

Joslin, Richard R - DNR

From: Liz Schwalbach <Liz@jerseylandllc.com>
Sent: Monday, June 05, 2017 9:33 AM
To: Joslin, Richard R - DNR
Subject: RE: manure spill
Attachments: Map117.docx

Hello,

The spill occurred on the North side of the road. 300 gallons of manure was released. The map is attached. 400 gallons of water was used to wash down the road and the ditch. All of the manure and the water used to clean it up were pumped back onto field 117.

Thanks,

Liz Schwalbach

920-450-1912

From: Joslin, Richard R - DNR [<mailto:Richard.Joslin@wisconsin.gov>]
Sent: Thursday, June 1, 2017 4:07 PM
To: Liz Schwalbach <Liz@jerseylandllc.com>
Subject: RE: manure spill

Liz

What side of the ditch did this spill occur on? Can you provide me a map with the location? 300 gallons of manure was release? How much was put back onto the field (including both manure form the spill and the water used to flush the ditch)? How was the manure/water applied to the field? At what rate?

If you could revise the report to include the above information that would be great.

Thanks

Rick

We are committed to service excellence.

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Richard R. Joslin

Hydrogeologist / NER Spills Coordinator – Remediation & Redevelopment Bureau

Wisconsin Department of Natural Resources

625 East County Road Y, Suite 700, Oshkosh, WI 54901-9731

Phone: (920) 424-7077

Cell Phone: (920) 360-4291

Richard.Joslin@Wisconsin.gov



From: Liz Schwalbach [<mailto:Liz@jerseylandllc.com>]
Sent: Friday, May 26, 2017 1:19 PM
To: Holtz, Bradley P - DNR; Joslin, Richard R - DNR
Cc: Randy Schmidt
Subject: manure spill

Hello,

The report on the manure spill is attached, let me know if you have any questions.

