under NR 243, Wis. Admin. Code. A WPDDES permit is required for all livestock/poultry operations that will contain 1,000 or more animal units.

- If you do expect your operation to reach or exceed 1,000 animal units, a permit is required and you must complete and submit an initial Livestock/Poultry Operation WPDDES Permit Application consisting of Form 3400-25 at least 12 months prior to reaching the 1,000 animal unit threshold. In addition, you will need to submit other WPDDES application materials as part of a complete final permit application at least 6 months prior to reaching the 1,000 animal unit threshold. Please contact your regional DNR contact for more information on what is required as part of a final permit application.

- If you do not expect to reach or exceed 1,000 animal units, a WPDDES permit is not required. However, if you have received an Animal Unit Verification Report (Form 3400-181), return it along with this worksheet to your regional DNR contact.

Completing AU worksheet using Microsoft Excel or Word:

- To begin calculations using Microsoft Excel or Word, double-click on table below. If completing this form by hand see directions below.

- For existing operations, enter the current number of each animal type on your operation in the Current Number column. Count the highest number of animals on-site at any time during the past year, and include all animals that are part of your operation that are at adjacent locations or under common management.
  - If you plan to expand within the next five years, also enter your proposed animal numbers in the Projected Number column on Page 2.
  - For brand new operations where there currently aren't any animals present, enter 0 for Total Mixed and Non-Mixed Animal Units on Page 1. On Page 2 enter your proposed animal numbers in the Projected Number columns.
  - Note: For some animal types (for example, dairy cattle and swine), animal categories are combined as part of non-mixed AU calculations.
- The worksheet will automatically calculate the number of Mixed and Non-Mixed Animal Units (AU) on the operation. If either "Total Animal Units" is 1,000 or more, you are required to obtain a WPDDES permit.
  - Enter the dates of all proposed expansions, if applicable, within the next five years on Page 2.
  - To quit editing click anywhere outside of the table within the document.

Completing AU worksheet by hand:

- Print out both pages of this document.
  - For existing operations, enter the current number of each animal type on your operation in the Current Number column. Count the highest number of animals on-site at any time during the past year, and include all animals that are part of your operation that are at adjacent locations or under common management.
  - If you plan to expand within the next five years, also enter your proposed animal numbers in the Projected Number columns on Page 2.
  - For brand new operations where there currently aren't any animals present, enter 0 for Total Mixed and Non-Mixed Animal Units on Page 1. On Page 2 enter your proposed animal numbers in the Projected Number columns.
  - Note: For some animal types (for example, dairy cattle and swine), animal categories are combined as part of non-mixed AU calculations.
- Multiply the number entered in columns in the projected number by the appropriate equivalency factor to determine the equivalent number of animal units for each animal type.
- Add all values in column d together. This equals the Total Mixed Animal Units. For column e, enter the equivalent animal unit number from the row with the highest animal unit number in Total Non-mixed AU.
- If either "Total Animal Units" is 1,000 animal units or more, you are required to obtain a WPDDES permit.
- Enter the dates of all proposed expansions, if applicable, within the next five years on Page 2.

Animal Unit Calculations: Projected Number of AUs on Operation						
Animal Type	I. Mixed Animal Units			II. Non-mixed Animal Units		
	b. Equiv. factor	c. Current Number	d. No. of AUs	e. Equiv. factor	f. Current Number	g. No. of AUs
Example - Broilers (non-liquid manure):	0.005 x	150,000	= 750	0.008 x	150,000	= 1200
Dairy/Beef Calves (under 400 lbs)	0.20 x		=	Feed numbers in this column comply with 40 CFR § 122.23		
Dairy Cattle	Milking & Dry Cows	1.40 x	=	1.43 x		=
	Heifers (800 lbs to 1200 lbs)	1.10 x	=			
	Heifers (400 lbs to 800 lbs)	0.60 x	=	1.00 x		=
Beef	Steers or Cows (400 lbs to market)	1.00 x	=			
	Bulls (each)	1.40 x	=	1.00 x		=
Swine	Veal Calves	0.50 x	=	1.00 x		=
	Pigs (up to 55 lbs)	0.10 x	=	0.10 x		=
	Pigs (55 lbs to market)	0.40 x	=			
	Sows (each)	0.40 x	=			
	Boars (each)	0.50 x	=	0.40 x		=
Chickens	Layers (each) - non-liquid manure system	0.01 x	=	0.0123 x		=
	Broilers/Pullets (each) - non-liquid manure system	0.005 x	=	0.008 x		=
	Per Bird - liquid manure system	0.033 x	=	0.0333 x		=
Ducks	Ducks (each) - liquid manure system	0.2 x	=	0.2 x		=
	Ducks (each) - non-liquid manure system	0.01 x	=	0.0333 x		=
Turkeys (each)	Turkeys (each)	0.018 x	=	0.018 x		=
	Sheep (each)	0.1 x	=	0.1 x		=
	Horses (each)	2 x	=	2 x		=
Total Animal Units:				Total Non-Mixed Animal Units = (Enter the single highest number from any row above; DO NOT add the totals)		

Does operation need a WPDES permit?

Dates of Proposed Expansions (within the next 5 years) MM/YY 1 \_\_\_\_\_ 2 \_\_\_\_\_ 3 \_\_\_\_\_

Animal Unit Calculations: Current Number of AUs on Operation						
Animal Type	I. Mixed Animal Units			II. Non-mixed Animal Units		
	b. Equiv. factor	c. Current Number	d. No. of AUs	e. Equiv. factor	f. Current Number	g. No. of AUs
Example - Broilers (non-liquid manure):	0.005 x	150,000	= 750	0.008 x	150,000	= 1200
Dairy/Beef Calves (under 400 lbs)	0.20 x		=	Feed numbers in this column comply with 40 CFR § 122.27		
Dairy Cattle	Milking & Dry Cows	1.40 x	=	1.43 x		=
	Heifers (800 lbs to 1200 lbs)	1.10 x	=			
	Heifers (400 lbs to 800 lbs)	0.60 x	=	1.00 x		=
	Steers or Cows (400 lbs to market)	1.00 x	=			
Beef	Bulls (each)	1.40 x	=	1.00 x		=
	Veal Calves	0.50 x	=	1.00 x		=
Swine	Pigs (up to 55 lbs)	0.10 x	=	0.10 x		=
	Pigs (55 lbs to market)	0.40 x	=			
	Sows (each)	0.40 x	=			
	Boars (each)	0.50 x	=	0.40 x		=
	Layers (each) - non-liquid manure system	0.01 x	=	0.0123 x		=
Chickens	Broilers/Pullets (each) - non-liquid manure system	0.005 x	=	0.008 x		=
	Per Bird - liquid manure system	0.033 x	=	0.0333 x		=
Ducks	Ducks (each) - liquid manure system	0.2 x	=	0.2 x		=
	Ducks (each) - non-liquid manure system	0.01 x	=	0.0333 x		=
	Turkeys (each)	0.018 x	=	0.018 x		=
	Sheep (each)	0.1 x	=	0.1 x		=
Horses (each)		2 x	=	2 x		=
	Total Mixed Animal Units = (add all rows above)			Total Non-Mixed Animal Units = (Enter the single highest number from any row above; DO NOT add the totals)		
Total Animal Units:						

Does operation need a WPDES permit?





## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Matthew Frank, Secretary  
Ronald W. Kazmierczak, Regional Director

Northeast Region Headquarters  
2984 Shawano Ave., P.O. Box 10448  
Green Bay, Wisconsin 54307-0448  
Telephone 920-662-5100  
FAX 920-662-5413  
TTY Access via relay - 711

October 24, 2007

Roy and Glen Pansier  
3870 Dickinson Road  
De Pere, WI 54115-0796

Dear Messrs. Pansier:

The purpose of this letter is to inform you that the Department of Natural Resources (Department) believes your livestock operations have more than 1000 animal units. As such, an Animal Units Calculation Worksheet is enclosed for you to fill out, sign, and return. The total number of animal units to be included will be based on all animal units for all livestock located at all of your operations. These calculations must also include the animals from any satellite facilities under common ownership or management (e.g., Lime Kiln Rd.).

If you are currently over or near the Concentrated Animal Feeding Operation (CAFO) threshold of 1000 animal units, an initial site visit will be arranged, at which time a Wisconsin Pollutant Discharge Elimination System (WPDES) permit application package will be provided.

If you are currently below 1000 animal units but are considering reaching permit size in the future, an initial application must be received at least **12 months** prior to reaching the threshold. If you do not expect to reach or exceed 1000 animal units, a permit is not required; however, the enclosed Animal Unit Calculation Worksheet still needs to be returned.

This is the Department's second attempt to contact you. If you have already submitted the requested materials, or have any other questions, please contact me immediately at (920) 662-5400.

I look forward to receiving the Animal Unit Calculation Worksheet by **November 2, 2007**.

Sincerely,

Craig Webster  
Watershed Expert and Program Coordinator

C: Brown County LWCD

Enclosure



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Matthew J. Frank, Secretary  
Ronald W. Kazmierczak, Regional Director

Northeast Region Headquarters  
2984 Shawano Ave., P.O. Box 10448  
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July 15, 2008

Roy & Glen Pansier  
3870 Dickinson Road  
DePere, WI 54115

**SUBJECT: WPDES Permit Application Materials**

Dear Roy & Glen—

This letter is regards to applying for a Wisconsin Pollutant Discharge Elimination System (WPDES) permit for your farm. Enclosed is a packet of information for you to review. This information can also be found on the Department of Natural Resource's website at:

<http://dnr.wi.gov/runoff/ag/permits.htm>.

The Department believes your operation may have more than 1,000 animal units. Please complete the enclosed Livestock/Poultry Operation WPDES Permit Application (Form 3400-25) and Animal Units Calculation Worksheet (Form 3400-25A) and send to me at the letterhead address above by **August 8, 2008** in order to start the process of obtaining a permit.

Once I have received the above mentioned forms, we can set up a meeting to tour the farm and identify any potential problem areas that may require attention prior to receiving a WPDES permit. This is a good meeting to have your crop advisor and engineer/consultant present as well as County Land Conservation and NRCS staff if needed.

If you have any questions, please contact me at (920) 662-5407 or [Casey.Jones@wisconsin.gov](mailto:Casey.Jones@wisconsin.gov).

Sincerely,

Casey L. Jones  
Agricultural Runoff Management Specialist  
WI DNR—Green Bay

Enclosures: WPDES Permit Application Packet

cc: Dan Helf – DNR  
Bill Hafs, Brown County LCD  
File



FACILITY CONTACT FORM

DATE: 10-7-08

TIME: 8:30 am

FACILITY NAME/TYPE: Pansier Farm

CONTACT NAME/POSITION: Brent Petersen - Brown Co LCD

PHONE: 920-391-4643

METHOD: X Phone \_\_\_\_\_ In Person

DNR CONTACT: Casey Jones

SUMMARY:

Jones contacted Petersen regarding Pansier's farm - info obtained from Petersen:

- Pansiers are over 1000 animal units.  
(main farm + heifer farm)
- Environmental concerns are the milkhonse waste into nearby stream and runoff from lot at heifer farm
- Pansiers are planning manure storage
- Pansiers were told by Petersen they needed to get a WPPES permit

Petersen suggested Jones call Jason Panster to discuss the permit and explain enforcement process. Petersen would attend any meetings DNR has with Pansters.





FACILITY CONTACT FORM

DATE: 10-10-08

TIME: 2:30 pm

FACILITY NAME/TYPE: Pansiers Farm

CONTACT NAME/POSITION: Joan Pansier

PHONE: 920-336-7919

METHOD: ☒ Phone ☐ In Person

DNR CONTACT: Casey Jones

SUMMARY:

Jones called Pansiers back again since they had not called Jones back as requested. Pansier stated that Jason had called someone back - Jones informed Pansier that Jason had not called Jones. Jones informed Pansier that if Jason or another farm manager/owner did not contact Jones that a letter would be sent to have them attend an enforcement conference at the DNR office. Pansier →

replied that she would rather have  
DNR come out there. Jones told Pansier  
to have Jason call ~~her~~ back on Monday  
10-13-08. Pansier would not give Jones  
a cell phone number to reach Jason.



FACILITY CONTACT FORM

DATE: 10-13-08

TIME: 8:30

FACILITY NAME/TYPE: Pansiers Farm

CONTACT NAME/POSITION: Jason Pansier

PHONE: 920-655-1344 (cell)

METHOD: X Phone \_\_\_\_\_ In Person

DNR CONTACT: Casey Jones

SUMMARY:

Pansier called Jones back after Jones left message on cell phone (Pansier had called Jones on 10-10-08 and left cell #). Pansier mentioned that Brent Petersen was working on manure storage but hasn't gotten back to him. Jones told Pansier she'd like to stop by farm to discuss permit. Pansier said today was fine, just to call him prior. Jones said she would see if Petersen was available.





## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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Northeast Region Headquarters  
2984 Shawano Ave., P.O. Box 10448  
Green Bay, Wisconsin 54307-0448  
Telephone 920-662-5100  
FAX 920-662-5413  
TTY Access via relay - 711

October 15, 2008

Jason Pansier  
Ledgeview Farms, LLC  
3870 Dickinson Road  
DePere, WI 54115

### SUBJECT: WPDES Permit Application Materials

Dear Jason –

Thank you for meeting with me on Tuesday October 14, 2008 to discuss the permit process. Because your farm numbers are already over 1000 animal units, it is important that you continue to work with the Department to get your Wisconsin Pollutant Discharge Elimination System (WPDES) permit issued as soon as possible. I have filled in the blanks for the initial application forms, please review and sign and return to me at the address in the letterhead by October 22, 2008. If there are any corrections, please make them and initial next to the correction. Just a reminder that this is not optional—all farms over 1000 animal units are required by law to obtain a WPDES permit and operate according to those requirements.

Although we went over some things during the meeting you will be required to fill out and submit the Environmental Analysis Questionnaire (attached). All maps need to be provided and all questions need to be answered. If you find you do not have time to do this, you should hire a consultant to help you with the application process. This information needs to be submitted by November 14, 2008. If more time is needed to gather information; contact me and propose another due date.

I have requested a copy of your nutrient management plan from Jon Anderson, the manager of Agri-Partners (also known as Progressive Farmers). However, it is your responsibility to have them send me a copy. There will be modifications required for the plan to meet the additional requirements of permitted farms. Please contact your nutrient management planner and request they update your plan to meet these requirements—this updated plan can be submitted to me at a later date.

Once you have a permit the farm is not allowed to have any discharges from the production areas (main farm and heifer farm locations). Some areas will need to be addressed prior to issuing the permit; others can be addressed within the first year of the permit term (under a compliance schedule). Areas that need attention now are as follows:

- Manure from the outdoor lot area at the heifer farm is actively discharging into a waterway. Containment of the runoff from this area will be required. As mentioned, roof gutters would help eliminate the volume of runoff from this area—however, a designed manure storage structure will be required to eliminate the discharge into the waterway.



- Manure/soil runoff from the outdoor lots at the main farm may be discharging into the waterway. This area needs to be managed to sustain vegetation to prevent erosion/runoff into adjacent stream. Containment around outdoor concrete lane and feeding areas may be necessary to ensure manure does not discharge to groundwater or surface water.
- All farms over 1000 animal units will be required to have six months of storage beginning January 1, 2010. Your farm currently has 2-3 months of manure storage. You have stated you will not be hiring a consultant for designing manure storage—please continue to work with Brown County and NRCS staff to move forward with designing this structure. Plans and specifications for any proposed manure storage (for main farm as well as heifer farm) will need to be submitted to the Department for review prior to being built. Three copies of the plans should be sent to me. These should be sent in as soon as possible to ensure the structure can be built in 2009.

Please submit the requested items above in a timely manner. If you have any questions regarding this letter or the permit issuance process, I can be contacted at 920-662-5407. Thank you.

Sincerely,



Casey L. Jones  
Agricultural Runoff Management Specialist  
DNR Northeast Region

Enclosure: Application materials

CC: Dan Helf—DNR  
Brent Petersen—Brown County

Rec'd 10-21-08  
by CF

State of Wisconsin  
Department of Natural Resources  
Bureau of Watershed Management  
P.O. Box 7921, Madison WI 53707-7921

Livestock/Poultry Operation WPDES\* Permit Application  
\*Wisconsin Pollutant Discharge Elimination System  
Form 3400-25 Rev. 05/07 Page 1 of 2

WPDES Permit Number WI-	Expiration Date
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**NOTICE:** Use of this form is required by the Department for any application filed pursuant to chapter NR 243, Wis. Adm. Code, and section 283.53(3), Wis. Stats. The Department will not consider your application complete unless you complete and submit this application form. Penalties for failure to submit a completed form are established in ss. 283.89 and 283.91, Wis. Stats.

Section 283.91(4), Wis. Stats., provides that: Any person who knowingly makes any false statement, representation or certification in this application shall upon conviction be punished by a fine of not more than \$10,000 or by imprisonment for not more than 6 months or both. Personally identifiable information collected will be used for program administration. The Department may also provide this information to requesters under Wisconsin's open records law [ss. 19.31-19.39, Wis. Stats.].

- Read the attached instructions before filling out this form.
- Print or type the requested information, except for the signature.
- Return this form with your completed WPDES application to your regional Department contact.

**A. LEGAL NAME FOR PERMIT ISSUANCE**

Legal name of the operation or parent company to which the permit will be issued

Ledgeview Facility LLC

Ledgeview Farms LLC

**B. OPERATOR CONTACT INFORMATION**

- Legal Name of Farm/Operation: Ledgeview Facility LLC
- Name of Operator or Manager: Jason Pansier Title: Co-owner 336-7919
- Mailing Address-Street, Route or Box: 3870 Dickinson Rd City/Town, State, Zip Code: De Pere WI 54115
- Telephone Number (include area code): 920-336-7919 Cell Phone: 920-655-1344 Fax Number: E-mail Address:

**C. PHYSICAL LOCATION OF OPERATION**

- Location Address (if different from mailing address in B3 above): 3870 Dickinson Rd
- County: Brown Township Name: Ledgeview Latitude: Longitude:
- Town Number: 23 N Range Number (E or W): 21 E Section: 32 & 33 Quarter: Quarter/Quarter:

**D. PARENT COMPANY/OWNER INFORMATION (if applicable)**

- Name of Parent Company/Owner (if different from operator in B2 above):
- Contact Person: Title:
- Mailing Address-Street, Route or Box: City/Town, State, Zip Code:
- Telephone Number (include area code): Cell Phone: Fax Number: E-mail Address:

**E. CROP CONSULTANT**

- Name of Crop Consultant: Steve Kahl Company/Title: Agri-Partners (Progressive Farms)
- Mailing Address-Street, Route or Box: City/Town, State, Zip Code:
- Telephone Number (include area code): 920-756-9999 Cell Phone: OR Fax Number: 920-849-9213 E-mail Address: (main office)

**F. DESIGN ENGINEER**

- Name of Design Engineer: Company/Title:
- Mailing Address-Street, Route or Box: City/Town, State, Zip Code:
- Telephone Number (include area code): Cell Phone: Fax Number: E-mail Address:



tank for  
milk house wastewater  
6000 gallons  
land apply

2-3 mos storage at  
main farm

Livestock/Poultry Operation WPDES\* Permit Application  
\*Wisconsin Pollutant Discharge Elimination System  
Form 3400-25 Rev. 5/07 Page 2 of 2

G. ANIMAL UNITS

1. Use the Animal Units Calculation Worksheet on page three of this form to determine the number of animal units held in confinement or feeding facilities for more than 45 days in a 12 month period. Include all sites under common ownership that a) are adjacent to the main farm, or b) share manure management, storage facilities, or spreading fields with the main farm. Be sure to include the date of any proposed expansions.
- ☒ Check here after completing the Animal Unit Calculation Worksheet. The Calculation Worksheet must be included with the application.
2. List dates of all proposed expansions within the next five years (MM/YY): (Internal growth only)  
Expansion 1: \_\_\_\_\_ Expansion 2: \_\_\_\_\_ Expansion 3: \_\_\_\_\_

H. TYPE OF CONFINEMENT FACILITIES/OUTDOOR VEGETATED AREAS

1. Animals at this operation are currently: ☐ In outdoor barnyard or feedlot  
☐ Housed under roof ☒ Both outdoor and partially housed under roof ☐ Outdoor vegetated area
2. Approximate area of outdoor lots:  
Area 1: 24 ft x 200 ft Area 2: 70 ft x 200 ft Area 3: \_\_\_\_\_ ft x \_\_\_\_\_ ft

I. TYPES OF MANURE STORAGE

1. Indicate all existing and proposed manure storage facility types. These may include earthen, earthen with a concrete floor, synthetically lined, concrete, steel above ground tank, below ground storage tank, anaerobic lagoon, roofed storage shed, underfloor storage, stacking slab (clay or concrete), unconfined manure stack, or other (specify).

	Existing or Proposed?	Storage type (see above)	Year built	Dimensions (ft)	Capacity (gals/tons)	Days of storage avail.
Facility 1	existing	concrete	1996	80'x40'x8'		(2-3 months total)
Facility 2	existing	concrete	1999	80'x40'x8'		
Facility 3	existing	tank			10000 gal	
Facility 4						
Facility 5						
Facility 6						
Totals:						

J. MANURE DISPOSAL/TREATMENT

1. How much manure, litter and wastewater is generated annually by the operation? \_\_\_\_\_ tons/gallons (circle one)  
How many tons of manure or litter, or gallons of wastewater produced by the CAFO will not be land applied but will be disposed of in an alternate manner? \_\_\_\_\_ tons/gallons (circle one) Describe alternate method: \_\_\_\_\_

2. Main Methods of Manure Disposal: ☒ Land application ☐ Composting ☐ Other (Specify) \_\_\_\_\_
3. Method of Land Application: ☒ Surface applied ☒ Incorporated ☐ Injected ☐ Spray irrigation
4. Average acreage available for spreading on an annual basis 1993 Acres  
Total acres covered by the Nutrient Management Plan 1410 Acres

This application must be signed by an individual who is either an owner of the operation identified in B2 above or a corporate officer if the operation is incorporated.

I certify that I am familiar with the information contained in this application and that to the best of my knowledge and belief such information is true, complete and accurate.

Printed or Typed Name of Official Representative

JASON R. PANSIER

Title

CO-Owner

Signature of Official Representative

JASON R. PANSIER

Date Application Signed

10-17-08

The Wisconsin Department of Natural Resources provides equal opportunity in its employment programs, services, and functions under an Affirmative Action Plan. If you have any questions, please write to Equal Opportunity Office, Department of the Interior, Washington, D.C., 20240.

This publication is available in alternative format (large print, Braille, audio tape, etc.) upon request. Please call (608) 267-7694 for more information.

1141

(~~7-8% annual growth~~) 10%

Animal Unit Calculations: Current Number of AUs on Operation						
Animal Type	I. Mixed Animal Units			II. Non-mixed Animal Units		
	b. Equiv. factor	c. Current Number	d. No. of AUs	e. Equiv. factor	f. Current Number	g. No. of AUs
<del>Example - Broilers (non-liquid manure)</del>	<del>0.005 x</del>	<del>150,000</del>	<del>= 750</del>	<del>0.003 x</del>	<del>150,000</del>	<del>= 450</del>
Dairy/Beef Calves (under 400 lbs)	0.20 x	800	= 40			
Dairy Cattle	Milking & Dry Cows	1.40 x	530	= 742	1.43 x	
	Heifers (800 lbs to 1200 lbs)	1.10 x	170	= 187		
	Heifers (400 lbs to 800 lbs)	0.60 x	250	= 90	1.00 x	
Beef	Steers or Cows (400 lbs to market)	1.00 x	300	= 300		
	Bulls (each)	1.40 x	15	= 21	1.00 x	
Veal Calves		0.50 x		=	1.00 x	
Swine	Pigs (up to 55 lbs)	0.10 x		=	0.10 x	
	Pigs (55 lbs to market)	0.40 x		=		
	Sows (each)	0.40 x		=		
	Boars (each)	0.50 x		=	0.40 x	
Chickens	Layers (each) -non-liquid manure system	0.01 x		=	0.0123 x	
	Broilers/Pullets (each) -non-liquid manure system	0.005 x		=	0.008 x	
	Per Bird -liquid manure system	0.033 x		=	0.0333 x	
Ducks	Ducks (each) -liquid manure system	0.2 x		=	0.2 x	
	Ducks (each) -non-liquid manure system	0.01 x		=	0.0333 x	
Turkeys (each)		0.018 x		=	0.018 x	
Sheep (each)		0.1 x		=	0.1 x	
Horses (each)		2 x		=	2 x	
Total Animal Units:			Total Mixed Animal Units = (add all rows above) <del>1380</del> 1380		Total Non-Mixed Animal Units = (Enter the single highest number from any row above; DO NOT add the totals)	

Does operation need a WPDES permit? yes



at 8% annual growth over 5 yrs

Animal Unit Calculations: Projected Number of AUs on Operation							
Animal Type		I. Mixed Animal Units			II. Non-mixed Animal Units		
		b. Equiv. factor	c. Current Number	d. No. of AUs	e. Equiv. factor	f. Current Number	g. No. of AUs
<i>Example: Pigs (up to 55 lbs)</i>		<i>0.10 x</i>	<i>10000</i>	<i>= 1000</i>	<i>0.10 x</i>	<i>10000</i>	<i>= 1000</i>
Dairy/Beef Calves (under 400 lbs)		0.20 x	280	= 56			
Dairy Cattle	Milking & Dry Cows	1.40 x	742	= 1039	1.43 x		=
	Heifers (800 lbs to 1200 lbs)	1.10 x	238	= 262			
	Heifers (400 lbs to 800 lbs)	0.60 x	210	= 126	1.00 x		=
Beef	Steers or Cows (400 lbs to market)	1.00 x	420	= 420			
	Bulls (each)	1.40 x	15	= 21	1.00 x		=
Veal Calves		0.50 x		=	1.00 x		=
Swine	Pigs (up to 55 lbs)	0.10 x		=	0.10 x		=
	Pigs (55 lbs to market)	0.40 x		=			
	Sows (each)	0.40 x		=			
	Boars (each)	0.50 x		=	0.40 x		=
Chickens	Layers (each) -non-liquid manure system	0.01 x		=	0.0123 x		=
	Broilers/Pullets (each) -non-liquid manure system	0.005 x		=	0.008 x		=
	Per Bird -liquid manure system	0.033 x		=	0.0333 x		=
Ducks	Ducks (each) -liquid manure system	0.2 x		=	0.2 x		=
	Ducks (each) -non-liquid manure system	0.01 x		=	0.0333 x		=
Turkeys (each)		0.018 x		=	0.018 x		=
Sheep (each)		0.1 x		=	0.1 x		=
Horses (each)		2 x		=	2 x		=
Total Animal Units:		Total Mixed Animal Units = (add all rows above) 1924			Total Non-Mixed Animal Units = (Enter the single highest number from any row above; DO NOT add the totals)		

Does operation need a WPDES permit? yes

Dates of Proposed Expansions (within the next 5 years) MM/YY 1 \_\_\_\_\_ 2 \_\_\_\_\_ 3 \_\_\_\_\_

8% annual internal growth  
x 5 yrs ...



## State of Wisconsin | DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Matthew J. Frank, Secretary  
Ronald W. Kazmierczak, Regional Director

Northeast Region Headquarters  
2984 Shawano Ave., P.O. Box 10448  
Green Bay, Wisconsin 54307-0448  
Telephone 920-662-5100  
FAX 920-662-5413  
TTY Access via relay - 711

November 25, 2008

Jason Pansier  
Ledgeview Farms, LLC  
3870 Dickinson Road  
DePere, WI 54115

Certified Mail-  
Return Receipt Requested

### Subject: WPDES Permit Application Status Update Request

Dear Mr. Pansier:

The Department of Natural Resources (DNR) received your initial WPDES permit application forms (3400-25 & 3400-25A) on October 21, 2008. The Department requested the Environmental Analysis Questionnaire be completed and submitted by November 14, 2008—this has not been received to date.

The following table in this letter contains a summary of application items needed. Completing all application items is needed for a complete WPDES permit application determination and permit issuance. Because you are already over 1000 animal units it is imperative that you continue submitting your application. You are currently operating without a permit which is a violation of state and federal regulations.

DNR or other agency staff may be available to assist with completing your permit application. Please be aware that:

1. Some application items (e.g. Nutrient Management Plan and Waste Storage Facilities) may take considerable amounts of time to prepare, review and, when necessary, amend to meet all state or federal requirements.
2. Application items submitted that are vague, unclear or general may be responded to by DNR with requests for additional information.

For your assistance, agency contacts and other information that may be related to permit applications are enclosed with this letter.

### WPDES Permit Application Status Report

Received	Complete	Incomplete	Under Review	Application Item
<i>Part 1: General Operation Requirements</i>				
	X			Livestock/Poultry Operation WPDES Permit Application Form 3400-25
	X			Animal Units Calculation Worksheet Form 3400-25A

Received	Complete	Incomplete	Under Review	Application Item
				Narrative with historical, current, and future operational information including planned construction/expansion
				Scaled drawing(s) identifying the following existing and/or proposed items:
				• Animal housing
				• Waste storage facilities
				• Groundwater monitoring wells
				• Permanent spray irrigation or other land spreading systems
				• Feed storage structures
				• Raw material storage
				• Loafing or outside lot areas
				• Ancillary service and storage areas
				• Water supply well(s)
				• Treatment systems or structures
				• Runoff controls
				• CAFO outdoor vegetated areas
				Written descriptions of the structures and areas identified above (including number of animals, projected number of days in use and type/percent of vegetative cover for outdoor lots and CAFO outdoor vegetated areas)
				Site Location Maps – Existing & Proposed
				• Aerial Photograph
				• Soil Survey Maps
				Manure Flow Diagram identifying where manure goes to/from at the production site
<b>Part 2: Environmental Analysis Questionnaire</b>				
				Environmental Analysis Questionnaire with each question fully addressed
<b>Part 3: Nutrient Management Plan</b>				
590 plan received		Complete plan due 3-1-09		Nutrient Management Plan meets all the requirements in NRCS Technical Standard 590 and Ch. NR 243.14, Wis. Adm. Code
<b>Part 4: Plans &amp; Specifications for New Structures</b>				
				Proposed Waste Storage Facilities plans and specifications (1 copy to local staff, 2 copies to Madison)
				Proposed Runoff Control System(s) plans & specifications (1 copy to local staff, 2 copies to Madison)



Received	Complete	Incomplete	Under Review	Application Item
<i>Part 5: Post Construction Documentation for Existing Structures</i>				
				Existing Waste Storage Facilities as-built information or engineering evaluation (1 copy to local staff, 2 copies to Madison)
				Existing Runoff Control System(s) as-built information or engineering evaluation (1 copy to local staff, 2 copies to Madison)

Please submit unchecked items to my attention at the address on the top of the letter head by January 16, 2009. If the requested materials will not be ready by that date, please contact me as soon as possible with an alternative timeline. If a consultant is hired to complete your application, have them contact me once they are retained.

Upon receiving a complete permit application, I will need to set up another visit to tour your facility and get a better understanding of your operation as well as discuss the remainder of the permit process. I will contact you once I receive the requested materials to set up this meeting. If you have any questions, please contact me at 920-662-5407 or [Casey.Jones@Wisconsin.gov](mailto:Casey.Jones@Wisconsin.gov)

Sincerely,

*Casey L. Jones*

Casey L. Jones  
Agricultural Runoff Management Specialist  
DNR—Northeast Region

CC: Dan Helf – DNR Green Bay  
Tom Bauman – DNR Madison  
Andrew Craig – DNR Madison  
Bill Hafs – Brown County Land Conservation  
Steve Keil – Agripartners Cooperative



## Permit Application Assistance

### *Nutrient Management Plans*

DNR Madison and Regional staff as well as DATCP staff review Nutrient Management Plans (NMP). The NMP must contain information necessary to document how land application activities will comply with the restrictions in s. NR 243.14 and NRCS Standard 590. Wisconsin Conservation Planning Tech Note WI-1- contains additional guidance and detail on what items need to be included in a NMP as well as useful background information for nutrient management planning.

NR 243 - (NR 243 [PDF 221KB])

NRCS 590 - <http://efotg.nrcs.usda.gov/references/public/WI/590.pdf>

WI Conservation Planning Tech Note WI-1- <http://www.wi.nrcs.usda.gov/technical/technotes.html>

Please note Chapter NR 243 Wis. Adm. Code was amended in July 2007 with new requirements for CAFO's. These include:

- General application restrictions - setbacks and other best management practices to protect surface and ground water quality;
- Nutrient crediting;
- Surface Water Quality Management Area (SWQMA) application restrictions;
- Phosphorus Delivery;
- Solid manure winter restrictions – including the need for any solid manure stacking locations; and
- Liquid manure winter restrictions – including identification of specific fields for applications and certification that manure storage facilities provide a minimum of 180 days storage capacity.

### *Nutrient Management Contacts*

#### **Madison**

Andrew Craig, DNR Nutrient Management Specialist, Madison – (608) 267-7695. [andrew.craig@wisconsin.gov](mailto:andrew.craig@wisconsin.gov)

Stephanie Schneider, DATCP Nutrient Management Specialist, Madison – (608)224-4511.

#### **DNR Regional Staff**

Casey Jones, Agricultural Runoff Management Specialist, Green Bay – 920-662-5407. [casey.jones@wisconsin.gov](mailto:casey.jones@wisconsin.gov)

#### **NRCS – Brown County**

Green Bay Service Center – 920-884-8910

#### **County Land and Water**

Bills Hafs, County Conservationist, Green Bay – 920-391-4633. [Hafs\\_BC@co.brown.wi.us](mailto:Hafs_BC@co.brown.wi.us)

### *Plans & Specifications for New Structures*

DNR engineers in Madison conduct full reviews for completeness of plan and specification submittals and follow-up with the operation as needed for additional information. Review and approval of plans and specifications are also completed by DNR engineers in Madison. By statute, there is a 90-day review period for this information once it is deemed complete. Part of the completeness review involves determining if other portions of the WPDES permit application packet are complete (i.e. Environmental Analysis Questionnaire).

### *Post Construction Documentation for Existing Structures*

Information for existing materials may not be available. A compliance schedule for the evaluation of existing structures and runoff controls may be required in the first year of permit issuance. Post construction documentation for new structures is required to be submitted within 60 days of completion.

# CORRESPONDENCE/MEMORANDUM

State of Wisconsin

DATE: December 29, 2008

FILE REF: Ledgeview Farms

TO: NER Ag Program File

FROM: Casey Jones, Agricultural Specialist *CY*

SUBJECT: Phone conversation with Jason Pansier, Farm Co-owner

On **December 19, 2008** Pansier contacted Jones to request that Jones send animal units information to Steve (?) at NRCS. Jones stated she would provide copies of forms 3400-25 & 25A to Steve Kellermann as Jones thought that was the "Steve" that Pansier would be working with in regards to the manure storage design. Jones asked what the status of Ledgeview Farms' WPDES application was and Pansier asked what was still needed. Jones referred to the letter sent in late November that outlined all the items that were still needed. Pansier said he would try to find it. Jones stated application materials were due in January and told Pansier to ask his nutrient management planner if they could help with this process. Pansier stated that his nutrient management planner had prepared an emergency response plan. Jones said that more was needed to complete the WPDES application (environmental analysis questionnaire was referenced as an example of what was still needed).

Follow-up: If nothing is received by January 31, 2009, an NOV should be issued requesting Roy, Glenn and Jason Pansier attend an enforcement conference to discuss WPDES permit application requirements.



**JAN 30 2009**

### EMERGENCY ACTION PLAN SUMMARY

Farm Name: Ledgeview Farms

Owner/Operators: Roy Pansier  
Glen Pansier

Farm Address: 3870 Dickinson Road De Pere, WI 54115

Farm Location (T.R. 1/4 Section): NW1/4, Section 33, T. 23N, R. 21E (Cow/calf)  
SW1/4, Section 28, T. 23N, R. 21E (Heifer)

Directions to Farm (emergency coordinates): From Town of Ledgeview Fire Station #1 take County Hwy. G east 1/4 mile. (Cow/calf or main farmstead)  
The farm is on the north side of the road.  
From Town of Ledgeview Fire Station #1 take County Hwy. G east 1/2 mile to the intersection with County V (Lime Kilm). Turn left or go north on County V .75 mile. Heifer farmstead is on the west side of the road.

#### Primary Farm Contacts and Telephone Numbers:

Name:	Roy Pansier	Telephone:	(920)-336-7919
Name:	Glen Pansier	Telephone:	(920)-983-1061
Name:	Jason Pansier	Telephone:	(920)-655-1344

Emergency Responder	Name	Telephone
Fire/Rescue	Town of Ledgeview Fire Dept.	911
	De Pere Rescue	(920)-336-3360, non-emergency 911
County Sheriff	Brown County Sheriff's Dept.	(920)-339-4086, non-emergency 911
Farm Emergency Coordinator	Dan Trembl	(920)-448-4200, non-emergency
Veterinarian	De Pere Veterinary Service	(920)-864-7484
Manure Hauler	Dan Trembl	(920)-336-7233
On-farm Equipment Operator (skid loader)	Jason Pansier	Above (920)-655-1344
Excavation Contractor	Jason Pansier	Above
DNR WPDES Permit Contact		
DNR Hazardous Spill Line:		1-800-943-0003
Mortality Disposal Contractor	Sandy Bay Mink Ranch	1-800-999-2834
	Circle R Mink Ranch	1-800-925-2736



## I- PERSONAL INJURY/FIRE EMERGENCY

### Contact Information:

Emergency fire/rescue telephone number: 911

Farm address/911 coordinates: 3870 Dickinson Road De Pere, WI 54115

Location of nearest emergency services provider: De Pere, WI

Directions to farm from nearest emergency services provider: From Town of Ledgeview Fire Station #1 take County Hwy. G east 1/4 mile.(Cow/calf or main farmstead). The farm is on the north side of the road.

For the heifer farmstead go from the Town of Ledgeview Fire Station #1 on County Hwy. G east 1/2 mile to the intersection with County V (Lime Kilm). Turn left or go north on County V .75 mile. The heifer farmstead is on the west side of the road.

### Emergency Information:

Location of first aid equipment on farm: First aid kit is located in the machine shed(shop).

Location of fire suppression equipment on farm: Fire extinguishers are located in the machine shed, cow barn, milkhouse, and some pickup trucks.

Location of hazardous/flammable materials on farm: Above ground fuel tanks are located within a containment area south of the machine shed. A tank for 28%(UAN) is also within this containment area. Oil is stored in the machine shed. Wash solution is stored in the milkhouse. Copper sulfate is in an area of the barn. Propane tanks are located by the fuel tank containment area and between the house and garage shed.

### Emergency Actions:

Determine nature of emergency and type of assistance required.

Call 911.

Attempt to stabilize injured person without moving unless absolutely necessary.

Implement CPR if required.

Implement evacuation of people and livestock according to the farm's emergency response plan.

Identify potential locations of hazardous or flammable material and notify emergency personnel when they arrive.

## MANURE SPILL DURING TRANSPORT & LAND APPLICATION EMERGENCY

### Contact Information:

Farm emergency coordinator name and telephone number:

Dan Trembl 920-864-7484

Manure hauler emergency coordinator name and telephone number:

Dan Trembl 920-864-7484

Skid loader authorized operator name and telephone number:

Jason Pansier 920-655-1344

Sheriff's department non-emergency telephone number:

Brown County Sheriff Department 920-448-4200

Fire department non-emergency telephone number:

Town of Ledgeview Fire Department 920-336-3360

DNR Spill Hotline: 1-800-943-0003. Spill reporting is mandatory by state law.

### Emergency Information:

Location of spill:

Clean up equipment needed: skid loader/front end loader, manure spreader,  
sawdust or chop straw or bale straw.

### Emergency Actions:

1. Turn off All pumps or power to spreading equipment.
2. Stop the flow or spread.
3. Assess the situation and make appropriate calls.
4. Notify the DNR Spill Hotline: 1-800-943-0003
5. Begin clean-up.
6. Document your actions.

Stop land applying manure.

Park spreading equipment or truck out of traffic if possible.

Assess needs and call for help including sheriff's department if traffic control is needed.

Attempt to stop leak if possible.

Incorporate manure or use tillage equipment to roughen soil downslope of manure runoff.

Construct temporary berm to prevent manure from leaving the spill site or application site if necessary.

Transfer manure remaining in spreading equipment, tanker, or truck to another spreader, tanker, or truck.

Clean up spilled manure and contaminated top soil. Land apply manure and contaminated top soil to fields approved for manure application at rates established in the nutrient management plan.

Contact fire department to wash remaining manure off of road surface if safety hazard remains and runoff will not discharge directly to surface water. If washing manure off of road is not feasible use sawdust or chopped straw to absorb remaining manure, collect with loader/skid steer and land apply.



## HAZARDOUS MATERIAL SPILL EMERGENCY

### Contact Information:

Fire/rescue/hazardous material response telephone number: 911

Farm Emergency coordinator name and telephone number:

Dan Trembl 920-864-7484

DNR Spill Hotline: 1-800-943-0003 Spill reporting is mandatory by state law.

Sherriff's department non-emergency telephone number:

Brown County Sherriff Department 920-448-4200

Fire/Rescue department non-emergency telephone number:

Town of Ledgeview Fire Department 920-336-3360

De Pere Rescue 920-339-4086

### Emergency Information:

Location of farm first aid equipment: First aid kit in the machine shed(shop).

Location of fire supression equipment on farm: Fire extinguishers are located in the machine shed, cow barn, milkhouse, and some pickup trucks.

Location of hazardous/flammable materials on farm: Above ground fuel tanks are located south of the machine shed. A tank for 28%(UAN) is also within the containment area that the fuel tanks are in. Oil is stored in the machine shed. Wash solution is stored in the milkhouse. Copper sulfate is in an area of the barn. Propane tanks are located by the fuel tank containment area and between the house and garage shed.

Location of personal protection equipment and spill containment materials: Gloves in the milkhouse, gloves and other PPE in the house's garage on the cow/calf farm....

Sawdust located on the south side of the milking barn and next to the silos at the heifer farm.

### Emergency Actions:

1. Turn off All pumps or power to equipment.

2. Flammable materials:

a. Shut off electrical power to area from a remote location and eliminate sources of ignition such as open flame without entering area where these materials have concentrated.

b. Evacuate people and livestock from area as appropriate.

3. Stop the flow or spread.

4. Assess the situation and make appropriate calls.

5. Notify the DNR Spill Hotline: 1-800-943-0003

6. Begin clean-up.

7. Document your actions.

(continue on next page)

Prevent hazardous materials from leaving spill site by constructing temporary dikes if necessary.

Once the situation has been stabilized, collect hazardous material using approved methods and dispose of contaminated soil according to regulations.

ACCIDENTAL ENTRY MANURE STORAGE and TRANSPORT EMERGENCY

Contact Information:

Fire/rescue telephone number: 911

Farm emergency coordinator name and telephone number:

Dan Trembl 920-864-7484

Emergency Information:

Type and location of rescue equipment: Pole and ladder are in the machine shed and rope can be found in the old barn on the cow/calf farm.

Fire/rescue telephone number: 911

Emergency Actions:

Call for help.

Locate emergency rescue equipment (grab pole, ladder, flotation device) and attempt to reach victim.

Attempt to reach victim with emergency rescue equipment (ladder, rope).

Initiate CPR if necessary.

Call 911.



## CATASTROPHIC MORTALITY DISPOSAL EMERGENCY

### Contact Information:

#### Farm Emergency Coordinator:

Dan Trembl 920-864-7484

#### Mortality disposal contractor name and telephone number:

Sandy Bay Mink Ranch 800-999-2834

Circle R Mink Ranch 800-925-2736

#### Veterinarian:

De Pere Veterinary Service 920-336-7233

#### Excavation Contractor:

Jason Pansier 920-655-1344

#### Skid loader Operator:

Jason Pansier 920-655-1344

### Emergency Information:

Location of mortality storage area—On the pavement outside of the east end of the freshening pen which is on the east end of the cow barn.

Location of catastrophic mortality burial area—For the cow/calf farm in Field 11 M 1 or Field 11 S 2. For the heifer farm in Field 11 G 4 or 11 G 1.

### Emergency Actions:

Contact Veterinarian if death is suspicious or animal displayed unusual symptoms.

Remove mortalities from the livestock production area and place in mortality storage area.

Contact mortality disposal contractor to arrange pickup within 24 hours in summer and 48 hours in winter.

If many mortalities exceed mortality contractor's ability to remove, prompt burial may be necessary.

# CORRESPONDENCE/MEMORANDUM

State of Wisconsin

DATE: 2-5-09

FILE REF: Ledgeview Farms LLC / Pansiers

TO: NER Ag File

FROM: Casey Jones – Ag Specialist



SUBJECT: Phone conversation with Jason Pansier – Ledgeview Farms co-owner

On February 5, 2009 Pansier left a message on Jones' voicemail regarding NRCS staff (John Malvitz?) and Steve Keil (the farm's agronomist) being onsite today to discuss the proposed manure storage. Pansier said that NRCS could draw up the plans for the manure storage but it may take up to 6 months. Pansier also mentioned his agronomist calculated out the farm's annual manure production (roughly 22,000 tons).

Jones called Pansier back the same day to talk about the manure storage plans and status of WPDES permit. Jones stated that it was up to Pansier to keep checking on the status of the plans for manure storage if Pansier wanted NRCS to do the work. Jones asked about the permit application and Pansier implied that Keil was working on getting that information together. Pansier mentioned that gutters were going to be put up at both farms to stop roof runoff from mixing with feedlot manure. Jones told Pansier to keep things moving forward with the permit application.





## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Matthew J. Frank, Secretary  
Ronald W. Kazmierczak, Regional Director

Northeast Region Headquarters  
2984 Shawano Avenue  
Green Bay, Wisconsin 54313-6727  
Telephone 920-662-5100  
FAX 920-662-5413  
TTY Access via relay - 711

February 19, 2009

**CERTIFIED MAIL**  
**Return Receipt Requested**  
CT: 2009-NEEE-016

Ledgeview Farms, LLC  
Mr. Roy Pansier, Registered Agent  
3875 Dickenson Road  
DePere, WI 54115

Subject: **Notice of Violation - Chapter 283, Wis. Statutes  
Enforcement Conference - March 9, 2009**

Dear Mr. Pansier:

The Department of Natural Resources (Department) has reason to believe Ledgeview Farms, LLC (Ledgeview) is in violation of Wisconsin's wastewater discharge permit requirements. Ledgeview is located at 3870 Dickinson Road, T23N-21E-R25E Sections 29, 32, & 33, Town of Ledgeview, Brown County, Wisconsin (the Site).

The Department alleges the following specific violation by Ledgeview:

**Section 283.31(1), Wis. Stats. - Water Pollutant Discharge Elimination System Permits. The discharge of any pollutant into any waters of the state or the disposal of sludge from a treatment work by any person is unlawful unless such discharge or disposal is done under a permit issued by the department under this section or s. 283.33.**

Section NR 243.11(3)(a), Wis. Adm. Code. Large Concentrated Feeding Operations. Any person owning or operating a large CAFO that stores manure or process wastewater in a structure that is at or below grade or that land applies manure or process wastewater shall have a WPDES permit. A discharge of pollutants from manure or process wastewater to waters of the state by an unpermitted animal feeding operation with 1,000 animal units or more is prohibited.

Section NR 243.03(12)(a), Wis. Adm. Code, "concentrated animal feeding operation" or "CAFO" means an animal feeding operation that has 1,000 animal units or more at any time and stores manure or process wastewater in a below or at grade level storage structure or land applies manure or process wastewater.

Section NR 243.03(31), Wis. Adm. Code, "Large CAFO" means an animal feeding operation that has 1,000 animal units or more at any time.

Section NR 243.03(4), Wis. Adm. Code, "Animal feeding operation" means a lot or facility, other than a pasture or grazing area, where animals have been, are or will be stabled or confined, and will be fed or maintained for a total of 45 days or more in any 12-month period. Two or more animal



feeding operations under common ownership or common management are a single operation if *at least one* of the following is true: (a) The operations are adjacent. (b) The operations utilize common systems for the landspreading of manure or other wastes, including a nutrient management plan or landspreading acreage. (c) Manure, barnyard runoff or other wastes are commingled in a common storage facility prior to landspreading.

In correspondence dated September 12, 2007, the Department stated its belief that Ledgeview had more than 1,000 animal units and requested Ledgeview complete an Animal Units Calculation Worksheet no later than October 12, 2007. Ledgeview did not respond to this request.

On July 15, 2008, the Department mailed to Ledgeview a permit application packet to obtain a WPDES permit. Ledgeview was requested to complete the application materials as well as the Animal Units Calculation Worksheet by August 8, 2008. Ledgeview did not respond to this request.

On October 13, 2008, after several unsuccessful attempts, the Department contacted Mr. Jason Pansier by telephone to discuss the WPDES permit and scheduled a time to visit Ledgeview.

In correspondence dated October 15, 2008, the Department documented the results of an October 14, 2008, visit to Ledgeview. Enclosed with the letter was a WPDES permit application for Ledgeview to review and sign and a copy of an Animal Units Calculation Worksheet completed by the Department during the site visit. The letter requested Ledgeview sign the permit application and return it to the Department by October 22, 2008, and submit an Environmental Analysis Questionnaire by November 14, 2008. The letter also identified several areas of immediate concern with the farming operations at Ledgeview:

- 1) Manure from the outdoor lot area at the heifer farm is actively discharging into a waterway. A designed manure storage structure will be required to eliminate this discharge.
- 2) The outdoor lots at the main farm need increased management to sustain vegetation and prevent erosion/runoff that may be discharging into the waterway. Containment around outdoor concrete lane and feeding areas may be necessary to ensure manure does not discharge to groundwater or surface water.
- 3) Ledgeview needs to begin planning immediately for the design of its six-month manure storage facility that is required to be in place no later than January 1, 2010. Plans and specifications for any proposed manure storage (for the main farm as well as the heifer farm) will need to be submitted to the Department for review and approval prior to being constructed.

In a letter dated November 25, 2008, the Department notified Ledgeview that it had received Ledgeview's initial permit application forms on October 21, 2008, but that it had not received the Environmental Analysis Questionnaire as requested. The letter also informed Ledgeview of the specific items that were needed to complete Ledgeview's initial WPDES permit application and for the permit review process to begin. The remaining items were requested by January 16, 2009.

On December 19, 2008, Mr. Jason Pansier of Ledgeview contacted Department Agricultural Runoff Specialist Casey Jones to request animal units information be sent to NRCS. Mr. Pansier also stated that he would attempt to locate the Department's November 25, 2008, letter to see what items were still needed for the permit application. Ms. Jones noted that the application materials were requested to be submitted by mid-January 2009.

On February 5, 2009, the Department returned a phone call to Mr. Jason Pansier. Mr. Pansier indicated Ledgeview was working on getting the necessary permit information together.

To date, the Department has not received the required permit application materials from Ledgeview. Therefore, the Department alleges Ledgeview to be discharging wastewater without a WPDES permit in violation of s. 283.31(1), Wis. Stats.

Enforcement Conference

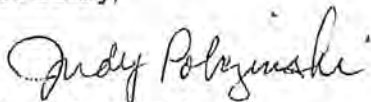
The Department is concerned about the unauthorized discharges at Ledgeview and the continued failure to respond to permit application requests. The Department has therefore scheduled an enforcement conference to discuss this matter. **The meeting will be held at 1:00 p.m. on Monday, March 9, 2009, at the Department of Natural Resources Northeast Region Headquarters located at 2984 Shawano Avenue in Green Bay.** A map showing the office location is enclosed for your use. Please contact me immediately if you need to reschedule the meeting to a more convenient time.

- Please be prepared to discuss the current status of Ledgeview's permit application and any progress made toward addressing the items described in the Department's October 15, 2008, correspondence. On several occasions we have suggested Ledgeview retain the services of a consulting service to assist with completing the permit application materials. We strongly encourage you to have your consultant attend this meeting.

Please be advised the Department is authorized to seek injunctive or other appropriate relief for violations of pollution discharge elimination laws, including forfeitures of no more than \$10,000 per day of violation pursuant to s. 283.91(2), Wis. Stats. Any person who willfully or negligently violates laws relating to pollution discharge elimination may be fined not more than \$25,000 per day of violation or imprisoned for not more than 6 months or both, pursuant to s. 283.91(3), Wis. Stats. Each day of violation is considered a separate offense. Additionally, s. 283.87, Wis. Stats., allows the Department to recover the cost of removing, terminating, or remedying the adverse effects upon the water/environment, including the cost of replacing fish or other wildlife destroyed by the discharge.

If you have any technical questions regarding your compliance responsibilities, please contact Department Agricultural Runoff Specialist Casey Jones at (920) 662- 5407. If you have questions concerning this letter or if you need to reschedule our meeting, please contact me at (920) 662-5444.

Sincerely,



Judy Polczynski  
Environmental Enforcement Specialist

Cc: C. Jones- NER/Green Bay  
D. Helf – NER / Green Bay  
M. Hoefer – LC/8  
T. Bauman – WT/3  
Bill Hafs – Brown Co. Land & Water Conservation Dept., 1150 Bellevue St., Green Bay, WI 54302



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Matthew J. Frank, Secretary  
Ronald W. Kazmierczak, Regional Director

Northeast Region Headquarters  
2984 Shawano Avenue  
Green Bay, Wisconsin 54313-6727  
Telephone 920-662-5100  
FAX 920-662-5413  
TTY Access via relay - 711

March 5, 2009

CT: 2009-NEEE-016

Ledgeview Farms, LLC  
Mr. Roy Pansier, Registered Agent  
3875 Dickenson Road  
DePere, WI 54115

Subject: **Rescheduled Enforcement Conference – March 19, 2009**

Dear Mr. Pansier:

This letter confirms that the enforcement conference to discuss alleged violations of Wisconsin's wastewater discharge permit requirements has been rescheduled per your request. The meeting has been rescheduled to **10:30 a.m. on Thursday, March 19, 2009** and will be held at the Department of Natural Resources Northeast Region Headquarters, 2984 Shawano Avenue, Green Bay, Wisconsin.

As stated in the February 19, 2009 Notice of Violation, you should be prepared to discuss the current status of Ledgeview's permit application and any progress made toward addressing the items described in the Department's October 15, 2008, correspondence.

We look forward to a productive meeting. If you have any technical questions in the interim, please contact Department Agricultural Runoff Specialist Casey Jones at (920) 662- 5407.

Sincerely,

Judy Polczinski  
Environmental Enforcement Specialist

Enclosure - Map

Cc: C. Jones- NER/Green Bay  
D. Helf – NER / Green Bay  
M. Hoefer – LC/8  
T. Bauman – WT/3  
Bill Hafs – Brown Co. Land & Water Conservation Dept., 1150 Bellevue St., Green Bay, WI 54302





## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
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2984 Shawano Avenue  
Green Bay, Wisconsin 54313-6727  
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March 24, 2009

CT: 2009-NEEE-016

Ledgeview Farms, LLC  
Mr. Jason Pansier  
3875 Dickenson Road  
DePere, WI 54115

Subject: **Enforcement Conference Summary  
Written Response Due March 27, 2009**

Dear Mr. Pansier:

Thank you for meeting with us on March 19, 2009, to discuss alleged violations of Wisconsin's wastewater discharge permit requirements at Ledgeview Farms, LLC (Ledgeview) located at 3870 Dickinson Road, T23N-21E-R25E Sections 29, 32, & 33, Town of Ledgeview, Brown County, Wisconsin. An attendance roster is enclosed for your reference.

### Meeting Agreement

By March 27, 2009, Ledgeview will submit in writing their intention for future operations at Ledgeview. Specifically, the response will state whether Ledgeview intends to continue operating with greater than 1,000 animal units or whether Ledgeview will change its operations to go below this State regulatory and permitting threshold.

If Ledgeview intends to remove animals from its operation so that a WPDES permit is no longer necessary from the Department, Ledgeview's response will state which animals will be removed to go below 1,000 animal units and by what date this will be completed.

If Ledgeview should determine it will continue operating at or above the 1,000 animal unit threshold, Ledgeview will indicate this in the response and proceed with the WPDES permitting process which includes submittal of previously specified application materials. It is understood that as part of the permitting process, a manure storage facility with six-month capacity will need to be constructed by January 1, 2010.

### Meeting Summary

Judy Polczynski began the meeting with introductions and requested Jason Pansier of Ledgeview give a history of Ledgeview. Mr. Pansier stated that he is a partner of Ledgeview along with his father and uncle. The farm has been operating in the family since the early 1960's. Ledgeview operations take place on both owned and rented land in Brown and Manitowoc Counties. The animal operations are housed in Brown County. Mr. Pansier stated that future correspondence should be sent to his attention at the 3875 Dickenson Road address.

Dan Helf briefly reviewed the wastewater permitting rules for confined animal feeding operations (CAFO) and the ultimate goal of protecting ground and surface water.

Mr. Pansier stated that gutters have been installed on the calf barn last week and that the remaining gutters were to be installed this week or next. Mr. Pansier also said that Ledgeview would be constructing a concrete barrier to contain runoff from the heifer farm feedlot.

Mr. Pansier then stated that Ledgeview did not have the financial resources to construct the required manure storage facility this year with the current milk pricing. He was told by Manitowoc County NRCS that there is no cost-sharing available for Ledgeview due to ongoing violations with tile lines installed in a wetland. Mr. Pansier said that he was also told by NRCS that Ledgeview could correct the violation by removing the tile lines.

Casey Jones, Brent Petersen, and Jon Bechle described for Mr. Pansier that an engineer would need to develop the plans and specifications for a manure storage facility and that the engineer would also verify the facility is constructed as designed and provide the necessary documentation to both the Department and the Brown County Land Conservation Department (LCD).

Ms. Jones explained that once Ledgeview has its permit, it can expand its operations (within certain limits) under the then-current permit. However, Ledgeview would need to ensure that it has six months of manure storage capacity for the number of animals at any given time.

Mr. Helf stated that permitted farming operations over 1,000 animal units are not allowed to land apply liquid manure or process wastewater during the months of February and March or at any time there is frozen or snow-covered ground.

Mr. Bechle informed Mr. Pansier that there are multiple offices that Ledgeview will need to work with; at the county level there is both the Brown County LCD and the Manitowoc County LCD and at the federal level, both the Brown County NRCS and Manitowoc County NRCS offices. In addition, if Ledgeview operates with 1,000 or more animal units it will be subject to regulation by the Department at the state level. Mr. Bechle only provided information on the activities for which Brown County LCD has authority.

If Ledgeview should decide to operate with less than 1,000 animal units, it will no longer need a WPDES permit from the Department. However, even if Ledgeview goes below this threshold, Brown County LCD will still regulate operations at or above 500 animal units. Mr. Bechle stated that any work done in the yard that effects manure or its runoff, such as gutter installation or feedlot construction, will require a permit by Brown County LCD. The County permit is required prior to any construction activities. Should Ledgeview install any practices without the required County permit and approvals, the activities would be considered a violation and would require after-the-fact permitting by the County. In addition, any unauthorized activities may be subject to a monetary penalty from the County.

Mr. Pansier was provided a copy of the NRCS Ch. 313 – Waste Storage Facility specifications and a copy of the Brown County Animal Waste Management Ordinance. Mr. Pansier stated that he was already given a copy of a listing of agricultural consulting firms. A copy of the Animal Unit Calculation worksheet is enclosed with this letter.

Ms. Jones stated the Department is not requiring Ledgeview to remove animals from its operations, that this is a business decision by Ledgeview. Regardless of Ledgeview's decision to get a permit or go below the permitting threshold, Ledgeview will need to work with Brown County LCD to address the

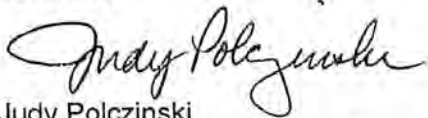
current runoff issues at the heifer farm outdoor lot area. The Main Farm outdoor lot area also needs attention.

Mr. Pansier stated that Ledgeview would get rid of animals to go below the 1,000 animal unit threshold. Ms. Polczinski encouraged Mr. Pansier to discuss today's meeting with his partners and then provide Ledgeview's intentions in writing.

If you have any technical questions regarding your compliance responsibilities with state requirements, please contact Department Agricultural Runoff Specialist Casey Jones at (920) 662- 5407. For any questions regarding your compliance responsibilities with the Brown County ordinance, please contact either Mr. Bechle (920-391-4620) or Mr. Petersen (920-391-4643).

We look forward to receiving your response by March 27, 2009.

Sincerely,



Judy Polczinski  
Environmental Enforcement Specialist

Enclosure – Attendance roster, Animal Unit Calculation Worksheet

Cc: C. Jones- NER/Green Bay  
D. Helf – NER / Green Bay  
M. Hoefer – LC/8  
J. Bechle – Brown Co. Land Conservation Dept., 1150 Bellevue St., Green Bay, WI 54302  
B. Petersen - Brown Co. Land Conservation Dept., 1150 Bellevue St., Green Bay, WI 54302



## ENFORCEMENT CONFERENCE ATTENDANCE

Ledgeview Farms, LLC  
10:30 a.m., Thursday, March 19, 2009  
DNR Northeast Region Headquarters

<u>Name</u>	<u>Title/Representing</u>	<u>Phone Number</u>
Judy Polczynski	enforcement Specialist / DNR	920-662-5444
Casey Jones	DNR	920-662-5907
Jacob Rustin	Ledgeview Farms	920-655-1388
Jon Bechle	Brown Co. Land & Water	920-391-4638
Brent Petersen	Brown Co. LCD	920-391-4643
Dan Helf	DNR	920 662-5141

## CORRESPONDENCE/MEMORANDUM

DATE: 4-17-09

FILE REF: Ledgeview Farms/Pansiers

TO: Ag Program File

FROM: Casey Jones, Agricultural Specialist

CJ

SUBJECT: Ledgeview Farms Production Site Runoff Concerns

## MAIN FARM LOCATION



Current runoff concerns at the Main Farm location are in regards to the outdoor cattle areas. There are outdoor walkways around the perimeters of the barns that do not provide any containment of manure and storm water runoff. Outdoor "exercise areas" for cows are also utilized to the north of the barns. This area is not vegetated and has steep grades sloping toward the stream (unnamed tributary of Bower Creek) that runs along the western edge of the farm. Please see attachment of photos of Main Farm provided by Brown County Land Conservation.

## HEIFER FARM LOCATION



The Heifer Farm has a large feedlot area in which all runoff drains to the west and flows off the feedlot and into a nearby drainage ditch. This ditch connects to the tributary to Bower Creek. The farm owners have recently installed roof gutters to prevent clean storm water from the roof from adding additional runoff water that flushes the manure off of the feedlot. Jason Pansier, co-owner, also indicated they were adding additional straw to help soak up and keep the manure on the feedlot. Permanent measures at the low end of the feedlot need to be installed. Pansier indicated they could do this, however, do not want to submit plans to the county as is required by Brown County ordinance and would be required under a CAFO permit.

#### **MANURE STORAGE**

A large problem is that the farm only has 2 months of manure storage capacity for the manure generated at the Main Farm and Heifer Farm. This means the farm is daily hauling and land spreading manure throughout the winter months when the ground is frozen and snow-covered. Per Brown County Land Conservation Department, the farm has been provided with a winter spreading plan that outlines the lower risk fields in which they should land apply on in the winter to avoid runoff.

There has not been any documented well contamination or runoff events from farm fields operated by Ledgeview Farms. However, there are fields that may have a separation of less than 2 feet to bedrock and potential karst features to areas in which fields may drain. The Main Farm production area also has little separation to bedrock.

Jason Pansier stated they cannot afford to hire a professional engineer to design the needed manure storage. To operate over 1000 animal units (as they have been without a permit) the farm needs to have a minimum of 6 months of manure storage. Pansier stated because of other violations with NRCS, the farm is not eligible for federal EQIP grant monies to aid in financing the needed storage. Because of the operation's size they are also currently ineligible for any state grant program funding.

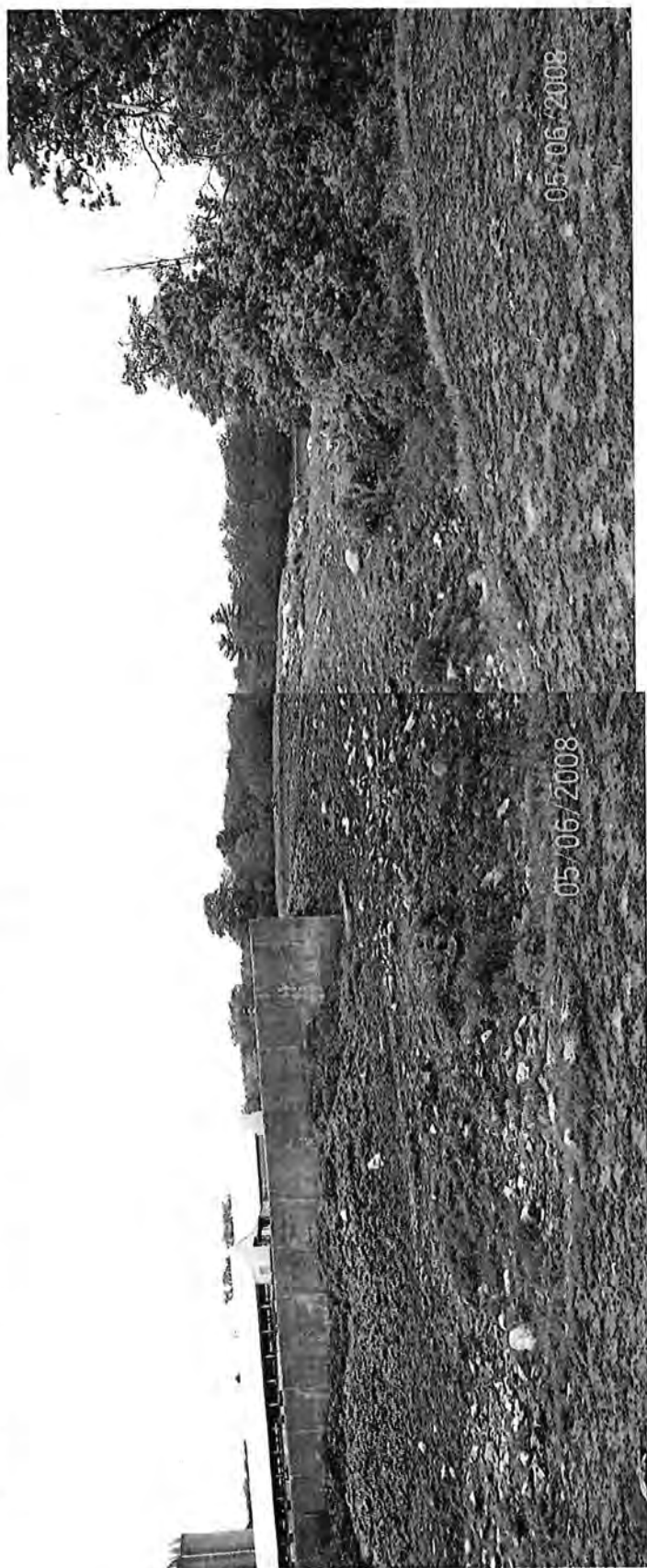
#### **KEY FOLLOW-UP ELEMENTS / SUGGESTIONS**

If Ledgeview Farms intend to remove animals to drop below the 1000 animal unit threshold, they need to submit a more reasonable timeframe in which to drop below 1000 animal units (no later than mid-summer?) Records will need to be provided from the farm indicating the amount of animals sold/shipped. Field verification may also need to be done by DNR staff. A plan will need to be provided by the farm indicating how they intend to stay below 1000 animal units (how they will address internal growth) and reiterate that they will need to apply for a permit prior to going over 1000 animal units. The runoff concerns at the production areas (Main and Heifer Farms) need to be addressed prior to closing out enforcement. Ledgeview needs to follow the requirements of Brown County's Feedlot Permit and then provide documentation to DNR that the runoff issues have been addressed.

**ATTACHMENT:** Photo log



Attachment: Main Farm photos dated May 6, 2008 provided by Brown County Land Conservation Staff  
(descriptions provided by Jones based on site visit recollection)



Looking west at outdoor lot areas. Manure storage is the concrete structure in the foreground. The free stall barns are in the background. The background tree line is where the stream tributary runs.

Looking northwest at outdoor lot areas. Areas are just west and north of the free stall barns. Note fill material that has been dumped along the edge of the drop off to the tributary.



Outdoor feedlot area fenced along the free stall barn. Note that none of the manure and runoff from this area is contained.





State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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Northeast Region Headquarters  
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Green Bay, Wisconsin 54313-6727  
Telephone 920-662-5100  
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TTY Access via relay - 711

May 13, 2009

CT: 2009-NEEE-016

Ledgeview Farms, LLC  
Mr. Jason Pansier  
3875 Dickenson Road  
DePere, WI 54115

Subject: **Runoff and Permitting Issues at Ledgeview Farms, LLC**  
**Written Responses due: May 28, 2009, July 15, 2009, January 1, 2010, and**  
**Monthly Status Reporting**

Dear Mr. Pansier:

Thank you for your response letter dated March 26, 2009. In it you propose to downsize the operations at Ledgeview Farms (Ledgeview) below a level that requires a WPDES wastewater discharge permit from the Department. Your letter however does not address the runoff concerns that have been identified at both the Main Farm and the Heifer Farm. The purpose of this letter is to provide the actions Ledgeview needs to take to return to compliance on both issues.

**Runoff Issues**

It is very important that Ledgeview address the ongoing runoff concerns at the production areas at the Main Farm and at the Heifer Farm. Please understand that even if Ledgeview goes below the 1,000 animal unit large CAFO permitting threshold and still has unauthorized discharges to waters of the state, Ledgeview can be classified as a medium-size CAFO; In this situation Ledgeview would still need to apply for a WPDES permit and be subject to the same requirements as a large CAFO. Therefore, these runoff concerns must be addressed if Ledgeview intends to operate without State-required permits. Ledgeview also needs to follow the requirements of Brown County's Feedlot Permit as it deals with these runoff issues.

**Actions requested to address runoff issues**

1. Ledgeview should immediately install temporary best management practices (BMPs) to control runoff until permanent measures can be installed. These could include total confinement of animals or installation of silt fence or straw bales along the feedlot perimeter to prevent runoff from discharging offsite.
2. By **May 27, 2009**, Ledgeview should submit a written response that details the temporary BMPs that have been installed. The submittal should identify the engineer or engineering firm hired to draw plans and specifications for permanent runoff controls.

3. By **July 15, 2009**, Ledgeview should submit the plans and specification for runoff controls for Department review and approval. The submittal should include a proposed completion date showing final construction by the end of this summer.
4. Temporary and permanent controls will need to be consistent with the requirements of Brown County's ordinances, including obtaining the appropriate County permits. County staff may be able to assist you with determining what temporary and permanent BMPs will work best for site conditions.

#### **Permitting Issues**

Ledgeview has proposed that by December 20, 2009, Ledgeview will down-size its operations (by removing twenty steers and ten cows per month) to go below the 1,000 animal unit (AU) threshold for obtaining a WPDES wastewater discharge permit. As we discussed at the March 19, 2009, enforcement conference, the Department does not require that you remove animals from your operation, only that Ledgeview return to and maintain compliance with state statutes and rules.

We believe that December 20, 2009, is an overly long time for Ledgeview to operate in noncompliance without further information as to why Ledgeview needs longer than three months to accomplish the down-sizing. Additionally, Ledgeview will need to provide documentation to show the number of animals it has removed and a plan for how Ledgeview intends to stay below the 1,000 AU threshold.

#### **Actions requested to address permitting issues**

1. By **May 27, 2009**, Ledgeview should submit written justification for the length of time it has proposed to remove animals from the farm.
2. Beginning for the month of May 2009, Ledgeview will need to submit a written report on a monthly basis detailing the animals it has removed in the previous month along with an updated AU calculation worksheet to show the current AU status at Ledgeview. The report and updated AU calculation worksheet is due **June 15, 2009, and then on the 15<sup>th</sup> day of each following month** until it has reduced operations to below 1,000 AUs (For example, the June 15<sup>th</sup> report will include information for May 2009).
3. Ledgeview will need to submit a final report by **January 1, 2010**. The final report will include records of animals shipped / sold and a final AU calculation worksheet. The final report needs to also include a detailed plan for how Ledgeview intends to stay below the 1,000 animal units and how Ledgeview will address internal growth.
4. At the time Ledgeview notifies it is operating with fewer than 1,000 AUs, the Department will consider visiting your farm to confirm Ledgeview no longer needs a permit.

We look forward to receiving Ledgeview's first response to the runoff and permitting compliance issues by May 27, 2009, the plans and specifications for permanent runoff controls by July 15, 2009, and the monthly AU status reports and final report.

We advise Ledgeview to work closely with the Department and with the Brown County LCD to avoid any further compliance concerns as you move forward to address these runoff and permitting issues.

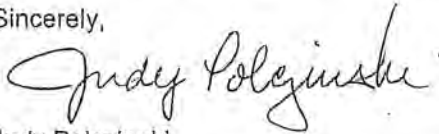
If you have any technical questions regarding your compliance responsibilities with state requirements, please contact Department Agricultural Runoff Specialist Casey Jones at (920) 662- 5407. For any



Ledgeview Farms, LLC  
May 13, 2009  
Page 3 of 3

questions regarding your compliance responsibilities with the Brown County ordinance, please contact either Jon Bechle (920-391-4638) or Brent Petersen (920-391-4643).

Sincerely,



Judy Polczynski  
Environmental Enforcement Specialist

Enclosure – Animal Unit Calculation Worksheet

Cc: C. Jones - NER/Green Bay  
D. Helf – NER / Green Bay  
J. Pfender – WT/3  
M. Hoefer – LC/8  
J. Bechle – Brown Co. Land Conservation Dept., 1150 Bellevue St., Green Bay, WI 54302  
B. Petersen - Brown Co. Land Conservation Dept., 1150 Bellevue St., Green Bay, WI 54302

May 20, 2009

Northeast Region Headquarters  
Judy Polczinski  
2984 Shawano Avenue  
Green Bay, WI 54313-6727

RECEIVED JUN 05 2009  
*amp*

Judy Polczinski,

We have placed temporary bales pertaining to water running out of cow yard on the heifer facility, until a pit is built.

A fence has been placed beyond main barn to keep dry livestock away from main barn, and planted grass to absorb water runoff.

We are working with David from Land Conservation Department (391-4639) following regulations and for suggestions of any thing else that could help.

Ledgeview Farms

Animal Unit Calculations: Current Number of AUs on Operation						
Animal Type	I. Mixed Animal Units			II. Non-mixed Animal Units		
	b. Equiv. factor	c. Current Number	d. No. of AUs	e. Equiv. factor	f. Current Number	g. No. of AUs
Example - Broilers (non-liquid manure)	0.005 x	150,000	= 750	0.008 x	150,000	= 1200
Dairy/Beef Calves (under 400 lbs)	0.20 x	338	= 67.6	Fed numbers in this column comply with 40 CFR s. 122.23		
Dairy Cattle	Milking & Dry Cows	1.40 x	320 = 448	1.43 x		=
	Helpers (800 lbs to 1200 lbs)	1.10 x	110 = 121			
	Helpers (400 lbs to 800 lbs)	0.60 x	120 = 768	1.00 x		=
Beef	Steers or Cows (400 lbs to market)	1.00 x	220 = 220			
	Bulls (each)	1.40 x	10 = 14	1.00 x		=
Veal Calves		0.50 x	=	1.00 x		=
Swine	Pigs (up to 55 lbs)	0.10 x	=	0.10 x		=
	Pigs (55 lbs to market)	0.40 x	=			
	Sows (each)	0.40 x	=			
	Boars (each)	0.50 x	=	0.40 x		=
Chickens	Layers (each) - non-liquid manure system	0.01 x	=	0.0123 x		=
	Broilers/Pullets (each) - non-liquid manure system	0.005 x	=	0.008 x		=
	Per Bird - liquid manure system	0.033 x	=	0.0333 x		=
Ducks	Ducks (each) - liquid manure system	0.2 x	=	0.2 x		=
	Ducks (each) - non-liquid manure system	0.01 x	=	0.0333 x		=
Turkeys (each)		0.018 x	=	0.018 x		=
Sheep (each)		0.1 x	=	0.1 x		=
Horses (each)		2 x	=	2 x		=
Total Animal Units:		Total Mixed Animal Units = (add all rows above) 947.4		Total Non-Mixed Animal Units = (Enter the single highest number from any row above; DO NOT add the totals)		

Does operation need a WPDES permit? \_\_\_\_\_

## Jones, Casey L - DNR

---

**From:** Polczinski, Judy M - DNR  
**Sent:** Wednesday, June 17, 2009 2:55 PM  
**To:** Jones, Casey L - DNR  
**Subject:** Ledgeview Phone Contact

Casey -

I called Jason Pansier today at 2:45 pm. He confirmed that they are planning to go ahead with manure storage but need some "geo-assessment" because of the water they found where he wants to put the manure storage. Jason said he is continuing to work with the County. I asked him if they were going to get a permit if they were going through with the manure storage. He said he couldn't get a permit because the price of milk is so low. I told him that he has to be below the 1,000 AU threshold or he needs a permit and then asked him if he understood that. I then asked about the AU calculations we got from them on 6/4/09 whether that was a current status or a projection. He said it was probably lower than that now because they just got rid of 70 steers. I said the last sheet showed they were at 947 and said is that still accurate and he said its "somewhere like that". I again told him that if they were over the 1,000 AU he needs to get a permit. I asked if he was going to be sending another calculation worksheet for June and he said he would if I sent him a blank one. I told him I'd send him one but that he needed to make his own copies for the future.

I'll send the worksheet and we'll see what we get back. Stay tuned.

 *Judy Polczinski*

Environmental Enforcement Specialist  
Wisconsin Department of Natural Resources  
2984 Shawano Avenue  
Green Bay, WI 54313-6727

(☎) phone: (920) 662-5444

(☎) fax: (920) 662-5413

(✉) e-mail: Judy.Polczinski@Wi.gov





## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Matthew J. Frank, Secretary  
Ronald W. Kazmierczak, Regional Director

Northeast Region Headquarters  
2984 Shawano Avenue  
Green Bay, Wisconsin 54313-6727  
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October 1, 2009

CT: 2009-NEEE-016

Ledgeview Farms, LLC  
Mr. Jason Pansier  
3875 Dickenson Road  
DePere, WI 54115

Subject: **Written Response Deadline - October 15, 2009**

Dear Mr. Pansier:

This purpose of this letter is to request certain specific information from you regarding the status of run-off controls, manure storage, and the number of animal units (AUs) at Ledgeview Farms, LLC (Ledgeview). Please submit a written response no later than **October 15, 2009** that contains the following:

1. Animal Unit Calculation Worksheet. In response to your decision to operate Ledgeview below the WPDES permitting threshold of less than 1,000 AU, the Department has requested monthly status reports to show Ledgeview is continuously operating below that level. We received an AU worksheet from Ledgeview on June 25, 2009, and have not received further information. You should complete the enclosed AU worksheet for the current number of animals at Ledgeview and return it by October 15, 2009. The AU calculation worksheet form is available at the Department's web site at <http://dnr.wi.gov/runoff/pdf/ag/cafo/form340025a.pdf>.

As per my June 18, 2009 correspondence, monthly status reports will need to be submitted on the 15<sup>th</sup> of each subsequent month until such time when Ledgeview has documented it is *continuously* operating below 1,000 AUs and Ledgeview has received notice from the Department that it may discontinue the monthly reporting.

I caution you to be as accurate as possible when completing the AU calculation worksheet since your permit status is dependent on this information. Failure to provide accurate information may subject you to penalties pursuant to s. 283.91(4), Wis. Stats.

2. Plans and Specifications for Runoff Controls. Your June 24, 2009, letter indicates Ledgeview is working with the Brown County Land Conservation Department on plans for runoff issues at both Ledgeview's Main Farm and the Heifer Farm. Your written response due by October 15, 2009, should also include a description of the current status of these plans.

3. Manure Storage. Ledgeview has been working with Brown County LCD to determine options for manure storage at Ledgeview. Your written response due October 15, 2009, should also describe the current status of this effort.

Please contact Department Agricultural Runoff Specialist Casey Jones at (920) 662- 5407 if you have any technical questions regarding your compliance responsibilities with state requirements. For any questions regarding your compliance responsibilities with the Brown County ordinance, please contact either Jon Bechle (920-391-4638) or Brent Petersen (920-391-4643). Please contact me at (920) 662-5444 if you have questions about this letter.

Sincerely,



Judy Polczynski  
Environmental Enforcement Specialist

Cc: C. Jones - NER/Green Bay  
J. Bechle - Brown Co. Land Conservation Dept., 1150 Bellevue St., Green Bay, WI 54302  
B. Petersen - Brown Co. Land Conservation Dept., 1150 Bellevue St., Green Bay, WI 54302

Ledgeview Farms  
3875 Dickinson Road  
De Pere, WI 54115  
*September 30, 2009*

OCT 09 2009

Ledgeview Farms Update:

Facility Below:

Retaining wall combined with the pit.

Facility Above:

No cattle behind cow yard.

Grass planted.

August

Animal Unit Calculations: Current Number of AUs on Operation						
Animal Type	I. Mixed Animal Units			II. Non-mixed Animal Units		
	b. Equiv. factor	c. Current Number	d. No. of AUs	e. Equiv. factor	f. Current Number	g. No. of AUs
Example - Broilers (non-liquid manure)	0.005 x	150,000	= 750	0.008 x	150,000	= 1200
Dairy/Beef Calves (under 400 lbs)	0.20 x	400	= 80	Fed numbers in this column comply with 40 CFR s. 122.23		
Dairy Cattle	Milking & Dry Cows	1.40 x	320 = 448	1.43 x		=
	Heifers (800 lbs to 1200 lbs)	1.10 x	118 = 130			
	Heifers (400 lbs to 800 lbs)	0.60 x	94 = 57	1.00 x		=
Beef	Steers or Cows (400 lbs to market)	1.00 x	198 = 198			
	Bulls (each)	1.40 x	4 = 5.6	1.00 x		=
Veal Calves		0.50 x	=	1.00 x		=
Swine	Pigs (up to 55 lbs)	0.10 x	=	0.10 x		=
	Pigs (55 lbs to market)	0.40 x	=			
	Sows (each)	0.40 x	=			
	Boars (each)	0.50 x	=	0.40 x		=
Chickens	Layers (each) -non-liquid manure system	0.01 x	=	0.0123 x		=
	Broilers/Pullets (each) -non-liquid manure system	0.005 x	=	0.008 x		=
	Per Bird -liquid manure system	0.033 x	=	0.0333 x		=
Ducks	Ducks (each) -liquid manure system	0.2 x	=	0.2 x		=
	Ducks (each) -non-liquid manure system	0.01 x	=	0.0333 x		=
Turkeys (each)		0.018 x	=	0.018 x		=
Sheep (each)		0.1 x	=	0.1 x		=
Horses (each)		2 x	=	2 x		=
Total Animal Units:			Total Mixed Animal Units = (add all rows above) 919		Total Non-Mixed Animal Units = (Enter the single highest number from any row above; DO NOT add the totals)	

Does operation need a WPDES permit? \_\_\_\_\_



September

Animal Unit Calculations: Projected Number of AUs on Operation						
Animal Type	I. Mixed Animal Units			II. Non-mixed Animal Units		
	b. Equiv. factor	c. Current Number	d. No. of AUs	e. Equiv. factor	f. Current Number	g. No. of AUs
Example: Broilers (non-liquid manure)	0.005 x	150,000	= 750	0.008 x	150,000	= 1200
Dairy/Beef Calves (under 400 lbs)	0.20 x	440	= 88	Fed numbers in this column comply with 40 CFR s. 122.23		
Dairy Cattle	Milking & Dry Cows	1.40 x	318	= 446	1.43 x	
	Heifers (800 lbs to 1200 lbs)	1.10 x	120	= 132		
	Heifers (400 lbs to 800 lbs)	0.60 x	99	= 60	1.00 x	
Beef	Steers or Cows (400 lbs to market)	1.00 x	205	= 205		
	Bulls (each)	1.40 x	2	= 3	1.00 x	
Veal Calves		0.50 x		=	1.00 x	
Swine	Pigs (up to 55 lbs)	0.10 x		=	0.10 x	
	Pigs (55 lbs to market)	0.40 x		=		
	Sows (each)	0.40 x		=		
	Boars (each)	0.50 x		=	0.40 x	
Chickens	Layers (each) -non-liquid manure system	0.01 x		=	0.0123 x	
	Broilers/Pullets (each) -non-liquid manure system	0.005 x		=	0.008 x	
	Per Bird -liquid manure system	0.033 x		=	0.0333 x	
Ducks	Ducks (each) -liquid manure system	0.2 x		=	0.2 x	
	Ducks (each) -non-liquid manure system	0.01 x		=	0.0333 x	
Turkeys (each)		0.018 x		=	0.018 x	
Sheep (each)		0.1 x		=	0.1 x	
Horses (each)		2 x		=	2 x	
Total Animal Units:			Total Mixed Animal Units = (add all rows above) 934		Total Non-Mixed Animal Units = (Enter the single highest number from any row above; DO NOT add the totals)	

Does operation need a WPDES permit? \_\_\_\_\_

Dates of Proposed Expansions (within the next 5 years) MM/YY 1 \_\_\_\_\_ 2 \_\_\_\_\_ 3 \_\_\_\_\_

October

Animal Unit Calculations: Current Number of AUs on Operation							
Animal Type		I. Mixed Animal Units			II. Non-mixed Animal Units		
		b. Equiv. factor	c. Current Number	d. No. of AUs	e. Equiv. factor	f. Current Number	g. No. of AUs
Example: Broilers (non-liquid manure)		0.005 x	150,000	= 750	0.008 x	150,000	= 1200
Dairy/Beef Calves (under 400 lbs)		0.20 x	390	= 78	Fed numbers in this column comply with 40 CFR § 122.23		
Dairy Cattle	Milking & Dry Cows	1.40 x	320	= 448	1.43 x		=
	Heifers (800 lbs to 1200 lbs)	1.10 x	110	= 121			
	Heifers (400 lbs to 800 lbs)	0.60 x	132	= 80	1.00 x		=
Beef	Steers or Cows (400 lbs to market)	1.00 x	208	= 208			
	Bulls (each)	1.40 x	7	= 10	1.00 x		=
Veal Calves		0.50 x		=	1.00 x		=
Swine	Pigs (up to 55 lbs)	0.10 x		=	0.10 x		=
	Pigs (55 lbs to market)	0.40 x		=			
	Sows (each)	0.40 x		=			
	Boars (each)	0.50 x		=	0.40 x		=
Chickens	Layers (each) -non-liquid manure system	0.01 x		=	0.0123 x		=
	Broilers/Pullets (each) -non-liquid manure system	0.005 x		=	0.008 x		=
	Per Bird -liquid manure system	0.033 x		=	0.0333 x		=
Ducks	Ducks (each) -liquid manure system	0.2 x		=	0.2 x		=
	Ducks (each) -non-liquid manure system	0.01 x		=	0.0333 x		=
Turkeys (each)		0.018 x		=	0.018 x		=
Sheep (each)		0.1 x		=	0.1 x		=
Horses (each)		2 x		=	2 x		=
Total Animal Units:		Total Mixed Animal Units = (add all rows above) 945			Total Non-Mixed Animal Units = (Enter the single highest number from any row above; DO NOT add the totals)		

Does operation need a WPDES permit? \_\_\_\_\_

Livestock Inc.

Date:	Tag:	Live	Number	
09/02/2008	725	1405	1	651342
09/03/2008	723	1685	3	651363
	751	1165		
	753	1610		
09/04/2008	127	1210	2	651079
	141	1250		
09/08/2008	501	1390	1	668216
09/11/2008	201	1510	72	651146
	202	1605		651137
	203	1480		
	204	1395		
	205	1545		
	206	1500		
	207	1330		
	208	1575		
	209	1405		
	210	1390		
	211	1420		
	212	1615		
	213	1855		
	214	1415		
	215	1500		
	216	1530		
	217	1435		
	218	1520		
	219	1585		
	220	1400		
	221	1495		
	222	1300		
	223	1500		
	224	1780		
	225	1425		
	226	1500		
	227	1475		
	228	1540		
	229	1540		
	230	1550		
	231	1210		
	232	1490		
	233	1260		
	234	1660		
	235	1310		
	236	1605		

	237	1425		
	238	1535		
	239	1445		
	240	1650		
	241	1435		
	242	1610		
	243	1475		
	244	1505		
	245	1385		
	246	1590		
	247	1370		
	248	1450		
	249	1630		
	250	1460		
	251	1550		
	252	1520		
	253	1440		
	254	1485		
	255	1505		
	256	1635		
	257	1470		
	258	1620		
	259	1470		
	260	1490		
	261	1510		
	262	1620		
	263	1290		
	264	1490		
	265	1375		
	266	1570		
	267	1470		
	268	1610		
	269	1405		
	270	1420		
	713	1855		
	715	1670		
09/25/2008	513	1595	2	651293
	515	1295		
09/29/2009	865	1925	2	668413
	867	1820		
09/29/2008	869	1045	1	668398
10/06/2008	586	1560	31	668485
	588	1515		
	601	1575		
	602	1325		
	603	1320		



	604	1480		
	605	1345		
	606	1585		
	607	1510		
	608	1690		
	609	1405		
	610	1210		
	611	1345		
	612	1420		
	613	1325		
	614	1535		
	615	1495		
	616	1460		
	617	1685		
	618	1370		
	619	1595		
	620	1320		
	621	1480		
	622	1590		
	623	1360		
	624	1495		
	625	1280		
	626	1485		
	594	1430		
	582	1300		
	584	1170		
10/06/2008	590	1635	2	668463
	592	1660		
10/13/2008	895	1680	4	668535
	892	940		
	894	990		
	893	1085		
11/13/08	147	1020	1	668864
11/17/08	360	1155	1	668903
11/30/2008	040	1265	24	668768
	041	1535		
	042	1595		
	043	1320		
	044	1465		
	045	1435		
	046	1505		
	047	1515		
	048	1425		
	049	1495		
	050	1390		
	051	1350		

	052	1180		
	053	1420		
	054	1525		
	055	1465		
	056	1275		
	057	1295		
	058	1260		
	059	1295		
	034	1595		
	035	1745		
	032	1080		
	033	1490		
12/08/2008	198	1665	2	671528
	199	1595		
12/08/2008	246	1615	23	671542
	247	1710		
	901	1355		
	902	1315		
	903	1295		
	904	1325		
	905	1270		
	906	1320		
	907	1550		
	908	1340		
	909	1220		
	910	1325		
	911	1455		
	912	1480		
	913	1370		
	914	1410		
	915	1455		
	916	1540		
	917	1490		
	918	1360		
	919	1425		
	920	1400		
	197	1095		
12/15/2008	321	1480	4	671600
	322	1490		
	323	1615		
	324	1500		
12/17/2008	942	1290	2	671625
	943	1060		
12/22/2008	656	1625	1	669940
12/23/2008	657	1475	2	671651
	655	1520		

12/29/2008	262	1185	5	671684
	263	1245		
	264	1430		
	265	1325		
	266	1250		
12/30/2008	257	1735	5	671701
	258	1685		
	259	1835		
	260	1570		
	261	1425		
01/05/2009	037	1700	2	671806
	039	1760		
01/06/2009	040	1400	20	671779
	041	1395		
	042	1385		
	043	1410		
	044	1455		
	051	1475		
	052	1395		
	053	1265		
	054	1490		
	055	1225		
	059	1285		
	060	1340		
	061	1420		
	062	1500		
	063	1250		
	064	1475		
	065	1220		
	066	1400		
	067	1325		
	068	1425		
01/19/2009	351	1010	3	671852
	352	1400		
	353	1255		
1/20/2009	354	1435	1	671872
02/16/2009	598	690	5	672084
	594	1775		
	597	1780		
	596	2000		
	595	1655		
02/23/2009	201	1340	28	672130
	202	1335		
	203	1515		
	204	1500		
	205	1460		

	206	1340		
	207	1345		
	208	1365		
	210	1250		
	211	1360		
	212	1340		
	214	1415		
	215	1400		
	216	1330		
	217	1440		
	218	1455		
	219	1575		
	220	1475		
	221	1495		
	222	1445		
	223	1475		
	224	1430		
	225	1495		
	898	1255		
	900	1200		
	899	1780		
03/14/2009	304	1585	2	677577
	305	1650		
03/16/2009	301	1195	18	677550
	302	1645		
	303	1125		
	401	1295		
	402	1375		
	403	1360		
	404	1375		
	405	1565		
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	409	1680		
	410	1655		
	411	1340		
	412	1395		
	413	1515		
	414	1525		
	415	1435		
03/23/2009	330	1550	5	677677
	331	1575		
	332	1715		
	333	1640		
	334	1555		



03/30/2009	101	1480	25	677761
	102	1510		
	103	1335		
	104	1500		
	105	1610		
	106	1530		
	107	1560		
	108	1515		
	109	1345		
	110	1400		
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	116	1500		
	117	1450		
	118	1475		
	119	1405		
	120	1580		
	121	1485		
	122	1360		
	123	1505		
	124	1555		
	125	1410		
04/06/2009	147	1315	1	677812
04/07/2009	145	1690	1	677832
04/10/2009	147	1015	1	678195
04/11/2009	146	1775	1	678187
		1355	70	678196
		65645		
		33120		
		2980		
04/13/2009	511	875	26	677890
	514	1615		
	515	1330		
	516	1375		
	517	1445		
	518	1535		
	519	1395		
	520	1445		
	521	1440		
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	525	1250		

	526	1575		
	527	1595		
	528	1515		
	529	1450		
	530	1480		
	531	1385		
	532	1330		
	533	1605		
	534	1445		
	535	1575		
	536	1285		
	537	1490		
	538	1495		
04/14/2009	508	1905	2	677918
	509	1995		
04/15/2009	510	1810	1	677914
04/20/2009	401	1020	2	677980
	402	1025		
04/21/2009	446	1970	1	678046
04/27/2009	447	1750	4	678043
	448	1540		
	449	1300		
	450	1620		
5/27/2009	729	1035	2	681936
	730	1200		
06/01/2009	744	1975	2	681982
	745	1035		
06/02/2009	746	1615	1	681984
06/09/2009	507	1450	1	682063
06/15/2009	529	1645	2	682153
	530	1710		
06/18/2009	565	1575	1	682356
06/19/2009	566	1465	1	682355
06/25/2009	613	1420	2	682186
	614	1385		
07/06/2009	683	1620	1	682270
07/07/2009	684	1770	1	682267
07/08/2009	685	1070	1	682296
07/20/2009	809	1260	1	682483
07/23/2009	845	1035	1	682523
07/24/2009	846	1870	1	682538
07/27/2009	847	1925	1	682576
07/27/2009	848	1030	1	682582
07/29/2009	672	1130	1	687824
	807	1900	1	682505

08/03/2009	698	1730	2	687866
	699	1650		
08/17/2009	435	1395	34	687994
	436	1320		
	437	1590		
	438	1600		
	439	1550		
	440	1675		
	441	1535		
	442	1500		
	443	1590		
	444	1375		
	445	1475		
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08/17/2009	401	1365	34	687985
	402	1480		
	403	1330		
	404	1380		
	405	1390		
	406	1365		
	407	1495		
	408	1305		
	409	1530		
	410	1265		

	411	1460		
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	425	1560		
	426	1165		
	427	1380		
	428	1590		
	429	1550		
	430	1175		
	431	1505		
	432	1465		
	433	1375		
	434	1420		
08/17/2009	469	1680	35	687995
	470	1370		
	471	1410		
	472	1415		
	473	1545		
	474	1395		
	475	1370		
	476	1435		
	477	1215		
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	484	1580		
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	486	1505		
	487	1295		
	488	1570		
	489	1520		
	490	1345		



	491	1320		
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	497	1410		
	498	1495		
	499	1510		
	500	1440		
	501	1770		
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08/17/2009	001	1520	41	700617
	002	1565		
	003	1430		
	004	1505		
	005	1400		
	006	1515		
	007	1295		
	008	1525		
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	025	1325		
	026	1420		
	027	1440		
	028	1420		
	029	1500		
	030	1385		
	031	1455		
	032	1450		
	033	1460		

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	035	1530		
	036	1250		
	037	1485		
	038	1360		
	039	1365		
	040	1440		
	041	1010		
08/18/2009	2041	1910	1	687972
08/19/2009	203	1915	1	687975
08/19/2009	202	1130	1	687989
08/19/2009	852	1175	7	688568
	853	785		
	697	1665		
	698	1595		
	690	1740		
	700	1285		
	851	1935		
08/26/2009	243	1275	1	688108
09/10/2009	855	1415	1	688219
09/24/2009	094	1110	1	688374
09/25/2009	093	1325	1	688378
09/29/2009	364	905	1	688433
09/29/2009	363	1605	1	688430
09/14/2009	865	1280	1	688265
09/14/2009	864	1780	1	688271
09/15/2009	866	1025	1	688304
09/10/2009	854	1330	1	688215

## Jones, Casey L - DNR


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**From:** Jones, Casey L - DNR  
**Sent:** Monday, October 19, 2009 9:44 AM  
**To:** Polczinski, Judy M - DNR  
**Cc:** Petersen\_BA; 'Wetenkamp\_DL'  
**Subject:** Ledgeview/Pansiers

Judy,

Just a status update regarding Ledgeview Farms. I spoke with Jason Pansier this morning regarding setting up an inspection to verify runoff controls were in place. Jason indicated I should come out after the plans were drawn up for the manure storage by Dave at the county. Jason stated a fence was put up at the dairy and the area had been seeded. Jason stated a retaining wall was in place at the heifer farm to keep runoff from discharging off the concrete lot. I indicated I would come out in mid-November to inspect the site and discuss future plans. I asked what their plans were regarding size and getting a permit--Jason said they would get everything done (manure storage built, runoff controls, etc.) prior to applying for a WPDES permit. Jason said he would continue to work with the county LCD.

Thanks,

 *Casey L. Jones*

Agricultural Runoff Management Specialist  
(Brown, Marinette, Menominee, Oconto & Shawano Counties)  
Wisconsin Department of Natural Resources  
2984 Shawano Ave\*  
Green Bay, WI 54313  
(☎) phone: (920) 662-5407  
(☎) fax: (920) 662-5498  
(✉) e-mail: Casey.Jones@Wisconsin.gov

\*Note: The DNR Green Bay Service Center no longer has a PO Box address, the new zip code is 54313.

Runoff Management homepage <http://dnr.wi.gov/runoff/>  
CAFO FAQs [http://dnr.wi.gov/runoff/ag/faq\\_cafo.htm](http://dnr.wi.gov/runoff/ag/faq_cafo.htm)  
CAFO Permits <http://dnr.wi.gov/runoff/ag/permits.htm>

## Jones, Casey L - DNR

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**From:** Polczinski, Judy M - DNR  
**Sent:** Wednesday, October 28, 2009 3:55 PM  
**To:** Jones, Casey L - DNR  
**Subject:** Phone Contact - Ledgeview

Casey -

I just got off the phone with Jason Pansier. I reminded him that we wanted the AU worksheet for October by 11/15. He said that he would just send it all with the plan you want for the runoff controls. I asked him when the plan would be done and he said that he needed to meet with Dave from the County and then Dave would need some time so he agreed to send the AU worksheet separately. I mentioned to him that back in May we'd told him we needed him to verify the AU numbers with sales receipts and he didn't object to sending them to me, although he did say he'd cut off the prices because that info wasn't any of our business. I told him that as an alternative he could send the milk records and he responded that the milk records wouldn't tell us anything. Jason did say that you'd told him he'd need to send the AU numbers for at least a year so he seems willing to do that. None of this seemed like a surprise to him so I'm expecting the Oct AU numbers and sales receipts by 11/15. We'll see what is actually submitted. Also, he said that the plan for the manure storage was already done, in case you didn't know that.

I also asked if he wanted a followup letter to our call and he declined.

 *Judy Polczinski*

Environmental Enforcement Specialist  
Wisconsin Department of Natural Resources  
2984 Shawano Avenue  
Green Bay, WI 54313-6727  
(☎) phone: (920) 662-5444  
(☎) fax: (920) 662-5413  
(✉) e-mail: Judy.Polczinski@Wi.gov



Case Number 2009-NEEE-016	Case Title Ledgeview Farms, LLC
Activity Telephone Contact – Jason Pansier	Date of Activity November 11, 2009

Narrative

At 10:25 a.m. on Wednesday, November 11, 2009, EE Specialist Judy Polczynski called Jason Pansier of Ledgeview Farms, LLC on his mobile telephone (920)655-1344. The purpose of the call was to clarify the information Pansier submitted on November 5, 2009.

Polczynski asked what "Livestock Inc." meant on the listing of animals sold. Pansier said that is the farmer's association that the cows are sold through. Polczynski said that the name doesn't show up in the state's records of incorporated businesses. Pansier said that's what it says on their cards and paperwork.

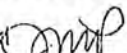
When asked about distinguishing between steers and cows, Pansier stated that whenever less than 30 or 35 are sold it's always cows and that includes the single animal sales. Pansier recalled that 150-180 total cows were sold during the past year. They sold cows when the prices were as good as they could get and then sold steers to get and stay below the 1,000 Animal Units (AUs). Whenever lots of animals (70+) are sold at a time, that is always steers.

Pansier stated that Ledgeview is working with Dave at the County to take care of all the issues that are needed to get a DNR permit because then Ledgeview can work on one thing at a time instead of submitting a permit application and "having to fix 15 things at once". Then when Ledgeview wanted to get a permit and go over the 1,000 AUs they'd just have the paperwork to deal with. Dave told Pansier that he (County) could get everything done to meet DNR codes.

Polczynski told Pansier that we need to ensure the discharge issues have been addressed and asked for photos of the controls in place at the Main Farm outdoor feedlot and at the Heifer Farm. Pansier said that the Heifer Farm controls were all done and working. Pansier also stated that the channel at the Main Farm had been repaired by filling and that the fencing had been removed from that area so no animals are there. Pansier said he would take photos as requested. Polczynski asked that the photos be submitted with the next monthly report due on December 15<sup>th</sup> and Pansier agreed provided Polczynski would put it in a letter since Pansier was out cutting corn and didn't take notes during the call.

Pansier asked if we wanted the animals sold with the next report and Polczynski replied affirmatively and then described the contents for the final report due on January 10, 2010 (a summary of animals sold since September 2008, a final AU worksheet, and status of any remaining runoff issues.)

Cc: C. Jones

Enforcement Specialist Reporting Judy Polczynski 	Date of Report November 11, 2009	Exhibit Reference
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## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Matthew J. Frank, Secretary  
Ronald W. Kazmierczak, Regional Director

Northeast Region Headquarters  
2984 Shawano Avenue  
Green Bay, Wisconsin 54313-6727  
Telephone 920-662-5100  
FAX 920-662-5413  
TTY Access via relay - 711

CT: 2009-NEEE-016

November 18, 2009

Ledgeview Farms, LLC  
Mr. Jason Pansier  
3875 Dickenson Road  
DePere, WI 54115

Subject: **Response Due – December 15, 2009**

Dear Mr. Pansier:

This letter follows our conversation on November 11, 2009, when we discussed whether corrective measures had been taken at Ledgeview Farms to address runoff issues at Ledgeview's Main Farm and Heifer Farm.

You told me that the walls and gutters had been installed at the Heifer Farm and that they were working to control runoff. You also said the fencing had been removed from the outdoor lot at the Main Farm and that animals are no longer kept there. In addition, you have filled the channel but that it was not yet stabilized.

As we discussed, we are requesting photos documenting the runoff controls that were installed at the Heifer farm and the repairs that were made at the Main Farm. The photos, along with a short description of what was done at each location, should be sent with your monthly Animal Unit (AU) calculation worksheet due on December 15, 2009. The report should also include the animals sold since the last report you submitted in October.

This letter also serves as a reminder that Ledgeview will need to submit a final report by January 1, 2010, that includes a summary report of the number of animals sold since September 2008 (numbers by type), an AU worksheet for December 2009, a description of how Ledgeview will maintain its herd numbers below 1,000 AUs until Ledgeview has determined it will obtain WPDES permit coverage, and the status of any remaining runoff issues.

Please contact Department Agricultural Runoff Specialist Casey Jones at (920) 662-5407 if you have any technical questions regarding your compliance responsibilities with state requirements. For any questions regarding your compliance responsibilities with the Brown County ordinance, please contact

Ledgeview Farms, LLC  
CURRENT DATE  
Page 2 of 2

either Jon Bechle (920-391-4638) or Brent Petersen (920-391-4643). Please contact me at (920) 662-5444 if you have questions about this letter.

