

ENVIRONMENTAL ANALYSIS AND DECISION ON THE NEED  
FOR AN ENVIRONMENTAL IMPACT STATEMENT (EIS)

Form 1600-8

Rev. 6-2001

Department of Natural Resources (DNR)

Region or Bureau  
Watershed Management

Type List Designation  
II

NOTE TO REVIEWERS: This document is a DNR environmental analysis that evaluates probable environmental effects and decides on the need for an EIS. The attached analysis includes a description of the proposal and the affected environment. The DNR has reviewed the attachments and, upon certification, accepts responsibility for their scope and content to fulfill requirements in s. NR 150.22, Wis. Adm. Code. Your comments should address completeness, accuracy or the EIS decision. For your comments to be considered, they must be received by the contact person before 4:30 p.m., Insert Date.

Contact Person:

Dan Joyce

Title: Wastewater Engineer

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Madison, WI 53707

Telephone Number

608-266-0289

E-mail Address

[joyced@dnr.state.wi.us](mailto:joyced@dnr.state.wi.us)

Applicant: Foremost Farms USA

Address: 923 N. Madison St., Lancaster, WI 53813

Title of Proposal: New Discharge of Treated Process Wastewater to a Tributary of Pigeon Creek

Location: County: Grant City/Town/Village: Lancaster

Township Range Section(s): T4N, R3W, Secs. 3 & 10

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PROJECT SUMMARY

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1. Brief overview of the proposal including the DNR action

Foremost Farms has a cheese manufacturing and drying factory in Lancaster, which discharges (on average) 90,000 gallons per day of noncontact cooling water to a tributary of Pigeon Creek east of the dairy [For this document, the tributary will be referred to as "the east tributary"]. An average of 267,500 gallons per day of process wastewater generated at the dairy is discharged to the Lancaster sanitary treatment plant (hereinafter referred to as the "STP").

Foremost Farms proposes to construct its own on-site wastewater treatment plant (WWTP), which would treat the combined noncontact cooling water and process wastewater, thereby eliminating the aforementioned discharge to the east tributary, and eliminating its process wastewater discharge to the Lancaster STP.

Instead of discharging untreated wastewater to the sanitary sewer, the treated wastewater from the proposed on-site treatment plant would be directed into the existing Lancaster storm sewer system via a 6-inch force main.

The storm sewer would carry the treated wastewater to a tributary of Pigeon Creek south of the city [For this document, the tributary will be referred to as “the south tributary”]. The point of discharge (outfall) of the storm sewer is located about 50 feet upstream of the point of discharge (outfall) of the Lancaster STP. Hence, the dairy and the STP would jointly use the south tributary.

Under s. 281.41, Wis. Stats., the Department must review plans for the proposed dairy wastewater treatment plant. This requirement, in turn, triggers the need for an environmental analysis.

2. List the documents, plans, studies or memos on which this DNR review is based

- December 31, 2001 submittal from Tom Probst to Dan Joyce: engineering report for proposed wastewater treatment plant
- January 2, 2002 submittal from Jim Wittenberger to Joyce; property owner’s permission
- February 6, 2002 submittal from Probst to Norm Hahn/Joyce: plans and specifications
- March 12, 2002 submittal from Probst to Joyce: force main plans
- March 15, 2002 submittal from Probst to Joyce: storm sewer map, force main connection detail, hydraulic capacity calculation
- March 20, 2002 letter from Joyce to Probst: planning limits for Foremost Farms
- March 29, 2002 letter from Tom McElligott to Paul Kent: advising city that Foremost intends to proceed with construction
- May 8, 2002 submittal from Kelly Repinski to Joyce: (2) project site maps and (2) wastewater routing drawings

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DNR EVALUATION OF PROJECT SIGNIFICANCE

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3. Environmental Effects and Their Significance

- a. Discuss which of the primary and secondary environmental effects listed in the supporting documents are long-term or short-term.