Thanks,

Liz Schwalbach
920-450-1912

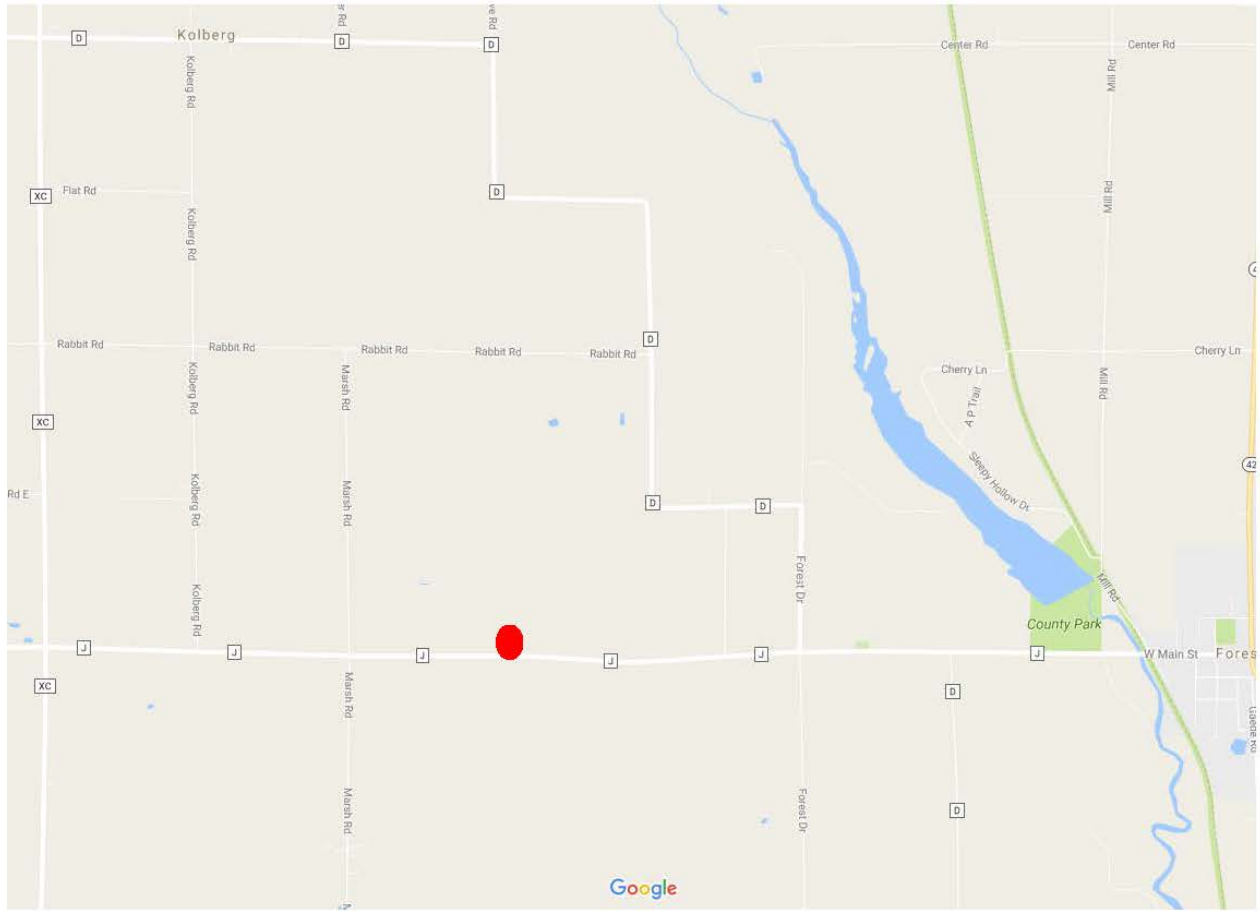
S and S Jerseyland Dairy

5/26/2017

May 26th, 2017

S&S Jerseyland Dairy was hauling manure to a field on Hwy J in the Town of Brussels (Just west of the town of Forestville). The hose on the dumpster came off and approximately 300 gallons of manure spilled. Floor dry was used to clean up the manure on the roadway. We also used our water tank to wash off the road and wash out the ditch. The water used to clean up the manure was pumped back into the field.







20170526NE15-2



Legend

- Open Site (ongoing cleanup)
- Closed Site (completed cleanup)
- Municipality
- State Boundaries
- County Boundaries
- Major Roads**
 - Interstate Highway
 - State Highway
 - US Highway
- County and Local Roads**
 - County HWY
 - Local Road
- Railroads
- Tribal Lands

0.5 0 Distance / 2 0.5 Miles

1: 15,840



NAD_1983_HARN_Wisconsin_TM

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 aregarding accuracy, applicability for a particular use, completemenss, or legality of the information depicted on this map. For more information, see the DNR Legal Notices web page: <http://dnr.wi.gov/org/legal/>

Note: Not all sites are mapped.

Notes

CTH J N SIDE OF RD BETWEEN MARSH RD AND HWY D
mgs - 6-jun-2017



June 1, 2017

WPDES Permit No. WI-0062863-03-0
Door County
Enforcement Correspondence

Randy Schmidt
S&S Jerseyland Dairy
7900 Old Elm Rd
Sturgeon Bay, WI

SUBJECT: Notice of Noncompliance – Response Requested by June 30, 2017

Dear Mr. Schmidt:

On May 24 and 26, 2017, Door County Soil and Water Department staff notified the Department of Natural Resources (DNR) of their site observations of a manure application site on field identified as 117 in S & S Jerseyland's (S & S) nutrient management plan. The following items were documented on three county inspection dates (May 23, 24 and 26):

- Three holes were dug in low areas of field and excessive moisture or saturation was not observed (May 26).
- There were a number of channels in the field with intermittent grassed areas not present on restriction map that received manure application (May 26).
- Manure was applied within the 25 feet setback area from a wetland (May 23 & 24).
- Manure did not leave the field application site.
- Ponding at surface was present during application and day after (rainfall did occur shortly after application) (May 23 & 24).

DNR contacted S & S regarding field verification of groundwater depths on W soils prior to application and S & S supplied documentation that soil pits were dug on field and no water was observed within two feet of surface. The DNR recommends that photo documentation should show bottom of soil test pits if possible to demonstrate presence or absence of groundwater.