Sincerely,

A handwritten signature in cursive script, reading "Judy Polczinski".

Judy Polczinski  
Environmental Enforcement Specialist

Cc: C. Jones - NER/Green Bay  
J. Bechle - Brown Co. Land Conservation Dept., 1150 Bellevue St., Green Bay, WI 54302  
B. Petersen - Brown Co. Land Conservation Dept., 1150 Bellevue St., Green Bay, WI 54302



DEC 07 2009 by C8



Brown County

1150 BELLEVUE ST.  
GREEN BAY, WI 54302

BILL HAFS

PHONE (920) 391-4620 FAX (920) 391-4617 WEB: [www.co.brown.wi.us](http://www.co.brown.wi.us)

COUNTY CONSERVATIONIST

PHONE (920) 391-4639 FAX (920) 391-4617 EMAIL: [wetenkamp\\_dl@co.brown.wi.us](mailto:wetenkamp_dl@co.brown.wi.us)DAVE WETENKAMP  
ENGINEERING TECHNICIAN**Re:** As Built Construction Document & Update**To:**

WDNR

Attn: Casey Jones  
2984 Shawano Ave.  
P.O. Box 10448  
Green Bay, WI 54307

This letter is to document the construction that has taken place in 2009 on Pansier's (Ledgeview Farms) lower farm on Lime Kiln Rd. in Brown County, Township of Ledgeview. The family owned and operated facility is in the process of staying in compliance with WDNR requirements regarding its pending WPDES status. The farm owners/managers are Roy, Glen and Jason Pansier. I have been in contact with these individuals during the summer/fall of 2009 while addressing feedlot runoff on the farms and investigating soils, location and designs for a large manure storage structure to meet WDNR 180 day storage requirement for WPDES farms. At the time of this letter Ledgeview Farms is believed to be under the 1000 A.U. threshold as stated in documents submitted to the agency.

As part of their requirements Ledgeview Farms was told to reduce/eliminate runoff from the outside feedlots on both upper and lower farms. To date Brown County LWCD has only worked with the lower farm through on-site evaluations and discussions about the problem and possible solutions to address the runoff. Roof gutters were suggested to reduce runoff and keep clean water inputs off the lower farms large concrete feedlot. The landowners designed and installed custom made 10" steel gutters attached to the existing building with heavy duty brackets and welding. This system is sturdy and is working very well. It is all sloped to the west and empties into a 12" tile inlet outside of the feedlot and discharges to the waterway west of the feedlot. Soils investigations to the south of the existing lower feedlot were conducted and found excellent clay, but artesian water pressures 13' down resulted in making construction of a large storage structure cost prohibitive and/or environmentally risky. Soils investigations on the upper farm revealed an earthen manure storage structure could be built in existing pasture land and design options are being pursued. Brown County suggested installing a reception tank and pump which would provide short term storage for runoff controls on the lower lot, but they did not like the idea of pumps which fail and would not work in winter.

After manure storage options were ruled out at the lower farm the Pansier's suggested they block off the yard with a 2' wall and contain all the runoff on the concrete lot. They would increase bedding on the yard to soak up excess water and waste and then haul it out as needed. The Pansier's over the summer installed a concrete collection pit, auger and effluent pump area on the end of the lower farms concrete lot. It was done on their own without any design input from the county. I was told they were pouring the wall on the end of the lot one day and was asked to stop in and take a look at it. I thought it was going to be a wall poured across the end of the lots discharge point as stated above, but it was quite different. The Pansier's are very resourceful and have done all of their own concrete work for the farms buildings, slabs, walls and footings over the years as they have expanded. They have even worked with Brown County LWCD in the past in constructing a large permitted concrete manure pit on the upper farm that was inspected by Brown County and met specifications. However, the structure built on the end of the lower lot was not designed or approved by an engineer. The existing lower feedlot concrete slab and 2' walls were constructed by the Pansiers' and are still in good condition with some minor cracking and damage by machinery functioning without signs of failure. In my





opinion based on the location, soils, materials and methods used as well as visual appearance of the construction project after-the-fact, this fix will work and appears to be structurally sound for containing runoff from events and prevent discharges from 10 -25 year runoff events. I have been designing, installing and inspecting structural bmp's for runoff control for the last 17 years, but I have no engineering license and can not give a structural engineering evaluation on this project. It is working now and will need a professional evaluation by a qualified engineering firm or consultant if required by DNR. I have documented the size of the structure, materials and methods used by the landowners in constructing their solution to the discharges from the lower feedlot.

Description of structure:

(See attached air photo view of site showing location, dimensions and drawing of structure and pictures below.)

This structure was added onto the existing walls and slabs of the lower farms concrete lot. The old concrete was exposed and doweled into approximately every 18" on the slab and into the existing walls. Then #4 rebar was pounded into the old concrete and tied into the new concrete wall steel and slab. The 10" thick concrete walls consisted of 3' and 7'-6" walls that were stepped for ease of ramp installation. The 7.5' walls were poured on a 20" wide by 8"-10" thick footing with 3 - #5 rebars placed longitudinally and 2' x 6' - #5 L-bars placed 12" O.C. vertically in the footing. For horizontal steel 4 - #4 rebars were distributed in the wall with 2 being near the top and 2 being near the bottom of the walls, with an undisclosed amount of extra #5 rebar in the corners of the walls for extra strength. The 3' walls were built with the same footing w/ 2 - #4 rebar running longitudinally in the footing and had #4 L-bars placed 12" O.C. vertically and 2 - #4 rebar running horizontally in the wall. Steel spacing is from general description from interviewing Jason and Roy Pansier. Steel overlap for splices is unknown and estimated to be random. The slab and small sump were poured on in place clay soils with over 50% fines and P.I. estimated to be over 12. The slab has no reinforcement and has minimal to no gravel sub-base below it, just enough to smooth out the ground for slab thickness of about 5"-6". The walls were backfilled with clay and 2"-3" breaker type stone on the 7.5' walls. Tar was used to patch one area of poor concrete consolidation that took place where the wall and slab met to prevent leaking. No sealants or waterstop were used at joint interfaces. No concrete curing compound or curing procedures were followed. The small sump estimated to be 18" wide by 48" long and 12" deep was formed to hold a farm built manure auger to evacuate manure semi-solids. A small electric submersible 2" trash pump is also installed in the structure to aid in times of mostly liquid runoff that the auger may have trouble removing. Please review the picture documents as well.

Runoff Collection Sump

(Leak area shown with arrow, patched with roofing tar)



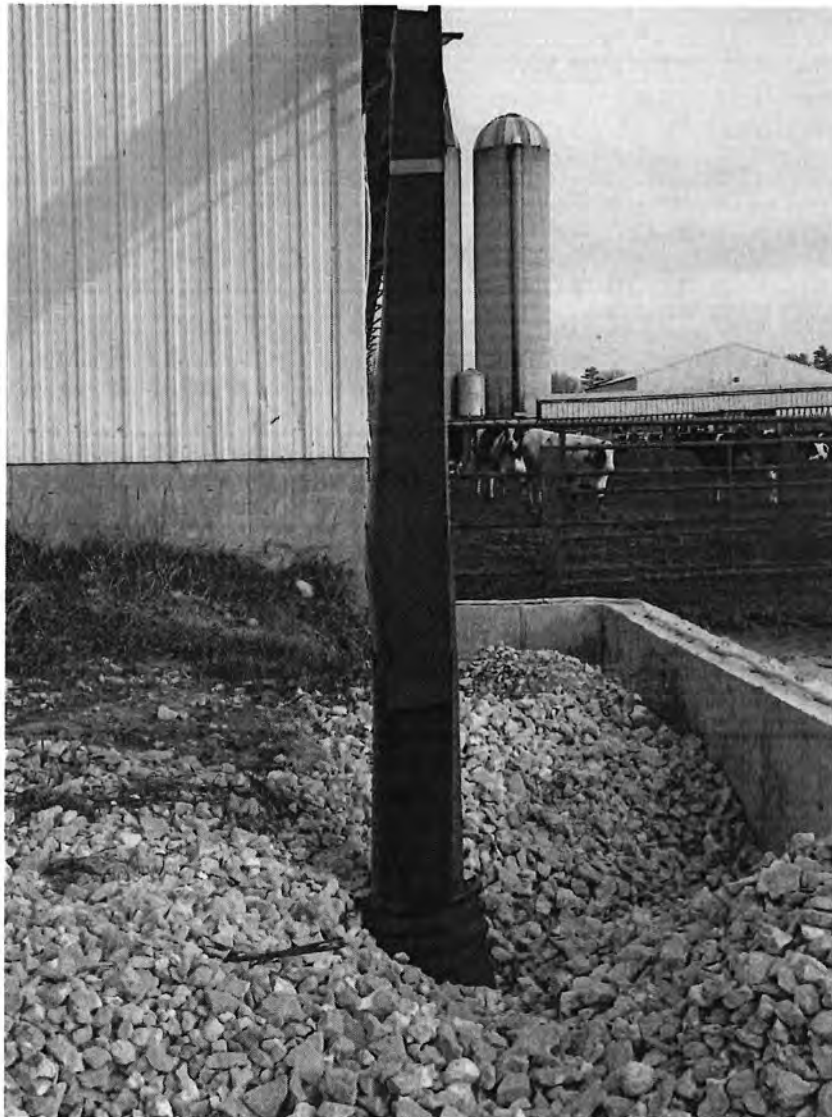
Auger/Sump/Pump



Gutters



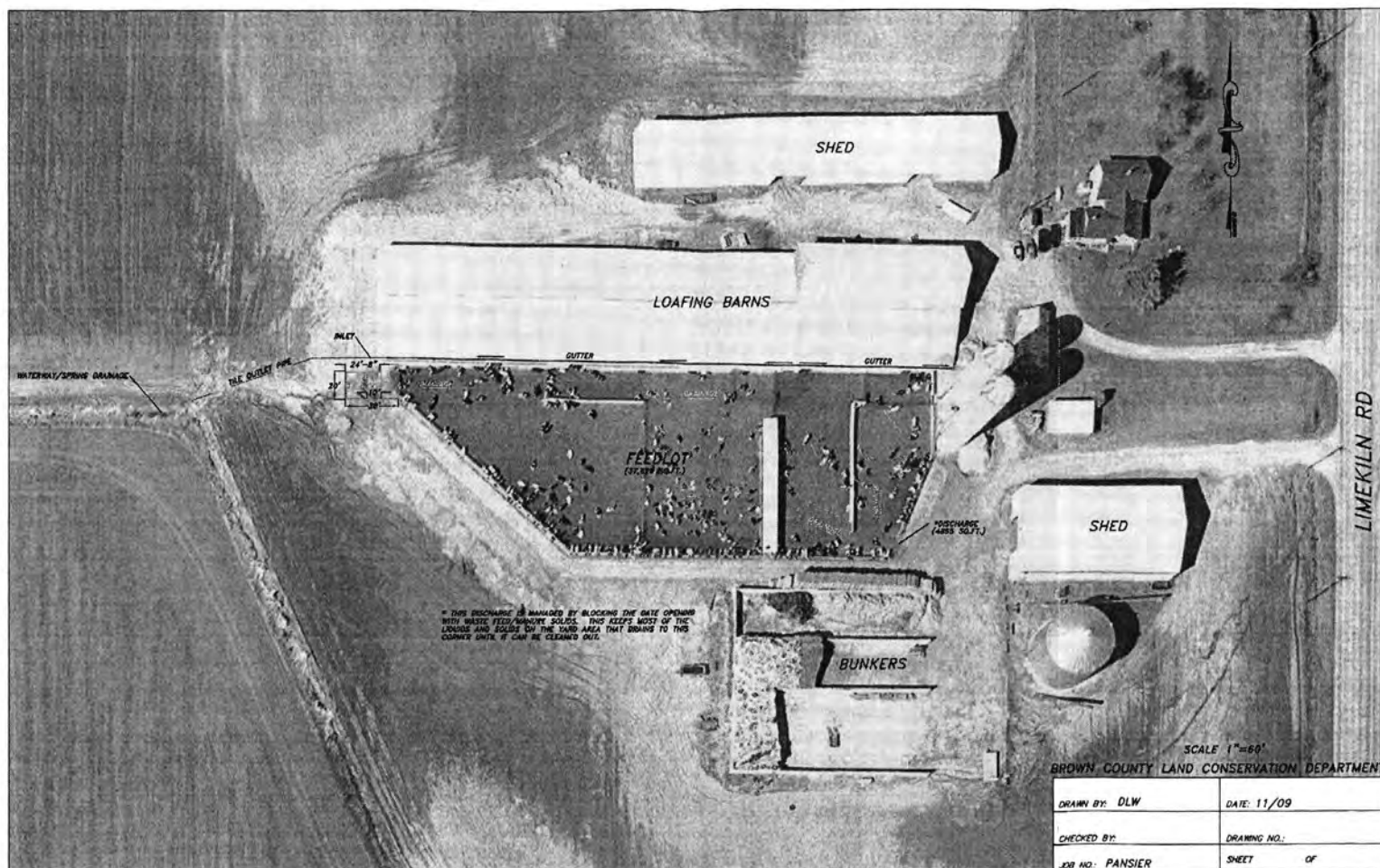
Gutters, Open Downspout/Tile Inlet



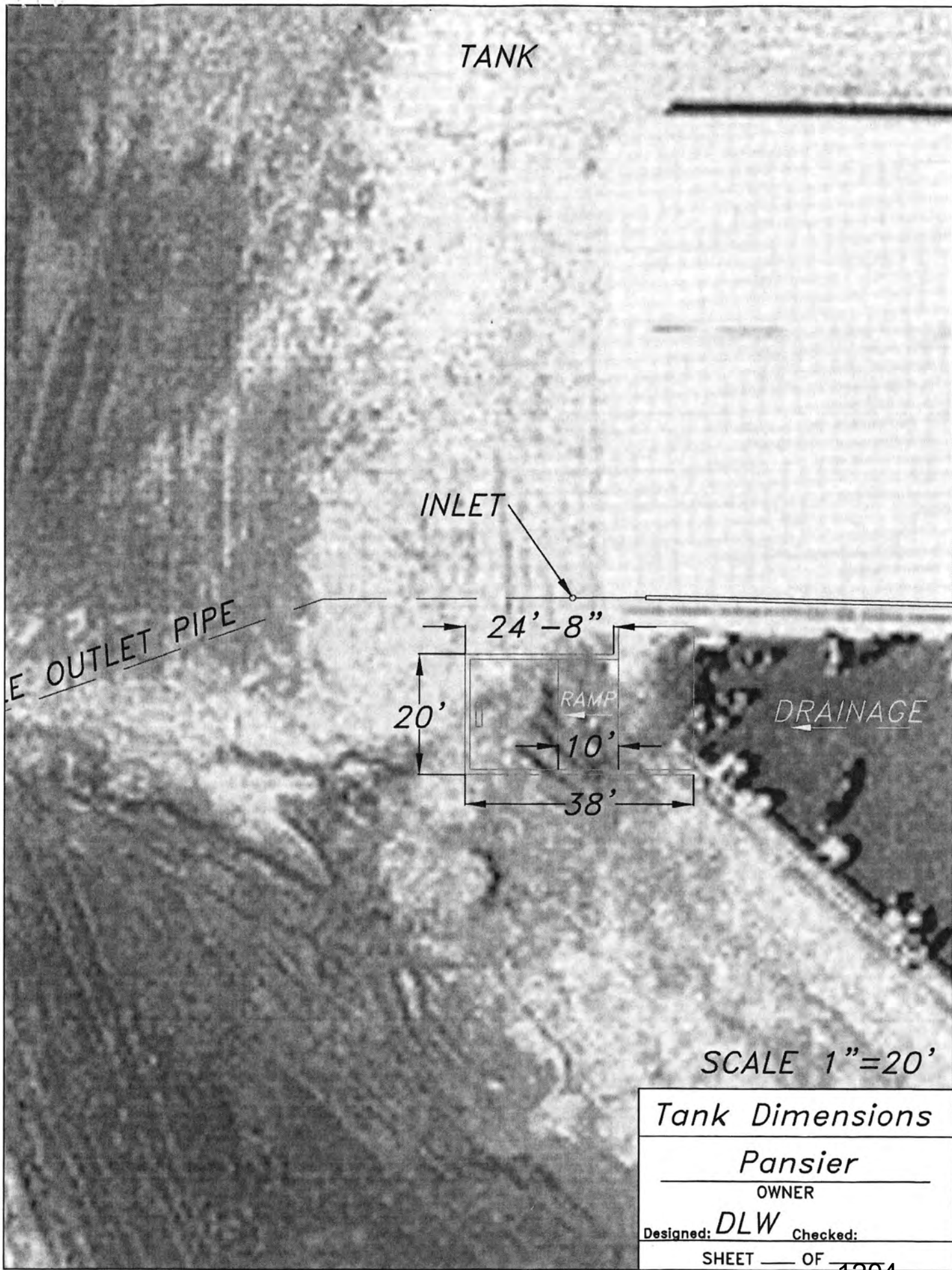
Dave Wetenkamp

*Dave Wetenkamp*

Brown County Land & Water Conservation Department











**State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES**

Jim Doyle, Governor  
Matthew J. Frank, Secretary  
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Northeast Region Headquarters  
2984 Shawano Avenue  
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May 10, 2010

CT: 2009-NEEE-016

Ledgeview Farms, LLC  
Mr. Jason Pansier  
3875 Dickenson Road  
DePere, WI 54115

**Subject: No Further Enforcement Action  
Preparation for WPDES Permit Coverage**

Dear Mr. Pansier:

On February 19, 2009, the Department of Natural Resources (Department) issued Ledgeview Farms, LLC (Ledgeview) a Notice of Violation for failure to obtain WPDES permit coverage for a large concentrated animal feeding operation (CAFO). An enforcement conference was held on March 19, 2009, to discuss the matter.

Ledgeview subsequently decided to reduce animal numbers and stay below the permitting threshold of 1,000 animal units (AUs). As a result, the Department considered the initial WPDES permit application Ledgeview had submitted on October 21, 2008 as withdrawn and did not continue the permitting process.

Ledgeview has since submitted periodic documentation to support its claim that Ledgeview continues to operate below the 1,000 AU permitting threshold. The most recent submittals show the number of animals sold during calendar year 2009 and an AU calculation worksheet mailed early April 2010. The AU calculation states a total of 933 mixed AUs to be present.

Ledgeview also submitted in early April 2010 photos showing current site conditions and corrective measures that have been taken at the main farm. Brown County LCD previously submitted documentation of corrective measures completed at the heifer farm.

Based on the actions Ledgeview has taken in response to the February 19, 2009, Notice of Violation, the Department has determined it will take no further enforcement action on the violations alleged in that Notice. We reserve the right to reconsider this decision should violations occur in the future.

The Department is aware that you plan to apply for a WPDES permit for a CAFO once Ledgeview has the required 6 months of liquid manure storage and process wastewater. Please understand Ledgeview will need to stay below 1000 AUs until the permit is issued. It is a violation of s. 283.01, Wis. Stats., for a facility to operate above the permit threshold of 1,000 AUs without first obtaining permit coverage. Should that occur, the Department will consider escalated enforcement action which may include referral to the Department of Justice for operating without a permit.

For your information, this letter includes a table which summarizes application items needed to start the permitting process. All listed application items are needed for a WPDES permit application to be considered complete.

Please be aware that:

1. Some application items (e.g. Nutrient Management Plan and Waste Storage Facilities) may take considerable amounts of time to prepare, review and, when necessary, amend to meet all state or federal requirements.
2. Application items submitted that are vague, unclear or general may be responded to by DNR with requests for additional information.
3. A site inspection of the facility must also be done prior to permit issuance.

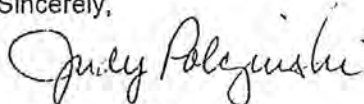
#### WPDES Permit Application Status Report

Received	Complete	Incomplete	Under Review	Application Item
<i>Part 1: General Operation Requirements</i>				
				Livestock/Poultry Operation WPDES Permit Application Form 3400-25
				Animal Units Calculation Worksheet Form 3400-25A
				Narrative with historical, current, and future operational information including planned construction/expansion
				Scaled drawing(s) identifying the following existing and/or proposed items:
				• Animal housing
				• Waste storage facilities
				• Groundwater monitoring wells
				• Permanent spray Irrigation or other land spreading systems
				• Feed storage structures
				• Raw material storage
				• Loafing or outside lot areas
				• Ancillary service and storage areas
				• Water supply well(s)
				• Treatment systems or structures
				• Runoff controls
				• CAFO outdoor vegetated areas
				Written descriptions of the structures and areas identified above (including number of animals, projected number of days in use and type/percent of vegetative cover for outdoor lots and CAFO outdoor vegetated areas)
				Site Location Maps – Existing & Proposed

Received	Complete	Incomplete	Under Review	Application Item
				• Aerial Photograph
				• Soil Survey Maps
				Manure Flow Diagram identifying where manure goes to/from at the production site
<i>Part 2: Environmental Analysis Questionnaire</i>				
				Environmental Analysis Questionnaire with each question fully addressed
<i>Part 3: Nutrient Management Plan</i>				
				Nutrient Management Plan meets all the requirements in NRCS Technical Standard 590 and Ch. NR 243.14, Wis. Adm. Code
<i>Part 4: Plans &amp; Specifications for New Structures</i>				
				Proposed Waste Storage Facilities plans and specifications (1 copy to local staff, 2 copies to Madison)
				Proposed Runoff Control System(s) plans & specifications (1 copy to local staff, 2 copies to Madison)
<i>Part 5: Post Construction Documentation for Existing Structures</i>				
				Existing Waste Storage Facilities as-built information or engineering evaluation (1 copy to local staff, 2 copies to Madison)
				Existing Runoff Control System(s) as-built information or engineering evaluation (1 copy to local staff, 2 copies to Madison)

Please contact Department Agricultural Runoff Specialists Casey Jones at (920) 303-5426 or Amanda Owens at (920) 662-5407 if you have technical questions regarding your compliance responsibilities with state requirements. For questions regarding your compliance responsibilities with the Brown County ordinance, please contact Jon Bechle at (920) 391-4638. Please contact me at (920) 662-5444 if you have questions about this letter.

Sincerely,



Judy Polczinski  
Environmental Enforcement Specialist

Cc: C. Jones, Amanda Owens - NER/Green Bay  
J. Bechle - Brown Co. Land Conservation Dept., 1150 Bellevue St., Green Bay, WI 54302  
B. Petersen - Brown Co. Land Conservation Dept., 1150 Bellevue St., Green Bay, WI 54302

1/25/13

State of Wisconsin

Department of Natural Resources

**Animal Numbers Verification Form**

**Notice:** Complete and submit this form to the DNR to document whether or not you are required to obtain a WPDES permit under Ch. NR 243, Wis. Adm. Code. This form is not an application for a WPDES permit. Personally identifiable information collected will be used for program administration. The Department may also provide this information to requesters under Wisconsin's public records law [ss. 19.31-19.39, Wis. Stats.]

**1. LEGAL NAME OF "MAIN" OPERATION & CONTACT INFORMATION**

Legal Name of Operation:

LEDGEVIEW FARMS

Name of Owner or Operator:

JASON PANSIER

Phone Number(s):

920 336-7919

Mailing Address - Street, Route or Box

3870 DICKINSON DE PERE

City/Town, State, Zip Code

WI 54115

**2. OTHER SITES**

Name of Farm/Operation

Physical Location Address

County

1. Main Farm 3870 Dickinson Rd

2. 3688 Lime Kiln Rd

3.

4.

5.

**Current Animal Numbers**

Animal Type	Main	Site 1	Site 2	Site 3	Site 4	Site 5
Milking & Dry Cows		328				
Heifers (800 - 1200 lbs)			112			
Heifers (400 - 800 lbs)			78			
Steers (400lbs to market)			104			
Bulls						
Calves (less than 400 lbs)		234				
Other:						

$$(328 \times 1.4) + (112 \times 1.1) + (78 \times 0.6) + 104 + (234 \times 0.2)$$

$$459.2 + 123.2 + 46.8 + 104 + 46.8 = \boxed{780 \text{ AU}}$$



Does the operation identified in the previous tables have any plans of expansion in the next 2-3 years (circle one)? Yes **No** we just want to stop any runoff and keep cows inside

If you circled yes, please fill out the table below to the expected number of animals at each site.

### Projected Animal Numbers

Animal Type	Main	Site 1	Site 2	Site 3	Site 4	Site 5
Milking & Dry Cows						
Heifers (800 – 1200 lbs)						
Heifers (400 – 800 lbs)						
Steers (400lbs to market)						
Bulls						
Calves (less than 400 lbs)						
Other:						

I certify that I am familiar with the information contained in the previous tables and that to the best of my knowledge and belief such information is true, complete and accurate. This application must be signed by an individual who is either an owner of the operation identified above or a corporate officer if the operation is incorporated.

Printed Name of Official Representative

Jason Pengier

Title

Owner

Signature of Official Representative

*[Handwritten Signature]*

Date Application Signed

1-25-13

## Schiefelbein, Jeremiah J - DNR

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**From:** Schiefelbein, Jeremiah J - DNR  
**Sent:** Friday, February 01, 2013 10:53 AM  
**To:** Petersen\_BA (Petersen\_BA@co.brown.wi.us); Hanson, Erin E - DNR  
**Cc:** Lundin, Andrew F - DNR  
**Subject:** Informational: Ledgeview Farms (Pansier's) Spreading/Stacking Complaint

Hi Brent,

I spoke with the complainant regarding the winter spreading at Pansier's. She stated that manure is spread multiple times on field 11S2 (south of the main dairy T23N R21E, Sec 33). She stated that manure is applied all over this field and that the Pansier's run the field all the way to Whisper Lane. If in fact the Pansier's is spreading on the field north of Scray Hill Road and adjacent to Whisper Lane, that would be an issue as this field is not listed in the plan. She also stated that manure is spread on the field south of Scray Hill Road right up to the quarry (T22N. R21E, Sec 5). This field is not listed in the winter spreading plan.

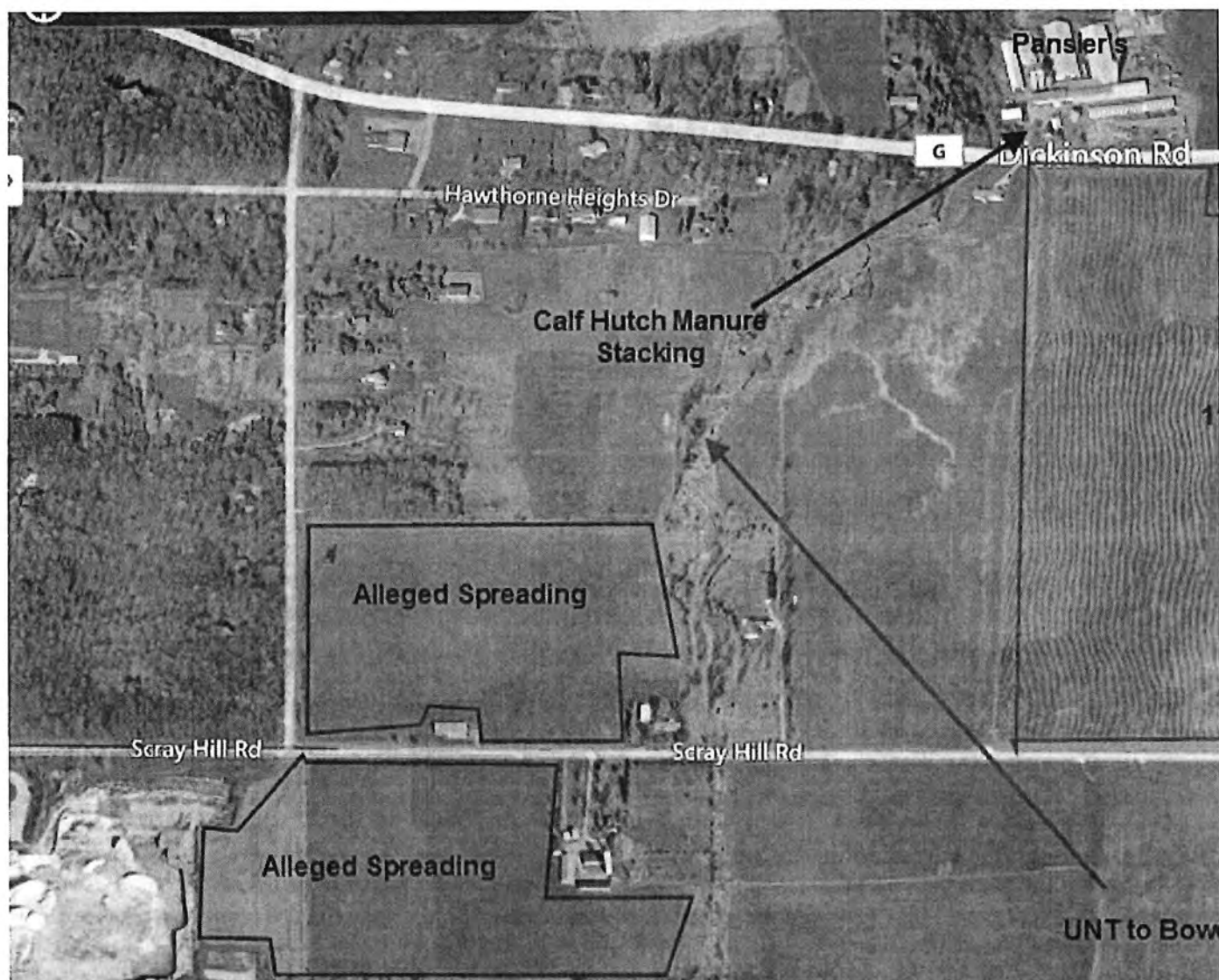
I explained the essential components of the NMP to her and although not happy, she did understand. She is concerned with the number of times that 11S2 is spread on, but based on the plan, 11S2 could accept cow manure 47 days ((3 loads/day (approx. 24 ton)) at a rate of 12 ton/acre over 95 acres.

Another concern was how all of the calf hutch manure is stacked near the end of their driveway and how the runoff is impacting the UNT to Bower Creek. Depending on the exact location of the alleged stack, there may be a 151 violation for unconfined manure stack within a water quality management area (WQMA) (300' from the trib). The western edge of the driveway is approximately 125' from the trib to Bower Creek.

Observing recent spreading activity of course is nearly impossible. However, I will try to drive by to confirm the presence any unconfined stacks in the WQMA. **At this time the complainant wishes us to be aware of the neighborhood concerns and, that Pansier's are following all applicable rules, and that the calf manure stack is not impacting the trib to Bower Creek.**

We recently received the AU verification form from Pansier's and we calculated 780 animal units. On the form they stated 328 milking and dry cows while the NMP indicated approximately 500. The AU verification worksheet stated 528 youngstock while the NMP stated approximately 400. If we use 500 milking and dry cows and 528 young stock there is a total of 1020 animal units. Keep in mind that is using the highest numbers that were reported.

Below is a visual of the description above.



**Jay Schiefelbein**

Wisconsin Department of Natural Resources

Agricultural Runoff Management Specialist

(☎) phone: (920) 662-5407 (Green Bay)

(☎) fax: (920) 662-5413 (Green Bay)

(✉) e-mail: [Jeremiah.Schiefelbein@wisconsin.gov](mailto:Jeremiah.Schiefelbein@wisconsin.gov)



## Schiefelbein, Jeremiah J - DNR

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**From:** Schiefelbein, Jeremiah J - DNR  
**Sent:** Wednesday, February 27, 2013 3:08 PM  
**To:** 'Petersen\_BA'  
**Cc:** Hanson, Erin E - DNR  
**Subject:** RE: Pansier's Stacking complaint

Sounds good, thank you,

Jay Schiefelbein  
Wisconsin Department of Natural Resources Agricultural Runoff Management Specialist  
(\*) phone: (920) 662-5407 (Green Bay)  
(\*) fax: (920) 662-5413 (Green Bay)  
(\*) e-mail: [Jeremiah.Schiefelbein@wisconsin.gov](mailto:Jeremiah.Schiefelbein@wisconsin.gov)

-----Original Message-----

**From:** Petersen\_BA [[mailto:Petersen\\_BA@co.brown.wi.us](mailto:Petersen_BA@co.brown.wi.us)]  
**Sent:** Wednesday, February 27, 2013 3:07 PM  
**To:** Schiefelbein, Jeremiah J - DNR  
**Cc:** Hanson, Erin E - DNR  
**Subject:** RE: Pansier's Stacking complaint

Hey Jay,

I have a call into Jason. I'm waiting for him to get back to me. I told him he needs to move it to their storage, or we need to talk about other options. Enforcement is on the table without cooperation.

Thanks

Brent

Brent Petersen  
Brown County LWCD  
Agronomist  
1150 Bellevue St.  
Green Bay, WI 54302  
920-391-4643  
920-606-3068

-----Original Message-----

**From:** Schiefelbein, Jeremiah J - DNR  
[\[mailto:Jeremiah.Schiefelbein@wisconsin.gov\]](mailto:Jeremiah.Schiefelbein@wisconsin.gov)



Sent: Wednesday, February 27, 2013 12:56 PM  
To: Petersen\_BA  
Cc: Hanson, Erin E - DNR  
Subject: Pansier's Stacking complaint

Hi Brent,

The initial concern regarding the spreading and stacking of bed-pack material came in of February 1, 2013. Attached are the photographs that I took that confirming the complainant's concern that material is stacked within the WQMA. I ask that you copy the Department on any correspondence that you send regarding this alleged violation of County Ordinance and 151. If you need any assistance from the Department, let us know.

\* Jay Schiefelbein

Wisconsin Department of Natural Resources Agricultural Runoff Management Specialist

(\*) phone: (920) 662-5407 (Green Bay)

(\*) fax: (920) 662-5413 (Green Bay)

(\*) e-mail: [Jeremiah.Schiefelbein@wisconsin.gov](mailto:Jeremiah.Schiefelbein@wisconsin.gov)

DATE: 02/28/2013

FILE REF: Pansier's (Ledgeview Farms)

TO: File

FROM: Jay Schiefelbein

SUBJECT: Spreading complaint/Stacking solids in a WQMA

On approximately 1-18-13 Schief spoke with Brent Peterson regarding spreading complaints and stacking of solid manure in a WQMA. Peterson explained that Pansier's have a winter spreading plan developed by Kevin Beckard and that they are limited to 20 ton/acre for solid applications and 5,000 gallons/acre of liquid manure. Additionally, no manure may be applied within a SWQMA (300' from perennial or intermittent streams). Pansier's has mostly solid manure. Peterson provided Schief with the winter spreading plan.



## Schiefelbein, Jeremiah J - DNR

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**From:** Kevin Beckard <kbeckard@agsource.com>  
**Sent:** Monday, August 05, 2013 11:55 AM  
**To:** Schiefelbein, Jeremiah J - DNR  
**Subject:** Ledgeview (Pansiers) Farms Info

Morning Jay,

I talked to Dan Trembl from Ledgeview Farms regarding the manure applications that have been made to field 11E4. This is the field you identified as having had some complaints levied due to the manure applications made to this field.

Basically field 11E4 is an older alfalfa field that was used for manure application in late July to early August. It was used over a time period of approximately 1 week or so. There were approximately 26 loads of manure applied to this field. Ledgeview Farms is a daily haul operation at this point and they typically generate and haul approximately 2 to 4 loads of manure daily that is land applied onto cropland they operate. An average load of heifer or cow manure weighs about 8 tons and a load of milkhouse waste is about 1500 gallons. Field 11E4 received about 4 loads of milkhouse waste, ~8 loads of heifer manure and ~14 loads of cow manure over the time period this field was being used for manure application. These application rates equal about a 20 ton per acre application rate for the cow/heifer manure and ~650 gal/acre for the milkhouse waste. Total nutrients applied per acre are approximately 70#N-60#P2O5-124#K2O. I recommended that this field be disked to work in the manure. Not sure if it will be or not.

Ledgeview Farms is done using field 11E4 at this point for manure application. Wheat has been harvested on other fields and now wheat fields that will be seeded to alfalfa in mid August are being used for manure application. As a side note field 11P (~10 ac) is receiving some manure this week. It is a harvested wheat field at the intersection of Scray Hill Road and Hawthorne Heights Road and is next to a park. Last year we received a couple of complaints on this field as well. Recommended manure application rate on this field is about 12 to 15 tons per acre. This field will be seeded to alfalfa in the next 10 days.

This is a summary of information I got from the farm and I hope it helps. If you need anything else let me know.

Thank You,  
Kevin

Kevin Beckard  
NMP/GPS Specialist  
AgSource Laboratories  
920-309-1948



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

**SEP 13 2013**

REPLY TO THE ATTENTION OF:

WC-15J

**CERTIFIED MAIL 7009 1680 0000 7678 5778**  
**RETURN RECEIPT REQUESTED**

Mr. Roy Pansier, Registered Agent  
Ledgeview Farms LLC  
3870 Dickinson Road  
De Pere, Wisconsin 54115

Subject: Order for Compliance Pursuant to 33 U.S.C. §§ 1318 and 1319(a).  
Docket No. V-W-13-AO-22

Dear Mr. Pansier:

Protecting water quality is a high priority of the U.S. Environmental Protection Agency. Pollutants such as excessive nutrients and pathogens discharged to waterways from animal feeding operations contribute to poor water quality and impairment of uses of those waterways.

As you know, EPA inspected your facility on April 18, 2013. During the inspection, we observed violations of the Clean Water Act (CWA). Enclosed is the above referenced Order for Compliance (Order). This Order requires you to immediately cease all unauthorized discharges and to construct the necessary structures to comply with the CWA. This Order also requires you to submit a complete Wisconsin Pollutant Discharge Elimination System permit application to the Wisconsin Department of Natural Resources (WDNR).

You must comply with this Order within the time periods specified in the Order. Failure to comply with the Order may subject you to further enforcement action pursuant to Section 309 of the CWA, 33 U.S.C. § 1319(a).

Please be advised that neither the issuance of this Order by EPA nor compliance with its terms affects your obligation to comply with the CWA or any other Federal or State laws or regulations, nor does it preclude further enforcement action pursuant to 33 U.S.C. § 1319 for the violations cited herein or any other violations committed by you.



Under the Order, you have the right to request an informal conference with EPA within ten (10) calendar days of receipt of this Order. Any such conference shall be held within ten (10) calendar days from the date of the request, unless extended by the agreement of the parties.

Assistance with constructing structures necessary to comply with this order may be available through the Environmental Quality Incentives Program (EQIP). The Farm Security and Rural Investment Act of 2008 (Farm Bill) authorized the National Resource Conservation Service (NRCS) to provide voluntary conservation program for farmers and ranchers that promotes agricultural production and environmental quality as compatible national goals. EQIP offers financial and technical help to assist eligible participants install or implement structural and management practices on eligible agricultural land. EQIP is a competitive program. In order to sign up for EQIP, the Natural Resources Conservation Service (NRCS) must determine the applicant to be an eligible producer, and the land to be eligible. NRCS assistance is available at any USDA Service Center.

Also enclosed is a copy of the EPA inspection report on the Concentrated Animal Feeding Operation inspection that EPA conducted on April 18, 2013. If you have any questions concerning this matter, please contact Donald R. Schwer III of my staff at (312) 353-8752, or your attorney may contact Catherine Garypie, EPA Region 5, Office of Regional Counsel at (312) 886-5825.

Sincerely,



for Tinka G. Hyde  
Director, Water Division

Enclosures

cc: Tom Bauman, WDNR  
Jay Schiefelbein, WDNR

bcc: Catherine Garypie, ORC  
Cheryl Burdett, WECA  
Don Schwer, WECA

IN THE MATTER OF:

**Respondent.**

DOCKET NO: V-W-13-AO-22

## I. INTRODUCTION

- ## II. DEFINITIONS

- 1219

vegetation, forage growth, or post harvest residues are not sustained in the normal growing season over any portion of the lot or facility." *See* 40 C.F.R. § 122.23(b)(1).

6. "Concentrated animal feeding operation" or "CAFO" means an AFO that is defined as, *inter alia*, a Large CAFO or Medium CAFO. Two or more AFOs under common ownership are considered to be a single AFO for the purpose of determining the number of animals at an operation, if they adjoin each other or if they use a common area or system for the disposal of wastes. *See* 40 C.F.R. § 122.23(b)(2).
7. "Discharge" or "discharge of a pollutant" means, among other things, any addition of any pollutant to navigable waters from any point source. *See* Sections 502(12), 502(16) of the CWA, 33 U.S.C. §§ 1362(12), 1362(16); 40 C.F.R. § 122.2.
8. "Land application area" means land under the control of the Respondent, whether that land is owned, rented, or leased, to which manure, litter or process wastewater from the production area is or may be applied. *See* 40 C.F.R. § 122.23(b)(3).
9. "Manure" means manure, bedding, compost, and raw materials or other materials commingled with manure or set aside for disposal. *See* 40 C.F.R. § 122.23(b)(5).
10. "Medium CAFO" means, among other things, an AFO that stables or confines 200 to 699 mature dairy cows, whether milked or dry, and meets either one of the following conditions: (A) pollutants are discharged into waters of the United States through a man-made ditch, flushing system, or other similar man-made device; or (B) pollutants are discharged directly into waters of the United States which originate outside of and pass over, across, or through the facility or otherwise come into direct contact with the animals confined in the operation. 40 C.F.R. § 122.23(b)(6).
11. "Navigable waters" means the waters of the United States. *See* Section 502(7) of the CWA, 33 U.S.C. § 1362(7).
12. "Nutrient management plan" means the plan described in and required by Sections IV.C. and IV.D. of this Order.
13. "Overflow" means the discharge of manure or process wastewater resulting from the filling of wastewater or manure storage structures beyond the point at which no more manure, process wastewater, or stormwater can be contained by the structure.
14. "Person" means, among other things, an individual, association, partnership, or corporation. *See* Section 502(5) of the CWA, 33 U.S.C. § 1362(5); 40 C.F.R. § 122.2.
15. "Point source" means, among other things, "any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, ... [or] concentrated animal feeding operation ... from which pollutants are or may be discharged." *See* Section 502(14) of the CWA, 33 U.S.C. § 1362(14); 40 C.F.R. § 122.2.



16. "Pollutant" means, among other things, solid waste, sewage, garbage, sewage sludge, chemical wastes, biological materials, wrecked or discarded equipment, rock, sand, cellar dirt, and agricultural waste discharged into water. *See* Section 502(6) of the CWA, 33 U.S.C. § 1362(6); 40 C.F.R. § 122.2.
17. "Process wastewater" means water directly or indirectly used in the operation of the animal feeding operation for any or all of the following: spillage or overflow from animal or poultry watering systems; washing, cleaning, or flushing pens, barns, manure pits, or other animal feeding operation facilities; direct contact swimming, washing, or spray cooling of animals; or dust control. Process wastewater also includes any water which comes into contact with any raw materials, products, or byproducts including manure, litter, feed, milk, eggs or bedding. *See* 40 C.F.R. § 122.23(b)(7).
18. "Production area" means that part of the Site that includes the animal confinement area, the manure storage area, the raw materials storage area, and the waste containment area. The animal confinement area includes but is not limited to open lots, housed lots, feedlots, confinement houses, stall barns, free stall barns, milkrooms, milking centers, cowyards, barnyards, medication pens, walkers, animal walkways, and stables. The manure storage area includes but is not limited to lagoons, runoff ponds, storage sheds, stockpiles, under house or pit storages, liquid impoundments, static piles, and composting piles. The raw materials storage area includes but is not limited to feed silos, silage bunkers, and bedding materials. The waste containment area includes but is not limited to settling basins, and areas within berms and diversions which separate uncontaminated storm water. Also included in the definition of production area is any egg washing or egg processing facility, and any area used in the storage, handling, treatment, or disposal of mortalities. *See* 40 C.F.R. § 122.23(b)(8).
19. "Site" shall mean the facility or facilities owned or operated by Respondent located at or about 3875 Dickinson Road, De Pere, WI 54115 (the "Home Site") and 3688 County Road V, De Pere, WI 54311 (the "Satellite Site") including but not limited to the land application area, the production area, and adjacent land issued in connection with the land application area and/or production area.
20. "Waters of the United States" means, in accordance with 40 C.F.R. § 122.2, among other things:
- a) all waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce;
  - b) all interstate waters, including interstate wetlands;
  - c) all other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes or natural ponds, the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce, including any such waters:

- (1) which are or could be used by interstate or foreign travelers for recreational or other purposes;
  - (2) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or
  - (3) which are or could be used for industrial purposes by industries in interstate commerce;
- d) all impoundments of waters otherwise defined as waters of the United States under this definition;
  - e) tributaries of waters identified in Subparagraphs (a) through (d) of this definition; and
  - f) wetlands adjacent to the waters identified above.

### III. FINDINGS

- 21. Respondent is a person who owns or operates a dairy cow facility located at the Site.
- 22. The Site is an animal feeding operation because:
  - a) the Site includes lots or facilities where animals have been, are or will be stabled or confined and fed or maintained for a total of 45 calendar days or more in any 12 month period, within the meaning of 40 C.F.R. § 122.23(b)(1)(i); and
  - b) crops, vegetation, forage growth, or post harvest residues are not sustained in the normal growing season over any portion of those lots or facilities, within the meaning of 40 C.F.R. § 122.23(b)(1)(ii).
- 23. The Site is a CAFO and a medium CAFO because it stables or confines 200 to 699 mature dairy cows, whether milked or dry, and: (A) pollutants are discharged into waters of the United States through manmade conveyances including a hole in a concrete pit, a pathway that contained rip-rap, a paved open lot, and roadside ditches; and (B) pollutants are discharged directly into waters of the United States which originate outside of and pass over, across, or through the facility or otherwise come into direct contact with the animals confined in the operation. 40 C.F.R. § 122.23(b)(6).
- 24. On February 19, 2009, the Wisconsin Department of Natural Resources issued Respondent a Notice of Violation for failure to obtain WPDES permit coverage for a large CAFO. In order to resolve that Notice of Violation, Respondent indicated that it would stay below 1,000 animal units and would apply for a WPDES permit for a CAFO.
- 25. On April 18, 2013, personnel from EPA conducted an inspection at the Site (the Inspection). A copy of the report generated by EPA as a result of the Inspection (Inspection Report) is included as Attachment 1 to this Order.

26. During the Inspection, EPA personnel identified the following:
- a) At the Home Site, septic looking waste and process wastewater was leaking out of a hole in the east concrete pit and flowing to the unnamed tributary. The hole in the east concrete pit was a manmade conveyance that facilitates the flow of process wastewater to the unnamed tributary on the east end of the Site.
  - b) At the Home Site, manure and process waste water from the feed bunker and the open lot west of the Milk Cow Barn did not have containment and was flowing north through pathways that led to the unnamed tributary on the west end of the Site. The rip rap pathway, paved open lot and access road are manmade conveyances that facilitate the flow of process wastewater to the unnamed tributary on the west end of the Site.
  - c) At the Home Site, animals had direct access to the unnamed tributary on the east end of the Site.
  - d) At the Satellite Site, manure and process wastewater runoff generated at the open lot and feed bunkers were flowing east to the County Road V ditch. The County Road V ditch and culverts are manmade conveyances that facilitate the flow of process wastewater to an unnamed tributary.
27. On June 20, 2013, EPA was contacted by an individual who reported that a day hiker was walking along the unnamed tributary that abuts the west side of the Home Site in April 2013. While hiking along the unnamed tributary, north of Dickinson Road, the hiker ended up knee-deep in manure in a location adjacent to the Home Site.
28. During the April 2013 EPA inspection, surface runoff from the Home Site was observed flowing through pathways to unnamed tributaries that abut the east and west side of the Site. The unnamed tributary that abuts the east side of the Home Site flows to the unnamed tributary that abuts the west side of the Home Site. The unnamed tributary that abuts the west side of the Home Site flows to Bower Creek. Bower Creek flows to the East River. The East River flows to the lower Fox River. The lower Fox River flows to Green Bay in Lake Michigan.
29. During the April 2013 EPA inspection, surface runoff from the Satellite Site was observed flowing through ditches and pathways to an unnamed tributary. The unnamed tributary flows to Bower Creek. Bower Creek flows to the East River. The East River flows to the lower Fox River. The lower Fox River flows to Green Bay in Lake Michigan.
30. Lake Michigan, Green Bay, Fox River, and East River are each a navigable water and water of the United States. Bower Creek and the unnamed tributaries are each a water of the United States.
31. The Site is a point source.

32. The discharges described above are each a discharge of a pollutant(s).
33. As of April 18, 2013, Respondent did not have, and had not applied for, an NPDES permit for the discharge of pollutants from the Site.
34. As a CAFO which discharges, the Site is subject to the NPDES permitting requirements of Section 402 of the CWA, 33 U.S.C. § 1342, and 40 C.F.R. Part 122.
35. By discharging pollutants from the Site without an NPDES permit, Respondent violated Section 301(a) of the CWA, 33 U.S.C. § 1311(a).
36. By discharging pollutants from the Site without having applied for an NPDES permit, Respondent violated 33 U.S.C. § 1318 and 40 C.F.R. § 122.23(d).

#### **IV. COMPLIANCE REQUIREMENTS**

##### **A. Notification of Intent to Comply**

37. Within ten (10) calendar days of the effective date of this Order, Respondent shall submit a written certification that it intends to comply with this Order.

##### **B. Interim Measures**

38. Upon the effective date of this Order, Respondent shall cease all unpermitted discharges from the Site.
39. Upon the effective date of this Order, Respondent shall implement interim measures to eliminate all unpermitted discharges from the Site.
40. Respondent shall operate and maintain the interim measures until Respondent completes construction and begins operation of all storage structures required by the Nutrient Management Plan under Section IV.D. of this Order.

##### **C. NPDES Permit**

41. Within ninety (90) calendar days of the effective date of this Order, Respondent shall submit to EPA a detailed plan (Permit Compliance Plan) which describes the actions Respondent has taken or will take to prepare and submit a complete NPDES permit application for the Site (Permit Application) to WDNR. In the Permit Compliance Plan, Respondent shall:
  - a. Provide a schedule for development of the nutrient management plan, as described in Paragraph 46.c, and for construction of all controls required by the nutrient management plan;



- b. Identify all design costs, capital costs, and annual operation and maintenance, costs associated with the controls required by the nutrient management plan; and
  - c. Include a schedule for submitting a complete Permit Application to WDNR after construction of all controls required by the nutrient management plan.
42. The Permit Compliance Plan shall provide for submittal of the Permit Application not later than two-hundred and seventy (270) calendar days after the effective date of this Order unless approved by EPA.
43. EPA may approve, disapprove, require revisions to, or modify the draft Permit Compliance Plan in whole or in part. If EPA requires revisions, Respondent shall submit a revised draft Permit Compliance Plan within ten (10) calendar days of receipt of EPA's notification of the required revisions. Respondent shall implement the Permit Compliance Plan as approved in writing by EPA in accordance with the schedule approved by EPA. Once approved, or approved with modifications, the Permit Compliance Plan, the schedule, and any subsequent modifications shall be incorporated into and become fully enforceable under this Order.
44. Respondent shall incorporate EPA's comments into the Permit Compliance Plan, and in accordance with the schedule set forth in the Permit Compliance Plan, Respondent shall submit the Permit Application to WDNR. The Permit Application shall include all information required by this Order. At the same time that it submits the Permit Application to WDNR, Respondent shall submit a copy of the Permit Application to EPA.
45. The Permit Application may be an application for an individual permit or a Notice of Intent for Coverage under any final, effective and applicable Wisconsin general permit for CAFOs.
46. In the Permit Application, Respondent shall provide:
- a) all information required by EPA Forms 1 and 2B. Those forms can be obtained on the internet at the following addresses:  
  
Form 1: [http://www.epa.gov/npdes/pubs/form\\_1.pdf](http://www.epa.gov/npdes/pubs/form_1.pdf)  
  
Form 2B: [http://www.epa.gov/npdes/pubs/cafo\\_fedregstr\\_form2b.pdf](http://www.epa.gov/npdes/pubs/cafo_fedregstr_form2b.pdf);
  - b) a topographic map indicating the locations of the production area and land application area; and
  - c) a nutrient management plan that satisfies the requirements of Section IV.D. of this Order.
47. In addition to the information required by Paragraph 46, Respondent shall include in the Permit Application any additional information required by WDNR.
48. Within ten (10) calendar days of receiving a final NPDES permit from WDNR, Respondent shall submit a copy of that final permit to EPA.

## **D. Nutrient Management**

### **1. General Requirements**

49. The nutrient management plan must:

- a) be based on a field-specific assessments of the potential for nitrogen and phosphorous transport from each field in the land application area and shall address the form, source, amount, timing, and method of application of nutrients on each field to achieve realistic production goals, while minimizing nitrogen and phosphorous movement to surface waters;
- b) include procedures in accordance with Paragraphs 56-60 of this Order for the operation and maintenance of structures to ensure the adequate storage of manure, litter, and process wastewater generated at the production area;
- c) ensure that mortalities (*i.e.*, dead animals) are:
  - (1) not disposed of in a liquid manure, storm water, or process wastewater storage or treatment system that is not specifically designed to treat mortalities; and
  - (2) handled in such ways as to prevent the discharge of pollutants to surface water;
- d) ensure that clean water is diverted, as appropriate, from the production area;
- e) prevent direct contact of confined animals with waters of the United States;
- f) ensure that chemical wastes and other non-livestock wastes handled on-site are not disposed of in the production area or any manure, litter, process wastewater, or storm water storage or treatment system unless such system is specifically designed to treat such chemicals and other contaminants;
- g) identify site-specific conservation practices to be implemented, including, as appropriate, buffers or equivalent practices, to control discharges of manure, litter, or process wastewater to waters of the United States;
- h) identify protocols for appropriate testing of manure, litter, process wastewater, and soil, in accordance with this Order;
- i) establish protocols to land apply manure, litter, or process wastewater in accordance with site specific nutrient management practices that ensure appropriate agricultural utilization of the nutrients in the manure, litter, or process wastewater; and
- j) identify specific records that will be maintained to document the implementation and management of the requirements of this Order.

2. **Land Application Requirements**

a. **Nutrient Management Limitations**

50. Upon the effective date of this Order, Respondent shall not land apply manure, litter, and process wastewater closer than 100 feet to any down-gradient surface waters, open tile line intake structures, sinkholes, agricultural well heads, or other conduits to surface waters. However, this requirement shall not apply provided that Respondent either:
- a) imposes a 35-foot wide vegetated buffer on which Respondent will not land apply manure, litter, or process wastewater; or
  - b) demonstrates that a setback or buffer is not necessary because implementation of alternative conservation practices or field-specific conditions will provide pollutant reductions equivalent to or better than the reductions that would be achieved by the 100-foot setback.
51. The nutrient management plan must demonstrate how Respondent will comply with the provisions of 40 C.F.R. § 122.42(e)(5).

b. **Sampling for Land Application.**

52. Upon the effective date of this Order, Respondent shall conduct analyses at least annually of representative samples of any manure, litter, and process wastewater to be land applied.
53. Upon the effective date of this Order, for each field in the land application area to which Respondent applies manure, litter, or process wastewater, Respondent shall sample and analyze the soil at that field for phosphorous content a minimum of once every four years.

c. **Land Application Records**

54. Upon the effective date of this Order, Respondent shall record the following information for each day during which Respondent land applies manure, litter, or process wastewater to the land application area. These records shall separately address each field at which land application occurs:
- a. the location of the field;
  - b. the size of the field;
  - c. expected crop yields;
  - d. the date and time manure, litter, or process wastewater is applied;

- e. an estimate of the amount of precipitation 24 hours prior to, and for 24 hours after, the application;
- f. soil water conditions at the time of each land application (*e.g.*, dry, saturated, flooded, frozen, snow-covered);
- g. test methods used to sample and analyze manure, litter, process wastewater, and soil;
- h. explanation of the basis for determining application rates for manure, litter, and process wastewater;
- i. the amount of manure, litter, or process wastewater applied in either gallons, net tons, or dry tons per acre;
- j. calculations showing the total nitrogen and phosphorus to be applied, including sources other than manure, litter, or process wastewater;
- k. the total amount of nitrogen and phosphorus actually applied, including documentation of calculations used to determine the total amount applied; and
- l. the method used to apply the manure, litter, or process wastewater (*e.g.*, surface, surface with incorporation, injection, etc.).

### **3. Transfers of Manure, Litter or Process Waste Water to Other Persons**

- 55. Upon the effective date of this Order, if Respondent transfers manure, litter, or process wastewater to another person, Respondent shall create a record of the transfer. For each transfer, the transfer record shall indicate the date of the transfer, the name, and address of the recipient of the transfer, and the approximate amount of manure, litter, or process wastewater transferred.
- 56. Upon the effective date of this Order, prior to transferring manure, litter, or process wastewater to another person, Respondent shall provide that person with the most current annual nutrient analysis for that manure, litter, or process wastewater.

### **4. Storage of Manure, Litter and Process Wastewater**

- 57. The nutrient management plan shall include protocols for the storage of manure, litter and process wastewater and shall provide for the operation and maintenance of structures (*e.g.*, anaerobic lagoon, roofed storage shed, storage ponds, underfloor pits, above ground storage tanks, below ground storage tanks, etc.) to be used at the Site for manure, litter, and process wastewater storage.
- 58. The storage structures shall have sufficient volume such that no manure, litter, or process wastewater discharges will occur from the production area, except when precipitation causes an overflow of manure, litter, or process wastewater from structures that are designed,



constructed, and maintained to contain all manure, litter, and process wastewater, including runoff and direct precipitation from a 25-year, 24-hour (or greater) rainfall event. At a minimum, the structures must have a volume sufficient to store all of the following amounts:

- a. normal precipitation (less evaporation) on the surface of the structures during the periods contemplated in this Order;
- b. normal runoff during the periods contemplated in this Order from the production area and any upslope areas from which the clean runoff is not diverted around the production area;
- c. residuals that remain after materials are removed from the structures;
- d. all manure, litter, and process wastewater generated during periods when land application does not occur;
- e. direct precipitation on the surface of the structure and runoff to the structure from a 25-year, 24-hour rainfall event; and
- f. for open surface liquid storage structures, one foot of freeboard above the capacity necessary to contain the direct precipitation and runoff from a 25- year, 24- hour rainfall event.

59. If the nutrient management plan provides for a storage volume that is less than the volume of manure, litter, and process wastewater that Respondent reasonably expects to add to the structure(s) during one-hundred and eighty (180) calendar days of continuous storage with no land application, Respondent shall include in the nutrient management plan a technical analysis which demonstrates that the lesser volume will assure compliance with this Order.

60. Dewatering and Solids Removal

- a. The nutrient management plan shall include criteria and procedures for the dewatering of, and removal of solid material from, all storage structures identified in the nutrient management plan, as necessary to ensure that sufficient storage volume remains in the storage structures to comply with this Order at all times. Any land application of materials removed from the storage structures shall be performed in accordance with the requirements of this Order.
- b. Respondent shall measure and record the amounts of material removed from the storage structures.

61. Capacity Depth Markers: All open surface storage structures identified in the nutrient management plan shall be equipped with permanent capacity depth markers which clearly indicates the minimum capacity necessary to contain the runoff and direct precipitation of the 25-year, 24-hour rainfall event.

**E. Site Inspections**

62. Upon the effective date of this Order, the Respondent shall conduct the following Inspections:
  - a. daily inspections of water supply lines, including drinking water or cooling water lines;
  - b. weekly inspections of all storm water diversion devices, runoff diversion structures, and devices channeling contaminated storm water to the containment structures;
  - c. weekly inspections of the storage structures;
  - d. weekly determinations of the depth of the manure and process wastewater (and amount of freeboard, where required) in all open surface liquid storage structures as indicated by the capacity depth markers required by this Order; and
  - e. periodic inspections (at least four (4) times per year) of equipment used for the land application of manure, litter, or process wastewater.
63. Respondent shall correct any deficiencies identified through the inspections conducted pursuant to this Subsection as soon as possible.
64. Respondent shall prepare and maintain records of each inspection conducted pursuant to this Subsection. Respondent shall record the following information for each weekly inspection:
  - a. the date of each inspection;
  - b. the amount of freeboard in each storage structure during each inspection;
  - c. any deficiencies noted during each inspection and the actions taken to correct those deficiencies; and
  - d. for any deficiencies not corrected within thirty (30) calendar days of discovery, an explanation of the factors preventing immediate correction.

**F. Discharge Minimization and Notification**

65. Within thirty (30) calendar days of the effective date of this Order, Respondent shall post at the Home Site and Satellite Site procedures to effectively respond to any spill or discharge to waters of the United States, and shall ensure that all employees are aware of, and follow, those procedures. The posted procedures shall contain detailed response instructions which shall include, but not be limited to, the names of officials to be notified, state and federal agencies to be notified, local or downstream public water supply and public health entities to be notified, appropriate phone numbers, addresses, safety precautions, and immediate actions to abate the occurrence.

66. This Order does not authorize Respondent to discharge pollutants to waters of the United States at or from the Site, and any such discharges are subject to enforcement. If for any reason Respondent discharges pollutants to waters of the United States, Respondent must visually monitor the discharge, and immediately notify the EPA by contacting Donald R. Schwer III by telephone at 312-353-8752, and by fax at 312-886-6090 or email at schwer.don@epa.gov. Respondent must also immediately notify the WDNR at 1-800-943-0003. In addition, Respondent must document the following information and submit a written report containing such information to EPA and WDNR within five (5) calendar days of becoming aware of the discharge:
- a. the cause of the discharge, including an estimate of the discharge volume, an estimate of the flow rate if the discharge is continuing, and any analytical data;
  - b. a description of the area receiving the discharge (*i.e.*, field, ditch, stream, or other description);
  - c. the specific location of the discharge;
  - d. the period of discharge, including exact begin and end dates and times, and if not corrected, the anticipated time the discharge is expected to continue;
  - e. steps taken or to be taken to respond to, contain, and mitigate the discharge;
  - f. corrective action taken to prevent recurrences of the discharge; and
  - g. apparent impacts to health or the environment resulting from the discharge, including, but not limited to, threats to surface water supplies, water supply wells, recreational areas, and water quality.

**G. Record Retention and Reporting**

67. Recordkeeping: Upon the effective date of this Order, Respondent shall maintain at the Site and shall make available to EPA and WDNR personnel upon request copies of records created pursuant to this Order. Such records include:
- a. a complete copy of the Permit Application, including a copy of the nutrient management plan;
  - b. all records required by the nutrient management plan;
  - c. reports of the depth of the manure and process wastewater in storage structures as indicated by the capacity depth markers required by Section IV.D. of this Order;
  - d. records documenting the current design of any storage structures, including volume for solids accumulation, design treatment volume, total design volume, and approximate number of calendar days of storage capacity;

- e. records of the date, time, and estimated volume of any overflow;
  - f. all results of sampling required by this Order;
  - g. all land application records required by this Order;
  - h. records required by this Order documenting transfers of manure, litter, or process waste water to other persons;
  - i. the criteria and procedures for the solids removal and dewatering of storage structures required by this Order;
  - j. records of materials removed from storage structures; and
  - k. inspection records required by this Order.
68. Interim measures: Within thirty (30) calendar days after the effective date of this Order, Respondent shall submit to EPA and WDNR the following documentation concerning the interim measures implemented pursuant to Section IV.B. of this Order:
- a. a detailed description of the interim measures;
  - b. documentation (*e.g.*, as-built diagrams, photographs, affidavits, etc.) showing that Respondent completed installation of the interim measures; and
  - c. an accounting of the costs incurred by Respondent to install, implement, and maintain the interim measures.
69. Annual Reports: Respondent shall submit an annual report to EPA and WDNR not later than March 15 of each calendar year following the effective date of this Order. In each annual report, Respondent shall include the following information for the previous calendar year prior to submittal of that annual report:
- a. the maximum number and type of animals confined, whether in open confinement or housed under roof;
  - b. the estimated amount of total manure, litter, and process wastewater generated at the Site in the previous 12 months;
  - c. the estimated amount of total manure, litter, and process wastewater transferred to another person from the Site in the previous 12 months (tons/gallons);
  - d. the total number of acres for land application covered by the nutrient management plan;



- e. the total number of acres under the control of Respondent that were used for land application of manure, litter, and process wastewater in the previous 12 months;
- f. a summary of all manure, litter, and process wastewater discharges from the production area that have occurred in the previous 12 months, including the date, time, and approximate volume of such discharges; and
- g. a statement indicating whether the current version of the nutrient management plan was developed or approved by a certified nutrient management planner.

#### V. SUBMITTALS

70. Any documents or notifications required by this Order to be submitted to EPA shall be submitted by Respondent to the following address:

Water Enforcement Compliance Assurance Branch (WC-15J)  
U.S. EPA Region 5  
Attn: Donald R. Schwer III  
77 West Jackson Boulevard  
Chicago, Illinois 60604-3590

71. Any documents or notifications required by this Order to be submitted to WDNR shall be submitted by Respondent to the following address:

Wisconsin Department of Natural Resources  
Agricultural Runoff Program  
Attn: Thomas Bauman  
PO Box 7921  
WT/3, 101 South Webster Street  
Madison, Wisconsin 53707

72. All submittals made pursuant to this Order shall be returned under an authorized signature containing the following certification:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false statements and information, including the possibility of fines and imprisonment for knowing violations.

73. If the signatory finds at any time after submittal of information that any portion of the submittal is false or incorrect, the signatory shall notify EPA immediately. Knowing submittal of false information to EPA in response to this Order may subject Respondent to criminal prosecution under Section 309(c) of the CWA, 33 U.S.C. § 1319(c), and 18 U.S.C. §§ 1001 and 1341.

#### Confidentiality of Submissions

74. You may not withhold information because you claim it is confidential. However, pursuant to 40 C.F.R. Part 2, Subpart B, you may assert a claim of business confidentiality regarding any portion of the information submitted in response to this Order, as provided in 40 C.F.R. § 2.302(a)(2). The regulations provide that a person may assert a business confidentiality claim covering part or all of the information furnished to EPA when that person submits the information. The manner of asserting such claims is specified in 40 C.F.R. § 2.203(b). Effluent data (as defined in 40 C.F.R. § 2.302(A)(2)) and information in NPDES permit applications is not entitled to confidential treatment. 40 C.F.R. § 122.7. Information subject to a business confidentiality claim is available to the public only to the extent, and by means of the procedures, set forth in 40 C.F.R. Part 2, Subpart B.
75. If you do not assert a claim of business confidentiality when you submit the information, EPA may make the information available to the public without further notice.
76. EPA may use any information submitted in response to this Order in support of an administrative, civil or criminal action against Respondent.

#### **VI. OPPORTUNITY TO CONFER**

77. Respondent has the opportunity to confer with and to submit information to EPA concerning this Order.
78. Such information may include evidence (*i.e.*, documentation), arguments and comments regarding the legal and factual determinations on which the Order is based, its applicability to Respondent, the appropriateness of its terms or any other relevant and material issue.
79. If Respondent seeks to confer with EPA, it shall request a conference within ten (10) calendar days of the date of signature of this Order by the Water Division Director. To request a conference, contact Donald R. Schwer III at (312) 353-8752, or Respondent's attorney may contact Catherine Garypie, EPA Region 5, Office of Regional Counsel at (312) 886-5825.
- a. Any conference held pursuant to this Paragraph shall take place within ten (10) calendar days from the date of the request, unless the time period is extended by agreement of the

parties. Respondent may appear in person, participate by telephone or be represented by an attorney or other representative.

- b. Respondent is responsible for reducing all oral information it presents at the conference, including comments and arguments, to writing and submitting that document to EPA within five (5) calendar days following the conference, unless the time period is extended by agreement of the parties.
  - c. Such a conference is not a formal evidentiary hearing and does not constitute a proceeding to challenge this Order. EPA will not make a formal transcript of the conference.
80. Regardless of whether Respondent requests a conference, Respondent may submit written information to EPA, as provided in Paragraph 77, above, within ten (10) calendar days of the date of signature of this Order by the Water Division Director, unless the time period is extended by agreement of the parties. Respondent shall submit any written information according to the instructions in Section V of this Order.
81. EPA shall deem a failure to either request a conference or submit written information within ten (10) calendar days of the date of signature of this Order by the Water Division Director as a waiver of the opportunity to confer.
82. EPA shall consider all relevant and material written information submitted by Respondent pursuant to this Section and determine that: (1) this Order should become final as originally issued; (2) this Order should be modified; or (3) this Order should be withdrawn.
83. If EPA determines that this Order should become final as originally issued or should be modified, then EPA shall address the material and relevant information submitted by Respondent in a responsiveness summary.
- a. All written information submitted by Respondent and EPA's responsiveness summary shall be included in the administrative record supporting this Order.
  - b. The administrative record shall be available for public review under the Freedom of Information Act.
84. If EPA determines that this Order should become final as originally issued, EPA will notify Respondent of that decision in writing and shall provide Respondent with a copy of the responsiveness summary.
85. If EPA determines that this Order should be modified, then EPA will modify the Order and issue a modified order to Respondent and shall provide Respondent with a copy of the responsiveness summary.

86. If EPA determines that this Order should be withdrawn, EPA will provide Respondent with written notice of the withdrawal of this Order.
87. No modification or withdrawal of this Order shall be effective unless and until it is issued in writing by EPA.

#### **VII. EFFECTIVE DATE**

88. If Respondent does not request a conference or submit written information pursuant to this Section, this Order shall become final and effective fifteen (15) calendar days after its date of signature by the Water Division Director.
89. If Respondent does request a conference or submit written information pursuant to this Section, and EPA nonetheless determines that this Order should become final as originally issued, this Order shall become final and effective seven (7) calendar days after the date of EPA's signature of the written notification to Respondent of that determination.
90. If EPA modifies this Order, the modified order shall become final and effective seven (7) calendar days after the date of EPA's signature of the modified Order.

#### **VIII. GENERAL PROVISIONS**

91. This Order is not a permit under the CWA, and does not waive or modify Respondent's ongoing obligation and responsibility to ascertain and comply with all other applicable federal, state or local laws, regulations, ordinances, permits, or licenses.
92. EPA reserves all rights and remedies, legal and equitable, available to address any violation cited in this Order, any other violation of the CWA, and to enforce this Order. Neither issuance of this Order by EPA nor compliance with its terms precludes further enforcement action pursuant to Section 309 of the CWA, 33 U.S.C. § 1319, for the violations cited herein, for any other violations of the CWA committed by Respondent, or to enforce this Order.
93. Respondent may seek federal judicial review of the Order pursuant to Chapter 7 of the Administrative Procedure Act, 5 U.S.C. §§ 701-706. Section 706, which is set forth at <http://uscode.house.gov/download/pls/05C7.txt>, states the scope of such review.
94. Administrative, Civil and Criminal Enforcement

The CWA includes provisions for administrative penalties, for civil injunctive relief and penalties, and for criminal sanctions for violations of the CWA. Specifically, EPA may take one or more of the following actions:




- a. assess civil administrative penalties under 33 U.S.C. § 1319(g) and 40 C.F.R. Part 19 of \$11,000 per day for each violation that occurred after March 15, 2004 through January 12, 2009 and \$16,000 per day for each violation that occurred after January 12, 2009. An administrative penalty action may total up to \$177,500 for actions filed after January 12, 2009;
  - b. seek civil injunctive relief and penalties under 33 U.S.C. § 1319(d) and 40 C.F.R. Part 19. EPA may seek civil judicial penalties of \$32,500 per day for each violation that occurred after March 15, 2004 through January 12, 2009, and may seek civil judicial penalties of \$37,500 per day for each violation that occurs after January 12, 2009; or
  - c. seek criminal sanctions, including fines and imprisonment, for negligent or knowing violations of the CWA under 33 U.S.C. § 1319(c).
95. The information required to be submitted pursuant to this Order is not subject to the approval requirements of the Paperwork Reduction Act of 1995, 44 U.S.C. § 3501 *et seq.*

#### IX. CERTIFICATION OF COMPLETION

96. Within thirty (30) calendar days after Respondent has received coverage under a WPDES permit and concludes that it has complied with all requirements of this Order, Respondent shall submit a written certification of completion describing actions taken to comply with all requirements of this Order.
97. After receipt and review of Respondent's certification of completion submitted pursuant to Paragraph 96 of this Order, EPA shall notify Respondent whether all requirements of this Order have been satisfied.
98. This Order shall be effective until EPA notifies Respondent that Respondent has complied with all requirements of this Order.

Date: 9-13-13

  
for Tinka G. Hyde  
Director, Water Division

**ATTACHMENT 1**

**CWA COMPLIANCE EVALUATION INSPECTION REPORT  
U.S. ENVIRONMENTAL PROTECTION AGENCY, REGION 5  
FOR LEDGEVIEW FARMS**

**CWA COMPLIANCE EVALUATION INSPECTION REPORT  
U.S. ENVIRONMENTAL PROTECTION AGENCY, REGION 5**

**Purpose:** Compliance Evaluation Inspection

**Facility:** Ledgeview Farms  
3875 Dickonson Road  
De Pere, Wisconsin 54115  
44.4249N, 87.9695W

**NPDES Permit Number:** None

**Date of Inspection:** April 18, 2013

**EPA Representatives:** Donald R. Schwer III, Enforcement Officer  
schwer.don@epa.gov, 312-353-8752  
  
Michael Lukowich, Environmental Engineer  
312-353-4645

**State Representatives:** NA

**Facility Representatives:** Jason Pansier, Owner, 920-655-1344

**Report Prepared by:** Donald R. Schwer III, Enforcement Officer

**Report Date:** May 16, 2013

**Inspector Signature:** DR III

## **1. BACKGROUND**

The purpose of this report is to describe, evaluate and document Ledgeview Farms compliance with the Clean Water Act (CWA) at its De Pere, Wisconsin facility on April 18, 2013. This inspection was performed pursuant to Section 308(a) of the Federal Water Pollution Control Act, as amended.

Ledgeview Farms is a Limited Liability Company (LLC) dairy operation in Brown County, Wisconsin. It owned and operated by Mr. Glenn Pansier (father), Mr. Roy Pansier (uncle), and Mr. Jason Pansier (son). The operation consists of two facilities that operate under the same nutrient management plan (NMP). The Home site is at 3875 Dickinson Road, De Pere, Wisconsin. A Satellite site is northeast of the Home location at 3688 County Road V, De Pere, Wisconsin. At the time of inspection, April 18, 2013, the Home site was at capacity with 365 milking and dry cows. The Home site also housed 140 calves. The satellite location housed 100 heifers and 200 steers. Heifers were housed in total confinement; all other cattle were under partial confinement and had access to open lot or pasture. Mr. Jason Pansier stated that the facility does not deviate significantly from the number of cattle confined at the facility year round. Ledgeview Farms is considered a medium dairy Animal Feeding Operation (AFO) due to the number of mature dairy cows maintained on the facility. There is currently no National Pollutant Discharge Elimination System (NPDES) permit allowing discharge from the site and the facility has never applied for one.

Surface runoff from the Ledgeview Farms Home site flowed through pathways to unnamed tributaries that abut the east and west side of the site. The unnamed tributary that abuts the east side of the Home site flows to the unnamed tributary that abuts the west side of the Home site. The unnamed tributary that abuts the west side of the Home site flows to Bower Creek. Bower Creek flows to the East River. The East River flows to the lower Fox River. The lower Fox River flows to Green Bay.

Surface runoff from the Ledgeview Farms Satellite site flowed through ditches and pathways to an unnamed tributary. The unnamed tributary flows to Bower Creek. Bower Creek flows to the East River. The East River flows to the lower Fox River. The lower Fox River flows to Green Bay.

## **2. SITE INSPECTION**

Prior to beginning the inspection, I conducted a visual reconnaissance of the Ledgeview Farms sites and its surroundings from the public right-of-way. This included Dickinson Road for the Home site and County Road V for the Satellite site. During my reconnaissance, I searched for areas of environmental concern, discharges, drainage patterns, flow directions, distance and direction of nearest perennial waters, visual condition of perennial waters, facility location and layout.

I arrived at Ledgeview Farms Home site at approximately 8:30 a.m. on April 18, 2013. I parked the vehicle near the entrance of the facility. The temperature was approximately



40° F and it was raining. The weather station, Green Bay 5.3 SSW, WI US (US1WIBN0010), in Green Bay, Wisconsin had an observed rainfall of 0.2 in. on April 18, 2013. Upon arrival, Mr. Lukowich and I put on disposable boots. I introduced myself and Mr. Lukowich and we presented our credentials to Mr. Jason Pansier. I asked Mr. Pansier if he was able to act as the official facility representative for Ledgeview Farms. He said that he would represent the facility and that his father Mr. Glenn Pansier was sick. I asked him what he was responsible for and how long he had those responsibilities. Mr. Jason Pansier said that he is responsible for the general management of the facility.

I explained to Mr. Jason Pansier that I would be conducting a Concentrated Animal Feeding Operation (CAFO) inspection to evaluate Ledgeview Farms compliance with the requirements of the CWA and determine whether or not they require a permit. I explained that the inspection would consist of a review of facility operations, required records, waste generation and management practices, and a visual inspection of the site. I stated that I would document my findings and observations by taking photographs, obtaining statements from facility staff, and by collecting samples if necessary.

## **2.1 Interview, Nutrient Management Plan (NMP) and Records Review**

Mr. Pansier stated that the facility employs seven full time employees. He said that Ledgeview Farms is owned by Roy and Glenn Pansier. He said that there is a Satellite site at 3688 County Road V, De Pere, Wisconsin. He said the facility consistently maintains the approximate number of cattle in Table 1. He said the number of cows may fluctuate by 20 -30 animals periodically, but, this is approximately the maximum amount of cattle the facility maintains.

When I asked Mr. Pansier if any of the animals had direct access to waters of the United States and/or its tributaries, Mr. Pansier stated that the Dry Cows have access to five acres of pasture that has a gulley run through it, however, he was unsure if it was a water of the United States.

**Table 1: Animal Numbers**

Type of Animal	Number of Animals	Site	Type of Confinement
Milking Cow	320	Home	Total
Dry Cow	45	Home	Partial
Heifer	100	Satellite	Total
Calf (<250 lbs)	140	Home	Partial
Steer	200	Satellite	Partial

## **Livestock Waste Management**

Mr. Pansier said manure and used bedding in the barns that house the milking and dry cows is scrapped to an auger. The manure and used bedding is then hauled to concrete pits on the northeast side of the facility. The manure and used bedding from the barns

that house the calves are scrapped, loaded, and hauled to the concrete pits on the northeast side of the facility. The milkhouse wastewater flows to a pit on the northwest corner of the milkhouse and is pumped near the auger which is then transferred to the concrete pits.

Mr. Pansier said on the Satellite site, manure and used bedding is self contained in the barn for the heifers and is loaded out when needed. The steers have access to an open lot in which runoff flows to and is contained in a pit on the west end of the lot. When the pit is full it is pumped out and transferred to the concrete pit at the Home site.

The cattle are provided drinking water through Ritchie waterers and pales are used for calves. The source of the drinking water is from a well. Waste drinking water is contained with manure and used bedding. Plate-cooler water is reused for drinking water for the animals. Cleaning of the milk house uses approximately 600 gallons per day. The facility uses sawdust, sand and straw bedding. Used bedding is handled with the manure.

Mr. Pansier did not know how much manure was generated annually. He said mortalities are taken by Circle R mink farm. Mr. Pansier said the facility has a nutrient management plan that covers the land application of manure. He said the facility has approximately 2,200 acres available for land application. He said records of land application were kept with the nutrient management plan.

Feed is stored in bunkers on both the Home and Satellite site. Mr. Pansier said wastewater from the feed bunkers flows into the fields.

**Table 2: Livestock Waste Storage**

Type of Storage	Site	Storage Capacity	Type of Liner	Depth Markers Present	Last Time Waste was Removed	Days of Storage
Two Pits	Home	?	Concrete	No	March 2013	?
Pit	Satellite	?	Concrete	No	-	?
<b>Records at site of storage structure design?</b>				No		
<b>Additional Information:</b>				East pit had a hole in it.		

### **Receiving Surface Waters**

Mr. Pansier said the unnamed tributary that abuts the west side of the Home site flows year round and that the unnamed tributary that abuts the east side of the Home site flows during the spring melt and during precipitation.

### **2.2 Walkthrough of the Facility**

To facilitate the walkthrough section of this report, overview photographs are included in Attachment 1 which includes building labels, outlines of drainage pathways, and waterway locations. The inspection photographs are in Attachment 2.

## Home Site

I began the walkthrough portion of the inspection by walking east along the south side of the facility. I observed some bedding and manure material that was tracked out of the south side of the Calf Barn 1. Calf Barn 2 had open lots that did not have containment for manure or process wastewater. Runoff from portions of the open lots could flow to the east. A pile of used bedding was located at the east side of Calf Barn 2 (Attachment 2: IMGP0254, IMGP0255). Runoff from the used bedding could flow northeast to the unnamed tributary.

I continued north toward the concrete pits. Much of the area along the east end of the production area flowed toward the east. I observed manure and bedding material through the access ways along the east end of the production area due to poor housekeeping. I observed the west concrete pit; it was approximately half full (Attachment 2: IMGP0256, IMGP0262). The east pit was nearly empty (Attachment 2: IMGP0257). The water in the east pit was dark and smelled septic.

I continued north along the east end of the concrete pits and crossed into the pasture/open lot. The unnamed tributary that abuts the east end of the production area flowed through the pasture/open lot (Attachment 2: IMGP0258, IMGP 0259). There was no vegetation on much of the south side of the pasture. Cattle had direct access to the unnamed tributary. I observed manure patties in and around the unnamed tributary.

On the northeast corner of the concrete pit, I observed a hole in the concrete pit (Attachment 2: IMGP0260). Process wastewater was flowing out of the hole in the concrete pit. The process wastewater smelled septic and was dark in color (Attachment 2: IMGP0261). I observed saw marks along the hole in the pit.

I continued back south and then west along an access way along the north side of Calf Barn 2. I continued to the silage and commodity storage area along the west end of the Milk Cow Barn. The access ways around this area contained waste feed material (Attachment 2: IMGP0263, IMG0264, IMGP0265). Process wastewater runoff flowed to the north. Cattle had access to an open lot along the west end of the Milk Cow Barn (Attachment 2: IMGP0265, IMGP0266). Runoff from the open lot flowed north. There was no containment for manure or process wastewater generated from the feed bunker, access ways, and the open lot. I observed runoff from the access way and open lot flowing north into the field north of the Milk Cow Barn (Attachment 2: IMGP0267, IMGP0268). I observed pathways throughout the field north of the Milk Cow Barn (Attachment 2: IMGP0269). I observed process wastewater on the north end of the feed bunker which drained west to the unnamed tributary (Attachment 2: IMGP0270, IMGP0271).

I observed waste feed, bedding, and manure solids that were covering the surface of the field north of the Milk Cow Barn; wastewater was ponded in several locations of the field (Attachment 2: IMGP0272-IMGP0274). The wastewater flow concentrated into two main pathways which drop approximately ten feet down the ledge (Attachment 2:

IMGP0276-IMGP0281). The west pathway contained rip rap material. The east pathway dispersed into a ponded area before meeting up again with the other pathway (Attachment 2: IMGP0282). The flowing wastewater in the pathways was dark in color and smelled of manure. The flowing wastewater in the pathways looked like a liquid manure slurry that would normally be stored in a wastewater pond or slurry storage structure. The pathway turned west and formed a gulley where it dropped down the ledge into the unnamed tributary (Attachment 2: IMGP0283-IMGP0287). I observed water flowing down the ledge to the unnamed tributary.

### **Satellite Site**

I began the walkthrough of the Satellite site on the east side the feed lot and feed bunkers. I observed process wastewater and feed solids around the east side of the feed bunkers (Attachment 2: IMGP0288-IMGP0291). The process wastewater was flowing east into a grassed area north of the Heifer Barn and continueing northeast into the County Road V ditch (Attachment 2: IMGP0291). I observed water flowing through the culvert east under County Road V. The water contnued flowing north along the east side of County Road V until Silver Lane. The water then flowed east along Silver Lane approximately one hundred feet before continuing north through a culvert under Silver Lane. The water continued flowing northeast through a field and wooded area and connected with the unnamed tributary east of the Satellilite site. The water flowed along the approximate pathway traced in Attachment 1: Figure 1.2.

I continued to the east end of the open lot. The eastern portion of the open lot drained to the east. I observed manure and process wastewater in a pathway leading to the grassed area north of the Heifer Barn (Attachment 2: IMGP0293, IMGP0294). The grassed area flowed to the County Road V ditch. I continued walking west along the south end of the open lot (Attachment 2: IMGP0295-IMGP0297). At the west end of the open lot was a concrete pit to collect manure and process wastewater generated on the open lot (Attachment 2: IMGP0298-IMGP0300).

### **2.3 Closing Conference and Post-Inspection**

At the conclusion of the walkthrough, I summarized my findings and observations to Mr. Pansier. I expressed the following areas of concern:

1. At the Satellite site, manure and process wastewater runoff generated at the open lot and feed bunkers were flowing east to the County Road V ditch.
2. At the Home site, septic looking waste and process wastewater was leaking out of a hole in the east concrete pit and flowing to the unnamed tributary on the east end of the site.
3. At the Home site, animals had direct access to the unnamed tributary on the east end of the site.
4. At the Home site, manure and process wastewater from the feed bunker and the open lot west of the Milk Cow Barn did not have containment and



- was flowing north through pathways that led to the unnamed tributary on the west end of the site.
5. At the Home site, the used bedding stockpile and open lots at Calf Barn 2 could flow east to the unnamed tributary on the east end of the site.
  6. The Home site contained waste feed, manure, and process wastewater in many of the access ways.

I offered Mr. Jason Pansier my business card; however, he declined to take it. I explained Ledgeview Farm's right to make a claim of business confidentiality and presented Mr. Pansier with a Confidentiality Notice (Attachment 3). Mr. Pansier did not make any confidentiality claims at the time of the inspection.

#### **2.4 Sampling Information**

Sampling was conducted at various locations of the production area to determine the presence of pollutants that could impact the applicable unnamed tributaries. Mr. Pansier did not accompany EPA during sampling. I offered to split samples with Mr. Pansier. Mr. Pansier declined splitting samples. Samples were tested for fecal coliform, biochemical oxygen demand (BOD), total dissolved solids (TDS), total suspended solids (TSS), ammonia nitrogen, nitrate- nitrite nitrogen, total Kjeldahl nitrogen (TKN), and total phosphorus (TP).

Sample SO1 was taken at 11:40 am as a field blank. Sample SO2 was taken at 11:46 am of process wastewater pathway adjacent to the open lot on the Satellite site (Attachment 2: IMGP0303-IMGP0304). Sample SO3 was taken at 11:56 am of process wastewater in the roadside ditch at the Satellite site (Attachment 2: IMGP0305-IMGP0306). Sample SO4 was taken at 12:40 pm of process wastewater flowing down the ledge at the Home site (Attachment 2: IMGP0311-IMGP0312). Sample SO5 was taken at 12:48 pm from the process wastewater in the pathway that drains to the unnamed tributary on the west side of the Home site (Attachment 2: IMGP0313-IMGP0314). Sample SO6 was taken at 1:08 pm of process wastewater from the concrete pit that drains to the unnamed tributary on the east side of the Home site (Attachment 2: IMGP0320-IMGP0321). Sampling locations can be seen in Attachment 1: Figure 1 and Figure 2.

Sampling concluded at 1:10 pm. All samples were taken by Mr. Lukowich. Samples were preserved at 1:30 pm according to EPA Region 5 Field Sampling Plan. Fecal coliform samples were transported to Pace Analytical Services, Inc. at 1241 Bellevue Street, Green Bay, Wisconsin. All other samples were hand delivered to the EPA Region 5 Chicago Regional Laboratory. All samples met holding time according to the EPA Region 5 Field Sampling Plan developed for the inspection.

The results of the sampling, summarized in Table 3, indicate multiple areas contribute pollutants into the unnamed tributaries. All of the samples had significant quantities of fecal coliform (500,000 to 14,500,000 colony forming units (CFU) per 100 milliliter). Additionally, several forms of nitrogen are contained in the process wastewater samples, as indicated by the TKN, nitrate- nitrite nitrogen, and ammonia nitrogen sampling results.



Total Phosphorus, TDS, and TSS were present in the samples. The laboratory results are in Attachment 4.

Table 3: Field Sampling Results

Sample ID	Fecal Coliform** (CFU/100ml)	Biochemical Oxygen Demand (BOD)*** (mg/L)	Total Kjeldahl Nitrogen (TKN) (mg/L)	Nitrate- Nitrite Nitrogen (mg/L)	Ammonia Nitrogen (mg/L)	Total Phosphorus (mg/L)	Total Dissolved Solids (TDS) (mg/L)	Total Suspended Solids (TSS) (mg/L)
SO1	-	U	.77	.07	0.03	U	U	U
SO2	11500000	2700	12.9	U	93.3	134	4450	2930
SO3	500000	1700	113	U	43.2	27.0	2230	204
SO4	14500000	5400	1180	0.78	459	135	7710	3100
SO5	1460000	940	222	0.75	130	47.1	2520	180
SO6	2400000	400	96.6	U	35.5	27.2	1420	2060
U-Undetectable								

### **3. POTENTIAL VIOLATIONS**

According to Section 301(a) of the Clean Water Act, it is a violation to discharge pollutants from a CAFO to waters of the United States without a permit.

EPA observed discharges in the following locations:

1. At the Home site, septic looking waste and process wastewater was leaking out of a hole in the east concrete pit and flowing to the unnamed tributary. The hole in the east concrete pit was a manmade conveyance that facilitates the flow of process wastewater to the unnamed tributary.
2. At the Home site, manure and process wastewater from the feed bunker and the open lot west of the Milk Cow Barn did not have containment and was flowing north through pathways that led to the unnamed tributary. The rip rap pathway, paved open lot and access road are manmade conveyances that facilitate the flow of process wastewater to the unnamed tributary.
3. At the Home site, animals had direct access to the unnamed tributary.
4. At the Satellite site, manure and process wastewater runoff generated at the open lot and feed bunkers were flowing east to the County Road V ditch. The County Road V ditch and culverts are manmade conveyances that facilitate the flow of process wastewater to the unnamed tributary.

### **4. AREAS OF CONCERN**

EPA observed these areas of concern whereby pollutants have the potential to reach waters of the United States:

1. At the Home site, runoff from the used bedding stockpile and open lots at Calf Barn 2 could flow east to the unnamed tributary on the east end of the site.
2. The Home site contained waste feed, manure, and process wastewater in many of the access ways.

### **LIST OF ATTACHMENTS**

1. Aerial photographs of Ledgeview Farms
2. Inspection Photographs
3. Confidentiality Notice
4. Field Sampling Results





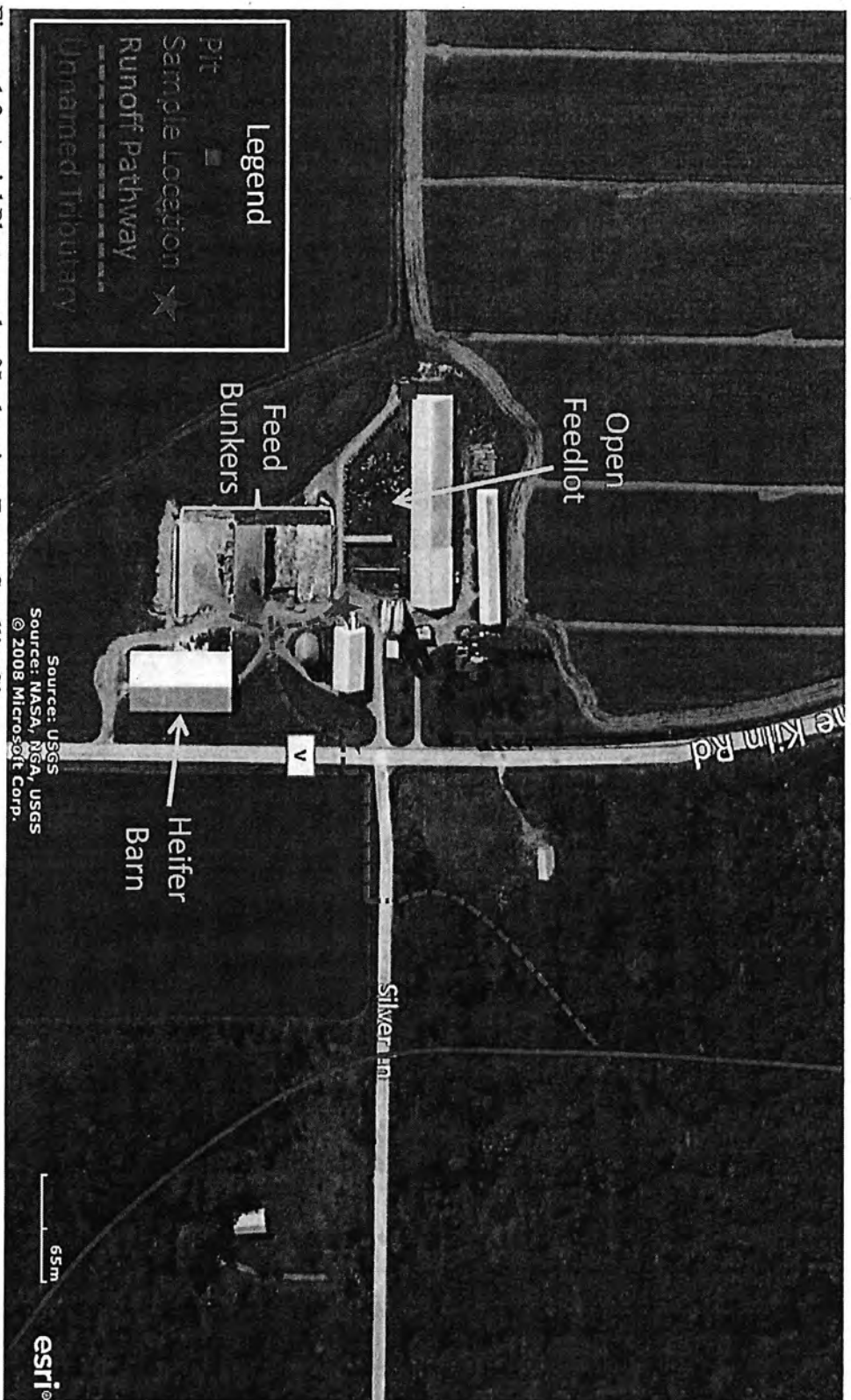


Figure 1.2: Aerial Photograph of Ledgerview Farms Satellite Site

# ATTACHMENT 1: AERIAL PHOTOGRAPHS OF LEDGEVIEW FARMS

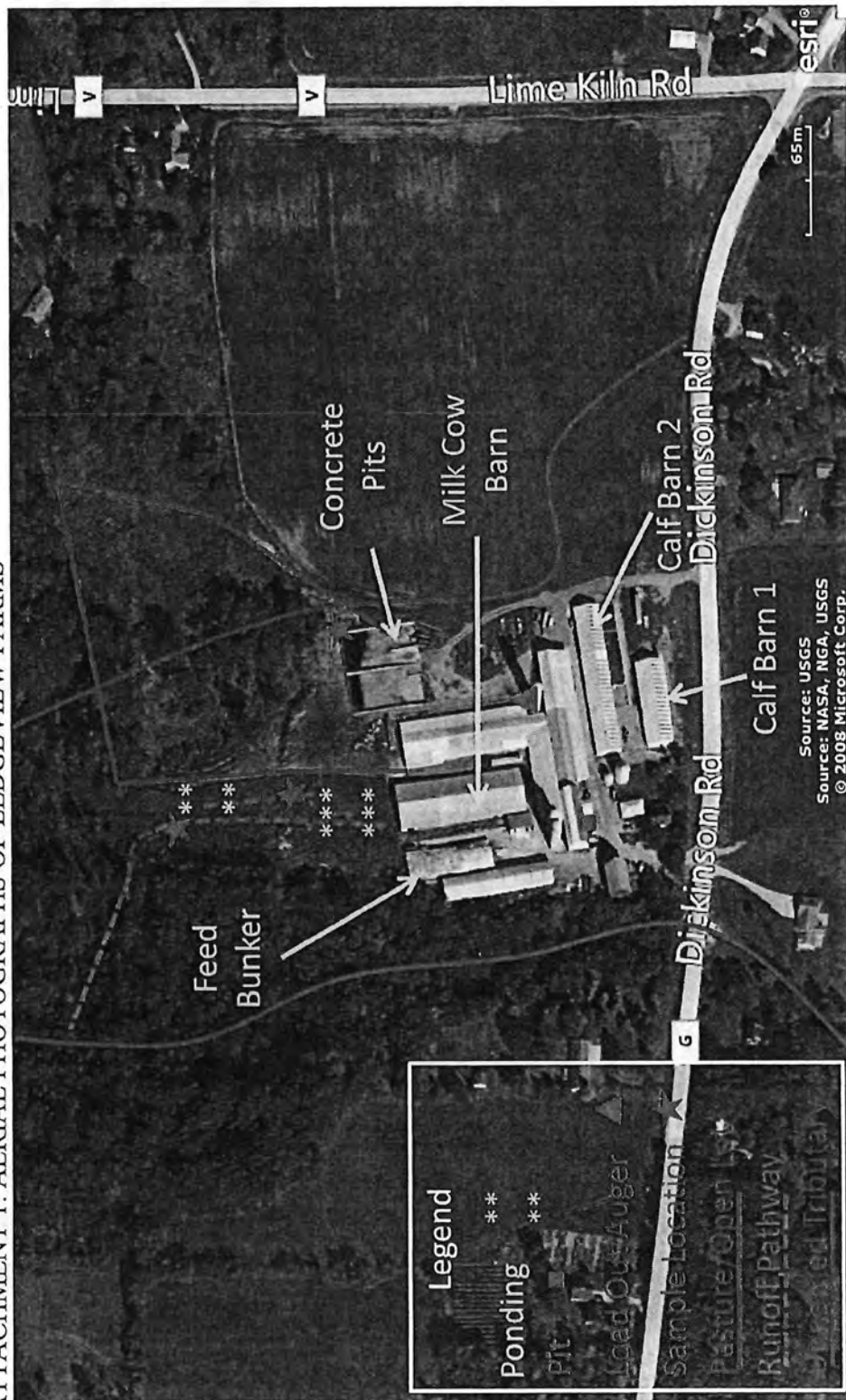


Figure 1.1: Aerial Photograph of Ledgeview Farms Home Site



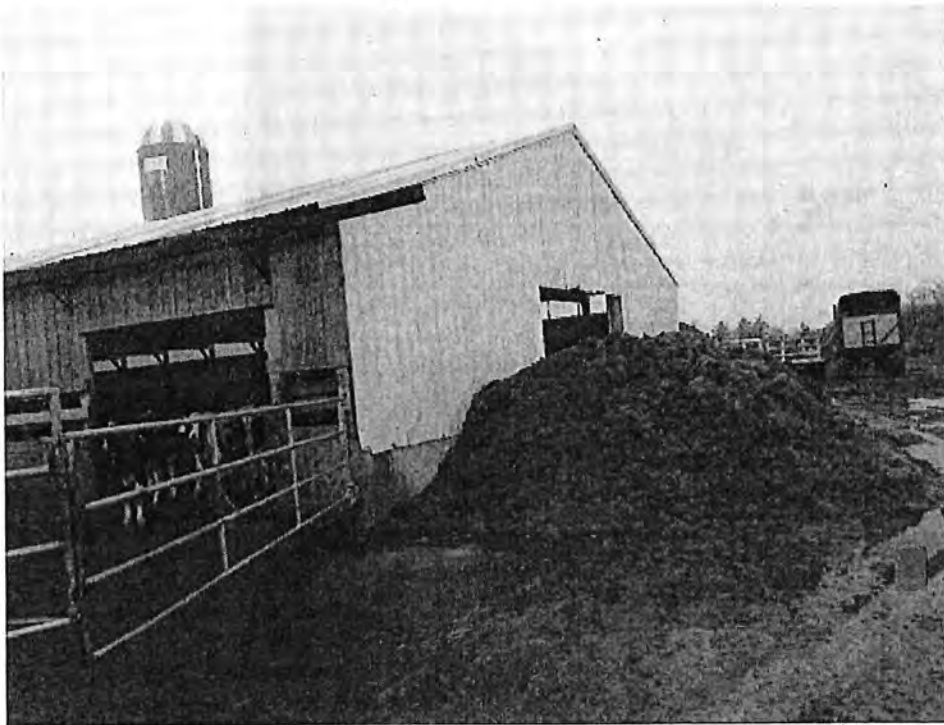
Figure 1.3: Aerial Photograph of National Hydrography Dataset (NHD) Waterways from the United States Geological Survey (USGS)





ATTACHMENT 2: INSPECTION PHOTOGRAPHS





**1: IMG0254.JPG**

Location: Ledgeview Farms-Home Site

Photographer: Mike Lukowich

Camera Direction: North

Description: A stockpile of used bedding material was located east of Calf Barn 2. The process wastewater from the open lot and stockpile had no containment and could flow east off site to unnamed tributary on the east side of the site.



**2: IMG0255.JPG**

Location: Ledgeview Farms-Home Site

Photographer: Mike Lukowich

Camera Direction: West

Description: A stockpile of used bedding material was located east of Calf Barn 2. The process wastewater from the open lot and stockpile had no containment and could flow east off site to unnamed tributary.



**3: IMG0256.JPG**

Location: Ledgeview Farms-Home Site

Photographer: Mike Lukowich

Camera Direction: North

Description: The west concrete pit was approximately half full. The east concrete pit was nearly empty. The water in the east pit was dark and smelled septic.





**4: IMG0257.JPG**

Location: Ledgeview Farms-Home Site

Photographer: Mike Lukowich

Camera Direction: North

Description: The west concrete pit was approximately half full. The east concrete pit was nearly empty. The water in the east pit was dark and smelled septic.



**5: IMG0258.JPG**

Location: Ledgeview Farms-Home Site

Photographer: Mike Lukowich

Camera Direction: East

Description: An unnamed tributary flows along the east end of the production area. Cattle had direct access to the unnamed tributary through an open lot. Manure was observed in and around the tributary.



**6: IMGP0259.JPG**

Location: Ledgeview Farms-Home Site

Photographer: Mike Lukowich

Camera Direction: North

Description: An unnamed tributary flows along the east end of the production area. Cattle had direct access to the unnamed tributary through an open lot. Manure was observed in and around the tributary.



**7: IMGP0260.JPG**

Location: Ledgeview Farms-Home Site

Photographer: Mike Lukowich

Camera Direction: Southeast

Description: A hole was observed in the corner of the east concrete pit. Mr. Pansier said the pit was currently not used for manure storage. The discharge from the hole in the pit was dark in color and had a septic smell of wastewater. The flow from the hole in the east concrete pit flowed east and entered the unnamed tributary.



**8: IMGP0261.JPG**

Location: Ledgeview Farms-Home Site

Photographer: Mike Lukowich

Camera Direction: Southeast

Description: A hole was observed in the corner of the east concrete pit. Mr. Pansier said the pit was currently not used for manure storage. The discharge from the hole in the pit was dark in color and had a septic smell of wastewater. The flow from the hole in the east concrete pit flowed east and entered the unnamed tributary.





**9: IMG0262.JPG**

Location: Ledgeview Farms-Home Site

Photographer: Mike Lukowich

Camera Direction: North

Description: The west concrete manure storage pit was approximately half full.



**10: IMGP0263.JPG**

Location: Ledgeview Farms-Home Site

Photographer: Mike Lukowich

Camera Direction: Northeast

Description: Track out of feed was located on the access way from the commodity storage area.  
The process wastewater flowed north.



**11: IMGP0264.JPG**

Location: Ledgeview Farms-Home Site

Photographer: Mike Lukowich

Camera Direction: North

Description: The feed storage bunker did not have containment for process wastewater. Feed was observed on the ground throughout the area. The area drains to the north.



**12: IMGP0265.JPG**

Location: Ledgeview Farms-Home Site

Photographer: Mike Lukowich

Camera Direction: North

Description: The access way contained feed solids and process wastewater that flowed to the north. The open lot did not have containment for manure and process waste water; the runoff flows north.



**13: IMGP0266.JPG**

Location: Ledgeview Farms-Home Site

Photographer: Mike Lukowich

Camera Direction: Northeast

Description: The manure and process wastewater from the open lot drains north.





