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# DNR Compliance Inspections

## What Can I Expect?



July 2007

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# DNR Compliance Inspections

When you get your permit...

- Your permit drafter will meet with you to clarify permit content & requirements.
- You will receive a copy of the Compliance Checklist to be used in compliance inspections.



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# DNR Compliance Inspections

- Frequency depends on workload & necessity
- Often done as part of regular site visits



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# DNR Compliance Inspections

## Compliance Checklist:

### 19 Questions

- Previous problems corrected?
- Feedlot runoff
- Feed & leachate mgmt.
- Milking center wastewater
- Manure storage

*(cont.)*



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# DNR Compliance Inspections

- Nutrient management
- Records retention
- Inspection & monitoring
- Sampling
- Schedule of compliance
- Other permit noncompliance

**→ Determination of Substantial Compliance**



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# DNR Compliance Inspections

Information used to:

- Monitor compliance of individual operations over time
- Assess whether permit may be reissued



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# Environmental Enforcement

## Overview of Stepped Enforcement

(or what happens when things really go bad)



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# Environmental Enforcement

## Determining Enforcement Path:

- Actual or potential impacts to human health or environment
- Cause of the violation
- Number and duration of violations

*(cont.)*

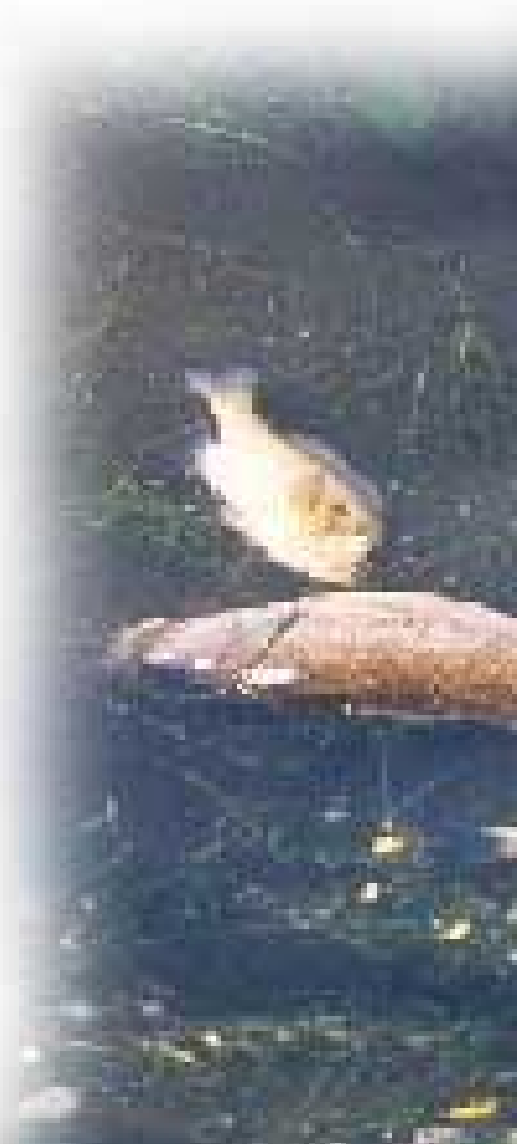


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# Environmental Enforcement

## Determining Enforcement Path, cont.

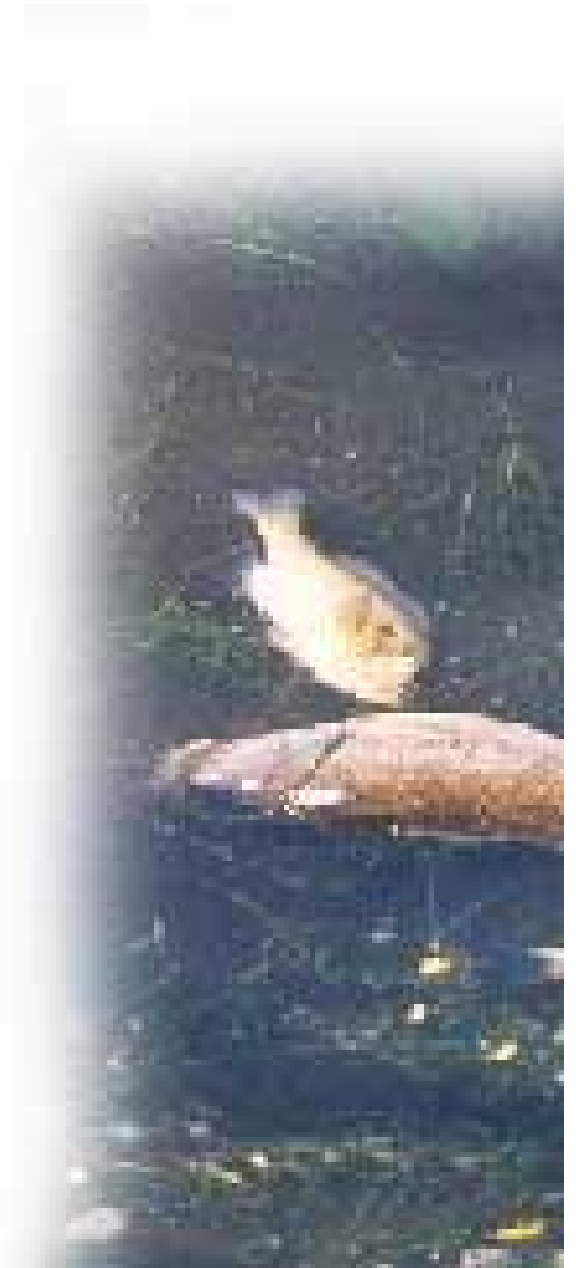
- Presence of willful or negligent conduct (criminal intent)
- Operation compliance history
- Preventative or corrective actions taken
- Program integrity
- Other mitigating circumstances



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# Stepped Enforcement

- Program
  - Informal
  - Notice of Noncompliance (NON)
- Environmental Enforcement
  - Notice of Violation (NOV)
  - Referral to Dept. of Justice
- Citizen Suit?



## Stepped Enforcement



# Stepped Enforcement

## Penalties

- **S. 29.601, Wis. Stats., Discharge of a deleterious substance to waters of the State \$449.60 (not to be used where a permit is in force)**
- **S. 283.91, Wis. Stats., allows for forfeitures of no more than \$10,000 per day of violation. 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.**



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# Stepped Enforcement

## Wild animal protection

### assessments (s. 29.983, Wis. Stats)

- Largemouth or smallmouth bass \$26.25
- Walleye, northern or other gamefish \$ 8.75
- Trout \$ 26.25
- s. 283.87(1), Wis. Stats., allows for recovery of cost for replacement of fish



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# Compliance Assistance

- Private sector (e.g., consultants)
- Non-DNR governmental agencies (e.g., NRCS Comprehensive Nutrient Management Plans)



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# Compliance Assistance

## DNR Staff

- Key and primary resource for permit compliance
- When in doubt, call us!





Bonus Round  
Open Question and Answer Session