Due to manure being applied within wetland setback and ponding issues observed at field application site, the DNR believes the facility is not complying with the following permit condition:

- Permit Section 1.5 Nutrient Management: the permittee is responsible for ensuring that manure and process wastewater generated by the operation is land applied in a manner that complies with the terms of permit, approved nutrient management plan and s. NR 243.14.

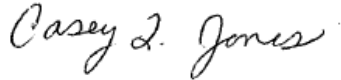
The following actions are required to demonstrate compliance with permit and nutrient management plan:

- Submit documentation (photos, updated map, etc.) of field verification of field 117 that determines if grass waterway areas need to be added to restriction map and not receive manure application in future. Note: Grassed waterways cannot have manure or process wastewater applied through them.
- Provide written response of methods S & S will conduct to ensure that wetland and other required setbacks are met during future manure applications.

- Provide written response of methods S & S will conduct to ensure that manure is thoroughly incorporated where required in order to prevent ponding which increases risk of manure runoff from intended application area.

Please submit the information to me via email or to address in letterhead no later than June 30, 2017. If you have any questions regarding this letter or your nutrient management plan requirements feel free to contact me at 920-303-5426 or Casey.Jones@Wisconsin.gov.

Sincerely,



Casey L. Jones
WDNR Agricultural Specialist

Enclosures: County email correspondence; W soils documentation

ec: Rick Stoll, WDNR Watershed Field Supervisor (Richard.Stoll@Wisconsin.gov)
Joe Baeten, WDNR Nutrient Management Program Coordinator (Joseph.Baeten@Wisconsin.gov)
Erin Hanson, Door County Soil and Water Conservation Department (ehanson@co.door.wi.us)
Liz Schwalbach, NMP Planner S & S Jerseyland (liz@jerseylandllc.com)
File

Jones, Casey L - DNR

From: HANSON, ERIN <ehanson@co.door.wi.us>
Sent: Thursday, May 25, 2017 1:29 PM
To: Holtz, Bradley P - DNR; 'Randy Schmidt'
Cc: Jones, Casey L - DNR; Liz Schwalbach; Forest, Brian; Seng, Kevin
Subject: FW: S&S Field 117West Manure Complaint (1/2)
Attachments: 117.pdf; 20170523_134610.jpg; 20170523_134806 (002).jpg

I spoke with Brad and realized that he did not receive Kevin's email from yesterday afternoon. It was likely returned undeliverable because of the size of the attachments.

I am resending in two emails to reduce size. Kevin is out of the office until Tuesday, but you may contact me if you have questions.

Erin Hanson

Door County Soil and Water Conservation Department
Phone: (920) 746-2216

From: Seng, Kevin
Sent: Wednesday, May 24, 2017 4:40 PM
To: Bradley.holtz@wisconsin.gov; randy@jerseylandllc.com
Cc: casey.jones@wisconsin.gov; Liz Schwalbach <Liz@jerseylandllc.com>; HANSON, ERIN <ehanson@co.door.wi.us>; Forest, Brian <bforest@co.door.wi.us>
Subject: S&S Field 117West Manure Complaint

Here is an update to a complaint that Door County SWCD received and responded to.

On May 23, 2017 I responded to a complaint. In field 117West (corner of Rabbit Rd. and Marsh Rd.) I observed S&S injecting manure at a rate of 15,000gal/acre. I called Liz Schwalbach and she came out to talk to me. She informed me that as a CAFO they are allowed to spread in a SWQMA because they were injecting and immediately incorporating. I ask her to make a pass around to outside to reincorporate the ponded manure. That was how we left the conversation.

Then today May 24, 2017, I followed up on the application and took a few photos. The following are the concerns that I have about this manure application:

- Were the 'W' Soils verified before spreading?
- There was manure seen within the 25' setback from a wetland (see second photo attached).
- Ponding on the surface the day of application within the SWQMA and then 24hrs after application. (Yes it did rain, which may have contributed to the ponding)
- General site conditions and whether it was a good time to spread on this field.

Lastly, given current wet conditions please ensure soils are not saturated before application and 'W' Soils are verified.

I will be back in the office June 6th, if there are any questions or concerns.