**14: IMGP0267.JPG**

Location: Ledgeview Farms-Home Site

Photographer: Mike Lukowich

Camera Direction: North

Description: Feed solids, bedding, manure, and process waste water flowed north between the Feed Bunker and Milk Cow Barn and outlet into a field that was once used as an open lot. Feed, manure, and process wastewater were ponded in the field.



**15: IMGP0268.JPG**

Location: Ledgeview Farms-Home Site

Photographer: Mike Lukowich

Camera Direction: East

Description: The open lot drained to the north.



**16: IMGP0269.JPG**

Location: Ledgeview Farms-Home Site

Photographer: Mike Lukowich

Camera Direction: North

Description: Feed, bedding, and manure solids were observed throughout the field north of the Milk Cow Barn. The field sloped to the north.



**17: IMGP0270.JPG**

Location: Ledgeview Farms-Home Site

Photographer: Mike Lukowich

Camera Direction: Down/South

Description: Leachate was observed at the north end of the Feed Bunker.



**18: IMGP0271.JPG**

Location: Ledgeview Farms-Home Site

Photographer: Mike Lukowich

Camera Direction: West

Description: The leachate from the Feed Bunker looked as if could flow west off the ledge at the north end of the Feed Bunker.





**19: IMGP0272.JPG**

Location: Ledgeview Farms-Home Site

Photographer: Mike Lukowich

Camera Direction: South

Description: Feed, bedding, manure, and process waste water flowed to the north. Feed and manure solids were observed throughout the field on the north end of the Milk Cow Barn.



**20: IMGP0273.JPG**

Location: Ledgeview Farms-Home Site

Photographer: Mike Lukowich

Camera Direction: North

Description: Feed, bedding, and manure solids were observed throughout the field north of the Milk Cow Barn. Manure and process wastewater were ponded throughout the field. The area drained to the north.



**21: IMG0274.JPG**

Location: Ledgeview Farms-Home Site

Photographer: Mike Lukowich

Camera Direction: North

Description: Feed, bedding, and manure solids were observed throughout the field north of the Milk Cow Barn. Manure and process wastewater were ponded throughout the field. The area drained to the north.



**22: IMGP0275.JPG**

Location: Ledgeview Farms-Home Site

Photographer: Mike Lukowich

Camera Direction: Down

Description: Flow from the field concentrated into multiple pathways.



**23: IMGP0276.JPG**

Location: Ledgeview Farms-Home Site

Photographer: Mike Lukowich

Camera Direction: Down/North

Description: A pathway flows to the north through the field north of the Milk Cow Barn. Rip rap was placed throughout the pathway along the elevation drop.





**24: IMG0277.JPG**

Location: Ledgeview Farms-Home Site

Photographer: Mike Lukowich

Camera Direction: North

Description: The pathway continues north through the field north of the Milk Cow Barn and then continues west near the two small trees in the background. The pathway flows to the unnamed tributary.



**25: IMGP0278.JPG**

Location: Ledgeview Farms-Home Site

Photographer: Mike Lukowich

Camera Direction: Down

Description: Flow in the pathway in the field north of the Milk Cow Barn.



**26: IMGP0279.JPG**

Location: Ledgeview Farms-Home Site

Photographer: Mike Lukowich

Camera Direction: South

Description: Another flow pathway/gulley was observed on the east end of the field north of the Milk Cow Barn. Manure, feed, and bedding material were observed throughout the pathway. The flow in the pathway looked like the liquid that would be in a manure storage pond or slurry storage.



**27: IMG0280.JPG**

Location: Ledgeview Farms-Home Site

Photographer: Mike Lukowich

Camera Direction: South

Description: Another flow pathway/gulley was observed on the east end of the field north of the Milk Cow Barn. Manure, feed, and bedding material were observed throughout the pathway. The flow in the pathway looked like the liquid that would be in a manure storage pond or slurry storage.



**28: IMGP0281.JPG**

Location: Ledgeview Farms-Home Site

Photographer: Mike Lukowich

Camera Direction: North

Description: Flow continued north from the pathway/gulley on the east end of the field north of the Milk Cow Barn.





**29: IMGP0282.JPG**

Location: Ledgeview Farms-Home Site

Photographer: Mike Lukowich

Camera Direction: North

Description: The flow from the east pathway ponded at the end of the field. Portions of this area drained to the west and connected with the other pathway. Other portions of the flow continued north in a pathway that eventually dissipated. On the east side of the ponded area there was an eroded pathway that continued east, however, flow was not observed in this pathway during the inspection.



**30: IMGP0283.JPG**

Location: Ledgeview Farms-Home Site

Photographer: Mike Lukowich

Camera Direction: Down/West

Description: The flow in the pathway continued west and dropped down the ledge into the unnamed stream bordering the west end of the facility.



**31: IMG0284.JPG**

Location: Ledgeview Farms-Home Site

Photographer: Mike Lukowich

Camera Direction: Down

Description: The flow in the pathway continued west and dropped down the ledge into the unnamed stream bordering the west end of the facility.



**32: IMGP0285.JPG**

Location: Ledgeview Farms-Home Site

Photographer: Mike Lukowich

Camera Direction: Down/North

Description: A large eroded area was observed where the flow pathway drops down the ledge and continues to the unnamed stream.



**33: IMG0286.JPG**

Location: Ledgeview Farms-Home Site

Photographer: Mike Lukowich

Camera Direction: Down/west

Description: A large eroded area was observed where the flow pathway drops down the ledge and continues to the unnamed stream. The stream can be observed down the ledge.





**34: IMG0287.JPG**

Location: Ledgeview Farms-Home Site

Photographer: Mike Lukowich

Camera Direction: Down/West

Description: The unnamed tributary.



**35: IMGP0288.JPG**

Location: Ledgeview Farms- Satellite Site

Photographer: Mike Lukowich

Camera Direction: South

Description: Process wastewater and feed solids were observed around the feed bunkers. The process wastewater was ponded and flowed east into a grassed area.



**36: IMGP0289.JPG**

Location: Ledgeview Farms- Satellite Site

Photographer: Mike Lukowich

Camera Direction: South

Description: Process wastewater and feed solids were observed around the feed bunkers. The process wastewater was ponded and flowed east into a grassed area.



**37: IMGP0290.JPG**

Location: Ledgeview Farms- Satellite Site

Photographer: Mike Lukowich

Camera Direction: Down

Description: Process wastewater and feed solids flowing out the east end of the feed bunkers.



**38: IMG0291.JPG**

Location: Ledgeview Farms- Satellite Site

Photographer: Mike Lukowich

Camera Direction: Down

Description: The process wastewater continued through the grassed area and outlet into the ditch. The culvert collected the flow which continued east under County Road V and east along the Silver Lane then north and continued northeast before connecting with an unnamed tributary.





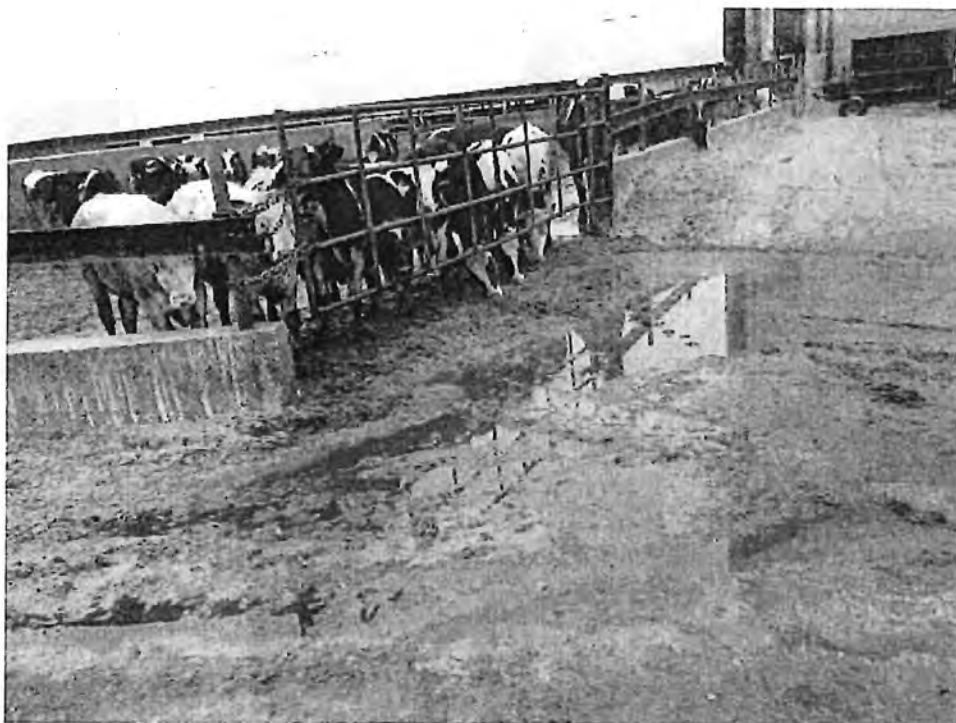
**39: IMG0292.JPG**

Location: Ledgeview Farms- Satellite Site

Photographer: Mike Lukowich

Camera Direction: Down/South

Description: Flow in the ditch.



**40: IMGP0293.JPG**

Location: Ledgeview Farms- Satellite Site

Photographer: Mike Lukowich

Camera Direction: North

Description: Portions of the open feedlot drained to the east through the grassed area and to the ditch.



**41: IMGP0294.JPG**

Location: Ledgeview Farms- Satellite Site

Photographer: Mike Lukowich

Camera Direction: North

Description: Feed, manure and process wastewater flowed southeast to the grassed area near the southeast corner of the open feedlot.



**42: IMGP0295.JPG**

Location: Ledgeview Farms- Satellite Site

Photographer: Mike Lukowich

Camera Direction: Southeast

Description: Feed and process wastewater had no containment along the south end of the open feedlot.



**43: IMGP0296.JPG**

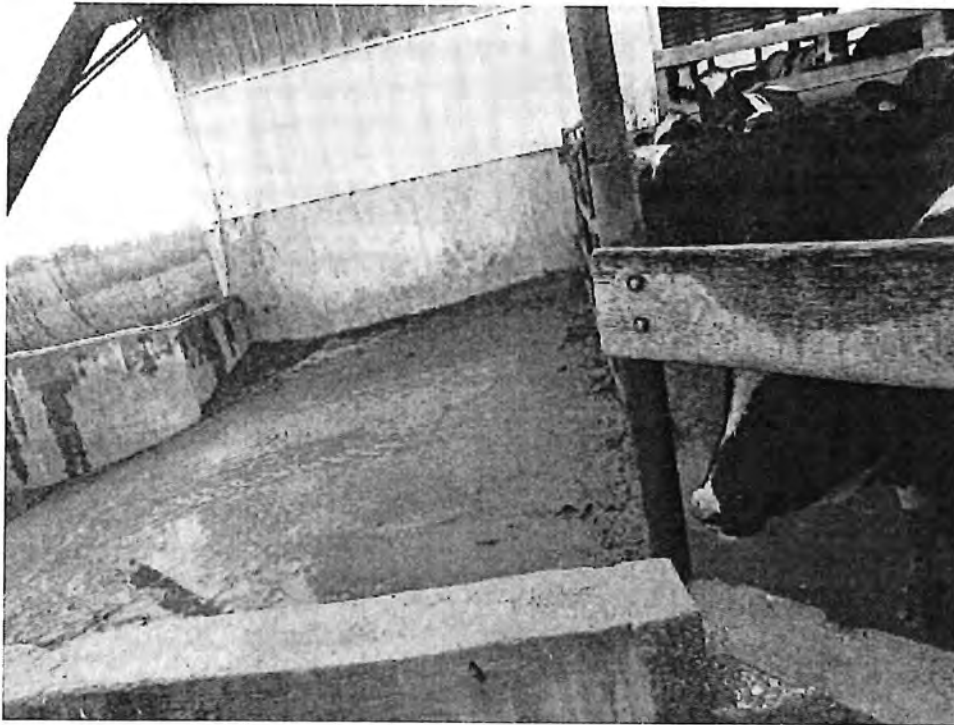
Location: Ledgeview Farms- Satellite Site

Photographer: Mike Lukowich

Camera Direction: North

Description: Portions of the open feedlot flowed to the west.





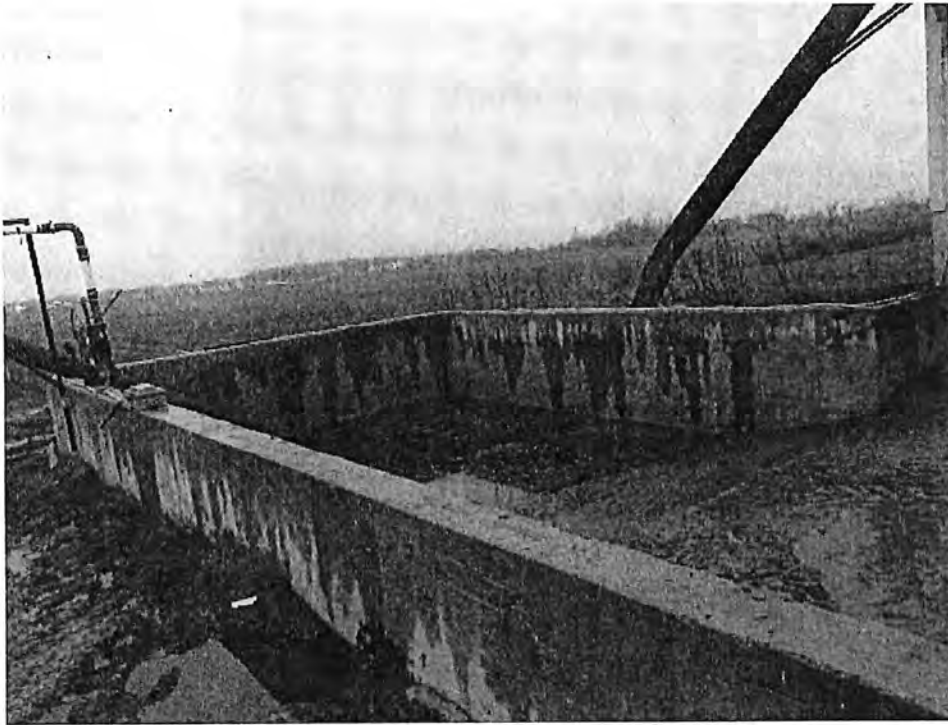
**44: IMGP0297.JPG**

Location: Ledgeview Farms- Satellite Site

Photographer: Mike Lukowich

Camera Direction: North

Description: Portions of the open feedlot flowed to the west.



**45: IMGP0298.JPG**

Location: Ledgeview Farms- Satellite Site

Photographer: Mike Lukowich

Camera Direction: Northwest

Description: Portions of the open feedlot flowed to the west. The manure and process wastewater is contained in a concrete pit which is pumped out when needed and transferd to the concrete manure pits on the Home site or land applied.



**46: IMGP0299.JPG**

Location: Ledgeview Farms- Satellite Site

Photographer: Mike Lukowich

Camera Direction: Southeast

Description: Concrete pit and feed pathway.



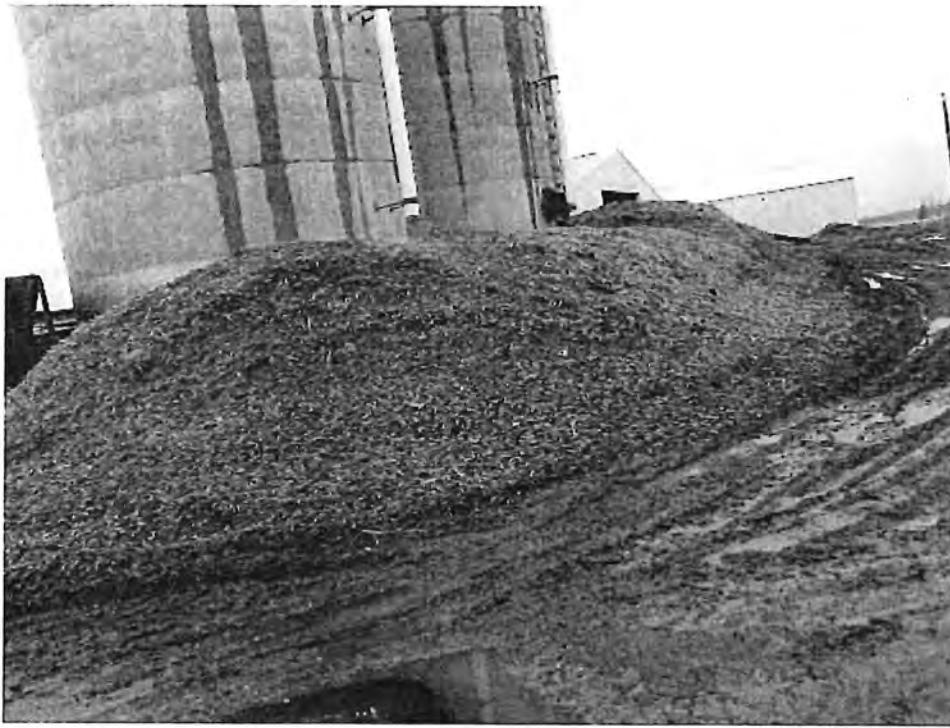
**47: IMGP0300.JPG**

Location: Ledgeview Farms- Satellite Site

Photographer: Mike Lukowich

Camera Direction: North/Down

Description: Concrete pit



**48: IMGP0301.JPG**

Location: Ledgeview Farms- Satellite Site

Photographer: Mike Lukowich

Camera Direction: North

Description: Cornstalk and woodchip bedding material east of the open feedlot.





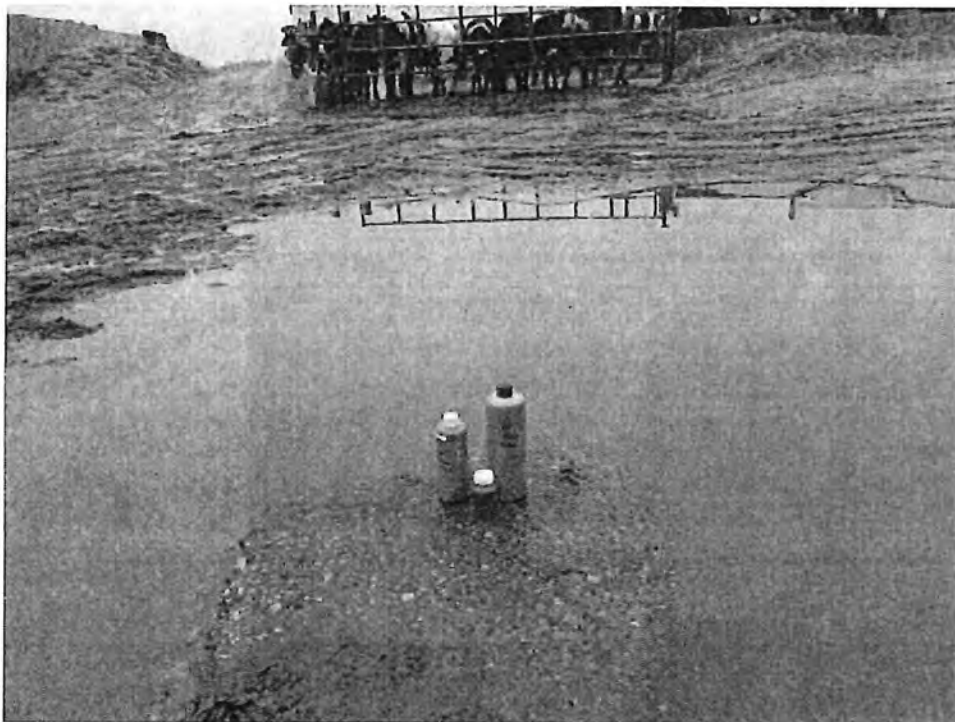
**49: IMG0302.JPG**

Location: Ledgeview Farms- Satellite Site

Photographer: Mike Lukowich

Camera Direction: Northwest

Description: Feed in pathways adjacent to the south end of the open feedlot.



**50: IMGP0303.JPG**

Location: Ledgeview Farms- Satellite Site

Photographer: Mike Lukowich

Camera Direction: West

Description: Sample S02, collected in puddle/pathway adjacent to the open feedlot.



**51: IMGP0304.JPG**

Location: Ledgeview Farms- Satellite Site

Photographer: Mike Lukowich

Camera Direction: West

Description: Sample S02, collected in puddle/pathway adjacent to the open feedlot.



**52: IMGP0305.JPG**

Location: Ledgeview Farms- Satellite Site

Photographer: Mike Lukowich

Camera Direction: Down/South

Description: Sample S03, in ditch before flow enters the culvert under County Road V.



**53: IMG0306.JPG**

Location: Ledgeview Farms- Satellite Site

Photographer: Mike Lukowich

Camera Direction: Down/South

Description: Sample S03, in ditch before flow enters the culvert under County Road V.





**54: IMGP0307.JPG**

Location: Ledgeview Farms- Satellite Site

Photographer: Mike Lukowich

Camera Direction: West

Description: Flow from portions of the open lots and process wastewater from the feed flowed through the culvert and under the County Road V to the east. The flow then turns north through another culvert under Silver Lane.



**55: IMG0308.JPG**

Location: Ledgeview Farms- Satellite Site

Photographer: Mike Lukowich

Camera Direction: North

Description: The flow continues north under Silver Lane and through the field to the northeast and connects with an unnamed tributary.



**56: IMGP0309.JPG**

Location: Ledgeview Farms

Photographer: Mike Lukowich

Camera Direction: South

Description: Unnamed tributary flows North to Bower Creek. The culvert was approximately 8-10 ft in diameter at the crossing under Copper Lane.



**57: IMGP0310.JPG**

Location: Ledgeview Farms

Photographer: Mike Lukowich

Camera Direction: North

Description: Unnamed tributary flows north to Bower Creek. The culvert was approximately 8-10 ft in diameter at the crossing under Copper Lane.



**58: IMG0311.JPG**

Location: Ledgeview Farms- Home Site

Photographer: Mike Lukowich

Camera Direction: Down

Description: Sample S04, in east pathway near the elevation change in the field north of the Milk Cow Barn.





**59: IMGP0312.JPG**

Location: Ledgerview Farms- Home Site

Photographer: Mike Lukowich

Camera Direction: Down

Description: Sample S04, in east pathway near the elevation change in the field north of the Milk Cow Barn.



**60: IMGP0313.JPG**

Location: Ledgeview Farms- Home Site

Photographer: Mike Lukowich

Camera Direction: Down/South

Description: Sample S05, in flow pathway through field north of the Milk Cow Barn.



**61: IMGP0314.JPG**

Location: Ledgeview Farms- Home Site

Photographer: Mike Lukowich

Camera Direction: Down

Description: Sample S05, in flow pathway through field north of the Milk Cow Barn.



**62: IMGP0315.JPG**

Location: Ledgeview Farms- Home Site

Photographer: Don Schwer

Camera Direction: Down

Description: Portion of pathway on the north end of the field north of the Milk Cow Barn leading to unnamed tributary.



**63: IMGP0316.JPG**

Location: Ledgeview Farms- Home Site

Photographer: Don Schwer

Camera Direction: Down

Description: Portion of pathway on the north end of the field north of the Milk Cow Barn leading to unnamed tributary.





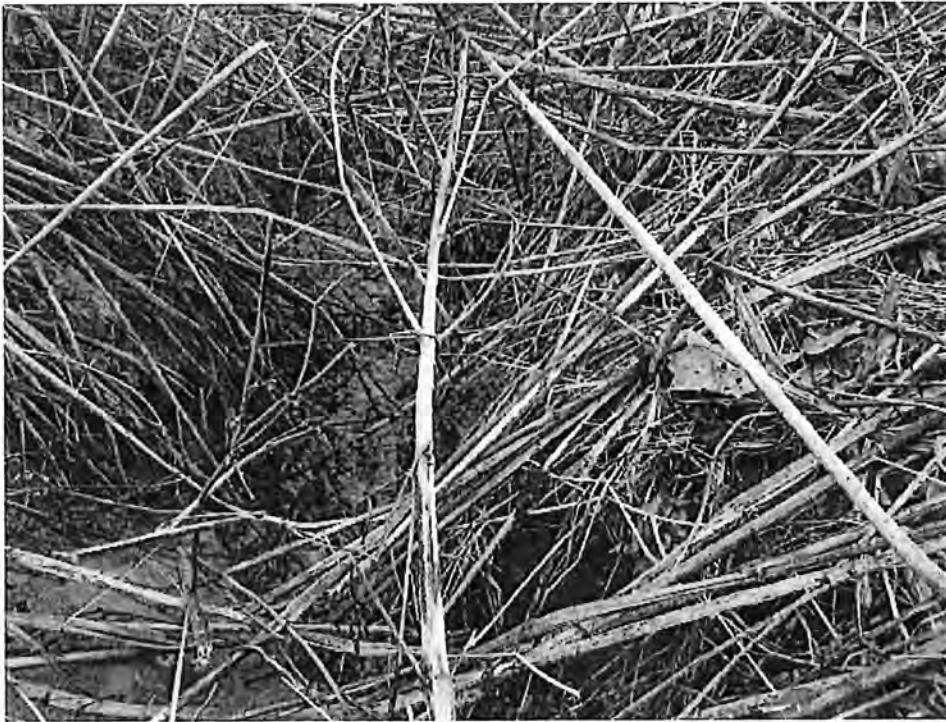
**64: IMGP0317.JPG**

Location: Ledgeview Farms- Home Site

Photographer: Don Schwer

Camera Direction: Down

Description: Portion of pathway on the north end of the field north of the Milk Cow Barn leading to unnamed tributary.



**65: IMG0318.JPG**

Location: Ledgeview Farms- Home Site

Photographer: Don Schwer

Camera Direction: Down

Description: Portion of pathway on the north end of the field north of the Milk Cow Barn leading to unnamed tributary.



**66: IMGP0319.JPG**

Location: Ledgeview Farms- Home Site

Photographer: Don Schwer

Camera Direction: West

Description: Portion of pathway on the north end of the field north of the Milk Cow Barn leading to unnamed tributary.



**67: IMG0320.JPG**

Location: Ledgeview Farms- Home Site

Photographer: Mike Lukowich

Camera Direction: Down

Description: Sample S06, wastewater from hole in the concrete manure pit. During the inspection the facility owner placed a pile of fill over the hole in the concrete pit.



**68: IMGP0321.JPG**

Location: Ledgeview Farms- Home Site

Photographer: Mike Lukowich

Camera Direction: Down

Description: Sample S06, wastewater from hole in the concrete pit.





**69: IMGP0322.JPG**

Location: Ledgeview Farms- Home Site

Photographer: Mike Lukowich

Camera Direction: East

Description: Flow pathway from drainage of the concrete pit to the unnamed tributary.



**70: IMGP0323.JPG**

Location: Ledgeview Farms- Home Site

Photographer: Mike Lukowich

Camera Direction: Down

Description: Cattle had direct access to unnamed tributary which flows north through the east side of the production area.



**71: IMGP0324.JPG**

Location: Ledgeview Farms- Home Site

Photographer: Mike Lukowich

Camera Direction: North

Description: Cattle had direct access to unnamed tributary which flows north through the east side of the production area.



**72: IMGP0325.JPG**

Location: Ledgeview Farms- Home Site

Photographer: Mike Lukowich

Camera Direction: Northeast

Description: Dead cow in the open lot.



**73: IMGP0326.JPG**

Location: Ledgeview Farms- Home Site

Photographer: Mike Lukowich

Camera Direction: Northeast

Description: Dead cow in the open lot.





**74: IMGP0327.JPG**

Location: Ledgerview Farms- Home Site

Photographer: Mike Lukowich

Camera Direction: Northeast

Description: Dead cow in the open lot.



**75: IMGP0328.JPG**

Location: Ledgeview Farms- Home Site

Photographer: Mike Lukowich

Camera Direction: Northeast

Description: Dead cow in the open lot.



**76: IMGP0329.JPG**

Location: Ledgeview Farms- Home Site

Photographer: Mike Lukowich

Camera Direction: Northeast

Description: Cattle had direct access to unnamed tributary which flows north through the east side of the production area.



**77: IMG0330.JPG**

Location: Ledgeview Farms- Home Site

Photographer: Mike Lukowich

Camera Direction: Down

Description: Cattle had direct access to unnamed tributary which flows north through the east side of the production area.



**78: IMGP0331.JPG**

Location: Ledgeview Farms- Home Site

Photographer: Mike Lukowich

Camera Direction: North

Description: Cattle had direct access to unnamed tributary which flows north through the east side of the production area





**79: IMG0332.JPG**

Location: Ledgeview Farms- Home Site

Photographer: Mike Lukowich

Camera Direction: North

Description: Cattle had direct access to unnamed tributary which flows north through the east side of the production area

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ATTACHMENT 3: CONFIDENTIALITY NOTICE



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
CONFIDENTIALITY NOTICE

Facility Name <u>Ledgeview Farms</u>	
Facility Address	
Inspector (print) <u>Don Schuer</u>	
U.S. EPA, Region VII, 901 N. 5th St., Kansas City, KS 66101	Date <u>4/18/2013</u>

The United States Environmental Protection Agency (EPA) is obligated, under the Freedom of Information Act, to release information collected during inspections to persons who submit requests for that information. The Freedom of Information Act does, however, have provisions that allow EPA to withhold certain confidential business information from public disclosure. To claim protection for information gathered during this inspection you must request that the information be held CONFIDENTIAL and substantiate your claim in writing by demonstrating that the information meets the requirements in 40 CFR 2, Subpart B. The following criteria in Subpart B must be met:

1. Your company has taken measures to protect the confidentiality of the information, and it intends to continue to take such measures.
2. No statute specifically requires disclosure of the information.
3. Disclosure of the information would cause substantial harm to your company's competitive position.

Information that you claim confidential will be held as such pending a determination of applicability by EPA.

I have received this Notice and <u>DO NOT</u> want to make a claim of confidentiality at this time.	
Facility Representative Provided Notice (print) <u>Jason Pensier</u>	Signature/Date <u>[Signature]</u>

I have received this Notice and <u>DO</u> want to make a claim of confidentiality.	
Facility Representative Provided Notice (print) <u>Jason Pensier</u>	Signature/Date

Information for which confidential treatment is requested:

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## ATTACHMENT 4: FIELD SAMPLING RESULTS



Pace Analytical Services, Inc.  
1241 Bellevue Street - Suite 9  
Green Bay, WI 54302  
(920)469-2436

April 25, 2013

Kimberly O'neil  
SAIC  
McLean/Enterprise Center  
8301 Greensboro Drive  
Mc Lean, VA 22102

RE: Project: 13DS02 LEDGEVIEW FARM  
Pace Project No.: 4076523

Dear Kimberly O'neil:

Enclosed are the analytical results for sample(s) received by the laboratory on April 18, 2013. The results relate only to the samples included in this report. Results reported herein conform to the most current TNI standards and the laboratory's Quality Assurance Manual, where applicable, unless otherwise noted in the body of the report.

If you have any questions concerning this report, please feel free to contact me.

Sincerely,

Steven Mieczko

steve.mieczko@pacelabs.com  
Project Manager

Enclosures



#### REPORT OF LABORATORY ANALYSIS

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Green Bay, WI 54302  
(920)469-2436

## CERTIFICATIONS

Project: 13DS02 LEDGEVIEW FARM  
Pace Project No.: 4076523

---

### Green Bay Certification IDs

1241 Bellevue Street, Green Bay, WI 54302  
Florida/NELAP Certification #: E87948  
Illinois Certification #: 200050  
Kentucky Certification #: 82  
Louisiana Certification #: 04168  
Minnesota Certification #: 055-999-334

New York Certification #: 11888  
North Dakota Certification #: R-150  
South Carolina Certification #: 83006001  
US Dept of Agriculture #: S-76505  
Wisconsin Certification #: 405132750

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## REPORT OF LABORATORY ANALYSIS

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Green Bay, WI 54302  
(920)469-2436

## SAMPLE SUMMARY

Project: 13DS02 LEDGEVIEW FARM

Pace Project No.: 4076523

Lab ID	Sample ID	Matrix	Date Collected	Date Received
4076523001	S02 SATELLITE 1	Water	04/18/13 11:46	04/18/13 14:35
4076523002	S03 SATELLITE 2	Water	04/18/13 11:56	04/18/13 14:35
4076523003	S04 MAIN 1	Water	04/18/13 12:40	04/18/13 14:35
4076523004	S05 MAIN 2	Water	04/18/13 12:48	04/18/13 14:35
4076523005	S06 MAIN 3	Water	04/18/13 13:08	04/18/13 14:35

## REPORT OF LABORATORY ANALYSIS

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### SAMPLE ANALYTE COUNT

Project: 13DS02 LEDGEVIEW FARM  
Pace Project No.: 4076523

Lab ID	Sample ID	Method	Analysts	Analytes Reported	Laboratory
4076523001	S02 SATELLITE 1	SM 9222D	HKV	1	PASI-G
4076523002	S03 SATELLITE 2	SM 9222D	HKV	1	PASI-G
4076523003	S04 MAIN 1	SM 9222D	HKV	1	PASI-G
4076523004	S05 MAIN 2	SM 9222D	HKV	1	PASI-G
4076523005	S06 MAIN 3	SM 9222D	HKV	1	PASI-G

### REPORT OF LABORATORY ANALYSIS

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## ANALYTICAL RESULTS

Project: 13DS02 LEDGEVIEW FARM

Pace Project No.: 4076523

Sample: S02 SATELLITE 1 Lab ID: 4076523001 Collected: 04/18/13 11:46 Received: 04/18/13 14:35 Matrix: Water

Parameters	Results	Units	LOQ	LOD	DF	Prepared	Analyzed	CAS No.	Qual
9222D MICRO Fecal Coli by MF	Analytical Method: SM 9222D Preparation Method: SM 9222D								
Fecal Coliforms	11500000	CFU/100 mL	100000	100000	100000	04/25/13 12:39	04/18/13 17:50		

Sample: S03 SATELLITE 2 Lab ID: 4076523002 Collected: 04/18/13 11:56 Received: 04/18/13 14:35 Matrix: Water

Parameters	Results	Units	LOQ	LOD	DF	Prepared	Analyzed	CAS No.	Qual
9222D MICRO Fecal Coli by MF	Analytical Method: SM 9222D Preparation Method: SM 9222D								
Fecal Coliforms	500000	CFU/100 mL	100000	100000	100000	04/25/13 12:39	04/18/13 17:50		

Sample: S04 MAIN 1 Lab ID: 4076523003 Collected: 04/18/13 12:40 Received: 04/18/13 14:35 Matrix: Water

Parameters	Results	Units	LOQ	LOD	DF	Prepared	Analyzed	CAS No.	Qual
9222D MICRO Fecal Coli by MF	Analytical Method: SM 9222D Preparation Method: SM 9222D								
Fecal Coliforms	14500000	CFU/100 mL	90900	90900	90900	04/25/13 12:39	04/18/13 17:50		

Sample: S05 MAIN 2 Lab ID: 4076523004 Collected: 04/18/13 12:48 Received: 04/18/13 14:35 Matrix: Water

Parameters	Results	Units	LOQ	LOD	DF	Prepared	Analyzed	CAS No.	Qual
9222D MICRO Fecal Coli by MF	Analytical Method: SM 9222D Preparation Method: SM 9222D								
Fecal Coliforms	1460000	CFU/100 mL	9090	9090	9090	04/25/13 12:39	04/18/13 17:50		

Sample: S06 MAIN 3 Lab ID: 4076523005 Collected: 04/18/13 13:08 Received: 04/18/13 14:35 Matrix: Water

Parameters	Results	Units	LOQ	LOD	DF	Prepared	Analyzed	CAS No.	Qual
9222D MICRO Fecal Coli by MF	Analytical Method: SM 9222D Preparation Method: SM 9222D								
Fecal Coliforms	2400000	CFU/100 mL	100000	100000	100000	04/25/13 12:39	04/18/13 17:50		

Date: 04/25/2013 03:14 PM

## REPORT OF LABORATORY ANALYSIS

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### QUALITY CONTROL DATA

Project: 13DS02 LEDGEVIEW FARM  
Pace Project No.: 4076523

QC Batch: MBIO/2817 Analysis Method: SM 9222D  
QC Batch Method: SM 9222D Analysis Description: 9222D MICRO Fecal Coliform by MF  
Associated Lab Samples: 4076523001, 4076523002, 4076523003, 4076523004, 4076523005

METHOD BLANK: 779725 Matrix: Water  
Associated Lab Samples: 4076523001, 4076523002, 4076523003, 4076523004, 4076523005

Parameter	Units	Blank Result	Reporting Limit	Analyzed	Qualifiers
Fecal Coliforms	CFU/100 mL	<1	1.0	04/18/13 17:50	

SAMPLE DUPLICATE: 779726

Parameter	Units	4076523001 Result	Dup Result	RPD	Max RPD	Qualifiers
Fecal Coliforms	CFU/100 mL	11500000	13900000			



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## QUALIFIERS

Project: 13DS02 LEDGEVIEW FARM  
Pace Project No.: 4076523

---

### DEFINITIONS

DF - Dilution Factor, if reported, represents the factor applied to the reported data due to changes in sample preparation, dilution of the sample aliquot, or moisture content.  
ND - Not Detected at or above adjusted reporting limit.  
J - Estimated concentration above the adjusted method detection limit and below the adjusted reporting limit.  
MDL - Adjusted Method Detection Limit.  
PRL - Pace Reporting Limit.  
RL - Reporting Limit.  
S - Surrogate  
1,2-Diphenylhydrazine (8270 listed analyte) decomposes to Azobenzene.  
Consistent with EPA guidelines, unrounded data are displayed and have been used to calculate % recovery and RPD values.  
LCS(D) - Laboratory Control Sample (Duplicate)  
MS(D) - Matrix Spike (Duplicate)  
DUP - Sample Duplicate  
RPD - Relative Percent Difference  
NC - Not Calculable.  
SG - Silica Gel - Clean-Up  
U - Indicates the compound was analyzed for, but not detected.  
N-Nitrosodiphenylamine decomposes and cannot be separated from Diphenylamine using Method 8270. The result reported for each analyte is a combined concentration.  
Pace Analytical is TNI accredited. Contact your Pace PM for the current list of accredited analytes.  
TNI - The NELAC Institute.

### LABORATORIES

PASJ-G Pace Analytical Services - Green Bay



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(920)469-2436

### QUALITY CONTROL DATA CROSS REFERENCE TABLE

Project: 13DS02 LEDGEVIEW FARM  
Pace Project No.: 4076523

Lab ID	Sample ID	QC Batch Method	QC Batch	Analytical Method	Analytical Batch
4076523001	S02 SATELLITE 1	SM 9222D	MBIO/2816	SM 9222D	MBIO/2817
4076523002	S03 SATELLITE 2	SM 9222D	MBIO/2816	SM 9222D	MBIO/2817
4076523003	S04 MAIN 1	SM 9222D	MBIO/2816	SM 9222D	MBIO/2817
4076523004	S05 MAIN 2	SM 9222D	MBIO/2816	SM 9222D	MBIO/2817
4076523005	S06 MAIN 3	SM 9222D	MBIO/2816	SM 9222D	MBIO/2817

Date: 04/25/2013 03:14 PM

### REPORT OF LABORATORY ANALYSIS

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REGION 5 CHICAGO REGIONAL LABORATORY  
536 SOUTH CLARK STREET  
CHICAGO, ILLINOIS 60605



Date: 5/6/2013  
Subject: Review of Region 5 Data for Legdevview Farm  
From: Colin Breslin, Chemist  
Region 5 Chicago Regional Laboratory CB  
To: Water Division, US EPA Region 5  
77 West Jackson Boulevard  
Chicago, IL 60604

The data being transmitted under this cover memo successfully passed CRL's internal data review procedures as documented in our current Quality Management Plan (QMP) and appropriate Standard Operating Procedures (SOPs). Please be aware that CRL does not perform data validation which is based on your data quality objectives. This function must be performed independently of the laboratory generating the data.

Results in this report represent only the samples analyzed.

Please have the U.S. EPA Project Manager/Officer call the CRL Sample Coordinator at (312) 353-0375 for any comments or questions.

Attached are Results for: Legdevview Farm

\_\_\_\_\_  
Data Management Coordinator and Date Received

Date Transmitted: \_\_\_\_/\_\_\_\_/\_\_\_\_

Analyses included in this report:

BOD



Environmental Protection Agency Region 5  
**Chicago Regional Laboratory**

536 South Clark Street, Chicago, IL 60605  
Phone: (312) 353-8370 Fax: (312) 886-2591



**LABORATORY  
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ACCREDITED ISO/IEC 17025  
Certificate # L2280 Testing

Water Division, US EPA Region 5  
77 West Jackson Boulevard  
Chicago IL, 60604

Project: Legdevicw Farm  
Project Number: 13DS02  
Project Manager: Don Schwer

Reported:  
May-06-13 12:25

## ANALYSIS CASE NARRATIVE

Analyst Phone Number: (312) 886-2912

### General Information

Six water samples were analyzed for 5 day biochemical oxygen demand (BOD5). Initial dissolved oxygen (DO) readings were taken on April 19, 2013 and final DO readings were taken on April 24, 2013. All holding times were met.

### Sample Analysis and Results

The six samples were prepared and analyzed according to CRL SOP AIG006, Revision No: 4.0 (SM 5210B). For sample 1304017-01 (S01), the final dissolved oxygen (DO) readings did not result in valid final depletions of at least 2 mg/L DO below the initial DO values for all dilution levels analyzed. The sample result for 1304017-01 (S01) was reported as "U – not detected" at the reporting limit of 2 mg/L BOD5. Samples 1304017-02 (S02), 1304017-03 (S03), 1304017-04 (S04), 1304017-05 (S05), and 1304017-06 (S06) were flagged "J – The identification of the analyte is acceptable; the reported value is an estimate". See below under Quality Control for an explanation.

### Quality Control

All quality control (QC) audits were within CRL limits, except as follows:

#### Laboratory Control Samples (LCS):

The glucose-glumatic acid (GGA) check standards were recovered at 71.8% and 63.9%, which were both below the lower control limit of 84.6%. Low recovery of the GGA check standard may indicate a weak seed solution or a degraded GGA solution. The observed seed strength was acceptable. Therefore, the low GGA recoveries were likely due to degradation in the GGA solutions used for analysis. Because the GGA recoveries were below the lower control limit the results for samples 1304017-02 (S02), 1304017-03 (S03), 1304017-04 (S04), 1304017-05 (S05), and 1304017-06 (S06) were flagged "J". This was the only impact expected for the overall dataset from this QC excursion.

CB 5/6/13

Colin Breslin, Chemist





Environmental Protection Agency Region 5  
**Chicago Regional Laboratory**

536 South Clark Street, Chicago, IL 60605  
Phone:(312)353-8370 Fax:(312)886-2591



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Certificate # L2280 Testing

Water Division, US EPA Region 5  
77 West Jackson Boulevard  
Chicago IL, 60604

Project: Legdeview Farm  
Project Number: 13DS02  
Project Manager: Don Schwer

Reported:  
May-06-13 12:25

**ANALYTICAL REPORT FOR SAMPLES**

Sample ID	Laboratory ID	Matrix	Date Sampled	Date Received
S01	1304017-01	Water	Apr-18-13 11:40	Apr-19-13 10:15
S02	1304017-02	Water	Apr-18-13 11:46	Apr-19-13 10:15
S03	1304017-03	Water	Apr-18-13 11:56	Apr-19-13 10:15
S04	1304017-04	Water	Apr-18-13 12:40	Apr-19-13 10:15
S05	1304017-05	Water	Apr-18-13 12:48	Apr-19-13 10:15
S06	1304017-06	Water	Apr-18-13 13:08	Apr-19-13 10:15

CB 5/6/13

Colin Breslin, Chemist



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**Chicago Regional Laboratory**

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Certificate # L2280 Testing

Water Division, US EPA Region 5  
77 West Jackson Boulevard  
Chicago IL, 60604

Project: Legdview Farm  
Project Number: 13DS02  
Project Manager: Don Schwer

Reported:  
May-06-13 12:25

**BOD, 5 day, SM 5210 B (modified)**

**US EPA Region 5 Chicago Regional Laboratory**

S01 (1304017-01) Water Sampled: Apr-18-13 11:40 Received: Apr-19-13 10:15

Analyte	Result	Flags / Qualifiers	MDL	Limit	Units	Dilution	Batch	Prepared	Analyzed
Biochemical Oxygen Demand	U			2.0	mg/L	1	B304064	Apr-19-13	Apr-19-13

S02 (1304017-02) Water Sampled: Apr-18-13 11:46 Received: Apr-19-13 10:15

Analyte	Result	Flags / Qualifiers	MDL	Limit	Units	Dilution	Batch	Prepared	Analyzed
Biochemical Oxygen Demand	2700	J		2.0	mg/L	1	B304064	Apr-19-13	Apr-19-13

S03 (1304017-03) Water Sampled: Apr-18-13 11:56 Received: Apr-19-13 10:15

Analyte	Result	Flags / Qualifiers	MDL	Limit	Units	Dilution	Batch	Prepared	Analyzed
Biochemical Oxygen Demand	1700	J		2.0	mg/L	1	B304064	Apr-19-13	Apr-19-13

S04 (1304017-04) Water Sampled: Apr-18-13 12:40 Received: Apr-19-13 10:15

Analyte	Result	Flags / Qualifiers	MDL	Limit	Units	Dilution	Batch	Prepared	Analyzed
Biochemical Oxygen Demand	5400	J		2.0	mg/L	1	B304064	Apr-19-13	Apr-19-13

S05 (1304017-05) Water Sampled: Apr-18-13 12:48 Received: Apr-19-13 10:15

Analyte	Result	Flags / Qualifiers	MDL	Limit	Units	Dilution	Batch	Prepared	Analyzed
Biochemical Oxygen Demand	940	J		2.0	mg/L	1	B304064	Apr-19-13	Apr-19-13

S06 (1304017-06) Water Sampled: Apr-18-13 13:08 Received: Apr-19-13 10:15

Analyte	Result	Flags / Qualifiers	MDL	Limit	Units	Dilution	Batch	Prepared	Analyzed
Biochemical Oxygen Demand	400	J		2.0	mg/L	1	B304064	Apr-19-13	Apr-19-13

CB 5/6/13

Colin Breslin, Chemist



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Certificate # L2280 Testing

Water Division, US EPA Region 5  
77 West Jackson Boulevard  
Chicago IL, 60604

Project: Legdeview Farm  
Project Number: 13DS02  
Project Manager: Don Schwer

Reported:  
May-06-13 12:25

**Notes and Definitions**

J The identification of the analyte is acceptable; the reported value is an estimate.  
U Not Detected  
NR Not Reported

CB 5/6/13  
Colin Breslin, Chemist

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Report Name: 1304017 FINAL May 06 13 1225

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### Items for Project Manager Review

LabNumber	Analysis	Analyte	Exception
			Default Report (not modified)
			VERSION 6.11:2005
		(Water)	Special Units: (mg/L)
B304064-BS1	BOD	Biochemical Oxygen Demand	Exceeds lower control limit
B304064-BS2	BOD	Biochemical Oxygen Demand	Exceeds lower control limit

CB 5/6/13

# Sample, Log and Extraction Comments

1304017-01  
BOD

pH = 5  
pH = 5

1304017-02  
BOD

pH = 6  
pH = 6

1304017-03  
BOD

pH = 7  
pH = 7

1304017-04  
BOD

pH = 8  
pH = 8

1304017-05  
BOD

pH = 8  
pH = 8

1304017-06  
BOD

pH = 7  
pH = 7

CB 5/6/13

CB 5/6/13





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CHICAGO, ILLINOIS 60605



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Certificate # L2230 Testing

Date: 5/6/2013

Subject: Review of Region 5 Data for Legdevview Farm

From: Colin Breslin, Chemist  
Region 5 Chicago Regional Laboratory CB

To: Water Division, US EPA Region 5  
77 West Jackson Boulevard  
Chicago, IL 60604

The data being transmitted under this cover memo successfully passed CRL's internal data review procedures as documented in our current Quality Management Plan (QMP) and appropriate Standard Operating Procedures (SOPs). Please be aware that CRL does not perform data validation which is based on your data quality objectives. This function must be performed independently of the laboratory generating the data.

Results in this report represent only the samples analyzed.

Please have the U.S. EPA Project Manager/Officer call the CRL Sample Coordinator at (312) 353-0375 for any comments or questions.

Attached are Results for: Legdevview Farm

\_\_\_\_\_  
Data Management Coordinator and Date Received

Date Transmitted: \_\_\_\_/\_\_\_\_/\_\_\_\_

Analyses included in this report:

Solids, TDS

Solids, TSS

Page 1 of 7  
Report Name: 1304017 FINAL May 06 13 1323



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**Chicago Regional Laboratory**

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Certificate # 12280 Testing

Water Division, US EPA Region 5  
77 West Jackson Boulevard  
Chicago IL, 60604

Project: Legdeview Farm  
Project Number: 13DS02  
Project Manager: Don Schwer

Reported:  
May-06-13 13:23

## ANALYSIS CASE NARRATIVE

Analyst Phone Number: (312) 886 - 2912

### General Information

Six water samples were analyzed for total dissolved solids (TDS) on April 23, 2013. All holding times were met.

**Note: All supporting data are archived with Work Order 1304016.**

### Sample Analysis and Results

The six samples for TDS were prepared and analyzed according to CRL SOP AIG017 Revision No: 4.6 (SM 2540 C). The results for samples 1304017-04 (S04) and 1304017-05 (S05) were flagged as "J - The identification of the analyte is acceptable; the reported value is an estimate". See below under Quality Control for an explanation.

### Quality Control

All quality control (QC) audits were within CRL limits, except as follows:

#### Constant Drying Weight:

Samples 1304017-04 (S04) and 1304017-05 (S05) did not reach a constant dried weight of less than a difference of 0.5 mg after three consecutive drying cycles. The samples likely did not reach a constant weight because of the complex sample matrix, and were flagged "J". These were the only samples significantly impacted from this QC excursion.

### General Information

Six water samples were analyzed for total suspended solids (TSS) on April 23, 2013. All holding times were met.

**Note: All supporting data are archived with Work Order 1304016.**

### Sample Analysis and Results

The samples for TSS were prepared and analyzed according to CRL SOP AIG018 Revision No: 3.6 (SM 2540 D).

CB 5/6/13

Colin Breslin, Chemist



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Water Division, US EPA Region 5  
77 West Jackson Boulevard  
Chicago IL, 60604

Project: Legdevicw Farm  
Project Number: 13DS02  
Project Manager: Don Schwer

Reported:  
May-06-13 13:23

### Quality Control

All quality control (QC) audits were within CRL limits.

---

CB 5/6/13  
Colin Breslin, Chemist



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Chicago IL, 60604

Project: Legdeview Farm  
Project Number: 13DS02  
Project Manager: Don Schwer

Reported:  
May-06-13 13:23

**ANALYTICAL REPORT FOR SAMPLES**

Sample ID	Laboratory ID	Matrix	Date Sampled	Date Received
S01	1304017-01	Water	Apr-18-13 11:40	Apr-19-13 10:15
S02	1304017-02	Water	Apr-18-13 11:46	Apr-19-13 10:15
S03	1304017-03	Water	Apr-18-13 11:56	Apr-19-13 10:15
S04	1304017-04	Water	Apr-18-13 12:40	Apr-19-13 10:15
S05	1304017-05	Water	Apr-18-13 12:48	Apr-19-13 10:15
S06	1304017-06	Water	Apr-18-13 13:08	Apr-19-13 10:15

CB 5/6/13

Colin Breslin, Chemist

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Report Name: 1304017 FINAL May 06 13 1323

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Certificate # L2280 Testing

Water Division, US EPA Region 5  
77 West Jackson Boulevard  
Chicago IL, 60604

Project: Legdeview Farm  
Project Number: 13DS02  
Project Manager: Don Schwer

Reported:  
May-06-13 13:23

**Dissolved Solids, SM 2540C (modified)**  
**US EPA Region 5 Chicago Regional Laboratory**

S01 (1304017-01) Water Sampled: Apr-18-13 11:40 Received: Apr-19-13 10:15

Analyte	Result	Flags / Qualifiers	MDL	Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Dissolved Solids	U			20	mg/L	1	B304065	Apr-23-13	Apr-23-13

S02 (1304017-02) Water Sampled: Apr-18-13 11:46 Received: Apr-19-13 10:15

Analyte	Result	Flags / Qualifiers	MDL	Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Dissolved Solids	4450			20	mg/L	1	B304065	Apr-23-13	Apr-23-13

S03 (1304017-03) Water Sampled: Apr-18-13 11:56 Received: Apr-19-13 10:15

Analyte	Result	Flags / Qualifiers	MDL	Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Dissolved Solids	2230			20	mg/L	1	B304065	Apr-23-13	Apr-23-13

S04 (1304017-04) Water Sampled: Apr-18-13 12:40 Received: Apr-19-13 10:15

Analyte	Result	Flags / Qualifiers	MDL	Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Dissolved Solids	7710	J		20	mg/L	1	B304065	Apr-23-13	Apr-23-13

S05 (1304017-05) Water Sampled: Apr-18-13 12:48 Received: Apr-19-13 10:15

Analyte	Result	Flags / Qualifiers	MDL	Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Dissolved Solids	2520	J		20	mg/L	1	B304065	Apr-23-13	Apr-23-13

S06 (1304017-06) Water Sampled: Apr-18-13 13:08 Received: Apr-19-13 10:15

Analyte	Result	Flags / Qualifiers	MDL	Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Dissolved Solids	1420			20	mg/L	1	B304065	Apr-23-13	Apr-23-13

CB 5/6/13

Colin Breslin, Chemist



Environmental Protection Agency Region 5  
**Chicago Regional Laboratory**

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Certificate # L2230 Testing

Water Division, US EPA Region 5  
77 West Jackson Boulevard  
Chicago IL, 60604

Project: Legdeview Farm  
Project Number: 13DS02  
Project Manager: Don Schwer

Reported:  
May-06-13 13:23

**Total Suspended Solids, SM 2540 D (modified)**  
**US EPA Region 5 Chicago Regional Laboratory**

S01 (1304017-01) Water Sampled: Apr-18-13 11:40 Received: Apr-19-13 10:15

Analyte	Result	Flags / Qualifiers	MDL	Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Suspended Solids	U			5	mg/L	1	B304066	Apr-23-13	Apr-23-13

S02 (1304017-02) Water Sampled: Apr-18-13 11:46 Received: Apr-19-13 10:15

Analyte	Result	Flags / Qualifiers	MDL	Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Suspended Solids	2930			5	mg/L	1	B304066	Apr-23-13	Apr-23-13

S03 (1304017-03) Water Sampled: Apr-18-13 11:56 Received: Apr-19-13 10:15

Analyte	Result	Flags / Qualifiers	MDL	Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Suspended Solids	204			5	mg/L	1	B304066	Apr-23-13	Apr-23-13

S04 (1304017-04) Water Sampled: Apr-18-13 12:40 Received: Apr-19-13 10:15

Analyte	Result	Flags / Qualifiers	MDL	Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Suspended Solids	3100			5	mg/L	1	B304066	Apr-23-13	Apr-23-13

S05 (1304017-05) Water Sampled: Apr-18-13 12:48 Received: Apr-19-13 10:15

Analyte	Result	Flags / Qualifiers	MDL	Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Suspended Solids	180			5	mg/L	1	B304066	Apr-23-13	Apr-23-13

S06 (1304017-06) Water Sampled: Apr-18-13 13:08 Received: Apr-19-13 10:15

Analyte	Result	Flags / Qualifiers	MDL	Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Suspended Solids	2060			5	mg/L	1	B304066	Apr-23-13	Apr-23-13

CB 5/6/13

Colin Breslin, Chemist





Environmental Protection Agency Region 5  
**Chicago Regional Laboratory**

536 South Clark Street, Chicago, IL 60605  
Phone: (312) 353-8370 Fax: (312) 886-2591



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BUREAU**

ACCREDITED ISO/IEC 17025

Certificate # L2230 Testing

Water Division, US EPA Region 5  
77 West Jackson Boulevard  
Chicago IL, 60604

Project: Legdeview Farm  
Project Number: 13DS02  
Project Manager: Don Schwer

Reported:  
May-06-13 13:23

**Notes and Definitions**

- J The identification of the analyte is acceptable; the reported value is an estimate.  
U Not Detected  
NR Not Reported

CB 5/6/13

Colin Breslin, Chemist

### Items for Project Manager Review

LabNumber	Analysis	Analyte	Exception
			Default Report (not modified)
			VERSION 6.11.2005
	Solids, TDS	(Water)	Special Units: (mg/L)
	Solids, TSS	(Water)	Special Units: (mg/L)
B304066-DUP1	Solids, TSS	Total Suspended Solids	Exceeds RPD control limit

CB 5/6/13

# Sample, Log and Extraction Comments

1304017-01	
Solids, TDS	pH = 5
	pH = 5
Solids, TSS	
	pH = 5
	pH = 5
1304017-02	
Solids, TDS	pH = 6
	pH = 6
Solids, TSS	
	pH = 6
	pH = 6
1304017-03	
Solids, TDS	pH = 7
	pH = 7
Solids, TSS	
	pH = 7
	pH = 7
1304017-04	
Solids, TDS	pH = 8
	pH = 8
Solids, TSS	
	pH = 8
	pH = 8
1304017-05	
Solids, TDS	pH = 8
	pH = 8
Solids, TSS	
	pH = 8
	pH = 8
1304017-06	
Solids, TDS	pH = 7
	pH = 7
Solids, TSS	
	pH = 7
	pH = 7

CB 5/6/13

CB 5/6/13



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5 CHICAGO REGIONAL LABORATORY  
536 SOUTH CLARK STREET  
CHICAGO, ILLINOIS 60605



Date: 5/16/2013  
Subject: Review of Region 5 Data for Legdeview Farm  
From: Anna Aleszczyk, Chemist *AA*  
Region 5 Chicago Regional Laboratory  
To: Water Division, US EPA Region 5  
77 West Jackson Boulevard  
Chicago, IL 60604

The data being transmitted under this cover memo successfully passed CRL's internal data review procedures as documented in our current Quality Management Plan (QMP) and appropriate Standard Operating Procedures (SOPs). Please be aware that CRL does not perform data validation which is based on your data quality objectives. This function must be performed independently of the laboratory generating the data.

Results in this report represent only the samples analyzed.

Please have the U.S. EPA Project Manager/Officer call the CRL Sample Coordinator at (312) 353-0375 for any comments or questions.

Attached are Results for: Legdeview Farm

\_\_\_\_\_  
Data Management Coordinator and Date Received

Date Transmitted: \_\_\_\_/\_\_\_\_/\_\_\_\_

Analyses included in this report:

Ammonia N DA, Distilled                      Nitrate-Nitrite N DA

Page 1 of 7  
Report Name: 1304017 FINAL May 16 13 1254



Environmental Protection Agency Region 5  
**Chicago Regional Laboratory**

536 South Clark Street, Chicago, IL 60605  
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Water Division, US EPA Region 5  
77 West Jackson Boulevard  
Chicago IL, 60604

Project: Legdevview Farm  
Project Number: 13DS02  
Project Manager: Don Schwer

Reported:  
May-16-13 12:54

## ANALYSIS CASE NARRATIVE – Distilled Ammonia Nitrogen in Water

Work order #: 1304017  
Phone #: (312) 353-9467

### General Information

Six water samples were prepared and analyzed for Ammonia Nitrogen on May 7 – 8, 2013. All holding times were met.

**NOTE:** All supporting data are archived with work order number 1304016.

### Sample Analysis and Results

The samples were prepared and analyzed for Ammonia Nitrogen in water using CRL SOP AIG029A, Revision # 2.0 (Reference Method, EPA 350.1). The samples were stored in the refrigerator at all times, except when in use.

### Quality Control

All quality control audits were within CRL limits.

## ANALYSIS CASE NARRATIVE – Nitrate-Nitrite Nitrogen in Water

Work order #: 1304017  
Phone #: (312) 353-9467

### General Information

Six water samples were analyzed for Nitrate-Nitrite Nitrogen on May 14, 2013. All holding times were met.

**Note:** All supporting data are archived with work order number 1304016.

### Sample Analysis and Results

The samples were analyzed for Nitrate-Nitrite Nitrogen in water using CRL SOP AIG031A, Revision #1.0 (Standard Method 4500 – NO<sub>3</sub>- E). The samples were stored in the refrigerator at all times except when in use. Samples 1304017 -02 (S02), -03 (S03), -04 (S04), -05 (S05), and -06 (S06) were centrifuged prior to analysis to remove particulates.

AA 5-16-13  
Anna Aleszczyk, Chemist

Page 2 of 7  
Report Name: 1304017 FINAL May 16 13 1254

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Environmental Protection Agency Region 5  
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ACCREDITED ISO/IEC 17025  
Certificate # L2280 Testing

Water Division, US EPA Region 5  
77 West Jackson Boulevard  
Chicago IL, 60604

Project: Legdeview Farm  
Project Number: 13DS02  
Project Manager: Don Schwer

Reported:  
May-16-13 12:54

**Quality Control**

All quality control audits were within CRL limits.

AA 5-16-13

Anna Aleszczyk, Chemist



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**Chicago Regional Laboratory**

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Certificate # 12283 Testing

Water Division, US EPA Region 5  
77 West Jackson Boulevard  
Chicago IL, 60604

Project: Legdeview Farm  
Project Number: 13DS02  
Project Manager: Don Schwer

Reported:  
May-16-13 12:54

**ANALYTICAL REPORT FOR SAMPLES**

Sample ID	Laboratory ID	Matrix	Date Sampled	Date Received
S01	1304017-01	Water	Apr-18-13 11:40	Apr-19-13 10:15
S02	1304017-02	Water	Apr-18-13 11:46	Apr-19-13 10:15
S03	1304017-03	Water	Apr-18-13 11:56	Apr-19-13 10:15
S04	1304017-04	Water	Apr-18-13 12:40	Apr-19-13 10:15
S05	1304017-05	Water	Apr-18-13 12:48	Apr-19-13 10:15
S06	1304017-06	Water	Apr-18-13 13:08	Apr-19-13 10:15

AA 5-16-13

Anna Aleszczyk, Chemist

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Report Name: 1304017 FINAL May 16 13 1254

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**Chicago Regional Laboratory**

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Certificate # L2280 Testing

Water Division, US EPA Region 5  
77 West Jackson Boulevard  
Chicago IL, 60604

Project: Legdeview Farm  
Project Number: 13DS02  
Project Manager: Don Schwer

Reported:  
May-16-13 12:54

**Ammonia Nitrogen, Colorimetric, EPA 350.1 (modified)**  
**US EPA Region 5 Chicago Regional Laboratory**

S01 (1304017-01) Water Sampled: Apr-18-13 11:40 Received: Apr-19-13 10:15

Analyte	Result	Flags / Qualifiers	MDL	Limit	Units	Dilution	Batch	Prepared	Analyzed
Ammonia as N	0.03	J	0.03	0.10	mg/L	1	B305038	May-07-13	May-08-13

S02 (1304017-02) Water Sampled: Apr-18-13 11:46 Received: Apr-19-13 10:15

Analyte	Result	Flags / Qualifiers	MDL	Limit	Units	Dilution	Batch	Prepared	Analyzed
Ammonia as N	93.3		3.00	10.0	mg/L	100	B305038	May-07-13	May-08-13

S03 (1304017-03) Water Sampled: Apr-18-13 11:56 Received: Apr-19-13 10:15

Analyte	Result	Flags / Qualifiers	MDL	Limit	Units	Dilution	Batch	Prepared	Analyzed
Ammonia as N	43.2		0.30	1.00	mg/L	10	B305038	May-07-13	May-08-13

S04 (1304017-04) Water Sampled: Apr-18-13 12:40 Received: Apr-19-13 10:15

Analyte	Result	Flags / Qualifiers	MDL	Limit	Units	Dilution	Batch	Prepared	Analyzed
Ammonia as N	459		15.0	50.0	mg/L	500	B305038	May-07-13	May-08-13

S05 (1304017-05) Water Sampled: Apr-18-13 12:48 Received: Apr-19-13 10:15

Analyte	Result	Flags / Qualifiers	MDL	Limit	Units	Dilution	Batch	Prepared	Analyzed
Ammonia as N	130		3.00	10.0	mg/L	100	B305038	May-07-13	May-08-13

S06 (1304017-06) Water Sampled: Apr-18-13 13:08 Received: Apr-19-13 10:15

Analyte	Result	Flags / Qualifiers	MDL	Limit	Units	Dilution	Batch	Prepared	Analyzed
Ammonia as N	35.5		0.30	1.00	mg/L	10	B305038	May-07-13	May-08-13

AA 5-16-13  
Anna Aleszczyk, Chemist

Page 5 of 7  
Report Name: 1304017 FINAL May 16 13 1254

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Environmental Protection Agency Region 5  
**Chicago Regional Laboratory**

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Certificate # L2280 Testing

Water Division, US EPA Region 5  
77 West Jackson Boulevard  
Chicago IL, 60604

Project: Legdeview Farm  
Project Number: 13DS02  
Project Manager: Don Schwer

Reported:  
May-16-13 12:54

Nitrate - Nitrite Nitrogen, SM 4500E (modified)

**US EPA Region 5 Chicago Regional Laboratory**

S01 (1304017-01) Water Sampled: Apr-18-13 11:40 Received: Apr-19-13 10:15

Analyte	Result	Flags / Qualifiers	MDL	Limit	Units	Dilution	Batch	Prepared	Analyzed
Nitrate-Nitrite N	0.07	J	0.07	0.25	mg/L	1	B305051	May-13-13	May-14-13

S02 (1304017-02) Water Sampled: Apr-18-13 11:46 Received: Apr-19-13 10:15

Analyte	Result	Flags / Qualifiers	MDL	Limit	Units	Dilution	Batch	Prepared	Analyzed
Nitrate-Nitrite N	U	U	0.07	0.25	mg/L	1	B305051	May-13-13	May-14-13

S03 (1304017-03) Water Sampled: Apr-18-13 11:56 Received: Apr-19-13 10:15

Analyte	Result	Flags / Qualifiers	MDL	Limit	Units	Dilution	Batch	Prepared	Analyzed
Nitrate-Nitrite N	U	U	0.07	0.25	mg/L	1	B305051	May-13-13	May-14-13

S04 (1304017-04) Water Sampled: Apr-18-13 12:40 Received: Apr-19-13 10:15

Analyte	Result	Flags / Qualifiers	MDL	Limit	Units	Dilution	Batch	Prepared	Analyzed
Nitrate-Nitrite N	0.78	J	0.70	2.50	mg/L	10	B305051	May-13-13	May-14-13

S05 (1304017-05) Water Sampled: Apr-18-13 12:48 Received: Apr-19-13 10:15

Analyte	Result	Flags / Qualifiers	MDL	Limit	Units	Dilution	Batch	Prepared	Analyzed
Nitrate-Nitrite N	0.75	J	0.35	1.25	mg/L	5	B305051	May-13-13	May-14-13

S06 (1304017-06) Water Sampled: Apr-18-13 13:08 Received: Apr-19-13 10:15

Analyte	Result	Flags / Qualifiers	MDL	Limit	Units	Dilution	Batch	Prepared	Analyzed
Nitrate-Nitrite N	U	U	0.07	0.25	mg/L	1	B305051	May-13-13	May-14-13

AA 5-16-13  
Anna Aleszczyk, Chemist

Page 6 of 7  
Report Name: 1304017 FINAL May 16 13 1254

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**Chicago Regional Laboratory**

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Water Division, US EPA Region 5  
77 West Jackson Boulevard  
Chicago IL, 60604

Project: Legdeview Farm  
Project Number: 13DS02  
Project Manager: Don Schwer

Reported:  
May-16-13 12:54

**Notes and Definitions**

- I The identification of the analyte is acceptable; the reported value is an estimate.
- \* This Quality Control measure meets the requirements of the CRL SOP for this analyte.
- U Not Detected
- NR Not Reported

AA 5-16-13  
Anna Aleszczyk, Chemist

### Items for Project Manager Review

Lab Number	Analysis	Analyte	Exception
			Default Report (not modified)
			VERSION 6.11:2005
	Ammonia N DA, Distilled	(Water)	J-Flags used
	Ammonia N DA, Distilled	(Water)	Result calculations based on MDL
	Ammonia N DA, Distilled	(Water)	Special Units: (mg/L)
	Nitrate-Nitrite N DA	(Water)	J-Flags used
	Nitrate-Nitrite N DA	(Water)	Result calculations based on MDL
	Nitrate-Nitrite N DA	(Water)	Special Units: (mg/L)
	Nitrate-Nitrite N DA	(Water)	U-Flags used
B305038-BLK1	Ammonia N DA, Distilled	Ammonia as N	*: This Quality Control measure meets the requirements of the CRL SOP for this analyte.
B305038-BLK1	Ammonia N DA, Distilled	Ammonia as N	Blank >1 x MDL



# Sample, Log and Extraction Comments

1304017-01

Ammonia N DA, Distilled

pH = 1

pH = 1

Nitrate-Nitrite N DA

pH = 1

pH = 1

1304017-02

Ammonia N DA, Distilled

pH = 1

pH = 1, Initial = 5 mL

Nitrate-Nitrite N DA

pH = 1

pH = 1

1304017-03

Ammonia N DA, Distilled

pH = 1

pH = 1

Nitrate-Nitrite N DA

pH = 1

pH = 1

1304017-04

Ammonia N DA, Distilled

pH = 1

pH = 1, Initial = 1 mL

Nitrate-Nitrite N DA

pH = 1

pH = 1

1304017-05

Ammonia N DA, Distilled

pH = 1

pH = 1, Initial = 5 mL

Nitrate-Nitrite N DA

pH = 1

pH = 1

1304017-06

Ammonia N DA, Distilled

pH = 1

pH = 1, Initial = 5 mL

Nitrate-Nitrite N DA

pH = 1

pH = 1





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5 CHICAGO REGIONAL LABORATORY

536 SOUTH CLARK STREET

CHICAGO, ILLINOIS 60605



LABORATORY  
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Certificate # L2220 Testing

Date: 6/5/2013

Subject: Review of Region 5 Data for Legdeview Farm

From: Nidia Fuentes, Analyst *NF*  
Region 5 Chicago Regional Laboratory

To: Water Division, US EPA Region 5  
77 West Jackson Boulevard  
Chicago, IL 60604

The data being transmitted under this cover memo successfully passed CRL's internal data review procedures as documented in our current Quality Management Plan (QMP) and appropriate Standard Operating Procedures (SOPs). Please be aware that CRL does not perform data validation which is based on your data quality objectives. This function must be performed independently of the laboratory generating the data.

Results in this report represent only the samples analyzed.

Please have the U.S. EPA Project Manager/Officer call the CRL Sample Coordinator at (312) 353-0375 for any comments or questions.

Attached are Results for: Legdeview Farm

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Data Management Coordinator and Date Received

Date Transmitted: \_\_\_\_/\_\_\_\_/\_\_\_\_

Analyses included in this report:

TKN DA

Total Phosphorus DA



Environmental Protection Agency Region 5  
**Chicago Regional Laboratory**

536 South Clark Street, Chicago, IL 60605  
Phone: (312) 353-8370 Fax: (312) 886-2591



Water Division, US EPA Region 5  
77 West Jackson Boulevard  
Chicago IL, 60604

Project: Legdeview Farm  
Project Number: 13DS02  
Project Manager: Don Schwer

Reported:  
Jun-05-13 09:53

## ANALYSIS CASE NARRATIVE

312-353-9079

### General Information

Total of six samples to be analyzed for Total Phosphorus (TP) were received at the Chicago Regional Laboratory on April 19, 2013.

Supportive data such as instrument raw data, reagents preparation sheet and miscellaneous items are filed with work order 1304016.

### Sample Analysis and Results

The samples for TP were digested and analyzed using CRL SOP AIG034A, Revision # 3.7, (EPA method 365.4.)

### Quality Control

All quality control audits were within the CRL's limits, with the exception of sample matrix spike (MS).

Sample 1304017-03 (S03) DUP and MS required additional dilution. MS sample had no recovery (limits of 60% to 126%) due to spike been diluted out. No flagged will be apply.

## ANALYSIS CASE NARRATIVE

312-353-9079

### General Information

A total of six water samples to be analyzed for Total Kjeldahl Nitrogen (TKN) were received at the Chicago Regional Laboratory on April 19, 2013. All holding times were met, with the exception of sample 1304017-03 (S03).

Supportive data such as instrument raw data, reagents preparation sheet and miscellaneous items are filed with work order 1304016.



Environmental Protection Agency Region 5  
**Chicago Regional Laboratory**

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Certificate # L2280 Testing

Water Division, US EPA Region 5  
77 West Jackson Boulevard  
Chicago IL, 60604

Project: Legdeview Farm  
Project Number: 13DS02  
Project Manager: Don Schwer

Reported:  
Jun-05-13 09:53

### Sample Analysis and Results

The water samples were digested and analyzed using AIG035A, revision 3.0 (Standard method 351.2).

The RPD (148%) for sample 1304017-03 (S03) analyzed on May 6, 2013 was above the acceptance criteria ( $RPD \leq 14\%$ ). The sample, DUP and MS were re-analyzed on May 16, 2013. The data was inconsistent with the results from May 6, 2013. The sample, DUP and MS were re-digested and analyzed again passed the holding time. This data was comparable with the first results and all the QC (DUP and MS) data passed. The final data will be reported out and the sample is flagged 'J' as estimated for exceeding hold time.

### Quality Control

All quality control audits were within the CRL limits.

Nidia Fuentes, Analyst



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**Chicago Regional Laboratory**

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Certificate # 12280 Testing

Water Division, US EPA Region 5  
77 West Jackson Boulevard  
Chicago IL, 60604

Project: Legdeview Farm  
Project Number: 13DS02  
Project Manager: Don Schwer

Reported:  
Jun-05-13 09:53

**ANALYTICAL REPORT FOR SAMPLES**

Sample ID	Laboratory ID	Matrix	Date Sampled	Date Received
S01	1304017-01	Water	Apr-18-13 11:40	Apr-19-13 10:15
S02	1304017-02	Water	Apr-18-13 11:46	Apr-19-13 10:15
S03	1304017-03	Water	Apr-18-13 11:56	Apr-19-13 10:15
S04	1304017-04	Water	Apr-18-13 12:40	Apr-19-13 10:15
S05	1304017-05	Water	Apr-18-13 12:48	Apr-19-13 10:15
S06	1304017-06	Water	Apr-18-13 13:08	Apr-19-13 10:15





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Water Division, US EPA Region 5  
77 West Jackson Boulevard  
Chicago IL, 60604

Project: Legdeview Farm  
Project Number: 13DS02  
Project Manager: Don Schwer

Reported:  
Jun-05-13 09:53

**Phosphorus, Colorimetric, EPA 365.4 (modified)**  
**US EPA Region 5 Chicago Regional Laboratory**

S01 (1304017-01) Water Sampled: Apr-18-13 11:40 Received: Apr-19-13 10:15

Analyte	Result	Flags / Qualifiers	MDL	Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Phosphorus	U		0.06	0.15	mg/L	1	B305035	May-03-13	May-06-13

S02 (1304017-02) Water Sampled: Apr-18-13 11:46 Received: Apr-19-13 10:15

Analyte	Result	Flags / Qualifiers	MDL	Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Phosphorus	134		4.80	12.0	mg/L	80	B305035	May-03-13	May-07-13

S03 (1304017-03) Water Sampled: Apr-18-13 11:56 Received: Apr-19-13 10:15

Analyte	Result	Flags / Qualifiers	MDL	Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Phosphorus	27.0		0.60	1.50	mg/L	10	B305035	May-03-13	May-06-13

S04 (1304017-04) Water Sampled: Apr-18-13 12:40 Received: Apr-19-13 10:15

Analyte	Result	Flags / Qualifiers	MDL	Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Phosphorus	135		3.00	7.50	mg/L	50	B305035	May-03-13	May-06-13

S05 (1304017-05) Water Sampled: Apr-18-13 12:48 Received: Apr-19-13 10:15

Analyte	Result	Flags / Qualifiers	MDL	Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Phosphorus	47.1		1.20	3.00	mg/L	20	B305035	May-03-13	May-06-13

S06 (1304017-06) Water Sampled: Apr-18-13 13:08 Received: Apr-19-13 10:15

Analyte	Result	Flags / Qualifiers	MDL	Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Phosphorus	27.2		1.20	3.00	mg/L	20	B305035	May-03-13	May-06-13

Nidia Fuentes, Analyst



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**Chicago Regional Laboratory**

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Water Division, US EPA Region 5  
77 West Jackson Boulevard  
Chicago IL, 60604

Project: Legdeview Farm  
Project Number: 13DS02  
Project Manager: Don Schwer

Reported:  
Jun-05-13 09:53

**Total Kjeldahl Nitrogen, EPA 351.2 (modified)**

**US EPA Region 5 Chicago Regional Laboratory**

S01 (1304017-01) Water Sampled: Apr-18-13 11:40 Received: Apr-19-13 10:15

Analyte	Result	Flags / Qualifiers	MDL	Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Kjeldahl Nitrogen	0.77		0.30	0.50	mg/L	1	B305035	May-03-13	May-06-13

S02 (1304017-02) Water Sampled: Apr-18-13 11:46 Received: Apr-19-13 10:15

Analyte	Result	Flags / Qualifiers	MDL	Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Kjeldahl Nitrogen	12.9	J	12.0	20.0	mg/L	40	B305035	May-03-13	May-06-13

S03 (1304017-03) Water Sampled: Apr-18-13 11:56 Received: Apr-19-13 10:15

Analyte	Result	Flags / Qualifiers	MDL	Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Kjeldahl Nitrogen	113	J	2.40	4.00	mg/L	8	B305067	May-28-13	May-29-13

S04 (1304017-04) Water Sampled: Apr-18-13 12:40 Received: Apr-19-13 10:15

Analyte	Result	Flags / Qualifiers	MDL	Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Kjeldahl Nitrogen	1180		30.0	50.0	mg/L	100	B305035	May-03-13	May-06-13

S05 (1304017-05) Water Sampled: Apr-18-13 12:48 Received: Apr-19-13 10:15

Analyte	Result	Flags / Qualifiers	MDL	Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Kjeldahl Nitrogen	222		12.0	20.0	mg/L	40	B305035	May-03-13	May-06-13

S06 (1304017-06) Water Sampled: Apr-18-13 13:08 Received: Apr-19-13 10:15

Analyte	Result	Flags / Qualifiers	MDL	Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Kjeldahl Nitrogen	96.6		12.0	20.0	mg/L	40	B305035	May-03-13	May-06-13



Environmental Protection Agency Region 5  
**Chicago Regional Laboratory**

536 South Clark Street, Chicago, IL 60605  
Phone:(312)353-8370 Fax:(312)886-2591



**LABORATORY  
ACCREDITATION  
BUREAU**  
ACCREDITED ISO/IEC 17025  
Certificate # L2280 Testing

Water Division, US EPA Region 5  
77 West Jackson Boulevard  
Chicago IL, 60604

Project: Legdevview Farm  
Project Number: I3DS02  
Project Manager: Don Schwer

Reported:  
Jun-05-13 09:53

**Notes and Definitions**

- J The identification of the analyte is acceptable; the reported value is an estimate.
- \* This Quality Control measure meets the requirements of the CRL SOP for this analyte.
- U Not Detected
- NR Not Reported

Nidia Fuentes, Analyst

### Items for Project Manager Review

LabNumber	Analysis	Analyte	Exception
			Default Report (not modified)
			VERSION 6.11:2005
	TKN DA	(Water)	J-Flags used
	TKN DA	(Water)	Result calculations based on MDL
	TKN DA	(Water)	RPD calculations based on %Recovery
	TKN DA	(Water)	Special Units: (mg/L)
	Total Phosphorus DA	(Water)	J-Flags used
	Total Phosphorus DA	(Water)	Result calculations based on MDL
	Total Phosphorus DA	(Water)	RPD calculations based on %Recovery
	Total Phosphorus DA	(Water)	Special Units: (mg/L)
1304017-03	TKN DA		Sampled->Prepared > 28.00 days
B305035-BLK2	TKN DA	Total Kjeldahl Nitrogen	*: This Quality Control measure meets the requirements of the CRL SOP for this analyte.
B305035-BLK2	TKN DA	Total Kjeldahl Nitrogen	Blank > 1 x MDL
B305035-MS2	TKN DA	Total Kjeldahl Nitrogen	Exceeds lower control limit
B305035-MS3	Total Phosphorus DA	Total Phosphorus	Exceeds lower control limit

# Sample, Log and Extraction Comments

1304017-01  
TKN DA

Total Phosphorus DA

pH = 1  
pH = 1

1304017-02  
TKN DA

Total Phosphorus DA

pH = 1  
pH = 1

pH = 1  
pH = 1, Initial=5ml

1304017-03  
TKN DA

Total Phosphorus DA

pH = 1  
pH = 1, Initial=5ml

pH = 1  
pH = 1, Initial=5ml

1304017-04  
TKN DA

Total Phosphorus DA

pH = 1  
pH = 1

pH = 1  
pH = 1, Initial=2ml

1304017-05  
TKN DA

Total Phosphorus DA

pH = 1  
pH = 1, Initial=2ml

pH = 1  
pH = 1, Initial=5ml

1304017-06  
TKN DA

Total Phosphorus DA

pH = 1  
pH = 1, Initial=5ml

pH = 1  
pH = 1, Initial=5ml

pH = 1  
pH = 1, Initial=5ml



## Brown County

1150 BELLEVUE ST.  
GREEN BAY, WI 54302



JIM JOLLY

PHONE (920) 391-4620 FAX (920) 391-4617 WEB: [www.co.brown.wi.us](http://www.co.brown.wi.us)

COUNTY CONSERVATIONIST

DAVID WETENKAMP

PHONE (920) 391-4639 FAX (920) 391-4617 EMAIL: [wetenkamp\\_dl@co.brown.wi.us](mailto:wetenkamp_dl@co.brown.wi.us)

ENGR TECHNICIAN

10/15/13

This letter is in response to the Order for Compliance (Docket No. V-W-13-AO-22) received from the U.S. Environmental Protection Agency on behalf of Ledgeview Farms, LLC. Brown County was notified by Jason Pansier of the site investigation and order. A site visit and meeting was conducted on 10-08-2013 with Roy and Jason Pansier discussing the details of the order and the corrective measures needed. Roy and Jason Pansier have requested Brown County LWCD respond to the EPA with the information discussed, planned actions and generate any needed drawings, plans or documents needed for compliance requirements. Please respond if any other information is needed.

The following items are attached or are addressed in this document:

1. EPA Forms 1 & 2
2. Emergency Response Plan
3. Upper Farm Planning Map - Runoff controls implementation
4. Lower Farm Planning Map - Runoff controls implementation
5. Site Plan View WSF - NRCS 313 (Proposed plan)
6. Nutrient Management Planning/Plans are being developed by Kevin Beckard of AgSource. He will be contacting EPA and WDNR to submit documents. Email: [kbeckard@agsource.com](mailto:kbeckard@agsource.com)
7. WDNR - NPDES/WPDES Permit will be handled by Jay Schiefelbein, [Jeremiah.Schiefelbein@wisconsin.gov](mailto:Jeremiah.Schiefelbein@wisconsin.gov) (920) 662-5407. He has been contacted by EPA, Brown County LWCD and is working on setting up meetings for permit procedures.

Ledgeview Farms has already implemented interim control of runoff occurring from the upper and lower farms by ramping up cleaning operations and removing cattle off of the concrete feedlots and earthen pasture/exercise lots. Currently a 120' x 800' modern design freestall barn is being built on the upper farm to relocate and confine all milking, dry and large heifers under roof with no outside access. The existing earthen lots will be allowed to grow up with native vegetation and the areas that can be farmed will be tilled and crops planted. The gully erosion that is occurring will be addressed with designs and technical assistance from Brown County.

1. Lot A - Upper Farm Map  
This multiple use concrete area has several feeding and loafing areas. The animals have been removed and locked off of this area and are confined in the existing and new freestall barns. The doorways in the existing barns are going to be gated and 4"- 6" concrete speed bumps installed to eliminate any seepage out of the barn alleys between cleaning operations. Future use of the concrete lot will be for minimal cattle traffic if shuttling animals between barns.
2. Lot B - Upper Farm Map  
This small heifer/calf yard will be blocked with hay bales to reduce seepages and solids runoff for interim measures. Long term plans are to install a buffer area or roof the concrete area for total confinement.
3. Lot C - Upper Farm Map  
This area was a mixed pasture and earthen exercise lot. The animals have been removed and confined in existing farm buildings. This area will no longer be used by cattle and they will be confined. The areas that can be farmed in this area are going to be tilled and crops planted, while the remainder will be allowed to re-vegetate with natives. Gully erosion will be addressed by NRCS approved designs. Brown County LWCD will consult and give technical assistance to Ledgeview Farms through the process.
4. Lot D - Lower Farm Map  
A 4895 sq.ft. concrete area discharges feedlot runoff out of an access gate located on the southeast side of the lot, which eventually drains to the road ditch along County Rd V. Plans are to close off this area with a concrete wall to contain the runoff until it can be removed or confine animals from using this area. The





interim measure is to place straw bales in front of the opening reducing seepage and to hold back manure solids.

Leachate controls will need to be implemented on upper and lower farms. Site topographic surveys are scheduled for the lower farm for engineering designs meeting NRCS Standard 629. It was discussed that the single bunker located at the upper farm may be abandoned or to restrict use to dry hay only reducing/eliminating leachate issues. The outside walls will be backfilled with clay 3 feet high, top soiled and seeded to prevent seepage losses from the bunker walls and wall/slab interface. See attached planning map for locations.

1. Bunker A - Upper Farm Map
2. Bunker B - Lower Farm Map

A waste storage facility/site has been surveyed, designed and drafted by Brown County for a 5-6 million gallon earthen clay lined structure meeting NRCS Standard 313. The structures bottom is planned to be lined with a reinforced concrete slab and ramp for manure management. Attached is a plan view of the proposed structure.

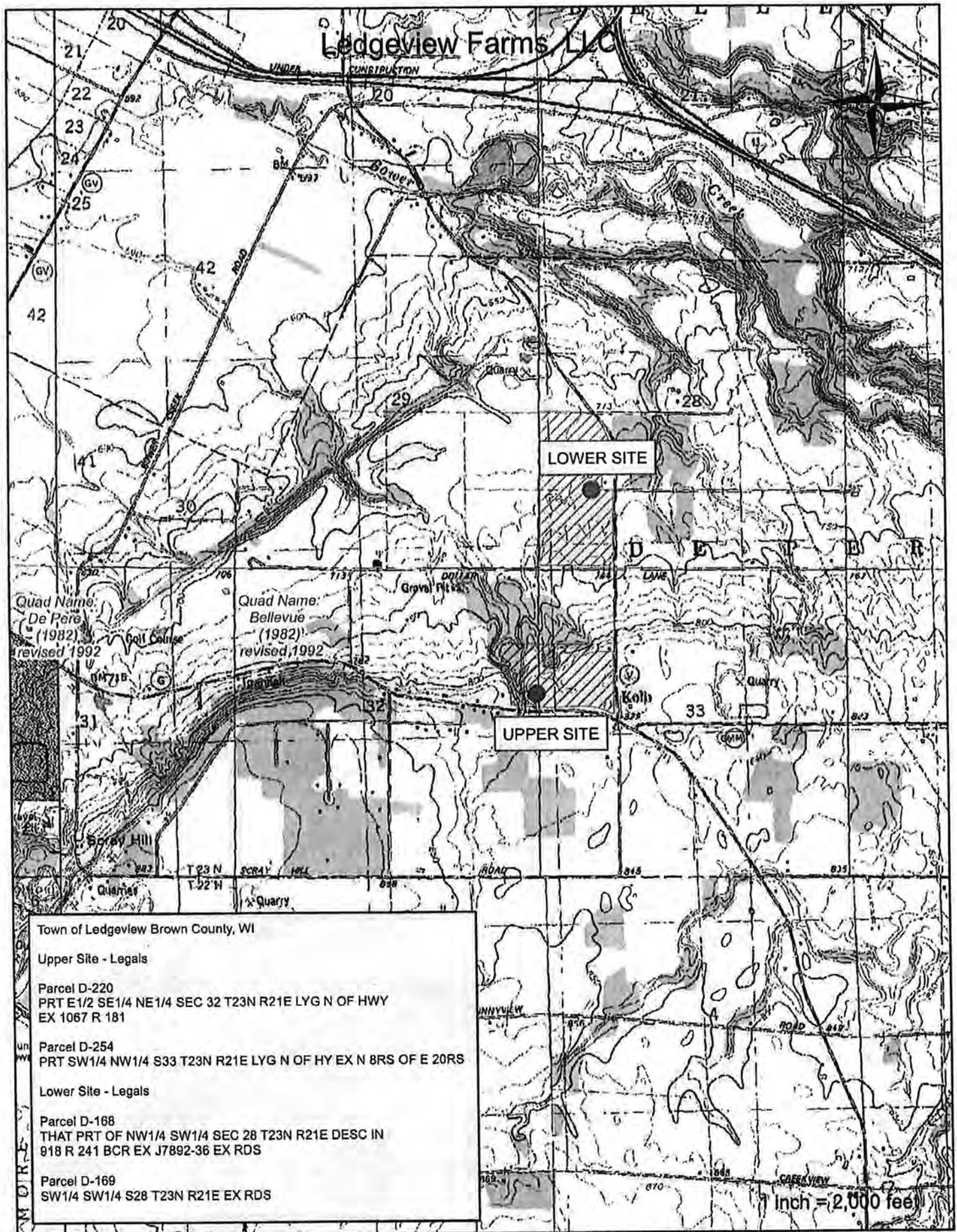
Please review and contact me at your convenience if you have any questions, concerns or any further requests for information regarding compliance requirements to the order.



David Wetenkamp

Brown County Land & Water Conservation Department  
1150 Bellevue St.  
Green Bay, WI 54302

(920) 391-4639  
wetenkamp\_dl@co.brown.wi.us




Please print or type in the unshaded areas only.

Form Approved, OMB No. 2040-0086.

FORM <b>1</b> GENERAL	<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b> <b>GENERAL INFORMATION</b> Consolidated Permits Program <i>(Read the "General Instructions" before starting.)</i>	I. EPA I.D. NUMBER <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:10%; text-align: center;">S</td> <td style="width:70%;"></td> <td style="width:10%; text-align: center;">T/A</td> <td style="width:10%; text-align: center;">S</td> </tr> <tr> <td style="text-align: center;">F</td> <td>110055240822</td> <td></td> <td style="text-align: center;">D</td> </tr> <tr> <td style="text-align: center;">1</td> <td style="text-align: center;">2</td> <td style="text-align: center;">13</td> <td style="text-align: center;">14</td> </tr> </table>	S		T/A	S	F	110055240822		D	1	2	13	14																																										
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LABEL ITEMS I. EPA I.D. NUMBER III. FACILITY NAME V. FACILITY MAILING ADDRESS VI. FACILITY LOCATION PLEASE PLACE LABEL IN THIS SPACE		GENERAL INSTRUCTIONS If a preprinted label has been provided, affix it in the designated space. Review the information carefully; if any of it is incorrect, cross through it and enter the correct data in the appropriate fill-in area below. Also, if any of the preprinted data is absent (the area to the left of the label space lists the information that should appear), please provide it in the proper fill-in area(s) below. If the label is complete and correct, you need not complete items I, III, V, and VI (except VI-B which must be completed regardless). Complete all items if no label has been provided. Refer to the instructions for detailed item descriptions and for the legal authorizations under which this data is collected.																																																						
II. POLLUTANT CHARACTERISTICS INSTRUCTIONS: Complete A through J to determine whether you need to submit any permit application forms to the EPA. If you answer "yes" to any questions, you must submit this form and the supplemental form listed in the parenthesis following the question. Mark "X" in the box in the third column if the supplemental form is attached. If you answer "no" to each question, you need not submit any of these forms. You may answer "no" if your activity is excluded from permit requirements; see Section C of the instructions. See also, Section D of the instructions for definitions of bold-faced terms.																																																								
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2">SPECIFIC QUESTIONS</th> <th colspan="3">Mark "X"</th> <th rowspan="2">SPECIFIC QUESTIONS</th> <th colspan="3">Mark "X"</th> </tr> <tr> <th>YES</th> <th>NO</th> <th>FORM ATTACHED</th> <th>YES</th> <th>NO</th> <th>FORM ATTACHED</th> </tr> </thead> <tbody> <tr> <td>A. Is this facility a publicly owned treatment works which results in a discharge to waters of the U.S.? (FORM 2A)</td> <td></td> <td style="text-align: center;">X</td> <td></td> <td>B. Does or will this facility (either existing or proposed) include a concentrated animal feeding operation or aquatic animal production facility which results in a discharge to waters of the U.S.? (FORM 2B)</td> <td style="text-align: center;">X</td> <td></td> <td></td> </tr> <tr> <td>C. Is this a facility which currently results in discharges to waters of the U.S. other than those described in A or B above? (FORM 2C)</td> <td></td> <td style="text-align: center;">X</td> <td></td> <td>D. Is this a proposed facility (other than those described in A or B above) which will result in a discharge to waters of the U.S.? (FORM 2D)</td> <td></td> <td style="text-align: center;">X</td> <td></td> </tr> <tr> <td>E. Does or will this facility treat, store, or dispose of hazardous wastes? (FORM 3)</td> <td></td> <td style="text-align: center;">X</td> <td></td> <td>F. Do you or will you inject at this facility industrial or municipal effluent below the lowermost stratum containing, within one quarter mile of the well bore, underground sources of drinking water? (FORM 4)</td> <td></td> <td style="text-align: center;">X</td> <td></td> </tr> <tr> <td>G. Do you or will you inject at this facility any produced water or other fluids which are brought to the surface in connection with conventional oil or natural gas production, inject fluids used for enhanced recovery of oil or natural gas, or inject fluids for storage of liquid hydrocarbons? (FORM 4)</td> <td></td> <td style="text-align: center;">X</td> <td></td> <td>H. Do you or will you inject at this facility fluids for special processes such as mining of sulfur by the Frasch process, solution mining of minerals, in situ combustion of fossil fuel, or recovery of geothermal energy? (FORM 4)</td> <td></td> <td style="text-align: center;">X</td> <td></td> </tr> <tr> <td>I. Is this facility a proposed stationary source which is one of the 28 industrial categories listed in the instructions and which will potentially emit 100 tons per year of any air pollutant regulated under the Clean Air Act and may affect or be located in an attainment area? 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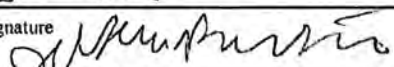
VII. SIC CODES (4-digit, in order of priority)																			
A. FIRST										B. SECOND									
7	0	2	4	1	(specify)					7		(specify)							
C. THIRD										D. FOURTH									
7		(specify)			7		(specify)												
VIII. OPERATOR INFORMATION																			
A. NAME													B. Is the name listed in item VIII-A also the owner?						
8	Roy, Joan, Glen & Jason Pansier												<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO						
C. STATUS OF OPERATOR (Enter the appropriate letter into the answer box: if "Other," specify.)													D. PHONE (area code & no.)						
F = FEDERAL			M = PUBLIC (other than federal or state)			P			(specify)			A (920) 336-7919							
S = STATE			O = OTHER (specify)																
P = PRIVATE																			
E. STREET OR P.O. BOX																			
3870 Dickinson Rd																			
F. CITY OR TOWN										G. STATE		H. ZIP CODE		IX. INDIAN LAND					
De Pere										WI		54115		Is the facility located on Indian lands?					
														<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO					
X. EXISTING ENVIRONMENTAL PERMITS																			
A. NPDES (Discharges to Surface Water)										D. PSD (Air Emissions from Proposed Sources)									
9	N	None (IP)								9	P	None							
B. UIC (Underground Injection of Fluids)										E. OTHER (specify)									
9	U	None								9		None (specify)							
C. RCRA (Hazardous Wastes)										E. OTHER (specify)									
9	R	None								9		N/A (specify)							
XI. MAP																			
Attach to this application a topographic map of the area extending to at least one mile beyond property boundaries. The map must show the outline of the facility, the location of each of its existing and proposed intake and discharge structures, each of its hazardous waste treatment, storage, or disposal facilities, and each well where it injects fluids underground. Include all springs, rivers, and other surface water bodies in the map area. See instructions for precise requirements.																			
XII. NATURE OF BUSINESS (provide a brief description)																			
This is a dairy, beef and agricultural producer that produces raw milk, beef and agricultural crops for feed and market sale.																			
XIII. CERTIFICATION (see instructions)																			
I certify under penalty of law that I have personally examined and am familiar with the information submitted in this application and all attachments and that, based on my inquiry of those persons immediately responsible for obtaining the information contained in the application, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.																			
A. NAME & OFFICIAL TITLE (type or print)										B. SIGNATURE					C. DATE SIGNED				
Jason Pansier Owner															Oct. 28, 2013				
COMMENTS FOR OFFICIAL USE ONLY																			





<b>C. <input checked="" type="checkbox"/> TOPOGRAPHIC MAP</b>		
<b>D. TYPE OF CONTAINMENT, STORAGE AND CAPACITY</b>		
1. Type of Containment	Total Capacity (in gallons)	
<input type="checkbox"/> Lagoon		
<input type="checkbox"/> Holding Pond		
<input type="checkbox"/> Evaporation Pond		
<input type="checkbox"/> Other: Specify _____		
2. Report the total number of acres contributing drainage: <u>2100</u> acres		
3. Type of Storage	Total Number of Days	Total Capacity (gallons/tons)
<input type="checkbox"/> Anaerobic Lagoon		
<input type="checkbox"/> Storage Lagoon		
<input type="checkbox"/> Evaporation Pond		
<input checked="" type="checkbox"/> Aboveground Storage Tanks <i>Manure Storage</i>		(2) = 992,940
<input checked="" type="checkbox"/> Belowground Storage Tanks <i>Milking Center Waste Tank</i>		(1) = 10,000
<input type="checkbox"/> Roofed Storage Shed		
<input type="checkbox"/> Concrete Pad		
<input type="checkbox"/> Impervious Soil Pad		
<input type="checkbox"/> Other: Specify _____		
<b>E. NUTRIENT MANAGEMENT PLAN</b>		
Note: Effective February 27, 2009, a permit application is not complete until a nutrient management plan is submitted to the Permitting Authority.		
1. Please indicate whether a nutrient management plan has been included with this permit application. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
2. If no, please explain:  <b>Currently being updated and developed by Ag Source - Kevin Beckard.</b>		
3. Is a nutrient management plan being implemented for the facility? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
4. The date of the last review or revision of the nutrient management plan. Date: <u>03/27/13</u>		
5. If not land applying, describe alternative use(s) of manure, litter, and/or wastewater:		
<b>F. LAND APPLICATION BEST MANAGEMENT PRACTICES</b>		
Please check any of the following best management practices that are being implemented at the facility to control runoff and protect water quality:		
<input type="checkbox"/> Buffers <input type="checkbox"/> Setbacks <input type="checkbox"/> Conservation tillage <input type="checkbox"/> Constructed wetlands <input type="checkbox"/> Infiltration field <input type="checkbox"/> Grass filter <input type="checkbox"/> Terrace		



III. CONCENTRATED AQUATIC ANIMAL PRODUCTION FACILITY CHARACTERISTICS						
A. For each outfall give the maximum daily flow, maximum 30-day flow, and the long-term average flow.			B. Indicate the total number of ponds, raceways, and similar structures in your facility.			
1. Outfall No.	2. Flow (gallons per day)			1. Ponds	2. Raceways	3. Other
	a. Maximum Daily	b. Maximum 30 Day	c. Long Term Average	C. Provide the name of the receiving water and the source of water used by your facility.		
N/A						
				1. Receiving Water	2. Water Source	
D. List the species of fish or aquatic animals held and fed at your facility. For each species, give the total weight produced by your facility per year in pounds of harvestable weight, and also give the maximum weight present at any one time.						
1. Cold Water Species			2. Warm Water Species			
a. Species	b. Harvestable Weight (pounds)		a. Species	b. Harvestable Weight (pounds)		
	(1) Total Yearly	(2) Maximum		(1) Total Yearly	(2) Maximum	
E. Report the total pounds of food during the calendar month of maximum feeding			1. Month		2. Pounds of Food	
IV. CERTIFICATION						
<p><i>I certify under penalty of law that I have personally examined and am familiar with the information submitted in this application and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.</i></p>						
A. Name and Official Title (print or type) Jason Pans'el				B. Telephone ( 920 ) 655-1344		
C. Signature 				D. Date Signed Oct 28 - 2013		

## Emergency Response Plan

Farm Name:	Ledgeview Farms, LLC - Upper & Lower Farm		
Owner/Operator:	Roy, Joan, Glen & Jason Pansler	Phone: 920-336-7919	Cell:
Owner/Operator:	Jason Pansler	Phone:	Cell: 920-655-1344
Farm Address:	3870 Dickinson Rd DePere, WI 54115		
Farm Location:	T 23 N, R 21	Section 33	County: Brown
Driving Directions or Emergency Coordinates: Located west of the intersection of Cty Hwy G (Dickinson Rd) and Cty Rd V in Kolbs Corner, Town of Ledgeview, Brown County, WI.			

### In Case of Injury, Fire, or Rescue Emergency, Immediately Implement the Following:

1. Assess the condition of the victim, extent of the emergency (fire, rescue) and call for help.
2. Stabilize the victim, use on-site rescue equipment, evacuate buildings, or begin fire suppression as necessary.
3. Brief emergency responders upon arrival on current status of situation.

### In Case of a Spill, Leak, or Failure at the Storage Facility, During Transport, or Land Application, Immediately Implement the Following:

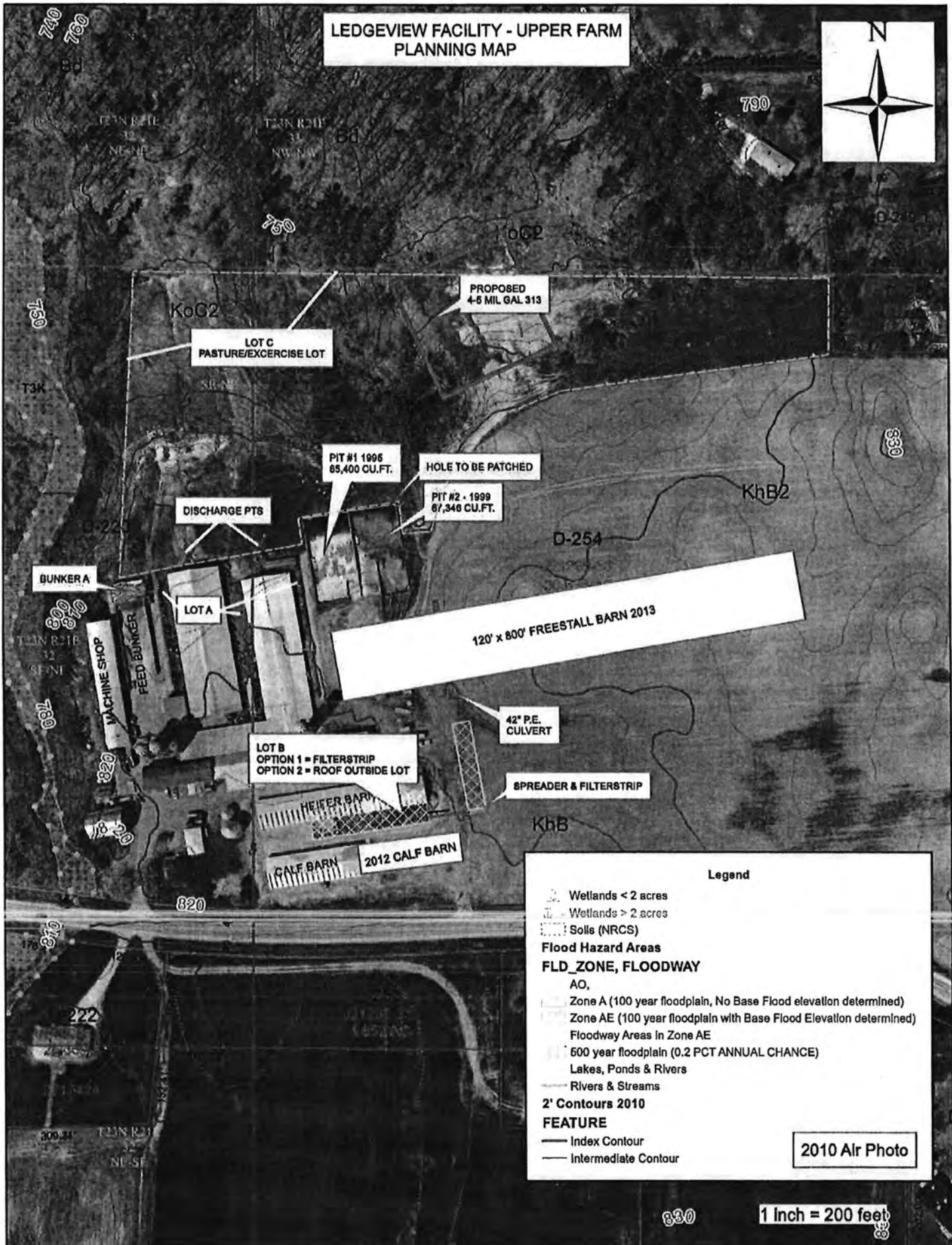
1. Stop the source of the leak or spill. For example:
  - Turn off all pumps/valves and clamp hoses or park tractor on hoses to stop the flow of manure.
2. Assess the situation and make appropriate calls for people, equipment, and materials. See contacts below.
  - Notify DNR spill hotline: 1-800-943-0003 (Spill reporting is mandatory by state law.)
  - Call sheriff's office if spilled on public roads or its right-of-ways for traffic control.
  - Clear the road and roadside of spilled material immediately.
3. Contain the spill and prevent spillage from entering surface waters, tile intakes, or waterways.
  - Use a skid loader or tractor with a blade to build dikes to contain or divert the spill or leak.
  - Insert sleeves around tile intakes (or plug/cap intakes) and block down slope culverts.
  - Use tillage implements to work up the ground ahead of the spill or use absorptive materials.
4. Begin cleanup.
  - Use pumps to recover liquids.
  - Land apply on approved cropland at appropriate rates.
5. Document your actions.

