

State of Wisconsin - Department of Natural Resources
Substance Release Notification Report (SERTS)
 Report created on 01/09/2015

Incident Date & Time: 11/05/2014 14:40	Reported Date & Time: 11/05/2014 14:57	BRRTS No: 04-70-563120	Spill ID: 20141105NE70-1
DATCP Reported? No DATCP Transferred? No	NFA Letter Sent? No	ERP Transferred? No	Incident Closed? Yes : 01/08/2015

Location			
Region: NE	County: Waushara	Municipality: POY SIPPI, TOWNSHIP OF	
Facility/Property Name and Street Address: ROW STH 49		Description: W SIDE OF STH 49 FROM INTESECTION W CTH H, 1000 FT N	
Facility Type: Roadway (Public Road/Highway/Street/Alley/ROW)			
Lat/Long:	PLSS:	WTM: X 600683 Y 408403	
Weather Conditions: Cloudy			

Responsible Parties			
Name/Address (1): PINE BREEZE DAIRY W1776 ASPEN AVE PINE RIVER, WI 54965-	Contact: BRAD GERRITS OPERATIONS MANAGER (920) 427-3886 x primary	Other Contact:	Spill Packet: Sent on 11/06/2014 to BRADGERRITS@PINEBREEZE.COM via email

Cause
WIRING PROBLEM ON THE TRUCK CAUSED VALVE TO OPEN WHEN SIGNAL TURNED ON

Cause Type: Manure Release (pit, line break, transportation, field application)

Substances						
Name	Other / Comments	Amt Released	Amt Recovered	Type	Color	Odor
Manure		LT 1000.0 Gal	EST 0.0 Gal	LIQUID		

Environmental Impacts / Damages			
Environmental Impacts: CONCRETE SOIL	Resource Damages: No	Injuries: No	Evacuation: No

Cleanup Actions	
Method	Description
Flushed	

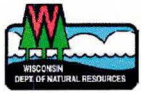
Cleanup Action Comments
LOCAL FD FLUSHED THE MANURE OFF THE ROAD AND SHOULDER. THE THINLY SPREAD AMOUNT WAS SO SMALL THAT IT WAS NOT RECOVERABLE WITH A VAC TRUCK AND SOAKED INTO THE GRASS.