When the new WWTP is in operation, there will no longer be a discharge of noncontact cooling water to the east tributary. The noncontact cooling water has a chlorine residual in it, which comes from the city’s water supply. Chlorine has been shown to be toxic to aquatic life. Therefore, eliminating the noncontact cooling water may result in better survival and reproduction of aquatic organisms in the tributary and, over the long term, perhaps more species diversity. The east tributary and the stretch of Pigeon Creek from the confluence of the east tributary downstream to the confluence with the south tributary will have 90,000 gallon per day less flow; but this should have no discernible impact on aquatic life or habitat.

Since the dairy proposes to treat the combined noncontact cooling water and process wastewater in its new WWTP, there will be a 90,000 gallon per day increase in the flow of treated effluent in the south tributary. This should have no discernible impact on aquatic life or habitat.

In Pigeon Creek, from the confluence with the south tributary to points downstream, the flow will remain the same.

The proposed WWTP will provide a level of treatment of the dairy’s wastewater as good or better than what is presently being provided by the Lancaster STP. The design includes tertiary treatment (sand filters) after secondary treatment. The new discharge will be regulated by a WPDES (wastewater discharge) permit, which will impose treatment technology-based limitations on organic matter (suspended solids and BOD<sub>5</sub>). In addition, the permit will impose water quality-based limitations based on the use classification of the tributary. These same water quality-based limitations also apply to the Lancaster STP. In effect, the south tributary and

Pigeon Creek will be protected from adverse affects to the extent that they are already protected under the Lancaster STP's discharge permit. Furthermore, the Department will be reviewing the plans and specifications for the WWTP to ensure that the system has been designed to meet the permit conditions and limitations.

The dairy presently generates 12,700 gallons per day of high strength wastewater, which is landspread on Department approved agricultural sites. The landspreading operation is regulated under a WPDES permit and a Department approved land management plan. The proposed WWTP will generate a smaller volume of high strength wastewater, probably no more than about 1,300 gallons per day, which would be disposed of by landspreading or some other alternative. Chloride minimization efforts at the factory could altogether eliminate the disposal of high strength wastewater. Whey permeate, a cheese processing by-product, is also expected to be landspread. Additionally, solids will be generated by the WWTP, and the dairy expects to landspread the solids. Overall, it is anticipated that there will be at least a 50 % reduction in the volume of materials to be landspread. The proposed WWTP would be regulated under a new WPDES permit, which would require the submittal of a new land management plan for Department approval. Within the next two years, the Department may revise some of the criteria for approval of landspreading sites. Winter landspreading may have additional restrictions (i.e. wider buffers along streams, lesser slopes, etc.). The tighter restrictions could make it necessary for the dairy to obtain additional landspreading sites.

Under federal storm water regulations, any activity that involves disturbing a site that is 1 acre or more in size must be regulated under a construction site storm water permit. Construction of the WWTP and installation of the forcemain will disturb in excess of 1 acre. Therefore, the project will be regulated by the Department under a construction site storm water general permit. The storm water permit will ensure that appropriate erosion control measures are being employed during construction and that appropriate stabilization measures are employed after construction.

As previously mentioned, a new 6-inch forcemain will be constructed. It will extend from the WWTP to the point of connection with the existing city storm sewer, which is on Harrison Street, just south of Pine Street. The trench for installing the forcemain will be located on the street easement in front of several residences. It is anticipated that the trenching operation will cause some inconvenience to property owners, and there will be an aesthetic impact. This is considered a short-term impact which will last only a few months. After the trench is backfilled, the soil stabilized (seeded and mulched), and paved areas re-paved, the properties will appear as they did prior to the forcemain installation.

Sections NR 213.08(1)(a)1 and 811.16(4)(d)5, Wis. Adm. Code, specifies that storage and treatment structures may not be closer than 1,000 feet from a public water supply well. The proposed location of the WWTP is such that the sludge storage tank is 591 feet from one of the city wells. Other tanks, while further away from the well, are still less than the requisite 1,000 feet. Since there is no feasible alternative site available for the WWTP (refer to section 8 for a more detailed discussion), Foremost Farms requested an exemption from the setback requirement. The justification for the exemption request was that the entry of contaminants into the well would be extremely unlikely, due to site-specific geological and hydrogeological conditions. Furthermore, the dairy argued that the design and construction of the treatment facility virtually eliminates releases of contaminants to the groundwater.