Emergency Contacts	Contact Person (or Company)	Phone Number
Fire/Rescue	Ledgeview Fire Department	911 or 920-336-3360
County Sheriff	Brown County Sheriff	911 or 920-391-7450
Farm Emergency Coordinator	Dan Trembl	(920) 864-7484
DNR Hazardous Spill Line	24 Hour Spills Hotline	1-800-943-0003
DNR Permit Contact/Warden	Jay Schiefelbein (contact)/Cara Kamke (Warden)	920-662-5407 / 920-360-5979
Veterinarian	De Pere Veterinary Services	920-336-7233
Equipment/Supplies	Contact Person (or Company)	Phone Number
On-Farm Equipment Operator	Jason Pansler	920-655-1344
Excavation Contractor	Bielinski Excavating, Inc.	920-863-2662
Manure Hauler	L & M Industries Inc.	920-833-2525
Septic Tank Pumping Truck	Kiekhaefer Septic Service, LLC	920-864-7025
Mortality Disposal Contractor	Circle R Mink Ranch	920-434-0218
Local Government Contacts	Contact Person	Phone Number
Town Chairman	Marc Hess	920-737-8556
LCD County Conservationist	James Jolly	920-391-4620
NRCS District Conservationist	John Malvitz	920-884-3910 ext 102

#### Be prepared to provide the following information:

- Your name and contact information
- Farm address, location and other pertinent identification information.
- Nature of emergency (employee injury, fire, discharge of manure or hazardous materials).
- Emergency equipment and personnel that are needed.
- Potential for manure or hazardous materials to reach surface waters or major field drains.
- Current status of containment efforts.
- Location of hazardous/flammable materials, fire suppression equipment, emergency cut off switches or valves.

# LEDGEVIEW FACILITY - UPPER FARM PLANNING MAP





**LEDGEVIEW FACILITY - LOWER FARM  
PLANNING MAP  
2010 AERIAL**

**Legend**

- Wetlands < 2 acres
- Wetlands > 2 acres
- Lakes, Ponds & Rivers
- Rivers & Streams
- Soils (NRCS)

**2' Contours 2010**

**FEATURE**

- Index Contour
- Intermediate Contour
- Discharge Point

**LEACHATE CONTROL**

- Heavy use protection/spreader
- First flush tank
- 150' x 200' filterstrip

**WELL/SPRING**

**WATERWAY**

**BUNKER B**

**FEED BUNKERS**

**BUNKER 2010**

**HEIFER BARN**

**Culvert**

**SHED**

**SHED**

**BARN REPLACEMENT  
2010**

**BEEF/HEIFER BARN  
EXT. ROOF GUTTERS**

**LOT - DRAINS TO CONCRETE  
TANK/SUMP - CONTAINED**

**LOT D - 37629 SQ.FT.  
DRAINS TO SUMP**

**PARTIAL LOT D - 4895 SQ.FT.  
DRAINS ACROSS SITE  
TO RD. DITCH**

**A - Fill in opening w/new wall, contain runoff  
B - Omit cattle from this area**

**1 inch = 200 feet**



PROPOSED LEDGEVIEW FACILITY 313	
OWNER	
BROWN	
COUNTY	
Designed: DLW	Checked:
SHEET _____ OF _____	





## Agricultural Runoff Complaint Investigation Form

### I. Complaint Information

Date of Complaint: 2/5/14

Complaint Source: ☐ Spill line ☐ Citizen Complaint ☐ DNR staff

☒ Anonymous ☐ County LCD ☐ Farmer (self reporting)

#### Complainant Information

Name: \_\_\_\_\_

Warden Tip Line

Complaint Location: T \_\_\_\_\_ R \_\_\_\_\_ S \_\_\_\_\_ QQ \_\_\_\_\_

Address: \_\_\_\_\_

Location Description: \_\_\_\_\_

Phone #: \_\_\_\_\_

corner of Lime Kuhn & Dickinson Roads

Email: \_\_\_\_\_

Farm Name: Panzier

Others notified: \_\_\_\_\_

Farm Address: \_\_\_\_\_

### II. Nature of Complaint

Complainant Narrative (summary): concerned about manure spreading at night b/c fields are frozen

#### Source of manure/discharge:

☐ Production Area ☐ Land Application Site ☐ Drain Tile Discharge ☐ Manure Stack ☐ Other \_\_\_\_\_

#### Landspreading Site Information:

Date of field application: \_\_\_\_\_ Date of runoff event: \_\_\_\_\_

#### Impacts observed:

☐ Discharge to wetland

☐ Discharge to surface water  
Waterbody: \_\_\_\_\_

☐ Discharge to ditch/grassed waterway

☐ Discharge to groundwater conduit (sinkhole, fracture, unabandoned well)

☐ Well contamination (describe observations)

☐ Alleged setback violations

☐ Distance from discharge to well: \_\_\_\_\_ (ft)

☐ Alleged over application of nutrients

☐ Other: \_\_\_\_\_

### III. Department Review & Field Response Determination

#### Parties Notified (indicate who and when):

<input type="checkbox"/> Farm Owner/Crop Consultant (if known)	<input checked="" type="checkbox"/> County LCD notified Jon Bechle by phone & in person conversation Brent Peterson & Jon Bechle on 2/6
<input type="checkbox"/> Spill Coordinator Notified	<input type="checkbox"/> Drinking Water Specialist Notified (if applicable)
<input type="checkbox"/> Local Warden Notified	<input type="checkbox"/> Others

#### Nutrient Management Plan Review (if available):

☐ Is field identified/approved in NMP? ☐ Apparent restrictions? (shallow bedrock/groundwater, SWQMA, wells, etc.)

Field Visit Conducted by Department: ☐ Yes ☒ No

Field Visit Conducted by Others (list who):

County LCD to follow up & let DNR know if fields receiving manure are in winter spreading plan





**Additional Information Received Regarding Complaint:**

**Jones, Casey L - DNR**

---

**From:** Bauman, Thomas S - DNR  
**Sent:** Friday, March 14, 2014 4:16 PM  
**To:** Jones, Casey L - DNR  
**Subject:** FW: Ledgeview Farms Annual Report  
**Attachments:** Ledgeview Farms 2013 Annual Report.pdf

FYI

*Tom Bauman*

Agricultural Runoff Program  
Wisconsin Department of Natural Resources  
(☎) phone: (608) 266-9993  
(☎) fax: (608) 267-2800  
(✉) e-mail: [Thomas.Bauman@wisconsin.gov](mailto:Thomas.Bauman@wisconsin.gov)

*Quality Customer Service is Important to Us. Tell Us How We Are Doing.*  
**Water Division Customer Service Survey**  
<https://www.surveymonkey.com/s/WDNRWater>

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**From:** Kevin Beckard [<mailto:kbeckard@agsource.com>]  
**Sent:** Friday, March 14, 2014 3:55 PM  
**To:** ([schwer.don@epa.gov](mailto:schwer.don@epa.gov))  
**Cc:** Wetenkamp\_DL; Bauman, Thomas S - DNR  
**Subject:** Ledgeview Farms Annual Report

Good Afternoon Don,  
Attached you will find the 2013 annual report for Ledgeview Farms, LLC as required by paragraph 69 of their Administrative Order Docket No. V-W-13-AO-22. The report contains the required information from items a through g in paragraph 69 of the order. I went over this information with Jason Pansier today. I will also be sending you a hard copy in the mail. If you have any questions or need further information feel free to contact me.

Thank You,  
Kevin

Kevin Beckard  
NMP/GPS Specialist  
AgSource Laboratories  
920-309-1948

## 2013 Annual Report

### Ledgeview Farms, LLC

#### Introduction

Ledgeview Farms, LLC is a dairy and cropping enterprise located in the Town of Ledgeview in Brown County Wisconsin. The business is owned and managed by Glen, Jason and Roy Pansier.

This report is being prepared in accordance with paragraph 69 of the Ledgeview Farms Administrative Order (Docket No. V-W-13-AO-22) they received from EPA in 2013. Paragraph 69 of the Administrative Order states:

**Annual Reports:** Respondent shall submit an annual report to EPA and WDNR not later than March 15 of each calendar year following the effective date of this Order. In each annual report, Respondent shall include the following information for the previous calendar year prior to submittal of that annual report:

**A. The maximum number and type of animals confined, whether in open confinement or housed under roof:**

Animal Numbers for 2013		
Livestock Type and Size Class	Animal Numbers	Housing Type
Calves (Dairy/Beef) up to 400#	375	Housed under Roof
Heifers – 400# to 800#	130	Housed under Roof/Open Confinement
Heifers – 800# to 1200#	200	Housed under Roof/Open Confinement
Milking and Dry Cows	550	Confined under Roof
Beef Steers -400# to Market	425	Housed under Roof/Open Confinement

**B. The estimated amount of total manure, litter, and process wastewater generated at the Site in the previous 12 months:**

In 2013 Ledgeview Farms generated and land applied approximately 15,100 tons of solid/semi-solid manure and approximately 350,000 gallons of milkhouse wastewater.

**C. The estimated amount of total manure, litter, and process wastewater transferred to another person from the Site in the previous 12 months (tons/gallons):**

In 2013 Ledgeview Farms did not transfer any manure or process wastewater from their farm to a 3<sup>rd</sup> party in 2013. All manure and process wastewater

generated by the farm was applied to fields contained within the nutrient management plan.

**D. The total number of acres for land application covered by the nutrient management plan:**

The nutrient management plan for Ledgeview Farms for 2013 contained 2,077 acres. For 2014 the acres contained in this plan will be approximately 2,181 acres as Ledgeview Farms has rented additional cropland.

**E. The total number of acres under the control of Respondent that were used for land application of manure, litter, and process wastewater in the previous 12 months:**

In 2013 Ledgeview Farms applied manure and process wastewater to 863 acres. All fields were contained in the Ledgeview Farms nutrient management plan.

**F. A summary of all manure, litter, and process wastewater discharges from the production area that have occurred in the previous 12 months, including the date, time, and approximate volume of such discharges:**

Ledgeview Farms has not documented any discharge events from the production sites in 2013. As stated in the letter submitted in October of 2013 by Dave Wetenkamp of the Brown County Land and Water Conservation Department Ledgeview Farms implemented interim controls to control runoff from both production sites. Ledgeview Farms is actively working on the development of additional runoff controls to meet WPDES permit requirements.

**G. A statement indicating whether the current version of the nutrient management plan was developed or approved by a certified nutrient management planner.**

Kevin Beckard of Agsource Laboratories developed the Nutrient Management Plan (NMP) for Ledgeview Farms. Kevin is a Certified Crop Advisor (license # 29509) in Wisconsin.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false statements and information, including the possibility of fines and imprisonment for knowing violations.



---

Ledgeview Farms Representative -Jason Pansier



## LAND AND WATER CONSERVATION

# Brown County

1150 BELLEVUE ST.  
GREEN BAY, WI 54302

JIM JOLLY

PHONE (920) 391-4620 FAX (920) 391-4617 WEB: [www.co.brown.wi.us](http://www.co.brown.wi.us)

COUNTY CONSERVATIONIST

March 24<sup>th</sup>, 2014

This affidavit is being generated to document the investigation of a manure spreading spill incident in the Town of Ledgeview received from WDNR on 03/24/14 via an email to the Brown County Land & Water Conservation Department. The anonymous complaint was about winter spread manure on an agricultural field identified as field (11E3) on a winter spreading plan submitted to Brown County by Kevin Beckard, an agronomist employed by Ag Source. The site was located in the SE1/4 SW1/4 Sec 29 T23N R21E, Town of Ledgeview. The property is owned by Leanna Family LTD Partnership and is rented and operated by Ledgeview Farms, LLC for agricultural use. The email account from the WDNR recorded that manure was land spread recently and runoff may be reaching a nearby stream. The email account is attached to this document. Brent Petersen and David Wetenkamp responded by visiting the site on 03/24/14 at approximately 1:30 p.m. to assess the conditions. After walking the field and locating the runoff we were approached by two adjacent landowners who were concerned about what we were doing, so we identified ourselves and explained why we were out checking the field. We then proceeded to Ledgeview Farm's upper farm to talk with the operator. We approached Ledgeview Farms owner Mr. Roy Pansler who was operating machinery for a farm building project and explained why we were there and what we had found.

03/24/14 Observations and discussions are as follows:

- Brent and David drove to Dollar Rd and looked for evidence of recent manure spreading activity and found two likely locations. The first site we stopped at was the field identified as 11E3, the second 11G1.
- Manure was observed in the field. The manure was primarily a solid heavy bedded type of material. A setback of 25'-30' was observed where manure was not spread adjacent to the drainage ditch that bordered the north side of field 11E3.
- In one location identified as "A" on the attached map, manure was observed that was spread into the drainage ditches bank. This area was located in a natural swale where snow melt had also washed manure into the drainage ditch as it was melting. The amount of manure was in a small quantity, the impact had already occurred, the current water flow in the ditch was running clear and no further runoff was occurring at an amount causing a need for a spills clean-up effort to be performed.
- This field was identified on maps in the Winter Spreading Plan submitted by AgSource, but this field was not designated as a field to be used in 2014 and it had hazard areas mapped where winter manure spreading was restricted.
- While walking back to the car past the adjacent landowners property they stepped out to ask who we were and what we were doing. We apologized if we had concerned them and identified our names and that we were from Brown County and responding to a complaint about manure spreading. They were satisfied and said they owned part of the land and rented it to Ledgeview Farms and that it did stink for a few days after they had spread the manure. We proceeded back to our vehicle.
- Brent and David then proceeded to the upper farm and talked with Roy Pansler about an anonymous complaint to the WDNR and he gave permission for us to walk his land if needed. They confirmed they had spread the manure and believed the field was approved in their Winter Spreading Plan. Roy said they only spread about 10 loads on the field and stayed back from the ditch while spreading. Roy also added they had spread on field 11G1 a few weeks ago on top of the snow. We did not have the spreading plan with us at the time and we said for them to check their plan again and we would also confirm back in the office.
- Brent and David drove to Dollar Rd and walked field 11G1 and digital pictures were taken to document our findings and observations.
- The field was approved for winter spreading. There was visual evidence that during past snow melt manure had washed down slope and entered a drainage ditch at location identified as "B" on attached maps. This drainage ditch drains to a mapped stream. Runoff and impacts had already occurred and no runoff was observed at the time of investigation.
- Brown County left the property around 2:15 p.m. Brent and David returned to the LWCD office and informed the County Conservationist and emailed WDNR of our findings.

Attached below are pictures taken on 03/24/14 of the fields, signatures of the personnel present for the on-site investigation and aerial photographs with locations identified. The WDNR email regarding the complaint and Winter Spreading Plan is also attached.

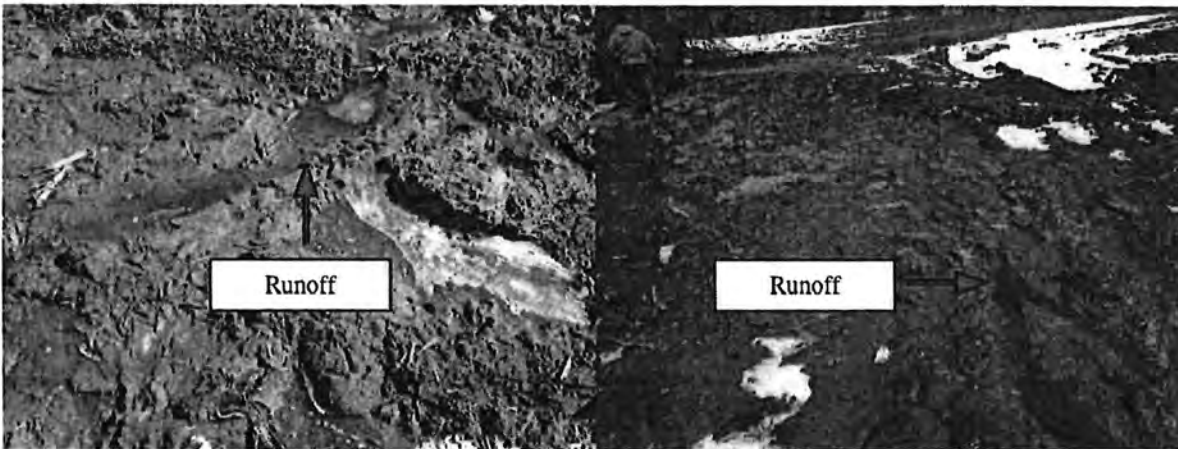




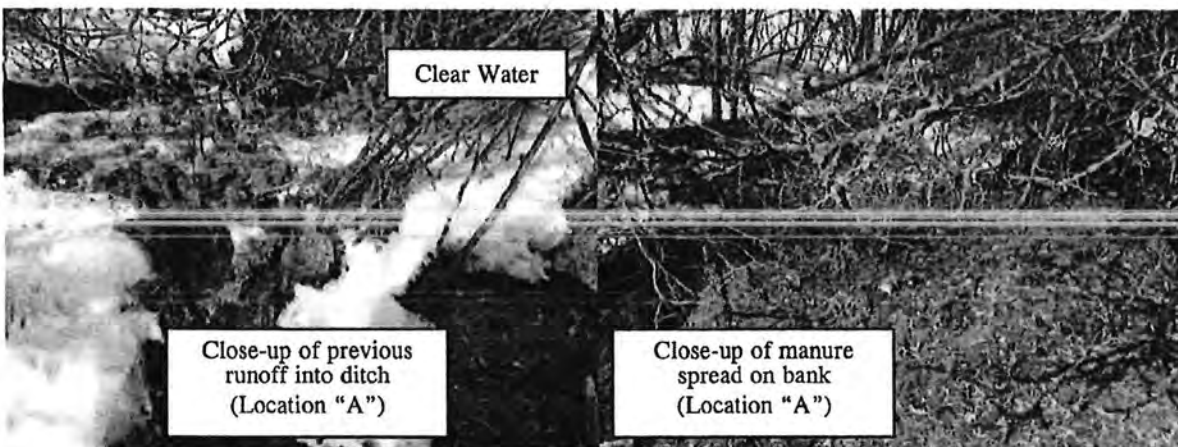
FIELD 11E3 (Location "A")

Picture looking east at field area

Picture looking northeast along drainage ditch showing  
swale area where runoff had occurred



Pictures looking at previous impact to drainage ditch



FIELD 11G1 (Location "B")

Picture looking southeast at field area from  
discharge area in ditch



Picture looking north at drainage ditch showing  
swale area where runoff had occurred



Pictures looking west at previous discharge to ditch



Signature: \_\_\_\_\_

Typed Name: Brent A. Petersen

Signature: \_\_\_\_\_

Typed Name: David L. Wetenkamp

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_ 2014.

Signature: \_\_\_\_\_

Notary Public, State of Wisconsin

My commission expires on \_\_\_\_\_.

03/26/2014

- Brown County LWCD has been in contact with Casey Jones, WDNR and a copy of this report will be sent to her.
- At this time no environmental impact was found occurring from the field spread manure to the unnamed tributary to Bower Creek.
- Brown County will be sending a violation notice to Ledgeview Farms, LLC.





**Yelle, Ryan J - DNR**

---

**From:** Jones, Casey L - DNR  
**Sent:** Monday, April 07, 2014 9:45 AM  
**To:** Yelle, Ryan J - DNR  
**Cc:** Hanson, Erin E - DNR  
**Subject:** FW: WI SPILL #7939 SERTS ID 20140324NE05-1 - MANURE  
**Attachments:** David Wetenkamp.vcf; Ledgeview Farms, LLC Affidavit 03-24-14 scanned.pdf

Hi Ryan,

Please print email chain and attached report and add to Ledgeview Farms' permit file.

Thanks,  
Casey

Casey L. Jones  
Agricultural Runoff Management Specialist - Enforcement/Compliance Expert DNR Oshkosh Service Center  
625 E County Rd Y, Suite 700  
Oshkosh, WI 54901  
phone: (920) 303-5426  
fax: (920) 424-4404  
e-mail: Casey.Jones@Wisconsin.gov

Quality Customer Service is Important to Us. Tell Us How We Are Doing.  
Water Division Customer Service Survey  
<https://www.surveymonkey.com/s/WDNRWater>

-----Original Message-----

**From:** Wetenkamp\_DL [mailto:Wetenkamp\_DL@co.brown.wi.us]  
**Sent:** Monday, April 07, 2014 9:42 AM  
**To:** Jones, Casey L - DNR  
**Subject:** RE: WI SPILL #7939 SERTS ID 20140324NE05-1 - MANURE

Casey,

Here is the report after responding to your spills request email. Please call if you have any questions.

Dave

-----Original Message-----

**From:** Jones, Casey L - DNR [mailto:Casey.Jones@wisconsin.gov]  
**Sent:** Tuesday, March 25, 2014 4:17 PM  
**To:** Wetenkamp\_DL  
**Cc:** Jolly\_JR; Bechle\_JE; Petersen\_BA

Subject: RE: WI SPILL #7939 SERTS ID 20140324NE05-1 - MANURE

Thanks for checking this out, please copy me on letter/report when it goes out so I can include it in the file we have for them.

Casey L. Jones  
Agricultural Runoff Management Specialist - Enforcement/Compliance Expert DNR Oshkosh Service Center  
625 E County Rd Y, Suite 700  
Oshkosh, WI 54901  
phone: (920) 303-5426  
fax: (920) 424-4404  
e-mail: Casey.Jones@Wisconsin.gov

Quality Customer Service is Important to Us. Tell Us How We Are Doing.  
Water Division Customer Service Survey  
<https://www.surveymonkey.com/s/WDNRWater>

-----Original Message-----

From: Wetenkamp\_DL [mailto:Wetenkamp\_DL@co.brown.wi.us]  
Sent: Tuesday, March 25, 2014 3:54 PM  
To: Jones, Casey L - DNR  
Cc: Jolly\_JR; Bechle\_JE; Petersen\_BA  
Subject: RE: WI SPILL #7939 SERTS ID 20140324NE05-1 - MANURE

Casey,

Brent and I visited the site and talked to Roy Pansier. Manure was spread and some manure runoff had occurred into a drainage ditch that flows to a mapped blue line on the USGS map on two different fields. The event had already occurred and the drainage ditch and stream were running clear. The event was fairly small with little impact and further impact is possible with a rain/melt event. The manure is a heavy bedded pack type manure. A clean-up effort would do more damage than good in my opinion. Feel free to visit the site for your needs.

Brown County has taken pictures, is preparing an affidavit and will be sending a warning letter to Ledgeview Farms that a violation has occurred to BC Ordinance according to their winter spreading plan. Next time Corp Counsel may be involved.

Dave

-----Original Message-----

From: Jones, Casey L - DNR [mailto:Casey.Jones@wisconsin.gov]  
Sent: Monday, March 24, 2014 11:36 AM  
To: Petersen\_BA; Bechle\_JE; Wetenkamp\_DL  
Cc: Hanson, Erin E - DNR; Yelle, Ryan J - DNR; Block, Danielle L - DNR  
Subject: FW: WI SPILL #7939 SERTS ID 20140324NE05-1 - MANURE

Hi County Folks,

The spills hotline rec'd complaint regarding Ledgeview Dairy spreading off of Dollar Rd. Would any of you have time to look into this? Erin and Ryan are out of office at training today...I think in your office building : ) If not, let me know and I'll see if Danielle Block or a warden can check it out.

The only details I have are below, the complainant did not leave a call back number/information.

Thanks,  
Casey

Casey L. Jones  
Agricultural Runoff Management Specialist - Enforcement/Compliance Expert DNR Oshkosh Service Center  
625 E County Rd Y, Suite 700  
Oshkosh, WI 54901  
phone: (920) 303-5426  
fax: (920) 424-4404  
e-mail: Casey.Jones@Wisconsin.gov

Quality Customer Service is Important to Us. Tell Us How We Are Doing.  
Water Division Customer Service Survey  
<https://www.surveymonkey.com/s/WDNRWater>

-----Original Message-----

From: Erdman, Beth A - DNR  
Sent: Monday, March 24, 2014 11:04 AM  
To: Jones, Casey L - DNR  
Subject: FW: WI SPILL #7939 SERTS ID 20140324NE05-1 - MANURE

Sounds more like a runoff event in SERTS. If I can help in any way, don't hesitate.

P Beth A.Erdman  
NER Spills Coordinator/Hydrogeologist  
Remediation and Redevelopment Program  
Wisconsin Department of Natural Resources  
625 E CTY Y, Suite 700  
Oshkosh WI 54901  
(l) phone: (920) 303-5410  
(l) mobile: (920) 362-2072  
(l) fax: (920) 424-4404  
(l) e-mail: beth.erdman@wisconsin.gov dnr.wi.gov

We are committed to service excellence. Click here to evaluate how I did.

-----Original Message-----

From: dakota.berg@wisconsin.gov [mailto:dakota.berg@wisconsin.gov]  
Sent: Monday, March 24, 2014 11:03 AM  
To: Erdman, Beth A - DNR  
Subject: WI SPILL #7939 SERTS ID 20140324NE05-1 - MANURE



Substance Release Notification from Wisconsin DNR Spill Electronic Reporting and Tracking System (SERTS):

SERTS Spill ID:  
20140324NE05-1

Date/Time Reported:  
03/24/2014 10:00

Person Reporting (PR):  
ANONYMOUS

Date/Time Occurred:  
03/24/2014 10:00

Location:  
NE REGION  
BROWN COUNTY  
TOWNSHIP OF DE PERE  
LEDGVIEW FARMS  
3870 DICKINSON RD  
SPREADING IS OFF OF OF DOLLAR RD

Responsible Party (RP):  
LEDGEVIEW FARMS

Substance:  
MANURE (Manure)  
Released Amt: UNKNOWN  
Recovered Amt: UNKNOWN

Spill Cause:  
SPREADING MANURE THAT LOOKS LIKE IT IS RUNNING INTO A NEARBY CREEK

NO EVACUATION

NO INJURIES

Weather:

Contractor Hired:  
NONE ENTERED

Cleanup Method:  
CLEAN-UP PROGRESS UNKNOWN OR CLEAN-UP NOT STARTED.

Additional Comments:  
INFORMATION RELAYED FROM A VOICEMAIL

Notified BETH ERDMAN at 10:30 by Phone

Form Completed by:  
DAKOTA BERG  
(608) 267-0844  
dakota.berg@wisconsin.gov

Notification sent to:  
becky.powers@wi.gov  
beth.erdman@wisconsin.gov  
casey.jones@wisconsin.gov  
diane.hansen@wisconsin.gov  
dmawemdutyofficer@wisconsin.gov  
dnrledo@wisconsin.gov  
dnrlehotline@wisconsin.gov  
frank.docimo@wisconsin.gov  
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halbur.kathy@epa.gov  
jason.lowery@wisconsin.gov  
karen.paulson@wisconsin.gov  
kevin.erb@ces.uwex.edu  
roxanne.chronert@wisconsin.gov  
stephanie.krueger@dhs.wisconsin.gov  
steve.fenske@wi.gov  
tauren.beggs@wisconsin.gov

State of Wisconsin  
DEPARTMENT OF NATURAL  
RESOURCES  
101 S. Webster Street  
Box 7921  
Madison WI 53707-7921

Scott Walker, Governor  
Cathy Stepp, Secretary  
Telephone 608-266-2621  
FAX 608-267-3579  
TTY Access via relay - 711



April 9, 2014

Jason Pansier  
Ledgeview Farms LLC  
3870 Dickinson Rd  
De Pere, WI 54115

Operation: Ledgeview Farms LLC  
WPDES GP No. 0063274-01-0

SUBJECT: CAFO WPDES Preliminary Permit Application Receipt and Status

Dear Mr. Pansier:

The Department received your preliminary application for a CAFO WPDES permit for Ledgeview Dairy LLC on April 4, 2014.

Casey Jones & Brad Holz, your regional Agricultural Specialists, will contact you to set up an appointment for a walk-over of your operation. During the walk-over, Casey & Brad can answer questions you may have about CAFO regulations and the WPDES permitting process.

Thank you for submitting your preliminary application. If you have questions regarding this letter, please contact me at (608) 261-8437.

Sincerely,

James Martin  
CAFO Intake Specialist

cc: Kevin Beckard – Ag Source – email  
David Wetenkamp – Brown County LWCD – email  
Casey Jones – DNR – email  
File



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

JUL 18 2014

REPLY TO THE ATTENTION OF:  
WC-15J

**CERTIFIED MAIL 7009 1680 0000 7678 5822**  
**RETURN RECEIPT REQUESTED**

Mr. Roy Pansier, Registered Agent  
Ledgeview Farms, LLC.  
3870 Dickinson Road  
De Pere, Wisconsin 54115

Re: *In the Matter of Ledgeview Farms LLC*  
Clean Water Act Administrative Order V-W-13-AO-22  
Notifications of Required Revisions to Draft Permit Compliance Plan and  
Information Request Docket Number: V-W-14-308-24

Dear Mr. Pansier:

On September 13, 2013, the U.S. Environmental Protection Agency issued an Administrative Order ("Order") V-W-13-AO-22 to Ledgeview Farms, LLC ("Ledgeview") for its facilities at 3875 Dickinson Road and 3688 County Road V, in De Pere, Wisconsin. On September 26, 2013, EPA sent Ledgeview a letter providing a Compliance Schedule as an aid to understand the compliance deadlines of the Order. Additionally, EPA notified Ledgeview that the Order was effective as of September 28, 2013.

On March 13, 2014, EPA notified Ledgeview by letter that EPA had not received the Permit Compliance Plan required under section IV.C. of the Order. This plan was due on December 27, 2013. Mr. David Wetenkamp of Brown County Land and Water Conservation emailed documents pertaining to a Permit Compliance Plan on March 18, 2014. According to Mr. Wetenkamp, those documents were sent at the request of Ledgeview. Mr. Wetenkamp's email and document is attached to this letter (Attachment A).

EPA reviewed and hereby disapproves of the draft Permit Compliance Plan and requires revisions to the draft Permit Compliance Plan, pursuant to paragraph 43 of the Order. Please submit a revised draft Permit Compliance Plan addressing all of the following:

- The actions Ledgeview has taken or will take to prepare and submit a complete NPDES permit application to WDNR (see paragraph 41 of the Order).
- A schedule for the development of nutrient management plan (NMP) (paragraph 46.c, section IV.D) and a schedule for the construction of all controls required by the NMP (see paragraph 41.a of the Order)<sup>1</sup>.

*NOTE: State when an NMP meeting all requirements of paragraphs 49-61 of the Order will be submitted to WDNR.*

*ALSO NOTE: The 3/18/14 Brown County email describes a schedule for certain proposed construction projects. The email provided dates for the completion of proposed construction projects which extended until October 2015 and June 2016. The Order required for the construction of all controls and for the submittal of a complete Permit Application to WDNR within 270 days of the effective date of the Order (see paragraph 41 and 42 of the Order). It is unclear whether or not those construction projects are required by the NMP, and it is unclear whether or not those construction projects constitute all controls required by the NMP. In the event that the construction projects are required by the NMP, the construction schedule for the following projects listed in the 3/18/14 Brown County email must be revised:*

*-Animal Lot B: revise completion date to be 9/30/14*

*-Animal Lot D: revise completion date to be 9/30/14*

*-Leachate Controls Lower Bunker: revise completion date to be 11/30/14*

*-Manure Storage 5-6 Million gallon storage: revise completion date to be 11/30/14*

- The design costs, capital costs, annual operation and maintenance costs associated with the NMP (see paragraph 41.b of the Order).  
*NOTE: The 3/18/14 Brown County email included one page listing "Construction Costs for compliance". It is unclear whether or not that one page of costs was part of the cost submittal required under paragraph 41.b of the Order. Provide all costs described in paragraph 41.b of the Order).*
- A schedule for submitting a complete Permit Application to WDNR after construction of all controls required by the NMP (see paragraph 41.c of the Order). *NOTE: Provide a schedule documenting when a complete NPDES permit application, including all requirements contained in paragraphs 46-47 of the Order will be submitted to WDNR.*
- A certification with an authorized signature as required by paragraph 72 of the Order.

---

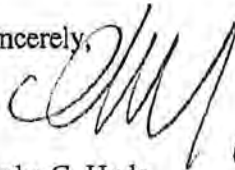
<sup>1</sup> Your schedule should reflect the fact that the NMP will contain the information required by paragraphs 49, 51, 57-59, and 60 of the Order.

Please be aware that all submittals made pursuant to the Order shall contain the following certification:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false statements and information, including the possibility of fines and imprisonment for knowing violations.

Pursuant to paragraph 43 of the Order, Ledgeview must submit a revised draft Permit Compliance Plan to EPA **within ten (10) calendar days** of receipt of this letter. Failure to comply with the Order may subject Ledgeview Farms to further enforcement action pursuant to Section 309 of the Clean Water Act (CWA). Please respond to the attached request for information pursuant to Section 308(a) of the CWA (Attachment B). If you have any questions, please contact Don Schwer of my staff, at (312) 353-8752 as soon as possible.

Sincerely,



D. MARSHALL FOR T.H.

Tinka G. Hyde  
Director, Water Division



ATTACHMENT A

**ATTACHMENT B**



6. Where this information request seeks data or records, provide such information in electronically editable, tabular format (e.g., Excel spreadsheet, etc.) where that data already exists in, or can be organized and provided in, electronically editable, tabular format.
7. You must keep the reports and all records reviewed or generated in the course of responding to this Information Request until EPA informs you in writing that you are no longer required to keep the reports and records, or for three years, whichever is sooner.

### III. DEFINITIONS

All terms used in this information request have their ordinary meaning unless such terms are defined in the CWA and/or its implementing regulations, and in which case the statutory and/or regulatory definitions apply.

1. The terms "document" and "documents" shall mean any object that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hardcopy, including any form or format of these. If in computer format or memory, each such document shall be provided in translation to a form useable and readable by EPA, with all necessary documentation and support. All documents in hard copy should also include attachments to or enclosures with any documents.
2. The term "facility" or "facilities" means:
  - a. Any animal feeding operation(s) (AFO), as defined at 40 C.F.R. § 122.23(b)(1), owned or operated by you (including but not limited to 3875 Dickinson Road and 3688 County Road V); and
  - b. Any associated land application area(s)/site(s), including any field, land and/or property owned, operated, leased, rented, and/or otherwise used by you or under your control that is or may be used to apply manure, litter, and/or process wastewater. See 40 C.F.R. § 122.23(b)(3).
3. The term "identify" means to provide:
  - a. With respect to a natural person, that person's name, job title, business address, and telephone number;
  - b. With respect to a corporation, partnership, business trust or other association, or business entity (including a sole proprietorship), its full name, address, legal status, and form (e.g., corporation, partnership, etc.), its owners, members, officers and directors, and a brief description of its business; and

- c. With respect to a document, its customary business description, date, author's identity, addressor, addressee and/or recipient, and the subject matter.
4. The term "manure" includes animal waste (i.e., solid or liquid animal waste), bedding, compost, and raw materials or other materials (used in or otherwise resulting from the confinement of animals) commingled with manure or set aside for disposal, and includes land application.
5. The terms "relate to" or "pertain to" (or any form thereof) shall mean constituting, reflecting, representing, supporting, contradicting, referring to, stating, describing, recording, noting, embodying, containing, mentioning, studying, analyzing, discussing, evaluating or relevant to.
6. The term "Order" means the Order for Compliance issued on September 13, 2013, to Ledgeview Farms LLC under Section 308 and 309(a) of the Clean Water Act.
7. The term "person" means any individual, business, corporation, partnership, association, state, municipality, commission, or political subdivision of a state, or any interstate body.
8. The term "process wastewater" means water directly or indirectly used in the operation of the facility for any or all of the following: spillage or overflow from animal or poultry watering systems; washing, cleaning, or flushing pens, barns, manure pits, or other AFO facility aspects/structures; direct contact swimming, washing or spray cooling of animals; and dust control. "Process wastewater" also includes any water (e.g., precipitation, water used in the facility's operation, etc.) which comes into contact with any raw materials, products, or byproducts including manure, litter, feed, milk, eggs, bedding, or other material or product used in, or resulting from, the confinement of animals.
9. The terms "you" or "your" or "Ledgeview" refers to Ledgeview Farms LLC and to any agents, employees, contractors, or other entities that performed work or acted in any way on behalf of, or at the direction of Ledgeview.

## VI. INFORMATION REQUEST

Pursuant to Section 308 of the CWA, 33 U.S.C. § 1318, provide the following information to EPA. Provide information for the last five years from the date of receipt of this Information Request, unless a particular request specifies a different time period.

### *General*

1. Describe all efforts to manage any increase in manure, litter and process wastewater at the facility as a result of the increase (if any) in the number of mature dairy cows at the facility since April 18, 2013.
2. On what date were animals removed from any animal lots at the facility?
3. State how often Ledgeview removes manure and used bedding from the animal lots that are currently in use.

4. Describe how manure and used bedding from the animal lots currently in use is stored at the facility both in the short- and long-term.
5. Describe how storm water that contacts manure or used bedding materials from animal lots currently in use is contained during rainfall and other runoff events.
6. State whether or not leachate is created in the ensilage process at the facility. If yes, describe how that leachate is managed by Ledgeview.

#### *Interim Measures*

7. State whether or not unpermitted discharges from the Site have occurred since September 28, 2013. If they have not stopped, provide the following information for each discharge:
  - a. A description of the material discharged;
  - b. The amount of the discharge;
  - c. When the discharge started;
  - d. When the discharge stopped; and
  - e. Any measures taken by Ledgeview to clean up the discharge.
8. Describe all interim measures (including but not limited to changes in the operation and maintenance of the manure pits at the facility, measures taken to patch the hole in the wall of manure storage pit 2, reduction or elimination of silage leachate production at the facility, elimination of process wastewater runoff) which have been taken by Ledgeview to eliminate all unpermitted discharges from the Site since September 28, 2013. Include the following information for each interim measure:
  - a. A description of the interim measure taken;
  - b. Documentation showing that Ledgeview completed installation of the interim measure (e.g. as-built diagrams, photographs, affidavits, etc.);
  - c. An accounting of the costs to Ledgeview to install, implement and maintain the interim measure;
  - d. A description of how the interim measure contributes to the elimination of unpermitted discharges from the Site;
  - e. The date the interim measure was fully implemented; and
  - f. A description of how Ledgeview plans to maintain the interim measure.
9. Describe all interim measures (including but not limited to changes in the operation and maintenance of the manure pits at the facility, measures taken to patch the hole in the wall of manure storage pit 2, reduction or elimination of silage leachate production at the facility, and elimination of process wastewater runoff) which are planned by Ledgeview to eliminate all unpermitted discharges from the Site. Include the following information for each interim measure:
  - a. A description of the interim measure taken;
  - b. A description of how the interim measure contributes to the elimination of unpermitted discharges from the Site;
  - c. The date physical construction of the interim measure will begin;
  - d. The date the interim measure will be fully implemented; and
  - e. A description of how Ledgeview plans to maintain the interim measure



*Nutrient Management - Land Application (limitations, sampling, records)*

10. State whether or not Ledgeview has land applied manure, litter or process wastewater closer than 100 feet to any down-gradient surface waters, open tile line intake structures, sinkholes, agricultural well heads, or other conduits to surface waters since September 28, 2013. If the answer is yes, provide:
  - a. A description of the material which was land applied;
  - b. Where the material was applied;
  - c. The quantity of material which was applied;
  - d. When the material was applied;
  - e. When the material was removed;
  - f. Whether Ledgeview imposed a 35-foot wide vegetated buffer around the land application area; and
  - g. If Ledgeview did not impose a 35-foot wide vegetated buffer, provide any evidence Ledgeview may have demonstrating that a setback or buffer was not necessary.
11. Provide a copy of any record kept by Ledgeview for each day Ledgeview land applied manure, litter or process wastewater since September 28, 2013.

*Nutrient Management- Transfers of Manure, Litter or Process Wastewater to Other Persons*

12. Provide a copy of any record kept by Ledgeview regarding the transfer of manure, litter, or process wastewater to another person since September 28, 2013.
13. State whether or not Ledgeview provided the most current annual nutrient analysis to any person to whom Ledgeview transferred manure, litter or process wastewater since September 28, 2013.

*Site Inspections*

14. Has Ledgeview conducted daily inspections of water lines at its facility since September 28, 2013? If the answer is anything other than an unequivocal yes, provide the date(s) on which Ledgeview has conducted a daily inspection at the facility and provide a copy of any inspection report required by paragraph 64 of the Order.
15. Has Ledgeview conducted weekly inspections of all storm water diversion devices, runoff diversion devices, and devices channeling contaminated storm water to containment structures at the facility since September 28, 2013? If the answer is anything other than an unequivocal yes, provide the date(s) on which Ledgeview has conducted an inspection at the facility and provide a copy of any inspection report required by paragraph 64 of the Order.
16. Has Ledgeview conducted weekly inspections of storage structures at its facility since September 28, 2013? If the answer is anything other than an unequivocal yes, provide the date(s) on which Ledgeview has conducted weekly inspections of storage structures at the facility and provide a copy of any inspection report required by paragraph 64 of the Order.
17. Has Ledgeview made weekly determinations of the depth of the manure and process wastewater (and amount of freeboard, where required) in all open surface liquid

structures required under the Order? If the answer is anything other than an unequivocal yes, provide the date(s) on which Ledgeview has made such a weekly determination and provide a copy of any inspection report required by paragraph 64 of the Order.

18. Has Ledgeview conducted any periodic inspections of equipment used for the land application of manure, litter, or process wastewater? Provide the date(s) of any such inspection and provide a copy of any inspection report required by paragraph 64 of the Order.

#### *Discharge Minimization/Notification*

19. Has Ledgeview posted procedures at the facility to effectively respond to any spill or discharge pursuant to paragraph 65 of the Order? If yes:
  - a. Describe the location of the posted procedures;
  - b. Provide a copy of the posted procedures; and
  - c. Provide the date(s) on which the procedures were posted.

### **V. SUBMISSION OF INFORMATION**

1. You must submit a response to this Information Request within 30 calendar days of receipt to:

U.S. Environmental Protection Agency  
Attention: Donald R. Schwer III  
Water Enforcement and Compliance Assurance Branch  
Water Division, WC-15J  
77 West Jackson Blvd.  
Chicago, Illinois 60604-3590

2. You must submit all requested information under an authorized signature with the following certification:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, which include the possibility of fine and imprisonment for knowing violations.

3. If you find at any time after submitting information to EPA that any portion of the submittal is false or incorrect, you must notify EPA immediately. Knowing submittal of false information to EPA in response to this Information Request may subject you to criminal prosecution under Section 309(c) of the CWA, 33 U.S.C. § 1319(c), and 18 U.S.C. §§ 1001 and 1341.

4. EPA may use the information submitted in response to this Information Request in an administrative, civil or criminal action.
5. There can be significant civil or criminal penalties for failing to adequately respond to requests for information issued under the Section 308(a) of the CWA, 33 U.S.C. § 1318(a).
6. You must provide the information requested even though you may contend that it includes confidential information. You may assert a business confidentiality claim covering any portion of the information requested in this Information Request, as provided in 40 C.F.R. § 2.203(b). Effluent data (as defined in 40 C.F.R. § 2.302(A)(2)) and information in NPDES permit applications are not entitled to confidential treatment. 40 C.F.R. § 122.7.

To assert a confidentiality claim, you must submit the requested information and indicate that you are asserting a claim of confidentiality. You must mark any document over which you assert a claim of confidentiality by attaching a cover sheet stamped or typed with a legend indicating your intent to claim confidentiality. The stamped or typed legend, or other suitable form of notice, should employ language such as "confidential" or "business confidential," and indicate a date, if any, when the information should no longer be treated as confidential. EPA will only disclose the information covered by such a claim to the extent permitted and by means of the procedures set forth in Section 308(b) of the CWA, 33 U.S.C. § 1318(b), and 40 C.F.R. Part 2. You must clearly identify allegedly confidential portions of otherwise non-confidential documents.

Please submit your response to this information request so that all non-confidential information, including any redacted versions of documents, is in one package and all materials for which you desire confidential treatment are in another package. EPA will construe the failure to furnish a confidentiality claim with your response as a waiver of that claim, and the information may be made available to the public without further notice to you. All confidentiality claims are subject to EPA verification. It is important that you satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information, that you intend to continue to do so, and that the information is not and has not been obtainable by legitimate means without your consent.

If you assert a confidentiality claim for any of the information you submit to EPA, you bear the burden of substantiating that claim. EPA will give conclusory allegations little or no weight in its determination. For each document or response you claim confidential, you must separately address the following points:


- a. The portions of the information alleged to be entitled to confidential treatment;
- b. The period of time for which confidential treatment is desired (e.g., until a certain date, until the occurrence of a specific event, or permanently);
- c. Measures taken by you to guard against the undesired disclosure of the information to others;

- d. The extent to which the information has been disclosed to others, and the precautions taken in connection therewith;
- e. Pertinent confidentiality determinations, if any, by EPA or other federal agencies, and a copy of any such determinations or reference to them, if available; and
- f. Whether you assert that disclosure of the information would likely result in substantial harmful effects on your business' competitive position, and if so, what those harmful effects would be, why they should be viewed as substantial, and an explanation of the causal relationship between disclosure and such harmful effects.

Finally, EPA may disclose information which you submit in response to this Information Request to authorized representatives of the United States pursuant to 40 C.F.R. § 2.302(h) even if you assert that all or part of the information is confidential business information. Please be advised that EPA may disclose all responses to this Information Request to one or more private contractors for the purpose of organizing and/or analyzing the information contained in the responses to this Information Request. If you are submitting information which you assert is entitled to confidential treatment, you may comment on this potential disclosure to authorized representatives when you submit your response to this Information Request.

- 7. This Information Request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.*, because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation.
- 8. Please contact Don Schwer by telephone at (312) 353-8752, or via email at [schwer.don@epa.gov](mailto:schwer.don@epa.gov), if you have any questions about this Information Request.

Date: 7/18/14

  
Tinka G. Hyde  
Director, Water Division





September 22, 2014

Jason Pansier  
Ledgeview Farms LLC  
3870 Dickinson Rd  
De Pere, WI 54115

Subject: CAFO WPDES Permit Issuance - Final Application  
Acknowledgment of Receipt  
Status: Incomplete

Dear Mr. Pansier:

The Department received your final application materials for issuance of a CAFO WPDES permit to Ledgeview Farms, LLC, on June 23, 2014. Your application is currently incomplete because it is missing the following components:

1. An updated Livestock/Poultry Operation WPDES Permit Application Form 3400-025
2. An updated Animal Unit Calculation Worksheet Form 3400-025A
3. EA Questionnaire
4. Plans and specifications for any proposed reviewable structures/systems
5. An evaluation of existing reviewable structures/systems
6. 180-days Manure Storage Calculations

Checklists and forms to assist you and your consultant in preparing and submitting complete application information are available at: <http://dnr.wi.gov/topic/AgBusiness/CAFO/PermitForms.html>. Please mail the information identified above to:

CAFO Intake Specialist-WT/3  
WDNR  
P.O. Box 7185  
Madison, WI 53703-7185

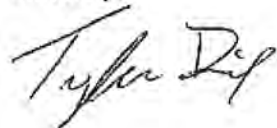
The following application materials have been received to date:

1. Labeled Aerial Maps
2. Nutrient Management Plan (NMP)

As you know, the regional Agricultural Specialist assigned to your operation is Brad Holtz (phone: (920) 662-5407, e-mail: [Bradley.Holtz@wisconsin.gov](mailto:Bradley.Holtz@wisconsin.gov)). Please continue to work with Brad to determine appropriate due dates for submitting the required application materials. In order to begin processing your application and to conduct a more thorough review to determine if additional information is needed, all of the above application materials must be received by the Department. Please understand that until the Department approves design plans, you may not begin construction of reviewable facilities. In addition, until you are issued coverage under a WPDES permit, you may not populate to 1,000 animal units or more.

We look forward to working with you throughout the permitting process. Please do not hesitate to contact Brad or me if you have any questions regarding this letter or questions about the application materials.

Sincerely,

A handwritten signature in black ink, appearing to read "Tyler Dix". The signature is fluid and cursive, with the first name "Tyler" and last name "Dix" clearly distinguishable.

Tyler Dix  
CAFO Intake Specialist  
Bureau of Watershed Management

Phone: (608) 261-8437

Email: [Tyler.Dix@Wisconsin.gov](mailto:Tyler.Dix@Wisconsin.gov)

Cc: Kevin Beckard, Ag Source (via e-mail)  
Dave Wetenkamp, Brown County LWCD (via email)  
NER – Casey Jones (via e-mail)  
NER – Brad Holtz (via e-mail)  
Matthew Gluckman, US EPA Region V (via e-mail)





## **AgSource Laboratories**

*A subsidiary of Cooperative Resources International*

106 North Cecil Street  
P.O. Box 7  
Bonduel, Wisconsin 54107  
715-758-2178 • FAX 715-758-2620  
[www.agsource.com](http://www.agsource.com)

---

DATE: 3-6-2015  
TO: Donald R. Schwer III – US EPA Region 5  
FROM: Kevin Beckard, AgSource Laboratories  
SUBJECT: **Ledgeview Farms 2014 Annual Report**

Mr Schwer,

Attached you will find the 2014 annual report for Ledgeview Farms, LLC as required by paragraph 69 of their Administrative Order Docket No. V-W-13-AO-22. The report contains the required information from items a through g in paragraph 69 of the order. If you have any questions or need further information feel free to contact me at 920-309-1948.

Thank You,

Kevin Beckard  
AgSource

Cc: Jason Pansier – Ledgeview Farms  
Brad Holtz - WDNR

## 2014 Annual Report

### Ledgeview Farms, LLC

#### Introduction

Ledgeview Farms, LLC is a dairy and cropping enterprise located in the Town of Ledgeview in Brown County Wisconsin. The business is owned and managed by Glen, Jason and Roy Pansier.

This report is being prepared in accordance with paragraph 69 of the Ledgeview Farms Administrative Order (Docket No. V-W-13-AO-22) they received from EPA in 2013. Paragraph 69 of the Administrative Order states:

**Annual Reports:** Respondent shall submit an annual report to EPA and WDNR not later than March 15 of each calendar year following the effective date of this Order. In each annual report, Respondent shall include the following information for the previous calendar year prior to submittal of that annual report:

**A. The maximum number and type of animals confined, whether in open confinement or housed under roof:**

Animal Numbers for 2014		
Livestock Type and Size Class	Animal Numbers	Housing Type
Calves (Dairy/Beef) up to 400#	370	Housed under Roof
Heifers – 400# to 800#	135	Housed under Roof/Open Confinement
Heifers – 800# to 1200#	205	Housed under Roof/Open Confinement
Milking and Dry Cows	555	Confined under Roof
Beef Steers -400# to Market	420	Housed under Roof/Open Confinement

**B. The estimated amount of total manure, litter, and process wastewater generated at the Site in the previous 12 months:**

In 2014 Ledgeview Farms generated and land applied approximately 15,750 tons of solid/semi-solid manure and approximately 360,000 gallons of milkhouse wastewater.

**C. The estimated amount of total manure, litter, and process wastewater transferred to another person from the Site in the previous 12 months (tons/gallons):**

In 2014 Ledgeview Farms did not transfer any manure or process wastewater from their farm to a 3<sup>rd</sup> party. All manure and process wastewater generated by the farm was applied to fields contained within the nutrient management plan.

**D. The total number of acres for land application covered by the nutrient management plan:**

The nutrient management plan for Ledgeview Farms for 2014 contained 2,146 acres. For 2015 the acres contained in this plan will be increased as Ledgeview Farms has purchased and rented additional cropland.

**E. The total number of acres under the control of Respondent that were used for land application of manure, litter, and process wastewater in the previous 12 months:**

In 2014 Ledgeview Farms applied manure and process wastewater to approximately 874 acres. All fields were contained in the Ledgeview Farms nutrient management plan.

**F. A summary of all manure, litter, and process wastewater discharges from the production area that have occurred in the previous 12 months, including the date, time, and approximate volume of such discharges:**

Ledgeview Farms has not documented any discharge events from the production sites in 2014.

**G. A statement indicating whether the current version of the nutrient management plan was developed or approved by a certified nutrient management planner.**

Kevin Beckard of Agsource Laboratories developed the Nutrient Management Plan (NMP) for Ledgeview Farms. Kevin is a Certified Crop Advisor (license # 29509) in Wisconsin.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false statements and information, including the possibility of fines and imprisonment for knowing violations.



Ledgeview Farms Representative



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

NOV 29 2016

REPLY TO THE ATTENTION OF

WC-15J

**CERTIFIED MAIL 7009 1680 0000 7645 8580**  
**RETURN RECEIPT REQUESTED**

Ledgeview Farms LLC  
c/o Roy Pansier, Registered Agent  
3870 Dickinson Road  
De Pere, Wisconsin 54115

Subject: Notice of Intent to File Civil Administrative Complaint Against Ledgeview Farms

Dear Mr. Pansier:

The U. S. Environmental Protection Agency plans to file an administrative complaint for civil penalties against Ledgeview Farms LLC, pursuant to Section 309(g) of the Clean Water Act (CWA), 33 U.S.C. § 1319. In the complaint, EPA will allege that Ledgeview Farms LLC has violated the CWA by having seven unauthorized discharges of manure and process wastewater and having one unauthorized discharge of construction sediment to Waters of the United States.

Based on information currently available to us, we plan to propose a penalty of up to \$128,000 in the complaint. This letter is not a demand to pay a penalty. We will not ask you to pay a penalty until we file the complaint or a final order. Before filing the complaint, we are giving you the opportunity to present any information that you believe we should consider. Relevant information might include evidence that you did not violate the law; evidence that you relied on compliance assistance from EPA or a state agency; evidence that we identified the wrong party; or financial data bearing on your ability to pay a penalty.

If you believe that you will be unable to pay a \$128,000 penalty because of financial reasons, please send us certified, complete financial statements including balance sheets, income statements and all notes to the financial statements, and your company's signed income tax returns with all schedules and amendments, for the past three years.

You may assert a claim of business confidentiality under 40 C.F.R. Part 2, Subpart B, for any portion of the information you submit to us. Information subject to a business confidentiality

claim is available to the public only to the extent allowed by 40 C.F.R. Part 2, Subpart B. If you fail to assert a business confidentiality claim, EPA may make all submitted information available, without further notice, to any member of the public who requests it.

Before filing the complaint, EPA is extending to Ledgeview Farms LLC the opportunity to resolve this matter by entering into a Consent Agreement and Final Order (CAFO) with issuance of a CAFO by EPA. If Ledgeview Farms wishes to discuss resolving this matter under a CAFO, **within 10 calendar days** after you receive this letter, please send any written response to:

Donald R. Schwer III  
Water Division, WC-15J  
U.S. EPA Environmental Protection Agency, Region 5  
77 West Jackson Boulevard  
Chicago, Illinois 60604

and

Catherine Garypie  
Office of Regional Counsel  
U.S. EPA Environmental Protection Agency, Region 5  
77 West Jackson Boulevard  
Chicago, Illinois 60604

If you want to confer with us, you should contact Donald R. Schwer III of the Water Enforcement and Compliance Assurance Branch, in writing **within 10 calendar days** after you receive this letter. Please be advised that this conference is not a settlement negotiation covered by Federal Rule of Evidence 408; we may use any information you submit in support of an administrative, civil or criminal action. After the conference (or after you have submitted a written reply if we do not have a conference), we may give you the opportunity to engage in settlement negotiations before we file the complaint. If pre-filing settlement negotiations commence and are successful, a settlement agreement can be filed under EPA regulations at 40 C.F.R. § 22.13(b).

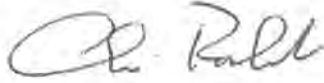
If you do not respond to this letter, EPA may file a complaint without further notice against Ledgeview Farms as authorized under Section 309(g) of CWA, 33 U.S.C. § 1319(g).

If you have any questions, please telephone Donald R. Schwer III, (312) 353-8752 or Catherine Garypie, Associate Regional Counsel, at (312) 886-5825.



Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ch. Korleski". The signature is fluid and cursive, with the first name "Ch." and the last name "Korleski" clearly distinguishable.

Christopher Korleski  
Director, Water Division

cc: Tom Bauman, Wisconsin Department of Natural Resources  
Brad Holtz, Wisconsin Department of Natural Resources  
Casey Jones, Wisconsin Department of Natural Resources



February 2, 2017

Jason Pansier  
Ledgeview Farms LLC  
3870 Dickinson Rd  
De Pere, WI 54115

**Subject: Wisconsin Pollutant Discharge Elimination System (WPDES) Permit Application – ACTION REQUIRED**

Dear Mr. Pansier:

This letter is to provide notification that the Wisconsin Department of Natural Resources (department) will proceed with issuance of a Wisconsin Pollutant Discharge Elimination System (WPDES) permit for Ledgeview Farms LLC. The department received permit application materials in 2014, but a permit was not issued due to pending US EPA actions. Updated information is required to proceed with the permit issuance process at this time. Please submit the following items in accordance with NR 243.12, Wis. Adm. Code:

1. Updated Livestock/Poultry Operation WPDES Permit Application (Form 3400-025);
2. Updated Animal Unit Calculation Worksheet (Form 3400-025A);
3. Updated aerial photographs of site location, manure and stormwater flow diagrams, and soil survey maps for the existing main farm site as well as any satellite facilities.
  - Include scaled drawings and descriptions of: existing and proposed animal housing, manure storage, feed storage, and composting or treatment facilities; process wastewater storage or treatment facilities or systems; runoff control structures or systems; feed storage structures; groundwater monitoring systems; water supply wells; ancillary service and storage areas; and loading and outside lot areas.
4. EA Questionnaire;
5. Evaluations of existing reviewable structures/systems;
6. Plans and specifications for any proposed reviewable structures/systems;
7. 180-day manure and process wastewater storage calculations;
8. 5-year Nutrient Management Plan (NMP);
9. Description of permanent spray irrigation systems and any other landspreading or land treatment systems, if applicable;

Application forms and reference documents can be found online at:  
<http://dnr.wi.gov/topic/AgBusiness/CAFO/PermitForms.html>

Permit application materials above should be sent to:

CAFO Intake Specialist - WT/3  
Wisconsin Department of Natural Resources

Ledgeview Farms LLC  
February 2, 2017

2

PO Box 7185  
101 S Webster St  
Madison WI 53707-7185

Please submit the required items above to the department no later than **March 31, 2017**. If you have any questions regarding this letter or the WPDES permit application process, please contact me at (920) 662-5187 or [Heidi.SchmittMarquez@wisconsin.gov](mailto:Heidi.SchmittMarquez@wisconsin.gov).

Sincerely,



Heidi Schmitt Marquez  
Agricultural Runoff Management Specialist

ec: Kevin Beckard, AgSource Laboratories  
John Roach, Roach & Associates LLC  
Don Schwer III, USEPA  
Dave Wetenkamp, Brown County Land & Water Conservation Department  
Rick Stoll, DNR – Green Bay  
Casey Jones, DNR – Oshkosh  
Clare Freix, DNR – Madison

**State of Wisconsin**  
**DEPARTMENT OF NATURAL RESOURCES**  
PO Box 7185  
101 S. Webster Street  
Madison WI 53707-7185

Scott Walker, Governor  
Cathy Stepp, Secretary  
Telephone 608-266-2621  
FAX 608-267-3579  
TTY Access via relay - 711



April 26, 2017

Jason Pansier  
Ledgeview Farms, LLC  
3870 Dickinson Road  
DePere, WI 54115

Subject: CAFO WPDES Final Permit Application - Acknowledgment of Receipt  
Status: Incomplete

Dear Jason Pansier:

The Department received your application materials for issuance of a CAFO WPDES permit (No. WI-0065421-01) to Ledgeview Farms, LLC on April 03, 2017. Your application is currently incomplete because it is missing the following components:

1. Updated Livestock/Poultry Operation WPDES Permit Application Form 3400-025
2. Updated Animal Unit Calculation Worksheet Form 3400-025A
3. Evaluations of existing reviewable facilities (submitted through the ePermitting System)
4. Plans and specifications for any proposed reviewable structures/systems (submitted through the ePermitting System)

Checklists and forms to assist you and your consultant in preparing and submitting complete application information are available at: <http://dnr.wi.gov/topic/AgBusiness/CAFO/PermitForms.html>. The following materials have been received to date:

1. Nutrient Management Plan (NMP)
2. Labeled Aerial Maps
3. EA Questionnaire
4. 180 day manure storage calculations

In order to begin processing your application and to conduct a thorough review to determine if additional information is needed, all of the above application materials must be received by the Department. Your operation is currently above the permit threshold of 1,000 animal units and should already be covered under a WPDES permit. If the missing application materials are not received by May 10, 2017, the Department may take additional action to obtain a complete permit application. Contact me if you are unable to meet this deadline. Application materials should be mailed to:

CAFO Intake Specialist-WT/3  
WDNR  
P.O. Box 7185  
Madison, WI 53703-7185

The regional Agricultural Runoff Management Specialist assigned to your operation is Heidi Schmitt Marquez. Please do not hesitate to contact her (phone: (920) 662-5187, e-mail: [Heidi.SchmittMarquez@wisconsin.gov](mailto:Heidi.SchmittMarquez@wisconsin.gov)) or me if you have any question about your application materials. We look forward to working with you throughout the permitting process.

Sincerely,

A handwritten signature in cursive script that reads "Clare Freix".

Clare Freix  
CAFO Intake Specialist  
Bureau of Watershed Management

Phone: (608) 261-8437

Email: [Clare.Freix@Wisconsin.gov](mailto:Clare.Freix@Wisconsin.gov)

cc: Heidi Schmitt Marquez  
David Wetenkamp, Brown County LWCD  
Kevin Beckard, Ag Source  
Mike Mushinski, County Conservationist





August 8, 2017

FILE REF: R-2017-0097i  
WPDES Permit #: WI-0065421

Jason Pansier  
Ledgeview Farms, LLC  
3870 Dickinson Rd.  
De Pere, WI 54115

Subject: Non-compliant Evaluation Review for the Facilities Reviewed List at Ledgeview Farms, LLC, Sec 33, T23N, R21E, Ledgeview Township, Brown County (Upper and Lower Farms) – MORE INFORMATION IS REQUIRED

Dear Mr. Pansier:

The Division of External Services of the Wisconsin Department of Natural Resources (the Department) received an evaluation submitted on behalf of Ledgeview Farms, LLC by David Wetenkamp, Brown County LWCD on May 26, 2017. Department review was performed to determine if compliance is demonstrated in accordance with s. 243.16 Wis. Adm. Code, and applicable NRCS standards.

Documentation that was provided for review was determined to not be in compliance due to insufficient information. A revised evaluation must be submitted with the permit application. It is your responsibility to demonstrate compliance with ch. NR 243, Wis. Adm. Code, and applicable NRCS Standards. Questions concerning the review may be directed to Jeff Kreider, and questions concerning timelines and permit issues may be directed to the DNR CAFO Specialist. (Contact information at the end of this letter.)

**Days of Available Storage:** Not in compliance with s. NR 243.15(3)(i) to (k), Wis. Adm. Code.

- Provide tables and/or spreadsheets that include storage volume calculations, storage volumes and all inputs to the waste storage pond(s). Include up to a 25 year / 24 hour storm event.

**Reviewable Facilities:**

- The documentation submitted contained as-builts, but no current site assessment was completed. A current site assessment is required to show that the facility or system presently is compliant. The documentation that was submitted is not acceptable for review.
- Without proper documentation for the existing reviewable facilities and systems as defined in s. NR 243.03(56), all reviewable facilities and systems are considered to not be in compliance with NR 243.
- When stating that a reviewable facility or system meets an NRCS standard, the statement must include the standard number, e.g. NRCS 313, table and column numbers (if applicable) and the date of the standard used to determine that the pond is compliant.


**Related to the Waste Storage Pond Constructed in 2015:**

- The pond was constructed without approval.
- Plans and specifications for the pond had been submitted to the DNR for approval were withdrawn because they were not approvable. The plans and specifications that were submitted, possibly could have met the current NRCS 313 standard; but they were not compliant with ch. NR 243, Wis. Adm. Code.
- The evaluation must provide the necessary justifications and certifications to show that the waste storage pond meets NRCS 313 and NR 243.15.
- The DATCP approval for the withdrawn plans and specifications dated November 2014 is not considered valid once they were withdrawn. A new approval would have been required.



- The submitted document states that Brown County staff was on site during construction and inspection of the waste storage pond. Therefore, the DNR assumes that Brown County has taken responsibility for the construction oversight and inspection of the pond. Certification from the county must be included within the evaluation that states the pond meets or exceeds the applicable NRCS standards and NR 243 requirements. If the county will not be responsible, then a person with the appropriate job approval or has a professional engineer license needs to take the responsibility to certify that the pond meets or exceeds the specific NRCS standard and NR 243 requirements. Until this occurs, the pond is not in compliance with s. NR 243, Wis. Adm. Code.

STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES



Brian Weigel, Ph.D.  
Deputy Director, Watershed Bureau  
Runoff Management Program



Jeff C. Kreider  
Water Resources Engineer; Watershed Bureau

Email: Dave Wetenkamp; Technician  
Brown County Land Conservation Department  
(920) 391-4639

Mike Mushinski; County Conservationist  
Brown County  
(920) 391-4621; [mushinski\\_ML@co.brown.wi.us](mailto:mushinski_ML@co.brown.wi.us)

Matt Woodrow, P.E.  
DATCP  
(920) 427-8505; [matthew.woodrow@wisconsin.gov](mailto:matthew.woodrow@wisconsin.gov)

Heidi Schmitt Marquez; DNR CAFO Specialist  
DNR, Northeast Region  
(920) 662-5187; [Heidi.SchmittMarquez@Wisconsin.gov](mailto:Heidi.SchmittMarquez@Wisconsin.gov)

Jeff Kreider  
DNR, Madison Office  
(608) 266-0856; [jeff.kreider@wisconsin.gov](mailto:jeff.kreider@wisconsin.gov)

Drew Zelle  
DATCP  
(920) 858-1517; [drew.zelle@wisconsin.gov](mailto:drew.zelle@wisconsin.gov)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:

WC-15J

MEMORANDUM

SUBJECT: Inspection Report Transmittal to Ledgeview Farms, LLC

FROM: Donald R. Schwer III  
Enforcement Officer

*DRS* 8/10/17

TO: File

I attest that the inspection report from the April 9, 2015 inspection was transmitted to Ledgeview Farm, LLC. The transmittal letter and the report were signed at the time of transmittal on December 8, 2015. EPA has misplaced the signed versions of these documents. The certified mail receipt documents that the farm received the inspection report on December 14, 2015. Attached is the Certified Mail receipt, the transmittal letter, and the inspection report as transmitted.

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <u>Joan Pansier</u></p> <p>C. Date of Delivery <u>12-14-15</u></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If YES, enter delivery address below:</p>	
<p>1. Article Addressed to:</p> <p>Mr. Roy Pansier, Registered Agent Ledgeview Farms, LLC 3870 Dickinson Road De Pere, Wisconsin 54115</p>		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>2. 7009 1680 0000 7675 2374</p>			

PS Form 3811, July 2013

Domestic Return Receipt

U.S. Postal Service	
CERTIFIED MAIL - RECEIPT	
(Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>	
<b>RECEIVED</b>	
Postage \$ <u>11.64</u>	Postmark Date <u>12/14/15</u>
Certified Fee <u>3.20</u>	
Return Receipt Fee (Endorsement Required) <u>2.70</u>	
Restricted Delivery Fee (Endorsement Required)	
<b>WATER ENFORCEMENT &amp; COMPLIANCE ASSURANCE BRANCH, EPA, REGION 8</b>	
<p>Mr. Roy Pansier, Registered Agent Ledgeview Farms, LLC 3870 Dickinson Road De Pere, Wisconsin 54115</p>	

WC-15J

**CERTIFIED MAIL 7009 1680 0000 7675 2374**  
**RETURN RECEIPT REQUESTED**

Mr. Roy Pansier, Registered Agent  
Ledgeview Farms, LLC  
3870 Dickinson Road  
De Pere, Wisconsin 54115

Subject: Clean Water Act Compliance Evaluation Inspection Report

Dear Mr. Pansier:

Protecting water quality is a high priority of the U.S. Environmental Protection Agency. Pollutants such as excessive nutrients and pathogens discharged to waterways from animal feeding operations contribute to poor water quality and impairment of uses of those waterways.

On April 9, 2015, EPA conducted an inspection of your facility, Ledgeview Farms in De Pere, Wisconsin. The purpose of the inspection was to evaluate compliance with the Clean Water Act (CWA) and Administrative Order V-W-13-AO-22. Ledgeview Farms is a large Concentrated Animal Feeding Operation (CAFO) as defined in 40 C.F.R. § 122. During the inspection, we observed violations of the CWA and Administrative Order. The CWA and Order requires you to immediately cease all unauthorized discharges.

Ledgeview Farms continues to have serious compliance problems as noted in EPA's inspection report which is enclosed. EPA had a conference call with you on April 21, 2015 in which we discussed our concerns. You had committed to correct the concerns we noted on the upper and lower farm and provide us a plan that included the installation of interim measures and a schedule for the installation of all permanent measures. To this date, EPA has yet to receive a complete and approvable Permit Compliance Plan submittal from Ledgeview Farms.

If you have any questions or concerns regarding this letter, or the inspection report, please contact Donald R. Schwer III at (312) 353-8752 or schwer.don@epa.gov.

Sincerely,

Ryan Bahr, Chief, Section 2  
Water Enforcement and Compliance Assurance Branch

Enclosure

Cc: Brad Holtz, Wisconsin Department of Natural Resources  
Amy Minser, Wisconsin Department of Natural Resources

**CWA COMPLIANCE EVALUATION INSPECTION REPORT  
U.S. ENVIRONMENTAL PROTECTION AGENCY, REGION 5**

**Purpose:** Compliance Evaluation Inspection

**Facility:** Ledgeview Farms  
3875 Dickinson Road  
De Pere, Wisconsin 54115  
44.4249N, 87.9695W

**NPDES Permit Number:** None

**Date of Inspection:** April 9, 2015

**EPA Representatives:** Donald R. Schwer III, Enforcement Officer  
schwer.don@epa.gov, 312-353-8752  
Ben Atkinson, Agronomist

**State Representatives:** NA

**Facility Representatives:** Jason Pansier, Owner

**Report Prepared by:** Donald R. Schwer III, Enforcement Officer

**Report Date:** December 8, 2015

**Inspector Signature** \_\_\_\_\_



## **1. BACKGROUND**

The purpose of this report is to describe, evaluate and document Ledgeview Farms compliance with the Clean Water Act (CWA) at its De Pere, Wisconsin facility on April 9, 2015. This inspection was performed pursuant to Section 308(a) of the Federal Water Pollution Control Act, as amended. EPA issued an Order for Compliance, Docket Number: V-W-13-AO-22, on September 13, 2013 and issued an Information Request, Docket Number: V-W-14-308-24, on July 18, 2014.

Ledgeview Farms is a Limited Liability Company (LLC) dairy operation in Brown County, Wisconsin. It is owned and operated by Mr. Glenn Pansier (father), Mr. Roy Pansier (uncle), and Mr. Jason Pansier (son). The operation consists of two facilities that operate under the same nutrient management plan (NMP). The Home site is at 3875 Dickinson Road, De Pere, Wisconsin. A Satellite site is northeast of the Home location at 3688 County Road V, De Pere, Wisconsin.

Ledgeview Farms is considered a large Concentrated Animal Feeding Operation (CAFO) due to the total number of cattle maintained at the facility. Ledgeview Farms currently houses approximately 550 mature dairy cows and 1130 cattle other than mature dairy cows. There was currently no National Pollutant Discharge Elimination System (NPDES) permit allowing discharge from the CAFO. The facility had submitted a permit application to WDNR.

Ledgeview Farms was conducting earthwork related to the construction of a waste storage facility and a milking parlor. There was currently no National Pollutant Discharge Elimination System (NPDES) permit allowing sediment discharge from the facility related to construction and earthwork.

Surface runoff from the Ledgeview Farms Home site flowed through pathways to unnamed tributaries that abuts the east side of the site. The unnamed tributary that abuts the east side of the Home site flows to an unnamed tributary that flows to Bower Creek. Bower Creek flows to the East River. The East River flows to the lower Fox River. The lower Fox River flows to Green Bay.

Surface runoff from the Ledgeview Farms Satellite site flowed east through ditches and pathways to an unnamed tributary. Additionally, surface runoff from portions of the Satellite site flowed south/west to an unnamed tributary that abuts the south/west end of the site. The unnamed tributaries flow to Bower Creek. Bower Creek flows to the East River. The East River flows to the lower Fox River. The lower Fox River flows to Green Bay.

The watershed is covered under a Total Maximum Daily Load and Watershed Management Plan for Total Phosphorus and Total Suspended Solids in the Lower Fox River Basin and Lower Green Bay.

## **2. SITE INSPECTION**

Prior to beginning the inspection, I conducted a visual reconnaissance of the Ledgeview Farms sites and its surroundings from the public right-of-way. This included Dickinson Road for the Home site and County Road V for the Satellite site. During the reconnaissance, I observed significant track out of sediment onto County Road V near the construction entrance related to the construction of a structure north of the new barn. Sediment was deposited in the south bound lane of County Road V. The sediment accumulation was most significant within the first couple hundred feet south of the construction entrance; however, sediment had been tracked all the way to the intersection of County Road V and Dickinson Road.

I arrived at Ledgeview Farms Home site at approximately 8:23 a.m. on April 9, 2015. I parked the vehicle near the entrance of the facility. The temperature was approximately 36° F and it was overcast. The weather station, Green Bay Weather Forecast Office, WI US (USC00473268), in Green Bay, Wisconsin had an observed rainfall of 0.28 inches on April 9, 2015. Upon arrival, Mr. Atkinson and I put on disposable boots. I located Mr. Jason Pansier in the milking shed and explained to him that I would like to conduct an inspection to evaluate Ledgeview Farms compliance with the Administrative Order and to evaluate the interim and permanent measures the farm had implemented to cease discharges of manure and process wastewater. I told Mr. Pansier that the inspection would be similar to the previous inspection we conducted at the facility. Mr. Pansier requested time to finish milking the cows. I asked Mr. Pansier if there was anyone else on site who could perform the facility walkthrough. He said he was the only person who could walk us around the facility.

We waited in our vehicle until Mr. Pansier finished milking. During the time we waited in our vehicle, we observed a skid loader transporting loads of sand to the north side of the facility. The skid loader continued transporting loads of sand until we began the walkthrough at 9:30 a.m. Later in the inspection, we noted fresh loads of sand at all the entrance/exit locations of the barns. Mr. Pansier requested we begin the inspection at the Satellite facility. I said we would like to start the inspection at this site.

### **2.1 Walkthrough of the Facility**

To facilitate the walkthrough section of this report, overview photographs are included in Attachment 1 which includes building labels, outlines of drainage pathways, and sample locations. The inspection photographs are in Attachment 2.

#### **Home Site**

We began the walkthrough portion of the inspection by walking to the north end of the facility. We observed an emergency response plan in the machine shed located on the far west side of the facility. At the north end of the Milk Cow Barn, manure and process wastewater was flowing north into the field north of the Milk Cow Barn (Attachment 2: RIMG0011-RIMG0013). I observed an accumulation of manure, bedding, and feed

solids throughout the field north of the Milk Cow Barn. Manure and process wastewater was flowing out from a barn access point on the northwest corner of the Milk Cow Barn (Attachment 2: RIMG0014). A berm of sand had been recently placed across the access point; however, it did not eliminate the flow of manure and process wastewater from the barn. Additionally, drainage from the access way and feed bunker were contributing flow north into the field north of the Milk Cow Barn (Attachment 2: RIMG0015; RIMG0192). The access way and feed bunker lacked proper housekeeping which resulted in an accumulation of raw materials and manure on the access way surfaces (Attachment 2: RIMG0192). Process wastewater was flowing north from the access way to the field north of the Milk Cow Barn.

I observed process wastewater on the north end of the feed bunker which could drain west to the unnamed tributary (Attachment 2: RIMG0016). I observed manure and process wastewater in pathways throughout the field north of the Milk Cow Barn (Attachment 2: RIMG0017-RIMG0019). Process wastewater flowed north down the ledge into a borrow area (Attachment 2: RIMG0020-RIMG0030). The borrow area under construction did not contain any sediment and erosion control structures or best management practices (BMPs) in place. The facility had not acquired a construction site storm water discharge permit or developed a storm water pollution prevention plan for the areas of the facility that were disturbed. I estimated the total area of disturbed land at approximately 9-12 acres based on on-site observation and aerial photographs. I estimated that the borrow area was approximately 2-3 acres in size. I observed process wastewater in puddles and pathways throughout the borrow area and the general flow direction of the process wastewater was to the north. The flowing wastewater in the pathways was dark in color and smelled of manure. The flowing wastewater in the pathways looked like a diluted liquid manure slurry that would normally be stored in a waste storage facility or slurry storage structure.

Process wastewater and sediment laden stormwater flowed north into a forested area. I observed foam throughout the flow pathway in the forested area (Attachment 2: RIMG0033-RIMG0040). The flow pathway continued north and then east and connected with the unnamed tributary. The water from the flow pathway was cloudy at the discharge point into the unnamed tributary (Attachment 2: RIMG0043-RIMG0044). Before the pathway connected with the unnamed tributary, the topography leveled off. In this area I observed the deposition of red clay along the forest floor (Attachment 2: RIMG0202-RIMG0206).

We continued back south where we observed another process wastewater stream flowing down the ledge into the borrow area (Attachment 2: RIMG0047-RIMG0059; RIMG241-RIMG0261). The process wastewater was emanating from the barns and cattle pathways used to transfer dairy cows between the New Barn and the existing barns (Attachment 2: RIMG0078; RIMG0080-RIMG0082; RIMG0091- RIMG0092).

We continued north between the existing barns. I observed manure and process wastewater tracked out of the barn and on the concrete area (Attachment 2: RIMG0060-RIMG0062). Sand had recently been placed at the barn access point in which manure

and process wastewater was tracked out of the barn. This area drains north to the field north of the Milk Cow Barn.

We walked to Lot B. The open lot did not have containment for manure or process wastewater. A sand berm had recently been placed on the east end of the open lot (Attachment 2: RIMG0063-RIMG0064). A pile of bedding was located at the east side of Lot B. The process wastewater from the open lot and pile could flow east and north to a culvert under the New Barn and to the unnamed tributary on the east side of the site (Attachment 2: RIMG0064-RIMG0065). I observed a pile of waste material located east of Lot B (Attachment 2: RIMG0066-RIMG0067). Process wastewater contacting the waste material could flow north to the culvert under the new barn and to the unnamed tributary.

At the southeast corner of the New Barn, I observed a mucky area that drained toward the culvert under the New Barn. Sand had been placed at an access point along the southwest end of the New Barn. Manure and process wastewater was observed outside of the southwest access point of the New Barn and could flow south toward the mucky area (Attachment 2: RIMG0072-RIMG0077).

A cow access way between the New Barn and the barn west of the New Barn contained manure solids on its surface. Manure and process wastewater flowed north from the access way between the New Barn and the barn west of the New Barn (Attachment 2: RIMG0078; RIMG0091-RIMG0092). It then flowed west after contacting a concrete wall and then flowed to the north into the field west of the concrete pits (Attachment 2: RIMG0080-RIMG0082). A sand berm had recently been placed near the metal gate on the access way. Mr. Pansier said he did not believe the sand berms were sufficient to adequately contain the manure and process wastewater.

I observed the west concrete pit; it was partially full (Attachment 2: RIMG0083). At the northwest corner of the concrete pit, I observed process wastewater which drained to the northwest (Attachment 2: RIMG0084). There was a trickling flow of process wastewater emanating from the northwest corner of the concrete pit (Attachment 2: RIMG0085; RIMG0090).

I observed manure and waste materials throughout the access ways on the production area due to poor housekeeping (Attachment 2: RIMG0093; RIMG0095).

### **Satellite Site**

I began the walkthrough of the Satellite site on the east side of Lot D. A sand berm had recently been placed at the access gate for Lot D. Feed, manure, and process wastewater were observed east of the access gate on the concrete (Attachment 2: RIMG0098-RIMG0102). The area east of the access gate drained southeast into a grassed area north of the Heifer Barn. The grassed area drained into the County Road V ditch. Feed and process wastewater had no containment along the south end of Lot D (Attachment 2: RIMG0103-RIMG0105). The facility had recently constructed a new feed bunker



(Attachment 2: RIMG0109). Leachate was observed outside of the bunker walls on the north and south side of the new feed bunker (Attachment 2: RIMG0110; RIMG0115). An unnamed tributary is located less than 50 feet from the edge of the feed bunker (Attachment 2: RIMG0112- RIMG00114). I observed leachate seeping out through the rock/soil along the south side of the feed bunker and flowing overland to the unnamed tributary (Attachment 2: RIMG0116-RIMG0119; RIMG0126-RIMG0130; RIMG0167-RIMG0168). I observed a sheen where the leachate entered the unnamed tributary (Attachment 2: RIMG0120-RIMG0125).

I observed process wastewater and feed solids around the southeast side of the feed bunkers (Attachment 2: RIMG0133-RIMG0136). The process wastewater was located in an area and could flow south and west into and across a field. I observed process wastewater and feed solids around the east side of the feed bunkers (Attachment 2: RIMG0137; RIMG0154- RIMG0162). The process wastewater flowed east into a grassed area north of the Heifer Barn and continued northeast into the County Road V ditch (Attachment 2: RIMG0138- RIMG0151; RIMG0163-RIMG0166). I observed feed solids throughout the grassed area and observed water flowing through the culvert east under County Road V. The County Road V ditch and culverts flowed to the unnamed tributary.

## **2.2 Closing Conference and Post-Inspection**

I summarized my findings and observations to Mr. Pansier. I expressed the following areas of concern:

1. At the Satellite site, process wastewater runoff generated at the open lot and feed bunkers flowed east to the County Road V ditch.
2. At the Satellite site, process wastewater generated at the New Bunker flowed west to the unnamed tributary.
3. At the Home site, process wastewater was trickling out of the northwest corner of the concrete pit.
4. At the Home site, manure and process wastewater from the feed bunker, access way, and northwest access point of the Milk Cow Barn did not have containment and flowed north through pathways that led to the unnamed tributary on the east end of the site.
5. At the Home site, manure and process wastewater from the New Barn, cattle walkways, and the barn located between the New Barn and the Milk Cow Barn did not have containment and flowed north through pathways that led to the unnamed tributary on the east end of the site.
6. At the Home site, manure and process wastewater from the used bedding stockpile and Lot B could flow east and north through a culvert under the barn to the unnamed tributary on the east end of the site.

### **2.3 Sampling Information**

Sampling was conducted at various locations of the production area to determine the presence of pollutants that could impact the applicable unnamed tributaries. Mr. Pansier did not accompany EPA during sampling. I offered to split samples with Mr. Pansier. Mr. Pansier declined splitting samples. Samples were tested for fecal coliform, biochemical oxygen demand (BOD), total dissolved solids (TDS), total suspended solids (TSS), ammonia nitrogen, nitrate- nitrite nitrogen, total Kjeldahl nitrogen (TKN), and total phosphorus (TP).

Sample B01 was taken at 11:02 a.m. as a field blank. Sample S01 was taken at 11:14 a.m. of process wastewater from the New Bunker (Attachment 2: RIMG0169, RIMG0170). Sample S02 was taken at 11:25 a.m. of process wastewater emanating from the New Bunker and flowing into an unnamed tributary (Attachment 2: RIMG0178, RIMG0179). Sample S03 was taken at 11:32 a.m. of process wastewater in the grassed area at the Satellite site (Attachment 2: RIMG0181-RIMG0184). Sample S04 was taken at 11:35 a.m. of process wastewater flowing into the culvert under County Road V at the Satellite site (Attachment 2: RIMG0185- RIMG0189). Sample S05 was taken at 12:45 p.m. from the process wastewater in the drainage pathway at the unnamed tributary on the east side of the Home site (Attachment 2: RIMG0194-RIMG0195). Sample S06 and Sample S07 were taken at 1:00 p.m. of process wastewater in the drainage pathway in the borrow area that drains to the unnamed tributary on the east side of the Home site (Attachment 2: RIMG0234-RIMG0235). Sample S08 was taken at 1:12 p.m. of manure and process wastewater in a pathway emanating from the New Barn and cattle walkways between the New Barn and the barn west of the New Barn (Attachment 2: RIMG0250-RIMG0253). Sample S09 was taken at 1:20 p.m. of manure and process wastewater in a pathway emanating from the Milk Cow Barn and the access way between the Milk Cow Barn and the feed bunkers (Attachment 2: RIMG0265-RIMG0267). Sampling locations can be seen in Attachment 1: Figure 1 and Figure 2.

Sampling concluded at 1:20 pm. I took all samples. Samples were preserved starting at 1:30 pm according to EPA Region 5 Field Sampling Plan. Fecal coliform samples were transported to Pace Analytical Services, Inc. at 1241 Bellevue Street, Green Bay, Wisconsin. All other samples were hand delivered to the EPA Region 5 Chicago Regional Laboratory. All samples met holding time according to the EPA Region 5 Field Sampling Plan developed for the inspection.

The results of the sampling, summarized in Table 1, indicate multiple areas contribute pollutants into the unnamed tributaries. All of the samples had significant quantities of fecal coliform (<901 to 2,500,000 colony forming units (CFU) per 100 milliliter). Additionally, several forms of nitrogen are contained in the process wastewater samples, as indicated by the TKN, nitrate- nitrite nitrogen, and ammonia nitrogen sampling results. Total Phosphorus, TDS, and TSS were present in the samples. The laboratory results are in Attachment 3.



Table 1: Field Sampling Results

Sample ID	Fecal Coliform (CFU/100ml)	Biochemical Oxygen Demand (BOD) (mg/L)	Total Kjeldahl Nitrogen (TKN) (mg/L)	Nitrate-Nitrite Nitrogen (mg/L)	Ammonia Nitrogen (mg/L)	Total Phosphorus (mg/L)	Total Dissolved Solids (TDS) (mg/L)	Total Suspended Solids (TSS) (mg/L)
S01	<901	9300	1700	3.08	56.3	502	42000	95.7
S02	90,900	2600	162	1.94	67.7	21.9	4030	1670
S03	2,100,000	4300	244	U	57.2	103	5700	960
S04	2,500,000	2300	146	U	32.1	56.7	3680	342
S05	135,000	280	47.1	3.07	11.2	8.59	1060	66.0
S06	1,140,000	870	229	5.19	51.0	36.8	2760	645
S07	1,300,000	1800	255	5.22	45.4	39.8	2670	636
S08	757,000	4400	276	14.2	105	32.4	4310	149
S09	260,000	2300	138	2.79	18.9	40.1	2220	270
B01	-	4	0.09	U	U	U	U	U

U-Undetectable

### **3. POTENTIAL VIOLATIONS**

According to Section 301(a) of the Clean Water Act, it is a violation to discharge pollutants from a CAFO to waters of the United States without a permit.

EPA observed discharges in the following locations:

1. At the Home site, process wastewater was trickling out of the northwest corner of the concrete pit and was observed in a depressional area. The depressional area drained north through pathways and was observed discharging to the unnamed tributary on the east side of the Home site.
2. At the Home site, manure and process wastewater from the feed bunker, access way, and the northwest access point of the Milk Cow Barn did not have containment and was flowing north through pathways and was observed discharging to the unnamed tributary on the east side of the Home site.
3. At the Home site, manure and process wastewater from the New Barn, cattle walkways, and the barn west of the New Barn did not have containment and was flowing north through pathways and was observed discharging to the unnamed tributary on the east side of the Home site.
4. At the Satellite site, process wastewater runoff generated at the feed bunkers was flowing east to the County Road V ditch. The County Road V ditch and culverts flow to the unnamed tributary.
5. At the Satellite site, process wastewater runoff generated at the New Bunker was flowing west and was observed discharging to the unnamed tributary.

According to Section 301(a) of the Clean Water Act, it is a violation to discharge pollutants from a point source to waters of the United States without a permit.

EPA observed discharges in the following locations:

1. At the Home site, the borrow area did not have sediment and erosion controls in place. Sediment laden storm water from the borrow area was flowing north through pathways and was observed discharging to the unnamed tributary on the east side of the Home site.

#### **4. AREAS OF CONCERN**

EPA observed these areas of concern whereby pollutants have the potential to reach waters of the United States:

1. At the Home site, runoff from Lot B could flow east to the unnamed tributary on the east end of the site.
2. The Home site contained waste feed, manure, and process wastewater in many of the access ways.
3. At the Satellite site, process wastewater runoff generated at the open lot could flow east to the County Road V ditch.

### **LIST OF ATTACHMENTS**

1. Aerial photographs of Ledgeview Farms
2. Inspection Photographs
3. Field Sampling Results

ATTACHMENT 1: AERIAL PHOTOGRAPHS OF LEDGEVIEW FARMS



Figure 1.1: March 24, 2014 aerial photograph of Ledgeview Farms Home Site

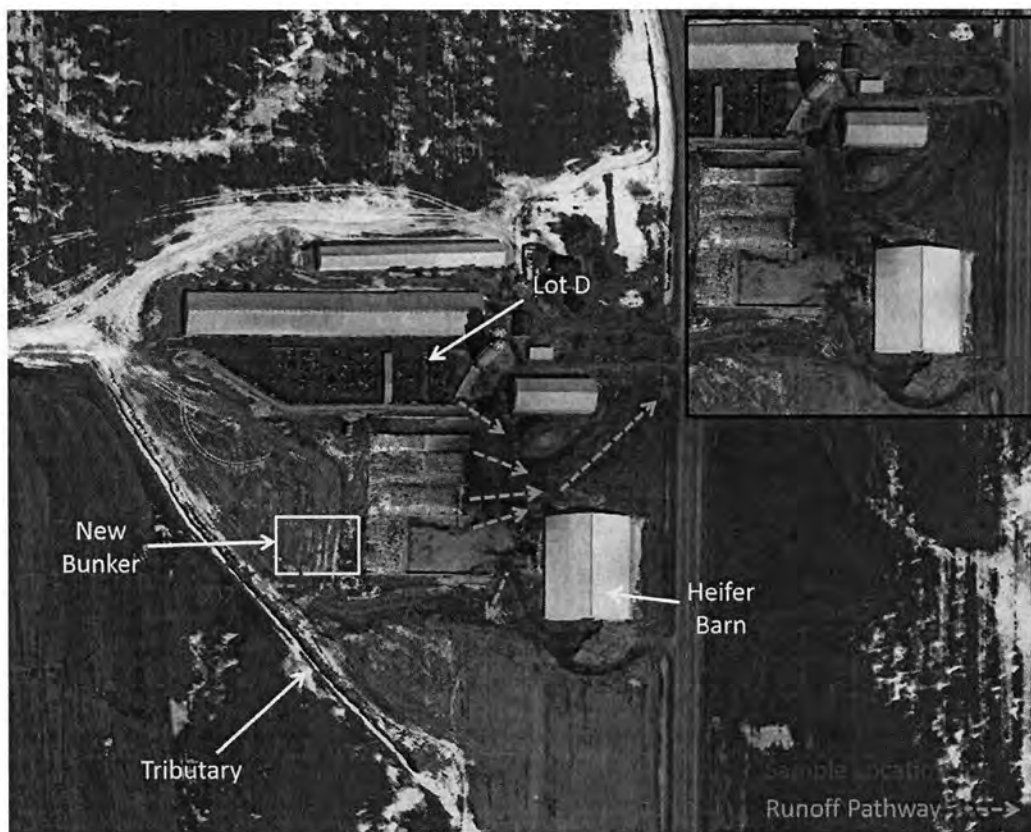


Figure 1.2: March 24, 2014 aerial photograph of Ledgeview Farms Satellite Site





Figure 1.3: Aerial Photograph of National Hydrography Dataset (NHD) Waterways from the United States Geological Survey (USGS)

## ATTACHMENT 2: INSPECTION PHOTOGRAPHS

Note: A table documenting photograph date, time, direction, and GPS coordinates is located at the end of this document.

**Emergency Response Plan**

Farm Name: Ledgeview Farms, LLC - Upper & Lower Farm

Owner/Operator: Roy, Joan, Glen & Jason Panter Phone: 920-336-7519 Cell: 920-855-1344

Owner/Operator: Jason Panter Phone: Cell: 920-855-1344

Farm Address: 3870 Dickinson Rd DePue, WI 54115

Farm Location: T. 23 N. R. 21 E. Q. W. Section 33 County: Brown

Driving Directions or Emergency Coordinates: Located west of the intersection of City Hwy G (Dickinson Rd) and City Rd V in Kolba Corner, Town of Ledgeview, Brown County, WI

**In Case of Injury, Fire, or Rescue Emergency, Immediately Implement the Following:**

1. Assess the condition of the victim, extent of the emergency (fire, rescue) and call for help
2. Stabilize the victim, use on-site rescue equipment, evacuate buildings, or begin fire suppression as necessary
3. Brief emergency responders upon arrival on current status of situation

**In Case of a Spill, Leak, or Failure of the Storage Facility, During Transport, or Land Application, Immediately Implement the Following:**

1. Stop the source of the leak or spill. For example:
  - Turn off all pumps/valves and clamp hoses or seal tractor on hoses to stop the flow of manure.
  - Assess the situation and make appropriate calls for people, equipment, and materials. (See contacts below)
  - Notify DNR spill hotline: 1-800-943-0003 (Spill reporting is mandatory by state law)
  - Call sheriff's office if spilled on public roads or at right-of-way for traffic control.
  - Clear the road and prevent spillage from entering surface waters, tile intakes, or waterways
  - Contain the spill and prevent spillage from entering surface waters, tile intakes, or waterways
  - Use a silt sander or tractor with a blade to build dikes to contain or divert the spill or leak
  - Insert sleeves around tile intakes (or plug/tie intakes) and block down slope culverts.
  - Use blage implements to work up the ground ahead of the spill or use absorbent materials
  - Use blage implements to recover liquids
  - Use pumps to recover liquids
  - Use pumps on approved cropland at appropriate times
  - Land apply on approved cropland at appropriate times
  - Document your actions
2. Contact Emergency Contacts
3. Contact Emergency Contacts
4. Contact Emergency Contacts
5. Contact Emergency Contacts
6. Contact Emergency Contacts
7. Contact Emergency Contacts
8. Contact Emergency Contacts
9. Contact Emergency Contacts
10. Contact Emergency Contacts

1: RIMG0009

Description: The emergency response plan was located in the machine shed.

**Emergency Response Plan**

Farm Name: Ledgeview Farms, LLC - Upper & Lower Farm

Owner/Operator: Roy, Joan, Glen & Jason Panter Phone: 920-336-7519 Cell: 920-855-1344

Owner/Operator: Jason Panter Phone: Cell: 920-855-1344

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1. Assess the condition of the victim, extent of the emergency (fire, rescue) and call for help
2. Stabilize the victim, use on-site rescue equipment, evacuate buildings, or begin fire suppression as necessary
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  - Assess the situation and make appropriate calls for people, equipment, and materials. (See contacts below)
  - Notify DNR spill hotline: 1-800-943-0003 (Spill reporting is mandatory by state law)
  - Call sheriff's office if spilled on public roads or at right-of-way for traffic control.
  - Clear the road and prevent spillage from entering surface waters, tile intakes, or waterways
  - Contain the spill and prevent spillage from entering surface waters, tile intakes, or waterways
  - Use a silt sander or tractor with a blade to build dikes to contain or divert the spill or leak
  - Insert sleeves around tile intakes (or plug/tie intakes) and block down slope culverts.
  - Use blage implements to work up the ground ahead of the spill or use absorbent materials
  - Use blage implements to recover liquids
  - Use pumps to recover liquids
  - Use pumps on approved cropland at appropriate times
  - Land apply on approved cropland at appropriate times
  - Document your actions
2. Contact Emergency Contacts
3. Contact Emergency Contacts
4. Contact Emergency Contacts
5. Contact Emergency Contacts
6. Contact Emergency Contacts
7. Contact Emergency Contacts
8. Contact Emergency Contacts
9. Contact Emergency Contacts
10. Contact Emergency Contacts

2: RIMG0010

Description: The emergency response plan was located in the machine shed.



3: RIMG0011

Description: Manure and process wastewater flowed out of the northwest end of the Milk Cow Barn and from the access ways and silage bunker to the west of the Milk Cow Barn. The manure and process waste water flowed north and entered the field to the north of the Milk Cow Barn.



4: RIMG0012

Description: The manure and process waste water flowed north and entered the field to the north of the Milk Cow Barn. The accumulation of manure, bedding, and feed solids was observed through the field north of the Milk Cow Barn.



5: RIMG0013

Description: Manure and process wastewater flowed out of the northwest end of the Milk Cow Barn and from the access ways and silage bunker to the west of the Milk Cow Barn. The manure and process waste water flowed north and entered the field to the north of the Milk Cow Barn.



6: RIMG0014

Description: Manure and process wastewater flowed out of the northwest end of the Milk Cow Barn and from the access ways and silage bunker to the west of the Milk Cow Barn. The manure and process waste water flowed north and entered the field to the north of the Milk Cow Barn.



7: RIMG0015

Description: Manure and process wastewater flowed out of the northwest end of the Milk Cow Barn and from the access ways and silage bunker to the west of the Milk Cow Barn. The manure and process waste water flowed north and entered the field to the north of the Milk Cow Barn.



8: RIMG0016

Description: Process wastewater was observed at the north end of the Feed Bunker





9: RIMG0017

Description: Feed, bedding, and manure solids were observed throughout the field north of the Milk Cow Barn. The field sloped to the north.



10: RIMG0018

Description: Feed, bedding, and manure solids were observed throughout the field north of the Milk Cow Barn. The field sloped to the north.





11: RIMG0019

Description: Manure and process wastewater flow from the field concentrated into a pathway.



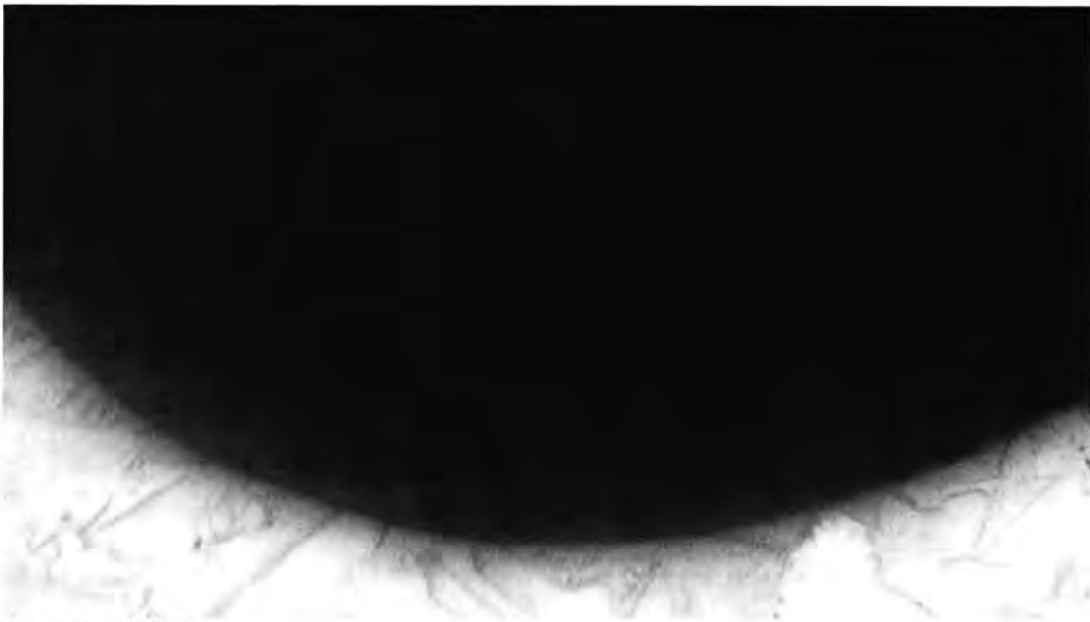
12: RIMG0020

Description: Manure and process wastewater flow from the field concentrated into a pathway.



13: RIMG0021

Description: The process wastewater pathway flows to the north through the borrow area north of the Milk Cow Barn. The borrow area was used for the construction of a waste storage facility. Sediment and erosion control measures had not been implemented on the disturbed area. The dark colored water in the borrow area is process wastewater.



14: RIMG0023

Description: NA



15: RIMG0024

Description: The process wastewater pathway flows to the north through the borrow area north of the Milk Cow Barn. The borrow area was used for the construction of a waste storage facility. Sediment and erosion control measures had not been implemented on the disturbed area.



16: RIMG0025

Description: The process wastewater pathway flows to the north through the borrow area north of the Milk Cow Barn. The borrow area was used for the construction of a waste storage facility. Sediment and erosion control measures had not been implemented on the disturbed area. The dark colored water in the borrow area is process wastewater.



17: RIMG0026

Description: The process wastewater pathway flows to the north through the borrow area north of the Milk Cow Barn. The borrow area was used for the construction of a waste storage facility. Sediment and erosion control measures had not been implemented on the disturbed area. The dark colored water in the borrow area is process wastewater.



18: RIMG0027

Description: The process wastewater pathway flows to the north through the borrow area north of the Milk Cow Barn. The borrow area was used for the construction of a waste storage facility. Sediment and erosion control measures had not been implemented on the disturbed area. The dark colored water in the borrow area is process wastewater.





19: RIMG0028

Description: The process wastewater pathway flows to the north through the borrow area north of the Milk Cow Barn. The borrow area was used for the construction of a waste storage facility. Sediment and erosion control measures had not been implemented on the disturbed area. The dark colored water in the borrow area is process wastewater.



20: RIMG0029

Description: The process wastewater pathway flows to the north through the borrow area north of the Milk Cow Barn. The borrow area was used for the construction of a waste storage facility. Sediment and erosion control measures had not been implemented on the disturbed area. The dark colored water in the borrow area is process wastewater.



21: RIMG0030

Description: The process wastewater pathway flows to the north through the borrow area north of the Milk Cow Barn. The topography of the disturbed field is sloped such that the flow continues north into a wooded area. There were no sediment and erosion controls to reduce the amount of sediment transferred off site.



22: RIMG0031

Description: The process wastewater pathway flows to the north through a wooded area. Foam was observed in multiple locations throughout the pathway.





23: RIMG0032

Description: The process wastewater pathway flows to the north through a wooded area. Foam was observed in multiple locations throughout the pathway.



24: RIMG0033

Description: The process wastewater pathway flows to the north through a wooded area. Foam was observed in multiple locations throughout the pathway.



25: RIMG0034

Description: The process wastewater pathway flows to the north through a wooded area. Foam was observed in multiple locations throughout the pathway.



26: RIMG0035

Description: The process wastewater pathway flows to the north through a wooded area. Foam was observed in multiple locations throughout the pathway.



27: RIMG0036

Description: The process wastewater pathway flows to the north through a wooded area. Foam was observed in multiple locations throughout the pathway.