Contractors Hired	
Name	Description
OTHER	POY SIPPI VOLUNTEER FIRE DEPARTMENT

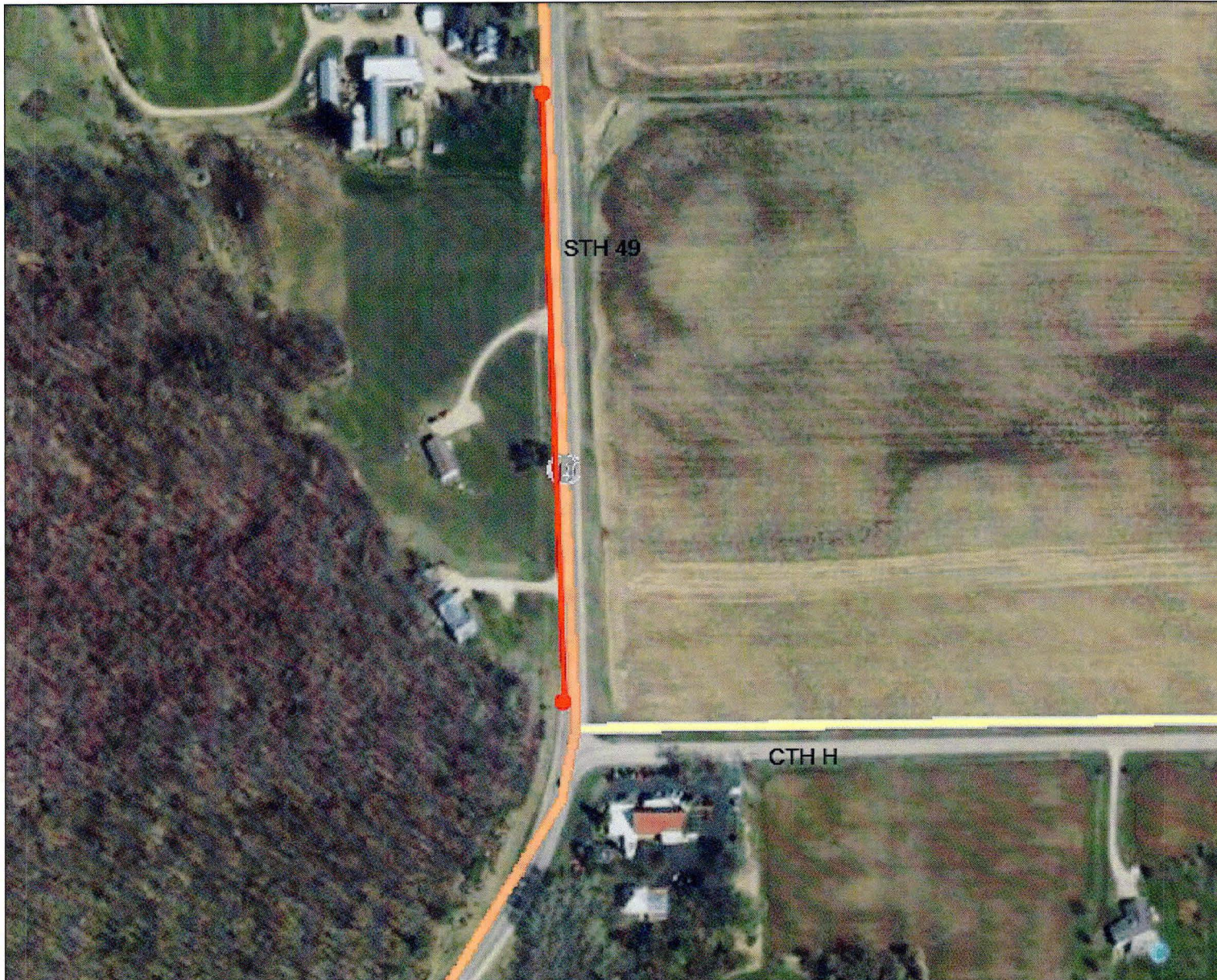
Waste Destinations	
Location	Description

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Agencies Notified / On Scene				
Agency	Notified	On Scene		
DNR	X			
Additional Comments				
SUBMITTED VIA SERTS WEB FORM REF # 8731 12/10 REPORT RECEIVED SPILL START WTM: 600683, 408403 SPILL END WTM: 600994, 408103				
Enforcement Action/Citation				
Enforcement Action/Citation? No				
Case Activity Reports:				
Person Reporting				
Name	Representing / Address	Primary Phone	Secondary Phone	
BRAD GERRITS	PINE BREEZE DAIRY	(920) 427-3886 x		
Contractors Hired				
Name / Address			Zone Contractor Hired by DNR?	
			No	
Contacts				
Role	Name	Office Phone	Date	Time
Prepared By:	DAKOTA BERG	(608) 267-0844 x	11/05/2014	
Person Notified:	BETH ERDMAN	(920) 362-2072 x	11/05/2014	
Investigated By:	BETH ERDMAN	(920) 362-2072 x	11/05/2014	
Incident Commander:				
Spill Coordinator:	BETH ERDMAN, NE Region	(920) 303-5410 x	01/08/2015	
Electronic Attachments (list)				
Name		Type		



Pine Breeze Dairy



Legend

- Open Site (ongoing cleanup)
- Closed Site (completed cleanup)
- Rivers and Streams
- Open Water
- Cities
- Villages

0.1 0 0.05 0.1 Miles

NAD_1983_HARN_Wisconsin_TM

1: 3,024



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Note: Not all sites are mapped.