The Department believes the dairy presented a strong argument with regard to construction features. The following features are incorporated in the project design:

- Below grade structures and those below grade portions of above grade structures will be constructed of reinforced poured concrete and will be provided with water stops and interior coatings. Secondary containment structures will be installed within the treatment plant building.

- Buried wastewater piping will be constructed of water main class pipe and joints consisting of AWWA C900 DR18 PVC bell & spigot pipe, AWWA C200 coated welded/flanged steel pipe and DR11 HDPE fusion welded pipe. Below grade piping will be pressure and leakage tested in accordance with the most current AWWA C600 requirements.
- The toilet room wastewater piping will discharge to a holding tank to be located adjacent to the southwest wall of the treatment plant building. No sludge will be spread within 1,000 feet of well No. 1.

The dairy's argument relating to topography and hydrogeological conditions appeared more tenuous. The ground elevation of well No. 1 is twenty feet higher than the ground elevation of the proposed treatment plant; and this would certainly eliminate the potential for well contamination from surface flow. The natural groundwater flow direction is west-northwest, whereas the proposed treatment plant is southwest of the well. While there may be some benefit to being located downgradient of the well, long-term operation of the well could potentially reverse the local flow gradient. Because of this, the Department could choose to modify the vulnerability assessment for the well; and this could possibly result in the Department requiring more frequent water quality sampling at the well.

The Department believes that the treatment plant design and the enhanced construction features, along with site conditions, would minimize to the extent practicable, releases to the groundwater; and that under normal operating conditions, groundwater standards would not be exceeded. If the proposed WWTP moves forward, the Department would grant the dairy's request for exemption from the public well setback requirements.

Section NR 213.08(1)(a)3., Wis. Admin. Code, requires that treatment and storage structures be located no closer than 500 feet from an inhabited dwelling, unless permission is obtained from the owner and occupants of the residence. There is, in fact, a residence located less than the requisite 500 feet from the proposed WWTP. Foremost Farms has made the property owner aware of its plans and has obtained his permission. Refer to the listed document.

Dairy wastewater treatment plants have the potential for creating odors. Potential odors at the site have been addressed through:

- The elimination of sanitary wastewaters from the treatment process.[Sanitary wastewaters will continue to go to the STP.]
- The aggressive oversizing of aeration facilities for the aeration tank, waste sludge accumulation tank, and sludge storage tank.
- Emergency generator capacity to keep the system in an odor free condition even during power outages.
- Redundant aeration tank mix pump
- Redundant blower unit
- Contingency plan for operational adjustments

A more detailed description of the proposed odor control plan is included in the listed engineering report. The Department believes that the above measures will minimize the potential for odor problems.

- b. Discuss which of the primary and secondary environmental effects listed in the supporting documents are effects on geographically scarce resources (e.g. historic or cultural resources, scenic and recreational resources, prime agricultural lands, threatened or endangered resources, or ecologically sensitive areas).

The site for the proposed WWTP and forcemain is located in a completely developed urban setting. There are no geographically scarce resources that would be affected.

- c. Discuss the extent to which the primary and secondary environmental effects listed in the supporting documents are reversible.

The only negative environmental effect identified in the above discussion relates to the site work for the WWTP and trenching for the forcemain. The environmental effect of the forcemain construction is of short duration, 3 months or less. The disturbed trenched areas will revert back to their original condition. Site preparation for the WWTP would precede construction by about 60-90 days. The actual construction of the WWTP will occur roughly from May through October of 2004. Site finish grading and landscaping would occur the following spring. None of the site work or WWTP construction activities are expected to have a permanent environmental impact. There will be an increase of impervious surface at the WWTP site, which will increase the amount of storm water flowing to the storm sewer system. But in comparison to the total area served by the storm sewer, this increase is negligible.

#### 4. Significance of Cumulative Effects

Discuss the significance of reasonably anticipated cumulative effects on the environment (and energy usage, if applicable). Consider cumulative effects from repeated projects of the same type. Would the cumulative effects be more severe or substantially change the quality of the environment? Include other activities planned or proposed in the area that would compound effects on the environment.