28: RIMG0037

Description: The process wastewater pathway flows to the north through a wooded area. Foam was observed in multiple locations throughout the pathway.





29: RIMG0038

Description: The process wastewater pathway flows to the north through a wooded area. Foam was observed in multiple locations throughout the pathway.



30: RIMG0039

Description: The process wastewater pathway flows to the north through a wooded area. Foam was observed in multiple locations throughout the pathway.



31: RIMG0040

Description: The process wastewater pathway flows to the north through a wooded area. Foam was observed in multiple locations throughout the pathway. After the flow pathway dropped down the ledge, it continued east through an area with relatively little elevation change to the unnamed tributary. Sediment deposition was observed throughout this area covering the forest floor.



32: RIMG0041

Description: The flow pathway continued east through an area with relatively little elevation change to the unnamed tributary. Sediment deposition was observed throughout this area covering the forest floor.



33: RIMG0042

Description: Water from the upstream portion of the unnamed tributary that abuts the east side of the Home site was clear.



34: RIMG0043

Description: The process wastewater pathway entered the unnamed tributary that abuts the east side of the Home site. The turbid water on the left hand side of the photo from the flow pathway mixed with the clear water from the upstream portion of the unnamed tributary.





35: RIMG0044

Description: The process wastewater pathway entered the unnamed tributary that abuts the east side of the Home site. The turbid water from the flow pathway was observed throughout the downstream portion of the unnamed tributary.



36: RIMG0045

Description: The process wastewater pathway entered the unnamed tributary that abuts the east side of the Home site.



37: RIMG0046

Description: The process wastewater pathway flowing east to the unnamed tributary that abuts the east side of the Home site.



38: RIMG0047

Description: Process wastewater flowed to the north to the borrow area north of the Milk Cow Barn. This process wastewater was emanating from the New Barn, the barn west of the New Barn, and the access ways between these barns.



39: RIMG0048

Description: Process wastewater flowed to the north to the borrow area north of the Milk Cow Barn. This process wastewater was emanating from the New Barn, the barn west of the New Barn, and the access ways between these barns.



40: RIMG0049

Description: Process wastewater flowed to the north to the borrow area north of the Milk Cow Barn. This process wastewater was emanating from the New Barn, the barn west of the New Barn, and the access ways between these barns.





41: RIMG0050

Description: Process wastewater flowed through a pathway to the north to the borrow area north of the Milk Cow Barn. This process wastewater was emanating from the New Barn, the barn west of the New Barn, and the access ways between these barns.



42: RIMG0051

Description: Process wastewater flowed through a pathway to the north to the borrow area north of the Milk Cow Barn. This process wastewater was emanating from the New Barn, the barn west of the New Barn, and the access ways between these barns.



43: RIMG0052

Description: Process wastewater in the field west of the concrete pits.



44: RIMG0053

Description: Process wastewater in the field west of the concrete pits.



45: RIMG0054

Description: Process wastewater in the field west of the concrete pits.



46: RIMG0055

Description: Process wastewater in the field west of the concrete pits.





47: RIMG0056

Description: Process wastewater flowed through a pathway to the north to the borrow area north of the Milk Cow Barn. This process wastewater was emanating from the New Barn, the barn west of the New Barn, and the access ways between these barns.



48: RIMG0057

Description: Process wastewater flowed through a pathway to the north to the borrow area north of the Milk Cow Barn. This process wastewater was emanating from the New Barn, the barn west of the New Barn, and the access ways between these barns.



49: RIMG0058

Description: Process wastewater flowed through a pathway to the north to the borrow area north of the Milk Cow Barn. This process wastewater was emanating from the New Barn, the barn west of the New Barn, and the access ways between these barns.



50: RIMG0059

Description: Manure solids and process wastewater flowed off the concrete into the field west of the concrete pits. The manure and process wastewater was emanating from the New Barn, the barn west of the New Barn, and the access ways between these barns.



51: RIMG0060

Description: A recently placed sand berm had been place at a barn doorway. Manure and process wastewater was observed outside of the doorway on the concrete.



52: RIMG0061

Description: A recently placed sand berm had been place at a barn doorway. Manure and process wastewater was observed outside of the doorway on the concrete.



53: RIMG0062

Description: A recently placed sand berm had been placed at a barn doorway. Manure and process wastewater was observed outside of the doorway on the concrete.



54: RIMG0063

Description: A stockpile of bedding material was located east of Calf Barn 2. A sand berm was placed on the east end of Calf Barn 2. The process wastewater from the open lot and pile could flow east and north to a culvert under the New Barn and to unnamed tributary on the east side of the site.





55: RIMG0064

Description: A stockpile of bedding material was located east of Calf Barn 2. A sand berm was placed on the east end of Calf Barn 2. The process wastewater from the open lot and pile could flow east and north to a culvert under the New Barn and to the unnamed tributary on the east side of the site.



56: RIMG0065

Description: The culvert inlet under the New Barn.



57: RIMG0066

Description: A pile of waste material was placed such that process wastewater generated from it would flow to the culvert under the New Barn which flows to the unnamed tributary on the east side of the site.



58: RIMG0067

Description: A pile of waste material was placed such that process wastewater generated from it would flow to the culvert under the New Barn which flows to the unnamed tributary on the east side of the site.





59: RIMG0068

Description: A pile of sand and dead calf.



60: RIMG0069

Description: A mucky area drains toward the culvert under the New Barn.



61: RIMG0070

Description: A mucky area drains toward the culvert under the New Barn.



62: RIMG0071

Description: A mucky area drains toward the culvert under the New Barn.



63: RIMG0072

Description: Sand had been placed at an access point along the southwest end of the New Barn. Manure and process wastewater was observed outside of the New Barn and could flow south toward the mucky area.



64: RIMG0073

Description: Manure and process wastewater was observed outside of the New Barn and could flow south toward the mucky area.



65: RIMG0074

Description: Sand had been placed at an access point along the west end of the New Barn. Manure and process wastewater was observed outside of the New Barn and could flow south toward the mucky area.



66: RIMG0075

Description: Manure and process wastewater was observed outside of the New Barn and could flow south toward the mucky area.



67: RIMG0076

Description: Manure and process wastewater was observed outside of the New Barn and could flow south toward the mucky area.



68: RIMG0077

Description: Sand had been placed at an access point along the west end of the New Barn. Manure and process wastewater was observed outside of the New Barn and could flow south toward the mucky area.





69: RIMG0078

Description: A cow access way between the New Barn and the barn west of the New Barn contained manure solids on its surface and process wastewater flowed north to the field west of the concrete pits.



70: RIMG0079

Description: Disturbed area.





71: RIMG0080

Description: Manure and process wastewater flowed north from the access way between the New Barn and the barn west of the New Barn. It then flowed west after contacting a concrete wall and then flowed to the north into the field west of the concrete pits.



72: RIMG0081

Description: Manure and process wastewater flowed north from the access way between the New Barn and the barn west of the New Barn. It then flowed west after contacting a concrete wall and then flowed to the north into the field west of the concrete pits. A sand berm had recently been placed near the metal gate on the access way.



73: RIMG0082

Description: Manure and process wastewater flowed north from the access way between the New Barn and the barn west of the New Barn. It then flowed west after contacting a concrete wall and then flowed to the north into the field west of the concrete pits.



74: RIMG0083

Description: The west concrete pit was about halfway full.



75: RIMG0084

Description: Process wastewater was observed at the northwest corner of the west concrete pit.



76: RIMG0085

Description: A trickling flow of process wastewater was emanating from the northwest corner of the concrete pit.



77: RIMG0086

Description: North end of concrete pit.



78: RIMG0087

Description: The north east end of the east concrete pit had clay covering a hole that was observed in the east concrete pit in an April 2013 inspection.





79: RIMG0088

Description: Area on north end of the concrete pit.



80: RIMG0089

Description: Area on north end of the concrete pit.





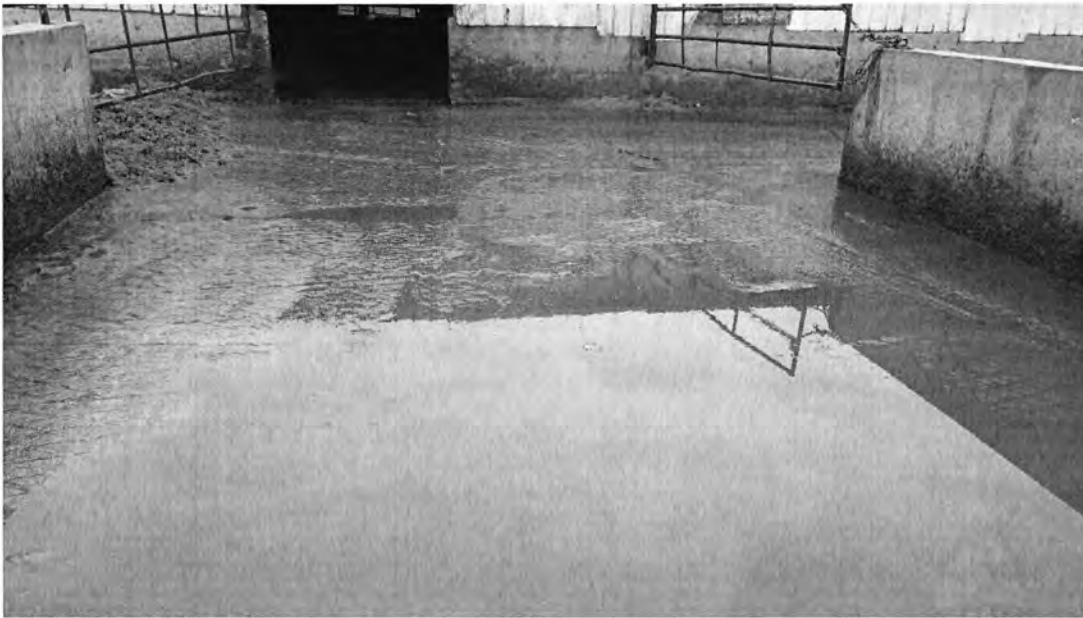
81: RIMG0090

Description: A trickling flow of process wastewater was emanating from the northwest corner of the west concrete pit.



82: RIMG0091

Description: Manure and process wastewater flowed from the new barn and access way west and then north.



83: RIMG0092

Description: Manure and process wastewater flowed from the New Barn and access way west and then north.



84: RIMG0093

Description: Manure and waste materials were observed on the ground along an access way between the barns.



85: RIMG0094

Description: Pump out for the milk house wastewater.



86: RIMG0095

Description: An access way between the barns.



87: RIMG0096

Description: Process wastewater east of Lot D.



88: RIMG0097

Description: Raw materials east of Lot D.



89: RIMG0098

Description: Feed and manure on the concrete east of Lot D.



90: RIMG0099

Description: Feed and manure on the concrete east of Lot D.





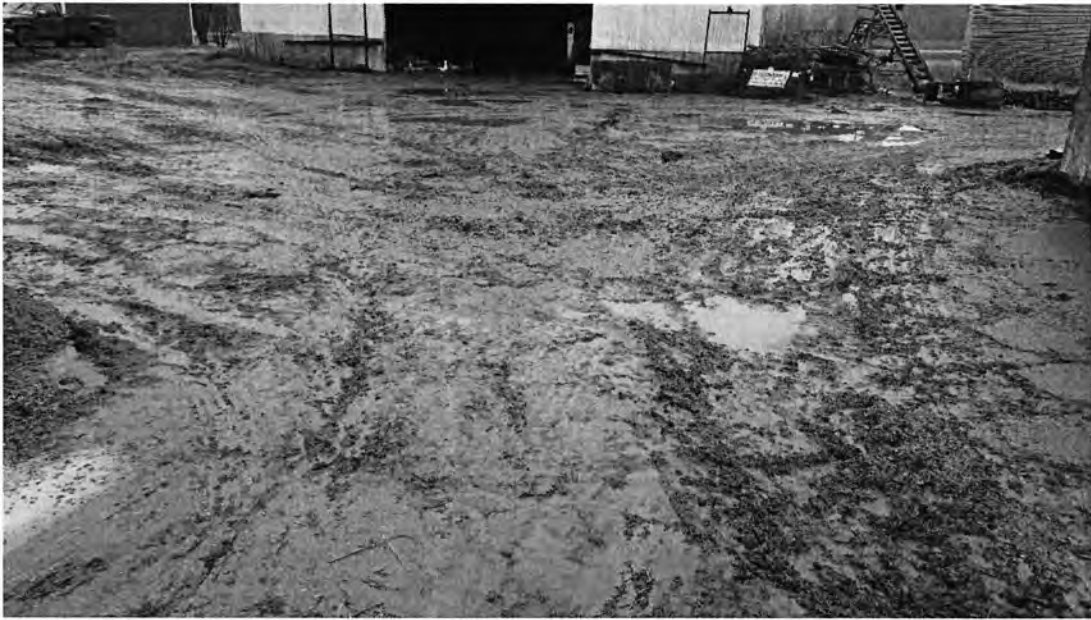
91: RIMG0100

Description: A sand berm had recently been placed at the access gate for Lot D. Manure and process wastewater were observed east of the access gate on the concrete.



92: RIMG0101

Description: A sand berm had recently been placed at the access gate for Lot D. Manure and process wastewater were observed east of the access gate on the concrete.



93: RIMG0102

Description: Manure and process wastewater on the concrete east of Lot D.



94: RIMG0103

Description: Feed and process wastewater had no containment along the south end of Lot D.



95: RIMG0104

Description: Feed bunkers.



96: RIMG0105

Description: Feed and process wastewater had no containment along the south end of Lot D.



97: RIMG0106

Description: Pit for Lot D.



98: RIMG0107

Description: Puddle near pit for Lot D.





99: RIMG0108

Description: Pit for Lot D.



100: RIMG0109

Description: Newly constructed feed bunker.





101: RIMG0110

Description: Leachate was observed outside of the bunker wall.



102: RIMG0111

Description: Northwest corner of new bunker.



103: RIMG0112

Description: Unnamed tributary is located less than 50 feet from the edge of newly constructed bunker.



104: RIMG0113

Description: Unnamed tributary is located less than 50 feet from the edge of newly constructed bunker.



105: RIMG0114

Description: Unnamed tributary is located less than 50 feet from the edge of newly constructed bunker.



106: RIMG0115

Description: Leachate was observed outside of the bunker wall and was draining through the rock/soil and then overland to the unnamed tributary.



107: RIMG0116

Description: Leachate was seeping out through the rock/soil and then draining overland to the unnamed tributary.



108: RIMG0117

Description: The leachate was draining west through tire ruts and into the unnamed tributary.





109: RIMG0118

Description: The leachate was draining west through tire ruts and into the unnamed tributary.



110: RIMG0119

Description: The leachate was draining west through tire ruts and into the unnamed tributary.





111: RIMG0120

Description: A sheen was observed where the leachate entered the unnamed tributary.



112: RIMG0121

Description: A sheen was observed where the leachate entered the unnamed tributary.



113: RIMG0122

Description: A sheen was observed where the leachate entered the unnamed tributary.



114: RIMG0123

Description: A sheen was observed where the leachate entered the unnamed tributary.



115: RIMG0124

Description: A sheen was observed where the leachate entered the unnamed tributary.



116: RIMG0125

Description: A sheen and foam was observed where the leachate entered the unnamed tributary.



117: RIMG0126

Description: The leachate flowed through the tire ruts to the unnamed tributary.



118: RIMG0127

Description: The leachate was seeping out of the rock/soil.





119: RIMG0128

Description: The leachate was seeping out of the rock/soil.



120: RIMG0129

Description: The leachate was seeping out of the rock/soil.





121: RIMG0130

Description: The leachate was seeping out of the rock/soil.



122: RIMG0131

Description: The topography on the south side of the feed bunkers are situated such that it drains to the unnamed tributary.



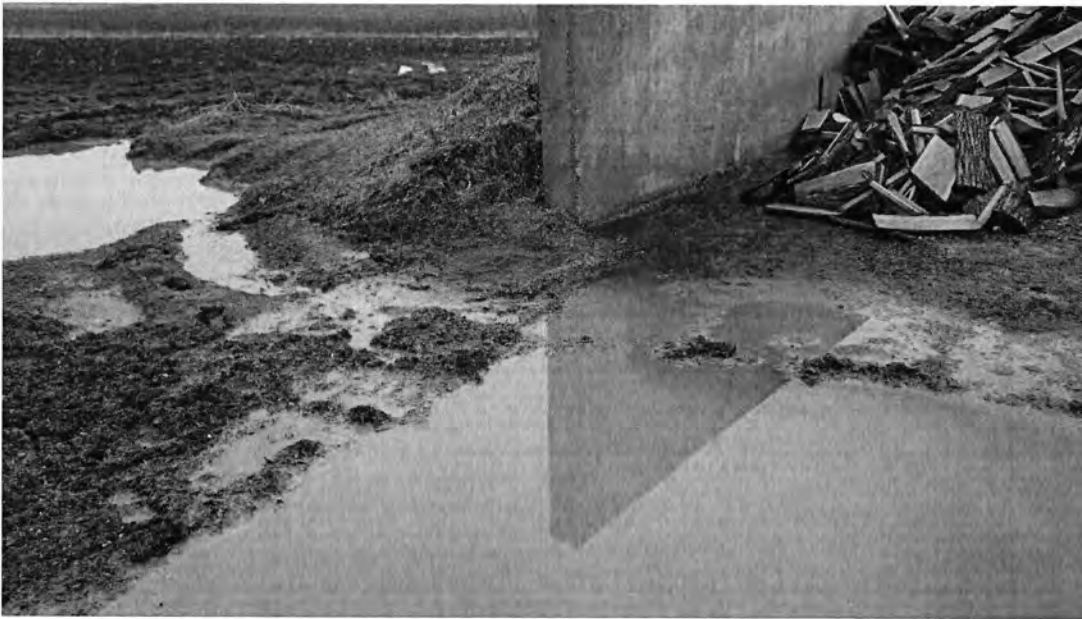
123: RIMG0132

Description: The topography on the south side of the feed bunkers are situated such that it drains to the unnamed tributary.



124: RIMG0133

Description: Process wastewater from the southeast end of the feed bunker flows south into the field.



125: RIMG0134

Description: Process wastewater from the southeast end of the feed bunker flows south into the field.



126: RIMG0135

Description: Raw material and feeds solids were scattered throughout the concrete surface of the feed bunker.



127: RIMG0136

Description: Process wastewater from the southeast end of the feed bunker flows south into the field.



128: RIMG0137

Description: Process wastewater and feed solids were observed around the feed bunkers. The process wastewater was ponded and flowed east into a grassed area. Drainage from most portions of the feed bunkers flowed east into a grassed area and to a ditch.





129: RIMG0138

Description: Process wastewater and feed solids were observed throughout the grassed area and the drainage paths leading to the grassed area.



130: RIMG0139

Description: Process wastewater and feed solids were observed throughout the grassed area and the drainage paths leading to the grassed area.





131: RIMG0140

Description: Process wastewater and feed solids were observed throughout the grassed area and the drainage paths leading to the grassed area.



132: RIMG0141

Description: Process wastewater and feed solids were observed throughout the grassed area.



133: RIMG0142

Description: Process wastewater and feed solids were observed throughout the grassed area and the drainage paths leading to the grassed area.



134: RIMG0143

Description: Process wastewater and feed solids observed in the grassed area.



223: RIMG0232

Description: The drainage pathway flowed to the unnamed tributary.



224: RIMG0233

Description: The drainage pathway flowed to the unnamed tributary.



225: RIMG0234

Description: Sample S06 and S07 were taken at 1:00 p.m. from process wastewater in the drainage pathway in the borrow area that drains to the unnamed tributary on the east side of the Home site.



226: RIMG0235

Description: Sample S06 and S07 were taken at 1:00 p.m. from process wastewater in the drainage pathway in the borrow area that drains to the unnamed tributary on the east side of the Home site.





227: RIMG0236

Description: Manure and process wastewater flowed into the borrow area from the New Barn and cattle walkways between the New Barn and the barn west of the New Barn.



228: RIMG0237

Description: Manure and process wastewater flowed north through the borrow area from the New Barn and cattle walkways between the New Barn and the barn west of the New Barn.





229: RIMG0238

Description: Manure and process wastewater flowed into the borrow area from the Milk Cow Barn and the access way between the Milk Cow Barn and the feed bunkers.



230: RIMG0239

Description: Manure and process wastewater flowed north through the borrow area from the Milk Cow Barn and the access way between the Milk Cow Barn and the feed bunkers.



231: RIMG0240

Description: Manure and process wastewater flowed north through the borrow area from the Milk Cow Barn and the access way between the Milk Cow Barn and the feed bunkers.



232: RIMG0241

Description: Manure and process wastewater flowed north toward the borrow area from the New Barn and cattle walkways between the New Barn and the barn west of the New Barn.



233: RIMG0242

Description: Manure and process wastewater flowed north toward the borrow area from the New Barn and cattle walkways between the New Barn and the barn west of the New Barn.



234: RIMG0243

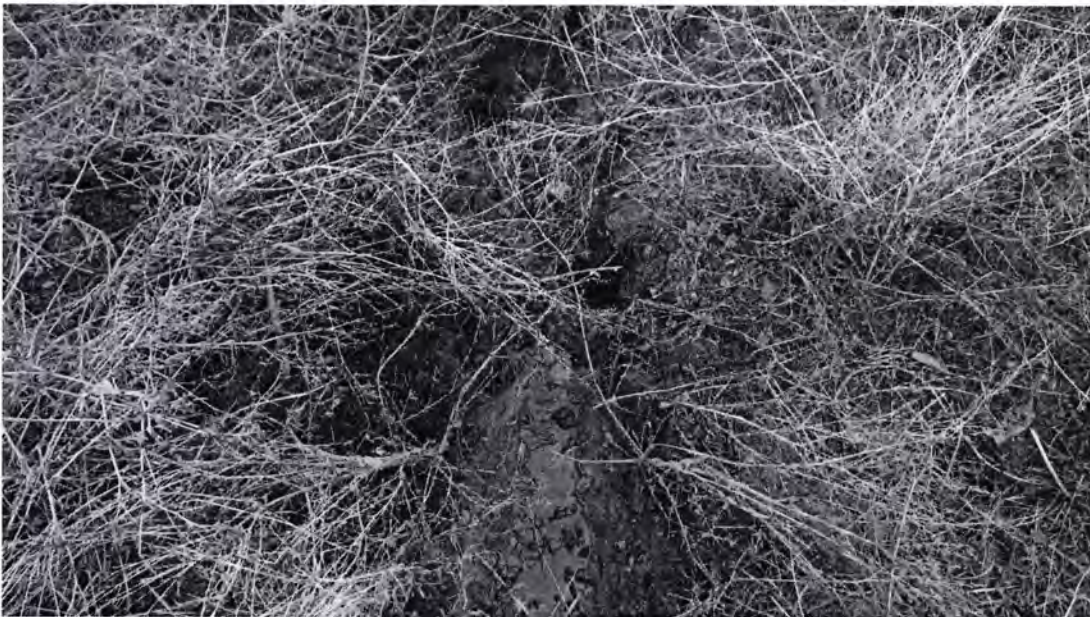
Description: Manure and process wastewater flowed north toward the borrow area from the New Barn and cattle walkways between the New Barn and the barn west of the New Barn.





235: RIMG0244

Description: Manure and process wastewater flowed north toward the borrow area from the New Barn and cattle walkways between the New Barn and the barn west of the New Barn.



236: RIMG0245

Description: Manure and process wastewater flowed north toward the borrow area from the New Barn and cattle walkways between the New Barn and the barn west of the New Barn.





237: RIMG0246

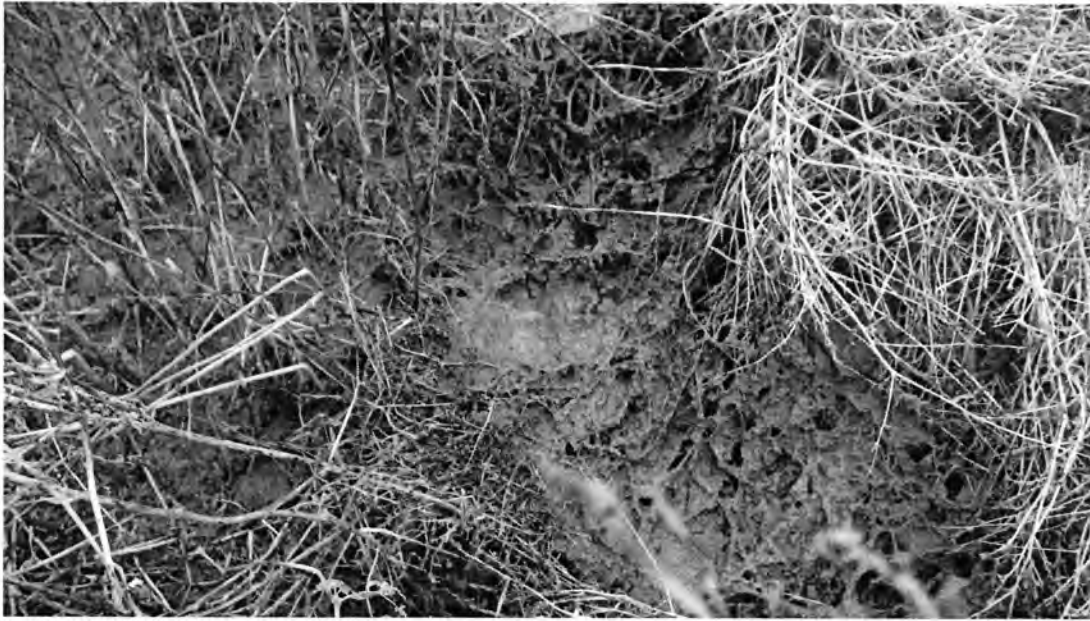
Description: Manure and process wastewater flowed north toward the borrow area from the New Barn and cattle walkways between the New Barn and the barn west of the New Barn.



238: RIMG0247

Description: Manure and process wastewater flowed north toward the borrow area from the New Barn and cattle walkways between the New Barn and the barn west of the New Barn.





239: RIMG0248

Description: Manure and process wastewater flowed north toward the borrow area from the New Barn and cattle walkways between the New Barn and the barn west of the New Barn.



240: RIMG0249

Description: Manure and process wastewater flowed north toward the borrow area from the New Barn and cattle walkways between the New Barn and the barn west of the New Barn.



241: RIMG0250

Description: Sample S08 was taken at 1:12 p.m. of manure and process wastewater in a pathway emanating from the New Barn and cattle walkways between the New Barn and the barn west of the New Barn.



242: RIMG0251

Description: Sample S08 was taken at 1:12 p.m. of manure and process wastewater in a pathway emanating from the New Barn and cattle walkways between the New Barn and the barn west of the New Barn.



243: RIMG0252

Description: Sample S08 was taken at 1:12 p.m. of manure and process wastewater in a pathway emanating from the New Barn and cattle walkways between the New Barn and the barn west of the New Barn.



244: RIMG0253

Description: Sample S08 was taken at 1:12 p.m. of manure and process wastewater in a pathway emanating from the New Barn and cattle walkways between the New Barn and the barn west of the New Barn.



245: RIMG0254

Description: Manure and process wastewater flowed north toward the borrow area from the New Barn and cattle walkways between the New Barn and the barn west of the New Barn.



246: RIMG0255

Description: Manure and process wastewater flowed north toward the borrow area from the New Barn and cattle walkways between the New Barn and the barn west of the New Barn.





247: RIMG0256

Description: Manure and process wastewater flowed north toward the borrow area from the New Barn and cattle walkways between the New Barn and the barn west of the New Barn.



248: RIMG0257

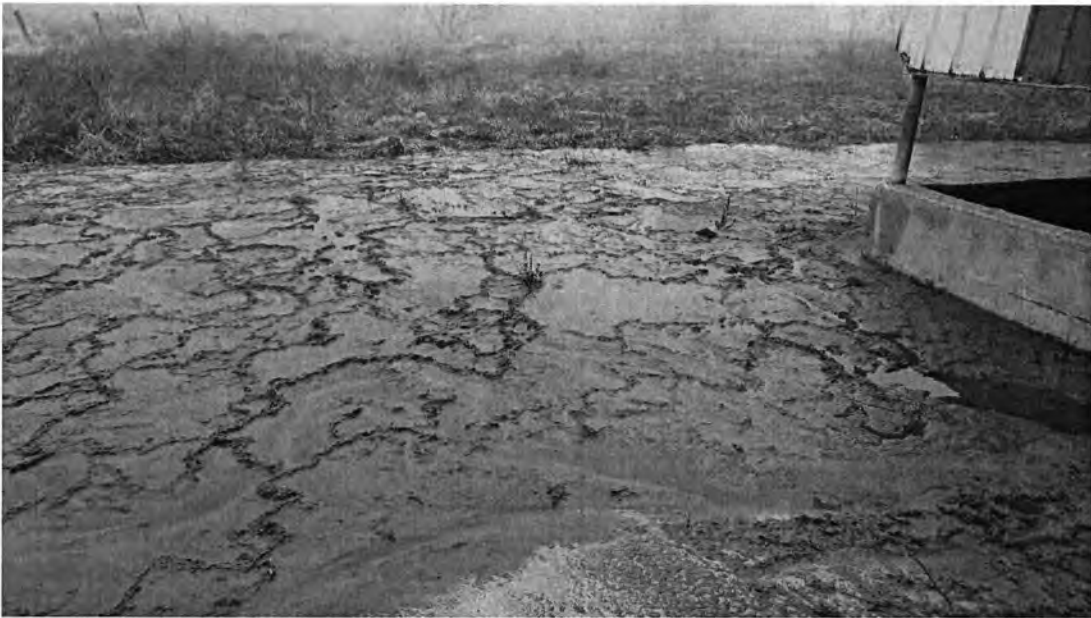
Description: Manure and process wastewater flowed north toward the borrow area from the New Barn and cattle walkways between the New Barn and the barn west of the New Barn.





249: RIMG0258

Description: Manure and process wastewater flowed north toward the borrow area from the New Barn and cattle walkways between the New Barn and the barn west of the New Barn.



250: RIMG0259

Description: Manure and process wastewater flowed north toward the borrow area from the New Barn and cattle walkways between the New Barn and the barn west of the New Barn.



251: RIMG0260

Description: Manure and process wastewater flowed north toward the borrow area from the New Barn and cattle walkways between the New Barn and the barn west of the New Barn.



252: RIMG0261

Description: Manure and process wastewater flowed north toward the borrow area from the New Barn and cattle walkways between the New Barn and the barn west of the New Barn.





253: RIMG0262

Description: Manure and process wastewater flowed north through the borrow area from the Milk Cow Barn and the access way between the Milk Cow Barn and the feed bunkers.



254: RIMG0263

Description: Manure and process wastewater flowed north through the borrow area from the Milk Cow Barn and the access way between the Milk Cow Barn and the feed bunkers.





255: RIMG0264

Description: Manure and process wastewater flowed north through the borrow area from the Milk Cow Barn and the access way between the Milk Cow Barn and the feed bunkers.



256: RIMG0265

Description: Sample S09 was taken at 1:20 p.m. of manure and process wastewater in a pathway emanating from the Milk Cow Barn and the access way between the Milk Cow Barn and the feed bunkers.



257: RIMG0266

Description: Sample S09 was taken at 1:20 p.m. of manure and process wastewater in a pathway emanating from the Milk Cow Barn and the access way between the Milk Cow Barn and the feed bunkers.



258: RIMG0267

Description: Sample S09 was taken at 1:20 p.m. of manure and process wastewater in a pathway emanating from the Milk Cow Barn and the access way between the Milk Cow Barn and the feed bunkers.





259: RIMG0268

Description: The borrow area did not have sediment and erosion controls installed.



260: RIMG0269

Description: The borrow area did not have sediment and erosion controls installed.



261: RIMG0270

Description: The borrow area did not have sediment and erosion controls installed.



262: RIMG0271

Description: Samples



263: RIMG0272  
Description: Samples



264: RIMG0273  
Description: Sediment had been tracked out onto the south bound lane of County Road V.



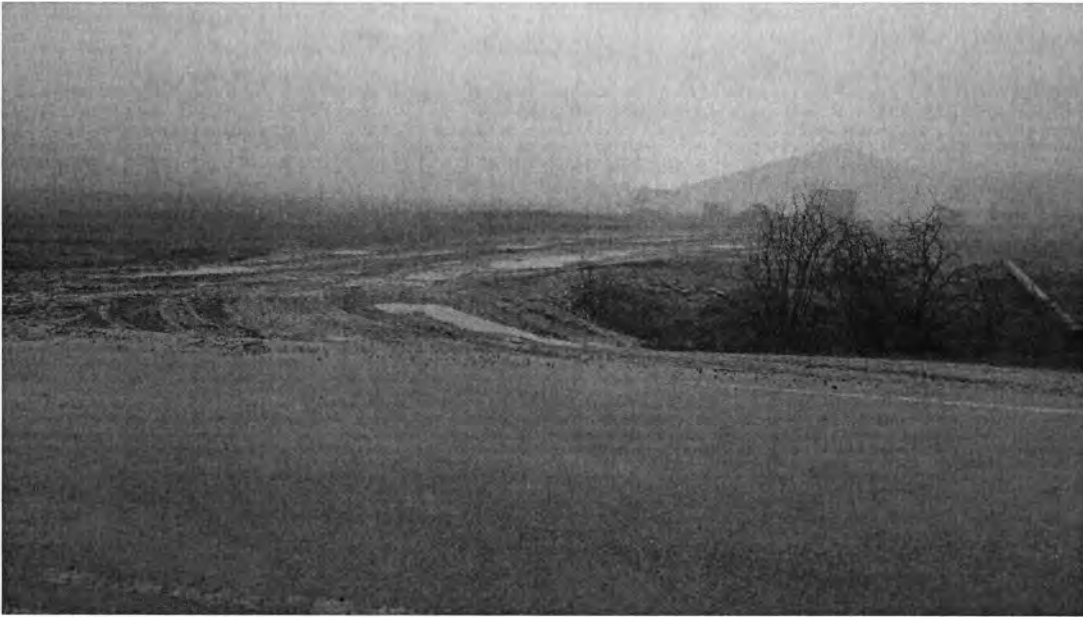
265: RIMG0274

Description: Sediment had been tracked out onto the south bound lane of County Road V.



266: RIMG0275

Description: Sediment had been tracked out onto the south bound lane of County Road V.



267: RIMG0276

Description: Sediment had been tracked out onto the south bound lane of County Road V.



268: RIMG0277

Description: The unnamed tributary had a bed and bank and flow was conveyed via a large culvert under Dollar Road.





269: RIMG0278

Description: The unnamed tributary had a bed and bank and flow was conveyed via a large culvert under Dollar Road.



270: RIMG0279

Description: The unnamed tributary had a bed and bank and flow was conveyed under Dollar Road.



271: RIMG0280

Description: The unnamed tributary had a bed and bank and flow was conveyed under Dollar Road.



272: RIMG0281

Description: The unnamed tributary had a bed and bank and flow was conveyed under Dollar Road.

Name	Date/Time (Standard)	Direction (degrees)	Latitude	Longitude
RIMG0009.JPG	2015:04:09 08:30:27	231.74	44.423841667	-87.96911333
RIMG0010.JPG	2015:04:09 08:30:32	231.6	44.423841667	-87.96911333
RIMG0011.JPG	2015:04:09 08:33:52	298.82	44.424786667	-87.96836833
RIMG0012.JPG	2015:04:09 08:34:02	30.8	44.425951667	-87.96834
RIMG0013.JPG	2015:04:09 08:34:22	94.48	44.425951667	-87.96834
RIMG0014.JPG	2015:04:09 08:34:40	141.11	44.425951667	-87.96834
RIMG0015.JPG	2015:04:09 08:35:01	271.92	44.425951667	-87.96834
RIMG0016.JPG	2015:04:09 08:35:59	248.04	44.425866667	-87.968826667
RIMG0017.JPG	2015:04:09 08:37:51	141.47	44.425533333	-87.96879667
RIMG0018.JPG	2015:04:09 08:38:05	29.33	44.42540167	-87.96876
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RIMG0021.JPG	2015:04:09 08:40:05	318.64	44.42574167	-87.96843167
RIMG0023.JPG	2015:04:09 08:41:15	351.42	44.425705	-87.968378333
RIMG0024.JPG	2015:04:09 08:41:30	154.38	44.425705	-87.968378333
RIMG0025.JPG	2015:04:09 08:41:59	355.91	44.425705	-87.968378333
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RIMG0027.JPG	2015:04:09 08:43:20	135.66	44.426065	-87.96889
RIMG0028.JPG	2015:04:09 08:43:23	86.44	44.426065	-87.96889
RIMG0029.JPG	2015:04:09 08:43:27	54.74	44.426065	-87.96889
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RIMG0036.JPG	2015:04:09 08:47:52	339.09	44.427045	-87.968845
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RIMG0107.JPG	2015:04:09 09:26:36	55.48	44.43367	-87.96595
RIMG0108.JPG	2015:04:09 09:26:43	25.41	44.43367	-87.96595
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RIMG0110.JPG	2015:04:09 09:28:50	75.13	44.432988333	-87.96517333
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RIMG0112.JPG	2015:04:09 09:29:34	293.45	44.432705	-87.965425
RIMG0113.JPG	2015:04:09 09:29:38	239.37	44.432705	-87.965425
RIMG0114.JPG	2015:04:09 09:29:41	208.76	44.432705	-87.965425
RIMG0115.JPG	2015:04:09 09:30:03	60.86	44.432705	-87.965425
RIMG0116.JPG	2015:04:09 09:30:15	112.97	44.432705	-87.965425
RIMG0117.JPG	2015:04:09 09:30:38	45.45	44.43255	-87.96543
RIMG0118.JPG	2015:04:09 09:30:42	29.43	44.43255	-87.96543
RIMG0119.JPG	2015:04:09 09:30:50	310.99	44.43255	-87.96543
RIMG0120.JPG	2015:04:09 09:31:22	304.43	44.43255	-87.96543
RIMG0121.JPG	2015:04:09 09:31:28	299.82	44.432535	-87.965546667
RIMG0122.JPG	2015:04:09 09:31:36	281.51	44.432535	-87.965546667
RIMG0123.JPG	2015:04:09 09:31:42	324	44.432535	-87.965546667
RIMG0124.JPG	2015:04:09 09:31:51	288.92	44.432535	-87.965546667
RIMG0125.JPG	2015:04:09 09:31:58	310.86	44.432535	-87.965546667
RIMG0126.JPG	2015:04:09 09:32:11	95.62	44.432535	-87.965546667



RIMG0127.JPG	2015:04:09 09:33:02	356.88	44.432525	-87.965601667
RIMG0128.JPG	2015:04:09 09:33:06	55.27	44.432525	-87.965601667
RIMG0129.JPG	2015:04:09 09:33:22	8.93	44.432525	-87.965601667
RIMG0130.JPG	2015:04:09 09:33:49	317.21	44.43244	-87.965275
RIMG0131.JPG	2015:04:09 09:34:25	280.81	44.43244	-87.965275
RIMG0132.JPG	2015:04:09 09:34:56	290.71	44.432455	-87.964841667
RIMG0133.JPG	2015:04:09 09:35:22	260.45	44.432455	-87.964841667
RIMG0134.JPG	2015:04:09 09:35:29	192.59	44.43256667	-87.964223333
RIMG0135.JPG	2015:04:09 09:35:57	257.79	44.43256667	-87.964223333
RIMG0136.JPG	2015:04:09 09:36:01	202.25	44.43256667	-87.964223333
RIMG0137.JPG	2015:04:09 09:36:07	311.61	44.43256667	-87.964223333
RIMG0138.JPG	2015:04:09 09:36:52	65.43	44.43279333	-87.964241667
RIMG0139.JPG	2015:04:09 09:36:58	349.93	44.43279333	-87.964241667
RIMG0140.JPG	2015:04:09 09:41:57	128.31	44.433588333	-87.964313333
RIMG0141.JPG	2015:04:09 09:42:00	80.8	44.433093333	-87.963928333
RIMG0142.JPG	2015:04:09 09:42:04	59.08	44.433093333	-87.963928333
RIMG0143.JPG	2015:04:09 09:42:13	59.22	44.433093333	-87.963928333
RIMG0144.JPG	2015:04:09 09:42:20	58.19	44.433093333	-87.963928333
RIMG0145.JPG	2015:04:09 09:42:41	225.75	44.433093333	-87.963928333
RIMG0146.JPG	2015:04:09 09:42:51	38.64	44.433093333	-87.963928333
RIMG0147.JPG	2015:04:09 09:43:47	155.87	44.4331	-87.963833333
RIMG0148.JPG	2015:04:09 09:44:11	225.99	44.433445	-87.96350167
RIMG0149.JPG	2015:04:09 09:44:15	172.33	44.433445	-87.96350167
RIMG0150.JPG	2015:04:09 09:46:55	133.69	44.433291667	-87.96367
RIMG0151.JPG	2015:04:09 09:47:16	287.79	44.43317167	-87.963995
RIMG0152.JPG	2015:04:09 09:48:20	152.65	44.432938333	-87.963758333
RIMG0153.JPG	2015:04:09 09:48:25	337.64	44.432938333	-87.963758333
RIMG0154.JPG	2015:04:09 10:07:18	83.01	44.43314667	-87.964531667
RIMG0155.JPG	2015:04:09 10:07:37	266.14	44.43314667	-87.964531667
RIMG0156.JPG	2015:04:09 10:07:59	287.32	44.43314667	-87.964531667
RIMG0157.JPG	2015:04:09 10:08:15	90.18	44.43314667	-87.964531667
RIMG0158.JPG	2015:04:09 10:09:02	277.02	44.43290833	-87.964403333
RIMG0159.JPG	2015:04:09 10:09:43	70.55	44.432778333	-87.96427
RIMG0160.JPG	2015:04:09 10:10:31	201.18	44.43284333	-87.964268333
RIMG0161.JPG	2015:04:09 10:10:38	267.69	44.43284333	-87.964268333
RIMG0162.JPG	2015:04:09 10:10:44	328	44.43284333	-87.964268333
RIMG0163.JPG	2015:04:09 10:10:50	24.02	44.43284333	-87.964268333
RIMG0164.JPG	2015:04:09 10:10:57	16.56	44.43284333	-87.964268333
RIMG0165.JPG	2015:04:09 10:11:03	66.71	44.43284333	-87.964268333

RIMG0166.JPG	2015:04:09 10:11:40	172.94	44.43288333	-87.96413
RIMG0167.JPG	2015:04:09 10:13:23	20.43	44.43251667	-87.964955
RIMG0168.JPG	2015:04:09 10:13:35	279.8	44.43251667	-87.964955
RIMG0169.JPG	2015:04:09 10:16:03	13.96	44.432538333	-87.964995
RIMG0170.JPG	2015:04:09 10:16:21	354.33	44.432538333	-87.964995
RIMG0171.JPG	2015:04:09 10:20:08	146.45	44.432655	-87.96566167
RIMG0172.JPG	2015:04:09 10:20:21	102.97	44.432655	-87.96566167
RIMG0173.JPG	2015:04:09 10:20:26	99.89	44.432655	-87.96566167
RIMG0174.JPG	2015:04:09 10:22:53	155.21	44.43259	-87.96562167
RIMG0175.JPG	2015:04:09 10:23:16	213.49	44.43260833	-87.965591667
RIMG0176.JPG	2015:04:09 10:23:22	181.68	44.43260833	-87.965591667
RIMG0177.JPG	2015:04:09 10:23:40	281.58	44.43260833	-87.965591667
RIMG0178.JPG	2015:04:09 10:24:19	173.77	44.43259	-87.965525
RIMG0179.JPG	2015:04:09 10:24:25	195.85	44.43259	-87.965525
RIMG0180.JPG	2015:04:09 10:26:19	334.19	44.432475	-87.965545
RIMG0181.JPG	2015:04:09 10:33:38	128.66	44.43299	-87.964195
RIMG0182.JPG	2015:04:09 10:33:48	216.75	44.43299	-87.964195
RIMG0183.JPG	2015:04:09 10:33:58	58.02	44.43299	-87.964195
RIMG0184.JPG	2015:04:09 10:34:10	124.08	44.43299	-87.964195
RIMG0185.JPG	2015:04:09 10:38:08	151.96	44.43346833	-87.963588333
RIMG0186.JPG	2015:04:09 10:38:27	208.83	44.43346833	-87.963588333
RIMG0187.JPG	2015:04:09 10:38:34	108.28	44.43346833	-87.963588333
RIMG0188.JPG	2015:04:09 10:38:44	74.87	44.43346833	-87.963588333
RIMG0189.JPG	2015:04:09 10:38:48	19.42	44.43346833	-87.963588333
RIMG0190.JPG	2015:04:09 11:34:25	75.92	44.423525	-87.969191667
RIMG0191.JPG	2015:04:09 11:34:36	2.36	44.42495833	-87.968915
RIMG0192.JPG	2015:04:09 11:35:02	350.98	44.42495833	-87.968915
RIMG0193.JPG	2015:04:09 11:35:24	81.6	44.42495833	-87.968915
RIMG0194.JPG	2015:04:09 11:46:11	107.03	44.42758833	-87.96879833
RIMG0195.JPG	2015:04:09 11:46:18	141.85	44.42758833	-87.96879833
RIMG0196.JPG	2015:04:09 11:46:34	116.64	44.42758833	-87.96879833
RIMG0197.JPG	2015:04:09 11:46:40	105.34	44.42758833	-87.96879833
RIMG0198.JPG	2015:04:09 11:46:55	3.12	44.42758833	-87.96879833
RIMG0199.JPG	2015:04:09 11:46:59	346.69	44.42758833	-87.96879833
RIMG0200.JPG	2015:04:09 11:47:03	294.63	44.42758833	-87.96879833
RIMG0201.JPG	2015:04:09 11:47:08	239.44	44.42758833	-87.96879833
RIMG0202.JPG	2015:04:09 11:48:34	66.39	44.42763167	-87.96868333
RIMG0203.JPG	2015:04:09 11:48:49	89.31	44.42763167	-87.96868333
RIMG0204.JPG	2015:04:09 11:48:54	124.69	44.42763167	-87.96868333
RIMG0205.JPG	2015:04:09 11:49:06	179.99	44.42763167	-87.96868333

RIMG0206.JPG	2015:04:09 11:49:18	164.83	44.42757333	-87.96892667
RIMG0207.JPG	2015:04:09 11:49:28	118.74	44.42757333	-87.96892667
RIMG0208.JPG	2015:04:09 11:49:59	223.15	44.42757333	-87.96892667
RIMG0209.JPG	2015:04:09 11:50:28	345.43	44.427475	-87.968958333
RIMG0210.JPG	2015:04:09 11:50:38	215.11	44.427475	-87.968958333
RIMG0211.JPG	2015:04:09 11:50:56	290.6	44.427475	-87.968958333
RIMG0212.JPG	2015:04:09 11:51:00	231.68	44.427475	-87.968958333
RIMG0213.JPG	2015:04:09 11:51:12	341.91	44.42730167	-87.96886167
RIMG0214.JPG	2015:04:09 11:51:19	197.17	44.42730167	-87.96886167
RIMG0215.JPG	2015:04:09 11:51:45	214.36	44.42730167	-87.96886167
RIMG0216.JPG	2015:04:09 11:51:49	226.53	44.42730167	-87.96886167
RIMG0217.JPG	2015:04:09 11:52:07	204.36	44.42730167	-87.96886167
RIMG0218.JPG	2015:04:09 11:52:15	334.92	44.427146667	-87.968895
RIMG0219.JPG	2015:04:09 11:52:32	207.37	44.427146667	-87.968895
RIMG0220.JPG	2015:04:09 11:52:38	98.27	44.427146667	-87.968895
RIMG0221.JPG	2015:04:09 11:53:02	223.08	44.427146667	-87.968895
RIMG0222.JPG	2015:04:09 11:53:24	169.26	44.42704	-87.96883667
RIMG0223.JPG	2015:04:09 11:53:44	141.57	44.42704	-87.96883667
RIMG0224.JPG	2015:04:09 11:53:50	66.94	44.42704	-87.96883667
RIMG0225.JPG	2015:04:09 11:54:07	141.6	44.42704	-87.96883667
RIMG0226.JPG	2015:04:09 11:54:21	217.8	44.42678	-87.96898
RIMG0227.JPG	2015:04:09 11:54:40	210.16	44.42678	-87.96898
RIMG0228.JPG	2015:04:09 11:55:17	117.98	44.426375	-87.968698333
RIMG0229.JPG	2015:04:09 11:56:00	131.53	44.426375	-87.968698333
RIMG0230.JPG	2015:04:09 11:56:24	330.44	44.42611	-87.968545
RIMG0231.JPG	2015:04:09 11:56:28	228.11	44.42611	-87.968545
RIMG0232.JPG	2015:04:09 11:56:32	277.75	44.42611	-87.968545
RIMG0233.JPG	2015:04:09 11:57:21	1.07	44.426156667	-87.96845667
RIMG0234.JPG	2015:04:09 12:02:45	123.41	44.426165	-87.968603333
RIMG0235.JPG	2015:04:09 12:02:52	61.87	44.426165	-87.968603333
RIMG0236.JPG	2015:04:09 12:04:59	158.28	44.426005	-87.968446667
RIMG0237.JPG	2015:04:09 12:05:48	338	44.425835	-87.96833
RIMG0238.JPG	2015:04:09 12:06:56	152.66	44.42570167	-87.968338333
RIMG0239.JPG	2015:04:09 12:07:17	328.86	44.425738333	-87.968408333
RIMG0240.JPG	2015:04:09 12:07:24	345.43	44.425738333	-87.968408333
RIMG0241.JPG	2015:04:09 12:08:05	222.86	44.425738333	-87.968408333
RIMG0242.JPG	2015:04:09 12:08:17	22.51	44.425663333	-87.9683
RIMG0243.JPG	2015:04:09 12:08:52	25.74	44.425663333	-87.9683
RIMG0244.JPG	2015:04:09 12:09:19	228.69	44.425558333	-87.96843

RIMG0245.JPG	2015:04:09 12:09:59	9.23	44.425558333	-87.96843
RIMG0246.JPG	2015:04:09 12:10:04	6.4	44.425558333	-87.96843
RIMG0247.JPG	2015:04:09 12:10:29	203.12	44.425513333	-87.968418333
RIMG0248.JPG	2015:04:09 12:10:44	220.3	44.425513333	-87.968418333
RIMG0249.JPG	2015:04:09 12:10:49	140.55	44.425513333	-87.968418333
RIMG0250.JPG	2015:04:09 12:13:49	137.8	44.425623333	-87.968285
RIMG0251.JPG	2015:04:09 12:13:56	170.85	44.425623333	-87.968285
RIMG0252.JPG	2015:04:09 12:14:15	352.75	44.42560833	-87.968356667
RIMG0253.JPG	2015:04:09 12:14:21	345.42	44.42560833	-87.968356667
RIMG0254.JPG	2015:04:09 12:16:11	337.83	44.42529667	-87.968281667
RIMG0255.JPG	2015:04:09 12:16:15	352.18	44.42529667	-87.968281667
RIMG0256.JPG	2015:04:09 12:16:32	174.24	44.42529667	-87.968281667
RIMG0257.JPG	2015:04:09 12:16:42	343.83	44.42529667	-87.968281667
RIMG0258.JPG	2015:04:09 12:17:12	50.96	44.425031667	-87.968325
RIMG0259.JPG	2015:04:09 12:17:17	14.38	44.425031667	-87.968325
RIMG0260.JPG	2015:04:09 12:17:26	347.59	44.425031667	-87.968325
RIMG0261.JPG	2015:04:09 12:17:34	342.36	44.425031667	-87.968325
RIMG0262.JPG	2015:04:09 12:18:53	276.28	44.425145	-87.968536667
RIMG0263.JPG	2015:04:09 12:19:04	73.58	44.425145	-87.968536667
RIMG0264.JPG	2015:04:09 12:19:08	41.89	44.425145	-87.968536667
RIMG0265.JPG	2015:04:09 12:22:29	284.1	44.42553	-87.968465
RIMG0266.JPG	2015:04:09 12:22:34	289.87	44.42553	-87.968465
RIMG0267.JPG	2015:04:09 12:22:39	313.94	44.42553	-87.968465
RIMG0268.JPG	2015:04:09 12:23:17	353.55	44.42553	-87.968465
RIMG0269.JPG	2015:04:09 12:23:21	33.65	44.42553	-87.968465
RIMG0270.JPG	2015:04:09 12:23:26	318.75	44.42553	-87.968465
RIMG0271.JPG	2015:04:09 12:33:21	274.7	44.42432333	-87.96893333
RIMG0272.JPG	2015:04:09 12:33:26	301.55	44.42432333	-87.96893333
RIMG0273.JPG	2015:04:09 12:59:26	NW*	*,**	*,**
RIMG0274.JPG	2015:04:09 12:59:35	58.09	44.424266667	-87.96379
RIMG0275.JPG	2015:04:09 12:59:37	63.61	44.424266667	-87.96379
RIMG0276.JPG	2015:04:09 12:59:39	74.92	44.424266667	-87.96379
RIMG0277.JPG	2015:04:09 13:01:15	78.54	44.430145	-87.964795
RIMG0278.JPG	2015:04:09 13:01:24	240.56	44.430145	-87.964795
RIMG0279.JPG	2015:04:09 13:01:45	111.33	44.430013333	-87.970775
RIMG0280.JPG	2015:04:09 13:01:53	287.08	44.430013333	-87.970775
RIMG0281.JPG	2015:04:09 13:01:57	296.02	44.430013333	-87.970775

\*Camera sensor didn't register data point.

\*\*Coordinates are near RIMG00274.





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5 CHICAGO REGIONAL LABORATORY  
536 SOUTH CLARK STREET  
CHICAGO, ILLINOIS 60605



LABORATORY  
ACCREDITATION  
BUREAU  
ACCREDITED ISO/IEC 17025  
Certificate # L2280 Testing

Date: 5/21/2015  
Subject: Review of Region 5 Data for Ledgeview  
To: Water Division, US EPA Region 5  
77 West Jackson Boulevard  
Chicago, IL 60604  
From: Francis Awanya, Group Leader  
US EPA Region 5 Chicago Regional Laboratory

The data transmitted under this cover memo successfully passed CRL's data review procedures as documented in the current Quality Management Plan and applicable Standard Operating Procedures. In accordance with EPA's *Guidance on Environmental Data Verification and Data Validation* (Document EPA QA/G-8), CRL verified and validated the data but does not perform data quality assessment based on project plans.

This report was reviewed and the information provided herein accurately represents the analysis performed.

X Francis A Awanya 5/21/2015

Please contact the analyst with any technical report issues, Amanda Wroble at (312)-353-0375 for sample project concerns, and Sylvia Griffin at (312)-353-9073 with data transmittal questions. Thank you.

Attached are Results for: Ledgeview

\_\_\_\_\_  
Data Management Coordinator and Date Transmitted

Analyses included in this report:

BOD





## Environmental Protection Agency Region 5 Chicago Regional Laboratory

536 South Clark Street, Chicago, IL 60605  
Phone: (312) 353-8370 Fax: (312) 886-2591

Water Division, US EPA Region 5  
77 West Jackson Boulevard  
Chicago IL, 60604

Project: Ledgeview  
Project Number: 15DS01  
Project Manager: Don Schwer

Reported:  
May-21-15 12:52

### Analysis Case Narrative

#### General Information

Ten (10) water samples collected for the project were received at the Chicago Regional Laboratory (CRL) on 04/10/2015. The samples were analyzed for Biochemical Oxygen Demand (BOD) in water using Standard Operating Procedure (SOP) CRL Document # AIG006 Version # 1 (Reference SM 5210B). The designated analyst for those samples is Francis Awanya. Francis can be reached at 312-886-3682. Other pertinent information and dates are provided in the final analysis report. Analysis was completed within the holding time.

Supporting data archived with Work Order Number 1504006.

#### Sample Analysis and Results

The data reported herein meet the requirements of "2015 General Field Sampling Plan 103113 – CAFOs" and "2014 reporting request for CAFO samples 062014".

#### Quality Control

All required quality control criteria for the laboratory, method, and system performance audits were evaluated and determined to be within the CRL's QC limits with the following exceptions.

Glucose/Glutamic acid (GGA) checks: A mean recovery of 66.0 % obtained for three GGA checks with individual recoveries of 67.1%, 64.1%, and 66.7% respectively was out of the limits (84.8% - 115.4%) and could indicate low bias. A probable cause is weak seed. Sample results are flagged "L" for estimated and the possible low bias.

Oxygen depletions: BOD concentrations of 4 mg/L found in field blank sample 1504007-10 (Field Sample Number B01) exceeded the reporting limit of 2 mg/L and could indicate contamination. Laboratory blank results were within the limits. Sample results are not considered to be affected by contamination. BOD concentrations of the samples were more than 10 times the amount found in the field blank. No additional flag was applied on this basis.

Final dissolved oxygen (Final DO): Final DO determined for sample 1504007-01 (Field Sample Number S01), 1504007-03 (Field Sample Number S03), 1504007-04 (Field Sample Number S04), and 1504007-09 (Field Sample Number S09) exceeded the limit of 1 mg/L. BOD concentrations for those samples are considered estimated. No additional flag was applied.



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May-21-15 12:52

**ANALYTICAL REPORT FOR SAMPLES**

Sample ID	Laboratory ID	Matrix	Date Sampled	Date Received
S01	1504007-01	Water	Apr-09-15 11:14	Apr-10-15 11:27
S02	1504007-02	Water	Apr-09-15 11:25	Apr-10-15 11:27
S03	1504007-03	Water	Apr-09-15 11:32	Apr-10-15 11:27
S04	1504007-04	Water	Apr-09-15 11:35	Apr-10-15 11:27
S05	1504007-05	Water	Apr-09-15 12:45	Apr-10-15 11:27
S06	1504007-06	Water	Apr-09-15 13:00	Apr-10-15 11:27
S07	1504007-07	Water	Apr-09-15 13:00	Apr-10-15 11:27
S08	1504007-08	Water	Apr-09-15 13:12	Apr-10-15 11:27
S09	1504007-09	Water	Apr-09-15 13:20	Apr-10-15 11:27
B01	1504007-10	Water	Apr-09-15 11:02	Apr-10-15 11:27



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Project Number: 15DS01  
Project Manager: Don Schwer

Reported:  
May-21-15 12:52

**BOD, 5 day, SM 5210 B (modified)**  
**US EPA Region 5 Chicago Regional Laboratory**

**S01 (1504007-01) Water** Sampled: Apr-09-15 11:14 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Biochemical Oxygen Demand	9300	L		2	mg/L	1	B15D010	Apr-10-15	Apr-10-15

**S02 (1504007-02) Water** Sampled: Apr-09-15 11:25 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Biochemical Oxygen Demand	2600	L		2	mg/L	1	B15D010	Apr-10-15	Apr-10-15

**S03 (1504007-03) Water** Sampled: Apr-09-15 11:32 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Biochemical Oxygen Demand	4300	L		2	mg/L	1	B15D010	Apr-10-15	Apr-10-15

**S04 (1504007-04) Water** Sampled: Apr-09-15 11:35 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Biochemical Oxygen Demand	2300	L		2	mg/L	1	B15D010	Apr-10-15	Apr-10-15

**S05 (1504007-05) Water** Sampled: Apr-09-15 12:45 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Biochemical Oxygen Demand	280	L		2	mg/L	1	B15D010	Apr-10-15	Apr-10-15

**S06 (1504007-06) Water** Sampled: Apr-09-15 13:00 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Biochemical Oxygen Demand	870	L		2	mg/L	1	B15D010	Apr-10-15	Apr-10-15

**S07 (1504007-07) Water** Sampled: Apr-09-15 13:00 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Biochemical Oxygen Demand	1800	L		2	mg/L	1	B15D010	Apr-10-15	Apr-10-15



Environmental Protection Agency Region 5  
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Chicago IL, 60604

Project: Ledgeview  
Project Number: 15DS01  
Project Manager: Don Schwer

Reported:  
May-21-15 12:52

**BOD, 5 day, SM 5210 B (modified)**  
**US EPA Region 5 Chicago Regional Laboratory**

**S08 (1504007-08) Water** Sampled: Apr-09-15 13:12 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Biochemical Oxygen Demand	4400	L		2	mg/L	1	B15D010	Apr-10-15	Apr-10-15

**S09 (1504007-09) Water** Sampled: Apr-09-15 13:20 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Biochemical Oxygen Demand	2300	L		2	mg/L	1	B15D010	Apr-10-15	Apr-10-15

**B01 (1504007-10) Water** Sampled: Apr-09-15 11:02 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Biochemical Oxygen Demand	4	L		2	mg/L	1	B15D010	Apr-10-15	Apr-10-15





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Project: Ledgeview  
Project Number: 15DS01  
Project Manager: Don Schwer

Reported:  
May-21-15 12:52

### Notes and Definitions

- L The identification of the analyte is acceptable; the reported value may be biased low. The actual value is expected to be greater than the reported value.
- U Not Detected
- NR Not Reported



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REGION 5 CHICAGO REGIONAL LABORATORY  
536 SOUTH CLARK STREET  
CHICAGO, ILLINOIS 60605



Date: 5/11/2015  
Subject: Review of Region 5 Data for Ledgeview  
To: Water Division, US EPA Region 5  
77 West Jackson Boulevard  
Chicago, IL 60604  
From: Anna Knoebel, Chemist  
US EPA Region 5 Chicago Regional Laboratory

The data transmitted under this cover memo successfully passed CRL's data review procedures as documented in the current Quality Management Plan and applicable Standard Operating Procedures. In accordance with EPA's *Guidance on Environmental Data Verification and Data Validation* (Document EPA QA/G-8), CRL verified and validated the data but does not perform data quality assessment based on project plans.

This report was reviewed and the information provided herein accurately represents the analysis performed.

X

Please contact the analyst with any technical report issues, Amanda Wroble at (312)-353-0375 for sample project concerns, and Sylvia Griffin at (312)-353-9073 with data transmittal questions. Thank you.

Attached are Results for: Ledgeview

\_\_\_\_\_  
Data Management Coordinator and Date Transmitted

**Analyses included in this report:**

Ammonia N DA, Distilled

Nitrate-Nitrite N DA



Environmental Protection Agency Region 5  
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Project: Ledgeview  
Project Number: 15DS01  
Project Manager: Don Schwer

Reported:  
May-11-15 10:54

## **ANALYSIS CASE NARRATIVE – Distilled Ammonia Nitrogen in Water**

Work Order: 1504007  
Analyst: Anna Knoebel  
Phone #: (312) 353-9467

### **General Information**

Ten water samples for Ammonia Nitrogen were received on April 10, 2015. All holding times were met.

**Note:** All supporting data are archived with work order number 1504009.

### **Sample Analysis and Results**

The samples were distilled on May 4, 2015 and analyzed on May 6 – 7, 2015 for Ammonia Nitrogen in water using CRL SOP AIG029B, Version # 2 (Reference Method, Standard Method 4500 – NH<sub>3</sub>- B & H). The samples were stored in the refrigerator at all times, except when in use.

The data reported herein meets the Data Quality Objectives referenced in the 2014 General Field Sampling Plan 102113 – CAFOs and 2014 reporting request for CAFO samples 062014.

### **Quality Control**

#### Duplicate (DUP)

The %RPD for sample 1504007-01 (S01) was above the acceptance limit (< 20 %). The sample and duplicate were repeated giving the same results, the repeated results were reported. There may be some homogeneity problems with the sample. The result was flagged “J” (estimated).

#### Matrix Spike (MS)

The matrix spike recovery for sample 1504007-01 (S01) was above the acceptance limit (80 – 120 %). The blank spike (BS) recovery (97 %) and other QC audits were within the CRL limits. The sample and spike were diluted 20 fold. As a result the spike concentration was diluted out. No flags were used on this basis.

All other quality control audits were within CRL limits or did not result in qualification of the data.

## **ANALYSIS CASE NARRATIVE – Nitrate-Nitrite Nitrogen in Water**

Work Order: 1504007  
Analyst: Anna Knoebel  
Phone #: (312) 353-9467



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Project: Ledgeview  
Project Number: 15DS01  
Project Manager: Don Schwer

Reported:  
May-11-15 10:54

### General Information

Ten water samples for Nitrate-Nitrite Nitrogen were received on April 10, 2015. All holding times were met.

**Note:** All supporting data are archived with work order number 1504006.

### Sample Analysis and Results

The samples were analyzed for Nitrate-Nitrite Nitrogen in water on April 23, 2015 using CRL SOP AIG031A, Version # 2 (Standard Method 4500 – NO<sub>3</sub>- E). The samples were stored in the refrigerator at all times except when in use. All samples except 1504007-10 (B01) were centrifuged prior to analysis to remove particulates.

The data reported herein meets the Data Quality Objectives referenced in the 2014 General Field Sampling Plan 102113 – CAFOs and 2014 reporting request for CAFO samples 062014.

### Quality Control

#### Continuing Calibration Check (ICV/CCV)

The last CCV recovery (94 %) was below the acceptance limit (98 – 108 %). Multiple dilutions were analyzed for samples 1504007-01 to 1504007-08 and the ending quality control standards continued to fail. Other work orders were analyzed with these samples that did not cause the CCV recoveries to decrease below the acceptance limit. It is evident that the excess acid added to the samples interfered with the cadmium reduction as seen in the low recovery of the ending control standard. Further dilutions could not be performed within the holding time. Samples 1504007-01 (S01), -02 (S02), -03 (S03), -04 (S04), -05 (S05), -06 (S06), -07 (S07), and -08 (S08) were flagged "L" (biased low) or "UJ" (non-detect, estimated).

All quality control audits were within CRL limits or did not result in qualification of the data



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Project: Ledgeview  
Project Number: 15DS01  
Project Manager: Don Schwer

Reported:  
May-11-15 10:54

**ANALYTICAL REPORT FOR SAMPLES**

Sample ID	Laboratory ID	Matrix	Date Sampled	Date Received
S01	1504007-01	Water	Apr-09-15 11:14	Apr-10-15 11:27
S02	1504007-02	Water	Apr-09-15 11:25	Apr-10-15 11:27
S03	1504007-03	Water	Apr-09-15 11:32	Apr-10-15 11:27
S04	1504007-04	Water	Apr-09-15 11:35	Apr-10-15 11:27
S05	1504007-05	Water	Apr-09-15 12:45	Apr-10-15 11:27
S06	1504007-06	Water	Apr-09-15 13:00	Apr-10-15 11:27
S07	1504007-07	Water	Apr-09-15 13:00	Apr-10-15 11:27
S08	1504007-08	Water	Apr-09-15 13:12	Apr-10-15 11:27
S09	1504007-09	Water	Apr-09-15 13:20	Apr-10-15 11:27
B01	1504007-10	Water	Apr-09-15 11:02	Apr-10-15 11:27





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Project: Ledgeview  
Project Number: 15DS01  
Project Manager: Don Schwer

Reported:  
May-11-15 10:54

**Nitrate - Nitrite Nitrogen, SM 4500E (modified)**  
**US EPA Region 5 Chicago Regional Laboratory**

S01 (1504007-01) Water Sampled: Apr-09-15 11:14 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Nitrate-Nitrite N	3.08	L	0.30	0.75	mg/L	3	B15D038	Apr-22-15	Apr-23-15

S02 (1504007-02) Water Sampled: Apr-09-15 11:25 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Nitrate-Nitrite N	1.94	L	0.30	0.75	mg/L	3	B15D038	Apr-22-15	Apr-23-15

S03 (1504007-03) Water Sampled: Apr-09-15 11:32 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Nitrate-Nitrite N	U	UJ	0.30	0.75	mg/L	3	B15D038	Apr-22-15	Apr-23-15

S04 (1504007-04) Water Sampled: Apr-09-15 11:35 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Nitrate-Nitrite N	U	UJ	0.30	0.75	mg/L	3	B15D038	Apr-22-15	Apr-23-15

S05 (1504007-05) Water Sampled: Apr-09-15 12:45 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Nitrate-Nitrite N	3.07	L	0.30	0.75	mg/L	3	B15D038	Apr-22-15	Apr-23-15

S06 (1504007-06) Water Sampled: Apr-09-15 13:00 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Nitrate-Nitrite N	5.19	L	0.30	0.75	mg/L	3	B15D038	Apr-22-15	Apr-23-15

S07 (1504007-07) Water Sampled: Apr-09-15 13:00 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Nitrate-Nitrite N	5.22	L	0.30	0.75	mg/L	3	B15D038	Apr-22-15	Apr-23-15



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Project: Ledgeview  
Project Number: 15DS01  
Project Manager: Don Schwer

Reported:  
May-11-15 10:54

**Nitrate - Nitrite Nitrogen, SM 4500E (modified)**  
**US EPA Region 5 Chicago Regional Laboratory**

S08 (1504007-08) Water Sampled: Apr-09-15 13:12 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Nitrate-Nitrite N	14.2	L	0.30	0.75	mg/L	3	B15D038	Apr-22-15	Apr-23-15

S09 (1504007-09) Water Sampled: Apr-09-15 13:20 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Nitrate-Nitrite N	2.79		0.30	0.75	mg/L	3	B15D038	Apr-22-15	Apr-23-15

B01 (1504007-10) Water Sampled: Apr-09-15 11:02 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Nitrate-Nitrite N	U		0.10	0.25	mg/L	1	B15D038	Apr-22-15	Apr-23-15



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Project Number: 15DS01  
Project Manager: Don Schwer

Reported:  
May-11-15 10:54

## Ammonia Nitrogen, SM4500B & H (modified) US EPA Region 5 Chicago Regional Laboratory

S01 (1504007-01) Water Sampled: Apr-09-15 11:14 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Ammonia as N	56.3	J	1.20	4.00	mg/L	20	B15E007	May-04-15	May-06-15

S02 (1504007-02) Water Sampled: Apr-09-15 11:25 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Ammonia as N	67.7		1.20	4.00	mg/L	20	B15E007	May-04-15	May-06-15

S03 (1504007-03) Water Sampled: Apr-09-15 11:32 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Ammonia as N	57.2		1.20	4.00	mg/L	20	B15E007	May-04-15	May-06-15

S04 (1504007-04) Water Sampled: Apr-09-15 11:35 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Ammonia as N	32.1		0.60	2.00	mg/L	10	B15E007	May-04-15	May-07-15

S05 (1504007-05) Water Sampled: Apr-09-15 12:45 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Ammonia as N	11.2		0.60	2.00	mg/L	10	B15E007	May-04-15	May-07-15

S06 (1504007-06) Water Sampled: Apr-09-15 13:00 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Ammonia as N	51.0		1.20	4.00	mg/L	20	B15E007	May-04-15	May-07-15

S07 (1504007-07) Water Sampled: Apr-09-15 13:00 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Ammonia as N	46.4		1.20	4.00	mg/L	20	B15E007	May-04-15	May-07-15



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Project: Ledgeview  
Project Number: 15DS01  
Project Manager: Don Schwer

**Reported:**  
May-11-15 10:54

**Ammonia Nitrogen, SM4500B & H (modified)**  
**US EPA Region 5 Chicago Regional Laboratory**

**S08 (1504007-08) Water** Sampled: Apr-09-15 13:12 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Ammonia as N	105		2.40	8.00	mg/L	40	B15E007	May-04-15	May-07-15

**S09 (1504007-09) Water** Sampled: Apr-09-15 13:20 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Ammonia as N	18.9		0.60	2.00	mg/L	10	B15E007	May-04-15	May-07-15

**B01 (1504007-10) Water** Sampled: Apr-09-15 11:02 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Ammonia as N	U		0.06	0.20	mg/L	1	B15E007	May-04-15	May-06-15



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Project: Ledgeview  
Project Number: 15DS01  
Project Manager: Don Schwer

**Reported:**  
May-11-15 10:54

### Notes and Definitions

- UJ The analyte was not detected at or above the reported limit. The reported limit is an estimate.
- L The identification of the analyte is acceptable; the reported value may be biased low. The actual value is expected to be greater than the reported value.
- J The identification of the analyte is acceptable; the reported value is an estimate.
- U Not Detected
- NR Not Reported





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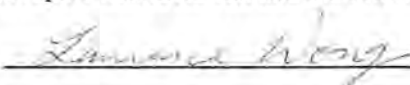
LABORATORY  
ACCREDITATION  
BUREAU  
ACCREDITED ISO/IEC 17025  
Certificate # L2280 Testing

Date: 5/14/2015  
Subject: Review of Region 5 Data for Ledgeview  
To: Water Division, US EPA Region 5  
77 West Jackson Boulevard  
Chicago, IL 60604  
From: Laurence Wong, Analyst  
US EPA Region 5 Chicago Regional Laboratory

The data transmitted under this cover memo successfully passed CRL's data review procedures as documented in the current Quality Management Plan and applicable Standard Operating Procedures. In accordance with EPA's *Guidance on Environmental Data Verification and Data Validation* (Document EPA QA/G-8), CRL verified and validated the data but does not perform data quality assessment based on project plans.

This report was reviewed and the information provided herein accurately represents the analysis performed.

X

  
Please contact the analyst with any technical report issues, Amanda Wroble at (312)-353-0375 for sample project concerns, and Sylvia Griffin at (312)-353-9073 with data transmittal questions. Thank you.

Attached are Results for: Ledgeview

\_\_\_\_\_  
Data Management Coordinator and Date Transmitted

**Analyses included in this report:**

Solids, TDS



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Project: Ledgerview  
Project Number: 15DS01  
Project Manager: Don Schwer

Reported:  
May-14-15 17:46

## ANALYSIS CASE NARRATIVE

### General Information

Ten (10) water samples under Work Order #1504007 were received on September 12, 2014 for Total Dissolved Solids (TDS) analysis. The designated analyst was Laurence Wong; and the contact person, Francis Awanya (phone number: 312-886-3682).

The preparation and analysis began on September 16, 2014, and were completed on September 19, 2014. The samples were kept in refrigerator at  $\leq 6^{\circ}\text{C}$  at all-time except when in use. The sample holding time limit was met. Other pertinent information is provided in the final analysis report.

The sample preparation and analysis followed procedure CRL SOP AIG017 r5.0 (Standard Method 2540 C).

### Sample Analysis and Results

Only four (4) samples (Lab #s 1504006-01, -05, -09 and -10; field designations: S01, S05, S09 and B01) were analyzed with the usual filtration volume of 50mL. The other six were analyzed with reduced volumes, because the fine contents inside the samples could easily clog the filters.

The data reported herein met the DQO for "2015 General Field Sampling Plan 103113-CAFOs" and the "2014 reporting request for CAFO samples 062014".

### Quality Control

All quality control (QC) audits followed CRL guidelines. The required quality control criteria for the laboratory, method, and system performance audits were evaluated and determined to be within the CRL's QC limits.



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Project: Ledgeview  
Project Number: 15DS01  
Project Manager: Don Schwer

Reported:  
May-14-15 17:46

**ANALYTICAL REPORT FOR SAMPLES**

Sample ID	Laboratory ID	Matrix	Date Sampled	Date Received
S01	1504007-01	Water	Apr-09-15 11:14	Apr-10-15 11:27
S02	1504007-02	Water	Apr-09-15 11:25	Apr-10-15 11:27
S03	1504007-03	Water	Apr-09-15 11:32	Apr-10-15 11:27
S04	1504007-04	Water	Apr-09-15 11:35	Apr-10-15 11:27
S05	1504007-05	Water	Apr-09-15 12:45	Apr-10-15 11:27
S06	1504007-06	Water	Apr-09-15 13:00	Apr-10-15 11:27
S07	1504007-07	Water	Apr-09-15 13:00	Apr-10-15 11:27
S08	1504007-08	Water	Apr-09-15 13:12	Apr-10-15 11:27
S09	1504007-09	Water	Apr-09-15 13:20	Apr-10-15 11:27
B01	1504007-10	Water	Apr-09-15 11:02	Apr-10-15 11:27



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Project Number: 15DS01  
Project Manager: Don Schwer

Reported:  
May-14-15 17:46

## Dissolved Solids, SM 2540C (modified) US EPA Region 5 Chicago Regional Laboratory

S01 (1504007-01) Water Sampled: Apr-09-15 11:14 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Dissolved Solids	42000			20.0	mg/L	1	B15D008	Apr-16-15	Apr-16-15

S02 (1504007-02) Water Sampled: Apr-09-15 11:25 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Dissolved Solids	4030			20.0	mg/L	1	B15D008	Apr-16-15	Apr-16-15

S03 (1504007-03) Water Sampled: Apr-09-15 11:32 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Dissolved Solids	5700			20.0	mg/L	1	B15D008	Apr-16-15	Apr-16-15

S04 (1504007-04) Water Sampled: Apr-09-15 11:35 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Dissolved Solids	3680			20.0	mg/L	1	B15D008	Apr-16-15	Apr-16-15

S05 (1504007-05) Water Sampled: Apr-09-15 12:45 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Dissolved Solids	1060			20.0	mg/L	1	B15D008	Apr-16-15	Apr-16-15

S06 (1504007-06) Water Sampled: Apr-09-15 13:00 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Dissolved Solids	2760			20.0	mg/L	1	B15D008	Apr-16-15	Apr-16-15

S07 (1504007-07) Water Sampled: Apr-09-15 13:00 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Dissolved Solids	2670			20.0	mg/L	1	B15D008	Apr-16-15	Apr-16-15



Environmental Protection Agency Region 5  
**Chicago Regional Laboratory**

536 South Clark Street, Chicago, IL 60605  
Phone: (312) 353-8370 Fax: (312) 886-2591

Water Division, US EPA Region 5  
77 West Jackson Boulevard  
Chicago IL, 60604

Project: Ledgeview  
Project Number: 15DS01  
Project Manager: Don Schwer

Reported:  
May-14-15 17:46

**Dissolved Solids, SM 2540C (modified)**  
**US EPA Region 5 Chicago Regional Laboratory**

S08 (1504007-08) Water Sampled: Apr-09-15 13:12 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Dissolved Solids	4310			20.0	mg/L	1	B15D008	Apr-16-15	Apr-16-15

S09 (1504007-09) Water Sampled: Apr-09-15 13:20 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Dissolved Solids	2220			20.0	mg/L	1	B15D008	Apr-16-15	Apr-16-15

B01 (1504007-10) Water Sampled: Apr-09-15 11:02 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Dissolved Solids	U			20.0	mg/L	1	B15D008	Apr-16-15	Apr-16-15





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**Chicago Regional Laboratory**

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Chicago IL, 60604

Project: Ledgeview  
Project Number: 15DS01  
Project Manager: Don Schwer

**Reported:**  
May-14-15 17:46

**Notes and Definitions**

U Not Detected  
NR Not Reported



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5 CHICAGO REGIONAL LABORATORY  
536 SOUTH CLARK STREET  
CHICAGO, ILLINOIS 60605




Date: 5/14/2015  
Subject: Review of Region 5 Data for Ledgeview  
To: Water Division, US EPA Region 5  
77 West Jackson Boulevard  
Chicago, IL 60604  
From: Laurence Wong, Analyst  
US EPA Region 5 Chicago Regional Laboratory

The data transmitted under this cover memo successfully passed CRL's data review procedures as documented in the current Quality Management Plan and applicable Standard Operating Procedures. In accordance with EPA's *Guidance on Environmental Data Verification and Data Validation* (Document EPA QA/G-8), CRL verified and validated the data but does not perform data quality assessment based on project plans.

This report was reviewed and the information provided herein accurately represents the analysis performed.

X

  
Please contact the analyst with any technical report issues, Amanda Wroble at (312)-353-0375 for sample project concerns, and Sylvia Griffin at (312)-353-9073 with data transmittal questions. Thank you.

Attached are Results for: Ledgeview

\_\_\_\_\_  
Data Management Coordinator and Date Transmitted

**Analyses included in this report:**

Solids, TSS



## Environmental Protection Agency Region 5 Chicago Regional Laboratory

536 South Clark Street, Chicago, IL 60605  
Phone:(312)353-8370 Fax:(312)886-2591

Water Division, US EPA Region 5  
77 West Jackson Boulevard  
Chicago IL, 60604

Project: Ledgeview  
Project Number: 15DS01  
Project Manager: Don Schwer

Reported:  
May-14-15 17:49

### ANALYSIS CASE NARRATIVE

#### General Information

Ten (10) water samples under Work Order #1504007 were received on April 10, 2015 for Total Suspended Solids (TSS) analysis. The designated analyst for these samples was Laurence Wong; and the contact person, Francis Awanya (phone number: 312-886-3682).

The sample preparation and analysis followed procedure CRL SOP AIG018 r4.0 (Standard Method 2540 D). They began on April 16, 2015, and were completed on April 17, 2015. The sample holding time limit was met. The samples were kept in refrigerator at  $\leq 6^{\circ}\text{C}$  at all time except when in use.

#### Sample Analysis and Results

Only two of the samples (Lab #s 1504007-05 & -10; field designations respectively S05 & B01) could be analyzed with the typical filtration volume of 100mL each. The remaining eight (8) samples could only be analyzed with reduced volumes, because the filters were quickly clogged by the fine contents inside the samples.

The data reported herein met the DQO for "2015 General Field Sampling Plan 103113-CAFOs" and the "2014 reporting request for CAFO samples 062014".

#### Quality Control

All quality control (QC) audits followed CRL guidelines. The required quality control criteria for the laboratory, method, and system performance audits were evaluated and determined to be within the CRL's QC limits.



Environmental Protection Agency Region 5  
**Chicago Regional Laboratory**

536 South Clark Street, Chicago, IL 60605  
Phone:(312)353-8370 Fax:(312)886-2591

Water Division, US EPA Region 5  
77 West Jackson Boulevard  
Chicago IL, 60604

Project: Ledgeview  
Project Number: 15DS01  
Project Manager: Don Schwer

**Reported:**  
May-14-15 17:49

**ANALYTICAL REPORT FOR SAMPLES**

Sample ID	Laboratory ID	Matrix	Date Sampled	Date Received
S01	1504007-01	Water	Apr-09-15 11:14	Apr-10-15 11:27
S02	1504007-02	Water	Apr-09-15 11:25	Apr-10-15 11:27
S03	1504007-03	Water	Apr-09-15 11:32	Apr-10-15 11:27
S04	1504007-04	Water	Apr-09-15 11:35	Apr-10-15 11:27
S05	1504007-05	Water	Apr-09-15 12:45	Apr-10-15 11:27
S06	1504007-06	Water	Apr-09-15 13:00	Apr-10-15 11:27
S07	1504007-07	Water	Apr-09-15 13:00	Apr-10-15 11:27
S08	1504007-08	Water	Apr-09-15 13:12	Apr-10-15 11:27
S09	1504007-09	Water	Apr-09-15 13:20	Apr-10-15 11:27
B01	1504007-10	Water	Apr-09-15 11:02	Apr-10-15 11:27



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Water Division, US EPA Region 5  
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Chicago IL, 60604

Project: Ledgeview  
Project Number: 15DS01  
Project Manager: Don Schwer

Reported:  
May-14-15 17:49

## Total Suspended Solids, SM 2540 D (modified) US EPA Region 5 Chicago Regional Laboratory

S01 (1504007-01) Water Sampled: Apr-09-15 11:14 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Suspended Solids	95.7			5.0	mg/L	1	B15D009	Apr-16-15	Apr-16-15

S02 (1504007-02) Water Sampled: Apr-09-15 11:25 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Suspended Solids	1670			5.0	mg/L	1	B15D009	Apr-16-15	Apr-16-15

S03 (1504007-03) Water Sampled: Apr-09-15 11:32 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Suspended Solids	960			5.0	mg/L	1	B15D009	Apr-16-15	Apr-16-15

S04 (1504007-04) Water Sampled: Apr-09-15 11:35 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Suspended Solids	342			5.0	mg/L	1	B15D009	Apr-16-15	Apr-16-15

S05 (1504007-05) Water Sampled: Apr-09-15 12:45 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Suspended Solids	66.0			5.0	mg/L	1	B15D009	Apr-16-15	Apr-16-15

S06 (1504007-06) Water Sampled: Apr-09-15 13:00 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Suspended Solids	645			5.0	mg/L	1	B15D009	Apr-16-15	Apr-16-15

S07 (1504007-07) Water Sampled: Apr-09-15 13:00 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Suspended Solids	636			5.0	mg/L	1	B15D009	Apr-16-15	Apr-16-15





Environmental Protection Agency Region 5  
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Chicago IL, 60604

Project: Ledgeview  
Project Number: 15DS01  
Project Manager: Don Schwer

Reported:  
May-14-15 17:49

**Total Suspended Solids, SM 2540 D (modified)**  
**US EPA Region 5 Chicago Regional Laboratory**

S08 (1504007-08) Water Sampled: Apr-09-15 13:12 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Suspended Solids	149			5.0	mg/L	1	B15D009	Apr-16-15	Apr-16-15

S09 (1504007-09) Water Sampled: Apr-09-15 13:20 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Suspended Solids	270			5.0	mg/L	1	B15D009	Apr-16-15	Apr-16-15

B01 (1504007-10) Water Sampled: Apr-09-15 11:02 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Suspended Solids	U			5.0	mg/L	1	B15D009	Apr-16-15	Apr-16-15



Environmental Protection Agency Region 5  
**Chicago Regional Laboratory**

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Chicago IL, 60604

Project: Ledgeview  
Project Number: 15DS01  
Project Manager: Don Schwer

**Reported:**  
May-14-15 17:49

**Notes and Definitions**

U Not Detected  
NR Not Reported



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5 CHICAGO REGIONAL LABORATORY

536 SOUTH CLARK STREET

CHICAGO, ILLINOIS 60605



LABORATORY  
ACCREDITATION  
BUREAU

ACCREDITED ISO/IEC 17025

Certificate # L2280 Testing

Date: 5/26/2015

Subject: Review of Region 5 Data for Ledgeview

To: Water Division, US EPA Region 5  
77 West Jackson Boulevard  
Chicago, IL 60604

From: Nidia Fuentes, Analyst  
US EPA Region 5 Chicago Regional Laboratory

The data transmitted under this cover memo successfully passed CRL's data review procedures as documented in the current Quality Management Plan and applicable Standard Operating Procedures. In accordance with EPA's *Guidance on Environmental Data Verification and Data Validation* (Document EPA QA/G-8), CRL verified and validated the data but does not perform data quality assessment based on project plans.

This report was reviewed and the information provided herein accurately represents the analysis performed.

X Nidia Fuentes 5/26/2015

Please contact the analyst with any technical report issues, Amanda Wroble at (312)-353-0375 for sample project concerns, and Sylvia Griffin at (312)-353-9073 with data transmittal questions. Thank you.

Attached are Results for: Ledgeview

\_\_\_\_\_  
Data Management Coordinator and Date Transmitted

Analyses included in this report:

TKN DA

Total Phosphorus DA



Environmental Protection Agency Region 5  
**Chicago Regional Laboratory**

536 South Clark Street, Chicago, IL 60605  
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Water Division, US EPA Region 5  
77 West Jackson Boulevard  
Chicago IL, 60604

Project: Ledgeview  
Project Number: 15DS01  
Project Manager: Don Schwer

Reported:  
May-26-15 15:01

## **Analysis Case Narrative**

### **General Information**

A total of ten water samples to be analyzed for Total Phosphorus (TP) were received at the Chicago Regional Laboratory on April 10, 2015. The water samples were digested and analyzed using CRL SOP AIG034B, Version #2 (EPA method 365.4). All holding times were met. The designated analyst for the sample is Nidia Fuentes. Nidia can be reached at 312-353-9079.

### **Sample Analysis and Results**

The data reported herein meet requirements for "2015 General Field sampling plan 103113-CAFOs" and "2014 reporting request for CAFO samples 062014".

### **Quality Control**

All quality control audits were within the CRL's limits.

## **Analysis Case Narrative**

### **General Information**

A total of ten water samples to be analyzed for Total Kjeldahl Nitrogen (TKN) were received at the Chicago Regional Laboratory on April 10, 2015. The samples were digested and analyzed using CRL SOP AIG035B, Version #2 (EPA method 351.2).

All holding times were met. The designated analyst for these samples is Nidia Fuentes. Nidia can be reached at 312-353-9079.

### **Sample Analysis and Results**

The data reported herein meet requirements for "2015 General Field sampling plan 103113-CAFOs" and "2014 reporting request for CAFO samples 062014".

### **Quality Control**

All quality control audits were within the CRL limits.



Environmental Protection Agency Region 5  
**Chicago Regional Laboratory**

536 South Clark Street, Chicago, IL 60605  
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Water Division, US EPA Region 5  
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Chicago IL, 60604

Project: Ledgeview  
Project Number: 15DS01  
Project Manager: Don Schwer

Reported:  
May-26-15 15:01

**ANALYTICAL REPORT FOR SAMPLES**

Sample ID	Laboratory ID	Matrix	Date Sampled	Date Received
S01	1504007-01	Water	Apr-09-15 11:14	Apr-10-15 11:27
S02	1504007-02	Water	Apr-09-15 11:25	Apr-10-15 11:27
S03	1504007-03	Water	Apr-09-15 11:32	Apr-10-15 11:27
S04	1504007-04	Water	Apr-09-15 11:35	Apr-10-15 11:27
S05	1504007-05	Water	Apr-09-15 12:45	Apr-10-15 11:27
S06	1504007-06	Water	Apr-09-15 13:00	Apr-10-15 11:27
S07	1504007-07	Water	Apr-09-15 13:00	Apr-10-15 11:27
S08	1504007-08	Water	Apr-09-15 13:12	Apr-10-15 11:27
S09	1504007-09	Water	Apr-09-15 13:20	Apr-10-15 11:27
B01	1504007-10	Water	Apr-09-15 11:02	Apr-10-15 11:27





Environmental Protection Agency Region 5  
**Chicago Regional Laboratory**

536 South Clark Street, Chicago, IL 60605  
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Water Division, US EPA Region 5  
77 West Jackson Boulevard  
Chicago IL, 60604

Project: Ledgerview  
Project Number: 15DS01  
Project Manager: Don Schwer

Reported:  
May-26-15 15:01

**Phosphorus, Colorimetric, EPA 365.4 (modified)**  
**US EPA Region 5 Chicago Regional Laboratory**

S01 (1504007-01) Water Sampled: Apr-09-15 11:14 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Phosphorus	502			27.0	mg/L	180	B15E006	May-04-15	May-07-15

S02 (1504007-02) Water Sampled: Apr-09-15 11:25 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Phosphorus	21.9			7.50	mg/L	50	B15E006	May-04-15	May-07-15

S03 (1504007-03) Water Sampled: Apr-09-15 11:32 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Phosphorus	103			7.50	mg/L	50	B15E006	May-04-15	May-07-15

S04 (1504007-04) Water Sampled: Apr-09-15 11:35 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Phosphorus	56.7			3.00	mg/L	20	B15E006	May-04-15	May-07-15

S05 (1504007-05) Water Sampled: Apr-09-15 12:45 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Phosphorus	8.59			1.50	mg/L	10	B15E006	May-04-15	May-07-15

S06 (1504007-06) Water Sampled: Apr-09-15 13:00 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Phosphorus	36.8			7.50	mg/L	50	B15E006	May-04-15	May-07-15

S07 (1504007-07) Water Sampled: Apr-09-15 13:00 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Phosphorus	39.8			7.50	mg/L	50	B15E006	May-04-15	May-07-15



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**Chicago Regional Laboratory**

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Chicago IL, 60604

Project: Ledgeview  
Project Number: 15DS01  
Project Manager: Don Schwer

Reported:  
May-26-15 15:01

**Phosphorus, Colorimetric, EPA 365.4 (modified)**  
**US EPA Region 5 Chicago Regional Laboratory**

S08 (1504007-08) Water Sampled: Apr-09-15 13:12 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Phosphorus	32.4			7.50	mg/L	50	B15E006	May-04-15	May-07-15

S09 (1504007-09) Water Sampled: Apr-09-15 13:20 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Phosphorus	40.1			3.00	mg/L	20	B15E006	May-04-15	May-07-15

B01 (1504007-10) Water Sampled: Apr-09-15 11:02 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Phosphorus	U			0.15	mg/L	1	B15E006	May-04-15	May-07-15



# Environmental Protection Agency Region 5 Chicago Regional Laboratory

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Water Division, US EPA Region 5  
77 West Jackson Boulevard  
Chicago IL, 60604

Project: Ledgeview  
Project Number: 15DS01  
Project Manager: Don Schwer

Reported:  
May-26-15 15:01

## Total Kjeldahl Nitrogen, EPA 351.2 (modified) US EPA Region 5 Chicago Regional Laboratory

S01 (1504007-01) Water Sampled: Apr-09-15 11:14 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Kjeldahl Nitrogen	1700			90.0	mg/L	180	B15E005	May-04-15	May-07-15

S02 (1504007-02) Water Sampled: Apr-09-15 11:25 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Kjeldahl Nitrogen	162			25.0	mg/L	50	B15E005	May-04-15	May-07-15

S03 (1504007-03) Water Sampled: Apr-09-15 11:32 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Kjeldahl Nitrogen	244			25.0	mg/L	50	B15E005	May-04-15	May-07-15

S04 (1504007-04) Water Sampled: Apr-09-15 11:35 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Kjeldahl Nitrogen	146			10.0	mg/L	20	B15E005	May-04-15	May-07-15

S05 (1504007-05) Water Sampled: Apr-09-15 12:45 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Kjeldahl Nitrogen	47.1			5.00	mg/L	10	B15E005	May-04-15	May-07-15

S06 (1504007-06) Water Sampled: Apr-09-15 13:00 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Kjeldahl Nitrogen	229			25.0	mg/L	50	B15E005	May-04-15	May-07-15

S07 (1504007-07) Water Sampled: Apr-09-15 13:00 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Kjeldahl Nitrogen	255			25.0	mg/L	50	B15E005	May-04-15	May-07-15



Environmental Protection Agency Region 5  
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Chicago IL, 60604

Project: Ledgeview  
Project Number: 15DS01  
Project Manager: Don Schwer

**Reported:**  
May-26-15 15:01

**Total Kjeldahl Nitrogen, EPA 351.2 (modified)**  
**US EPA Region 5 Chicago Regional Laboratory**

**S08 (1504007-08) Water** Sampled: Apr-09-15 13:12 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Kjeldahl Nitrogen	276			25.0	mg/L	50	B15E005	May-04-15	May-07-15

**S09 (1504007-09) Water** Sampled: Apr-09-15 13:20 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Kjeldahl Nitrogen	138			10.0	mg/L	20	B15E005	May-04-15	May-07-15

**B01 (1504007-10) Water** Sampled: Apr-09-15 11:02 Received: Apr-10-15 11:27

Analyte	Result	Flags / Qualifiers	MDL	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed
Total Kjeldahl Nitrogen	0.09			0.50	mg/L	1	B15E005	May-04-15	May-07-15



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Chicago IL, 60604

Project: Ledgeview  
Project Number: 15DS01  
Project Manager: Don Schwer

**Reported:**  
May-26-15 15:01

**Notes and Definitions**

U Not Detected  
NR Not Reported



April 16, 2015

Kimberly O'Neill  
SAIC  
McLean/Enterprise Center  
8301 Greensboro Drive  
Mc Lean, VA 22102

RE: Project: 15DS01 LEDGEVIEW  
Pace Project No.: 40112913

Dear Kimberly O'Neill:

Enclosed are the analytical results for sample(s) received by the laboratory on April 09, 2015. The results relate only to the samples included in this report. Results reported herein conform to the most current TNI standards and the laboratory's Quality Assurance Manual, where applicable, unless otherwise noted in the body of the report.

If you have any questions concerning this report, please feel free to contact me.

Sincerely,



Steven Mieczko  
steve.mieczko@pacelabs.com  
Project Manager

Enclosures



## REPORT OF LABORATORY ANALYSIS

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## CERTIFICATIONS

Project: 15DS01 LEDGEVIEW  
Pace Project No.: 40112913

---

### Green Bay Certification IDs

1241 Bellevue Street, Green Bay, WI 54302  
Florida/NELAP Certification #: E87948  
Illinois Certification #: 200050  
Kentucky Certification #: 82  
Louisiana Certification #: 04168  
Minnesota Certification #: 055-999-334

North Dakota Certification #: R-150  
South Carolina Certification #: 83006001  
Texas Certification #: T104704529-14-1  
US Dept of Agriculture #: S-76505  
Wisconsin Certification #: 405132750

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## REPORT OF LABORATORY ANALYSIS

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## SAMPLE SUMMARY

Project: 15DS01 LEDGEVIEW

Pace Project No.: 40112913

Lab ID	Sample ID	Matrix	Date Collected	Date Received
40112913001	S01 FEED BACK	Water	04/09/15 11:14	04/09/15 14:14
40112913002	S02 FEED BACK CONF	Water	04/09/15 11:25	04/09/15 14:14
40112913003	S03 SAT EAST	Water	04/09/15 11:32	04/09/15 14:14
40112913004	S04 SAT EAST CONF	Water	04/09/15 11:35	04/09/15 14:14
40112913005	S05 STREAM	Water	04/09/15 12:45	04/09/15 14:14
40112913006	S06 PONDED	Water	04/09/15 13:00	04/09/15 14:14
40112913007	S07 PONDED 2	Water	04/09/15 13:00	04/09/15 14:14
40112913008	S08 EAST FLOW	Water	04/09/15 13:12	04/09/15 14:14
40112913009	S09 WEST FLOW	Water	04/09/15 13:20	04/09/15 14:14

## REPORT OF LABORATORY ANALYSIS

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## SAMPLE ANALYTE COUNT

Project: 15DS01 LEDGEVIEW  
Pace Project No.: 40112913

Lab ID	Sample ID	Method	Analysts	Analytes Reported
40112913001	S01 FEED BACK	SM 9222D	DEY	1
40112913002	S02 FEED BACK CONF	SM 9222D	DEY	1
40112913003	S03 SAT EAST	SM 9222D	DEY	1
40112913004	S04 SAT EAST CONF	SM 9222D	DEY	1
40112913005	S05 STREAM	SM 9222D	DEY	1
40112913006	S06 PONDED	SM 9222D	DEY	1
40112913007	S07 PONDED 2	SM 9222D	DEY	1
40112913008	S08 EAST FLOW	SM 9222D	DEY	1
40112913009	S09 WEST FLOW	SM 9222D	DEY	1

## REPORT OF LABORATORY ANALYSIS

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## ANALYTICAL RESULTS

Project: 15DS01 LEDGEVIEW  
Pace Project No.: 40112913

Sample: S01 FEED BACK Lab ID: 40112913001 Collected: 04/09/15 11:14 Received: 04/09/15 14:14 Matrix: Water

Parameters	Results	Units	LOQ	LOD	DF	Prepared	Analyzed	CAS No.	Qual
9222D MICRO Fecal Coli by MF									
Analytical Method: SM 9222D Preparation Method: SM 9222D									
Fecal Coliforms	<901	CFU/100 mL	901	901	901	04/09/15 16:20	04/09/15 16:20		

## REPORT OF LABORATORY ANALYSIS

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## ANALYTICAL RESULTS

Project: 15DS01 LEDGEVIEW  
Pace Project No.: 40112913

<b>Sample: S02 FEED BACK CONF</b>		<b>Lab ID: 40112913002</b>	Collected: 04/09/15 11:25		Received: 04/09/15 14:14		Matrix: Water		
Parameters	Results	Units	LOQ	LOD	DF	Prepared	Analyzed	CAS No.	Qual
<b>9222D MICRO Fecal Coli by MF</b>									
Analytical Method: SM 9222D Preparation Method: SM 9222D									
Fecal Coliforms	<b>90900</b>	CFU/100 mL	9090	9090	9090	04/09/15 16:20	04/09/15 16:20		

## REPORT OF LABORATORY ANALYSIS

Date: 04/16/2015 01:53 PM

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## ANALYTICAL RESULTS

Project: 15DS01 LEDGEVIEW  
Pace Project No.: 40112913

<b>Sample: S03 SAT EAST</b>		<b>Lab ID: 40112913003</b>		Collected: 04/09/15 11:32		Received: 04/09/15 14:14		Matrix: Water	
Parameters	Results	Units	LOQ	LOD	DF	Prepared	Analyzed	CAS No.	Qual
<b>9222D MICRO Fecal Coli by MF</b> Analytical Method: SM 9222D    Preparation Method: SM 9222D									
Fecal Coliforms	<b>2100000</b>	CFU/100 mL	100000	100000	10000 0	04/09/15 16:20	04/09/15 16:20		

## REPORT OF LABORATORY ANALYSIS

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## ANALYTICAL RESULTS

Project: 15DS01 LEDGEVIEW  
Pace Project No.: 40112913

Sample: S04 SAT EAST CONF Lab ID: 40112913004 Collected: 04/09/15 11:35 Received: 04/09/15 14:14 Matrix: Water

Parameters	Results	Units	LOQ	LOD	DF	Prepared	Analyzed	CAS No.	Qual
9222D MICRO Fecal Coli by MF Analytical Method: SM 9222D Preparation Method: SM 9222D									
Fecal Coliforms	2500000	CFU/100 mL	100000	100000	10000 0	04/09/15 16:20	04/09/15 16:20		

## REPORT OF LABORATORY ANALYSIS

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## ANALYTICAL RESULTS

Project: 15DS01 LEDGEVIEW  
Pace Project No.: 40112913

<b>Sample: S05 STREAM</b>		<b>Lab ID: 40112913005</b>		Collected: 04/09/15 12:45		Received: 04/09/15 14:14		Matrix: Water	
Parameters	Results	Units	LOQ	LOD	DF	Prepared	Analyzed	CAS No.	Qual
<b>9222D MICRO Fecal Coli by MF</b>									
Analytical Method: SM 9222D Preparation Method: SM 9222D									
Fecal Coliforms	<b>135000</b>	CFU/100 mL	9010	9010	9010	04/09/15 16:20	04/09/15 16:20		

## REPORT OF LABORATORY ANALYSIS

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## ANALYTICAL RESULTS

Project: 15DS01 LEDGEVIEW  
Pace Project No.: 40112913

<b>Sample: S06 PONDED</b>		<b>Lab ID: 40112913006</b>		Collected: 04/09/15 13:00		Received: 04/09/15 14:14		Matrix: Water	
Parameters	Results	Units	LOQ	LOD	DF	Prepared	Analyzed	CAS No.	Qual
9222D MICRO Fecal Coli by MF									
Analytical Method: SM 9222D Preparation Method: SM 9222D									
Fecal Coliforms	1140000	CFU/100 mL	9010	9010	9010	04/09/15 16:20	04/09/15 16:20		

## REPORT OF LABORATORY ANALYSIS



## ANALYTICAL RESULTS

Project: 15DS01 LEDGEVIEW  
Pace Project No.: 40112913

<b>Sample: S07 PONDED 2</b>		<b>Lab ID: 40112913007</b>		Collected: 04/09/15 13:00		Received: 04/09/15 14:14		Matrix: Water	
Parameters	Results	Units	LOQ	LOD	DF	Prepared	Analyzed	CAS No.	Qual
9222D MICRO Fecal Coli by MF									
Analytical Method: SM 9222D Preparation Method: SM 9222D									
Fecal Coliforms	1300000	CFU/100 mL	9010	9010	9010	04/09/15 16:20	04/09/15 16:20		

## REPORT OF LABORATORY ANALYSIS

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## ANALYTICAL RESULTS

Project: 15DS01 LEDGEVIEW  
Pace Project No.: 40112913

Sample: S08 EAST FLOW		Lab ID: 40112913008		Collected: 04/09/15 13:12		Received: 04/09/15 14:14		Matrix: Water	
Parameters	Results	Units	LOQ	LOD	DF	Prepared	Analyzed	CAS No.	Qual
9222D MICRO Fecal Coli by MF									
Analytical Method: SM 9222D Preparation Method: SM 9222D									
Fecal Coliforms	757000	CFU/100 mL	9010	9010	9010	04/09/15 16:20	04/09/15 16:20		

## REPORT OF LABORATORY ANALYSIS

## ANALYTICAL RESULTS

Project: 15DS01 LEDGEVIEW  
Pace Project No.: 40112913

<b>Sample: S09 WEST FLOW</b>		<b>Lab ID: 40112913009</b>	Collected: 04/09/15 13:20		Received: 04/09/15 14:14		Matrix: Water		
Parameters	Results	Units	LOQ	LOD	DF	Prepared	Analyzed	CAS No.	Qual
<b>9222D MICRO Fecal Coli by MF</b>									
Analytical Method: SM 9222D Preparation Method: SM 9222D									
Fecal Coliforms	<b>260000</b>	CFU/100 mL	10000	10000	10000	04/09/15 16:20	04/09/15 16:20		

## REPORT OF LABORATORY ANALYSIS

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## QUALITY CONTROL DATA

Project: 15DS01 LEDGEVIEW  
Pace Project No.: 40112913

QC Batch: MBIO/3946 Analysis Method: SM 9222D  
QC Batch Method: SM 9222D Analysis Description: 9222D MICRO Fecal Coliform by MF  
Associated Lab Samples: 40112913001, 40112913002, 40112913003, 40112913004, 40112913005, 40112913006, 40112913007, 40112913008, 40112913009

METHOD BLANK: 1141501 Matrix: Water  
Associated Lab Samples: 40112913001, 40112913002, 40112913003, 40112913004, 40112913005, 40112913006, 40112913007, 40112913008, 40112913009

Parameter	Units	Blank Result	Reporting Limit	Analyzed	Qualifiers
Fecal Coliforms	CFU/100 mL	<1	1.0	04/09/15 16:20	

METHOD BLANK: 1141503 Matrix: Water  
Associated Lab Samples: 40112913001, 40112913002, 40112913003, 40112913004, 40112913005, 40112913006, 40112913007, 40112913008, 40112913009

Parameter	Units	Blank Result	Reporting Limit	Analyzed	Qualifiers
Fecal Coliforms	CFU/100 mL	<1	1.0	04/09/15 16:20	

SAMPLE DUPLICATE: 1141502

Parameter	Units	40112913001 Result	Dup Result	RPD	Max RPD	Qualifiers
Fecal Coliforms	CFU/100 mL	<901	<901			

Results presented on this page are in the units indicated by the "Units" column except where an alternate unit is presented to the right of the result.