Notes

Spill Location: Red Line and Dots

Beginning WTM: 600683, 480403
End WTM: 600994, 408103

December 9th, 2014

Beth A. Erdman
Wisconsin Department of Natural Resources
625 E CTY Y, Suite 700
Oshkosh, WI 54901-9731

Spill Reference: 20141105NE70-1

Spill Summary:

The cause of the spill was due to improper wiring on a semi-tanker. The release valve was incorrectly wired to a power source that was shared with the turn signal. When the turn signal was activated, the valve was opened causing manure to be discharged while traveling.

Responsible Parties:

Buttles Custom Ag, LLC
501 S Pine Street
Weyauwega, WI 54983
Jake Buttles (Owner)
(715) 281-1184

Discharge Information

Date:

November 5th, 2014

Time:

2:40PM

Location:

(Plat Map Attached, Aerial Maps Attached)
WAUSHARA COUNTY
TOWNSHIP OF POY SIPPI
SHOULDER OF THE ROAD ON WEST SIDE
N4579 HWY 49
NEAREST FIRELANE

Type of Discharge:

Liquid Manure

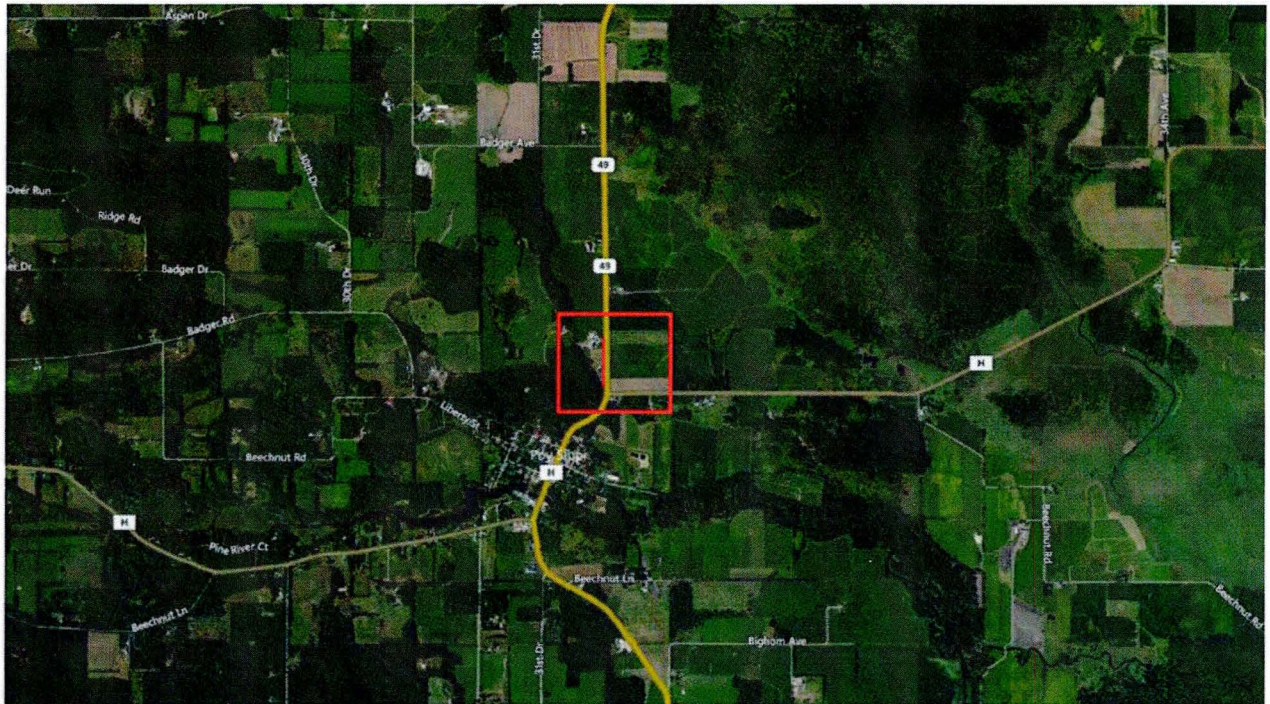
Discharge Amount:

Less than 1000 gallons

Clean-up Summary:

Immediately after the spill I (Brad Gerrits) contacted the Poy Sippi Volunteer Fire Department to initiate the clean-up process. A fire truck with a 2" side discharge spout rinsed the shoulder of the road into the ditch. There was too small of an amount to dictate any collection attempts. The process was complete at roughly 4:30PM on the same day of the spill.

