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## Joslin, Richard R - DNR

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**From:** Joslin, Richard R - DNR  
**Sent:** Friday, May 24, 2019 2:09 PM  
**To:** bill@tilthag.com  
**Cc:** Joslin, Richard R - DNR  
**Subject:** Wisconsin DNR Spill Responsible Party Notification for SERTS ID 20190524NE43-1

### RR-5538 Wisconsin DNR Spill Electronic Reporting and Tracking System (SERTS) Responsible Party Notification

This notification contains information for the Responsible Party of the spill referenced below. Included is important legal information and links to spill response resources.

May 24, 2019

Spill Occurred: 2019-05-24 11:00  
Spill Reported: 2019-05-24 11:30  
Substance(s): Manure  
SERTS ID: 20190524NE43-1

Spill Location:  
HWY H AND RED BANK RD  
Underhill, WI  
Oconto County

Responsible Party:  
Zahn'S Farms Llc  
Bill Schaumberg  
Agronomists  
11620 Cth H  
[NO RP ADDRESS 2]  
Gillett, WI [RP ZIP NOT ENTERED]

### Notice to Responsible Party

The person identified as the "Responsible Party" pursuant to Wis. Admin. Code § NR 700.03 (51) is obligated to take the necessary response actions to address the hazardous substance discharge or environmental pollution under Wis. Stat. ch. 292.

### Obligations

Your legal responsibilities are defined in Wis. Stat. ch.292 and Wis. Admin. Code chs. NR 700-754. In particular, the hazardous substances spill law, [Wis. Stat. § 292.11 \(3\)](#), states:

RESPONSIBILITY. 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.

[Wis. Admin. Code chs. NR 700 - 754](#) establish requirements for actions to be taken by responsible parties to restore the environmental to the extent practicable; protect public health, safety, welfare and the environment; and establishes



documentation requirements associated with these response actions, where a hazardous substance discharge or environmental pollution has occurred. [Wis. Admin. Code § NR 708.05](#) requires responsible parties to take immediate action to halt a hazardous substance discharge or environmental pollution and minimize the harmful effects of the discharge or environmental pollution to the air, lands and waters of the state, unless otherwise directed by the DNR.

Below are initial actions that should be taken to address a hazardous substance discharge or environmental pollution:

Obtain the services of an environmental response contractor and/or an environmental consultant to help ensure that proper immediate actions are taken and documented. Information about [environmental consultants](#) and [dnr.wi.gov](#) search “environmental consultants” and “spills”.

Review, along with your contractor or consultant, [Wis. Admin. Code NR 708.05\(6\)](#) requires the submittal of written documentation to the DNR of immediate actions taken and the outcome of those actions, within 45 days after the hazardous substance discharge notification to the DNR.

[Comply with Wis. Admin. Code § NR 708.09](#), which specifies the requirements for the preparation and submittal of a final report to the DNR documenting the actions taken to respond to the hazardous substance discharge and environmental pollution. Reports may be submitted to the appropriate DNR regional spill coordinator, listed below

Review the remainder of [Wis. Admin. Code NR 708](#) to ensure that all immediate response action requirements have been complied with.

#### **DNR Determination**

The DNR will provide a cursory review of the Wis. Admin. Code ch. NR 708 reports, if submitted without a review fee. If no further action is necessary, the DNR will note that in the Bureau for Remediation and Redevelopment (BRRTS) database. If you want a written response from the DNR related to a “no further action” decision, or any other determination, please fill out and submit [DNR Form 4400-237](#) with the appropriate fee.

If, however, groundwater wells are affected by the hazardous substance discharge or environmental pollution, if free product removal is required, if there is evidence that contaminated soil may be in contact with groundwater or residual contamination poses a threat to public health or the environment, the DNR shall require additional action per Wis. Admin. Code § NR708.09(2).

Please contact me if you have any questions regarding this notification or you would like to discuss your specific situation in more detail.

#### **DNR Regional Spill Coordinator:**

Rick R Joslin  
(920) 424-7077  
[Richard.Joslin@Wisconsin.gov](mailto:Richard.Joslin@Wisconsin.gov)