## REPORT OF LABORATORY ANALYSIS

Date: 04/16/2015 01:53 PM

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## QUALIFIERS

Project: 15DS01 LEDGEVIEW  
Pace Project No.: 40112913

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## DEFINITIONS

DF - Dilution Factor, if reported, represents the factor applied to the reported data due to dilution of the sample aliquot.

ND - Not Detected at or above LOD.

J - Estimated concentration at or above the LOD and below the LOQ.

LOD - Limit of Detection adjusted for dilution factor and percent moisture.

LOQ - Limit of Quantitation adjusted for dilution factor and percent moisture.

S - Surrogate

1,2-Diphenylhydrazine decomposes to and cannot be separated from Azobenzene using Method 8270. The result for each analyte is a combined concentration.

Consistent with EPA guidelines, unrounded data are displayed and have been used to calculate % recovery and RPD values.

LCS(D) - Laboratory Control Sample (Duplicate)

MS(D) - Matrix Spike (Duplicate)

DUP - Sample Duplicate

RPD - Relative Percent Difference

NC - Not Calculable.

SG - Silica Gel - Clean-Up

U - Indicates the compound was analyzed for, but not detected at or above the adjusted LOD.

N-Nitrosodiphenylamine decomposes and cannot be separated from Diphenylamine using Method 8270. The result reported for each analyte is a combined concentration.

Pace Analytical is TNI accredited. Contact your Pace PM for the current list of accredited analytes.

TNI - The NELAC Institute.

## REPORT OF LABORATORY ANALYSIS

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## QUALITY CONTROL DATA CROSS REFERENCE TABLE

Project: 15DS01 LEDGEVIEW  
Pace Project No.: 40112913

Lab ID	Sample ID	QC Batch Method	QC Batch	Analytical Method	Analytical Batch
40112913001	S01 FEED BACK	SM 9222D	MBIO/3945	SM 9222D	MBIO/3946
40112913002	S02 FEED BACK CONF	SM 9222D	MBIO/3945	SM 9222D	MBIO/3946
40112913003	S03 SAT EAST	SM 9222D	MBIO/3945	SM 9222D	MBIO/3946
40112913004	S04 SAT EAST CONF	SM 9222D	MBIO/3945	SM 9222D	MBIO/3946
40112913005	S05 STREAM	SM 9222D	MBIO/3945	SM 9222D	MBIO/3946
40112913006	S06 PONDED	SM 9222D	MBIO/3945	SM 9222D	MBIO/3946
40112913007	S07 PONDED 2	SM 9222D	MBIO/3945	SM 9222D	MBIO/3946
40112913008	S08 EAST FLOW	SM 9222D	MBIO/3945	SM 9222D	MBIO/3946
40112913009	S09 WEST FLOW	SM 9222D	MBIO/3945	SM 9222D	MBIO/3946

## REPORT OF LABORATORY ANALYSIS





## Sample Condition Upon Receipt

Pace Analytical Services, Inc.  
1241 Bellevue Street, Suite 9  
Green Bay, WI 54302Client Name: EPA

Project #:

WO#: 40112913

Courier: ☐ Fed Ex ☐ UPS ☒ Client ☐ Pace Other: \_\_\_\_\_

Tracking #: \_\_\_\_\_

Custody Seal on Cooler/Box Present: ☐ yes ☒ no Seals intact: ☐ yes ☐ noCustody Seal on Samples Present: ☐ yes ☒ no Seals intact: ☐ yes ☐ noPacking Material: ☐ Bubble Wrap ☐ Bubble Bags ☒ None ☐ Other \_\_\_\_\_Thermometer Used NAType of Ice: ☒ Wet ☐ Blue ☐ Dry ☐ None☒ Samples on ice, cooling process has begunCooler Temperature Uncorr: 201 / Corr: \_\_\_\_\_Biological Tissue is Frozen: ☐ yes☐ noTemp Blank Present: ☐ yes ☒ no

Temp should be above freezing to 8°C for all sample except Biota.

Frozen Biota Samples should be received ≤ 0°C.

Comments:

Person examining contents:

Date: 4/9/15Initials: mv

Chain of Custody Present:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	1.
Chain of Custody Filled Out:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	2.
Chain of Custody Relinquished:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	3.
Sampler Name & Signature on COC:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	4.
Samples Arrived within Hold Time:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	5.
- VOA Samples frozen upon receipt	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date/Time:
Short Hold Time Analysis (<72hr):	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	6.
Rush Turn Around Time Requested:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	7.
Sufficient Volume:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	8.
Correct Containers Used:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	9.
-Pace Containers Used:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	
-Pace IR Containers Used:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	
Containers Intact:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	10.
Filtered volume received for Dissolved tests	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	11.
Sample Labels match COC:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	12.
-Includes date/time/ID/Analysis Matrix:	<u>W</u>	<u>Notime on samples 4/9/15 MV</u>
All containers needing preservation have been checked. (Non-Compliance noted in 13.)	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	13.
All containers needing preservation are found to be in compliance with EPA recommendation. (HNO <sub>3</sub> , H <sub>2</sub> SO <sub>4</sub> ≤ 2; NaOH+ZnAct ≥ 9; NaOH ≥ 12) exceptions: VOA, coliform, TOC, TOX, TOH, O&G, WIDROW, Phenolics, OTHER:	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> HNO <sub>3</sub> <input type="checkbox"/> H <sub>2</sub> SO <sub>4</sub> <input type="checkbox"/> NaOH <input type="checkbox"/> NaOH + ZnAct
Headspace in VOA Vials (>6mm):	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	14.
Trip Blank Present:	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	15.
Trip Blank Custody Seals Present	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
Pace Trip Blank Lot # (if purchased):		

Client Notification/ Resolution:

If checked, see attached form for additional comments ☐

Person Contacted: \_\_\_\_\_ Date/Time: \_\_\_\_\_

Comments/ Resolution: \_\_\_\_\_

Project Manager Review: \_\_\_\_\_

Date: 4/9/15

7/26/17

State of Wisconsin  
Department of Natural Resources  
PO Box 7185, Madison, WI 53707-7185  
dnr.wi.gov

**Animal Unit Calculation Worksheet**  
**Form 3400-025A (R 3/2012)**

The Current Animal Unit Calculation Worksheet must be filled out separately for the "main" site and each site which are owned or operated by your farm for the purposes of housing animals associated with your operation. The site name, for which you are filling this worksheet out, must be provided below and correlate with Form 3400-025 Site Information (Section II).

Current Animal Unit Calculation Numbers							
Name of Site: <u>Ledgeview Farms, LLC - Upper Farm</u>							
Animal Type	I. Mixed Animal Units			II. Non-mixed Animal Units			
	b. Equiv. factor	c. Current Number	d. No. of AUs	e. Equiv. factor	f. Current Number	g. No. of AUs	
Example - Broilers (non-liquid manure):	0.005 x	150,000	= 750	0.008 x	150,000	= 1200	
Dairy/Beef Calves (under 400 lbs)	0.20 x	375	= 75	Fed numbers in this column comply with 40 CFR s. 122.23			
Dairy Cattle	Milking & Dry Cows	1.40 x	600	= 840	1.43 x	600	= 858
	Heifers (800 lbs to 1200 lbs)	1.10 x	200	= 220			
	Heifers (400 lbs to 800 lbs)	0.60 x		=	1.00 x		=
Beef	Steers or Cows (400 lbs to market)	1.00 x		=			
	Bulls (each)	1.40 x	15	= 21	1.00 x		=
Veal Calves		0.50 x		=	1.00 x		=
Swine	Pigs (up to 55 lbs)	0.10 x		=	0.10 x		=
	Pigs (55 lbs to market)	0.40 x		=			
	Sows (each)	0.40 x		=			
	Boars (each)	0.50 x		=	0.40 x		=
Chickens	Layers (each) -non-liquid manure system	0.01 x		=	0.0123 x		=
	Broilers/Pullets (each) -non-liquid manure system	0.005 x		=	0.008 x		=
	Per Bird -liquid manure system	0.033 x		=	0.0333 x		=
Ducks	Ducks (each) -liquid manure system	0.2 x		=	0.2 x		=
	Ducks (each) -non-liquid manure system	0.01 x		=	0.0333 x		=
Turkeys (each)		0.018 x		=	0.018 x		=
Sheep (each)		0.1 x		=	0.1 x		=
Horses (each)		2 x		=	2 x		=
Total Animal Units:		Total Mixed Animal Units = (add all rows above)  1156			Total Non-Mixed Animal Units = (Enter the single highest number from any row above; DO NOT add the totals)  858		

☐ Check here if there are no proposed increases in animal numbers at this site within the next five years.

**Animal Unit Calculation Worksheet**  
**Form 3400-025A** (R 3/2012)

The Projected Animal Unit Calculation Worksheet must be filled out separately for the "main" site and each site which are owned or operated by your farm for the purposes of housing animals associated with your operation. The site name, for which you are filling this worksheet out, must be provided below and correlate with Form 3400-025 Site Information (Section II).

**Projected Animal Unit Calculation Numbers** *5yr*

**Name of Site:** *Ledgeview Farms, LLC - Upper Farm*

Animal Type		I. Mixed Animal Units			II. Non-mixed Animal Units		
		b. Equiv. factor	c. Projected Number	d. No. of AUs	e. Equiv. factor	f. Projected Number	g. No. of AUs
Example - Broilers (non-liquid manure):		0.005 x	150,000	= 750	0.008 x	150,000	= 1200
Dairy/Beef Calves (under 400 lbs)		0.20 x	300	= 60	<i>Fed. numbers in this column comply with 40 CFR s. 122.23</i>		
Dairy Cattle	Milking & Dry Cows	1.40 x	1500	= 2100	1.43 x	1500	= 2145
	Heifers (800 lbs to 1200 lbs)	1.10 x	500	= 550			
	Heifers (400 lbs to 800 lbs)	0.60 x		=	1.00 x	800	= 800
Beef	Steers or Cows (400 lbs to market)	1.00 x		=			
	Bulls (each)	1.40 x	20	= 28	1.00 x	20	= 20
Veal Calves		0.50 x		=	1.00 x		=
Swine	Pigs (up to 55 lbs)	0.10 x		=	0.10 x		=
	Pigs (55 lbs to market)	0.40 x		=			
	Sows (each)	0.40 x		=			
	Boars (each)	0.50 x		=	0.40 x		=
Chickens	Layers (each) - non-liquid manure system	0.01 x		=	0.0123 x		=
	Broilers/Pullets (each) - non-liquid manure system	0.005 x		=	0.008 x		=
	Per Bird - liquid manure system	0.033 x		=	0.0333 x		=
Ducks	Ducks (each) - liquid manure system	0.2 x		=	0.2 x		=
	Ducks (each) - non-liquid manure system	0.01 x		=	0.0333 x		=
Turkeys (each)		0.018 x		=	0.018 x		=
Sheep (each)		0.1 x		=	0.1 x		=
Horses (each)		2 x		=	2 x		=
<b>Total Animal Units:</b>		Total Mixed Animal Units = (add all rows above) <b>2738</b>			Total Non-Mixed Animal Units = (Enter the single highest number from any row above; DO NOT add the totals) <b>2965</b>		

Date of Proposed Expansion (MM/YY):

~~01/12~~ ~~01/19~~ 2017 → 2020



7/26/17

State of Wisconsin  
Department of Natural Resources  
PO Box 7185, Madison, WI 53707-7185  
dnr.wi.gov

**Animal Unit Calculation Worksheet**  
**Form 3400-025A (R 3/2012)**

The Current Animal Unit Calculation Worksheet must be filled out separately for the "main" site and each site which are owned or operated by your farm for the purposes of housing animals associated with your operation. The site name, for which you are filling this worksheet out, must be provided below and correlate with Form 3400-025 Site Information (Section II).

Current Animal Unit Calculation Numbers							
Name of Site: <i>Ledgeview Farms, LLC Lower Farm</i>							
Animal Type	I. Mixed Animal Units			II. Non-mixed Animal Units			
	b. Equiv. factor	c. Current Number	d. No. of AUs	e. Equiv. factor	f. Current Number	g. No. of AUs	
Example - Broilers (non-liquid manure):	0.005 x	150,000	= 750	0.008 x	150,000	= 1200	
Dairy/Beef Calves (under 400 lbs)	0.20 x		=	Fed numbers in this column comply with 40 CFR s. 122.23			
Dairy Cattle	Milking & Dry Cows	1.40 x	=	1.43 x		=	
	Heifers (800 lbs to 1200 lbs)	1.10 x	=				
	Heifers (400 lbs to 800 lbs)	0.60 x	130 = 78	1.00 x	130	= 130	
Beef	Steers or Cows (400 lbs to market)	1.00 x	425 = 425				
	Bulls (each)	1.40 x	=	1.00 x	425	= 425	
Veal Calves		0.50 x	=	1.00 x		=	
Swine	Pigs (up to 55 lbs)	0.10 x	=	0.10 x		=	
	Pigs (55 lbs to market)	0.40 x	=				
	Sows (each)	0.40 x	=				
	Boars (each)	0.50 x	=	0.40 x		=	
Chickens	Layers (each) -non-liquid manure system	0.01 x	=	0.0123 x		=	
	Broilers/Pullets (each) -non-liquid manure system	0.005 x	=	0.008 x		=	
	Per Bird -liquid manure system	0.033 x	=	0.0333 x		=	
Ducks	Ducks (each) -liquid manure system	0.2 x	=	0.2 x		=	
	Ducks (each) -non-liquid manure system	0.01 x	=	0.0333 x		=	
Turkeys (each)		0.018 x	=	0.018 x		=	
Sheep (each)		0.1 x	=	0.1 x		=	
Horses (each)		2 x	=	2 x		=	
Total Animal Units:		Total Mixed Animal Units = (add all rows above) <i>503</i>			Total Non-Mixed Animal Units = (Enter the single highest number from any row above; DO NOT add the totals) <i>555</i>		

☐ Check here if there are no proposed increases in animal numbers at this site within the next five years.

**Animal Unit Calculation Worksheet**  
**Form 3400-025A** (R 3/2012)

The Projected Animal Unit Calculation Worksheet must be filled out separately for the "main" site and each site which are owned or operated by your farm for the purposes of housing animals associated with your operation. The site name, for which you are filling this worksheet out, must be provided below and correlate with Form 3400-025 Site Information (Section II).

**Projected Animal Unit Calculation Numbers** 5 yr.

**Name of Site:** Ledgeview Farms, LLC Lower Farm

Animal Type		I. Mixed Animal Units			II. Non-mixed Animal Units		
		b. Equiv. factor	c. Projected Number	d. No. of AUs	e. Equiv. factor	f. Projected Number	g. No. of AUs
Example - Broilers (non-liquid manure):		0.005 x	150,000	= 750	0.008 x	150,000	= 1200
Dairy/Beef Calves (under 400 lbs)		0.20 x		=	Fed. numbers in this column comply with 40 CFR s. 122.23		
Dairy Cattle	Milking & Dry Cows	1.40 x		=	1.43 x		=
	Heifers (800 lbs to 1200 lbs)	1.10 x		=			
	Heifers (400 lbs to 800 lbs)	0.60 x	350	= 210	1.00 x	350	= 350
Beef	Steers or Cows (400 lbs to market)	1.00 x	125	= 125			
	Bulls (each)	1.40 x		=	1.00 x	125	= 125
Veal Calves		0.50 x		=	1.00 x		=
Swine	Pigs (up to 55 lbs)	0.10 x		=	0.10 x		=
	Pigs (55 lbs to market)	0.40 x		=			
	Sows (each)	0.40 x		=			
	Boars (each)	0.50 x		=	0.40 x		=
Chickens	Layers (each) -non-liquid manure system	0.01 x		=	0.0123 x		=
	Broilers/Pullets (each) -non-liquid manure system	0.005 x		=	0.008 x		=
	Per Bird -liquid manure system	0.033 x		=	0.0333 x		=
Ducks	Ducks (each) -liquid manure system	0.2 x		=	0.2 x		=
	Ducks (each) -non-liquid manure system	0.01 x		=	0.0333 x		=
Turkeys (each)		0.018 x		=	0.018 x		=
Sheep (each)		0.1 x		=	0.1 x		=
Horses (each)		2 x		=	2 x		=
<b>Total Animal Units:</b>		Total Mixed Animal Units = (add all rows above) 335			Total Non-Mixed Animal Units = (Enter the single highest number from any row above; DO NOT add the totals) 425		

Date of Proposed Expansion (MM/YY):

~~01/19~~ 01/19 2017 → 2020



August 25, 2017

Jason Pansier  
Ledgeview Farm LLC  
3870 Dickinson Road  
De Pere, WI 54115

SUBJECT: CAFO WPDES Final Permit Application – ePermitting Submittal Required  
Status: Incomplete

Dear Jason Pansier:

You are receiving this letter because you have submitted an incomplete application for issuance of a CAFO WPDES permit prior to June 5, 2017. As of this date, the Department is only accepting CAFO WPDES permit applications through our online ePermitting System: <http://dnr.wi.gov/permits/water/>. Based on your application materials, you are currently operating over 1,000 animal units and should have submitted a complete application six months prior to reaching this size. The Department previously sent you a request to submit the materials needed to complete your application. However, the deadline included in that request has passed and your application remains incomplete. Therefore, you must submit your complete final permit application through the ePermitting System by September 25, 2017.

**Your application is currently incomplete because it is missing the following components:**

1. Soil Survey Maps for Each Site (Upper & Lower Farm)
2. Evaluations of Existing Reviewable Facilities:
  - Upper Farm:
    - i. Waste storage facility built in 2015 (4-5 million gallons)
    - ii. Pit 1; waste storage facility built in 1995 (490,000 gallons)
    - iii. Pit 2; waste storage facility built in 1999 (504,000 gallons)
    - iv. Manure transfer system (piping & reception tanks) for all barns
    - v. Feed storage area
    - vi. Feed storage area runoff controls (or feed storage abandonment plan)
    - vii. Runoff controls for all feedlots (heifer barn & cow barns), including the status of discharge points north of the cow barns and west of Pits 1 & 2.
    - viii. Management plan for pasture areas (or pasture abandonment plan)
    - ix. Storm water management/clean water diversions
  - Lower Farm:
    - i. Waste storage facility for heifer barns
    - ii. Manure transfer system (if any)
    - iii. Feed storage area
    - iv. Feedlot runoff controls
    - v. Storm water management/clean water diversions

**Note:** the evaluations submitted on May 26, 2017 for Ledgeview Dairy are incomplete and do not provide adequate information to determine compliance. The evaluation documentation that was



provided does not state what was evaluated, how it was evaluated, what criteria was used for the evaluations, etc. and does not meet s. NR 243.16 Wis. Adm. Code. Additionally, the evaluations do not state who is taking responsibility for the determination in accordance with ch. NR 243. The evaluation review letter dated August 8, 2017 under DNR project number R-2017-0097 found the reviewable facilities to not be in compliance with s. NR 243.15 and contains additional information.

3. Plans and Specifications for All Proposed Reviewable Facilities:

***\*\*Required plans and specifications must be submitted through the ePermitting System separate from your permit application\*\****

- Upper Farm:
  - i. Heifer outdoor lot runoff controls
  - ii. Feed storage runoff controls (or abandonment plan)
  - iii. Pasture runoff controls (or abandonment plan)
  - iv. Pits 1 & 2 repairs for continued use (or abandonment plan)
  - v. Existing/2015 waste storage facility upgrades
- Lower Farm:
  - i. Feed storage runoff controls
  - ii. Feed storage expansion (if proposed)
  - iii. Feedlot containment/runoff controls for east end of lot
  - iv. Upgrades (if any) for waste storage facility for the heifer barns

**Note:** Please refer to the site inspection report and summary letter sent out by your regional specialist for additional items that may require immediate attention. If any issues requiring immediate attention are not addressed prior to your final application submittal, then these items will be included as requirements for a complete application. Also, keep in mind that additional plans and specifications may be required to bring your operation into compliance pending the review of the evaluations listed above.

**The following application components have been received to date:**

1. Livestock Operation WPDES Permit Application Forms 3400-025, 025B, 025C & Animal Unit Calculation Worksheet Form 3400-025A

Although these forms were previously submitted to the Department (hard copy/PDF files), you are now required to complete the fillable version of each form provided by the online application. The system will not allow you to sign and submit your application unless these forms are completed.

2. Labeled Aerial Maps for Each Site (Upper & Lower Farm)

Site maps previously submitted to the Department should be updated (if necessary) and included as part of your final application submittal. At a minimum, site maps should identify all existing and proposed structures along with a manure/process wastewater/storm water flow diagram.

3. Five Year Nutrient Management Plan (NMP)

Your five year NMP for permit issuance was previously submitted to the Department and approved on June 29, 2017. However, you are still required to include your NMP as part of your complete online application submittal. Approved NMPs will not be reviewed a second a time.

4. Environmental Assessment Questionnaire (EAQ)

The EAQ previously submitted to the Department should be updated (if necessary) and included as part of your online application submittal.

5. 180-Day Manure Storage Calculations

The 180-day storage calculations previously submitted to the Department must be updated (if necessary) and included as part of your online application submittal. Please note the system also requires supporting documentation for 180-day storage, and your previous calculations may no longer be adequate. This section of the online application provides links to different spreadsheets that you may use to satisfy this requirement. You are not required to use these spreadsheets as long as sufficient documentation has been provided.

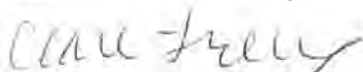
Information and materials to assist you and your consultant in preparing and submitting a complete final application are available at: <http://dnr.wi.gov/topic/AgBusiness/CAFO/PermitForms.html>. Here are some important notes about submitting applications via the Department's ePermitting System:

- All 3400-025 forms are provided by the system as required fillable forms. Uploading scanned, PDF or other versions of these forms will not satisfy this requirement in the system.
- Remaining application materials (EAQ, evaluations, site maps, NMP documents, etc.) will need to be saved as an electronic file and uploaded as an attachment to the appropriate section of the online application.
- Evaluations required for a complete application must be submitted as part of the permit application submittal. However, plans and specifications must *always* be submitted through the ePermitting System as a separate engineering submittal.
- Once all required forms and attachments are completed, the system will allow you to electronically sign the application and submit it to the Department.
- Permit applications must be electronically signed by the operation's authorized representative. Consultants completing an application on the operation's behalf can use the "Assign Role" feature to send the application to another user (with a WAMS ID) to edit and sign.

It is important to understand that submitting an application through the ePermitting System does not guarantee a complete application. Once submitted, the Department will review the application materials for completeness. Incomplete applications may be dismissed from the system, at which point a complete application will need to be resubmitted. Please note the Department may take additional enforcement action to obtain a complete final application.

The regional Agricultural Runoff Management Specialist assigned to your operation is Heidi Schmitt Marquez. Please do not hesitate to contact her (phone: (920) 662-5187, email: [Heidi.SchmittMarquez@wisconsin.gov](mailto:Heidi.SchmittMarquez@wisconsin.gov)) or me if you have any questions about your application materials. We look forward to working with you throughout the permitting process.

Sincerely,



Clare Freix, CAFO Intake Specialist  
Regional Agricultural Specialist  
Phone: (608) 261-8437  
Email: [Clare.Freix@Wisconsin.gov](mailto:Clare.Freix@Wisconsin.gov)

cc: David Wetenkamp, Brown County LWDC  
Kevin Beckard, AgSource Laboratories  
Mike Mushinski, County Conservationist  
Heidi Schmitt Marquez, DNR



# CASE ACTIVITY REPORT FOR REGULATORS

State of Wisconsin  
Department of Natural Resources

Case ID	Case Title	
	Ledgeview Farms LLC Leachate Sample Collection	
Activity		Date of Activity
Site visit to Ledgeview Farms LLC to collect samples of leachate from the feed storage area at the heifer site		August 8, 2017

On August 8, 2017, at approximately 09:00 WDNR Agricultural Runoff Management Specialists Heidi Schmitt Marquez and Andrea Gruen arrived at the Ledgeview Farms LLC heifer site to collect samples of the leachate and process wastewater discharging from the feed storage area. The heifer site is located at 3688 Lime Kiln Rd, De Pere, WI. The purpose of the sample collection was to characterize the leachate and process wastewater generated by the feed storage area because discharges to navigable waters from the heifer site have been documented in the past. There is currently no collection system or runoff controls in place for the feed storage area. Schmitt Marquez spoke with Jason Pansier, farm operations manager, to ask for permission to access the site for sample collection, and Pansier granted permission. Upon arrival, Schmitt Marquez and Gruen surveyed the feed storage area and located areas of concentrated leachate/process wastewater discharging from the concrete walls of the feed storage bunkers. Samples were collected from the location of the greatest volume of accumulated leachate/process wastewater discharge. After sample collection, Pansier arrived onsite and had a brief discussion with Schmitt Marquez. Schmitt Marquez and Gruen departed the site shortly after the discussion ended and returned to the Green Bay DNR office. Schmitt Marquez followed environmental sampling protocols for preparation and mailing of the collected samples to the State Laboratory of Hygiene in Madison, WI, for analysis.

A photo log and sample results immediately follow this written report.

Regulator(s) Reporting	Date of Report	Exhibit Reference
Heidi Schmitt Marquez	October 19, 2017	

**PHOTO LOG**



**Photo 1:** View of a discharge point of leachate / process wastewater on the outer west wall of the feed storage bunker at the heifer site. Dashed orange arrows indicate the direction of discharge flow. Photo direction is down.



**Photo 2:** View of discharge points of leachate / process wastewater on the outer west wall of the feed storage bunker at the heifer site. Samples (LD1) were collected from the ponded wastewater adjacent to the location of the bottles. Dashed orange arrows indicate the direction of discharge flow. Photo direction is south and down.



**Photo 2:** Close up view of the location of sample collection along the outer west wall of the feed storage bunker at the heifer site. Samples (LD1) were collected from the ponded wastewater adjacent to the location of the bottles. Photo direction is down.

**ANALYTICAL RESULTS – STATE LABORATORY OF HYGIENE**

**Wisconsin Department of Natural Resources  
Laboratory Report**

09/08/2017

Lab: 113133790

Sample: 334111001

Page 1 of 2

**Laboratory:** Wisconsin State Laboratory of Hygiene

DNR ID 113133790

2601 Agriculture Dr

Madison

WI 53718

Phone: 800-442-4618

Fax Phone: 608-224-6213

**Sample:**

Field #: LD1

Sample #: 334111001

Collection Start: 08/08/2017 09:16 am

Collection End: 08/08/2017 09:16 am

Collected by: HEIDI SCHMITT MARQUEZ

Waterbody/Outfall Id:

ID #:

ID Point #:

County: Brown

Account #: WW019

Sample Location: 3688 LIME KILN RD, DE PERE; NW CORNER OF FEED STORAGE AREA BEHIND CONCRETE WALL

Sample Description: FEED LEACHATE RUNOFF GRAB SAMPLE FROM THE FEED STORAGE AREA AT THE HEIFER

Sample Source: SITE/LOWER FARM

Date Reported: Leachate

Sample Depth:

Project No: 09/07/2017

Sample Status: CORRECTED

Comment:

Sample Reason:

Analyzed past the 8 hours holding time: Method SM9223BMPN analyzed on 08/09/17 1144

**Analyses and Results:**

Analysis Method		Analysis Date		Lab Comment		
SM4500-H+B		08/09/2017				
Code	Description	Result	Units	LOD	Report Limit	LOQ
403	PH LAB	5.05	SU	1.00		1.00

Analysis Method		Analysis Date		Lab Comment		
EPA 350.1		09/05/2017				
Code	Description	Result	Units	LOD	Report Limit	LOQ
608	NITROGEN NH3-N DISS	513	MG/L	15.0		48.0

Analysis Method		Analysis Date		Lab Comment		
SM5210B		08/14/2017				
Code	Description	Result	Units	LOD	Report Limit	LOQ
310	BOD 5 DAY	20000	MG/L	2.00		2.00
Comment: SAMPLE STRONGER THAN DILUTIONS WERE SET UP FOR. ACTUAL BOD RESULT IS >19962 MG/L.						

Analysis Method		Analysis Date		Lab Comment		
EPA 351.2		08/22/2017				
Code	Description	Result	Units	LOD	Report Limit	LOQ
625	NITROGEN KJELDAHL TOTAL	1270	MG/L	16.5		54.0

Analysis Method		Analysis Date		Lab Comment		
SM2540D		08/14/2017				
Code	Description	Result	Units	LOD	Report Limit	LOQ



**Wisconsin Department of Natural Resources  
Laboratory Report**

09/08/2017

Lab: 113133790

Sample: 334111001

Page 2 of 2

Code	Description	Result	Units	LOD	Report Limit	LOQ
530	RESIDUE TOTAL NFLT (TOTAL SUSPENDED SOLIDS)	20400	MG/L	4000.0		4000.0

Analysis Method		Analysis Date	Lab Comment			
EPA 365.1		08/23/2017				
Code	Description	Result	Units	LOD	Report Limit	LOQ
665	PHOSPHORUS TOTAL	159	MG/L	1.00		3.20

Analysis Method		Analysis Date	Lab Comment			
EPA 353.2		09/05/2017				
Code	Description	Result	Units	LOD	Report Limit	LOQ
631	NITROGEN NO3+NO2 DISS (AS N)	ND	MG/L	0.190		0.610

Analysis Method		Analysis Date	Lab Comment			
SM9223BMPN		08/10/2017				
Code	Description	Result	Units	LOD	Report Limit	LOQ
99188	E COLI COLILERT QUANTITRAY MPN	77010	/100 ML			100



# Wisconsin Department of Natural Resources

## Laboratory Report

08/31/2017

Lab: 113133790

Sample: 334111001

Page 1 of 1

**Laboratory:** Wisconsin State Laboratory of Hygiene  
2601 Agriculture Dr  
Madison  
Phone : 800-442-4618

WI 53718  
Fax Phone : 608-224-6213

DNR ID 113133790

### Sample:

Field #: LD1

Sample #: 334111001

Collection Start: 08/08/2017 09:16 am

Collection End: 08/08/2017 09:16 am

Collected by: HEIDI SCHMITT MARQUEZ

Waterbody/Outfall Id:

ID #:

ID Point #:

County: Brown

Account #: WW019

Sample Location: 3688 LIME KILN RD, DE PERE; NW CORNER OF FEED STORAGE AREA BEHIND CONCRETE WALL

Sample Description: FEED LEACHATE RUNOFF GRAB SAMPLE FROM THE FEED STORAGE AREA AT THE HEIFER

Sample Source: SITE/LOWER FARM

Date Reported: Leachate

Sample Depth:

Project No:

Sample Status: COMPLETE

Comment:

Sample Reason:

Analyzed past the 8 hours holding time: Method SM9223BMPN analyzed on 08/09/17 1144

### Analyses and Results:

Analysis Method		Analysis Date		Lab Comment		
SM4500-H+B/SW846 9040C		08/09/2017				
Code	Description	Result	Units	LOD	Report Limit	LOQ
403	PH LAB	5.05	SU	1.00		1.00

Analysis Method		Analysis Date		Lab Comment		
SM9223BMPN		08/10/2017				
Code	Description	Result	Units	LOD	Report Limit	LOQ
99188	E COLI COLILERT QUANTITRAY MPN	77010	/100 ML			100

**Wisconsin Department of Natural Resources**  
**Laboratory Report**

09/08/2017

Lab: 113133790

Sample: 334111001

Page 1 of 2

**Laboratory:** Wisconsin State Laboratory of Hygiene  
2601 Agriculture Dr  
Madison WI 53718  
Phone : 800-442-4618 Fax Phone : 608-224-6213

DNR ID 113133790

**Sample:**

Field #: LD1 Sample #: 334111001  
Collection Start: 08/08/2017 09:16 am Collection End: 08/08/2017 09:16 am  
Collected by: HEIDI SCHMITT MARQUEZ Waterbody/Outfall Id:  
ID #: ID Point #:  
County: Brown Account #: WW019  
Sample Location: 3688 LIME KILN RD, DE PERE; NW CORNER OF FEED STORAGE AREA BEHIND CONCRETE WALL  
Sample Description: FEED LEACHATE RUNOFF GRAB SAMPLE FROM THE FEED STORAGE AREA AT THE HEIFER  
Sample Source: SITE/LOWER FARM  
Date Reported: Leachate Sample Depth:  
Project No: 09/07/2017 Sample Status: CORRECTED  
Comment: Sample Reason:  
Analyzed past the 8 hours holding time; Method SM9223BMPN analyzed on 08/09/17 1144

**Analyses and Results:**

Analysis Method		Analysis Date		Lab Comment		
SM4500-H+B		08/09/2017				
Code	Description	Result	Units	LOD	Report Limit	LOQ
403	PH LAB	5.05	SU	1.00		1.00

Analysis Method		Analysis Date		Lab Comment		
EPA 350.1		09/05/2017				
Code	Description	Result	Units	LOD	Report Limit	LOQ
608	NITROGEN NH3-N DISS	523	MG/L	15.0		48.0

Analysis Method		Analysis Date		Lab Comment		
SM5210B		08/14/2017				
Code	Description	Result	Units	LOD	Report Limit	LOQ
310	BOD 5 DAY	20000	MG/L	2.00		2.00
Comment: SAMPLE STRONGER THAN DILUTIONS WERE SET UP FOR; ACTUAL BOD RESULT IS >19962 MG/L.						

Analysis Method		Analysis Date		Lab Comment		
EPA 351.2		08/22/2017				
Code	Description	Result	Units	LOD	Report Limit	LOQ
625	NITROGEN KJELDAHL TOTAL	1270	MG/L	16.5		54.0

Analysis Method		Analysis Date		Lab Comment		
SM2540D		08/14/2017				
Code	Description	Result	Units	LOD	Report Limit	LOQ

**Wisconsin Department of Natural Resources**  
**Laboratory Report**

09/08/2017

Lab: 113133790

Sample: 334111001

Page 2 of 2

<i>Code</i>	<i>Description</i>	<i>Result</i>	<i>Units</i>	<i>LOD</i>	<i>Report Limit</i>	<i>LOQ</i>
<b>530</b>	<b>RESIDUE TOTAL NFLT (TOTAL SUSPENDED SOLIDS)</b>	<b>20400</b>	MG/L	4000.0		4000.0

Analysis Method		Analysis Date	Lab Comment			
EPA 365.1		08/23/2017				
Code	Description	Result	Units	LOD	Report Limit	LOQ
665	PHOSPHORUS TOTAL	159	MG/L	1.00		3.20

Analysis Method		Analysis Date		Lab Comment		
EPA 353.2		09/05/2017				
Code	Description	Result	Units	LOD	Report Limit	LOQ
631	NITROGEN NO3+NO2 DISS (AS N)	ND	MG/L	0.190		0.610

Analysis Method		Analysis Date	Lab Comment			
SM9223BMPN		08/10/2017				
Code	Description	Result	Units	LOD	Report Limit	LOQ
99188	E COLI COLILERT QUANTITRAY MPN	77010	/100 ML			100





September 21, 2017

Jason Pansier  
Ledgeview Farms LLC  
3870 Dickinson Rd  
De Pere, WI 54115

Brown County

**SUBJECT: Compliance Inspection Summary – Response Required**

Dear Mr. Pansier:

On July 18, 2017, the Department of Natural Resources (Department) conducted a site inspection for Ledgeview Farms LLC (Ledgeview), 3875 Dickinson Rd and 3688 Lime Kiln Rd in De Pere, WI. The site inspection was conducted in response to the need for updated information regarding the compliance status of Ledgeview in order to proceed with permit issuance and resolution of the pending case with EPA. Also present at the inspection on behalf of the farm was Kevin Beckard (AgSource Laboratories). A site inspection report including photographs of the site with an accompanying narrative is enclosed for your review and convenience.

Several issues have been required to be addressed by EPA since its inspections. Based on what was observed during the Department's site inspection, the items listed below require follow-up by the specified deadlines. Please refer to the enclosed inspection report for more information about the observations made during the inspection and the items that require additional actions listed at the end of the report (pp. 52-54) and below.

1. Calf barn discharge to Dickinson Rd ditch (main farm site)
  - a. Interim controls/management shall be implemented immediately and maintained until a permanent solution is determined/installed.
    - i. Submit documentation demonstrating that the discharge to the ditch on Dickinson Rd has ceased by **October 6, 2017.**
2. Feed storage area (both sites)
  - a. Interim controls shall be implemented immediately and maintained until a permanent solution is determined/installed.
    - i. Submit a plan for the installation of interim controls for the feed storage areas to prevent discharges to waters of the state by **October 6, 2017.**
3. Stacking areas for used bedding (both sites)

- a. Interim controls/management shall be implemented immediately and maintained until a permanent solution is determined/installed.
    - i. Submit a plan for management and/or installation of runoff controls to prevent discharges to waters of the state by **October 31, 2017**.
4. Feedlots (both sites)
  - a. Interim controls/management shall be implemented immediately and maintained until a permanent solution is determined/installed.
    - i. Submit a plan to address containment/runoff controls for the feedlot areas to prevent discharges to waters of the state by **October 31, 2017**.
5. Pits 1 & 2
  - a. Submit a plan for the long-term use of the pits. For use as waste storage facilities, repairs and engineering evaluations will be required. For abandonment, a plan that meets applicable requirements for waste storage abandonment will be required.
    - i. Submit the long-term use plan by **October 31, 2017**.
6. Permit application reminder
  - a. Pursuant to NR 243.12, Wis. Adm. Code, a WPDES permit is required for Ledgeview.
  - b. The permit application is incomplete. Engineering evaluations for existing structures are required to be submitted by September 25, 2017.
  - c. See Department letter dated August 25, 2017, for additional information.

The following items have been identified for inclusion in a compliance schedule in the reissued permit:

- Upgrades/corrections required for existing structures based on reviews of the engineering evaluations
- Construction schedules for installation of waste storage facilities and/or runoff controls
- Monitoring and inspection program submittal
- Emergency response plan submittal

The items listed above are dependent upon the compliance status of the operation at the time of permit issuance. Any outstanding items identified in this letter and the inspection report that require action at the time of permit issuance will be included in the compliance schedule in the issued permit. You will have the opportunity to review the draft permit and provide comments during the public notice period.

If you have any questions regarding this summary or the WPDES permit reissuance process, please contact me at (920) 662-5187 or Heidi.SchmittMarquez@wisconsin.gov.

Sincerely,





Agricultural Runoff Management Specialist

encl: Compliance Inspection Report

ec: Kevin Beckard, AgSource Laboratories  
John Roach, Roach and Associates LLC  
Mike Mushinski, Brown County Land and Water Conservation Department  
Jon Bechle, Brown County Land and Water Conservation Department  
Dave Wetenkamp, Brown County Land and Water Conservation Department  
Rick Stoll, DNR – Green Bay  
Clare Freix, DNR – Madison  
Jeff Kreider, DNR – Madison

## **CAFO Compliance Report – 09/21/2017**



Inspection Date: July 18, 2017

Inspection Type: Permit Issuance

Operation / Owner Name: Ledgeview Farms LLC / Jason Pansier

WPDES Permit No. WI-0065421-01-0

Operation Address: 3875 Dickinson Rd, De Pere, WI 54115 (main farm site)  
3688 Lime Kiln Rd, De Pere, WI 54115 (heifer site)

On-Site Representative(s): Jason Pansier, owner/operator; Kevin Beckard, AgSource Laboratories

DNR Staff / Report Writer: Heidi Schmitt Marquez, Agricultural Runoff Management Specialist

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On July 18, 2017, Heidi Schmitt Marquez, Agricultural Runoff Management Specialist with the Wisconsin Department of Natural Resources (Department,) met with Jason Pansier to conduct a site inspection of the Ledgeview Farms LLC (Ledgeview) operation for compliance assessment and permit issuance. Also present for the inspection on behalf of the farm was Kevin Beckard, NMP Specialist with AgSource Laboratories. A Wisconsin Pollutant Discharge Elimination System (WPDES) permit application was recently updated and received on April 3, 2017, and is considered incomplete as of the date of this report. A conditional approval of the nutrient management plan (NMP) was granted on June 29, 2017.

### **Background Information:**

Ledgeview is a dairy operation that is owned by Roy and Glenn Pansier and operated by Jason Pansier. The operation consists of two site locations; the main farm site is located at 3875 Dickinson Rd and the heifer site is located approximately 0.7 miles northeast at 3688 Lime Kiln Rd in De Pere, WI. Both sites are managed under one NMP, and operate a shared feed storage area at the heifer site. The operations at the main site consist of calf and heifer raising and milking; milking occurs twice per day. The heifer site is for raising heifers and beef animals, and contains a large concrete feedlot. No milking occurs at the heifer site.

According to Department records, staff documented that Ledgeview met the definition of and was considered a concentrated animal feeding operation (CAFO) in 2008. The Department initiated the enforcement process to work with Ledgeview to gain compliance with statutory and administrative code requirements. Ledgeview agreed to reduce animal numbers and resolve runoff and storage issues, and the Department closed the enforcement case in 2010. Part of the enforcement case closure included clarification that Ledgeview could not exceed 1,000 (animal units) AUs prior to applying for a WPDES permit, and the sites should continue to be managed to prevent discharges of animal waste and process wastewater offsite.

Environmental Protection Agency (EPA) staff has conducted site inspections on two separate occasions in the past several years (April 18, 2013 & April 9, 2015) to document unauthorized discharges from the facility production areas and determine compliance status with federal and state regulatory requirements. EPA issued an administrative order for compliance on September 13, 2013, to resolve noncompliance at the farm. The order included several requirements as of the effective date of the order, 09/13/2013, including:

- Implementation of interim measures to cease all unauthorized discharges from the site;
- Operate and maintain the interim measures until permanent storage facilities are constructed in accordance with an approved NMP;
- Submit a complete application for a WPDES permit to the Department as the local permitting authority.

To date, the Department has not received a complete application for WPDES permit issuance. Furthermore, no documentation has been submitted that demonstrates any actions taken by Ledgeview to comply with the requirements

in the order to cease all unauthorized discharges. The Department and EPA determined that an inspection was necessary to evaluate the current status of the site and whether Ledgeview had implemented measures toward resolving the noncompliance observed by EPA and in accordance with the September 13, 2013, administrative order for compliance. Since Ledgeview is required to obtain a WPDES permit from the Department, it was determined that the Department regional CAFO permitting and compliance specialist (Schmitt Marquez) would conduct the inspection and provide an update to EPA.

The inspection included both the main farm site and the heifer site locations. Beckard accompanied Schmitt Marquez on the walkthrough part of the inspection after an initial discussion about the operation with Pansier and Beckard. Schmitt Marquez spoke with Pansier prior to concluding the inspection to identify several items that would require immediate follow-up, and would be further specified in the inspection report. Pansier acknowledged that he understood the items Schmitt Marquez explained and said that he would follow all requirements in accordance with the inspection report after he received it.

### Site Diagrams:

Figure 1. Main farm site diagram.

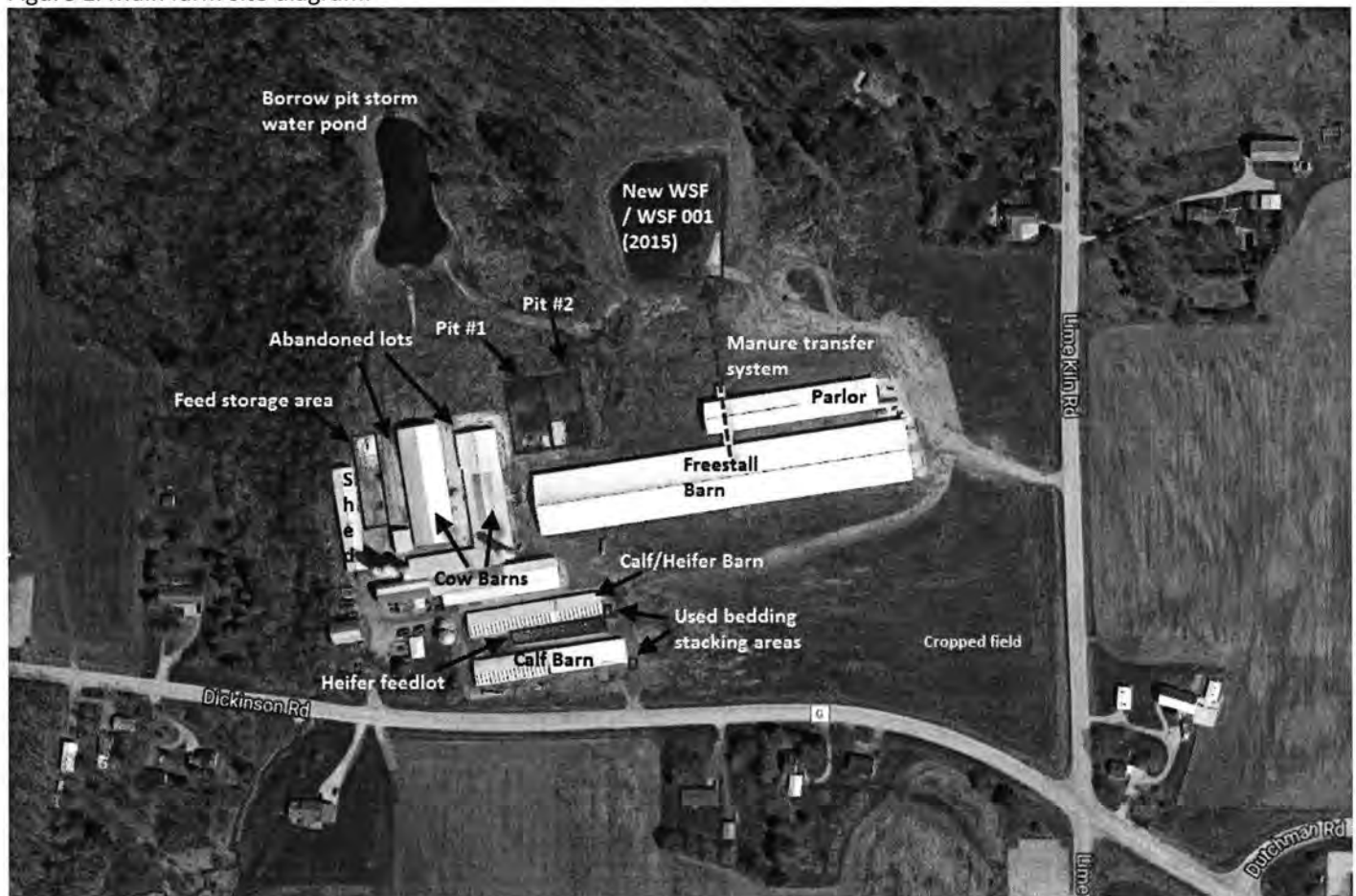


Figure 1 is a diagram of the main farm site. The site includes a freestall barn (built in 2013), milking parlor (built in 2015), four cow barns in various stages of use, calf barn, heifer barn, concrete lot areas adjacent to the cow barns, heifer feedlot, feed storage area, concrete waste storage facilities (pits 1 and 2), and a waste storage facility (WSF 001) that was constructed in 2015. The concrete lots adjacent to the cow barns are no longer used, and pits 1 and 2 are currently not used for animal waste/process wastewater storage due to structural failures that require maintenance and reevaluation. The dashed red arrow represents the manure transfer system from the freestall barn and milking parlor



that discharges directly into WSF 001. There are two PVC pipes that discharge from the transfer system into WSF 001; the larger pipe discharges manure from the freestall barn and the smaller pipe discharges process wastewater from the milking parlor. A field in the SE corner of the site is maintained in agricultural production. The storm water pond on the north side of the site west of WSF 001 was a former borrow pit that was used to excavate clay for construction of WSF 001, and has since begun to collect storm water during rain events. There are no plans to abandon or fill in the pond at this time.

Figure 2. Heifer site diagram.



Figure 2 is a site diagram of the heifer site, which is located approximately 0.7 miles north and slightly east of the main farm on Lime Kiln Rd/Cty Rd V. Heifers are raised at this site as well as beef animals. No milking occurs at this site. Two heifer/steer barns, concrete feedlot, and the feed storage area are located at the heifer site. The feedlot drains to an aboveground concrete collection basin on the west end of the feedlot. Storm water is diverted from the feedlot by roof gutters on the barn that discharge to the fields west of the barn. A residence onsite was vacant at the time of the inspection with no plans for further use. There is a well associated with the residence. Ledgeview has discussed the possibility of abandoning the well at the residence but that has not been done as of the date of this report.

**Flow Diagrams:**

Figure 3. Main farm site flow/discharge diagram.

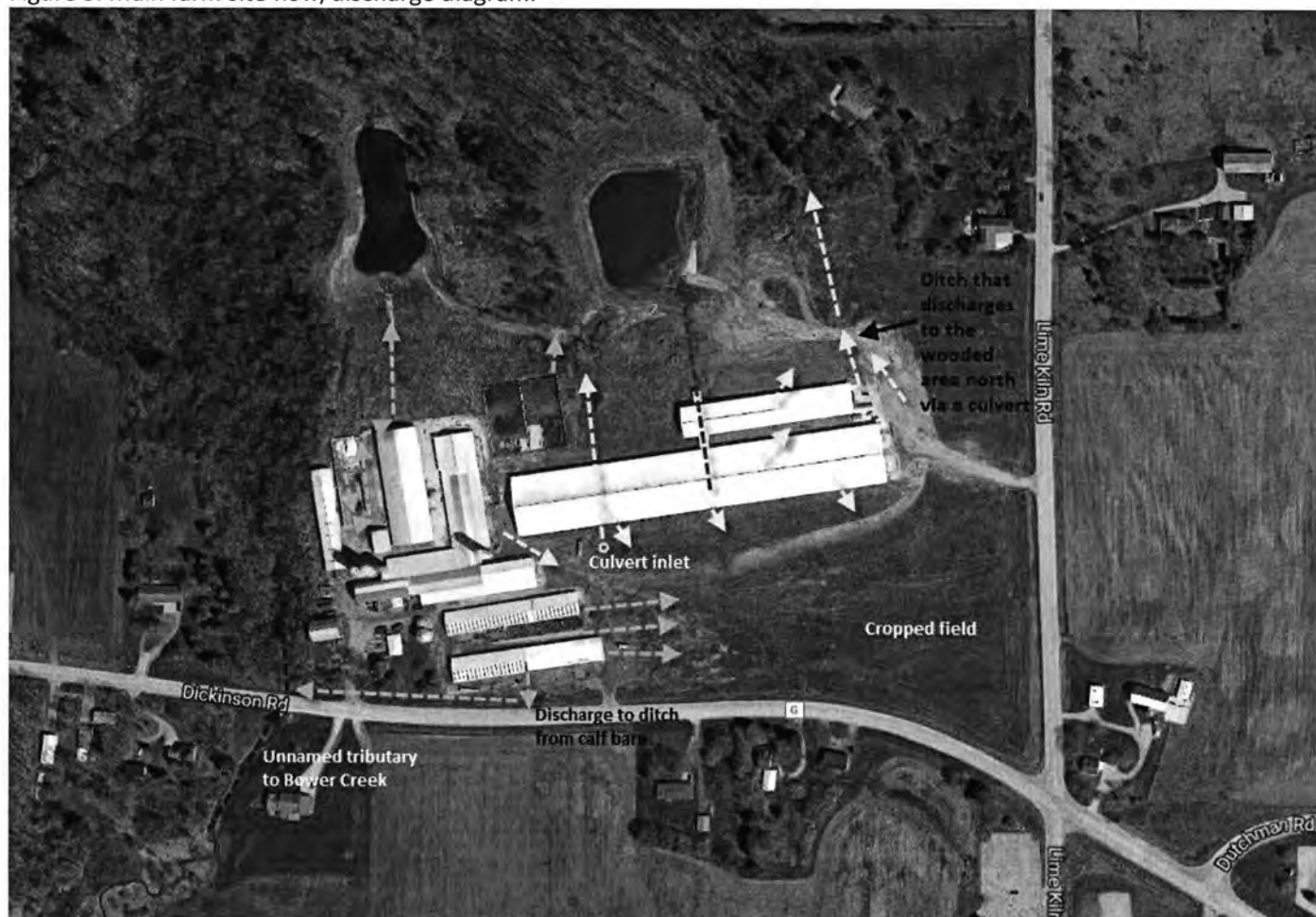


Figure 3 shows the discharge flow paths from the main farm site. The orange dashed arrows represent the flow path of animal waste and process wastewater. The dashed yellow arrows represent the flow path of uncontaminated storm water onsite. The majority of storm water from the building roofs discharges to vegetated areas adjacent to the buildings and infiltrates to groundwater. These areas are maintained to remain vegetated to facilitate infiltration. The red dashed arrow represents the manure transfer system that discharges manure from the freestall barn and process wastewater from the milking parlor directly to WSF 001. The blue dashed arrows indicate the location of and flow direction of mapped water resources near the farm site.



Figure 4. Heifer site flow/discharge diagram.



Figure 4 shows the discharge flow paths from the heifer site. The orange dashed arrows represent the flow path of animal waste and process wastewater. The yellow solid line represents the roof gutters on the south side of the barn that collect uncontaminated storm water, and the yellow dashed arrows represent the flow path of uncontaminated storm water. Storm water from the gutters discharges to the agricultural field west of the barn and feedlot where a grassed waterway is located. Storm water from the north side of the barn roof discharges to a vegetated area adjacent to the barn and infiltrates to groundwater. Storm water from the northeast part of the roof discharges through the site east toward a low area adjacent to a driveway and Lime Kiln Rd. It does not appear that there is a discharge outlet from this ponded area to surface waters. The green dashed arrows indicate the presence of a grassed waterway and the direction of flow in the waterway.

**Water Resources Diagram:**

Figure 5. Mapped water resources diagram for both the main farm and heifer sites.



Figure 5 shows the water resources flow diagram from the Department's Surface Water Data Viewer (SWDV) for both the main farm and heifer sites in relation to the mapped waterways around Ledgeview. The white dashed lines indicate intermittent waterways mapped in SWDV. The blue dashed arrows were added to the SWDV map and represent the flow direction of the mapped waterways in the watershed. There are unnamed tributaries in close proximity (within 0.2 miles) to both sites in addition to numerous ditches and grassed waterways that connect the surrounding land area to those tributaries. The unnamed tributaries identified in Figure 5 are tributaries to Bower Creek (WBIC 118400), which is a tributary to the East River (WBIC 118000), which is a tributary to the Fox River (WBIC 117900), which discharges into Green Bay/Lake Michigan (WBIC 20).

## SITE OBSERVATIONS

### Main Farm Site:

The main farm site is also referenced as the upper farm. For the purposes of the WPDES permit, it will be referred to as the main farm site.

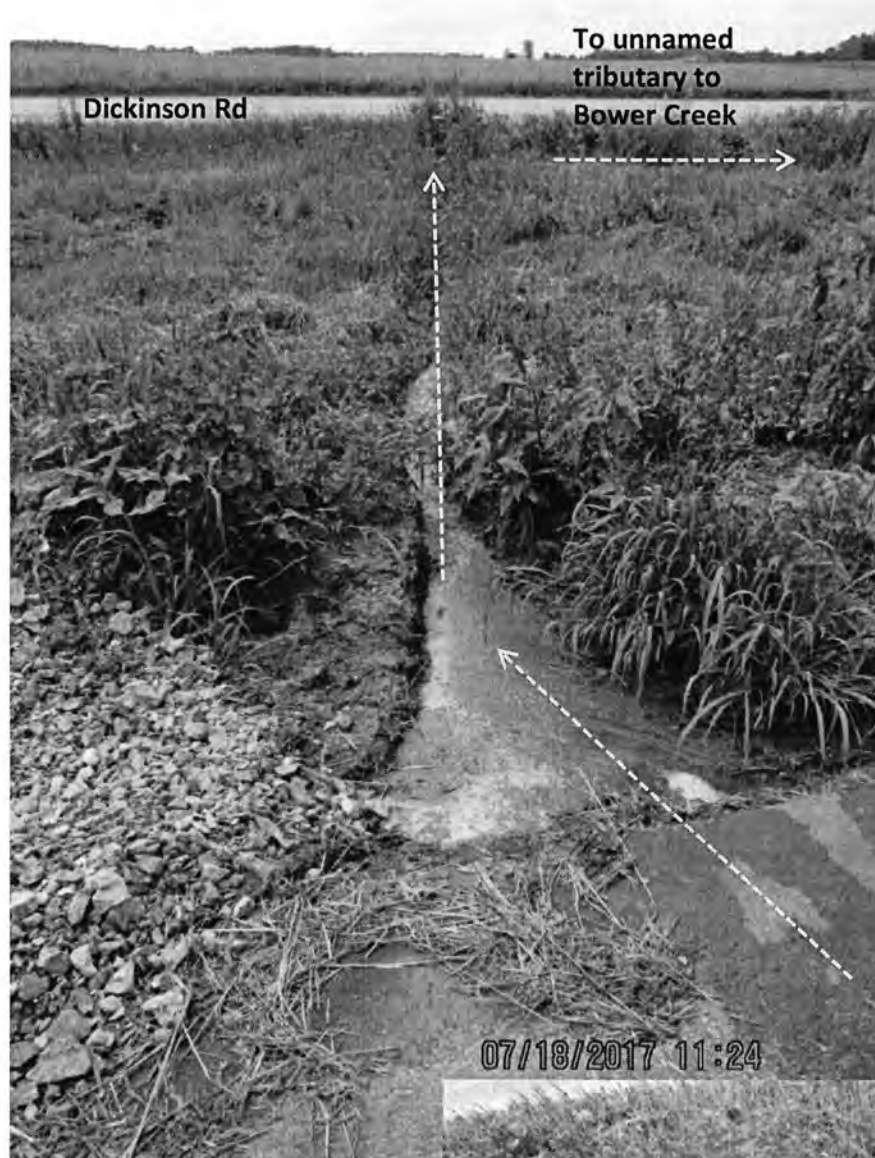
### Calf Barn

The primary calf barn is closest to Dickinson Rd, and was expanded in 2012. Calves are contained in open pens with straw bedding. The used bedding is removed approximately once per week or on an as-needed basis and is stacked on the east end of the barn. The stacked bedding is loaded onto trucks for direct land application to fields. The animals and pens are kept under the barn roof but the bedding stacking area on the east end of the barn is not under a roof. The south side of the calf barn is open, and a concrete lane extends approximately 25 feet south toward a vegetated area adjacent to the ditch on the north side of Dickinson Rd. Process wastewater was observed discharging from the calf barn to the ditch via the vegetated area. Beckard stated that the discharge was likely from rinsing out buckets used to feed the calves. Piles of small stones were present along the southern edge of the concrete lane adjacent to the vegetated area but it was unclear whether the stone piles were an attempt to mitigate discharges from the calf barn. The ditch discharges to an unnamed tributary to Bower Creek.



**Photo 1:**  
View of the west end of the calf barn. Dashed yellow arrows indicate process wastewater discharge flow path. Photo direction is NW.





**Photo 2:** View of the discharge from the calf barn. Dashed yellow arrows indicate process wastewater discharge flow path. Photo direction is south.

**Photo 3:** View of ponded process wastewater from the calf barn in the ditch north of Dickinson Rd. Photo direction is down.



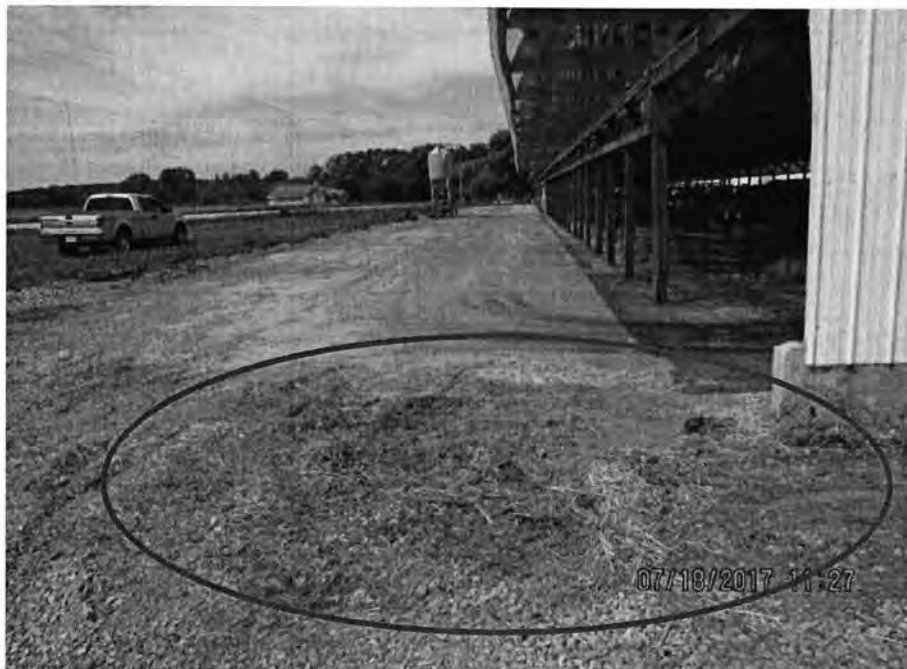


**Photo 4:** View of the east end of the calf barn. Photo direction is NE.



**Photo 5:** View of the calf pens inside the calf barn. Photo direction is north.





**Photo 6:** View of the concrete lane on the south side of the calf barn. Used bedding stacking area is visible in the foreground (red circle) on the east end of barn. Photo direction is west.

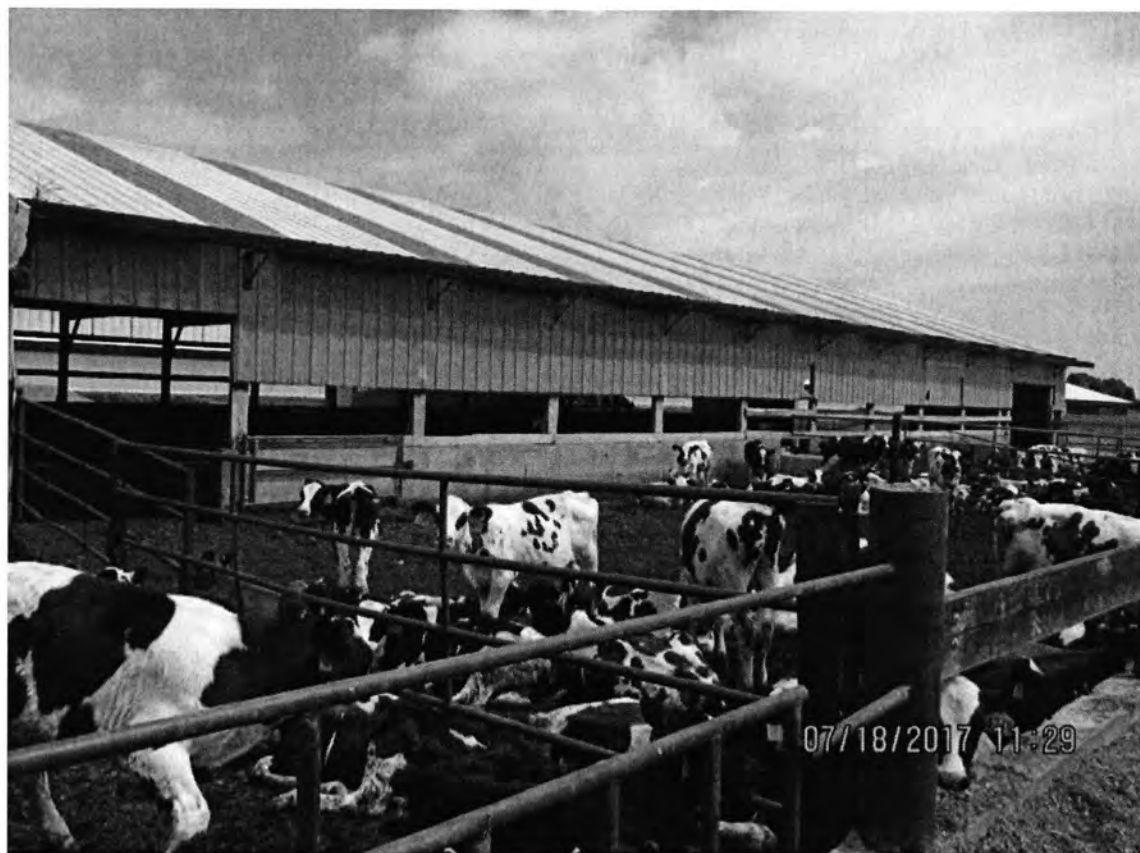
#### Heifer/Calf Barn

The barn north of the calf barn houses calves and heifers, and utilizes the same used bedding removal, stacking, and disposal/hauling process. The bedding is stacked on the east end of the barn, not under a roof, and is loaded onto trucks for direct land application to fields.

There are no runoff controls or containment for the bedding stacking areas for either calf barn to prevent waste discharges. The bedding is stacked directly on concrete that is sloped toward a vegetated area east of the barns. Discharges of waste from the calf/heifer barn and from the stacked bedding areas flow east and into the vegetated area. The vegetated area is maintained with vegetation and/or an agricultural crop.



**Photo 7:** View of the heifer/calf barn and feedlot. Photo direction is west.



**Photo 8:** View of the east end of the heifer/calf barn and feedlot. Photo direction is NE.



**Photo 9:** View of the west end of the heifer/calf barn and feedlot. Photo direction is NW.



**Photo 10:** View of the east end of the heifer/calf barn. The used bedding solids are visible stacked adjacent to the barn. Photo direction is south.



**Photo 11:** Close up view of the east end of the heifer/calf barn. Photo direction is west.



**Photo 12:** View of the concrete lane between the calf and heifer/calf barns. Photo direction is east.

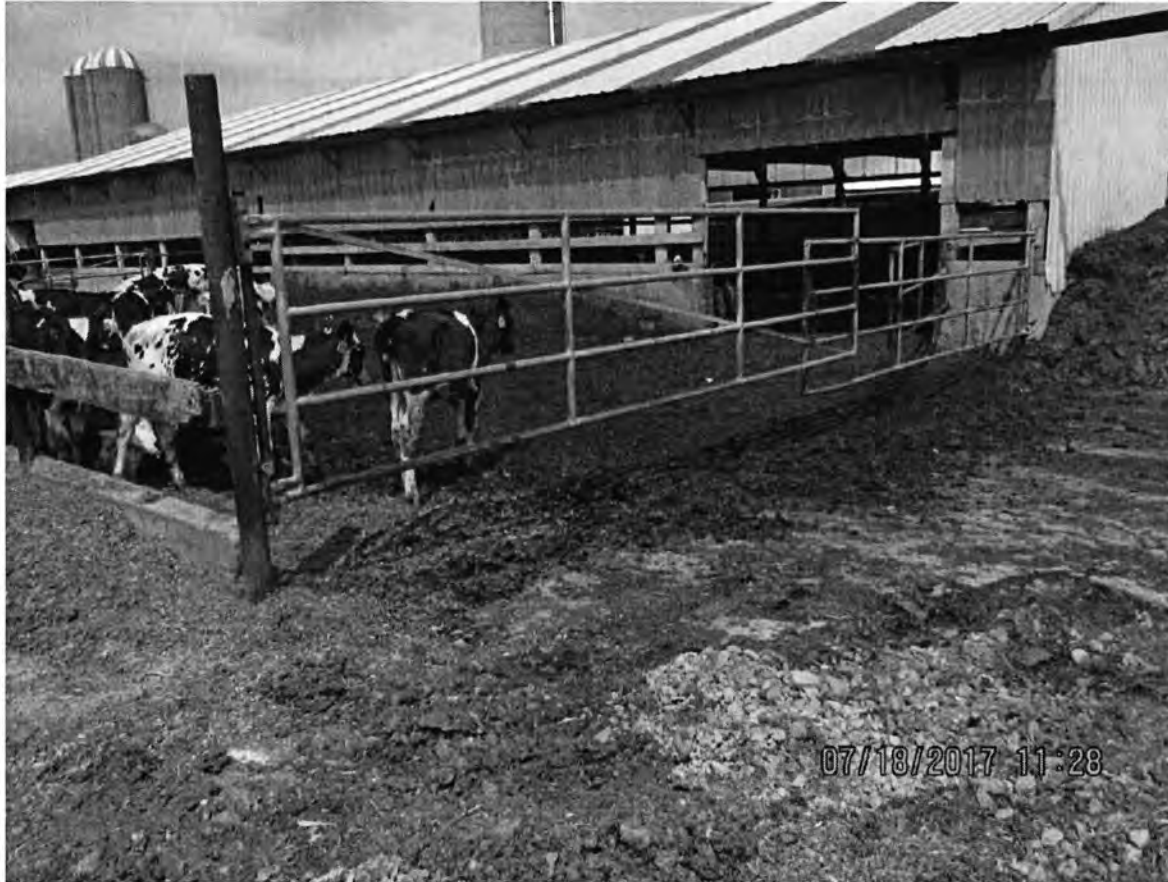


**Photo 13:** View of the concrete lane between the heifer/calf and maternity barns. Photo direction is east.



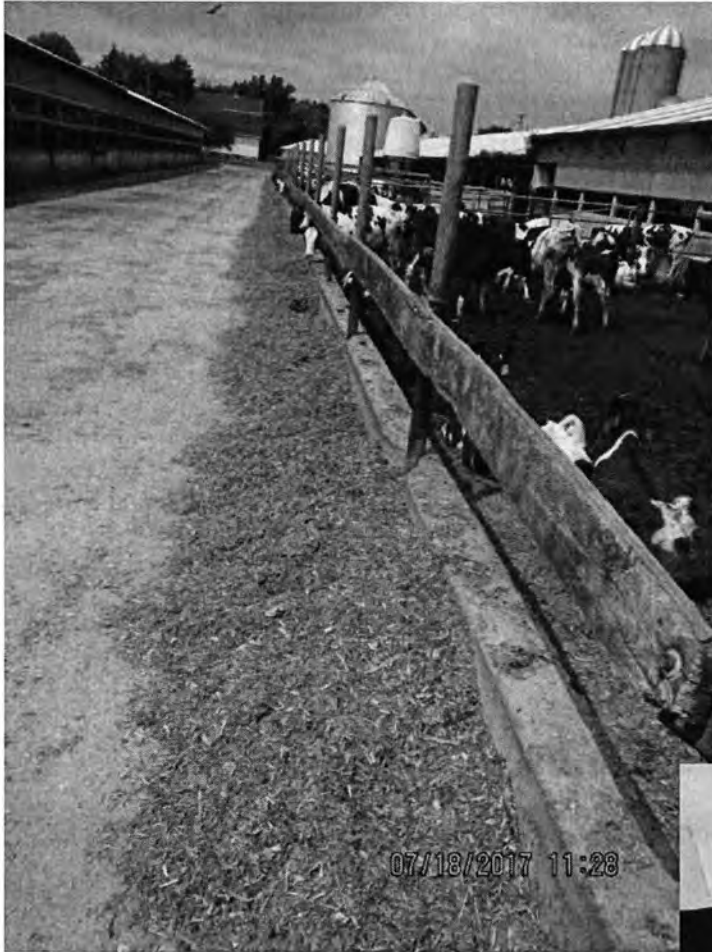
### Concrete Feedlots

The only feedlot at the main farm site is attached to the heifer/calf barn. The feedlot area is partially contained by a concrete curb that is open on the west and east ends of the feedlot. Uncontained waste was observed on both the east and west ends of the feedlot as well as the east end of the barn.



**Photo 14:** View of the east end of the heifer/calf barn feedlot. Photo direction is NW.





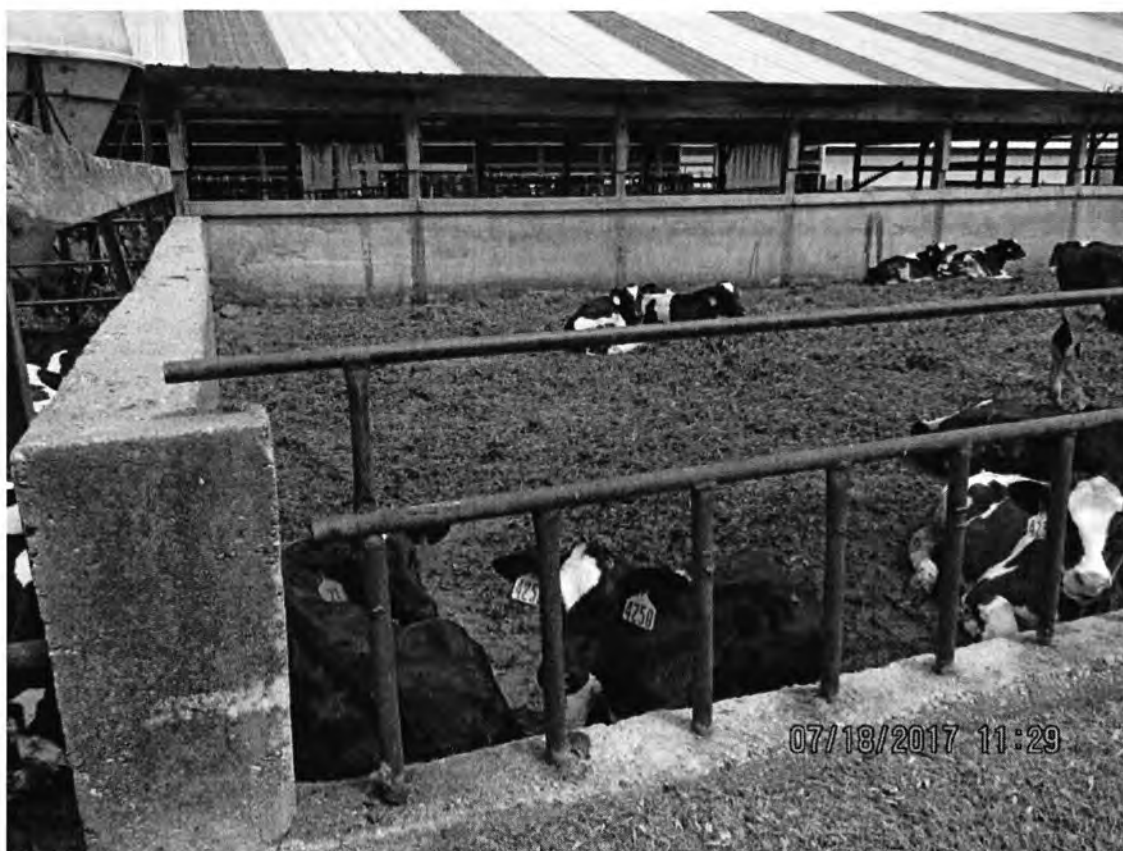
**Photo 15:** View of the heifer/calf barn feedlot. Photo direction is west.



**Photo 16:** View of the heifer/calf barn feedlot. Photo direction is east.



**Photo 17:** View of the west end of the heifer/calf barn feedlot. Photo direction is NE.



**Photo 18:** View of a concrete wall separator in the heifer/calf barn feedlot. Photo direction is north.



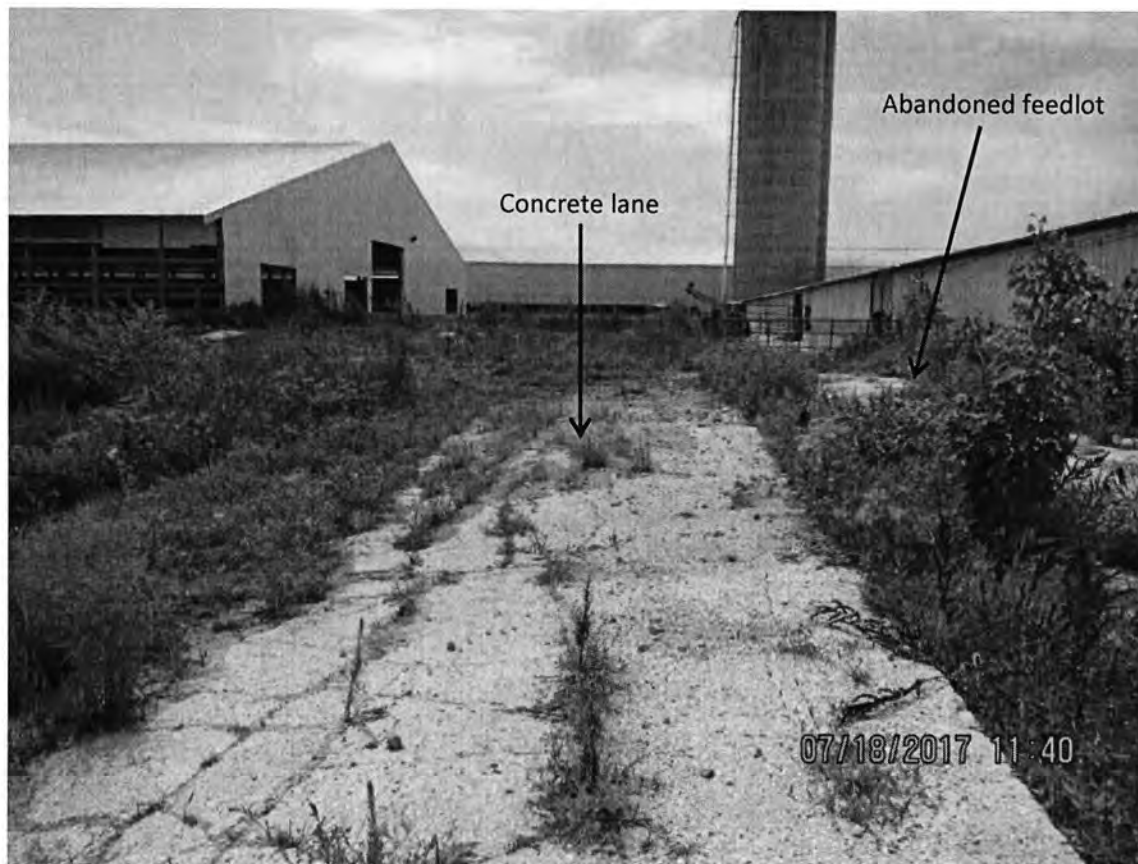
**Photo 19:** View of the heifer/calf barn feedlot. Photo direction is NE.

#### Abandoned Feedlots

Three feedlot areas between the cow barns at the main farm site are no longer utilized as feedlots, and have been abandoned as of the date of the inspection.



**Photo 20:** View of an abandoned feedlot between the cow barns at the main site. Photo direction is south.



**Photo 21:** View of an abandoned feedlot between the cow barns at the main site. Photo direction is south.

#### Waste Storage Facilities

##### Outfall 001/WSF 001:

- Earthen/clay-lined waste storage facility built in 2015.
- Concrete ramp and MOL marker present.
  - i. MOL marker needs clarification.
  - ii. MOS not present.
- Fence needs repair/reinstallation.
- No discharge, leakage, or rodent holes observed.
- Facility requires an engineering evaluation to determine compliance with statutory and administrative code requirements.





**Photo 22:** View of the southern section of outfall/WSF 001. Photo direction is west.



**Photo 23:** View of the southern and middle sections of outfall/WSF 001. Photo direction is west.





**Photo 24:** View of outfall/WSF 001. Photo direction is NW.



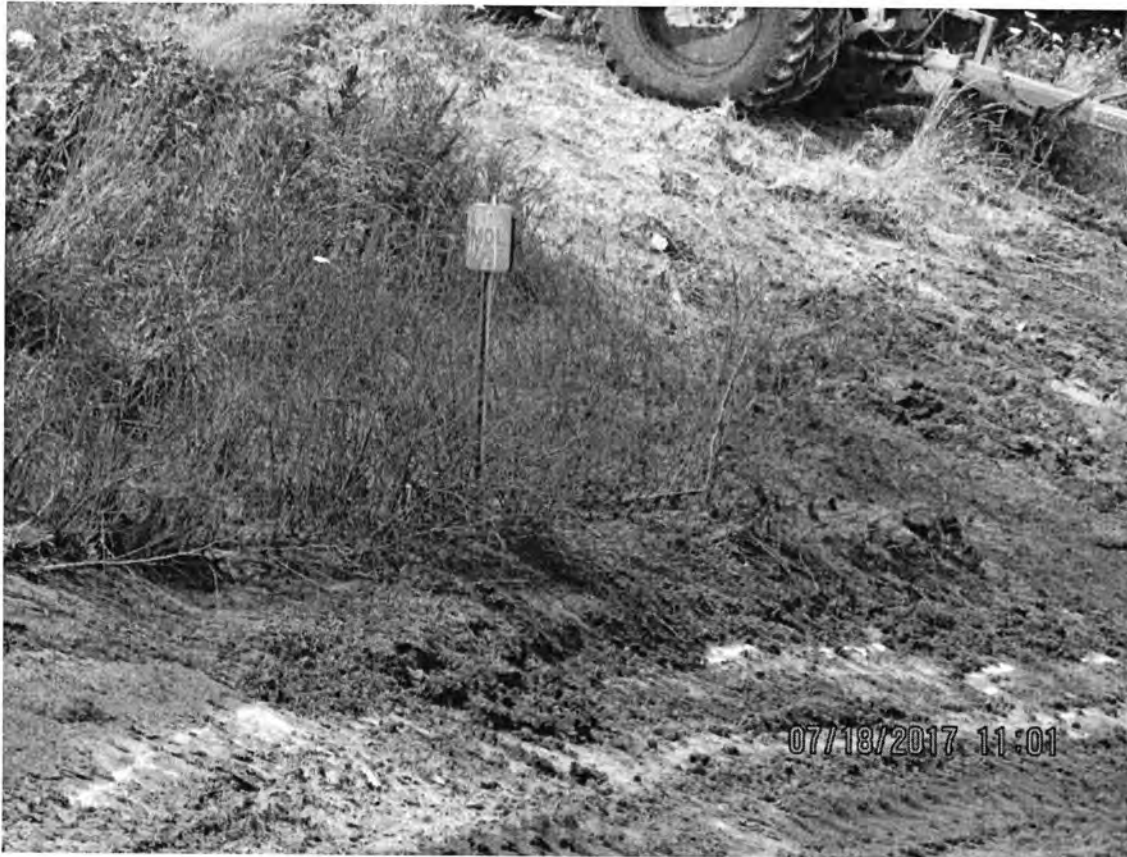
**Photo 25:** View of the middle and northern sections of outfall/WSF 001. Photo direction is NW.



**Photo 26:** View of the southern section of outfall/WSF 001 showing the concrete ramp. Photo direction is west.



**Photo 27:** Close up view of the MOL and manure transfer system discharge pipes in the southern section of outfall/WSF 001. Photo direction is west and down.



**Photo 28:** Close up view of the MOL marker in the southern section of outfall/WSF 001. Photo direction is west.



**Photo 29:** View of outfall/WSF 001 showing the concrete ramp. Photo direction is west.





**Photo 30:**  
Alternate view of  
outfall/WSF 001  
showing the  
concrete ramp.  
Photo direction is  
NW.



**Photo 31:** View of  
the northern  
section of  
outfall/WSF 001  
showing the  
concrete ramp.  
Photo direction is  
NW.



**Photo 32:** Close up view of the interior western wall of outfall/WSF 001. Photo direction is west.



**Photo 33:** View of outfall/WSF 001. Photo direction is west.





**Photo 34:** View of the NE corner of outfall/WSF 001. Photo direction is NW.



**Photo 35:** Alternate view of outfall/WSF 001. Photo direction is SW.



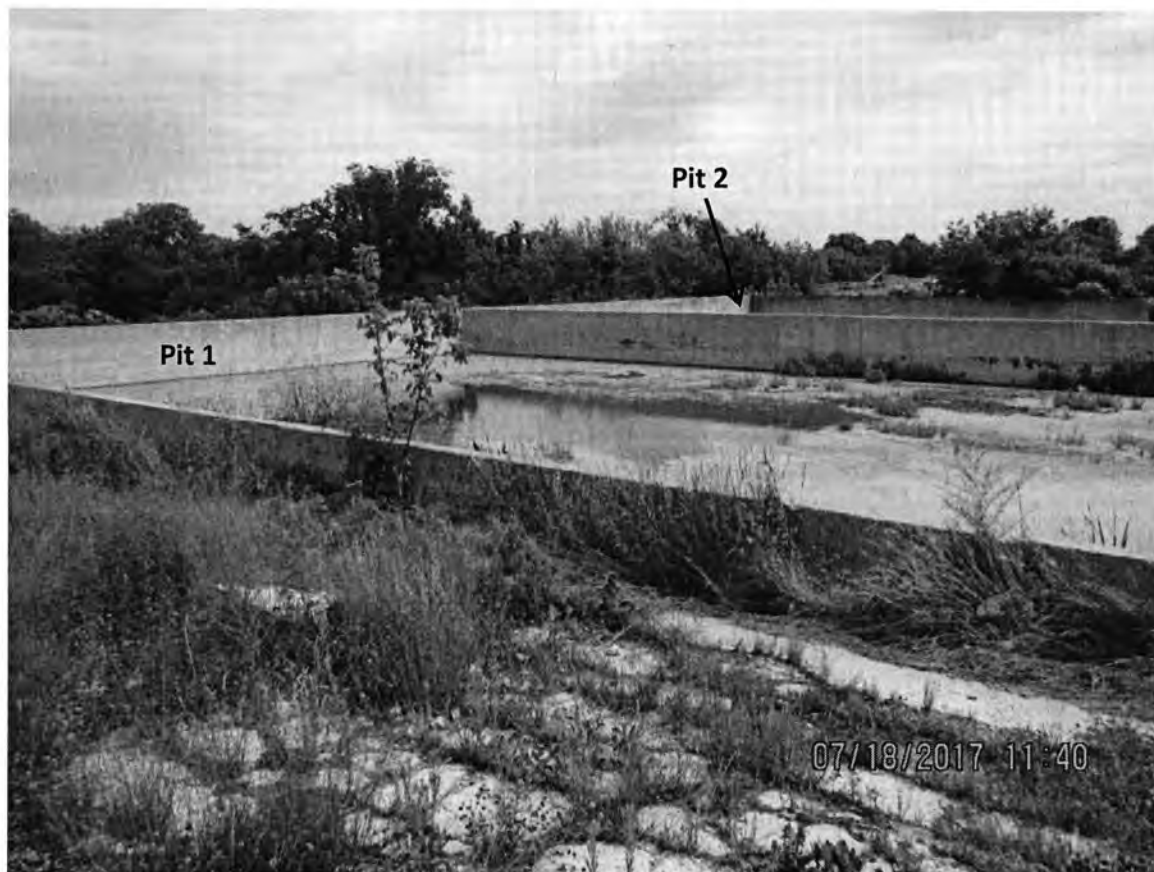
**Photo 36:**  
Alternate view of  
outfall/WSF 001  
showing the  
concrete ramp.  
Photo direction is  
SE.



**Photo 37:** View of  
the waste  
collection/manure  
transfer system  
inside the freestall  
barn that  
discharges directly  
into outfall/WSF  
001. Red dashed  
arrow indicates  
the flow direction  
of waste. Photo  
direction is north.

Pits 1 & 2

- Aboveground concrete waste storage facilities.
- Pit 1 = 489,223 gallons; built in 1995.
- Pit 2 = 503,783 gallons; built in 1999.
  - i. Crack/hole needs repair in NE corner.
- MOL/MOS markers not present.
- Both storage facilities were not in use for animal waste/process wastewater storage at the time of inspection.
  - i. Storm water was observed in both storage facilities during the inspection.
- Permanent plan for the storage facilities is potential abandonment.
  - i. Abandonment plan is required if storage facilities will be abandoned.
- Facilities require engineering evaluations to determine compliance with statutory and administrative code requirements in order to resume use as waste storage facilities.



**Photo 38:** View of pits 1 & 2 at the main farm site. Storm water is visible in the pits. Photo direction is NE.



**Photo 39:**  
Alternate view of  
pits 1 & 2 at the  
main farm site.  
Storm water is  
visible in the pits.  
Photo direction is  
east.

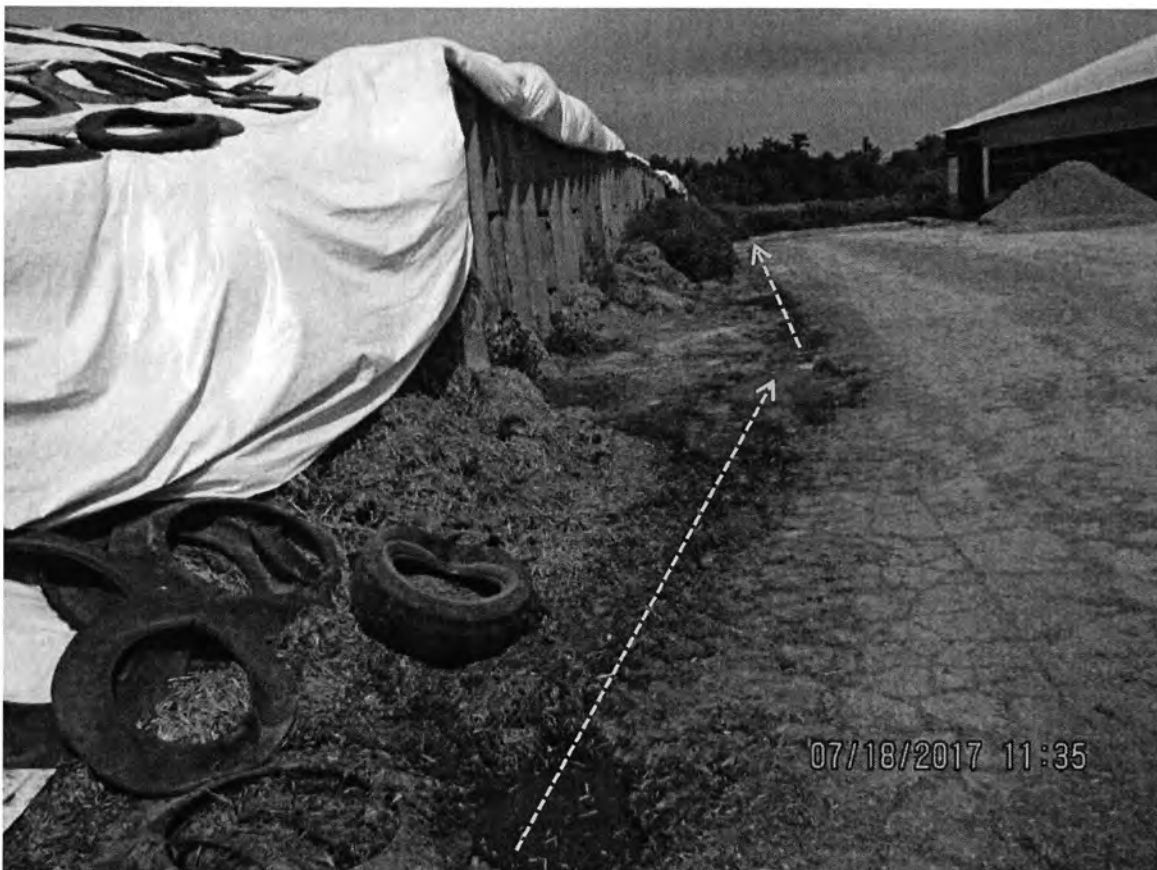
#### Feed Storage Area

The feed storage area at the main farm site is located west of the cow barns and is a smaller storage area than the feed storage at the heifer site. It is comprised of a single bunker constructed by three concrete block walls. Leachate was observed ponded and discharging from the south end of the feed pile as well as from the NE corner of the concrete wall. Clay was placed along the bottom of the concrete wall blocks at the direction of EPA to prevent leachate discharges, but the clay appeared very dry and weathered. The clay was not/no longer containing leachate from the feed storage area, and a discharge path was observed along the eastern wall and from the NE corner of the feed storage area. The discharge path flowed in a northeasterly direction for approximately 80 feet before heading north into a vegetated area that eventually discharges to an unnamed tributary (WBIC 5019477) to Bower Creek. Topographical soils data show that the elevation changes in the vegetated area, and C slopes (6-12%) are present. The C slope area adjoins a soil map unit with A slopes (0-2%) and high groundwater, through which an unnamed tributary (WBIC 5019477) to Bower Creek flows.





**Photo 40:** View of the feed storage area at the main farm site. Photo direction is NW.



**Photo 41:** View of the east wall of the feed storage area at the main farm site. Leachate is visible discharging from the feed storage area. Orange dashed arrows indicate the flow path and direction of leachate. Photo direction is north.





**Photo 42:** Close up view of the east wall of the feed storage area at the main farm site showing clay placed along the bottom of the wall to prevent leachate discharges. Photo direction is west and down.



**Photo 43:** View of the leachate discharge from the NE corner of the feed storage area. Orange dashed arrows indicate the flow path and direction of leachate. Photo direction is SW and down.



**Photo 44:** View of the leachate discharge from the NE corner of the feed storage area. Orange dashed arrows indicate the flow path and direction of leachate. Photo direction is north and down.



**Photo 45:** View of the leachate discharge path as it flows NE from the NE corner of the feed storage area. Orange dashed arrows indicate the flow path and direction of leachate. Photo direction is down.



**Photo 46:** View of the leachate discharge path as it flows NE from the NE corner of the feed storage area. Orange dashed arrows indicate the flow path and direction of leachate. Photo direction is east and down.



**Photo 47:** View of the leachate discharge path as it flows NE from the NE corner of the feed storage area. Orange dashed arrows indicate the flow path and direction of leachate. Flow is north into the vegetation. Photo direction is north.



### Storm Water Management

Storm water management at the main farm site consists of vegetated infiltration areas and culverts/graded areas to direct uncontaminated storm water to the vegetated areas for infiltration. Storm water from roofs that falls directly on the vegetated areas remains uncontaminated, but there are several areas onsite that require better management to prevent storm water from becoming contaminated, which will require containment and management. These areas include stacking areas for bedding, uncontained feedlot areas, and open barn doors where waste is present.



**Photo 48:** View of the storm water flow path on the east side of the main farm in front of the freestall barn and milking parlor. Yellow dashed arrows indicate direction of flow path. Yellow circle is a culvert. Photo direction is north.



**Photo 49:** Close up view of the culvert through which storm water flows on the east side of the main farm in front of the freestall barn and milking parlor. Yellow dashed arrows indicate direction of flow path. Yellow circle is the culvert. Photo direction is north.

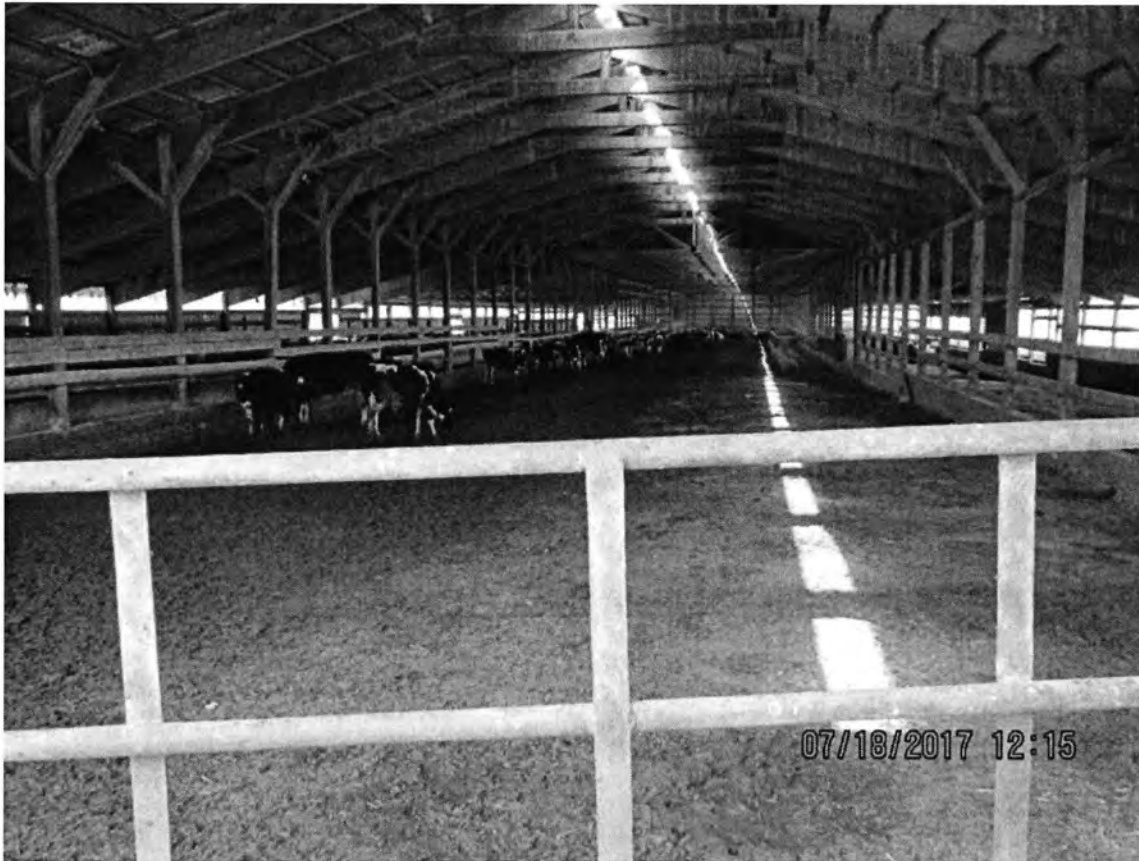
#### Heifer Site:

The heifer site is also referenced as the lower farm. For the purposes of the WPDES permit, it will be referred to as the heifer site.

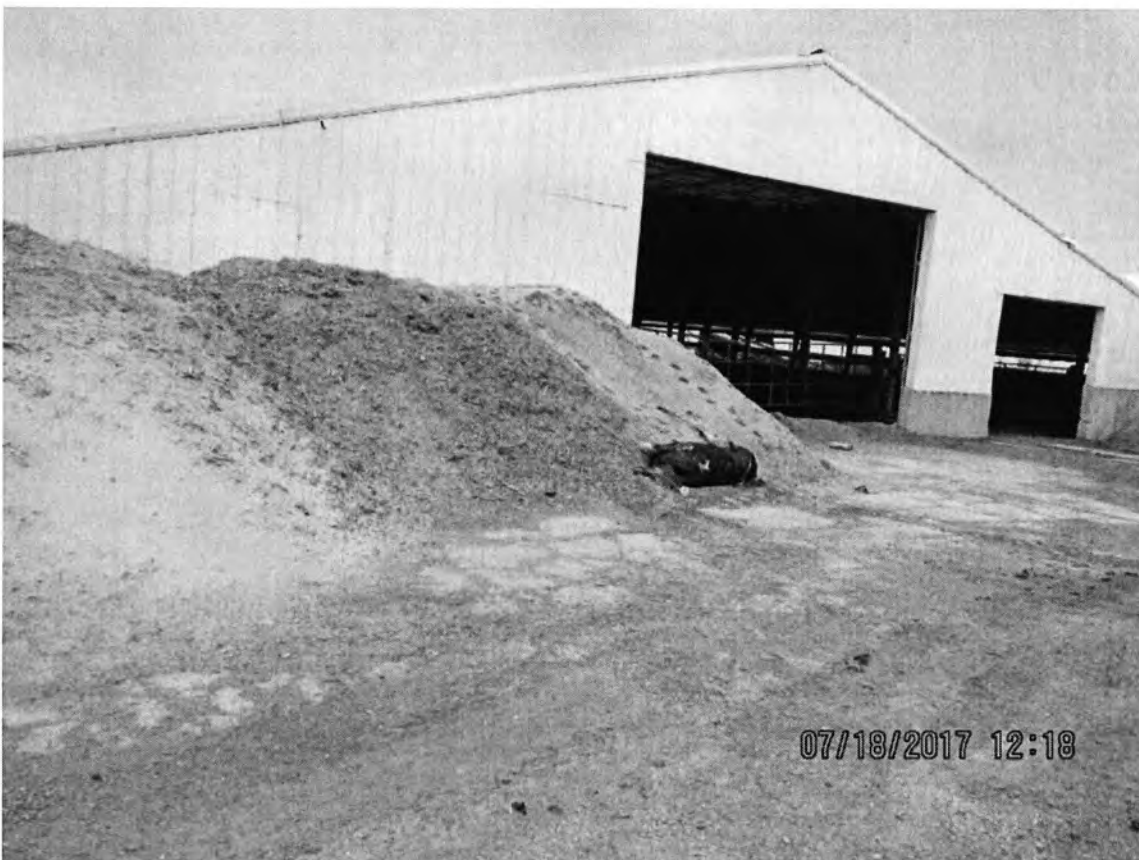
#### Beef/Heifer Barns

The heifer site contains two barns: a larger freestall that contains heifers of various ages that is adjacent to a concrete feedlot (barn 1), and a smaller barn for heifers /large beef steers (barn 2). Bedding for the heifers consists of wood chips or the used bedding from the calf barns at the main farm site. The calf barn bedding is usually only mildly soiled, and can be reused. Both barns are cleaned manually and used bedding is stacked near the barns for direct hauling to fields for land application. There is no containment for the stacking areas and evidence of waste discharges from the bedding stacks was observed.

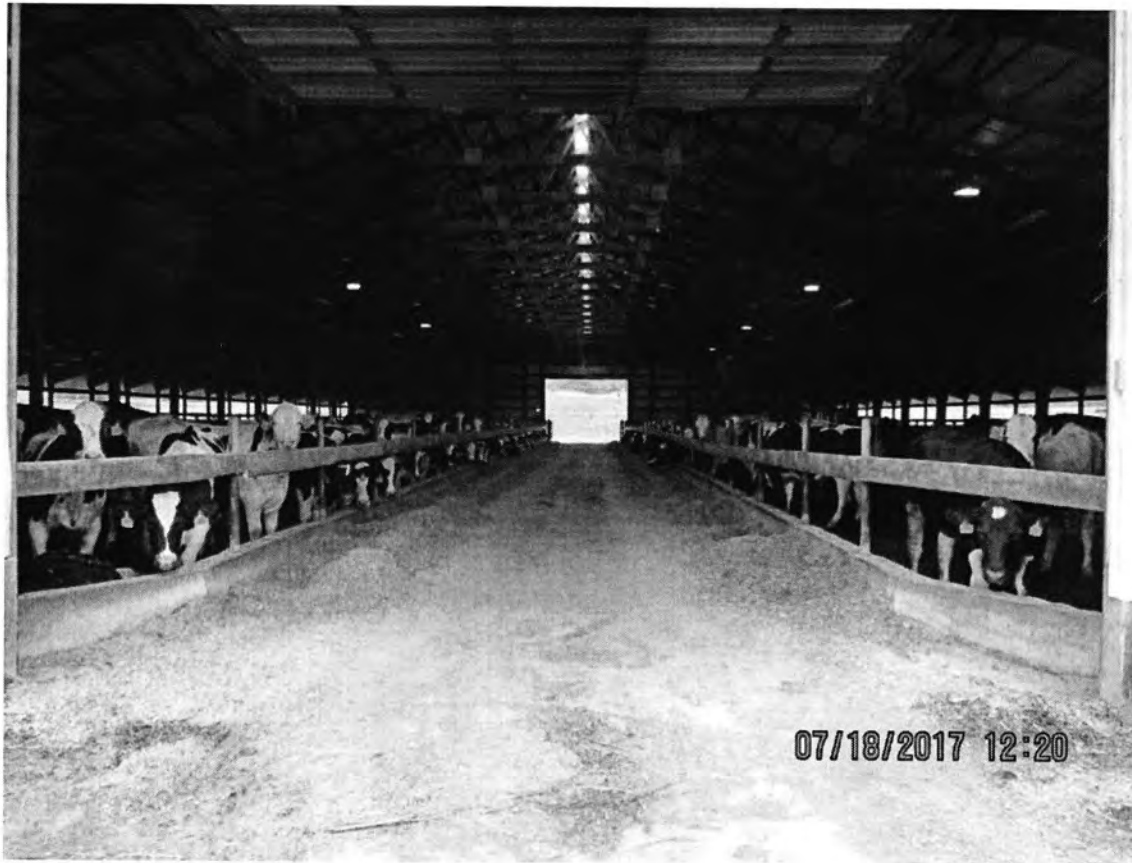




**Photo 50:** View of the inside of the heifer barn at the heifer site. Photo direction is west.



**Photo 51:** View of the east side of the heifer barn at the heifer site. Bedding pile and animal mortality are visible. Photo direction is NW.