There are no anticipated cumulative effects from the proposed project. It is highly unlikely that a similar project would be undertaken. Dairies in Wisconsin are closing and consolidating, rather than building new facilities.

#### 5. Significance of Risk

- a. Explain the significance of any unknowns that create substantial uncertainty in predicting effects on the quality of the environment. What additional studies or analysis would eliminate or reduce these unknowns?

No unknowns.

- b. Explain the environmental significance of reasonably anticipated operating problems such as malfunctions, spills, fires or other hazards (particularly those relating to health or safety). Consider reasonable detection and emergency response, and discuss the potential for these hazards.

Discussions with Foremost Farms and the community have addressed an automated storm sewer high flow response, and development of a manual protocol between the City and WWTP operators regarding the retention of wastewaters at the WWTP during large storm events. The dairy proposes to install a level detector in the receiving manhole of the storm sewer system. If storm sewer flows are increasing to the point of causing a backup in the storm sewer system, a remote signal will trigger a "high flow" alarm at the WWTP. Simultaneously, the remote signal would initiate a shutdown of the WWTP discharge. This would be accomplished by ceasing the flow from the aeration basin. The aeration basin has been designed with enough freeboard to allow holding in excess of 115,000 gallons of effluent. This translates to a six to eight hour retention period without a discharge, whereas the high flow condition due to storm events is not expected to exceed two hours. The discharge would be enabled when the level detector indicates that the level in the manhole has returned to normal operating conditions.

A cooperative arrangement between the City and Foremost Farms is also expected to address non-storm related events, such as the performance of maintenance on the sewer system. Under this arrangement, the City Department of Public Works would provide Foremost Farms advanced notification of the need to restrict the discharge. Under unusual circumstances which would necessitate the total cessation of discharge to the south tributary for an extended period (over one day), the dairy may, with city and Department authorization, temporarily divert treated wastewater to the east branch via the city storm sewer.

The interruption of the discharge of wastewater was just discussed. The interruption of the generation of wastewater can only be accomplished by shutting down factory operations. Prior to this happening, alternative courses of action would be employed. One action would be to divert wastewaters on a temporary basis to the sludge holding tank. The tank would typically have capacities for an additional 115,000 to 300,000 gallons. The

sludge tank and its piping is configured and equipped to serve as an alternative aeration basin.

Another potential response following retention of wastewater for nearly one day may be to arrange for a temporary emergency hauling permit of raw wastewater.

In addition to all of the design and operational safeguards that minimize the potential for hazards, there are also regulatory safeguards associated with the WPDES (discharge) permit. A discussion of these follow.

A standard condition of all WPDES permits (and the Foremost Farms permit will be no exception) is the requirement that the wastewater treatment facility be properly operated and maintained to achieve compliance with the conditions of the permit, and that the facility be under the direct supervision of a state certified operator.

Permittees are required under the permit conditions to notify the Department whenever there is an exceedence. The following condition is common to all WPDES permits:

### ***Noncompliance Notification***

The permittee shall report the following types of noncompliance by a telephone call to the Department's regional office within 24 hours after becoming aware of the noncompliance;

- *any noncompliance which may endanger health or the environment;*
- *any violation of an effluent limitation resulting from an unanticipated bypass;*
- *any violation of an effluent limitation resulting from an upset; and*
- *any violation of a maximum discharge limitation for any of the pollutants listed by the Department in the permit.*

A written report describing the noncompliance shall also be submitted to the Department's regional office within 5 days after the permittee becomes aware of the noncompliance. On a case-by-case basis, the Department may waive the requirement for submittal of a written report within 5 days and instruct the permittee to submit the written report with the next regularly scheduled monitoring report. In either case, the written report shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times; the steps taken or planned to reduce, eliminate and prevent reoccurrence of the noncompliance; and if the noncompliance has not been corrected, the length of time it is expected to continue.