Aerial Maps:



Plat Map:

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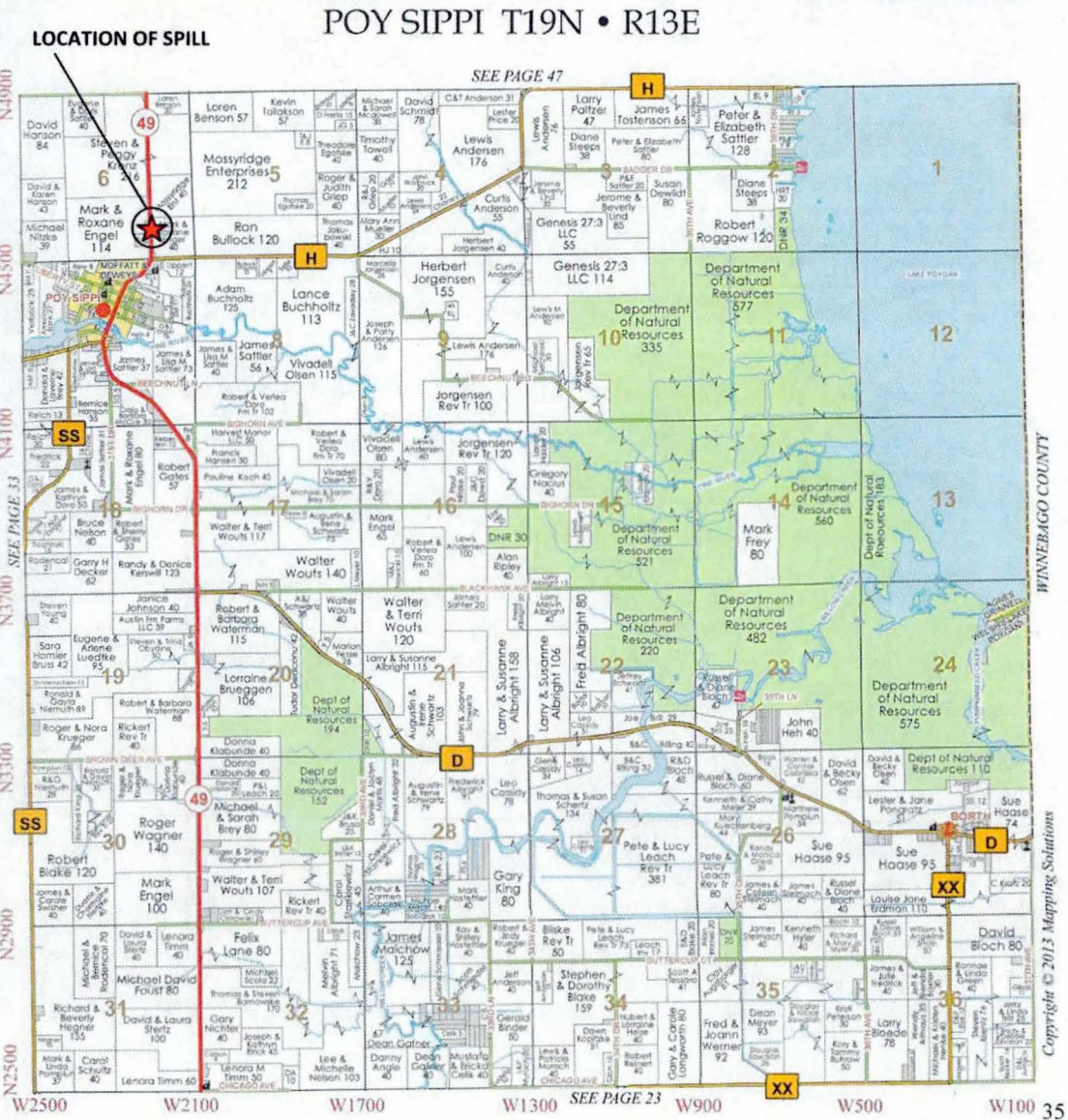
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Kristen Hermanson,
Financial Center Leader
& Terry Lippert, Lender