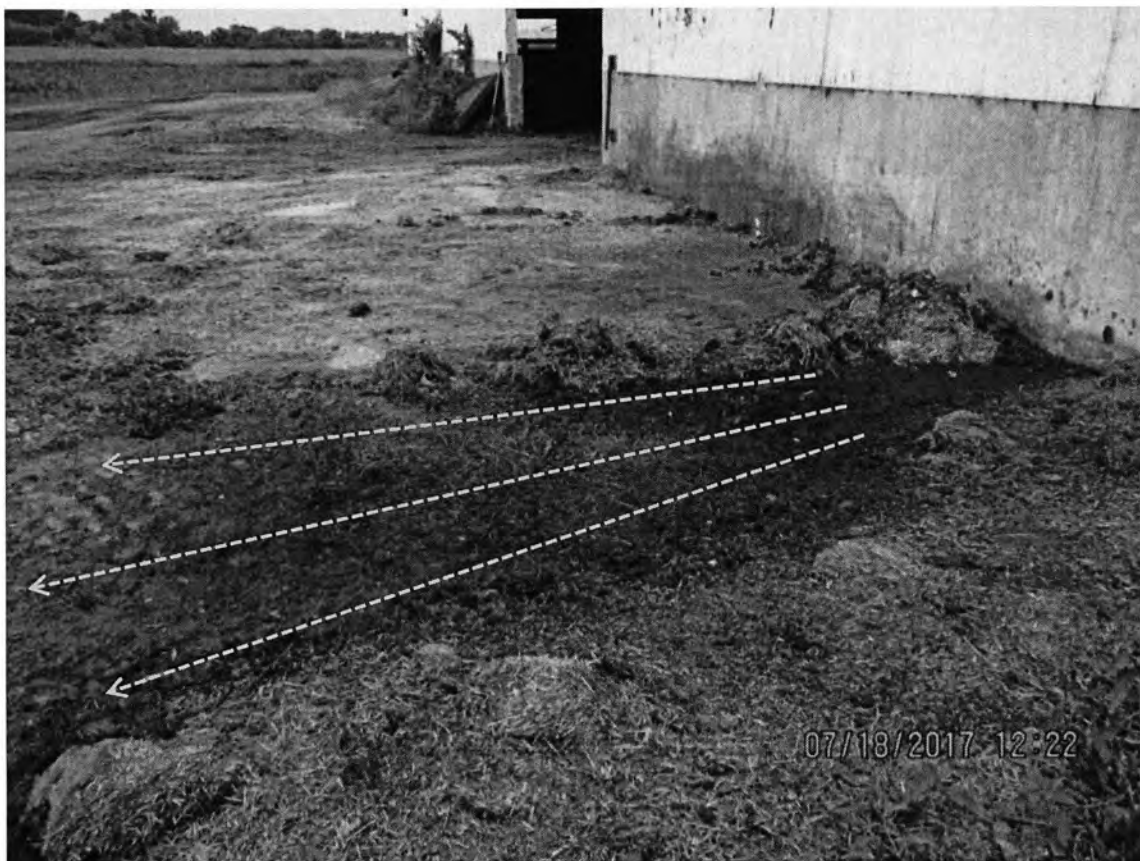
**Photo 52:** View of the inside of the large steer barn at the heifer site. Photo direction is south.



**Photo 53:** View of the exterior of the east wall of the large steer barn at the heifer site. Photo direction is south.



**Photo 54:** View of the south side of the large steer barn at the heifer site. Photo direction is north.



**Photo 55:** View of the south side of the large steer barn at the heifer site. Orange dashed arrows indicate flow direction of wastewater from bedding stacking area. Photo direction is west.

### Concrete Feedlots

The concrete feedlot at the heifer site is attached to a freestall barn that contains heifers of various ages. The feedlot spans the length of the barn and is divided into two sections by a short concrete wall area that is roofed; the sections remain connected, as the wall does not provide complete separation. The feed lot is approximately 38,000 square feet. The feedlot is contained by a short concrete wall that provides nearly complete containment and separation from the yard area. An entrance on the east side of the feedlot is open and not contained by the concrete wall, only a metal gate. Waste was visible outside the feedlot area from the east gate, and evidence of past discharges from this area in an easterly direction was observed on the ground surface. The west side of the feedlot discharges directly into a concrete collection/reception tank that is located on the west end of the feedlot for waste collection from the feedlot. A metal gate separates the feedlot area from the tank. Waste collected in this tank is removed and directly land applied to fields as needed based on waste volume in the tank.

Gutters were installed on the roof to divert storm water from the feedlot and reduce the volume of waste that requires collection and containment. The gutter system discharges to a grassed waterway in the field west of the freestall heifer barn that is typically in agricultural production.



**Photo 56:**  
View of the  
feedlot at the  
heifer site.  
Photo  
direction is  
east.



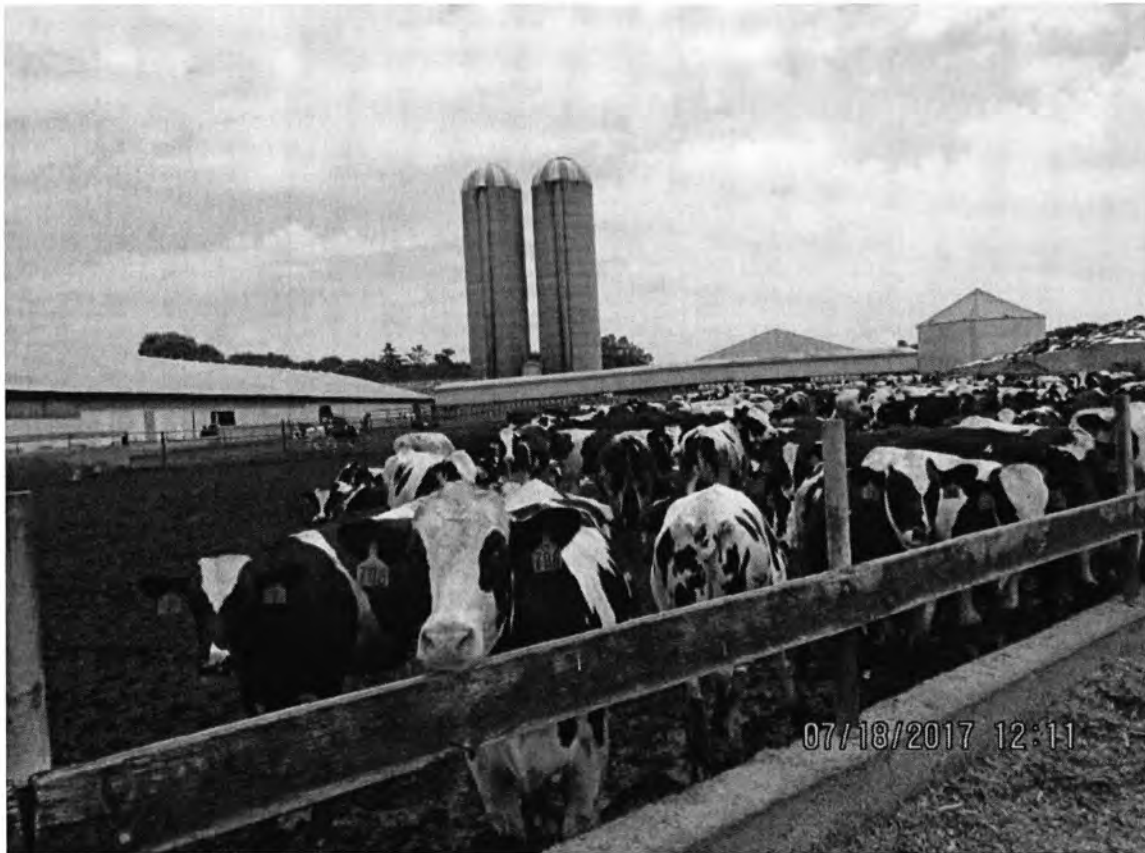


**Photo 57:** View of the feedlot at the heifer site. Photo direction is SE.

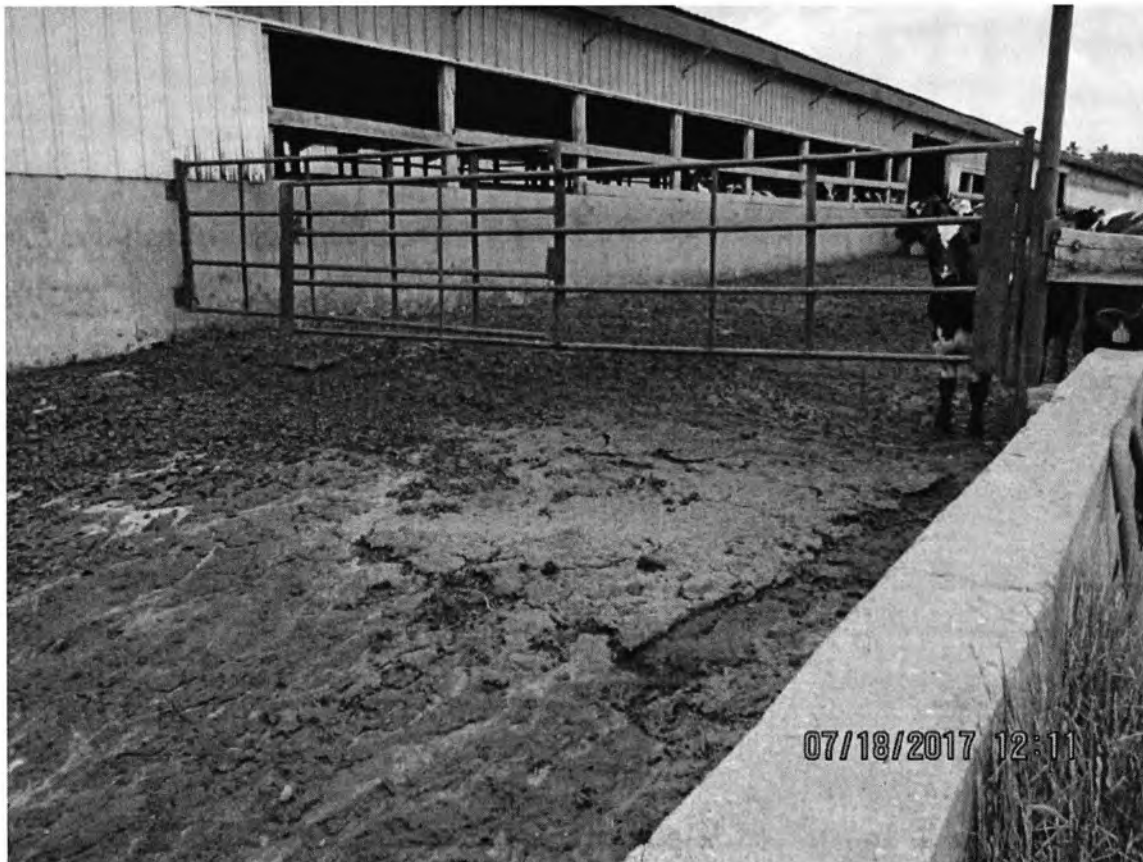


**Photo 58:** View of the feedlot at the heifer site. Photo direction is east.





**Photo 59:** View of the feedlot at the heifer site. Photo direction is NE.



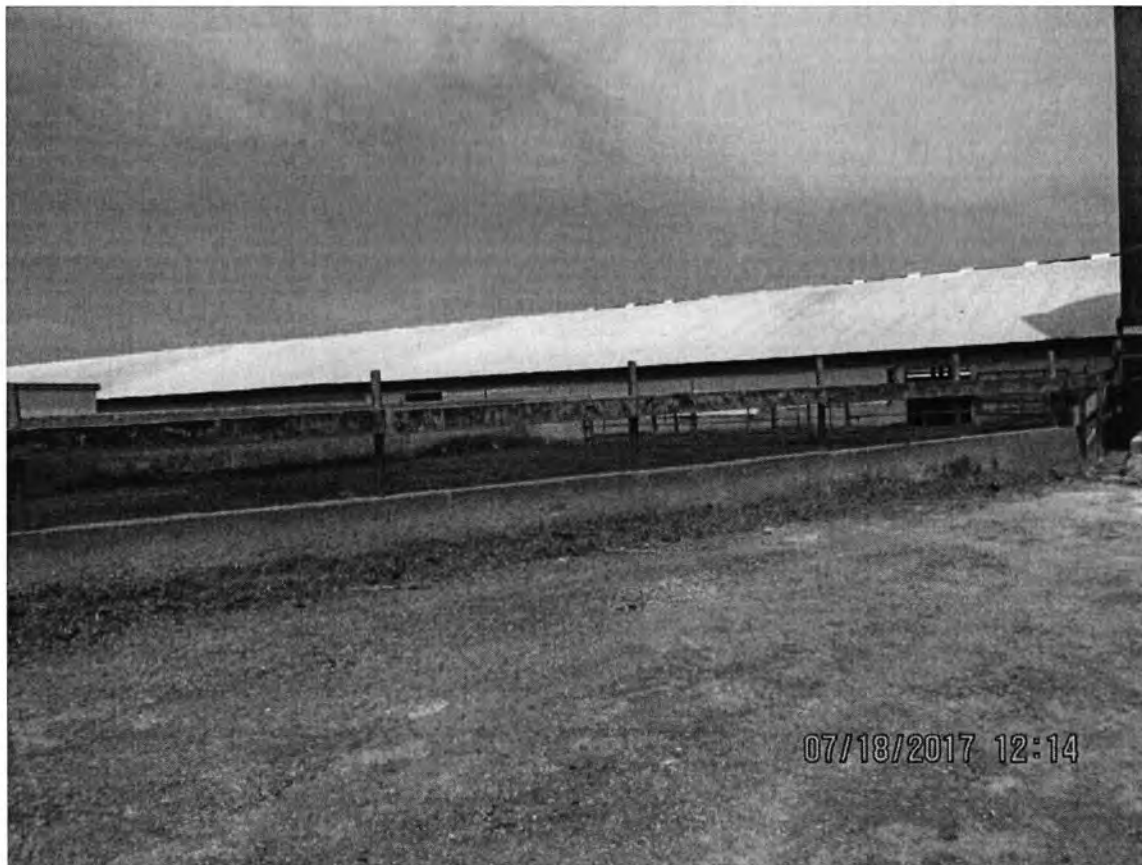
**Photo 60:** View of the west end of the feedlot at the heifer site. Photo direction is NE.



**Photo 61:** View of the feedlot at the heifer site. Photo direction is west.



**Photo 62:** View of the east end of the feedlot at the heifer site. Photo direction is NW.



**Photo 63:** View of the east end of the feedlot at the heifer site. Photo direction is NW.

#### Waste Storage Facilities

##### Outfall 002/WSF 002

- Concrete waste storage facility on the west end of the feedlot.
  - i. Open top and partially below ground.
  - ii. Capacity and construction information not known.
- MOL/MOS markers not present.
- No discharge, leakage, or holes/cracks observed.
- Facility requires an engineering evaluation to determine compliance with statutory and administrative code requirements.



**Photo 64:** View of the feedlot discharge point to outfall/WSF 002 at the heifer site. Red dashed arrows indicate the source and flow path of animal waste into the storage facility. Photo direction is north.



**Photo 65:** View of outfall/WSF 002 at the heifer site. Photo direction is NW.





**Photo 66:** View of outfall/WSF 002 at the heifer site. Photo direction is west.

#### Feed Storage Area

The feed storage area at the heifer site is the main feed storage area for the operation. It is located south of the large heifer barn/barn 1 and consists of several bunkers on a concrete pad. The feed storage area has undergone expansions since it was originally constructed, and there are plans for further expansion in the future. No runoff controls are currently in place for leachate and process wastewater from the feed storage area, and discharges were observed from multiple cracks in the concrete walls and drainage pathways off the concrete pad. Leachate and process wastewater discharge to the grassed waterway in the field west of the site. The drainageway in the agricultural field flows NW through the field and through a series of culverts to an unnamed tributary of Bower Creek. Waste feed piles near the feed storage area were observed contributing leachate/process wastewater to the waste discharges to the field west of the site. Ponded leachate and process wastewater were observed near the feed storage area in multiple locations.





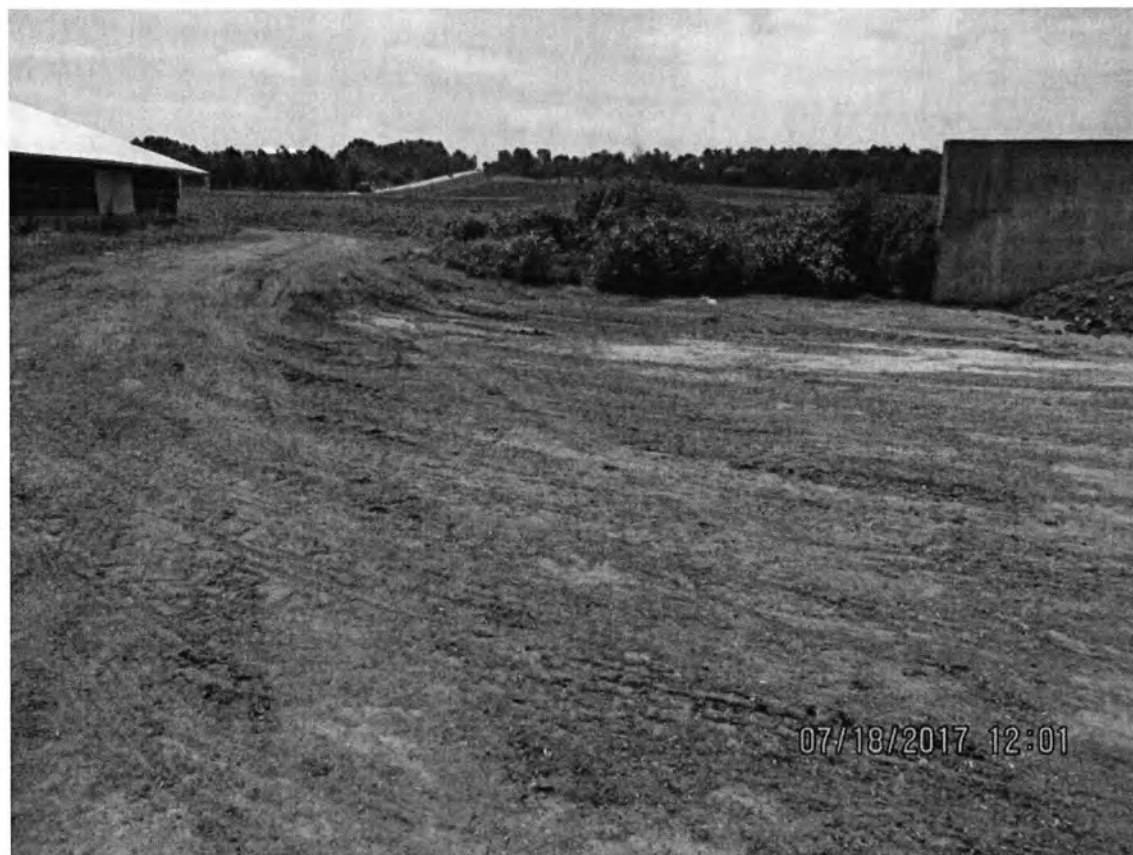
**Photo 67:** View of the feed bag recycling dumpsters at the heifer site. Photo direction is east.



**Photo 68:** View of the feed storage area at the heifer site. Photo direction is NW.



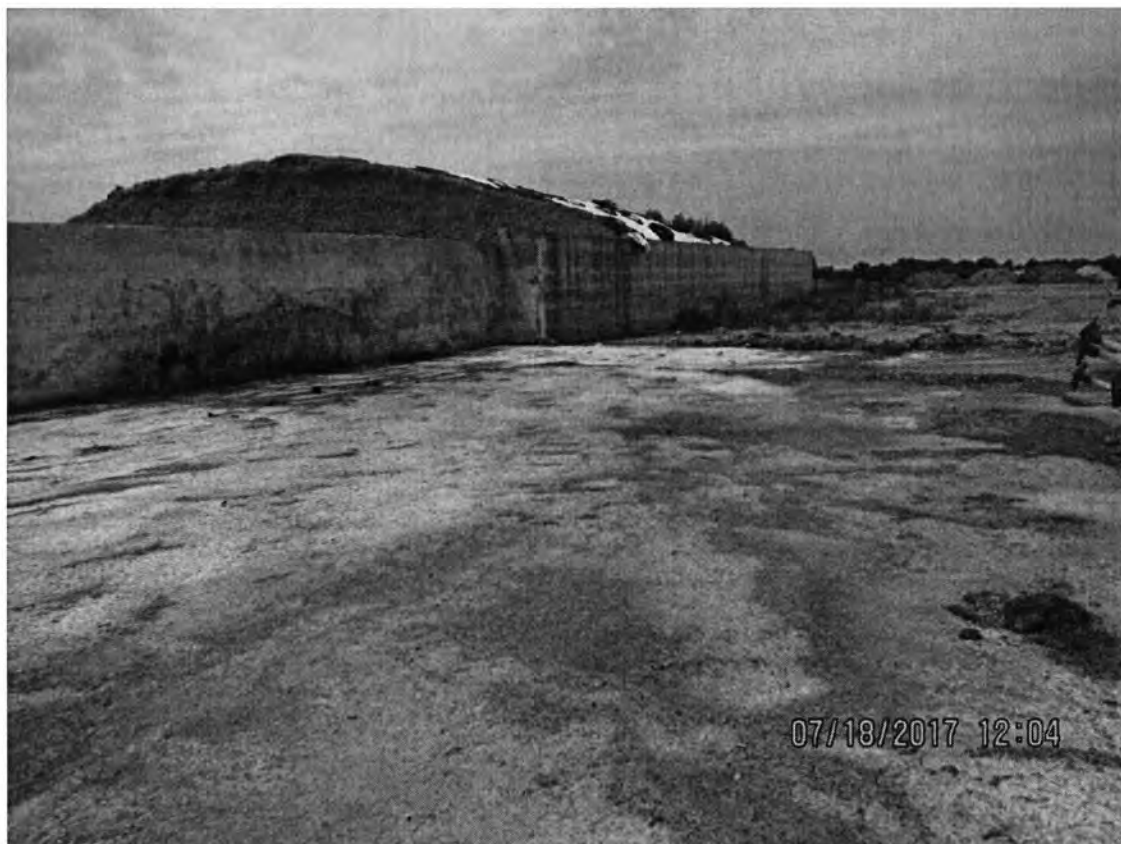
**Photo 69:**  
Alternate view of  
the feed storage  
area at the heifer  
site. Photo  
direction is west.



**Photo 70:** View of  
the area adjacent  
to the south wall  
of the feed storage  
area at the heifer  
site. Photo  
direction is south.



**Photo 71:** Close up view of leachate discharging from the south wall of the feed storage area at the heifer site. Orange dashed arrows indicate flow direction of leachate. Photo direction is south.



**Photo 72:** View of the middle section of the feed storage area at the heifer site. Photo direction is west.





**Photo 73:** Close up view of a concrete wall from the middle of the feed storage area at the heifer site. Ponded leachate was observed adjacent to the wall (orange arrows). Photo direction is west.



**Photo 74:** Close up view of a concrete wall from the middle of the feed storage area at the heifer site. Ponded leachate was observed adjacent to the wall. Photo direction is west.



**Photo 75:** View of a concrete wall from the middle of the feed storage area at the heifer site. Leachate was observed discharging from the wall (black liquid/substance). Photo direction is east.



**Photo 76:** Close up view of the concrete wall on the NW side of the feed storage area at the heifer site. Leachate was observed discharging from the wall and was ponded adjacent to the wall (orange arrows). Photo direction is NE and down.





**Photo 77:**  
Alternate view of the concrete wall on the NW side of the feed storage area at the heifer site. Leachate was observed discharging from the wall and was ponded adjacent to the wall (orange arrows). Photo direction is NE and down.

**Photo 78:** View of the north concrete wall of the feed storage area at the heifer site. Leachate was observed discharging from the wall. Orange dashed arrows indicate flow path of leachate discharge. Photo direction is SW and down.





**Photo 79:**  
Alternate view of the north concrete wall of the feed storage area at the heifer site. Leachate was observed discharging from the wall and flowing west. Orange dashed arrows indicate flow path of leachate discharge. Photo direction is west.



**Photo 80:**  
Alternate view of the north concrete wall of the feed storage area at the heifer site. Leachate was observed discharging from the wall and flowing west. Orange dashed arrows indicate flow path of leachate discharge. Photo direction is west.

#### Animal Mortality Disposal

Mortalities are managed using computer software similar to DairyComp. Circle R Mink Ranch collects mortalities on an as-needed basis when contacted by the farm. There does not appear to be a designated area for mortality storage and management onsite. Mortality management/storage areas should be managed to prevent discharges of pollutants to waters of the state.

#### Record-keeping and Reporting

Since Ledgeview is not a permitted farm, records and reports required by the permit were not requested for review during the inspection. Documentation of land application activity was discussed, and Pansier directly manages land application and works with Beckard to ensure that the NMP is followed. Record-keeping and reporting that is required by the WPDES permit was briefly reviewed with the understanding that the permit would be reviewed in more detail during the drafting/issuance process.

#### SUMMARY

##### Action Items

###### Main Farm Site:

1. Calf barn discharge to Dickinson Rd ditch
  - a. The discharge from the calf barn is considered process wastewater and is not allowed to discharge to the ditch as was observed during the inspection.
  - b. Process wastewater from the calf barn discharges into the ditch on the north side of Dickinson Rd, which discharges to an unnamed tributary to Bower Creek. Pondered process wastewater also discharges to groundwaters of the state.
  - c. Interim controls/management shall be implemented immediately until a permanent solution is determined/installed.
    - i. Submit documentation demonstrating that the discharge to the ditch on Dickinson Rd has ceased by **October 6, 2017**.
2. Feed storage area
  - a. Feed leachate and process wastewater from the feed storage area currently discharge in a northwesterly direction down the ledge to the unnamed tributary to Bower Creek. Leachate and process wastewater also discharge to groundwaters of the state.
  - b. There are currently no runoff controls for leachate and process wastewater from the feed storage area.
  - c. Interim controls shall be implemented immediately and maintained until a permanent solution is determined/installed.
    - i. Submit a plan for the installation of interim controls for the feed storage areas to prevent discharges to waters of the state by **October 6, 2017**.
3. Stacking areas for used bedding
  - a. Process wastewater from the stacking areas discharge to groundwaters of the state via a field east of the stacking areas.
  - b. There are currently no runoff controls for the areas where used bedding is stacked prior to removal for direct land application to fields.
  - c. Interim controls/management shall be implemented immediately and maintained until a permanent solution is determined/installed.
    - i. Submit a plan for management and/or installation of runoff controls to prevent discharges to waters of the state by **October 31, 2017**.



4. Feedlot

- a. Animal waste and process wastewater from the heifer feedlot discharge to groundwaters of the state via a field east of the calf/heifer barn and feedlot.
- b. The feedlot is not completely contained and does not have runoff controls.
- c. Interim controls/management shall be implemented immediately and maintained until a permanent solution is determined/installed.
  - i. Submit a plan to address containment/runoff controls for the feedlot areas to prevent discharges to waters of the state by **October 31, 2017**.

5. Pits 1 & 2

- a. Submit a plan for the long-term use of the pits. For use as waste storage facilities, repairs and engineering evaluations will be required. For abandonment, a plan that meets applicable requirements for waste storage abandonment will be required.
  - i. Submit the long-term use plan by **October 31, 2017**.

Heifer Site:

1. Feed storage area

- a. Feed leachate and process wastewater from the feed storage area currently discharge from the west side and SE corner of the feed storage area and flow west to a drainageway in a field west of the feed storage area. The drainageway flows NW through the field and a series of culverts to an unnamed tributary of Bower Creek. Leachate and process wastewater also discharge to groundwaters of the state from various ponded areas along the discharge path.
- b. Waste feed piles were observed at the Heifer Site that contributed to the process wastewater runoff.
- c. There are currently no runoff controls for leachate and process wastewater from the feed storage area.
- d. Interim controls shall be implemented immediately and maintained until a permanent solution is determined/installed.
  - i. Submit a plan for the installation of interim controls for the feed storage areas to prevent discharges to waters of the state by **October 6, 2017**.

2. Stacking areas for used bedding

- a. Process wastewater from the stacking area adjacent to barn 1 discharges to unnamed tributaries to Bower Creek via a culvert and ditch system that flows east under Lime Kiln Rd.
- b. Process wastewater from the stacking area adjacent to barn 2 discharges to a drainageway in the field south of barn 2 and west of the feed storage area. The drainageway flows NW through the field and a series of culverts to an unnamed tributary of Bower Creek.
- c. Process wastewater also discharges to groundwaters of the state via ponded areas onsite and near the culvert.
- d. There are currently no runoff controls for the areas where used bedding is stacked prior to removal for direct land application to fields.
- e. Interim controls/management shall be implemented immediately and maintained until a permanent solution is determined/installed.
  - i. Submit a plan for management and/or installation of runoff controls to prevent discharges to waters of the state by **October 31, 2017**.

3. Feedlot

- a. Process wastewater from the feedlot discharges through the east gate/entrance and flows in an easterly direction to the culvert that flows east under Lime Kiln Rd. The culvert and ditch discharge to unnamed tributaries to Bower Creek. Process wastewater also discharges to groundwaters of the state via ponded areas onsite and near the culvert.
- b. The feedlot is not completely contained and does not have runoff controls.

- c. Interim controls/management shall be implemented immediately and maintained until a permanent solution is determined/installed.
  - i. Submit a plan to address containment/runoff controls for the feedlot areas to prevent discharges to waters of the state by **October 31, 2017**.

➤ Permit application reminder

- a. NR 243.12, Wis. Adm. Code, states, "A large CAFO may not discharge pollutants from manure or process wastewater to waters of the state unless the discharge is covered by and in compliance with a WPDES permit."
  - i. Ledgeview meets the definition of a CAFO pursuant to NR 243.03.
- b. The permit application is incomplete. Engineering evaluations for existing structures are required to be submitted by September 25, 2017.
- c. See Department letter dated August 25, 2017 for additional information.

Items for Permit Issuance

Items for inclusion in a compliance schedule in the reissued permit could include:

- Upgrades/corrections required for existing structures based on reviews of the engineering evaluations
- Construction schedules for installation of waste storage facilities and/or runoff controls
- Monitoring and inspection program submittal
- Emergency response plan submittal

Please note that all required actions outstanding at the time of permit issuance will be included in the compliance schedule in the draft WPDES permit that the facility will have an opportunity to review prior to public notice and permit issuance.





September 28, 2017

Jason Pansier  
Ledgview Farms LLC  
3870 Dickinson Rd  
De Pere, WI 54115

Brown County

**SUBJECT: Permit Application Deadline Extension Request**

Dear Mr. Pansier:

On September 21, 2017, the Department received a request from John Roach on behalf of Ledgview Farms LLC via email for an extension to the deadline established for submission of complete permit application materials. The original deadline was September 25, 2017, and was established in a letter from the Department dated August 25, 2017, that summarized the status of the permit application and requested required information that was not yet submitted.

The Department hereby grants approval for the requested extension for submittal of outstanding information to complete the permit application. The new deadline is **October 31, 2017**. Please refer to the August 25, 2017, Department letter that specifies the information that is required for submittal.

If you have any questions regarding the WPDES permit application and/or issuance process, please contact me at (920) 662-5187 or Heidi.SchmittMarquez@wisconsin.gov.

Sincerely,

Agricultural Runoff Management Specialist

cc: Kevin Beckard, AgSource Laboratories  
John Roach, Roach and Associates LLC  
Rick Stoll, DNR – Green Bay  
Clare Freix, DNR – Madison  
Jeff Kreider, DNR – Madison

# Roach & Associates, LLC

## Dairy Business and Management Consulting Environmental Engineering

856 N Main Street • Seymour, WI 54165 • Phone 920-833-6340 • Fax 920-833-9851

October 5, 2017

Mrs. Heidi Schmidt Marquez  
Wisconsin Department of Natural Resources  
2984 Shawano Avenue  
Green Bay, WI 54313-6727

Re: Response to CAFO Compliance Report 09/21/2017 – Ledgeview Farms, LLC

Ms. Schmidt Marquez:

On behalf of Ledgeview Farms, LLC (LD) Roach & Associates, LLC (Roach) is providing this response to the CAFO Compliance Report 09/21/2017, Action Items found on page 52.

### Main Farm Site:

1. Calf Barn discharge to Dickinson Rd ditch
  - a. The discharge from the calf barn is considered process wastewater and is not allowed to discharge to the ditch as was observed during the inspection.
  - b. Process wastewater from the Calf Barn discharges into the ditch on the north side of Dickinson Rd, which discharges to an unnamed tributary to Bower Creek. Pondered process wastewater also discharges into groundwater.
  - c. Interim controls/management shall be implemented immediately until a permanent solution is determined/installed.
    - i. Submit documentation demonstrating that the discharge to the ditch on Dickinson Rd has ceased by October 6, 2017.

*The discharge of wastewater that was observed is the result of washing the tank used to deliver milk to the baby calves in the calf barn. Following the visit and as an interim measure until a final solution is found, LD will take wastewater from washing the Milk Tank to the Main Parlor and empty it into the floor drain in the utility room. The wastewater from the floor drain flows to the Waste Storage Facility (001 WSF).*

### 2. Feed Storage Area

- a. Feed leachate and process wastewater from the Feed Storage Area currently discharge in a northwesterly direction down the ledge to the unnamed tributary to Bower Creek. Leachate and process wastewater also discharge into groundwaters.
- b. There are currently no runoff controls for leachate and process wastewater from the Feed Storage Area.



- c. **Interim controls shall be implemented immediately and maintained until a permanent solution is determined/installed.**
  - i. **Submit a plan for the installation of interim controls for the Feed Storage Areas to prevent discharges to waters of the state by October 6, 2017.**

*Temporary Sumps will be excavated at the Feed Storage Areas (FSA) at both the home and heifer sites. Soil berms will be constructed to facilitate the flow to the sumps. In addition to the sump at the heifer site, a temporary Detention Basin (DB) will be constructed in the existing clay soil formation south of the FSA to contain leachate and runoff. A gravel berm will be installed along the east edge of the apron to ensure the flow is directed to the temporary DB. Locations of the sumps and DB are shown on the attached Site Maps (Exhibit 2). The leachate and runoff will be manually pumped from the sump and DB and transported to the 001 WSF for storage. An Interim O&M plan has been developed for the Feed Storage Areas at both locations (Exhibit 1).*

- 3. **Stacking Areas for used bedding (both sites)**
  - a. **Scattered around both sites are areas in which used bedding are stacked. Runoff from these stacks is not captured.**
  - b. **Interim controls/management shall be implemented immediately and maintained until a permanent solution is determined/installed.**
    - i. **Submit a plan for management and/or installation of runoff controls to prevent discharges to waters of the state by October 31, 2017.**

*Ledgeview Farms will discontinue stacking used bedding/ manure within the production area at both sites. Bedding/manure will be removed from Housing Areas and applied onto cropland according to the current Nutrient Management Plan (NMP) or transported to the 001 WSF for storage. An Interim O&M Plan is attached detailing the changes (Exhibit 1).*

- 4. **Feedlots (both sites)**
  - a. **On both sites there are Heifer Lots that have no runoff controls in place, allowing manure contaminated water to run freely from them.**
  - b. **Interim controls/management shall be implemented immediately and maintained until a permanent solution is determined/installed.**
    - i. **Submit a plan to address containment/runoff controls for the Feedlot Areas to prevent discharges to waters of the state by October 31, 2017.**

*At the Heifer Site, runoff from the Concrete Yard will be directed to the temporary DB constructed to also contain leachate and runoff from the FSA. At the Main Farm Site, a soil berm will be installed at the east and west gates to contain manure and runoff on the Concrete Yard. Runoff will be removed with manure and bedding and applied onto cropland or transported to the 001 WSF (Exhibit 2).*

**5. Pits 1 & 2**

- a. **Submit a plan for the long-term use of the pits. For use as Waste Storage Facilities, repairs and engineering evaluations will be required. For abandonment, a plan that meets applicable requirements for waste storage abandonment will be required.**
  - i. **Submit the long-term use plan by October 31, 2017.**

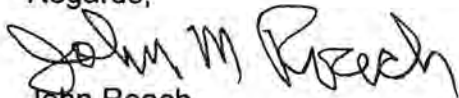
*The pits are currently not being used for waste storage and contain rain water. In the future a structural evaluation will be conducted to determine if they can be repaired or their use altered.*

**6. Permit Application Reminder**

- a. **Pursuant to NR 243.12, Wis. Adm. Code, a WPDES permit is required for Ledgeview.**
- b. **The permit application is incomplete. Engineering evaluations for existing structures are required to be submitted by September 25, 2017.**
- c. **See Department letter dated August 25, 2017, for additional information**

*Roach is currently in the process of completing the items required for the final WPDES application.*

Regards,

  
John Roach

Cc: Ledgeview Farms  
Jason Pansier

---

## **Exhibit 1**



## Interim Operation and Maintenance Plan

Ledgeview Farms, LLC (LF) will install the following interim measures at both the Main Farm and Heifer Sites:

### Main Farm Site

- Install sump and containment berm to collect leachate and runoff from the FSA
- Soil berms to contain manure and runoff on Concrete Yard
- Collect and storage of Milk Tank wastewater
- Discontinue Unconfined Manure Stacks
- Engineering Evaluation of Pits 1 & 2

### Heifer Site

- Install sump and soil containment berm to collect leachate and runoff from the FSA.
- Install temporary Detention Basin (DB) and Soil Containment Berm to collect and store leachate & runoff from the FSA and runoff from part of the Heifer Concrete Yard.
- Discontinue Unconfined Manure Stacks

The following Operation and Maintenance Plan outlines the activities required for proper operation of the proposed Interim Systems.

In the event of a spill or accidental discharge, call the WDNR Spill Emergency Hotline.

**REPORT SPILLS IMMEDIATELY**

**1-800-943-0003**

### Waste Collection and Transfer Systems



**Wisconsin's 24-Hour  
Spill Emergency  
Hotline**

### **Interim Sumps and Berms**

- FSA leachate and runoff will be collected in the sumps.
- The level of liquid in the sumps will be checked daily and liquids will be removed when liquids have filled the sumps to 50% of total capacity.
- Leachate will be manually transferred to a tanker and leachate and runoff will be applied onto cropland according to the current NMP, or transferred to the 001 WSF for storage.
- Leachate and runoff will be removed from the sumps whenever rain is forecasted with a  $\geq 50\%$  probability.
- The berm will be inspected daily to insure the flow is directed to the sumps. The berm will be repaired as necessary.
- When liquids are transferred from the sumps the date, person transferring the liquid and the estimated gallons transferred shall be recorded.

**Interim Detention Basin (DB) and Berm**

- FSA leachate, runoff and concrete yard runoff will be collected in the DB.
- The level of liquid in the DB will be checked daily and liquids will be removed when liquids have filled the DB to 50% of total capacity.
- A staff gauge will be installed at the 50% of capacity elevation.
- Leachate and runoff will be manually transferred to a tanker and the liquids will be applied onto cropland according to the current NMP, or transferred to the 001 WSF for storage.
- Liquids will be removed from the DB whenever rain is forecasted with a  $\geq 50\%$  probability.
- The berm will be inspected daily to insure the berm is directing flow to the DB.
- The berm will be repaired as necessary.
- When liquids are transferred from the DB the date, person transferring the liquid and the estimated gallons transferred shall be recorded.

**Used Bedding/Manure**

Used bedding will be stored in barns until it is time to field apply according to the current NMP, or until it is transported to the 001 WSF.

**Calf Barn Wastewater**

Wastewater from washing the milk delivery tank will no longer be deposited on the driveway in front of the Calf Barn. Wastewater from cleaning the tank will be deposited in the floor drain in the utility room of the Milking Parlor.

---

## **Exhibit 2**



DATE: 3/1/2000	REVISION DATE BY	DESCRIPTION OF REVISION	REVISION BY	DATE	DESCRIPTION OF REVISION	LEDGEVIEW DAIRY HOME FACILITY BROWN COUNTY, WISCONSIN	SCALE: 1"=150'	INTERIM MEASURES	Roach & Associates, LLC Dairy Business and Management Consulting Environmental Engineering 828 North Main Street, Oshkosh, WI 54901. PH: 920-433-6348 FAX: 920-433-8933	SHEET NO. 1
DRAWN BY: MTH	1									
CHECKED BY: MTH	2									







November 15, 2017

Jason Pansier  
Ledgeview Farms LLC  
3870 Dickinson Road  
De Pere, WI 54115

Subject: CAFO WPDES Final Permit Application - Acknowledgment of Receipt  
Status: Incomplete

Dear Jason Pansier:

The Department received your final application materials for issuance of a CAFO WPDES permit (No. WI-0065421-01) to Ledgeview Farms LLC on October 31, 2017. Your application is currently incomplete because it is missing the following components:

1. Plans and specifications for additional waste storage in order to meet a minimum of 180 days of storage
2. Updated manure storage calculations showing a minimum of 180 days of storage

Information to assist you and your consultant in preparing and submitting a complete final application is available at: <http://dnr.wi.gov/topic/AgBusiness/CAFO/PermitForms.html>. The following application materials have been received to date:

1. Livestock/Poultry Operation WPDES Permit Application Forms 3400-025, 025B, 025C
2. Animal Unit Calculation Worksheet Form 3400-025A
3. Labeled Aerial Maps
4. Soil Survey Maps
5. EA Questionnaire
6. Manure storage calculations & supporting documentation showing less than 180 days of storage
7. Nutrient Management Plan (NMP)
8. Evaluations for the following:
  - a. Headquarters Farm:
    - i. Waste storage facility built in 2015 (4-5 million gallons)
    - ii. Pit 1; waste storage facility built in 1995 (490,000 gallons)
    - iii. Pit 2; waste storage facility built in 1999 (504,000 gallons)
    - iv. Solid waste stacking area
    - v. Manure transfer system (piping & reception tanks) for all barns
    - vi. Feed storage area
    - vii. Feed storage area runoff controls
    - viii. Runoff controls for all feedlots (heifer barn & cow barns)
  - b. Heifer Farm:
    - i. Waste storage facility for heifer barns
    - ii. Solid waste stacking area
    - iii. Feed storage area
    - iv. Feedlot runoff controls

In order to begin processing your application and to conduct a thorough review to determine if additional information is needed, all of the above application materials must be received by the Department. Missing

plans and specifications must be submitted through the ePermitting System as a separate engineering submittal. All other missing materials can be sent directly to the CAFO Intake Specialist to be added to your current application (contact information below).

Your operation is currently above the permit threshold of 1,000 animal units and should already be covered under a WPDES permit. If the missing application materials are not received by November 29, 2017, your current application will be dismissed in the online system. Once an application has been dismissed, a new application containing all required materials must be resubmitted through the ePermitting System. Please note the Department may take additional action to obtain a complete permit application. Contact me if you are unable to meet this deadline.

The regional Agricultural Runoff Management Specialist assigned to your operation is Heidi Schmitt Marquez. Please do not hesitate to contact her (phone: (920) 662-5187, e-mail: [Heidi.SchmittMarquez@wisconsin.gov](mailto:Heidi.SchmittMarquez@wisconsin.gov)) or me if you have any question about your application materials. We look forward to working with you throughout the permitting process.

Sincerely,



Clare Freix  
CAFO Intake Specialist  
Bureau of Watershed Management  
Phone: (608) 261-8437  
Email: [Clare.Freix@Wisconsin.gov](mailto:Clare.Freix@Wisconsin.gov)

cc: Heidi Schmitt Marquez, DNR  
Richard Seas, Roach & Associates  
Kevin Beckard, AgSource Laboratories  
Mike Mushinski, County Conservationist



December 4, 2017

Jason Pansier  
Ledgeview Farms LLC  
3870 Dickinson Road  
De Pere, WI 54115

Subject: Incomplete CAFO WPDES Permit Application – Resubmittal Required  
Status: Review on Hold

Dear Jason Pansier:

The application received on October 31, 2017, for issuance of a CAFO WPDES permit (No. WI-0065421-01) to Ledgeview Farms LLC is currently incomplete. Since missing application components were not submitted by the November 29, 2017, deadline provided by the Department, the review of application materials has been placed on hold. The Department will continue the review process once a complete application has been resubmitted through the Department's ePermitting System. The application is incomplete because it is missing the following components:

1. Plans and specifications for additional waste storage in order to meet a minimum of 180 days of storage
2. Updated manure storage calculations showing a minimum of 180 days of storage

**Note:** Plans and specifications for proposed structures/systems must be submitted through the ePermitting System separate from the permit application submittal. Please submit the engineering plan submittal at the time of the complete permit application submittal.

Information to assist you and your consultant in preparing and submitting a complete application is available at: <http://dnr.wi.gov/topic/AgBusiness/CAFO/PermitForms.html>. The following materials will need to be resubmitted through the ePermitting System along with the missing materials listed above:

1. Livestock/Poultry Operation WPDES Permit Application Forms 3400-025, 025B, 025C
2. Animal Unit Calculation Worksheet Form 3400-025A
3. Labeled Aerial Maps
4. Soil Survey Maps
5. EA Questionnaire
6. Manure storage calculations & supporting documentation showing less than 180 days of storage
7. Nutrient Management Plan (NMP)
8. Evaluations of existing structures/systems at the Headquarters Farm and Heifer Farm (see November 15, 2017 incomplete letter from the department for details)

In order to continue processing your application and to conduct a thorough review to determine if additional information is needed, a complete application must be resubmitted through the Department's ePermitting System. You can access and download application materials previously submitted as part of this application from the following webpages provided these materials do not need to be updated:

**Application Material:** <https://permits.dnr.wi.gov/water/SitePages/DocSetView.aspx?DocSet=AG-APP-NE-2017-5-X10-31T15-15-35>



**NMP Materials:** <https://permits.dnr.wi.gov/water/SitePages/DocSetView.aspx?DocSet=AG-NMP-NE-2017-5-X10-31T15-15-35>

**Evaluations & Storage Calculations:**

<https://permits.dnr.wi.gov/water/SitePages/DocSetView.aspx?DocSet=AG-PNS-NE-2017-5-X10-31T15-15-35>

The regional Agricultural Runoff Management Specialist assigned to your operation is Heidi Schmitt Marquez. Please do not hesitate to contact her (phone: (920) 662-5187, e-mail: [Heidi.SchmittMarquez@Wisconsin.gov](mailto:Heidi.SchmittMarquez@Wisconsin.gov)) or me if you have any question about your application materials. We look forward to working with you throughout the permitting process.

Sincerely,



Clare Freix  
CAFO Intake Specialist  
Bureau of Watershed Management

Phone: (608) 261-8437

Email: [Clare.Freix@Wisconsin.gov](mailto:Clare.Freix@Wisconsin.gov)

cc: Heidi Schmitt Marquez  
Richard Seas, Roach & Associates  
Kevin Beckard, AgSource Laboratories  
Mike Mushinski, County Conservationist

**State of Wisconsin**  
**DEPARTMENT OF NATURAL RESOURCES**  
Northeast Region Headquarters  
2984 Shawano Avenue  
Green Bay WI 54313-6727

Scott Walker, Governor  
Daniel L. Meyer, Secretary  
Telephone 608-266-2621  
FAX 920-662-5413  
TTY Access via relay - 711



December 6, 2017

2017- Ledgeview Farms, LLC  
Brown County  
**CERTIFIED MAIL**  
Return Receipt Requested

Jason Pansier  
Ledgeview Farms, LLC  
3870 Dickinson Road  
De Pere, WI 54115

Roy Pansier, Registered Agent  
Ledgeview Farms, LLC  
3870 Dickinson Road  
De Pere, WI 54115

Subject: **Notice of Violation / Enforcement Conference: December 21, 2017**

Dear Mr. Jason Pansier and Mr. Roy Pansier:

The Department of Natural Resources has reason to believe that Ledgeview Farms, LLC (Dairy) is in violation of Wisconsin pollutant discharge elimination laws.

The department alleges the following violation:

1. **Section 283.31(1), Wisconsin Statutes: The discharge of any pollutant into any waters of the state by any person is unlawful unless such discharge or disposal is done under a permit issued by the department under this section or s. 283.33, Wis. Stats.**
  - **Section NR 243.11(3)(a), Wisconsin Administrative Code: Any person owning or operating a large CAFO (Concentrated Animal Feeding Operation) that land applies manure or process wastewater shall have a WPDES (Wisconsin Pollutant Discharge Elimination System) Permit.**
  - **Section NR 243.12(1)(a), Wis. Adm. Code: (After Filing a preliminary application), the owner/operator shall then submit a completed final WPDES permit application at least 180 days prior to the date on which the operation would become a large CAFO.**

The Dairy owns two operations located at 3875 Dickinson Road, De Pere, Brown County, WI (Main Farm) and 3688 Lime Kiln Road, De Pere, Brown County, WI (Heifer Farm). Pursuant to s. NR 243.03(4), Wis. Adm. Code, the department considers the Main Farm and Heifer Farm a single animal feeding operation because the two sites are under common ownership and managed under the same Nutrient Management Plan. The department considers the Dairy a CAFO because in total the Main Farm and Heifer Farm consist of greater than 1,000 animal units.

Department records indicate the Dairy has not submitted a complete WPDES permit application and is not covered under a WPDES permit as required. The attached letter is notification that the review of the incomplete application has been placed on hold. The department will continue its review process once a complete application is resubmitted.



The department has scheduled an Enforcement Conference to discuss this matter:

Conference Date/Time: Thursday, December 21, 2017 at 2:00 PM  
Conference Location: DNR Northeast Region Headquarters – Green Bay  
2984 Shawano Avenue, Green Bay, Wisconsin

In preparation for the meeting, please bring to the Enforcement Conference the following:

1. Demonstration that the Dairy can meet 180-day storage requirements
  - Either plans and specifications for additional waste storage facility construction or
  - Written authorization to utilize off-site waste storage facilities with sufficient volume to provide a minimum of 180 days of storage for the operation.
2. Engineering consultant to discuss engineering related matters

The department requests the Dairy attend the Enforcement Conference as it is an important opportunity to discuss the circumstances surrounding the alleged violation and to learn the Dairy's perspective on this matter. Please note that to encourage a candid and productive conversation, attendance is limited to the Dairy, the Dairy's legal counsel and others with the technical expertise necessary to understand, evaluate and correct the violation. A fact sheet describing the Enforcement Conference is enclosed.

The department's enforcement decision will be based upon available information if the Dairy does not attend the Enforcement Conference.

Please be advised that pursuant to s. 283.91, Wis. Stats, the department may refer the violation alleged above to the Wisconsin Department of Justice to obtain court ordered compliance and penalties of up to \$10,000 per day of violation. It is in the Dairy's best interest to take any necessary action to submit a complete permit application and obtain a WPDES permit.

If the Dairy has any questions or would like to reschedule the Enforcement Conference, please call me at (920) 662-5163.

Sincerely,



Kody C. Hansen  
Environmental Enforcement Specialist

Enclosures: December 4, 2017 Incomplete CAFO WPDES Permit Application Letter  
Enforcement Conference Fact Sheet  
Map

Cc: Heidi Schmitt Marquez, DNR  
Claire Freix, DNR  
Casey Jones, DNR



## **Environmental Enforcement Conference**

An Enforcement Conference (EC) is a meeting between Department of Natural Resources (Department) staff and representatives of a person or business that the Department believes has violated an environmental law. The Department issues a Notice of Violation (NOV) when it has reason to believe that a violation of a permit condition, administrative rule or statutory requirement has occurred. The NOV either offers or schedules an EC.

### **Why Should I Attend?**

The EC is an important opportunity to discuss the Department's basis for the alleged violation(s) and learn more about what happened, why it may have happened, and any factors you believe the Department should consider, such as steps that have been or will be taken to stop the violation, correct any effects of the violation, and prevent violations from occurring in the future. It is also your opportunity to explain why you might disagree with the factual and legal conclusions underlying the NOV.

Historic data shows that most violations are resolved at the EC level, without the need for court ordered compliance and/or penalties. In situations where the significance of the violation warrants further enforcement action, your cooperative efforts to resolve the violation and prevent future violations will help minimize your legal and financial liability.

### **Who Should Attend the EC?**

Department staff involved in the EC typically consists of an Environmental Enforcement Specialist and regulatory staff that are familiar with the issues identified in the NOV.

While not required, you may seek representation by legal counsel or the assistance of an environmental consultant to prepare for and/or attend the EC. The EC is most productive when all involved are well-prepared to discuss the allegations and any corrective actions that may be necessary.

To ensure a productive candid discussion, participation in the EC is limited to the person or business involved and others with the legal or technical expertise necessary to understand, evaluate, mitigate and correct the violation. The EC is not an open meeting under state law and the Department will limit participation to those directly involved in the resolution of the matter.

### **What Happens if I don't Attend the EC?**

If a party is unable to attend the EC, they should immediately contact the Environmental Enforcement Specialist at the phone number in the NOV to reschedule. When a party refuses to attend the EC and provides no further information to the Department, the Department's enforcement decision will be based upon available information.

### **What Happens Following the EC?**

The EC is part of the Department's stepped enforcement process. At the EC, Department staff will explain the process and options available to address the alleged violation. Generally, the options range from closing the matter with no further action to referral to the Wisconsin Department of Justice (DOJ) or to U.S. EPA, for further enforcement action. In limited circumstances, the Department can issue citations, which are handled in local court similar to traffic offenses. If a case is referred to DOJ, the DOJ may initiate an action in court on behalf of the State. The State typically asks the Court to impose financial penalties and order completion of any necessary corrective actions. In most of the Department's cases, a cooperative return to compliance with any necessary restoration results in close out of the case. At close out, the Department will send a letter advising of no further enforcement action.

**DIRECTIONS TO GREEN BAY DNR HEADQUARTERS**  
**2984 SHAWANO AVENUE, GREEN BAY, WI 54313**

**Coming from the South**

Taking Highway 41 North

Take **Exit 168C** - Shawano Avenue; take a left at the first roundabout onto Shawano Avenue (heading toward HWY 29 West); go straight through the 2<sup>nd</sup> and 3<sup>rd</sup> roundabouts; at the 4<sup>th</sup> roundabout take a right onto Cardinal Lane. Keep going straight through the next roundabout and remain on Cardinal Lane. At the first stoplight take a left onto Riverview Drive. At the next stoplight take a right onto Shawano Avenue. The DNR office will be on your right hand side.

**Coming from the North**

Taking Highway 41 South

Take **Exit 168C** - Shawano Avenue. Use the middle lane to keep left at the fork. Take a slight right towards Shawano Ave. Continue on Shawano Ave through the first traffic circle. At the 2<sup>nd</sup> traffic circle take a right onto N. Packerland Drive. At the next traffic circle take a right onto Riverdale Drive. Continue straight through the traffic lights and the DNR office will be on your right hand side.

**Coming from the West**

Taking Highway 29 East

Exit at FF and take a left at the roundabout onto Sherwood Street (FF). At the next roundabout take a right onto County Road C. At the stop sign, take a right onto Shawano Avenue. The DNR building will be on your left hand side.

**Coming from the East**

Coming in on Hwy 29 West – Shawano Avenue

Follow the directions given above coming from the south.





**State of Wisconsin**  
**DEPARTMENT OF NATURAL RESOURCES**  
PO Box 7185  
101 S. Webster St.  
Madison WI 53707-7185

Scott Walker, Governor  
Daniel L. Meyer, Secretary  
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TTY Access via relay - 711



December 14, 2017

File Ref: R-2017-0226

Jason Pansier  
Ledgeview Farms LLC  
3870 Dickinson Rd  
De Pere, WI 54115

Subject: Acknowledgment of Receipt

The Office of Business Support and External Services of the Wisconsin Department of Natural Resources (the Department) received a plan submittal on behalf of Ledgeview Farms LLC by Richard Seas, Roach & Associated, LLC on December 6, 2017 for waste storage facility and leachate management system (waste storage, detention basin and transfer pipe), to be reviewed by the Department in accordance with s. 281.41 Wis Stats. A preliminary review to assess whether or not the submitted plans and specifications are complete is pending.

In accordance with s. NR 243.15(1)(a) and s. NR 108.03(1), an owner or operator may not commence or cause to be commenced, construction of a proposed reviewable facility or system until plans and specifications have been approved by the department in writing. Also, s. NR 108.04(5) states, "The department may not approve plans and specifications for any project for which construction has commenced. The department may review the plans and specifications and require changes to components which may adversely affect public health, the operation of the proposed or existing facility and the determination of permit compliance. This review does not prohibit the department from taking enforcement action under s. NR 108.03."

If the submitted plans and specifications are deemed complete, then the 90 day start date will be based on the date the submittal was deemed substantially complete. If the submittal is not complete then the review process will be terminated and the submittal will have to be resubmitted, in its entirety, at a later date.

Please contact Clare Freix (contact information below) should you have any questions.

Sincerely,

Clare Freix  
Bureau of Watershed Management

EC: Richard Seas; Engineer  
Roach & Associated, LLC  
(920) 833-6340; richard@jmroach.com

Heidi Schmitt Marquez  
DNR, Northeast Region  
(920) 662-5187;

Mike Mushinski; County Conservationist  
Brown County  
(920) 391-4621; mushinski\_ML@co.brown.wi.us

Clare Freix  
DNR, Central Office  
(608) 261-8437; Clare.Freix@wisconsin.gov

Matt Woodrow, P.E.  
DATCP  
(920) 427-8505; matthew.woodrow@wisconsin.gov





January 3, 2018

Jason Pansier, Authorized Representative  
Ledgeview Farms, LLC  
3870 Dickinson Road  
De Pere, WI 54115

2017- Ledgeview Farms, LLC  
Brown County

Subject: **Enforcement Conference Summary Letter**

Dear Mr. Pansier:

The Department of Natural Resources would like to thank the representatives of Ledgeview Farms, LLC (Dairy) for meeting with the department on December 19, 2017 to discuss the violation alleged in the December 5, 2017 Notice of Violation (NOV). This letter serves as a summary of the Enforcement Conference and attached is a list of the individuals that attended.

**The Dairy provided a background of the farming operation.** The Dairy started as a family farm in the 1930's. In 1983 Mr. Pansier's Dad and Uncle took ownership of the farm after a death in the family, and Mr. Pansier became part owner on or around 2001. The Dairy has approximately 10 non-family employees and consists of two locations, the Upper and Lower sites.

The Upper Site is managed by Mr. Pansier of the Dairy and consists of dry cows, milking cows and calves up to five months old. Manure is stored in one waste storage facility (WSF) onsite and its contents are hauled by the Dairy to be land applied on its fields per its Nutrient Management Plan (NMP). A custom hauler may be used, but the Dairy is the primary manure applicator. The Dairy produces animal feed by way of its own cropped fields. The feed is mixed at the Lower Site and brought to the Upper Site to feed the animals.

The Lower Site is managed by Mr. Pansier of the Dairy as well and consists of steers and heifers. Manure produced at the Lower Site consists of bedpack solids that is removed daily for land application, and manure generated by the heifer concrete lot that is discharged into a small concrete WSF adjacent to the lot. Manure is land applied under the same NMP as the Upper Site.

**The Dairy described the circumstances that gave rise to the NOV.** The Dairy has been working with the Environmental Protection Agency for several years. The plan has been to get the Upper Site into compliance and then work on the Lower Site. The Dairy agrees that it is over 1,000 animal units and is trying to do what is necessary to obtain a permit. However, it has become increasingly difficult because the Dairy does not have 180-days of storage. The WSF at the Upper Site has allowed for the Dairy to operate efficiently. The plan has been to construct a WSF at the Lower Site to reduce manure hauling frequencies and comply with the rules that regulate Concentrated Animal Feeding Operation.

The Dairy has submitted a complete application to receive a Wisconsin Pollutant Discharge Elimination System (WPDES) permit from the state and is aware that it will be unable to receive the required WPDES permit unless it has 180-days of waste storage. However, the department must be aware that the Dairy is concerned that the town of Ledgeview (Town) will not allow the Dairy to construct a new WSF due to the Town's Ordinances (Ordinance No. 2017-08).



**The department responded to the Dairy's questions and statements.** The department received application materials but engineering evaluations were not included in the submittal. The department expects to receive the evaluations that would in turn make the WPDES permit application complete. Once the application is deemed complete, the department will review the information and respond to the Dairy with the next steps to obtain a WPDES permit. The department is concerned that the Dairy does not have 180 days of storage. Please consider contracting with nearby farms to be able to use their WSFs to meet the 180-days of waste storage requirement. The department understands that these contracts would be for the interim until the Dairy constructs a new WSF at the Lower Site.

The department cannot comment on the process between the Dairy and the Town. State law requires the Dairy to have a WPDES permit due to the size and operation of the Dairy. Please continue to work with the Town and the necessary processes to meet the 180-days of storage requirement.

**The Dairy and department discussed enforcement and a plan moving forward.** The department will contact Roach and Associates to discuss Lower and Upper Site feed storage area runoff controls. The Dairy agreed to assess the possibility of contracting with nearby farms to obtain 180 days of storage as an interim measure to obtain the required permit.

The department advised the Dairy that an enforcement decision, which may include a referral to the Department of Justice, has not been made. The department considers all available information including cooperation, timeliness, and the actions the Dairy takes to return to compliance. It is in the Dairy's best interest to obtain the required permit as efficiently as possible to limit potential liability.

**Please submit to me, to the address listed in this letterhead within two weeks from the date of this letter, a signed letter including the following:**

- 1. The actions taken in the attempt to meet the 180-days of waste storage requirement. This may include contracts with local farmers and/or the actions taken to build a new WSF.**
- 2. A commitment to obtain the required WPDES permit.**

The department would like to thank the representatives of the Dairy for attending the Enforcement Conference. If there are any questions or concerns, please call me, Kody Hansen, at (920) 662-5163.

Sincerely,



Kody C. Hansen  
Environmental Enforcement Specialist

Enclosures: Enforcement Conference Sign-In Sheet

Cc: Heidi Schmitt Marquez, DNR  
Casey Jones, DNR  
Rick Stoll, DNR

Ledgeview Farms, LLC  
DNR – Northeast Region Headquarters  
2984 Shawano Avenue, Green Bay, Wisconsin  
December 18, 2017 at 2:00p

(920) 662-5163

Jason Pansier

920 655-3875

State of Wisconsin  
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January 4, 2018

Jason Pansier  
Ledgeview Farms LLC  
3870 Dickinson Road  
De Pere, WI 54115

SUBJECT: CAFO WPDES Permit Application - Acknowledgment of Receipt  
WPDES Permit No. WI-0065421-01

Dear Jason Pansier:

The Department received your final application for a CAFO WPDES permit for Ledgeview Farms LLC on December 15, 2017. The application is complete for review and now includes the following components:

1. Livestock/Poultry Operation WPDES Permit Application Forms 3400-025, 025B, 025C
2. Animal Unit Calculation Worksheet Form 3400-025A
3. Labeled Aerial Maps
4. Soil Survey Maps
5. EA Questionnaire
6. 180 Day Manure Storage Calculations & Supporting Documentation
7. Nutrient Management Plan (NMP)
8. Plans and Specifications for an Additional Waste Storage Facility
9. Evaluations for the Following Existing Facilities:
  - a. Main Farm:
    - i. Waste storage facility built in 2015 (4-5 million gallons)
    - ii. Pit 1; waste storage facility built in 1995 (490,000 gallons)
    - iii. Pit 2; waste storage facility built in 1999 (504,000 gallons)
    - iv. Solid waste stacking area
    - v. Manure transfer system (piping & reception tanks) for all barns
    - vi. Feed storage area
    - vii. Feed storage area runoff controls
    - viii. Runoff controls for all feedlots (heifer barn & cow barns)
  - b. Heifer Farm:
    - i. Waste storage facility for heifer barns
    - ii. Solid waste stacking area
    - iii. Feed storage area
    - iv. Feed storage area runoff controls

I have distributed your application components to the appropriate DNR technical reviewers. As the review process continues, additional materials may be requested.

Your regional Agricultural Runoff Management Specialist is Heidi Schmitt Marquez. Heidi can be contacted at (920) 662-5187 or by e-mail to [Heidi.SchmittMarquez@wisconsin.gov](mailto:Heidi.SchmittMarquez@wisconsin.gov). You should now work with her to continue processing your permit application.

Thank you for submitting a final permit application. Please do not hesitate to contact Heidi Schmitt Marquez or me if you have any questions about your application materials.

Sincerely,

A handwritten signature in cursive script, appearing to read "Clare Freix".

Clare Freix  
CAFO Intake Specialist  
Bureau of Watershed Management  
Phone: (608) 261-8437  
Email: [Clare.Freix@Wisconsin.gov](mailto:Clare.Freix@Wisconsin.gov)

cc: Heidi Schmitt Marquez, DNR  
Richard Seas, Roach & Associates  
Kevin Beckard, AgSource Laboratories  
Mike Mushinski, County Conservationist



**State of Wisconsin**  
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January 5, 2018

FILE REF: R-2017-0226  
WPDES Permit #: WI-0065421

Jason Pansier  
Ledgeview Farms LLC  
3870 Dickinson Road  
De Pere, WI 54115

Subject: Completeness determination for a waste storage facility and leachate management system at Ledgeview Farms LLC in Brown County

Dear Mr. Pansier:

The Office of Business Support and External Services of the Wisconsin Department of Natural Resources (DNR) received a plan submittal on behalf of Ledgeview Farms LLC by Richard Seas, Roach & Associates LLC on December 6, 2017 for a waste storage facility and leachate management system to be reviewed by the Department in accordance with s. 281.41, Wis. Stats., and ch. NR 243, Wis. Adm. Code. A completeness review was conducted to determine if the submittal is complete. The submitted plans and specifications have been deemed complete. The complete date is set at December 6, 2017 and the 90-day due date is March 6, 2018.

In accordance with s. NR 243.15(1)(a) and NR 108.03(1), an owner or operator may not commence or cause to be commenced, construction of a proposed reviewable facility or system until plans and specifications have been approved by the department in writing. Also, s NR 108.04(5) states, "The department may not approve plans and specifications for any project for which construction has commenced. The department may review the plans and specifications and require changes to components which may adversely affect public health, the operation of the proposed or existing facility and the determination of permit compliance. This review does not prohibit the department from taking enforcement action under s. NR 108.03."

Please contact Jeff Kreider (contact information below) should you have any question.

Sincerely,

Clare Freix  
CAFO Intake Specialist  
Bureau of Watershed Management

Email: Richard Seas  
Roach & Associates LLC  
(920) 833-6340; richard@jmroach.com

Mike Mushinski  
Brown County Conservationist  
(920) 391-4621; mushinski\_ML@co.brown.wi.us

Matt Woodrow, P.E.  
DATCP  
(920) 427-8505; matthew.woodrow@wisconsin.gov

Heidi Schmitt Marquez, CAFO Specialist  
DNR, Green Bay  
(920) 662-5187;  
Heidi.SchmittMarquez@wisconsin.gov  
Jeff Kreider  
DNR, Central Office  
(608) 266-0856; jeff.kreider@wisconsin.gov



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February 1, 2018

FILE REF: R-2017-0237  
WPDES Permit #: WI-0065421

Jason Pansier  
Ledgview Farms, LLC  
3870 Dickinson Rd.  
De Pere, WI 54115

Subject: **Compliant Evaluation Review** for Ledgview Farms, LLC, (Headquarters and Heifer Sites), Sec 33, T23N, R21E, Ledgview Township, Brown County – **NO ADDITIONAL ACTION REQUIRED**

Dear Mr. Pansier:

The Division of External Services of the Wisconsin Department of Natural Resources (the Department) received an evaluation submitted on behalf of Ledgview Farms, LLC by Richard Seas, P.E., Roach & Associates, LLC on December 15, 2017. The evaluation was submitted because of a permit issuance. Richard Seas, P.E. evaluated the facilities listed below based on ch. NR 243, Wis. Adm. Code and applicable NRCS standards with date. The NRCS standard and date is what Richard Seas, P.E. used when conducting his evaluation of each reviewable facility listed below. The Department's review is to concur or not concur with the content of the evaluation with respect to being in compliance with s. NR 243.15, Wis. Adm. Code. Department review was performed in accordance with s. 243.16, Wis. Adm. Code, and applicable NRCS standards.

The facilities and systems listed below were found to be compliant with ch. NR 243, Wis. Adm. Code, and applicable NRCS Standards. No additional actions on your part are required concerning the evaluation of the facilities listed below. Should you have any questions, contact Jeff Kreider, DNR Madison office (contact information below).

**Headquarters Farm Transfer System:** The transfer system was evaluated with respect to NRCS Standard 634 (1/14). The Department concurs that the system is in compliance with s. NR 243.15(4), Wis. Adm. Code. The system is made up of a channel and 2-cell pump station. The channel is 20 inches deep x ~24 inches wide and spans the width of barn L1. At the north end of the channel is a 2-cell (wet/dry) tank that receives the liquid manure. The wet cell is 10 ft x 12 ft x 8.5 ft deep and the dry cell is 16 ft x 12 ft x 8.5 ft deep. Transfer pipes are used to transfer liquid manure from the wet cell and milking parlor to waste storage pond #1.

**Heifer Farm Transfer Tank:** The transfer tank was evaluated with respect to NRCS Standard 634 (1/14). The Department concurs that the tank is in compliance with s. NR 243.15(4), Wis. Adm. Code. The tank is located at the animal lot and is 20 ft x 24.8 ft x 7.5 ft deep.

STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES

Jeff C. Kreider  
Water Resources Engineer  
Bureau of Watershed Management

Email: Richard Seas, P.E.  
Roach & Associated, LLC  
(920) 833-6340; richard@jmroach.com

Mike Mushinski; County Conservationist  
Brown County  
(920) 391-4621; Mushinski\_ML@co.brown.wi.us

Heidi Schmitt Marquez; DNR CAFO Specialist  
DNR, Northeast Region  
(920) 662-5187; Heidi.SchmittMarquez@Wisconsin.gov

Jeff Kreider  
DNR, Central Office  
(608) 266-0856; jeff.kreider@wisconsin.gov





February 1, 2018

FILE REF: R-2017-0237i  
WPDES Permit #: WI-0065421

Jason Pansier  
Ledgeview Farms, LLC  
3870 Dickinson Rd.  
De Pere, WI 54115

Subject: **Noncompliant Evaluation Review** for Ledgeview Farms, LLC, (Headquarters and Heifer Sites),  
Sec 33, T23N, R21E, Ledgeview Township, Brown County – **MORE INFORMATION IS REQUIRED**

Dear Mr. Pansier:

The Division of External Services of the Wisconsin Department of Natural Resources (the Department) received an evaluation submitted on behalf of Ledgeview Farms, LLC by Richard Seas, P.E., Roach & Associates, LLC on December 15, 2017. The evaluation was submitted because of a permit issuance. Richard Seas, P.E. evaluated the facilities listed below based on the ch. NR 243, Wis. Adm. Code and applicable NRCS standards with date. The Department's review is to concur or not concur with the content of the evaluation. Department review was performed to determine if compliance is demonstrated in accordance with s. 243.16, Wis. Adm. Code, and applicable NRCS standards.

**Headquarters Farm Waste Storage Facility #1:** Does not demonstrate compliance with s. NR 243.15(3), Wis. Adm. Code. Plans and specifications were submitted to the Department, but were withdrawn due to insufficiencies in addressing secondary containment and lack of failure analysis. The waste storage facility was constructed in 2016 without prior approval and without addressing secondary containment. It was constructed as a combination liner where the lower portion (bottom up to ~3 vertical feet) is concrete and the upper portion is an earthen liner. The MOL volume is 4,460,399 gallons and has a bottom elevation of 803.2 ft (USGS datum). It's located at the north end of the production area.

- Due to the waste storage pond's location, liner type's upper portion being earthen and proximity to subdivisions of private properties the Department, in accordance with s. NR 243.16(3), requires additional practices to be implemented.
  - A concrete emergency overflow swale shall be constructed to reduce the effects of erosion due to over-topping. The bottom of the emergency overflow swale shall then be considered the top elevation used in calculating the MOL elevation and MOL volume.
  - An emergency overflow plan shall be incorporated into the Operation and Maintenance plan should an overflow occur. The plan should address how the overflow will be stopped and or directed to minimize the impact to private property owners that are "downstream" from the waste storage facility.
  - A failure analysis of the existing structure needs to be conducted and submitted to the Department.
- David Wetenkamp of Brown County LWCD wrote a failure analysis that is dated July 29, 2015. The analysis states that several issues were to be addressed when the facility was to be constructed, however based on the documentation submitted within the evaluation, none of the issues were constructed.

**Heifer Farm Feed Storage Area:** Does not demonstrate compliance with s. NR 243.15(9), Wis. Adm. Code. The feed storage area is a 90,000 ft<sup>2</sup> earthen liner.

- The evaluation states that there is no containment and did not provide a flow path that demonstrates where the runoff flows to.

**Headquarters Farm Animal Lot:** Does not demonstrate compliance with s. NR 243.15(2), Wis. Adm. Code. The animal lot is located on the east side of barn L5 and is about 6,000 ft<sup>2</sup>.

- The evaluation stated that the animal lot has no containment for manure laden runoff.

- The evaluation did not provide a flow path that demonstrates where the runoff flows to.

**Headquarters and Heifer Farm Production Area Runoff Controls:** Does not demonstrate compliance with s. NR 243.15(2) and (9), Wis. Adm. Code.

- It must be determined whether the production area runoff control system allows pollutant discharges to navigable water. This can be done either by assessing whether the runoff reaches navigable waters (including during extreme rain events) or whether the runoff management system is able to contain runoff from the animal lot up to the 25-year / 24-hour runoff event. This system must also be protective of groundwater quality.

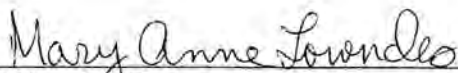
**Days of Available Storage:** Does not demonstrate compliance with s. NR 243.15(3)(i) to (k), Wis. Adm. Code. The number of days of storage that was stated within the evaluation was 291. This is based on the following information, however the numbers provided are inconsistent with those numbers that were provided within the documentation. Some values listed below had no documentation that explained how the number was determined.

Total MOL storage volume	19,775,680 gallons
Manure and bedding	14,070,495 gallons
Parlor wastewater	1,277,500 gallons
Feed leachate and runoff	2,367,738 gallons
Net precipitation	3,462,583 gallons
Steer waste	2,859,484 gallons

- Provide tables and/or spreadsheets that include storage volume calculations, storage volumes and all inputs to the waste storage pond(s) and other supporting documentation. Ensure that the provided calculations include up to a 25-year / 24-hour storm event and that storage volumes are based on the maximum operating level (MOL).

Because the reviewable facilities listed above could not demonstrate compliance, the reviewable facilities are not in compliance with s. NR 243.15, Wis. Adm. Code. A response letter must be submitted by March 1, 2018 to Jeff Kreider and the DNR CAFO specialist. The revised evaluation must address the items listed above. Please understand, the items listed above may not be an all-inclusive list, and it is your responsibility to demonstrate compliance with ch. NR 243, Wis. Adm. Code, and applicable NRCS Standards. Questions concerning the review may be directed to Jeff Kreider, and questions concerning timelines and permit issues may be directed to the DNR CAFO Specialist. (Contact information at the end of this letter.)

STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES



Mary Anne Lowndes  
Chief, Runoff Management Section  
Bureau of Watershed Management



Jeff C. Kreider  
Water Resources Engineer  
Bureau of Watershed Management

Email: Richard Seas, P.E.  
Roach & Associated, LLC  
(920) 833-6340; richard@jmroach.com

Mike Mushinski; County Conservationist  
Brown County  
(920) 391-4621; Mushinski\_ML@co.brown.wi.us

Heidi Schmitt Marquez; DNR CAFO Specialist  
DNR, Northeast Region  
(920) 662-5187; Heidi.SchmittMarquez@Wisconsin.gov

Jeff Kreider  
DNR, Central Office  
(608) 266-0856; jeff.kreider@wisconsin.gov



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February 1, 2018

FILE REF: R-2017-0237p  
WPDES Permit #: WI-0065421

Jason Pansier  
Ledgeview Farms, LLC  
3870 Dickinson Rd.  
De Pere, WI 54115

Subject: **Noncompliant Evaluation Review** for Ledgeview Farms, LLC, (Headquarters and Heifer Sites), Sec 33, T23N, R21E, Ledgeview Township, Brown County – PLANS AND SPECIFICATIONS ARE REQUIRED

Dear Mr. Pansier:

The Division of External Services of the Wisconsin Department of Natural Resources (the Department) received an evaluation submitted on behalf of Ledgeview Farms, LLC by Richard Seas, P.E., Roach & Associates, LLC on December 15, 2017. The evaluation was submitted because of a permit issuance. Richard Seas, P.E. evaluated the facilities listed below based on the ch. NR 243, Wis. Adm. Code and applicable NRCS standards with date. The Department's review is to concur or not concur with the content of the evaluation. Department review was performed to determine if compliance is demonstrated in accordance with s. 243.16, Wis. Adm. Code, and applicable NRCS standards.

**Headquarters Feed Storage Bunker:** Does not demonstrate compliance with s. NR 243.15(9), Wis. Adm. Code. The bunker is an 8,700 ft<sup>2</sup> earthen lined bunker. The evaluation states that there are no runoff controls and that runoff flows into the "surface water drainage system". The drainage system naturally flows to the wetland and an unnamed stream that are located about 115 and 190 feet to the west respectively. The stream flows into Bower Creek, a navigable water.

- **Submit plans and specifications to construct feed storage area runoff controls in accordance with s. NR 243.15(2), Wis. Adm. Code.**

**Abandonments:** The evaluation stated that the facilities listed below need to be abandoned due to structural defects or the cost for maintenance activities. Should a facility be repurposed, an abandonment plan is still required, however an evaluation shall also be submitted to the Department to demonstrate that the facility will be in compliance with its new use.

- **Headquarters Farm Pit #1 and Pit #2:** Submit plans and specifications for the abandonment plan in accordance with s. NR 243.17(7), Wis. Adm. Code.
- **Headquarters Farm Solids Stacking Area:** Submit plans and specifications for the abandonment plan in accordance with s. NR 243.17(7), Wis. Adm. Code. This area is located east of barns L5 and L6.
- **Heifer Farm Stacking Area:** Submit plans and specifications for the abandonment plan in accordance with s. NR 243.17(7), Wis. Adm. Code. This area is located east of barns L1.

Plans and specifications must be submitted according to the due dates within the Schedules section of the WPDES permit or due date listed in an enforcement notice via the DNR's e-Permitting system at <http://dnr.wi.gov/permits/water/>. Questions concerning the review may be directed to Jeff Kreider, and questions concerning timelines and permit issues may be directed to the DNR CAFO Specialist. (Contact information at the end of this letter.)

STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES

Mary Anne Lowndes  
Chief, Runoff Management Section  
Bureau of Watershed Management

Jeff C. Kreider  
Water Resources Engineer  
Bureau of Watershed Management



Email: Richard Seas, P.E.  
Roach & Associated, LLC  
(920) 833-6340; richard@jmroach.com

Mike Mushinski; County Conservationist  
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(920) 391-4621; Mushinski\_ML@co.brown.wi.us

Heidi Schmitt Marquez; DNR CAFO Specialist  
DNR, Northeast Region  
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Jeff Kreider  
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**March 2, 2018**

Jason Pansier, Authorized Representative  
Ledgeview Farms, LLC  
3870 Dickinson Road  
De Pere, WI 54115

2017-NEEE-Ledgeview Farms, LLC  
Brown County

Subject: **Meeting Scheduled – March 6, 2018**

Dear Mr. Pansier:

On February 1, 2018, the Department of Natural Resources responded in writing to several engineering related matters regarding Ledgeview Farms, LLC (Dairy). The department would like to schedule a meeting with Dairy representatives to discuss progress towards compliance in response to the December 5, 2017 Notice of Violation (NOV) and the Dairy's response considering the following letters:

1. Compliant Evaluation: Headquarters Farm Transfer System and Heifer Farm Transfer Tank.
2. Noncompliant Evaluation: Headquarters Farm Waste Storage Facility, Heifer Farm Feed Storage Area, Headquarters Farm Animal Lot, production area runoff controls, and days of storage.
3. Noncompliant Evaluation: Headquarters Feed Storage Bunker and several facility abandonments.

**Please be advised the following meeting has been scheduled:**

**Date:** March 6, 2018  
**Time:** 11:00 AM  
**Location:** Ledgeview Farms, LLC – Milk Parlor  
3870 Dickinson Road, De Pere, Wisconsin

If the Dairy would like to reschedule the meeting, please call me, Kody Hansen, at (920) 662-5163.

Sincerely,

Kody C. Hansen  
Environmental Enforcement Specialist

Cc: Heidi Schmitt Marquez, DNR

## CASE ACTIVITY REPORT

Form 4100- 182

9- 99

State of Wisconsin  
Department of Natural Resources

Case Number	Case Title
2017-NEEE-Ledgeview Farms, LLC	Ledgeview Farms, LLC
Activity	Date of Activity
Navigability Determination	March 13, 2018

On March 13, 2018 Department of Natural Resource Waterway and Wetland Specialist Crystal von Holdt conducted a navigability determination on five waterways located according to the following:

Waterway 1: T23N R21E S19 SWSW  
 Waterway 2: T23N R21E S19 SESW  
 Waterway 3: T23N R21E S20 NESW  
 Waterway 4: T23N R21E S28 SENW  
 Waterway 5: T23N R21E S29 NE ¼

A review was conducted using United States Geological Survey maps, Surface water data viewer maps, inspection reports, and other available information.

**Review Summary:****Waterway 1:**

- a. Documented by DNR staff as navigable in 2003 and again in 2004
- b. See Enclosure 1, Navigability Surface Water Data Viewer - Sites 1 and 3

**Waterway 2:**

- a. See history on Bordner Survey found at <http://digicoll.library.wisc.edu/WebZ/FETCH?sessionid=01-42965-388947680:recno=1:resultset=1:format=F:next=html/nffull.html:bad=error/badfet.html&entityimageSize=1>
  - This map is presumed to be from 1939
  - Section 19 is covered up by lots....this stream is near/on Lot 26
  - Mapped as stream so this is considered stream history.
    - The presence of stream history is when the state has Ch 30 authority for activities specifically relating to agriculture. If it's a non-ag activity, then navigability is not limited to only sections of waterway with mapped history.

**Waterway 3:**

- a. Documented by DNR staff as navigable in 2005
- b. Current pending Ch 30 permit application for streambank stabilization project (site visit in 2017 re-confirmed navigability)
- c. See Enclosure 1

**Waterway 4:**

- a. See Enclosure 2, "PLS\_Sec 28 and 29"
- b. There is a mapped waterway line coming into the NW ¼. It is not drawn to reach into the SENW but also surveyors only walked Section lines (didn't walk internal to sections) so these internal lines are often based on their based professional judgement. It's likely this line on the PLS map is the waterway in SENW. This is considered stream history so is considered navigable with Ch 30 authority.

**Waterway 5:**

- a. See Enclosure 2
- c. There is a mapped waterway line coming into the NE ¼. This is considered stream history so is considered navigable with Ch 30 authority.

**Additional Information:**

- a. I have also been on site in this area (southern end) for permitting and enforcement purposes and can verify that the waterway crossing the southern end of Meadow Sound Drive is navigable

**Determination:**

Based on the information provided above, the department has determined that all five waterways described above are navigable waterways as defined in s. 30.01(4m), Wisconsin Statutes.

**Enclosed:**

- 1. Aerial Map with Waterway Locations and Numbers
- 2. PLS Sec 28 and 29
- 3. Navigability Surface Water Data Viewer - Sites 1 and 3

Specialist Reporting	Date of Report	Exhibit Reference
Crystal vonHoldt	March 13, 2018	





## Sites 1-5 overview



- Legend**
- ☐ Township
  - ☐ Section
  - ☐ Quarter-Quarter
  - ☐ County Boundary
  - Cities, Towns & Villages
    - ☐ City
    - ☐ Village
    - ☐ Civil Town
  - Municipality
    - ☐ State Boundaries
    - ☐ County Boundaries
  - Major Roads
    - ☐ Interstate Highway
    - ☐ State Highway
    - ☐ US Highway
  - County and Local Roads
    - ☐ County HWY
    - ☐ Local Road
  - Railroads
  - Tribal Lands
  - Rivers and Streams
  - Intermittent Streams
  - Lakes and Open water
  - ☐ Index to EN\_Image\_Basemap\_Leaf\_Off

0.8 0 0.38 0.8 Miles

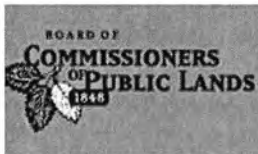
NAD\_1983\_HARN\_Wisconsin\_TM

1: 23,760

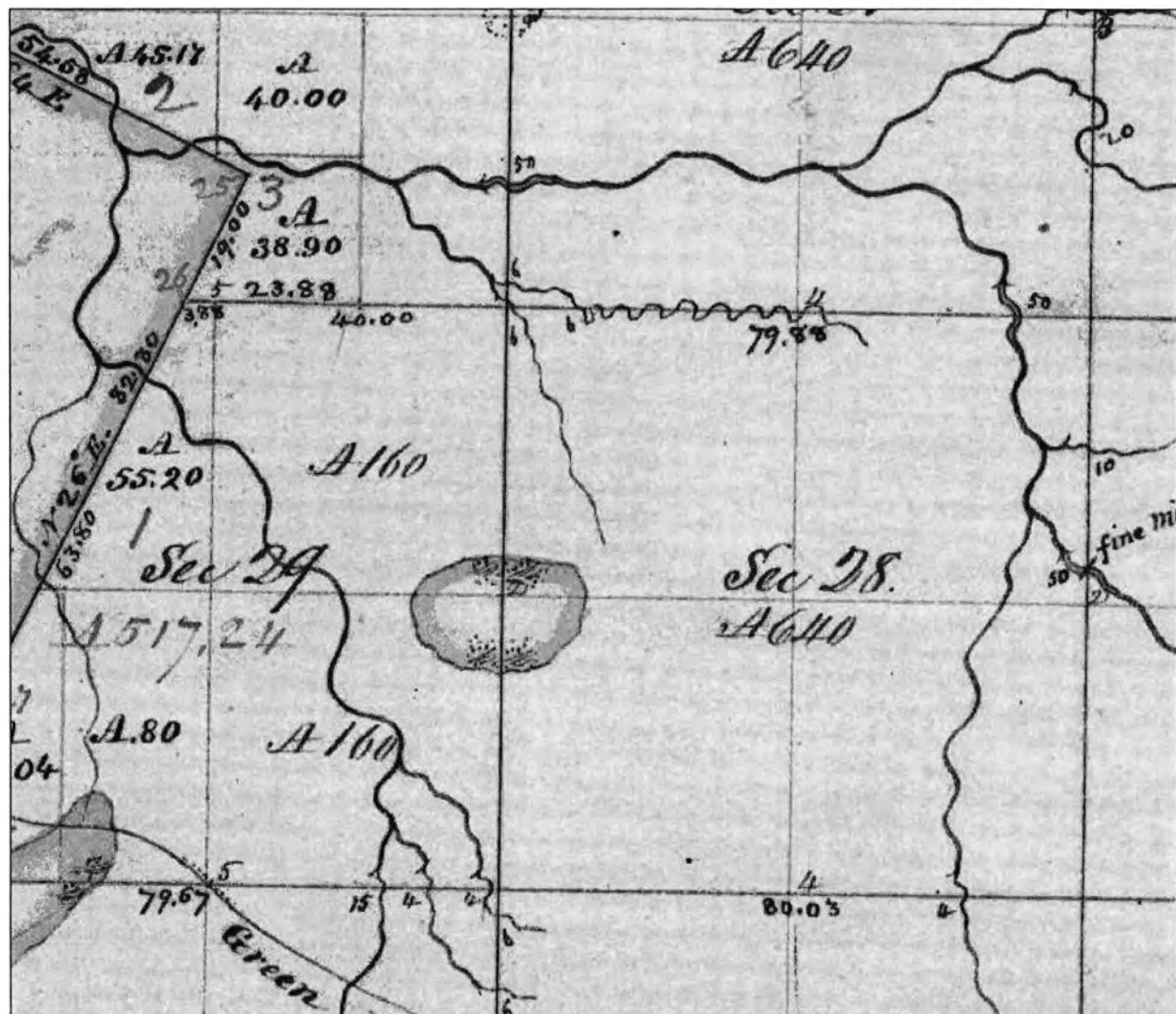
DISCLAIMER: The information shown on these maps has been obtained from various sources, and are of varying age, reliability and resolution. These maps are not intended to be used for navigation, nor are these maps an authoritative source of information about legal land ownership or public access. No warranty, expressed or implied, is made regarding accuracy, applicability for a particular use, completeness, or legality of the information depicted on this map. For more information, see the DNR Legal Notices web page: <http://dnr.wi.gov/legal/>

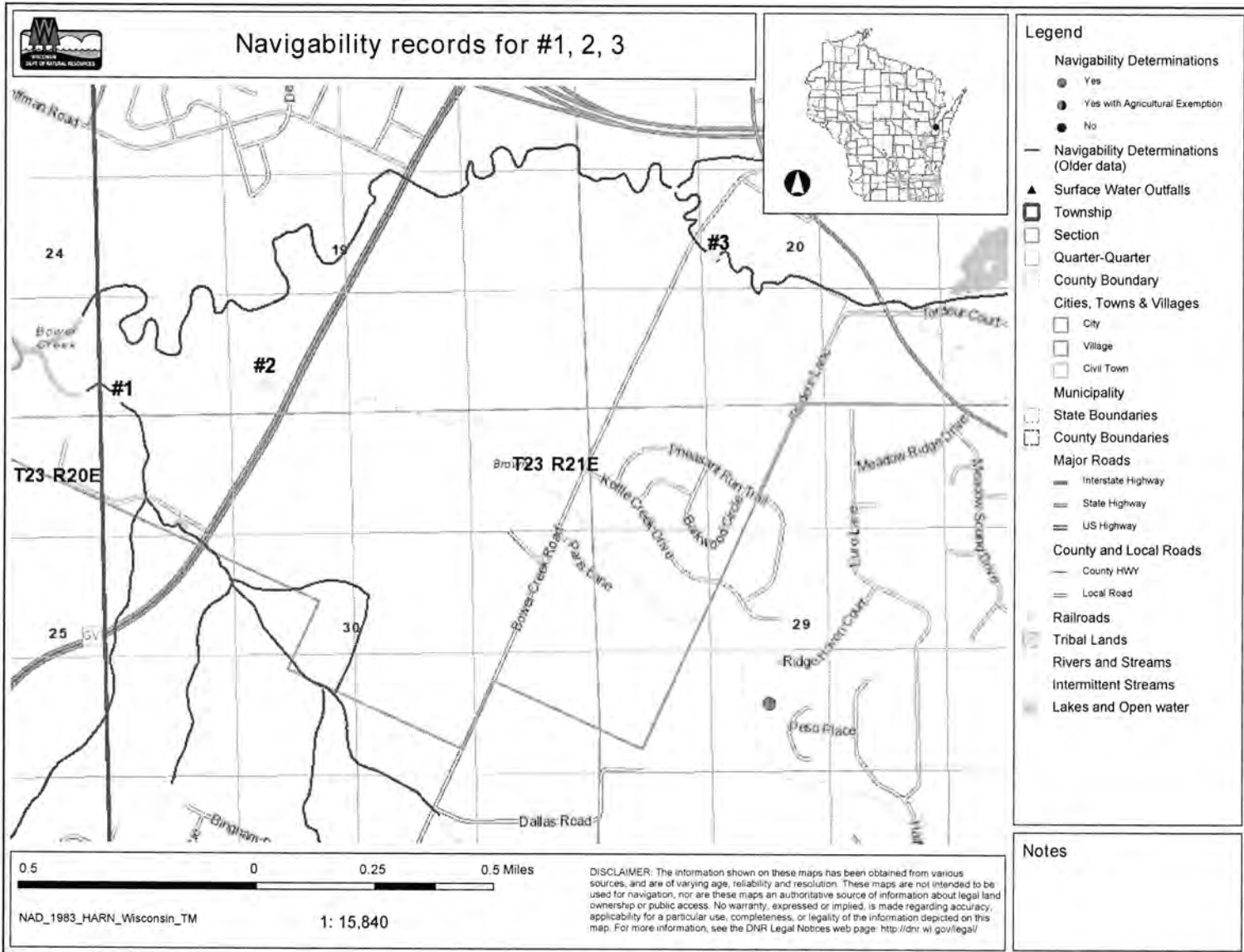
### Notes





Plat Map for T23N R21E (original)







March 13, 2018

Brown County

Jason Pansier  
Ledgeview Farms LLC  
3870 Dickinson Rd  
De Pere, WI 54115

**SUBJECT: Land Application Inspection Report – Action Required**

Dear Mr. Pansier:

The Department of Natural Resources (Department) received a complaint on January 11, 2018, regarding land application of manure on fields operated by Ledgeview Farms LLC (Ledgeview) in the Town of Ledgeview. The fields were identified as 11L-East and 11J1&2, and are located between Silver Lane and Copper Lane, east of County Road V/Lime Kiln Rd (S28, T23N, R21E, Town of Ledgeview, Brown County). Department staff conducted an unannounced land application site inspection of these fields on January 11, 2018. The land application site inspection checklist and photos are included with this letter.

The Department documented the following items during the inspection:

- Ledgeview maintained minimum setbacks of 100 feet to private wells.
- Ledgeview applied manure such that ponding did not occur.
  - Solid manure was applied.
  - Some areas had larger piles of solid manure indicating an inconsistent application rate.
    - Uniform application rates are important for preventing waste runoff.
- Ledgeview applied manure so that it did not leave the application site.
  - Runoff from rapid snowmelt was occurring in high volume at the time of the inspection, and certain areas of the field should be closely monitored to ensure that manure does not leave the field during future spring melt conditions.
    - See the map enclosed with this letter.
  - Although it had not yet discharged offsite at the time of the inspection, manure applied in the concentrated flow channels appeared to have begun migrating slightly from its intended application location due to the high flow rate of snowmelt runoff.
- Ledgeview applied manure in concentrated flow channels/grassed waterways.
- The restriction map for the fields did not identify concentrated flow channels/grassed waterways.
  - As a routine part of the winter spreading permit provided by the Brown County Land and Water Conservation Department, Brown County LWCD staff provided winter spreading maps for all Ledgeview fields that identified concentrated flow channels/grassed waterways for avoidance.

To comply with nutrient management requirements, please submit the following by April 30, 2018, either to the address listed in the letterhead or by email:



- Revised restriction map for fields 11L1, 11L-East, and 11J1&2 to include all concentrated flow channels/grassed waterways, and any applicable setbacks.
- Written description stating how all fields included in the NMP will be reviewed/revised to include concentrated flow channels/grassed waterways and applicable setbacks.
  - Include a timeframe for revision of restriction maps for all fields to include concentrated flow channels/grassed waterways.
- Monitor the areas identified on the map included with this letter to ensure that manure does not leave the field boundary in these areas.
  - The field should be closely monitored prior to any additional land application of manure, especially liquid manure.
  - Submit documentation that these areas have been monitored and manure has not left the field boundary in any area of the field during spring melt.

Failure to respond to items requested in this letter in a timely manner may result in escalated enforcement actions. Please contact me at (920) 662-5187 or [Heidi.SchmittMarquez@wisconsin.gov](mailto:Heidi.SchmittMarquez@wisconsin.gov) if you have any questions regarding this letter, the land application inspection, or WPDES permit requirements.

Sincerely,



Agricultural Runoff Management Specialist

encl: Land Application Site Inspection Report (Form 3400-215 and photos)

ec: Kevin Beckard, AgSource Laboratories  
Mike Mushinski, Brown County Land and Water Conservation Department  
Jon Bechle, Brown County Land and Water Conservation Department  
Rick Stoll, DNR – Green Bay

cc: File

Save... Print... Clear Data

State of Wisconsin  
Department of Natural Resources  
PO Box 7921, Madison WI 53707-7921  
[dnr.wi.gov](http://dnr.wi.gov)

**DNR CAFO Land Application Site  
Inspection Checklist**

Form 3400-215 (R 09/16)

Page 1 of 3

Inspection purpose: ☒ Complaint ☐ Audit (Announced) ☐ Audit (Unannounced) ☐ Spill / Runoff  
☐ Other: \_\_\_\_\_

Inspection Date: 01/11/2018	Application Date: 01/07/18 – 01/11/18	Permittee Name: Ledgeview Farms LLC
Field Location: E, NW, SE & NE, SE, S28, T23N, R21E	Field ID: 11L-EAST, 11J1&2	Applicator Name: Ledgeview Farms LLC
Application Rate: 1-8 loads per hauling event	Previous/current crop: Corn/rye grass	DNR Inspector Name(s): Heidi Schmitt Marquez
Weather conditions: Dry		Soil conditions: Saturated
Application Method(s): <input checked="" type="checkbox"/> Surface <input type="checkbox"/> Incorporated <input type="checkbox"/> Injected <input type="checkbox"/> Other: _____		
Equipment Used: <input checked="" type="radio"/> Tractor/Tanker <input type="radio"/> Semi Truck <input type="radio"/> Tractor/Hose <input type="radio"/> Other: _____		

Any manure runoff (left field boundaries)? ☐ Yes ☒ No

If yes, check resource(s) impacted ☐ Surface Waters ☐ Wetlands ☐ Potential Groundwater ☐ None

**Notes:**

Solid manure was applied on the fields and did not appear to be actively running off during the inspection. However, the temperature was above freezing and snowmelt from the warm temperatures caused a large volume of runoff from the fields. The runoff appeared to be sediment-laden rather than manure-laden, but manure applied in the concentrated flow channels appeared to be beginning to migrate from its original application location along with the runoff in the drainage pathways that discharge offsite to unnamed tributaries of Bower Creek. It is strongly recommended that the areas of concentrated flow channels are observed during spring melt to ensure that manure does not leave the field boundaries, and actions taken if it appears that manure is beginning to migrate or has already discharged offsite. No additional manure should be applied in the concentrated flow channels.

Manure Setbacks and Restrictions (during non-frozen or snow covered conditions)	Requirement Met?		
100 feet from private wells (1000 feet to municipal wells when applicable)	<input checked="" type="radio"/> Yes	<input type="radio"/> No	<input type="radio"/> N/A
100 feet from other groundwater conduits	<input type="radio"/> Yes	<input type="radio"/> No	<input checked="" type="radio"/> N/A
25 feet from wetlands	<input checked="" type="radio"/> Yes	<input type="radio"/> No	<input type="radio"/> N/A
25 feet to surface waters/conduits to surface waters (incorporated or injected)	<input type="radio"/> Yes	<input type="radio"/> No	<input checked="" type="radio"/> N/A
100 feet setback to surface waters/conduits to surface waters (surface applied)	<input checked="" type="radio"/> Yes	<input type="radio"/> No	<input type="radio"/> N/A
No manure spread in grassed waterways (non-conduits to surface waters)	<input type="radio"/> Yes	<input checked="" type="radio"/> No	<input type="radio"/> N/A
No excessive ponding or runoff within field boundaries	<input type="radio"/> Yes	<input checked="" type="radio"/> No	<input type="radio"/> N/A
Depth to groundwater greater than 24 inches (if checked, need to dig hole)	<input type="radio"/> Yes	<input type="radio"/> No	<input checked="" type="radio"/> Not Verified
Depth to bedrock greater than 24 inches (if checked, need to dig hole)	<input type="radio"/> Yes	<input type="radio"/> No	<input checked="" type="radio"/> Not Verified
All observed restrictive features labeled on existing restriction map	<input type="radio"/> Yes	<input checked="" type="radio"/> No	<input type="radio"/> Not Verified

Note: "NA" means the requirement does not apply due to absence of setback feature, method, etc.

**Notes:**

W and R soils were not present on these fields and did not require field verification for depth. Well setbacks appeared to have been met and wetlands do not border these fields. Surface waters NE and SW of the fields are greater than 100 ft from the field boundaries. Solid manure was spread through two large concentrated flow channels/grassed waterways in field 11J1&2 and one concentrated flow channel/grassed waterway in field 11L-East. Some areas of application contained more manure than others, and some solids applied in the concentrated flow channels began to migrate slightly from the intended application location (although not offsite) at the time of the inspection. The restriction maps for these fields did not identify the concentrated flow channels that were observed onsite and have been verified by aerial and topographical mapping analysis.



01/11/2018 Ledgeview Farms LLC

**DNR CAFO Land Application Site  
Inspection Checklist**

Form 3400-215 (R 09/16)

Page 2 of 3

<b>Tile features observed</b> (inlets/outlets/breathers)?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Outlets found?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Are tile features on restriction maps?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Setbacks to tile features met? (25 feet for incorp/inject; 100 feet for surface)	<input type="radio"/> Yes	<input type="radio"/> No
Outlet observations:	<input type="checkbox"/> Flowing	<input type="checkbox"/> Not flowing
	<input type="checkbox"/> Manure present	<input type="checkbox"/> No manure present
<b>Notes:</b> No tile inlets/outlets were observed on the fields during the inspection or were identified on the restriction maps.		

Tillage and Erosion Features and Restrictions	Requirement Met?		
Are permanent grass waterways or buffers properly maintained?	<input type="radio"/> Yes	<input checked="" type="radio"/> No	<input type="radio"/> N/A
Are tillage setbacks being met? (minimum of 5 feet from surface waters)	<input type="radio"/> Yes	<input type="radio"/> No	<input checked="" type="radio"/> N/A
Does field appear to be managed to prevent excessive erosion / soil loss?	<input checked="" type="radio"/> Yes	<input type="radio"/> No	<input type="radio"/> N/A
<b>Notes:</b> The fields were planted in rye grass over the winter to help with soil retention and reduce erosion. The crop plan for the fields has been alternating crops of corn and rye grass seasonally for better management of nutrients and soil on the fields. The concentrated flow channels/grassed waterways were also planted with rye grass but were not excluded from the manure spreading area nor were maintained with additional vegetation for water management purposes.			