The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

The design of the WWTP does not permit cheese factory wastewater to bypass the treatment process. However, it is possible, albeit improbable, for an overflow of the treatment system to occur if there was a catastrophic failure of the treatment system. A worst-case scenario would be the release of insufficiently treated wastewater and subsequent mortality of some aquatic species in the south tributary. The following condition appears in all WPDES permits:

### ***Unscheduled Bypassing***

*Any unscheduled bypass or overflow of wastewater at the treatment works or from the collection system is prohibited, and the Department may take enforcement action against a permittee for such occurrences under s. 283.89, Wis. Stats., unless:*

*The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage; There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of*

*reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and  
The permittee notified the Department as required in this Section.*

*Whenever there is an unscheduled bypass or overflow occurrence at the treatment works or from the collection system, the permittee shall notify the Department within 24 hours of initiation of the bypass or overflow occurrence by telephoning the wastewater staff in the regional office as soon as reasonably possible (FAX, email or voice mail, if staff are unavailable).*

*In addition, the permittee shall within 5 days of conclusion of the bypass or overflow occurrence report the following information to the Department in writing:*

*Reason the bypass or overflow occurred, or explanation of other contributing circumstances that resulted in the overflow event. If the overflow or bypass is associated with wet weather, provide data on the amount and duration of the rainfall or snow melt for each separate event.*

*Date the bypass or overflow occurred.*

*Location where the bypass or overflow occurred.*

*Duration of the bypass or overflow and estimated wastewater volume discharged.*

*Steps taken or the proposed corrective action planned to prevent similar future occurrences.*

*Any other information the permittee believes is relevant.*

Another unlikely scenario is a spill or accidental release. All WPDES permits have the following standard condition:

### **Spill Reporting**

*The permittee shall notify the Department in accordance with ch. NR 706 (formerly NR 158), Wis. Adm. Code, in the event that a spill or accidental release of any material or substance results in the discharge of pollutants to the waters of the state at a rate or concentration greater than the effluent limitations established in this permit, or the spill or accidental release of the material is unregulated in this permit, unless the spill or release of pollutants has been reported to the Department in accordance with s. NR 205.07 (1)(s), Wis. Adm. Code.*

Lastly, if the problem with the WWTP cannot be corrected in a timely fashion, the Department expects the manufacturer to curtail or halt the production of wastewater altogether. This usually means the factory must shut down. Here is another standard condition that appears in all WPDES permits:

### **Duty to Halt or Reduce Activity**

*Upon failure or impairment of treatment facility operation, the permittee shall, to the extent necessary to maintain compliance with its permit, curtail production or wastewater discharges or both until the treatment facility operations are restored or an alternative method of treatment is provided.*

The risks just discussed are typical of biological wastewater treatment systems, such as the Lancaster STP, which presently treats the dairy's wastewater. Furthermore, all of the standard conditions just discussed are included in the WPDES permit issued to the Lancaster STP, and will be included in the WPDES permit for the WWTP. There is, however, one notable difference between the two systems in terms of risk potential: the proposed WWTP will, by design, be incapable of bypassing untreated wastewater. In case of power outages, an emergency generator set will maintain pumps and vital treatment process units in operation. Overflow protection is provided on all tankage to ensure that only treated wastewaters can be discharged.

#### 6. Significance of Precedent

Would a decision on this proposal influence future decisions or foreclose options that may additionally affect the quality of the environment? Describe any conflicts the proposal has with plans or policy of local, state or federal agencies. Explain the significance of each.

This proposal, if acted upon, would not influence future decisions or foreclose options. The wastewater generated by the dairy must be treated in order to protect the environment. This proposal merely transfers the burden of treatment from Lancaster's STP to the dairy's on-site WWTP. The Department has historically opposed proposals to build on-site wastewater treatment facilities as an alternative to connecting (or in this case staying connected) to a centralized STP. The proliferation of on-site wastewater treatment systems promotes urban sprawl. However, this position has always been in the context of residential development. The Department has not taken a position on industrial on-site systems. This proposal for an industrial on-site treatment system is not likely to promote urban sprawl. There does not appear to be any conflicts with plans or policies of local, state, or federal agencies.

7. Significance of Controversy over Environmental Effects

Discuss the effects on the quality of the environment, including socio-economic effects, that are (or are likely to be) highly controversial, and summarize the controversy.