Thank you,

Kevin Seng
Conservationist
Door County: Soil and Water Conservation Department
421 Nebraska St
Sturgeon Bay, WI 54235
Phone: (920) 746-2485
kseng@co.door.wi.us







Jones, Casey L - DNR

From: Konkol, Dale <DKonkol@co.door.wi.us>
Sent: Friday, May 26, 2017 4:24 PM
To: Jones, Casey L - DNR
Cc: HANSON, ERIN
Subject: RE: manure spill

117

From: Jones, Casey L - DNR [mailto:Casey.Jones@wisconsin.gov]
Sent: Friday, May 26, 2017 4:03 PM
To: Konkol, Dale <DKonkol@co.door.wi.us>
Cc: HANSON, ERIN <ehanson@co.door.wi.us>
Subject: RE: manure spill

Thanks for checking it out Dale.

Can you provide the field ID? (I'm assuming not the same one that Kevin looked at on Wednesday?) I'll look into it further on Tuesday and follow-up with farm on if their map needs to be updated.

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Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Casey L. Jones
Phone: 920-303-5426
Casey.Jones@Wisconsin.gov

From: Konkol, Dale [mailto:DKonkol@co.door.wi.us]
Sent: Friday, May 26, 2017 3:49 PM
To: Jones, Casey L - DNR
Cc: 'Liz Schwalbach'; Randy Schmidt (randy@jerseylandllc.com); HANSON, ERIN
Subject: manure spill

I was contacted by Rick from the manure spills hot line. Darrel Karas called me to let me know of the spill. I observed the following:

I was at the site at approximately 1 pm and spoke with the manure pump operator.

- a. He indicated that there was a mechanical failure, the hose coupler broke behind the tractor (north side). The site was cleaned up with water and the material was pumped into the field. Darrel claims that the spill was on the south side of the road. I think that S and S needs to verify what transpired. Regardless I checked both sides of the road and the situation was cleaned up and the road cleaned off with water. I asked that they do an inspection once the application was done and the equipment was moved to make sure there wasn't any lingering issues.
- b. I walked the fields because I had concerns with saturated soil. The field is located in a low area surrounded by wetlands. I used a post hole digger to check for saturation. I dug three holes in low areas. I did not wait the required time to observe saturation but the holes did not display any excessive moisture. I felt comfortable with the application this season.
- c. There are a number of channels in the field with intermittent grassed areas. I feel that mapping should indicate these areas and manure applications should not have happened in them. These channels lead to the wetland areas surrounding the field.

In summary the spill was cleaned up in a timely manner. Please contact me if you should have questions. Dale

Jones, Casey L - DNR

From: Liz Schwalbach <Liz@jerseylandllc.com>
Sent: Tuesday, May 30, 2017 4:46 PM
To: Jones, Casey L - DNR
Subject: RE: Spreading on field 117
Attachments: 117 5.23.17.pdf; 117 WSoils 5-25-17.pdf; WSOILS Records.pdf

Hello,

The photos and records for field 117 are attached.

Thanks,

Liz Schwalbach

920-450-1912

From: Jones, Casey L - DNR [<mailto:Casey.Jones@wisconsin.gov>]
Sent: Tuesday, May 30, 2017 3:37 PM
To: Liz Schwalbach <Liz@jerseylandllc.com>; Randy Schmidt <Randy@jerseylandllc.com>
Subject: Spreading on field 117

Hi Randy and Liz,

Was W soils verification / groundwater pits dug on Field 117 prior to manure application? If so, please send documentation/records regarding this.

Thanks,
Casey

We are committed to service excellence.

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Casey L. Jones
Agricultural Runoff Specialist – Water Division
Wisconsin Department of Natural Resources
625 E County Rd Y, Suite 700
Oshkosh, WI 54901
Phone: 920-303-5426
Cell Phone: 920-366-5185
Fax: 920-424-4404
Casey.Jones@Wisconsin.gov



dnr.wi.gov



W Soils Verification Field 117
5.25.2017



W Soils Verification Field 117
5.25.2017



W Soils Verification Field 117
5.23.2017