<b>Manure Hauler Interview (if applicable):</b>		
Name, title, company name:		
What operation are you hauling for?		
What application rate is being applied?		
<b>What are the spreading setbacks:</b>		
To private wells?		
To streams/waterways?		
To wetlands?		
To grassed waterways?		
Are drainage tile features present?	<input type="radio"/> Yes	<input type="radio"/> No
	<input type="radio"/> Don't Know	
Do you have copies of restriction maps? (Have them show you / take photo of it)	<input type="radio"/> Yes	<input type="radio"/> No
Describe spill response procedures: Spill/runoff response procedures were briefly discussed, and it was confirmed that actions should be taken to stop the source of the spill/runoff, implement procedures for containment and cleanup/removal, and restore the site to pre-spill/runoff conditions. DNR should be contacted as soon as possible throughout that process to provide the required notification of the incident.		
Other Comments: Schmitt Marquez explained that although manure was not actively discharging offsite at the time of the inspection, it seemed likely that manure may discharge offsite due to field conditions if the warmer weather continued. The importance of identifying concentrated flow channels/grassed waterways onsite and on restriction maps as a means to prevent waste		

01/11/2018 Ledgeview Farms LLC

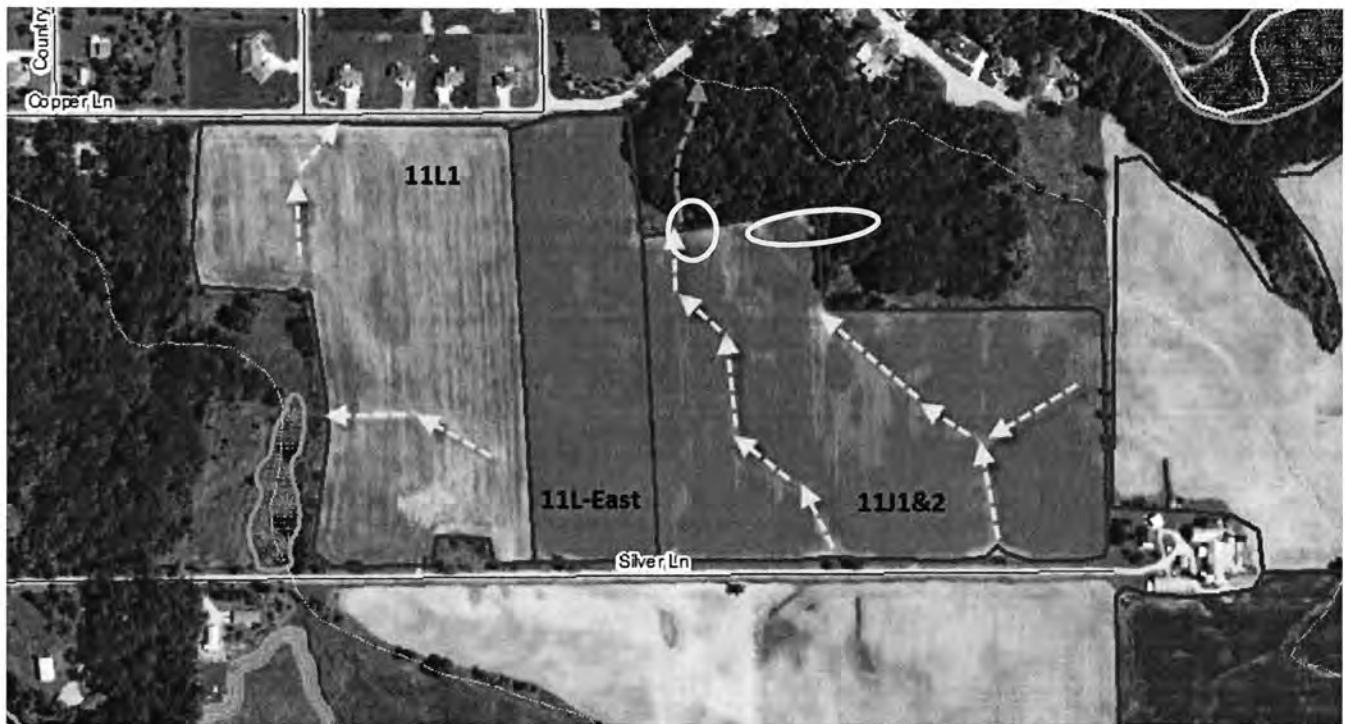
**DNR CAFO Land Application Site  
Inspection Checklist**

Form 3400-215 (R 09/16)

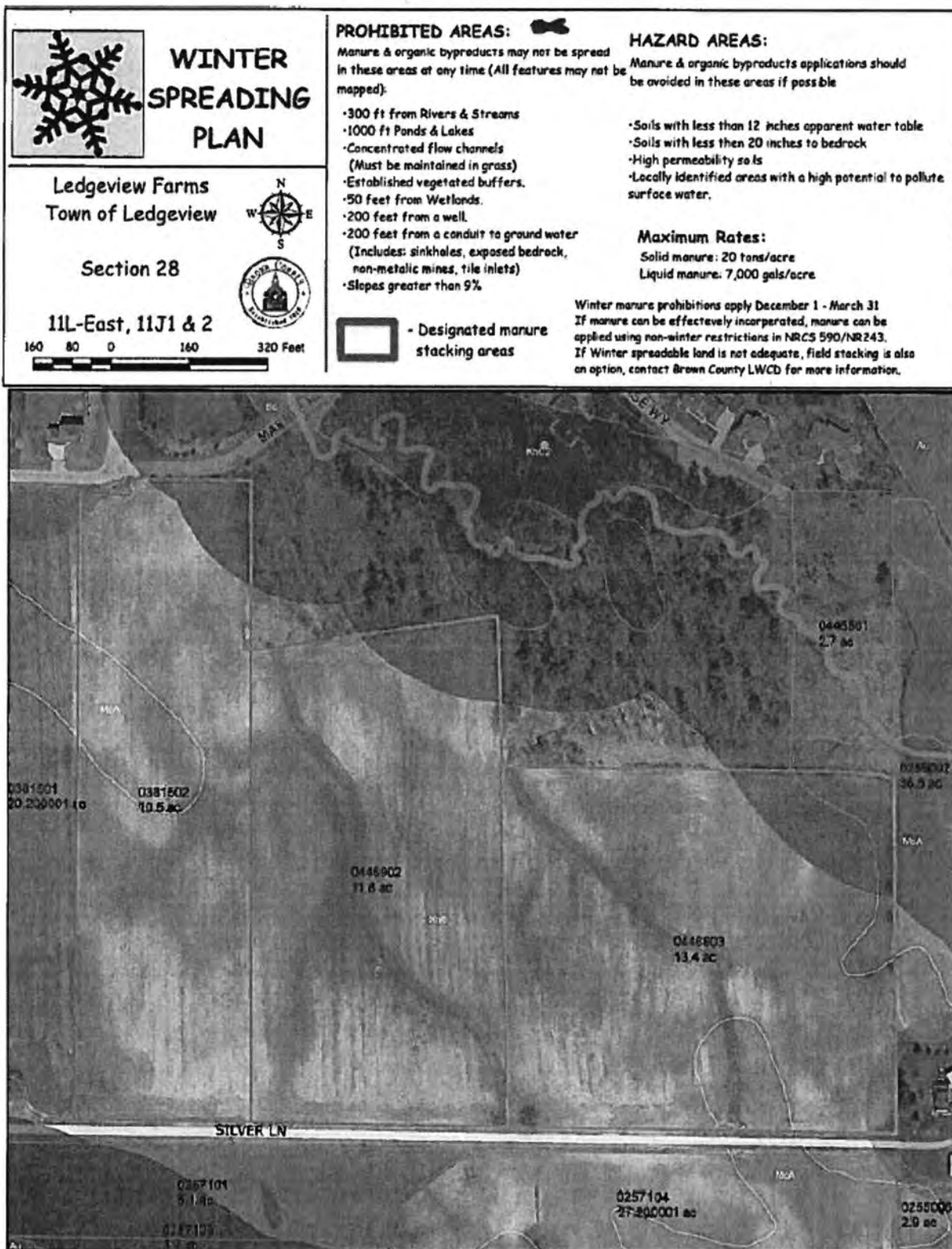
Page 3 of 3

**Manure Hauler Interview (if applicable):**

runoff was explained. Schmitt Marquez advised that the concentrated flow channels/grassed waterways would have to be observed to ensure that no waste discharged offsite while snowmelt was occurring, and that process would likely have to continue until the runoff risk was gone after spring. The farm acknowledged this information and agreed to what was discussed.



**Figure 1.** Aerial map showing fields that were audited on 01/11/18. Dashed yellow arrows represent concentrated flow channels observed during the audit. Yellow circles indicate locations of ponded storm water/snowmelt. Blue dashed arrow represents a stream observed flowing through the wooded area. Arrows indicate direction of flow.



**Figure 2.** Winter spreading map created by the Brown County Land and Water Conservation Department for Ledgeview Farms LLC fields 11L1, 11L-East, and 11J1&2. Concentrated flow channels are identified on this map. This map was provided to Ledgeview Farms LLC when the winter spreading permit was approved by Brown County staff.

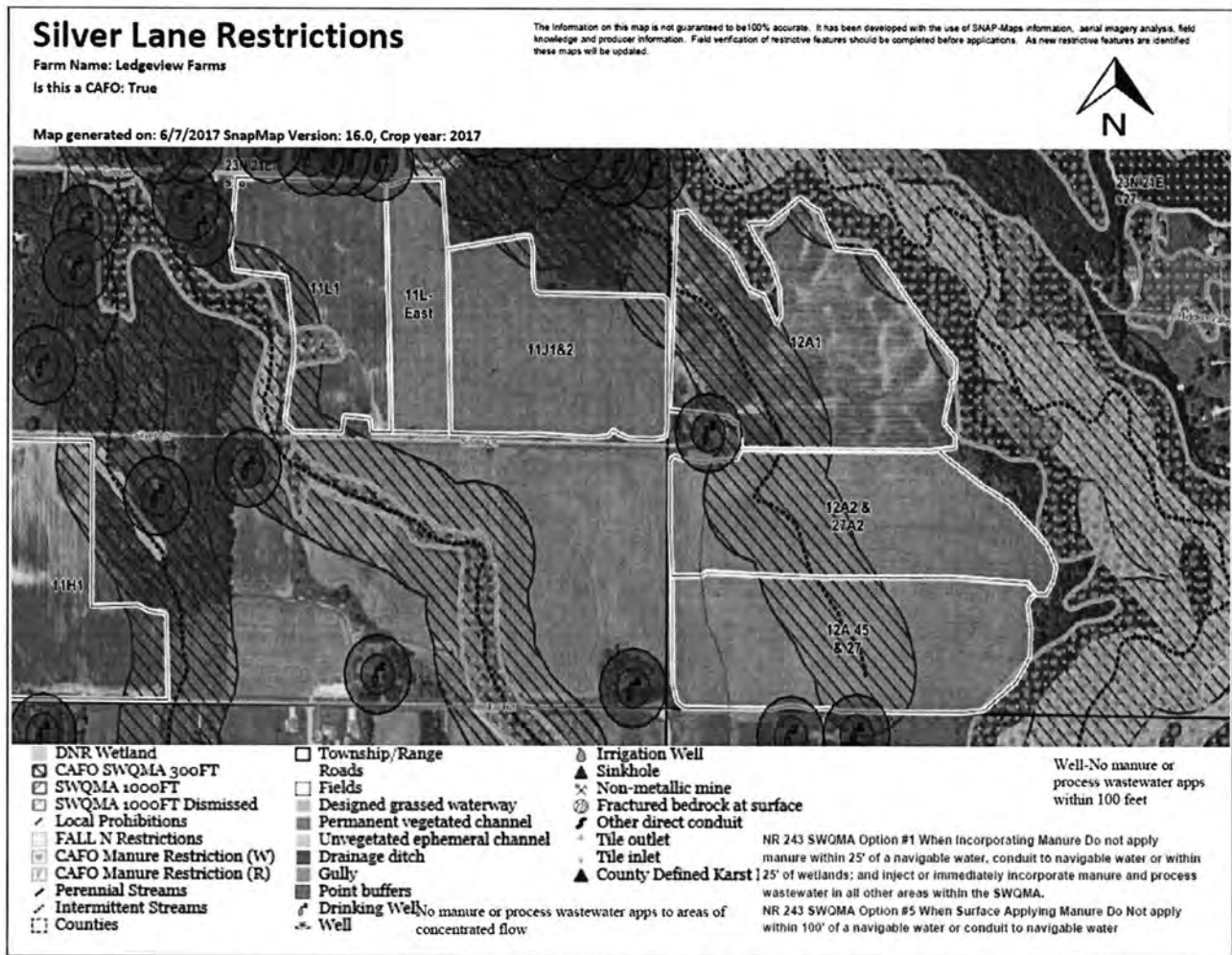


Figure 3. Restriction map from Ledgeview Farms LLC's NMP for fields 11L1, 11L-East, and 11J1&2. Concentrated flow channels are not identified on this map.



Photo 1: View of 11L-East from Silver Ln showing surface manure. Photo direction is north.



Photo 2: View of the east side of 11L-East from Silver Ln showing surface application of solid manure. Photo direction is north.





**Photo 3:** View of 11L-East from Silver Ln showing surface application of solid manure. Photo direction is north.



**Photo 4:** View of the west side of 11J1&2 from Silver Ln showing surface application of solid manure. Photo direction is NE.





**Photo 5:** View of the middle section of 11J1&2 from Silver Ln showing surface application of solid manure. Photo direction is north.



**Photo 6:** View of the east side of 11J1&2 from Silver Ln showing surface application of solid manure. Photo direction is north.



**Photo 7:** View of the south and west sections of 11J1&2 from Silver Ln showing one of the concentrated flow channels /grassed waterways (indicated by the green dashed arrows). Photo direction is NW.



**Photo 8:** Alternate view of the south and west sections of 11J1&2 from Silver Ln showing one of the concentrated flow channels /grassed waterways. Photo direction is NW.



**Photo 9:**  
Alternate view  
of the south  
and west  
sections of  
11J1&2 from  
Silver Ln  
showing one  
of the  
concentrated  
flow channels  
/grassed  
waterways  
(indicated by  
the dashed  
green arrow).  
Photo  
direction is  
NW.



**Photo 10:**  
View of piles  
of solid  
manure in the  
southern  
section of  
11J1&2. Photo  
direction is  
NW.



**Photo 11:** View of 11L1 from Silver Ln showing one of the concentrated flow channels /grassed waterways (indicated by the dashed green arrows). Photo direction is NW.



**Photo 12:** View of 11L1 from Copper Ln showing discharge (indicated by the dashed yellow arrows) of snowmelt runoff to the ditch north of the field. Photo direction is south.





**Photo 13:** View of the culvert north of Copper Ln where snowmelt discharged from field 11L1. Photo direction is down and north.



**Photo 14:** View of the NE corner of 11L-East showing ponded storm water from snowmelt. Photo direction is north.





**Photo 15:** View of 11L-East showing ponded storm water from snowmelt surface applied solid manure. Photo direction is south.



**Photo 16:** View of the northern section of 11J1&2 showing ponded storm water from snowmelt surface applied solid manure. Photo direction is east.



**Photo 17:** View of the northern section of 11J1&2 showing ponded storm water from snowmelt and the runoff flow path (indicated by the dashed yellow arrows). Photo direction is NE.



**Photo 18:** View of the northern section of 11J1&2 showing ponded storm water from snowmelt and the runoff flow path (indicated by the dashed yellow arrows). Photo direction is SW.



**Photo 19:** View of the discharge location and flow path (indicated by the dashed yellow arrows) of snowmelt storm water from field 11J1&2. Photo direction is SW and down.

**Photo 20:** View of the waterway in the wooded area north of field 11J1&2 where snowmelt storm water discharged from the field. Blue dashed arrows indicated flow direction. Photo direction is north.







**Photo 21:** Alternate view of the flow path of snowmelt storm water (indicated by the dashed yellow arrows) that discharged from field 11J1&2. Photo direction is SW.



**Photo 22:** View of ponded snowmelt and the middle section of field 11J1&2 where solid manure was spread. Yellow dashed arrow indicates flow path of snowmelt runoff. Photo direction is SE.



May 2, 2018

FILE REF: R-2017-0237  
WPDES Permit #: WI-0065421

Jason Pansier  
Ledgview Farms, LLC  
3870 Dickinson Rd.  
De Pere, WI 54115

Subject: Revised Evaluation Review for Ledgview Farms, LLC, (Headquarters and Heifer Farms), Sec 33, T23N, R21E, Ledgview Township, Brown County – **NO ADDITIONAL ACTION REQUIRED**

Dear Mr. Pansier:

The letter is to inform you that the Wisconsin Department of Natural Resources (Department) has completed its review of the evaluation submitted under certification by Richard Seas, P.E., Roach & Associates, LLC on February 22, 2018 on behalf of Ledgview Farms, LLC. The original evaluation was submitted on December 15, 2017. This revised letter is an update to the letters referenced as R-2017-0237, 0237i and 0237p dated February 1, 2018.

The Department reviewed the submitted evaluation in accordance with s. 243.16, Wis. Adm. Code. Under s. 243.16(3), Wis. Adm. Code, the Department may require additional practices, conditions, or permittee actions based on Department review of the submitted evaluation. **The following facilities were assessed to meet the requirements of ch. NR 243, Wis. Adm. Code and the Department has determined no additional actions on your part are required.**

#### **Headquarters Farm**

**Transfer System:** The transfer system meets the applicable requirements of ch. NR 243, Wis. Adm. Code. The system is made up of a channel and 2-cell pump station. The channel is 20 inches deep x ~24 inches wide and spans the width of barn L1. At the north end of the channel is a 2-cell (wet/dry) tank that receives the liquid manure. The wet cell is 10 ft x 12 ft x 8.5 ft deep and the dry cell is 16 ft x 12 ft x 8.5 ft deep. Transfer pipes are used to transfer liquid manure from the wet cell and milking parlor to waste storage pond #1.

- Assessment References: NRCS Standard 634 (1/14) and s. NR 243.15(2), Wis. Adm. Code.

#### **Heifer Farm**

**Production Area Runoff Controls:** The runoff controls for the feed storage area and animal lot meets the applicable requirements of ch. NR 243, Wis. Adm. Code. Plans and specifications were submitted to the Department under DNR project number R-2017-0226 and were approved.

- Post-construction documentation that assesses the ability of the facility to meet s. NR 243.15(9), Wis. Adm. Code will be submitted as part of the documentation for DNR project R-2017-0226.

**Transfer Tank:** The transfer tank was evaluated with respect to NRCS Standard 634 (1/14). The Department concurs that the tank is in compliance with s. NR 243.15(4), Wis. Adm. Code. The tank is located at the animal lot and is 20 ft x 24.8 ft x 7.5 ft deep.

**Days of Available Storage:** The evaluation included calculations that stated that Ledgview Farms, LLC has 287 days of liquid manure storage based on the volumes listed in the table below with respect to s. NR 243.15(3)(i) to (k), Wis. Adm. Code. The volumes are based on waste storage pond #2 being constructed and put into use, on the NRCS spreadsheet and other estimated values.



**Volume Information**

Total Manure Storage Volume:	22,176,489 gallons
Total MOL Manure Storage Volume:	19,510,814 gallons
Manure and Bedding Produced Volume:	14,070,495 gallons
Parlor Wastewater Volume:	1,277,500 gallons
Total Feed Storage Leachate Volume:	138,145 gallons
Total Feed Storage Runoff Collected:	2,229,593 gallons based on a 25-year / 24-hour storm event
Total Feedlot Runoff Collected:	745,592 gallons
Net Precipitation on Storage Surfaces:	3,462,583 gallons
Other Wastes Collected:	2,856,484 gallons

Should you have any questions, please contact Jeff Kreider, DNR Madison office or your regional CAFO Specialist.

**NOTICE OF APPEAL RIGHTS**

If you believe that you have a right to challenge this decision, you should know that the Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions must be filed. For judicial review of a decision pursuant to WIS. STAT. §§ 227.52 and 227.53, you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review must name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to WIS. STAT. § 227.42, you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources. All requests for contested case hearings must be made in accordance with WIS. ADMIN. CODE § NR 2.05(5), and served on the Secretary in accordance with WIS. ADMIN. CODE § NR 2.03. The filing of a request for a contested case hearing does not extend the 30-day period for filing a petition for judicial review.

STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES



Jeff C. Kreider  
Water Resources Engineer  
Bureau of Watershed Management

Email: Richard Seas, P.E.  
Roach & Associated, LLC  
(920) 833-6340; richard@jmroach.com

Mike Mushinski; County Conservationist  
Brown County  
(920) 391-4621; Mushinski\_ML@co.brown.wi.us

Matt Woodrow, P.E.  
DATCP  
(920) 427-8505; matthew.woodrow@wisconsin.gov

Heidi Schmitt Marquez; DNR CAFO Specialist  
DNR, Northeast Region  
(920) 662-5187; Heidi.SchmittMarquez@Wisconsin.gov

Jeff Kreider  
DNR, Central Office  
(608) 266-0856; jeff.kreider@wisconsin.gov



May 3, 2018

FILE REF: R-2017-0237a  
WPDES Permit #: WI-0065421

Jason Pansier  
Ledgeview Farms, LLC  
3870 Dickinson Rd.  
De Pere, WI 54115

Subject: Revised Evaluation Review for Ledgeview Farms, LLC, (Headquarters and Heifer Sites), Sec 33, T23N, R21E, Ledgeview Township, Brown County – **FURTHER ACTIONS ARE REQUIRED**

Dear Mr. Pansier:

This letter is to inform you that the Wisconsin Department of Natural Resources (Department) requires additional actions in order to complete its review of an evaluation submitted under certification by Richard Seas, P.E., Roach & Associates, LLC on December 15, 2017 on behalf of Ledgeview Farms, LLC. Richard Seas, P.E. evaluated the facilities listed below based on applicable NRCS Standards and ch. NR 243 Wis. Adm. Code.

The Department reviews submitted evaluations in accordance with s. 243.16, Wis. Adm. Code, and applicable NRCS standards. Under s. 243.16(3), Wis. Adm. Code, the Department may require additional practices, conditions, or permittee actions based on Department review of the submitted evaluation. For the following facilities, additional practices, conditions or permittee actions are required. The original evaluation was submitted on December 15, 2017. This revised letter is an update to the letters referenced as R-2017-0237, 0237i and 0237p dated February 1, 2018.

**Headquarters Farm Waste Storage Facility #1:** Due to the facility's location, an emergency overflow is necessary to direct a potential overflow away from a residential neighborhood to the north and to maintain the structural integrity of the facility. The following actions must be completed:

- Documentation that permanent markers have been installed in accordance with s. NR 243.15(3)(e), Wis. Adm. Code as well as identifying the location and elevation.
- Documentation for the installation of the emergency overflow. This is considered a maintenance activity because the overflow is armoring the liner. Therefore, no plans and specifications are required.

**Headquarters Feed Storage Bunker:** The bunker is an 8,700 ft<sup>2</sup> earthen lined bunker. The evaluation states that there are no runoff controls and that runoff flows into the "surface water drainage system". The drainage system naturally flows to the wetland and an unnamed stream that are located about 115 and 190 feet to the west respectively. The stream flows into Bower Creek, a navigable water.

- Submit plans and specifications to construct feed storage area runoff controls in accordance with s. NR 243.15(2), Wis. Adm. Code.

**Headquarters Farm Production Area Runoff Controls:** The animal lot is located on the east side of barn L5 and is about 6,000 ft<sup>2</sup>. The evaluation stated that the animal lot has no containment for manure laden runoff. The runoff will flow west to an intermittent stream and then into Hower Creek.

- Submit plans and specifications for the production area runoff controls in accordance with s. NR 243.15(2), Wis. Adm. Code.

**Abandonments:** The evaluation stated that the facilities listed below need to be abandoned due to structural defects or the cost for maintenance activities. Should a facility be repurposed, an abandonment plan is still required, however an evaluation shall also be submitted to the Department to demonstrate that the facility will be in compliance with its new use.

- Headquarters Farm Pit #1 and Pit #2: Submit plans and specifications for the abandonment plan in accordance with s. NR 243.17(7), Wis. Adm. Code.

- Headquarters Farm Solids Stacking Area: Submit plans and specifications for the abandonment plan in accordance with s. NR 243.17(7), Wis. Adm. Code. This area is located east of barns L5 and L6.
- Heifer Farm Stacking Area: Submit plans and specifications for the abandonment plan in accordance with s. NR 243.17(7), Wis. Adm. Code. This area is located east of barns L1.

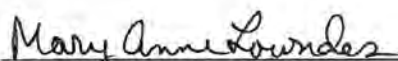
Plans and specifications must be submitted via the DNR's e-Permitting system at <http://dnr.wi.gov/permits/water/> according to the due dates within the Schedules section of the WPDES permit, due date listed in an enforcement notice or date scheduled by the DNR CAFO Specialist in the permit. Questions concerning the review may be directed to Jeff Kreider, and questions concerning timelines and permit issues may be directed to the DNR CAFO Specialist. (Contact information at the end of this letter.)

### NOTICE OF APPEAL RIGHTS


If you believe that you have a right to challenge this decision, you should know that the Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions must be filed. For judicial review of a decision pursuant to WIS. STAT. §§ 227.52 and 227.53, you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review must name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to WIS. STAT. § 227.42, you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources. All requests for contested case hearings must be made in accordance with WIS. ADMIN. CODE § NR 2.05(5), and served on the Secretary in accordance with WIS. ADMIN. by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources. All requests for contested case hearings must be made in accordance with WIS. ADMIN. CODE § NR 2.05(5), and served on the Secretary in accordance with WIS. ADMIN.

STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES



Mary Anne Lowndes  
Chief, Runoff Management Section  
Bureau of Watershed Management



Jeff C. Kreider  
Water Resources Engineer  
Bureau of Watershed Management

Email: Richard Seas, P.E.  
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Heidi Schmitt Marquez; DNR CAFO Specialist  
DNR, Northeast Region  
(920) 662-5187; Heidi.SchmittMarquez@Wisconsin.gov

Jeff Kreider  
DNR, Central Office  
(608) 266-0856; jeff.kreider@wisconsin.gov





135: RIMG0144

Description: Process wastewater and feed solids were observed throughout the grassed area.



136: RIMG0145

Description: Process wastewater and feed solids were observed throughout the grassed area.



137: RIMG0146

Description: Process wastewater and feed solids were observed throughout the grassed area.



138: RIMG0147

Description: Process wastewater and feed solids were observed throughout the grassed area.





139: RIMG0148

Description: Process wastewater and feed solids were observed throughout the grassed area.



140: RIMG0149

Description: The process wastewater continued through the grassed area and outlet into the ditch. The culvert collected the flow which continued east under County Road V and east along the Silver Lane then north and continued northeast before connecting with an unnamed tributary



141: RIMG0150

Description: Process wastewater and feed solids were observed throughout the grassed area and the drainage paths leading to the grassed area.



142: RIMG0151

Description: Process wastewater and feed solids were observed throughout the grassed area and the drainage paths leading to the grassed area.



143: RIMG0152

Description: East end of heifer barn on satellite site.



144: RIMG0153

Description: East end of heifer barn on satellite site.



145: RIMG0154

Description: Drainage pathways from the feed bunkers flowed east to the grassed area. Process wastewater and feed solids were observed throughout the drainage pathways and the grassed area.



146: RIMG0155

Description: Drainage pathways from the feed bunkers flowed east to the grassed area. Process wastewater and feed solids were observed throughout the drainage pathways.





147: RIMG0156

Description: Drainage pathways from the feed bunkers flowed east to the grassed area. Process wastewater and feed solids were observed throughout the drainage pathways.



148: RIMG0157

Description: Drainage pathways from the feed bunkers flowed east to the grassed area. Process wastewater and feed solids were observed throughout the drainage pathways.





149: RIMG0158

Description: Drainage pathways from the feed bunkers flowed east to the grassed area. Process wastewater and feed solids were observed throughout the drainage pathways.



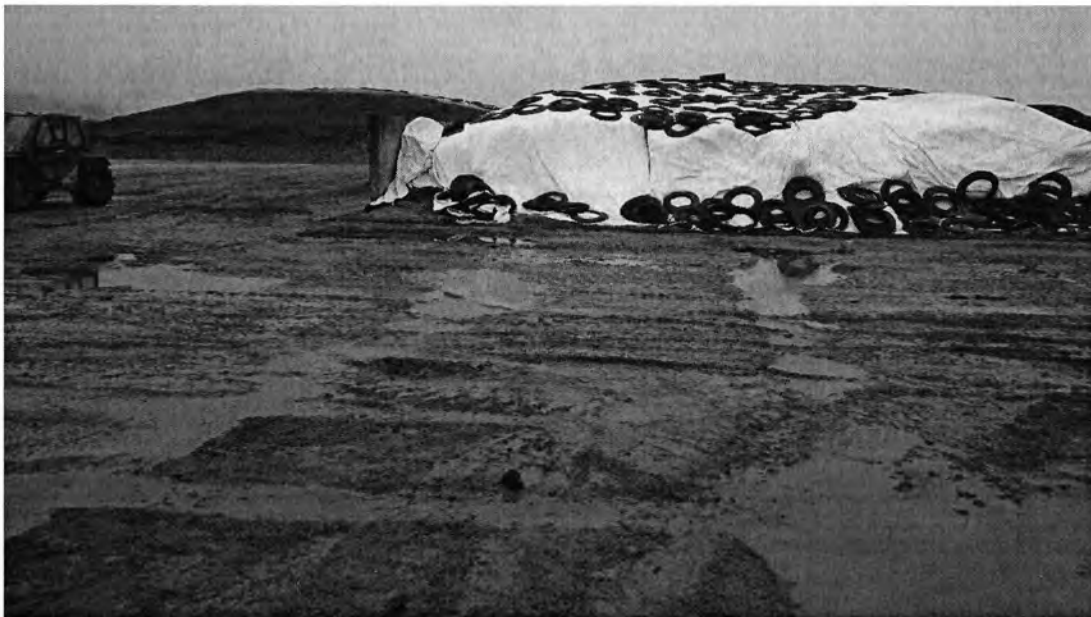
150: RIMG0159

Description: Drainage pathways from the feed bunkers flowed east to the grassed area. Process wastewater and feed solids were observed throughout the drainage pathways.



151: RIMG0160

Description: Drainage pathways from the feed bunkers flowed east to the grassed area. Process wastewater and feed solids were observed throughout the drainage pathways.



152: RIMG0161

Description: Drainage pathways from the feed bunkers flowed east to the grassed area. Process wastewater and feed solids were observed throughout the drainage pathways.



153: RIMG0162

Description: Drainage pathways from the feed bunkers flowed east to the grassed area. Process wastewater and feed solids were observed throughout the drainage pathways.



154: RIMG0163

Description: Drainage pathways from the feed bunkers flowed east to the grassed area. Process wastewater and feed solids were observed throughout the drainage pathways.



155: RIMG0164

Description: Drainage pathways from the feed bunkers flowed east to the grassed area. Process wastewater and feed solids were observed throughout the drainage pathways.



156: RIMG0165

Description: Drainage pathways from the feed bunkers flowed east to the grassed area. Process wastewater and feed solids were observed throughout the drainage pathways.





157: RIMG0166

Description: A drainage pathways from the southeast end of the feed bunkers flowed south into a field.



158: RIMG0167

Description: Silage leachate was observed along the south wall of the new bunker. The leachate seeped through the rock/soil and flowed overland to the unnamed tributary.





159: RIMG0168

Description: Silage leachate was observed along the south wall of the new bunker. The leachate seeped through the rock/soil and flowed overland to the unnamed tributary.



160: RIMG0169

Description: Sample S01 was taken at 11:14 a.m. of process wastewater from the new bunker.



161: RIMG0170

Description: Sample S01 was taken at 11:14 a.m. of process wastewater from the new bunker.



162: RIMG0171

Description: Process wastewater from the new bunker flowed into the unnamed tributary.



163: RIMG0172

Description: Process wastewater from the new bunker flowed into the unnamed tributary.



164: RIMG0173

Description: Process wastewater from the new bunker flowed into the unnamed tributary.



165: RIMG0174

Description: Process wastewater from the new bunker flowed into the unnamed tributary.



166: RIMG0175

Description: Process wastewater from the new bunker flowed into the unnamed tributary.





167: RIMG0176

Description: Process wastewater from the new bunker flowed into the unnamed tributary.



168: RIMG0177

Description: Process wastewater from the new bunker flowed into the unnamed tributary.





169: RIMG0178

Description: Sample S02 was taken at 11:25 a.m. of process wastewater emanating from the new bunker and flowing into an unnamed tributary.



170: RIMG0179

Description: Sample S02 was taken at 11:25 a.m. of process wastewater emanating from the new bunker and flowing into an unnamed tributary.



171: RIMG0180

Description: The leachate was draining west through tire ruts and into the unnamed tributary.



172: RIMG0181

Description: Sample S03 was taken at 11:32 a.m. from process wastewater in the grassed area.



173: RIMG0182

Description: Sample S03 was taken at 11:32 a.m. from process wastewater in the grassed area.



174: RIMG0183

Description: Sample S03 was taken at 11:32 a.m. from process wastewater in the grassed area.



175: RIMG0184

Description: Sample S03 was taken at 11:32 a.m. from process wastewater in the grassed area.



176: RIMG0185

Description: Sample S04 was taken at 11:35 a.m. from process wastewater before entering a culvert under County Road V.





177: RIMG0186

Description: Sample S04 was taken at 11:35 a.m. from process wastewater before entering the culvert under County Road V.



178: RIMG0187

Description: Sample S04 was taken at 11:35 a.m. from process wastewater before entering the culvert under County Road V.





179: RIMG0188

Description: Sample S04 was taken at 11:35 a.m. from process wastewater before entering the culvert under County Road V.



180: RIMG0189

Description: Sample S04 was taken at 11:35 a.m. from process wastewater before entering the culvert under County Road V.



181: RIMG0190

Description: The sand berm in the northwest corner of the Milk Cow Barn had degraded since the start of the walkthrough. Manure and process wastewater were observed on the concrete.



182: RIMG0191

Description: The sand berm in the northwest corner of the Milk Cow Barn had degraded since the start of the walkthrough. Manure and process wastewater were observed on the concrete.



183: RIMG0192

Description: The access way between the feed bunker and the Milk Cow Barn contained the tracking of manure and process wastewater. Additionally, feed and leachate from the feed bunker were observed on the access way. Process wastewater drained north to the field north of the Milk Cow Barn.



184: RIMG0193

Description: Process wastewater drained north to the field north of the Milk Cow Barn.



185: RIMG0194

Description: Sample S05 was taken at 12:45 p.m. from the process wastewater in the drainage pathway at the unnamed tributary on the east side of the Home site.



186: RIMG0195

Description: Sample S05 was taken at 12:45 p.m. from the process wastewater in the drainage pathway at the unnamed tributary on the east side of the Home site.





187: RIMG0196

Description: The unnamed tributary on the east side of the Home site contained a bed and bank.



188: RIMG0197

Description: Sample S05 was taken at 12:45 p.m. from the process wastewater in the drainage pathway at the unnamed tributary on the east side of the Home site.





189: RIMG0198

Description: The unnamed tributary on the east side of the Home site contained a bed and bank.



190: RIMG0199

Description: Sample S05 was taken at 12:45 p.m. from the process wastewater in the drainage pathway at the unnamed tributary on the east side of the Home site.



191: RIMG0200

Description: Sample S05 was taken at 12:45 p.m. from the process wastewater in the drainage pathway at the unnamed tributary on the east side of the Home site.



192: RIMG0201

Description: The drainage pathway flowed to the unnamed tributary.



193: RIMG0202

Description: Red/orange sediment covered the forest floor. The sediment had been deposited from the borrow area.



194: RIMG0203

Description: Red/orange sediment covered the forest floor. The sediment had been deposited from the borrow area.





195: RIMG0204

Description: Red/orange sediment covered the forest floor. The sediment had been deposited from the borrow area.



196: RIMG0205

Description: Red/orange sediment covered the forest floor. The sediment had been deposited from the borrow area.



197: RIMG0206

Description: Red/orange sediment covered the forest floor. The sediment had been deposited from the borrow area. The drainage pathway flowed to the unnamed tributary.



198: RIMG0207

Description: Red/orange sediment covered the forest floor. The sediment had been deposited from the borrow area. The drainage pathway flowed to the unnamed tributary.





199: RIMG0208

Description: The drainage pathway flowed to the unnamed tributary.



200: RIMG0209

Description: The drainage pathway flowed to the unnamed tributary.



201: RIMG0210

Description: The drainage pathway flowed to the unnamed tributary. Foam was observed in the drainage pathway.



202: RIMG0211

Description: The drainage pathway flowed to the unnamed tributary. Foam was observed in the drainage pathway.



203: RIMG0212

Description: The drainage pathway flowed to the unnamed tributary. Foam was observed in the drainage pathway.



204: RIMG0213

Description: The drainage pathway flowed to the unnamed tributary. Foam was observed in the drainage pathway.





205: RIMG0214

Description: The drainage pathway flowed to the unnamed tributary. Foam was observed in the drainage pathway.



206: RIMG0215

Description: The drainage pathway flowed to the unnamed tributary.



207: RIMG0216

Description: The drainage pathway flowed to the unnamed tributary.



208: RIMG0217

Description: The drainage pathway flowed to the unnamed tributary.





209: RIMG0218

Description: The drainage pathway flowed to the unnamed tributary.



210: RIMG0219

Description: The drainage pathway flowed to the unnamed tributary.



211: RIMG0220

Description: The drainage pathway flowed to the unnamed tributary.



212: RIMG0221

Description: The drainage pathway flowed to the unnamed tributary.



213: RIMG0222

Description: The drainage pathway flowed to the unnamed tributary.



214: RIMG0223

Description: The drainage pathway flowed to the unnamed tributary.



215: RIMG0224

Description: The drainage pathway flowed to the unnamed tributary.



216: RIMG0225

Description: The drainage pathway flowed to the unnamed tributary.





217: RIMG0226

Description: The drainage pathway flowed to the unnamed tributary.



218: RIMG0227

Description: The drainage pathway flowed to the unnamed tributary.





219: RIMG0228

Description: The drainage pathway flowed to the unnamed tributary.



220: RIMG0229

Description: The drainage pathway flowed to the unnamed tributary.



221: RIMG0230

Description: The drainage pathway flowed to the unnamed tributary.



222: RIMG0231

Description: The drainage pathway flowed to the unnamed tributary.

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES  
PUBLIC NOTICE OF AVAILABILITY OF A NUTRIENT MANAGEMENT PLAN AND INFORMATIONAL  
HEARING AND INTENT TO ISSUE A WISCONSIN POLLUTANT DISCHARGE ELIMINATION SYSTEM  
(WPDES) PERMIT No. WI-0065421-01-0

Permittee: Ledgeview Farms LLC, 3870 Dickinson Rd, De Pere, WI 54115

Facility Where Discharge Occurs: Ledgeview Farms LLC, 3875 Dickinson Road & 3688 Lime Kiln Road, De Pere

Receiving Water and Location: Surface water and groundwater within the Unnamed Tributaries and Bower Creek within the East River Watershed, and groundwaters of the state

Brief Facility Description: Ledgeview Farms LLC is a proposed Concentrated Animal Feeding Operation (CAFO). Ledgeview Farms LLC is owned and operated by Jason Pansier. It currently has 2,764 animal units (1,084 milking & dry cows, 576 heifers, 642 steers, and 390 calves) animal units and is proposing to expand through internal growth to 3,077 animal units (1,566 milking & dry cows, 832 heifers, and 624 calves) by the final year of the permit term, 2023. The main farm site is located at 3875 Dickinson Rd and the heifer site is located at 3688 Lime Kiln Rd. The main farm site consists of three freestall barns, two bedded pack barns for heifers, one calf barn, milking parlor, feed storage area, heifer feedlot, one waste storage facility, and one storm water pond. A waste transfer system collects and discharges animal waste and process wastewater from the largest freestall barn and milking parlor to the waste storage facility. The remaining barns produce solid waste that is managed through stacking areas and direct land application. The heifer site consists of one freestall barn, one bedded pack barn for heifers, feed storage area, heifer feedlot, and one reception tank for collection of waste from the heifer feedlot. The farm currently does not operate any pasture or grazing areas. Approximately 10 million gallons of liquid manure and process wastewater and 7,500 tons of solid manure are produced annually at the current herd size. Ledgeview Farms LLC has a total of 2,759 acres available for land application of manure and process wastewater. Of this acreage, 735 acres are owned and 2,024 acres are rented.

The Department has tentatively decided that the above specified WPDES permit should be issued.

Permit Drafter: Heidi Schmitt Marquez, DNR, NER, 2984 Shawano Ave, Green Bay, WI 54313, (920) 662-5187, heidi.schmittmarquez@wisconsin.gov

Public Hearing Date, Time, and Location: **Tuesday, July 10, 2018, 5:00 p.m., at the DNR Green Bay Service Center, Lake Michigan Room, 2984 Shawano Avenue, Green Bay, WI 54313-6727**

The Department of Natural Resources, pursuant to Section 283.49, Wisconsin Statutes, has scheduled a public informational hearing for the purpose of giving all interested persons an opportunity to make a statement with respect to the proposed permit action, the terms of the nutrient management plan, and the application for this operation.

The hearing officer will conduct the hearing in an orderly fashion and will use procedures specified in Subchapter II of ch. NR 203, Wis. Adm. Code, necessary to insure broad public participation in the hearing. The hearing officer will open the hearing and make a concise statement of the scope and purpose of the hearing and shall state what procedures will be used during the course of the hearing. The hearing officer shall explain the method of notification of the final decision to grant or deny the permit and the methods by which the decision may be reviewed in a public adjudicatory hearing.

The hearing officer may place limits on individual oral statements to insure an opportunity for all persons present to make statements in a reasonable period of time and to prevent undue repetition. The hearing officer may also limit the number of representatives making oral statements on behalf of any person or group. Informational and clarifying questions and oral statements shall be directed through the hearing officer. Cross-examination shall not be allowed.

Persons wishing to comment on or object to the proposed permit action, the terms of the nutrient management plan, or the application, are invited to do so by attending the public hearing or by submitting any comments or objections in writing to the Department of Natural Resources, at the permit drafter's address. All comments or suggestions received from members of the public no later than 7 days following the date of this public hearing will be used, along with other information on file and testimony presented at the hearing, in making a final determination. Anyone providing comments in response to this public notice will receive a notification of the Department's final decision regarding permit coverage. Where designated as a reviewable surface water discharge permit, the U.S. Environmental Protection Agency is allowed up to 90 days to submit comments or objections regarding this permit determination.

Information on file for this permit action, including the draft permit and fact sheet (if required), the operation's nutrient management plan and application may be inspected and copied at the permit drafter's office, Monday

through Friday (except holidays), between 9:00 a.m. and 3:30 p.m. Please call the permit drafter for directions to their office location, if necessary. Information on this permit action may also be obtained by calling the permit drafter at (920) 662-5187 or by writing to the Department. Reasonable costs (15 cents per page for copies and 7 cents per page for scanning) will be charged for information in the file other than the public notice and fact sheet. Permit information is also available on the internet at: <http://dnr.wi.gov/topic/wastewater/PublicNotices.html>. Pursuant to the Americans with Disabilities Act, reasonable accommodation, including the provision of informational material in an alternative format, will be made to qualified individuals upon request.

PUBLISHING NEWSPAPER: Green Bay Press Gazette, PO Box 23430, Green Bay, WI 54305-3430  
Date Notice Issued: May 30, 2018

## Charlotte Nagel

---

**From:** Schmitt Marquez, Heidi S - DNR <Heidi.SchmittMarquez@wisconsin.gov>  
**Sent:** Tuesday, October 23, 2018 11:28 AM  
**To:** Sarah Burdette  
**Subject:** RE: interim controls - Ledgeview Farms

Yes, interim control measures were installed at both the main and heifer sites as of 09/21/2018. However, the collection basin at the heifer site for leachate from the feed storage area needed some additional wall work to be done. According to the farm, this work has been completed but I still need to verify that with a site visit.

Thanks,

Heidi Schmitt Marquez

Phone: (920) 662-5187

Mobile: (920) 366-3302

Heidi.SchmittMarquez@Wisconsin.gov

**We are committed to service excellence.**

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

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**From:** Sarah Burdette [mailto:sburdette@ledgeviewwisconsin.com]  
**Sent:** Tuesday, October 23, 2018 11:14 AM  
**To:** Schmitt Marquez, Heidi S - DNR <Heidi.SchmittMarquez@wisconsin.gov>  
**Subject:** interim controls - Ledgeview Farms

Heidi,  
Has Ledgeview Farms put in the interim controls that were approved for installation earlier this year?

Sarah

Sarah K. Burdette  
Administrator  
Town of Ledgeview



3700 Dickinson Road  
De Pere, WI 54115  
Phone: 920.336.3360, ext. 108  
Cell/Text: 920-639-6083  
sburdette@ledgeviewwisconsin.com www.LedgeviewWisconsin.com





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# CASE ACTIVITY REPORT FOR REGULATORS

State of Wisconsin  
Department of Natural Resources

Case ID	Case Title
	Ledgeview Farms LLC
Activity	Date of Activity
Site visits to verify status of interim measures	September 21 & October 30, 2018

On September 21, 2018, and October 30, 2018, DNR Agricultural Runoff Management Specialist Heidi Schmitt Marquez evaluated the status of interim runoff control measures required to be installed at the main farm site and heifer site at Ledgeview Farms LLC. The main farm site is located at 3875 Dickinson Rd (SW NW S33 T23N R21E), and the heifer site is located at 3688 Lime Kiln Rd (W SW S28 T23N R21E), both in De Pere, WI.

## September 21, 2018, Observations

- Main farm site:
  - Calf barn area
    - Schmitt Marquez did not observe solid manure/penpack waste from the calf barn stacked outside the east end of the calf barn.
    - Schmitt Marquez observed ponded process wastewater from washing the calf feeding buckets in the vegetated area directly south of the concrete drive lane south of and adjacent to the calf barn.
      - A system to partially collect and pump the wastewater was present in this area. The system consisted of a cutoff plastic drum partially submerged in the ground with a hose and sump pump and a metal tank with an opening at the top. Holes were drilled in the plastic drum to facilitate collection of wastewater ponded on the ground around the drum. Wastewater collects in this area from the concrete near the calf barn as well as from spillage from depositing wastewater directly into the metal tank. The sump pump then pumps the ponded wastewater from the plastic drum into the metal tank with the attached hose. The tank is emptied into the waste storage facility when it is full.
  - Heifer lot area
    - Schmitt Marquez observed concrete walls built in the northeast corner of the heifer lot (north wall and east wall). At the time of the inspection, solid manure from the heifer barn was piled in the interior of the wall and it appeared that solids were also pushed mechanically into the corner from the southeast corner of the lot. Manure and process wastewater were not observed discharging from the northeast corner of the wall. Uncontained solid manure was observed piled along the exteriors of both the east and north walls.
  - Solid manure was not observed stacked directly outside the heifer barn on the east side.
  - Waste storage facility fencing
    - Schmitt Marquez observed that the fencing required to be around all waste storage facilities was not present.
  - Soil stockpiles
    - Schmitt Marquez observed disturbed areas east of the waste storage facility that were not stabilized with vegetation. Severe rill erosion in the disturbed areas has caused discharges of soil-laden storm water to the wooded area immediately north and downslope of the site.

– Heifer site:

- Feed storage area collection basin
  - Schmitt Marquez observed an earthen (clay) collection basin located south of the southeast corner of the feed storage area. The basin was full at the time of the inspection, appeared to have exceeded its capacity, and was overflowing from the northeast and southwest corners. Liquid that appeared to contain leachate was ponded around the northeast corner of the basin (not contained within the basin), where process wastewater from the feed pad would culminate and continue to flow south. The condition of the basin appeared to be unfinished as there were not clearly visible and defined walls on all sides of the basin. Schmitt Marquez observed uneven piles of dirt and wheel ruts from equipment rather than defined walls of the basin. Feed solids were observed around the southeast corner of the feed pad and throughout the area around the collection basin.
  - Schmitt Marquez observed a gravel berm placed along the eastern side of the feed pad, between the steer barn and a grain bin, for containment of leachate and process wastewater. The berm was fairly shallow but appeared to be adequately containing runoff from the feed storage area. Schmitt Marquez observed ponded liquids immediately west of the berm that appeared to be contained by it.

– Precipitation data

- Source: Midwestern Regional Climate Center (MRCC), cli-MATE website
- Station Name: DE PERE 4.3 SW (W De Pere/Lawrence)

Date	Precipitation (inches)
09/18/2018	0.17
09/20/2018	0.22
09/21/2018	0.54
Total	0.93

- Source: Daily Climate Report, National Weather Service (Green Bay, WI)
- Station: GREEN BAY A S INTERNATIONAL AIRPORT, WI US 14898

Date	Precipitation (inches)
09/17/2018	0.73
09/19/2018	0.13
09/20/2018	0.64
09/21/2018	0.21
Total	1.71

October 30, 2018, Observations

– Main farm site:

- Waste storage facility
  - Schmitt Marquez observed the completed installation of the concrete emergency overflow swale on the east side of the waste storage facility to reduce the effects of erosion due to overtopping, should an overtopping event occur. Manure overflow would be directed to an area northeast of the waste storage facility that corresponds to a low elevation in the wooded area north of the storage facility.

- Schmitt Marquez observed that the fencing required to be around all waste storage facilities was not present.
  - Calf barn area
    - Schmitt Marquez observed the same conditions in this area that were present and observed during the 09/21/2018 site visit.
      - Observations included ponded process wastewater in the vegetated area directly south of the concrete drive lane south of the calf barn. Wastewater was ponded near the cutoff plastic drum and metal tank as well as approximately 10 feet west of the plastic drum.
  - Feed storage area
    - Schmitt Marquez observed feed in the feed bunker with plastic tarp between the bunker walls and the feed. It appeared that the plastic was present from the top of the feed pile to the bottom along the eastern wall. The plastic along the western wall appeared to be present only near the top of the feed pile to approximately midway down the wall from the top.
    - Schmitt Marquez observed a mixture of stones and soil piled along the exterior of the eastern bunker wall, beginning from the approximate middle of the wall and extending northward to the northeast corner of the bunker. Feed solids as well as sparse vegetation was also visible mixed in with the stones. Leachate was observed discharging from the locations of feed present in the stone pile as well as from the northeast corner of the bunker.
    - Schmitt Marquez observed areas of ponded leachate/process wastewater in and near the stones located at the northeast corner of the bunker wall. Schmitt Marquez observed leachate/process wastewater discharging in a path originating from the northeast corner of the feed bunker through the stone pile in a northeasterly direction that followed the border of the vegetated area directly north of the feed storage area. The vegetation in this area was saturated with leachate/process wastewater and appeared very dark brown/black with an oily sheen. Vegetation in the areas of the ponded leachate/process wastewater was dead/not present. Schmitt Marquez observed feed solids mixed throughout the discharge path into the vegetated area where leachate/process wastewater was present. The extent of the leachate/process wastewater discharge into the vegetated area was approximately 50 feet north.
      - Leachate has been observed discharging from the northeast corner of the feed storage area on previous site visits.
  - Soil stockpiles
    - Schmitt Marquez observed the same conditions in this area that were present and observed during the 09/21/2018 site visit.
      - The disturbed area east of the waste storage facility appeared to be in the same condition; no attempt at erosion controls or vegetative stabilization was observed. Rill erosion areas noted during the previous site visit appeared more severely eroded.
    - Schmitt Marquez observed an area of spilled/leaked manure in the disturbed area east of the waste storage facility that had discharged into one of the rill erosion pathways and was discharging downslope to the wooded area north of the site.
- Heifer site:
- Feed storage area collection basin
    - Schmitt Marquez observed that the feed storage area was extremely full, especially the southernmost bunker, closest to the collection basin. Feed was piled beyond the concrete walls, both vertically and horizontally. Feed was also observed spilling outside of the feed storage area from the southeast corner of the feed pad, and was observed

throughout the area around the collection basin.

- The collection basin appeared partially full and the area around the basin inlet was visibly disturbed and had been recently regraded to form a channel to direct flow into the basin.
- The gravel berm placed along the eastern side of the feed pad, between the steer barn and a grain bin, for containment of leachate and process wastewater was still present and appeared to be functioning as intended.

– Precipitation data

- Source: Midwestern Regional Climate Center (MRCC), cli-MATE website
- Station Name: DE PERE 4.3 SW (W De Pere/Lawrence)

Date	Precipitation (inches)
10/28/2018	0.09
10/29/2018	0.18
Total	0.27

- Source: Daily Climate Report, National Weather Service (Green Bay, WI)
- Station: GREEN BAY A S INTERNATIONAL AIRPORT, WI US 14898

Date	Precipitation (inches)
10/28/2018	0.32
Total	0.32

Photo logs for each site visit immediately follow this report.

Regulator(s) Reporting	Date of Report	Exhibit Reference
Heidi Schmitt Marquez	November 12, 2018	



## **PHOTO LOG**

**September 21, 2018:  
MAIN FARM SITE**



**Photo 1:** View of a disturbed area without storm water erosion controls vegetative stabilization east of the waste storage facility. Photo direction is east.



**Photo 2:** View of the north side of the disturbed area looking down into a wooded area where ponded turbid water is visible. Severe rill erosion is visible in the foreground. Photo direction is north and down.



**Photo 3:** Close up view of the ponded turbid water in the wooded area north of the disturbed area. Photo direction is north and down.





**Photo 4:** View of the south wall and southeast corner of the concrete heifer lot. Photo direction is west.



**Photo 5:** View of the concrete heifer lot from the east end. Photo direction is west.



**Photo 6:** View of the east end of the concrete heifer lot where the northeast corner was enclosed with concrete walls as part of interim runoff control requirements. Photo direction is north/NW.





**Photo 7:** View of the east end of the concrete heifer lot. The east wall is partially visible. Photo direction is south.



**Photo 8:** View of the exterior of the north wall at the east end of the concrete heifer lot. Photo direction is SW.



**Photo 9:** View of the concrete lane south/in front of the calf barn. Photo direction is west.





**Photo 10:** View of the concrete lane south of the calf barn where discharges of process wastewater were previously observed. Photo direction is down and NW.



**Photo 11:** View of the vegetated area south of the concrete lane south of the calf barn. Process wastewater is visible ponded near a partially submerged plastic drum. Photo direction is down and SE.



**Photo 12:** View of the inside of a metal tank adjacent to the area of ponded process wastewater south of the calf barn. Process wastewater is visible inside the tank. Photo direction is down.

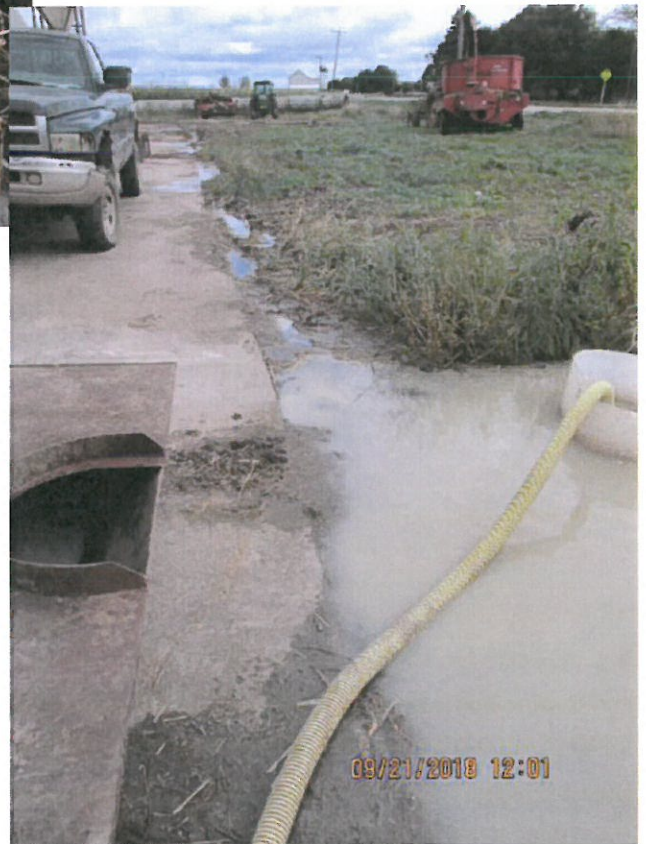




**Photo 13:** Alternate view of area of ponded process wastewater south of the calf barn. Photo direction is down and SE.



**Photo 14 (left):** Close up view of process wastewater ponded around the partially submerged plastic drum. Photo direction is down.



**Photo 15 (right):** Alternate view of the vegetated area south of the calf barn, showing the area of ponded process wastewater. Photo direction is east.



**HEIFER SITE**

**Photo 16:** View of the leachate/process wastewater collection basin south of the FSA constructed to meet interim runoff control requirements. Photo direction is SW.



**Photo 17:** View of the leachate/process wastewater collection basin south of the FSA showing the south bunker wall. Photo direction is west.



**Photo 18:** Close up view of the southern berm wall of the leachate/process wastewater collection basin south of the FSA. Photo direction is NE.





**Photo 19:** View of the SE corner of the FSA where the flow of leachate/process wastewater flow is directed. The leachate/process wastewater collection basin is partially visible. Photo direction is down and NW.



**Photo 20:** Close up view of the water in the leachate/process wastewater collection basin south of the FSA. Photo direction is down and north.



**Photo 21:** Close up view of the western section of the leachate/process wastewater collection basin south of the FSA. Photo direction is down and north.





**Photo 22:** View of the leachate/process wastewater collection basin south of the FSA from the SW corner. Photo direction is down and NE.



**Photo 23:** Close up view of the construction of the N/NW wall of the leachate/process wastewater collection basin south of the FSA. Photo direction is NW.



**Photo 24:** Alternate view of the construction of the N/NW wall of the leachate/process wastewater collection basin south of the FSA. Photo direction is NW.





**Photo 25:** View of the construction of the S/SW wall of the leachate/process wastewater collection basin south of the FSA. Photo direction is SW.



**Photo 26:** View of process wastewater in a drainage path near the southern berm wall of the leachate/process wastewater collection basin south of the FSA. Photo direction is south and down.



**Photo 27:** View of the S/SE wall section of the leachate/process wastewater collection basin south of the FSA. Photo direction is SE and down.





**Photo 28:** View of the leachate/process wastewater collection basin south of the FSA from the NE corner. Blown feed is visible near the inlet to the basin. Photo direction is SW and down.



**Photo 29:** Close up view of a wooden stake in the leachate/process wastewater collection basin that appeared to be a level /volume indicator. Photo direction is SW and down.



**Photo 30:** View of the feed pad (left) and the yard area (right), which drains to the collection basin south of the FSA. Photo direction is NW.





**Photo 31:** View of the gravel berm placed on the east side of the site between the steer barn and a grain bin to prevent discharges to the ditch at Lime Kiln Rd. Photo direction is north.



**Photo 32:** Alternate view of the gravel berm placed on the east side of the site between the steer barn and a grain bin to prevent discharges to the ditch at Lime Kiln Rd. Photo direction is north.

**October 30, 2018:  
HEIFER SITE**



**Photo 33:** View of the feed pile in the FSA showing ponded leachate/process wastewater. Photo direction is north.





**Photo 34:** Alternate view of the feed pile in the FSA, which is only partially covered with plastic. Photo direction is west.



**Photo 35:** Close up view of the ponded leachate/process wastewater near the feed pile in the FSA. Photo direction is down and NW.



**Photo 36:** View of the leachate/process wastewater collection basin south of the FSA. Photo direction is SW.





**Photo 37:** Alternate view of the leachate/process wastewater collection basin south of the FSA. Photo direction is west.



**Photo 38:** View of the feed pile in the FSA from near the inlet to the leachate/process wastewater collection basin south of the FSA. Photo direction is north.



**Photo 39:** View of the SE corner of the FSA showing feed solids outside the feed pad and near the inlet to the leachate/process wastewater collection basin south of the FSA. Photo direction is north.





**Photo 40:** Alternate view of the SE corner and south wall of the FSA, showing feed solids outside the feed pad and near the inlet to the leachate/process wastewater collection basin south of the FSA. Photo direction is NW.



**Photo 41:** View of the leachate/process wastewater collection basin south of the FSA, showing the regraded inlet area. Photo direction is SW.



**Photo 42:** Closer view of the leachate/process wastewater collection basin south of the FSA, showing the regraded inlet area. Photo direction is SW.





**Photo 43:** Closer view of the leachate/process wastewater collection basin south of the FSA, showing the regraded inlet area. Photo direction is SW.



**Photo 44:** Alternate view of the SE corner and south wall of the FSA, showing feed solids outside the feed pad and near the inlet to the leachate/process wastewater collection basin south of the FSA. Photo direction is NW.



**Photo 45:** Alternate view of the SE corner and south wall of the FSA, showing feed solids outside the feed pad and near the inlet to the leachate/process wastewater collection basin south of the FSA. Photo direction is SW.



**MAIN FARM SITE**

**Photo 46:** View of the concrete overflow weir constructed in the waste storage facility to meet secondary containment requirements. Photo direction is W/NW.



**Photo 47:** Alternate view of the concrete overflow weir constructed in the waste storage facility to meet secondary containment requirements. Photo direction is west.



**Photo 48:** Alternate view of the concrete overflow weir constructed in the waste storage facility to meet secondary containment requirements, showing the direction and location of the overflow. Photo direction is down and NE.





**Photo 49:** View of a wooded area downslope and NE of the waste storage facility where manure will be directed if the storage facility overflows. Photo direction is down and N/NE.



**Photo 50:** View of a disturbed area east of the waste storage facility that does not contain storm water erosion controls or vegetative stabilization. Photo direction is down and east.



**Photo 51:** View of rill erosion in a disturbed area east of the waste storage facility that does not contain storm water erosion controls or vegetative stabilization. Turbid water is visible ponded in the wooded area in the background. Photo direction is down and down and N/NE.





**Photo 52:** View of ponded liquid manure in a disturbed area east of the waste storage facility. Photo direction is down.



**Photo 53:** View of a discharge path of liquid manure from an area of ponded manure in a disturbed area east of the waste storage facility. Photo direction is down and north.



**Photo 54:** View of ponded process wastewater south of the calf barn, near a partially submerged plastic drum and metal tank. Photo direction is down and east.





**Photo 55:** View of ponded process wastewater south of the calf barn, near a partially submerged plastic drum and metal tank. Photo direction is down.



**Photo 56:** View of ponded process wastewater, south of the calf barn and west of the plastic drum and metal tank. Photo direction is down.



**Photo 57:** View of ponded process wastewater, south of the calf barn and farther west of the plastic drum and metal tank. Photo direction is down and west.





**Photo 58:** View of the FSA with plastic covering the top and sides of the feed pile. Photo direction is north.



**Photo 59:** Alternate view of the FSA with plastic covering the top and sides of the feed pile. Photo direction is north/NW.



**Photo 60:** View of the exterior of the east wall of the FSA with plastic showing rocks and other vegetation piled against the concrete wall. Photo direction is NW.





**Photo 61:** View of the area outside the east wall of the FSA, showing rocks and vegetation piled against the wall and sand spread on the ground. Photo direction is north.



**Photo 62:** View of the NE corner of the FSA where leachate has been observed discharging during previous site inspections. Leachate is visible ponded on the ground outside the dirt/stone/sand pile outside the wall. Photo direction is west.



**Photo 63:** Close up view of the NE corner of the FSA where leachate has been observed discharging during previous site inspections. Leachate is visible ponded on the ground outside the dirt/stone/sand pile outside the wall. Photo direction is west.





**Photo 64:** Close up view of the ponded leachate outside the wall of the NE corner of the FSA. Photo direction is down and west.



**Photo 65:** Close up view of leachate and feed solids near the NE corner of the FSA. Sand covering the ground is visible in the foreground. Photo direction is north and down.



**Photo 66:** View of a ponded area of leachate and dead vegetation in the field/vegetated area N/NE of the FSA. Photo direction is north and down.





**Photo 67:** View of the leachate discharge pathway northward into the vegetated area N/NE of the FSA. Ponded leachate and dead vegetation are visible. Photo direction is N/NW.



**Photo 68:** View of the leachate discharge pathway northward into the vegetated area N/NE of the FSA. Ponded leachate and dead vegetation are visible. Photo direction is N/NW.



**Photo 69:** View of the leachate discharge pathway northward into the vegetated area N/NE of the FSA. Ponded leachate, dead vegetation, and feed solids are visible. Photo direction is down and N/NW.





**Photo 70:** View of the leachate discharge pathway northward into the vegetated area N/NE of the FSA. Ponded leachate and dead vegetation are visible. Photo direction is down.



**Photo 71:** View of the leachate discharge pathway northward into the vegetated area N/NE of the FSA. Ponded leachate and dead vegetation are visible. Photo direction is N/NW.



**Photo 72:** View of the leachate discharge pathway northward into the vegetated area N/NE of the FSA. Ponded leachate and dead vegetation are visible. Photo direction is N/NW.





**Photo 73:** Close up view of the leachate discharge ponded in the vegetated area N/NE of the FSA. Dead vegetation is also visible. Photo direction down.



**Photo 74:** Alternate view of the NE corner of the FSA showing the piled stones, sand, and feed solids. Photo direction is west.



**Photo 75:** View of the sand and feed solids pushed into the vegetated area N/NE of the FSA. Photo direction is west.





**Photo 76:** Close up view of the sand and feed solids pushed into the vegetated area N/NE of the FSA. Photo direction is north.



**Photo 77 (right):** Close up view of the stone, feed solids, and soil mixture piled against the exterior of the east wall of the FSA. Leachate seepage is visible. Photo direction is west and down.



**Photo 78 (left):** View of the west end of the concrete heifer lot. Photo direction is W/NW.





**Photo 79:** View of the middle section of the concrete heifer lot. Photo direction is east.



**Photo 80:** View of the east end of the concrete heifer lot. Photo direction is east.



**Photo 81:** View of the concrete pad and partially walled east end/NE corner of heifer lot. Photo direction is NE.





**Photo 82:** View of the NE corner of the concrete heifer lot. Photo direction is NW.



**Photo 83:** Alternate view of the NE corner of the concrete heifer lot, showing the exterior of the walls. Photo direction is SW.

**Photos 84 & 85 (below):** View of the areas east of the heifer barn previously used to stack solid manure from the heifer barn prior to land application. Photo direction is west.







November 14, 2018

Jason Pansier  
Ledgeview Farms LLC  
3870 Dickinson Rd  
De Pere, WI 54115

Brown County

**SUBJECT: Interim Runoff Control Measures – Response Requested by 12/31/2018**

Dear Mr. Pansier:

Ledgeview Farms LLC (Ledgeview Farms) was notified of the requirement to install interim runoff control measures in a compliance inspection summary letter dated 09/21/2017. Interim measures were required to be implemented immediately upon notification in the following areas to prevent pollutant discharges from the production areas until permanent runoff control measures are installed:

1. Calf barn (main farm site)
2. Feed storage areas (both sites)
3. Stacking areas for solid manure/used bedding (both sites)
4. Feedlots (both sites)

The Department requested written documentation to be submitted by October 6 & 31, 2017, demonstrating that interim measures and practices had been installed and implemented and the discharges from the identified areas had ceased. The Department received a report on 10/05/2017, from Roach & Associates on behalf of Ledgeview Farms that provided details about plans for implementation of the required interim measures. The Department advised to proceed with installation as quickly as possible to address runoff concerns.

The Department received confirmation via email on 07/31/2018 from Roach & Associates on behalf of Ledgeview Farms that interim measures were installed in accordance with the plans previously submitted on 10/05/2017. In addition, the email stated that the detention basin planned for leachate collection from the feed storage area at the heifer site was planned for completion on 09/03/2018. The email also included an attached report from Brown County Land and Water Conservation Department (LWCD) staff that was signed and dated 07/12/2018 and included photographs and designs of the following:

- Installation of secondary containment concrete overflow weir on the waste storage facility at the main farm site.
- Installation of concrete walls and ramp areas at the east and west ends of the heifer lot at the main farm site.

- Placement of the gravel berm/diversion on the east side of the feed storage area at the heifer site.

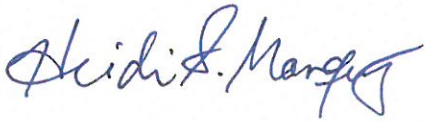
The Department conducted site inspections to verify the status of the interim measures on 09/21/2018 and 10/30/2018. Observations made on these dates are summarized in a case activity report that is enclosed with this letter for your review and reference. Based on observations made during both site visits, several items related to runoff controls remain unaddressed. The following items require attention by Ledgeview Farms:

1. Calf barn (main farm site)
  - a. Process wastewater discharges to the environment were observed during both site visits.
  - b. **Changes in management/handling of process wastewater generated by the calf barn and/or installation of a collection system are required to prevent discharges of process wastewater.**
2. Feed storage area (main farm site)
  - a. Leachate was visible discharging from the northeast corner of the bunker wall to the vegetated area north of the feed storage area. Leachate was observed ponded in areas of burnt out/dead vegetation in the vegetated area north of the feed storage area. Materials placed along the exterior of the east bunker wall appeared to require maintenance to continue to function as a method to contain leachate generated by feed. Waste/blown feed appeared to be mixed in with the material placed along the exterior of the bunker walls.
  - b. Clay soil was previously placed along the exterior of the bunker walls to contain leachate and process wastewater from the feed storage area. The material present along the exterior of the bunker walls during the inspection should be removed and replaced with clay soils. This method requires frequent monitoring to ensure that leachate and process wastewater are not seeping through the clay berm.
    - i. The Department received photographic documentation on 11/02/2018 that the material along the exterior of the east wall of the bunker was removed and replaced with clay soils.
    - ii. **The condition of the clay should be monitored at least weekly to ensure that it is functioning properly and leachate and/or process wastewater are not discharging.**
3. Feed storage area (heifer site)
  - a. The walls and inlet areas of the collection were re-graded after the 09/21/2018 site visit. The definition of the walls and inlet/collection channel was improved, but the inlet/collection channel should be leveled better to improve flow into the basin.

- b. The basin appeared to be at capacity and overflowing during the 09/21/2018 site visit. Based on precipitation data obtained from multiple nearby sources, a 25-yr 24-hr rain event did not occur in the days prior to the inspection. An important aspect of the proposed operation and maintenance of the collection basin is monitoring its level and removing the contents for land application to fields in Ledgeview's approved NMP when it reaches maximum capacity so that the basin does not overflow.
  - i. **The frequency of emptying the basin will depend on precipitation and should be monitored daily when it rains to ensure the basin does not overflow.**
  - ii. **Final grading and seeding of disturbed areas around the basin needs to be completed.**
- 4. Heifer feedlot (main farm site)
  - a. The report from Brown County LWCD sent as an attachment to the 07/31/2018 email from Roach & Associates on behalf of Ledgeview Farms states that the original plans for the feedlot runoff controls were changed by Ledgeview Farms prior to installation.
    - i. **The Department will need additional information to determine whether the modified interim runoff control measures installed for the heifer feedlot at the main farm site meet requirements to adequately contain runoff from the feedlot area.**
- 5. Storm water erosion controls (main farm site)
  - a. A disturbed area was observed east of the waste storage facility during both site inspections. Storm water controls and stabilization of this area were not in place, and sediment-laden water was observed ponded in the wooded area north and downslope of the disturbed area.
    - i. NR 151.105, Wis. Adm. Code, lists minimum erosion and sediment control requirements for construction sites with less than one acre of land disturbance.
    - ii. NR 151.105(4), Wis. Adm. Code, requires erosion and sediment control practices to prevent the discharge of sediment eroding from soil stockpiles existing for more than 7 days.
      - 1. **Actions should be taken to comply with the requirements of the applicable sections of ch. NR 151, Wis. Adm. Code, listed above.**
  - b. A ponded area of liquid manure was observed during the 10/30/2018 site inspection that was discharging through rill erosion channels in the disturbed area to the wooded area northeast of the waste storage facility, where sediment-laden water was ponded.
    - i. **Practices to cease discharges of manure from this area and prevent future discharge occurrences should be implemented.**

Each of the items identified in bold in this letter should be addressed and documentation submitted to the Department describing the actions taken to resolve each issue by **December 31, 2018**. If you have any questions regarding this letter, please contact me at (920) 662-5187 or Heidi.SchmittMarquez@wisconsin.gov.

Sincerely,

A handwritten signature in blue ink, reading "Heidi SchmittMarquez". The signature is fluid and cursive, with the first name "Heidi" and last name "SchmittMarquez" clearly legible.

Agricultural Runoff Management Specialist

encl: Interim Runoff Controls Inspection Report

ec: John Roach, Roach & Associates, LLC  
Mike Mushinski, Brown County Land and Water Conservation Department  
Dave Wetenkamp, Brown County Land and Water Conservation Department  
Joe Baeten, DNR – Green Bay



## Charlotte Nagel

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**From:** Larry Konopacki <LKonopacki@staffordlaw.com>  
**Sent:** Sunday, February 24, 2019 4:37 PM  
**To:** Sarah Burdette; Charlotte Nagel  
**Cc:** Vanessa Wishart  
**Subject:** FW: Ledgeview Farms interim measures site inspections documentation  
**Attachments:** image001.gif; ATT00001.htm; image002.gif; ATT00002.htm; image003.gif; ATT00003.htm; image004.gif; ATT00004.htm; image005.gif; ATT00005.htm; image006.gif; ATT00006.htm; Ledgeview Farms LLC\_2018.11.12\_Interim measures inspection report.pdf; ATT00007.htm; Ledgeview Farms LLC\_2018.11.14\_Ledgeview Farms LLC\_Interim measures letter.pdf; ATT00008.htm

Hi, please be sure to add this email and the attached documents to the "new" Ledgeview Farms record.

Thanks

STAFFORD ROSENBAUM LLP	Larry A. Konopacki <a href="mailto:lkonopacki@staffordlaw.com">lkonopacki@staffordlaw.com</a>   608.259.2607   Fax: 608.259.2600     608.259.2637 Marjorie Irving -- Legal Assistant   222 West Washington Avenue, Suite 900 P.O. Box 1784   Madison, Wisconsin 53701-1784 <a href="http://www.staffordlaw.com">www.staffordlaw.com</a>   <a href="#">profile</a>   <a href="#">vCard</a>   <a href="#">Stafford Blogs</a>
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**From:** Sarah Burdette <[sburdette@ledgeviewwisconsin.com](mailto:sburdette@ledgeviewwisconsin.com)>  
**Sent:** Wednesday, November 14, 2018 4:54 PM  
**To:** Vanessa Wishart <[VWishart@staffordlaw.com](mailto:VWishart@staffordlaw.com)>; Larry Konopacki <[LKonopacki@staffordlaw.com](mailto:LKonopacki@staffordlaw.com)>; Dustin.Wolff@meadhunt.com; Scott Brosteau <[scott.brosteau@meadhunt.com](mailto:scott.brosteau@meadhunt.com)>; Dave Enigl <[bldginspector@ledgeviewwisconsin.com](mailto:bldginspector@ledgeviewwisconsin.com)>  
**Subject:** Fwd: Ledgeview Farms interim measures site inspections documentation

FYI

Begin forwarded message:

➡ **From:** "Schmitt Marquez, Heidi S - DNR" <[Heidi.SchmittMarquez@wisconsin.gov](mailto:Heidi.SchmittMarquez@wisconsin.gov)>  
**Date:** November 14, 2018 at 4:25:19 PM CST  
**To:** "Sarah Burdette ([sburdette@ledgeviewwisconsin.com](mailto:sburdette@ledgeviewwisconsin.com))" <[sburdette@ledgeviewwisconsin.com](mailto:sburdette@ledgeviewwisconsin.com)>  
**Subject:** Ledgeview Farms interim measures site inspections documentation

Hi Sarah,

I completed the inspection report and letter to Ledgeview Farms regarding the two site inspections (September & October 2018) I conducted to verify the status of the interim runoff control measures at the main farm and heifer sites. Let me know if you have any questions about the report, letter, or the site inspections.

Thanks,

Heidi Schmitt Marquez

Agricultural Runoff Management Specialist

Bureau of Watershed Management

Wisconsin Department of Natural Resources

2984 Shawano Ave, Green Bay, WI 54313

Phone: (920) 662-5187

Mobile: (920) 366-3302

Fax: (920) 662-5498

[Heidi.SchmittMarquez@Wisconsin.gov](mailto:Heidi.SchmittMarquez@Wisconsin.gov)

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## CASE ACTIVITY REPORT FOR REGULATORS

State of Wisconsin  
Department of Natural Resources

Attachment to E-Mail of 11-14-18 4:25 PM  
to Sarah Burdette forwarded to Town Attys  
1 of 2

Case ID	Case Title
	Ledgeview Farms LLC
Activity	Date of Activity
Site visits to verify status of interim measures	September 21 & October 30, 2018

On September 21, 2018, and October 30, 2018, DNR Agricultural Runoff Management Specialist Heidi Schmitt Marquez evaluated the status of interim runoff control measures required to be installed at the main farm site and heifer site at Ledgeview Farms LLC. The main farm site is located at 3875 Dickinson Rd (SW NW S33 T23N R21E), and the heifer site is located at 3688 Lime Kiln Rd (W SW S28 T23N R21E), both in De Pere, WI.

### September 21, 2018, Observations

- Main farm site:
  - Calf barn area
    - Schmitt Marquez did not observe solid manure/penpack waste from the calf barn stacked outside the east end of the calf barn.
    - Schmitt Marquez observed ponded process wastewater from washing the calf feeding buckets in the vegetated area directly south of the concrete drive lane south of and adjacent to the calf barn.
      - A system to partially collect and pump the wastewater was present in this area. The system consisted of a cutoff plastic drum partially submerged in the ground with a hose and sump pump and a metal tank with an opening at the top. Holes were drilled in the plastic drum to facilitate collection of wastewater ponded on the ground around the drum. Wastewater collects in this area from the concrete near the calf barn as well as from spillage from depositing wastewater directly into the metal tank. The sump pump then pumps the ponded wastewater from the plastic drum into the metal tank with the attached hose. The tank is emptied into the waste storage facility when it is full.
  - Heifer lot area
    - Schmitt Marquez observed concrete walls built in the northeast corner of the heifer lot (north wall and east wall). At the time of the inspection, solid manure from the heifer barn was piled in the interior of the wall and it appeared that solids were also pushed mechanically into the corner from the southeast corner of the lot. Manure and process wastewater were not observed discharging from the northeast corner of the wall. Uncontained solid manure was observed piled along the exteriors of both the east and north walls.
  - Solid manure was not observed stacked directly outside the heifer barn on the east side.
  - Waste storage facility fencing
    - Schmitt Marquez observed that the fencing required to be around all waste storage facilities was not present.
  - Soil stockpiles
    - Schmitt Marquez observed disturbed areas east of the waste storage facility that were not stabilized with vegetation. Severe rill erosion in the disturbed areas has caused discharges of soil-laden storm water to the wooded area immediately north and downslope of the site.

– Heifer site:

- Feed storage area collection basin
  - Schmitt Marquez observed an earthen (clay) collection basin located south of the southeast corner of the feed storage area. The basin was full at the time of the inspection, appeared to have exceeded its capacity, and was overflowing from the northeast and southwest corners. Liquid that appeared to contain leachate was ponded around the northeast corner of the basin (not contained within the basin), where process wastewater from the feed pad would culminate and continue to flow south. The condition of the basin appeared to be unfinished as there were not clearly visible and defined walls on all sides of the basin. Schmitt Marquez observed uneven piles of dirt and wheel ruts from equipment rather than defined walls of the basin. Feed solids were observed around the southeast corner of the feed pad and throughout the area around the collection basin.
  - Schmitt Marquez observed a gravel berm placed along the eastern side of the feed pad, between the steer barn and a grain bin, for containment of leachate and process wastewater. The berm was fairly shallow but appeared to be adequately containing runoff from the feed storage area. Schmitt Marquez observed ponded liquids immediately west of the berm that appeared to be contained by it.

– Precipitation data

- Source: Midwestern Regional Climate Center (MRCC), cli-MATE website
- Station Name: DE PERE 4.3 SW (W De Pere/Lawrence)

Date	Precipitation (inches)
09/18/2018	0.17
09/20/2018	0.22
09/21/2018	0.54
Total	0.93

- Source: Daily Climate Report, National Weather Service (Green Bay, WI)
- Station: GREEN BAY A S INTERNATIONAL AIRPORT, WI US 14898

Date	Precipitation (inches)
09/17/2018	0.73
09/19/2018	0.13
09/20/2018	0.64
09/21/2018	0.21
Total	1.71

October 30, 2018, Observations

– Main farm site:

- Waste storage facility
  - Schmitt Marquez observed the completed installation of the concrete emergency overflow swale on the east side of the waste storage facility to reduce the effects of erosion due to overtopping, should an overtopping event occur. Manure overflow would be directed to an area northeast of the waste storage facility that corresponds to a low elevation in the wooded area north of the storage facility.



- Schmitt Marquez observed that the fencing required to be around all waste storage facilities was not present.
- Calf barn area
  - Schmitt Marquez observed the same conditions in this area that were present and observed during the 09/21/2018 site visit.
    - Observations included ponded process wastewater in the vegetated area directly south of the concrete drive lane south of the calf barn. Wastewater was ponded near the cutoff plastic drum and metal tank as well as approximately 10 feet west of the plastic drum.
- Feed storage area
  - Schmitt Marquez observed feed in the feed bunker with plastic tarp between the bunker walls and the feed. It appeared that the plastic was present from the top of the feed pile to the bottom along the eastern wall. The plastic along the western wall appeared to be present only near the top of the feed pile to approximately midway down the wall from the top.
  - Schmitt Marquez observed a mixture of stones and soil piled along the exterior of the eastern bunker wall, beginning from the approximate middle of the wall and extending northward to the northeast corner of the bunker. Feed solids as well as sparse vegetation was also visible mixed in with the stones. Leachate was observed discharging from the locations of feed present in the stone pile as well as from the northeast corner of the bunker.
  - Schmitt Marquez observed areas of ponded leachate/process wastewater in and near the stones located at the northeast corner of the bunker wall. Schmitt Marquez observed leachate/process wastewater discharging in a path originating from the northeast corner of the feed bunker through the stone pile in a northeasterly direction that followed the border of the vegetated area directly north of the feed storage area. The vegetation in this area was saturated with leachate/process wastewater and appeared very dark brown/black with an oily sheen. Vegetation in the areas of the ponded leachate/process wastewater was dead/not present. Schmitt Marquez observed feed solids mixed throughout the discharge path into the vegetated area where leachate/process wastewater was present. The extent of the leachate/process wastewater discharge into the vegetated area was approximately 50 feet north.
    - Leachate has been observed discharging from the northeast corner of the feed storage area on previous site visits.
- Soil stockpiles
  - Schmitt Marquez observed the same conditions in this area that were present and observed during the 09/21/2018 site visit.
    - The disturbed area east of the waste storage facility appeared to be in the same condition; no attempt at erosion controls or vegetative stabilization was observed. Rill erosion areas noted during the previous site visit appeared more severely eroded.
  - Schmitt Marquez observed an area of spilled/leaked manure in the disturbed area east of the waste storage facility that had discharged into one of the rill erosion pathways and was discharging downslope to the wooded area north of the site.
- Heifer site:
  - Feed storage area collection basin
    - Schmitt Marquez observed that the feed storage area was extremely full, especially the southernmost bunker, closest to the collection basin. Feed was piled beyond the concrete walls, both vertically and horizontally. Feed was also observed spilling outside of the feed storage area from the southeast corner of the feed pad, and was observed

throughout the area around the collection basin.

- The collection basin appeared partially full and the area around the basin inlet was visibly disturbed and had been recently regraded to form a channel to direct flow into the basin.
- The gravel berm placed along the eastern side of the feed pad, between the steer barn and a grain bin, for containment of leachate and process wastewater was still present and appeared to be functioning as intended.

– Precipitation data

- Source: Midwestern Regional Climate Center (MRCC), cli-MATE website
- Station Name: DE PERE 4.3 SW (W De Pere/Lawrence)

Date	Precipitation (inches)
10/28/2018	0.09
10/29/2018	0.18
Total	0.27

- Source: Daily Climate Report, National Weather Service (Green Bay, WI)
- Station: GREEN BAY A S INTERNATIONAL AIRPORT, WI US 14898

Date	Precipitation (inches)
10/28/2018	0.32
Total	0.32

Photo logs for each site visit immediately follow this report.

Regulator(s) Reporting	Date of Report	Exhibit Reference
Heidi Schmitt Marquez	November 12, 2018	

**PHOTO LOG**

**September 21, 2018:  
MAIN FARM SITE**



**Photo 1:** View of a disturbed area without storm water erosion controls vegetative stabilization east of the waste storage facility. Photo direction is east.



**Photo 2:** View of the north side of the disturbed area looking down into a wooded area where ponded turbid water is visible. Severe rill erosion is visible in the foreground. Photo direction is north and down.



**Photo 3:** Close up view of the ponded turbid water in the wooded area north of the disturbed area. Photo direction is north and down.





**Photo 4:** View of the south wall and southeast corner of the concrete heifer lot. Photo direction is west.



**Photo 5:** View of the concrete heifer lot from the east end. Photo direction is west.



**Photo 6:** View of the east end of the concrete heifer lot where the northeast corner was enclosed with concrete walls as part of interim runoff control requirements. Photo direction is north/NW.





**Photo 7:** View of the east end of the concrete heifer lot. The east wall is partially visible. Photo direction is south.



**Photo 8:** View of the exterior of the north wall at the east end of the concrete heifer lot. Photo direction is SW.



**Photo 9:** View of the concrete lane south/in front of the calf barn. Photo direction is west.





**Photo 10:** View of the concrete lane south of the calf barn where discharges of process wastewater were previously observed. Photo direction is down and NW.



**Photo 11:** View of the vegetated area south of the concrete lane south of the calf barn. Process wastewater is visible ponded near a partially submerged plastic drum. Photo direction is down and SE.



**Photo 12:** View of the inside of a metal tank adjacent to the area of ponded process wastewater south of the calf barn. Process wastewater is visible inside the tank. Photo direction is down.

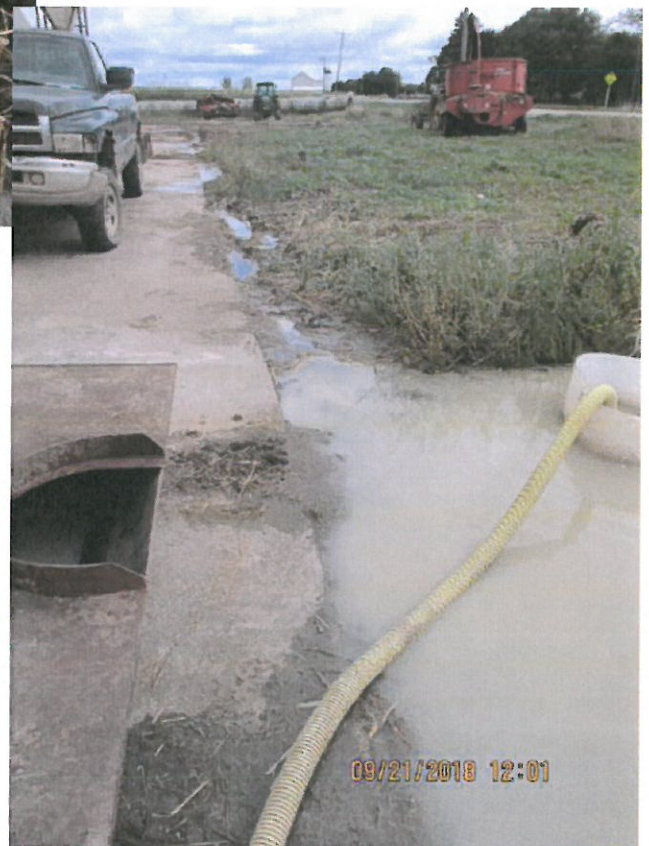




**Photo 13:** Alternate view of area of ponded process wastewater south of the calf barn. Photo direction is down and SE.



**Photo 14 (left):** Close up view of process wastewater ponded around the partially submerged plastic drum. Photo direction is down.



**Photo 15 (right):** Alternate view of the vegetated area south of the calf barn, showing the area of ponded process wastewater. Photo direction is east.



**HEIFER SITE**

**Photo 16:** View of the leachate/process wastewater collection basin south of the FSA constructed to meet interim runoff control requirements. Photo direction is SW.



**Photo 17:** View of the leachate/process wastewater collection basin south of the FSA showing the south bunker wall. Photo direction is west.



**Photo 18:** Close up view of the southern berm wall of the leachate/process wastewater collection basin south of the FSA. Photo direction is NE.





**Photo 19:** View of the SE corner of the FSA where the flow of leachate/process wastewater flow is directed. The leachate/process wastewater collection basin is partially visible. Photo direction is down and NW.



**Photo 20:** Close up view of the water in the leachate/process wastewater collection basin south of the FSA. Photo direction is down and north.



**Photo 21:** Close up view of the western section of the leachate/process wastewater collection basin south of the FSA. Photo direction is down and north.





**Photo 22:** View of the leachate/process wastewater collection basin south of the FSA from the SW corner. Photo direction is down and NE.



**Photo 23:** Close up view of the construction of the N/NW wall of the leachate/process wastewater collection basin south of the FSA. Photo direction is NW.



**Photo 24:** Alternate view of the construction of the N/NW wall of the leachate/process wastewater collection basin south of the FSA. Photo direction is NW.





**Photo 25:** View of the construction of the S/SW wall of the leachate/process wastewater collection basin south of the FSA. Photo direction is SW.



**Photo 26:** View of process wastewater in a drainage path near the southern berm wall of the leachate/process wastewater collection basin south of the FSA. Photo direction is south and down.



**Photo 27:** View of the S/SE wall section of the leachate/process wastewater collection basin south of the FSA. Photo direction is SE and down.





**Photo 28:** View of the leachate/process wastewater collection basin south of the FSA from the NE corner. Blown feed is visible near the inlet to the basin. Photo direction is SW and down.



**Photo 29:** Close up view of a wooden stake in the leachate/process wastewater collection basin that appeared to be a level /volume indicator. Photo direction is SW and down.



**Photo 30:** View of the feed pad (left) and the yard area (right), which drains to the collection basin south of the FSA. Photo direction is NW.





**Photo 31:** View of the gravel berm placed on the east side of the site between the steer barn and a grain bin to prevent discharges to the ditch at Lime Kiln Rd. Photo direction is north.



**Photo 32:** Alternate view of the gravel berm placed on the east side of the site between the steer barn and a grain bin to prevent discharges to the ditch at Lime Kiln Rd. Photo direction is north.

**October 30, 2018:  
HEIFER SITE**



**Photo 33:** View of the feed pile in the FSA showing ponded leachate/process wastewater. Photo direction is north.





**Photo 34:** Alternate view of the feed pile in the FSA, which is only partially covered with plastic. Photo direction is west.



**Photo 35:** Close up view of the ponded leachate/process wastewater near the feed pile in the FSA. Photo direction is down and NW.



**Photo 36:** View of the leachate/process wastewater collection basin south of the FSA. Photo direction is SW.





**Photo 37:** Alternate view of the leachate/process wastewater collection basin south of the FSA. Photo direction is west.



**Photo 38:** View of the feed pile in the FSA from near the inlet to the leachate/process wastewater collection basin south of the FSA. Photo direction is north.



**Photo 39:** View of the SE corner of the FSA showing feed solids outside the feed pad and near the inlet to the leachate/process wastewater collection basin south of the FSA. Photo direction is north.





**Photo 40:** Alternate view of the SE corner and south wall of the FSA, showing feed solids outside the feed pad and near the inlet to the leachate/process wastewater collection basin south of the FSA. Photo direction is NW.



**Photo 41:** View of the leachate/process wastewater collection basin south of the FSA, showing the regraded inlet area. Photo direction is SW.



**Photo 42:** Closer view of the leachate/process wastewater collection basin south of the FSA, showing the regraded inlet area. Photo direction is SW.





**Photo 43:** Closer view of the leachate/process wastewater collection basin south of the FSA, showing the regraded inlet area. Photo direction is SW.



**Photo 44:** Alternate view of the SE corner and south wall of the FSA, showing feed solids outside the feed pad and near the inlet to the leachate/process wastewater collection basin south of the FSA. Photo direction is NW.



**Photo 45:** Alternate view of the SE corner and south wall of the FSA, showing feed solids outside the feed pad and near the inlet to the leachate/process wastewater collection basin south of the FSA. Photo direction is SW.



**MAIN FARM SITE**

**Photo 46:** View of the concrete overflow weir constructed in the waste storage facility to meet secondary containment requirements. Photo direction is W/NW.



**Photo 47:** Alternate view of the concrete overflow weir constructed in the waste storage facility to meet secondary containment requirements. Photo direction is west.



**Photo 48:** Alternate view of the concrete overflow weir constructed in the waste storage facility to meet secondary containment requirements, showing the direction and location of the overflow. Photo direction is down and NE.





**Photo 49:** View of a wooded area downslope and NE of the waste storage facility where manure will be directed if the storage facility overflows. Photo direction is down and N/NE.



**Photo 50:** View of a disturbed area east of the waste storage facility that does not contain storm water erosion controls or vegetative stabilization. Photo direction is down and east.



**Photo 51:** View of rill erosion in a disturbed area east of the waste storage facility that does not contain storm water erosion controls or vegetative stabilization. Turbid water is visible ponded in the wooded area in the background. Photo direction is down and down and N/NE.





**Photo 52:** View of ponded liquid manure in a disturbed area east of the waste storage facility. Photo direction is down.



**Photo 53:** View of a discharge path of liquid manure from an area of ponded manure in a disturbed area east of the waste storage facility. Photo direction is down and north.



**Photo 54:** View of ponded process wastewater south of the calf barn, near a partially submerged plastic drum and metal tank. Photo direction is down and east.





**Photo 55:** View of ponded process wastewater south of the calf barn, near a partially submerged plastic drum and metal tank. Photo direction is down.



**Photo 56:** View of ponded process wastewater, south of the calf barn and west of the plastic drum and metal tank. Photo direction is down.



**Photo 57:** View of ponded process wastewater, south of the calf barn and farther west of the plastic drum and metal tank. Photo direction is down and west.





**Photo 58:** View of the FSA with plastic covering the top and sides of the feed pile. Photo direction is north.



**Photo 59:** Alternate view of the FSA with plastic covering the top and sides of the feed pile. Photo direction is north/NW.



**Photo 60:** View of the exterior of the east wall of the FSA with plastic showing rocks and other vegetation piled against the concrete wall. Photo direction is NW.





**Photo 61:** View of the area outside the east wall of the FSA, showing rocks and vegetation piled against the wall and sand spread on the ground. Photo direction is north.



**Photo 62:** View of the NE corner of the FSA where leachate has been observed discharging during previous site inspections. Leachate is visible ponded on the ground outside the dirt/stone/sand pile outside the wall. Photo direction is west.



**Photo 63:** Close up view of the NE corner of the FSA where leachate has been observed discharging during previous site inspections. Leachate is visible ponded on the ground outside the dirt/stone/sand pile outside the wall. Photo direction is west.





**Photo 64:** Close up view of the ponded leachate outside the wall of the NE corner of the FSA. Photo direction is down and west.



**Photo 65:** Close up view of leachate and feed solids near the NE corner of the FSA. Sand covering the ground is visible in the foreground. Photo direction is north and down.



**Photo 66:** View of a ponded area of leachate and dead vegetation in the field/vegetated area N/NE of the FSA. Photo direction is north and down.





**Photo 67:** View of the leachate discharge pathway northward into the vegetated area N/NE of the FSA. Ponded leachate and dead vegetation are visible. Photo direction is N/NW.



**Photo 68:** View of the leachate discharge pathway northward into the vegetated area N/NE of the FSA. Ponded leachate and dead vegetation are visible. Photo direction is N/NW.



**Photo 69:** View of the leachate discharge pathway northward into the vegetated area N/NE of the FSA. Ponded leachate, dead vegetation, and feed solids are visible. Photo direction is down and N/NW.





**Photo 70:** View of the leachate discharge pathway northward into the vegetated area N/NE of the FSA. Ponded leachate and dead vegetation are visible. Photo direction is down.



**Photo 71:** View of the leachate discharge pathway northward into the vegetated area N/NE of the FSA. Ponded leachate and dead vegetation are visible. Photo direction is N/NW.



**Photo 72:** View of the leachate discharge pathway northward into the vegetated area N/NE of the FSA. Ponded leachate and dead vegetation are visible. Photo direction is N/NW.





**Photo 73:** Close up view of the leachate discharge ponded in the vegetated area N/NE of the FSA. Dead vegetation is also visible. Photo direction down.



**Photo 74:** Alternate view of the NE corner of the FSA showing the piled stones, sand, and feed solids. Photo direction is west.



**Photo 75:** View of the sand and feed solids pushed into the vegetated area N/NE of the FSA. Photo direction is west.





**Photo 76:** Close up view of the sand and feed solids pushed into the vegetated area N/NE of the FSA. Photo direction is north.



**Photo 77 (right):** Close up view of the stone, feed solids, and soil mixture piled against the exterior of the east wall of the FSA. Leachate seepage is visible. Photo direction is west and down.



**Photo 78 (left):** View of the west end of the concrete heifer lot. Photo direction is W/NW.





**Photo 79:** View of the middle section of the concrete heifer lot. Photo direction is east.



**Photo 80:** View of the east end of the concrete heifer lot. Photo direction is east.



**Photo 81:** View of the concrete pad and partially walled east end/NE corner of heifer lot. Photo direction is NE.





**Photo 82:** View of the NE corner of the concrete heifer lot. Photo direction is NW.



**Photo 83:** Alternate view of the NE corner of the concrete heifer lot, showing the exterior of the walls. Photo direction is SW.

**Photos 84 & 85 (below):** View of the areas east of the heifer barn previously used to stack solid manure from the heifer barn prior to land application. Photo direction is west.





November 14, 2018

Attachment to E-Mail of 11-14-18 4:25 PM  
to Sarah Burdette forwarded to Town Attys  
2 of 2

Jason Pansier  
Ledgeview Farms LLC  
3870 Dickinson Rd  
De Pere, WI 54115

Brown County

**SUBJECT: Interim Runoff Control Measures – Response Requested by 12/31/2018**

Dear Mr. Pansier:

Ledgeview Farms LLC (Ledgeview Farms) was notified of the requirement to install interim runoff control measures in a compliance inspection summary letter dated 09/21/2017. Interim measures were required to be implemented immediately upon notification in the following areas to prevent pollutant discharges from the production areas until permanent runoff control measures are installed:

1. Calf barn (main farm site)
2. Feed storage areas (both sites)
3. Stacking areas for solid manure/used bedding (both sites)
4. Feedlots (both sites)

The Department requested written documentation to be submitted by October 6 & 31, 2017, demonstrating that interim measures and practices had been installed and implemented and the discharges from the identified areas had ceased. The Department received a report on 10/05/2017, from Roach & Associates on behalf of Ledgeview Farms that provided details about plans for implementation of the required interim measures. The Department advised to proceed with installation as quickly as possible to address runoff concerns.

The Department received confirmation via email on 07/31/2018 from Roach & Associates on behalf of Ledgeview Farms that interim measures were installed in accordance with the plans previously submitted on 10/05/2017. In addition, the email stated that the detention basin planned for leachate collection from the feed storage area at the heifer site was planned for completion on 09/03/2018. The email also included an attached report from Brown County Land and Water Conservation Department (LWCD) staff that was signed and dated 07/12/2018 and included photographs and designs of the following:

- Installation of secondary containment concrete overflow weir on the waste storage facility at the main farm site.
- Installation of concrete walls and ramp areas at the east and west ends of the heifer lot at the main farm site.

- Placement of the gravel berm/diversion on the east side of the feed storage area at the heifer site.

The Department conducted site inspections to verify the status of the interim measures on 09/21/2018 and 10/30/2018. Observations made on these dates are summarized in a case activity report that is enclosed with this letter for your review and reference. Based on observations made during both site visits, several items related to runoff controls remain unaddressed. The following items require attention by Ledgeview Farms:

1. Calf barn (main farm site)
  - a. Process wastewater discharges to the environment were observed during both site visits.
  - b. **Changes in management/handling of process wastewater generated by the calf barn and/or installation of a collection system are required to prevent discharges of process wastewater.**
2. Feed storage area (main farm site)
  - a. Leachate was visible discharging from the northeast corner of the bunker wall to the vegetated area north of the feed storage area. Leachate was observed ponded in areas of burnt out/dead vegetation in the vegetated area north of the feed storage area. Materials placed along the exterior of the east bunker wall appeared to require maintenance to continue to function as a method to contain leachate generated by feed. Waste/blown feed appeared to be mixed in with the material placed along the exterior of the bunker walls.
  - b. Clay soil was previously placed along the exterior of the bunker walls to contain leachate and process wastewater from the feed storage area. The material present along the exterior of the bunker walls during the inspection should be removed and replaced with clay soils. This method requires frequent monitoring to ensure that leachate and process wastewater are not seeping through the clay berm.
    - i. The Department received photographic documentation on 11/02/2018 that the material along the exterior of the east wall of the bunker was removed and replaced with clay soils.
    - ii. **The condition of the clay should be monitored at least weekly to ensure that it is functioning properly and leachate and/or process wastewater are not discharging.**
3. Feed storage area (heifer site)
  - a. The walls and inlet areas of the collection were re-graded after the 09/21/2018 site visit. The definition of the walls and inlet/collection channel was improved, but the inlet/collection channel should be leveled better to improve flow into the basin.



- b. The basin appeared to be at capacity and overflowing during the 09/21/2018 site visit. Based on precipitation data obtained from multiple nearby sources, a 25-yr 24-hr rain event did not occur in the days prior to the inspection. An important aspect of the proposed operation and maintenance of the collection basin is monitoring its level and removing the contents for land application to fields in Ledgeview's approved NMP when it reaches maximum capacity so that the basin does not overflow.
    - i. **The frequency of emptying the basin will depend on precipitation and should be monitored daily when it rains to ensure the basin does not overflow.**
    - ii. **Final grading and seeding of disturbed areas around the basin needs to be completed.**
- 4. Heifer feedlot (main farm site)
  - a. The report from Brown County LWCD sent as an attachment to the 07/31/2018 email from Roach & Associates on behalf of Ledgeview Farms states that the original plans for the feedlot runoff controls were changed by Ledgeview Farms prior to installation.
    - i. **The Department will need additional information to determine whether the modified interim runoff control measures installed for the heifer feedlot at the main farm site meet requirements to adequately contain runoff from the feedlot area.**
- 5. Storm water erosion controls (main farm site)
  - a. A disturbed area was observed east of the waste storage facility during both site inspections. Storm water controls and stabilization of this area were not in place, and sediment-laden water was observed ponded in the wooded area north and downslope of the disturbed area.
    - i. NR 151.105, Wis. Adm. Code, lists minimum erosion and sediment control requirements for construction sites with less than one acre of land disturbance.
    - ii. NR 151.105(4), Wis. Adm. Code, requires erosion and sediment control practices to prevent the discharge of sediment eroding from soil stockpiles existing for more than 7 days.
      - 1. **Actions should be taken to comply with the requirements of the applicable sections of ch. NR 151, Wis. Adm. Code, listed above.**
  - b. A ponded area of liquid manure was observed during the 10/30/2018 site inspection that was discharging through rill erosion channels in the disturbed area to the wooded area northeast of the waste storage facility, where sediment-laden water was ponded.
    - i. **Practices to cease discharges of manure from this area and prevent future discharge occurrences should be implemented.**

Each of the items identified in bold in this letter should be addressed and documentation submitted to the Department describing the actions taken to resolve each issue by **December 31, 2018**. If you have any questions regarding this letter, please contact me at (920) 662-5187 or Heidi.SchmittMarquez@wisconsin.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Heidi SchmittMarquez", written over a light gray grid background.

Agricultural Runoff Management Specialist

encl: Interim Runoff Controls Inspection Report

ec: John Roach, Roach & Associates, LLC  
Mike Mushinski, Brown County Land and Water Conservation Department  
Dave Wetenkamp, Brown County Land and Water Conservation Department  
Joe Baeten, DNR – Green Bay

## Charlotte Nagel

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**From:** Sarah Burdette  
**Sent:** Wednesday, January 16, 2019 11:37 AM  
**To:** 'John Roach'  
**Cc:** 'jasonpansier@gmail.com'  
**Subject:** Ledgeview Farms Conditional Use Permit Application - January 7, 2019

John,

On January 7, 2019, you electronically submitted a partial conditional use permit application for a livestock siting approval on behalf of Ledgeview Farms. For this application to be considered to have been received by the Town, and for the Town to begin to evaluate its completeness, you will have to submit the entire application electronically. See Town Code of Ordinances Sec. 135-251C.; see also Conditional Use Permit Application (providing that only electronic applications will be accepted).

In addition, the Town is already in the process of evaluating the completeness of an application for a conditional use permit for a siting approval submitted on behalf of Ledgeview Farms, submitted in November of last year. That application is still being pursued by Ledgeview Farms, as evidenced by your response to the Town's request for additional information relating to that application that was received by the Town on January 11, 2019. The Town will not simultaneously evaluate multiple efforts to obtain siting approvals for Ledgeview Farms. If you choose to submit a new, full conditional use permit application to the Town, you must first rescind the application filed in November. No new application will be considered received by the Town when an existing application is pending.

Because the Town is only in receipt of one full application for a siting approval at this time (the November application), and because the most recent communication that the Town has received on behalf of Ledgeview Farms indicates a desire to continue to pursue that application, the Town will continue to review that application for completeness, and thereafter for approvability, until such time as the Town makes its decision on that application or the application is rescinded. If Ledgeview Farms decides to file a different application, it may do so by first rescinding the November application and submitting a full electronic application for its subsequent request.

Regards,

Sarah

Sarah K. Burdette  
Administrator  
Town of Ledgeview



3700 Dickinson Road  
De Pere, WI 54115  
Phone: 920.336.3360, ext. 108  
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