At present, the dairy contributes about 40 % of the flow and 50 % of the organic loading to the Lancaster STP. As a result, the dairy pays about 40 % of the total operation and maintenance (O&M) of the STP. After the dairy disconnects from the STP, the residences will have to assume the entire O&M cost.

Projecting the increased monthly sewer charge to the residential customer would ordinarily be a straightforward calculation, except that the STP is currently planning to upgrade to reduce its discharge of phosphorus. Phosphorus loading from dairies is normally several times greater in concentration than from residences. Therefore, with the dairy no longer connected, it would appear that the city would incur smaller capital and O&M expenses for phosphorus removal. However, some of the upgrading may involve replacing equipment that has reached the end of its useful life. Replacement of old equipment is something that must be done regardless of the phosphorus limitations or the loss of a big input (the dairy). The city has not yet gotten a clear scope of the plant improvements and the associated costs. Therefore, it is premature to attempt to calculate the burden (or lack thereof) on residential customers as a direct result of the dairy disconnecting from the STP.

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ALTERNATIVES

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8. Briefly describe the impacts of no action and of alternatives that would decrease or eliminate adverse environmental effects. (Refer to any appropriate alternatives from the applicant or anyone else.)

“No action” would mean the dairy continues to discharge noncontact cooling water to the east tributary of Pigeon Creek and process wastewater to the STP. As previously discussed, the present discharge to the east tributary contains chlorine residual, which can be toxic to aquatic life. Therefore, a “no action” would mean that the potential for aquatic toxicity would remain.

The total amount of treated wastewater going to the south tributary and the downstream Pigeon Creek is the same whether it's the dairy or the STP that treats the raw dairy wastewater. The level of treatment is comparable either way. Therefore, there should not be an adverse environmental impact. Rather, there should be an environmental improvement due to the elimination of the chlorine residual presently discharging to the east tributary.

Foremost Farm's decision to build its own on-site WWTP is predicated on the belief that it will be less costly to build and operate its own treatment plant than to pay the city sewer use charges. There were no options available for the site of the WWTP other than what is proposed. There is no available property to the west or south of the factory. Locating east or further north would put the WWTP in closer proximity to a public water supply well. In addition, a city ordinance precludes locating outside of the city limits further north of the proposed site.

Foremost Farms explored two alternative discharge locations: a discharge to a tributary to the Grant River, and a discharge to the east tributary via the city storm sewer. The latter is how the noncontact cooling water is presently being disposed.

City officials discouraged the discharge to the east branch because they were concerned over potential aesthetic impacts. There are residences along the tributary and it flows through a municipal golf course. The current use classification of the east tributary is “warm water sport fishery”. This is a higher classification than the south tributary, and would result in effluent limitations that would be costly to comply with.

The tributary to the Grant River flows through Schriener Park. The tributary has a low flow rate. In the park area, there are two springs that flow into the tributary. The gravely, rocky stream bed and natural and man-made riffles provide a good cold-water habitat. The Department was not supportive of a discharge to the tributary primarily because it believed that adding a continuous base flow of 415,000 gallons per day of treated wastewater would drastically alter the aesthetic characteristics of the tributary as it flowed through the park. There were other concerns.

It was discovered that in portions of the tributary the water totally disappeared beneath the stream bed. This condition creates a potential for groundwater contamination, should the tributary be used as a conveyance for wastewater. To ensure the protection of groundwater, the WPDES discharge permit would have to contain very stringent effluent limitations that would be technically difficult to meet. The cost of treatment could prove to be prohibitively expensive.

Furthermore, the tributary joins a segment of the Grant River that is classified as a class 2 trout stream. There was a concern that any appreciable amount of heat added to the tributary could adversely affect the trout fishery.

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SUMMARY OF ISSUE IDENTIFICATION ACTIVITIES

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9. List agencies, citizen groups and individuals contacted regarding the project (include DNR personnel and title) and summarize public contacts, completed or proposed.