Photos of Spill and Cleanup:







November 6, 2014

Mr. Brad Gerrits
Pine Breeze Dairy
W1776 Aspen Ave
Pine River, WI 54965

Spill Reference: 20141105NE70-1

Date of Spill: 11/05/2014

Dear Mr. Gerrits:

The Wisconsin Department of Natural Resources ("Department") was notified that a hazardous substance spill occurred on the date and location referenced above. You have received this correspondence because based on the available information the Department believes you are responsible for addressing the hazardous substance spill under Section 292.11 Wisconsin Statutes. Wisconsin Statute 292.11(3) states:

"A person who possesses or controls a hazardous substance which is discharged or who causes the discharge of a hazardous substance shall take the actions necessary to restore the environment to the extent practicable and minimize the harmful effects from the discharge to the air, lands, or waters of the state."

Note, s.292.01(5)Wis.Stats., "Hazardous substance" means any substance or combination of substances including any waste of a solid, semisolid, liquid or gaseous form, which may cause or significantly, contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness or which may pose a substantial present or potential hazard to human health or the environment because of its quality, concentration, physical, chemical or infectious characteristics. This term includes, but is not limited to, substances that are toxic, corrosive, flammable, irritants, strong sensitizers or explosives as determined by the department.

Further, s.292.11(3)Wis. Stats., "Discharge" means, but is not limited to spilling, leaking, pumping, pouring, emitting, emptying, or dumping.

This letter describes the legal responsibilities of a person who is responsible under Section 292.11 Wisconsin Statutes, the spill law, and explains what you need to do clean up the spilled material and "minimize the harmful effects" of any remaining contamination. A description of general spill response procedures and lists of treatment and disposal facilities are attached. You have 45 days from the time the spill was reported to complete this task and send us documentation and proof of what you did to comply.

See NR 708 Wisconsin Admin. Code: <http://www.legis.state.wi.us/rsb/code/nr/nr708.pdf> for detailed response requirements. More information on the Spill Program and Spill Response is available at the Department internet site: <http://dnr.wi.gov/topic/spills/>.

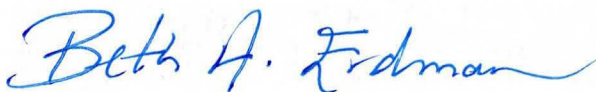
The Department recommends you obtain the services of an environmental contractor and/or consultant who can properly manage this clean-up and knows how to help you to comply with the law. A list of environmental consultants and spill contractors that respond to spills is attached to this letter. A more complete list is available at <http://dnr.wi.gov/files/PDF/pubs/rr/RR024.pdf>. Environmental consultants and contractors can also be located through the internet and local phone directory.

Based on the information available about the spill and the actions taken by you to clean up the spill, the Department will determine if further investigation or cleanup is necessary. Do not wait for Department approval to take appropriate action, but do contact us if you have questions or need other assistance. If you want a formal written response from us for a specific submittal, please be aware that a review fee is required in accordance with ch. NR 749, Wis. Adm. Code.

It is important that you keep the Department informed of your actions to clean up this spill. We prefer to work cooperatively with people to work through these events and get these projects done. Please know that failure to provide documentation of your actions is a violation of Wisconsin Administrative Code requirements and may result in enforcement actions against you. Please send all correspondence to me at the address on the above letterhead.

The Department appreciates your quick action to initial actions to address this situation. If you have any questions regarding this notification or Wisconsin's requirements for spill cleanup, please contact me at 920-303-5410 or via email at beth.erdman@wisconsin.gov.

Sincerely,



Beth A. Erdman
NER Spill Coordinator
Wisconsin Department of Natural Resources