<u>Date</u>	<u>Contact</u>	<u>Comment Summary</u>
4/25/02 to present	Robin Nyffeler, DNR Attorney	Overall review of EA document
4/25/02 to present	Thomas Harpt, DNR Basin Engineer	Overall review of EA document
5/22/02 to 6/20/02	Jerry Carroll, Lancaster Dir. Pub.Works	Discussions on STP and storm sewer upgrading plans
4/25/02 to 6/17/02	Dave Marshall, DNR Water Quality Biologist	Discussions on receiving water impacts
4/25/02 to present	Tom Probst, Consultant for Foremost Farms	Discussions on WWTP design features
To be notified of public hearing	Harry & Laura Nohr Chapter, Trout Unlimited	Discussions on receiving water impacts

10.  On-site inspection or past experience with site by evaluator.

DECISION (This decision is not final until certified by the appropriate authority)

In accordance with s. 1.11, Stats., and Ch. NR 150, Adm. Code, the Department is authorized and required to determine whether it has complied with s.1.11, Stats., and Ch. NR 150, Wis. Adm. Code.

Complete either A or B below:

A. EIS Process Not Required

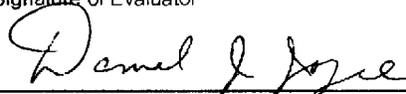


The attached analysis of the expected impacts of this proposal is of sufficient scope and detail to conclude that this is not a major action which would significantly affect the quality of the human environment. In my opinion, therefore, an environmental impact statement is not required prior to final action by the Department.

B. Major Action Requiring the Full EIS Process



The proposal is of such magnitude and complexity with such considerable and important impacts on the quality of the human environment that it constitutes a major action significantly affecting the quality of the human environment.

Signature of Evaluator 	Date Signed 8/1/02
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Number of responses to news release or other notice: 2

Certified to be in compliance with WEPA	
Environmental Analysis and Liaison Program Staff 	Date Signed 8/1/02

NOTICE OF APPEAL RIGHTS

If you believe that you have a right to challenge this decision, you should know that 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 sections 227.52 and 227.53, Stats., 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 shall name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to section 227.42, Stats., 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. The filing of a request for a contested case hearing is not a prerequisite for judicial review and does not extend the 30-day period for filing a petition for judicial review.

Note: Not all Department decisions respecting environmental impact, such as those involving solid waste or hazardous waste facilities under sections 144.43 to 144.47 and 144.60 to 144.74, Stats., are subject to the contested case hearing provisions of section 227.42, Stats.

This notice is provided pursuant to section 227.48(2), Stats.



## **NEWS RELEASE**

**Wisconsin Department of Natural Resources  
101 S. Webster Street, Madison, WI 53707  
Phone: 608-266-0426  
E-mail: [pardej@dnr.state.wi.us](mailto:pardej@dnr.state.wi.us)**

**FOR RELEASE: July 11, 2002**

**CONTACT: Dan Joyce, Wastewater Engineer, 608-266-0289, [joyced@dnr.state.wi.us](mailto:joyced@dnr.state.wi.us)**

**SUBJECT: Foremost Farms Wastewater Treatment Plant**

**Madison, Wis.** – Foremost Farms cheese factory in Lancaster has applied to the Wisconsin DNR for a permit to construct and operate an on-site wastewater treatment plant.

The company would use the proposed plant to treat process wastewater rather than using the current practice of discharging wastewater to the City of Lancaster's treatment plant. Treated water from the proposed plant would be discharged to a tributary of Pigeon Creek via a forcemain and city storm sewers. Non-contact cooling water which is currently discharged to another tributary would also be treated in the on-site treatment plant, according to the proposed plan.

The proposed wastewater treatment plant will provide a level of treatment of the dairy's wastewater as good or better than what is presently being provided by the City of Lancaster's treatment plant.

The proposed Department permit action is not anticipated to result in significant adverse environmental effects. The Department has made a preliminary determination that an environmental impact statement will not be required for this action.

Copies of the environmental assessment that led to the DNR's preliminary determination can be obtained from Dan Joyce, Wastewater Engineer, 101 S. Webster Street, Madison, WI 53707, 608-266-0289, [joyced@dnr.state.wi.us](mailto:joyced@dnr.state.wi.us).

Public comments, either written or oral, on the environmental assessment are welcome and must be submitted to Mr. Joyce no later than 4:30 p.m. July 26, 2002.