

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

NOTICE OF FINAL DETERMINATION TO ISSUE A WISCONSIN POLLUTANT DISCHARGE ELIMINATION SYSTEM (WPDES) PERMIT No. WI-0064815-01-0

Permittee: Richfield Dairy LLC, N3569 Vanden Bosch Rd., Kaukauna, WI, 53936

Facility Where Discharge Occurs: Richfield Dairy, LLC, Section 25 T18 R7E, Town of Richfield, Adams County, Wisconsin

Receiving Water and Location: Fordham & Little Roche Cri Creeks of the Lower Wisconsin River Basin, Adams County.

Brief Facility Description: Richfield Dairy is a proposed new dairy facility owned and operated by Milk Source Holdings, Inc. The proposed dairy facility would house 4300 milking / dry cows and 250 steers for a total of 6270 animal units. The proposed dairy facility would be located in the southeast corner of the intersection of 1st Drive and Cypress Avenue. Primary access to the facility would be from 1st Drive. Total site disturbance entails the conversion of 115 acres of existing cropland to farm buildings, production area and ancillary area.

All livestock would be housed within a cross-ventilated and sand-bedded freestall barn. The combined annual estimated quantity of manure and process wastewater (including precipitation runoff) is 55.3 million gallons, plus an additional 8,552 tons of separated manure solids. Waste storage ponds (WSP #1 & #2), will have a combined design capacity of 33.2 million gallons (excluding freeboard), which represents approximately 205 days of storage for the proposed wastewater stream. WSP #1 will have a 6" thick concrete base with underlying 8" compacted clay liner which provides a secondary liner in the event of a concrete failure. An 8" clay liner will also be placed under the feed storage pad and manure solids storage area. WSP #2 includes a loading station for containment of any liquid spills while wastewater is being pumped to tanker trucks. After loaded, tanker trucks will then land spread on area farm fields in accordance with the DNR approved Nutrient Management Plan (NMP). Richfield Dairy owns or has agreements for land spreading manure and process wastewater on ~16,429 acres, which are generally located within a five mile radius of the farm site.

Stormwater runoff from the production and ancillary areas of the proposed Richfield Dairy facility will be handled by a series of culverts, swales and diversions directing flow to the stormwater detention ponds.

Richfield Dairy has submitted a high capacity well permit application to the DNR to construct two high capacity wells. The proposed wells would be drilled to a depth of ~150'. Based upon 2010 soil borings, the static groundwater level at the proposed site is no less than 32 feet from the ground surface. Water usage at the facility is estimated to be about 52.5 million gallons per year, which includes 44 million gallons for animal watering / cleaning and 8.5 million gallons for evaporative cooling of the barn during hot weather.

The proposed construction start date for the Richfield Dairy facility is March, 2012. The facility anticipates reaching the 6,270 AU threshold by 2013. The project cost is estimated at \$35 million. The facility expects to employ ~ 40 staff with an estimated annual payroll of \$1.5 million. The applicant owns and operates four other permitted confined animal feeding operations in Wisconsin: Tidy View Dairy (7000 dairy cows/9400 animal units, Outagamie County), Omro Dairy (2500 dairy cows/3500 animal units, Winnebago County), Rosendale Dairy (8000 dairy cows/11,500 animal units, Fond du Lac County) and the recently permitted New Chester Dairy (4300 dairy cows, 250 steers/6270 animal units, Adams County).

Permit Drafter's Contact Information: Terence Kafka, DNR, 5301 Rib Mountain Drive, Wausau, WI, 54401, (715) 355-1363

Date Permit Signed/Issued: November 3, 2011

Date of Effectiveness: January 1, 2012

Date of Expiration: December 31, 2016

Following the public informational hearing the Department has made a final determination to issue the WPDES permit for the above-named permittee for this new discharge. The permit application information from the WPDES permit file, comments received on the proposed permit and applicable Wis. Adm. Codes were used as a basis for this final determination.

The Department has the authority to issue, modify, suspend, or revoke WPDES permits and to establish effluent limitations and permit conditions under ch. 283, Stats. The Department's findings of fact and conclusions of law are included in this Notice of Final Determination, the "Permit Changes and Response to Comments" document (which is included by reference and available at <http://dnr.wi.gov/runoff/ag/permits.htm>, click on the "Richfield Dairy" tab) and the WPDES permit. In the issuance of the final permit, the Department has considered the information in the environmental assessment and the comments received on it. The Department has complied with the requirements of ch. NR 150 and s. 1.11, Statutes. Within the authority under Wis. Stat. ch. 283 and ch NR 243, Wis. Adm. Code, and consistent with social, economic and other essential considerations, the Department has included conditions in the WPDES permit to minimize impacts to water resources of the state.

As provided by s. 283.63, Stats., and ch. 203, Wis. Adm. Code, persons desiring further adjudicative review of this final determination may request a public adjudicatory hearing. A request shall be made by filing a verified petition for review with the Secretary of the Department of Natural Resources within 60 days of the date the permit was signed (see permit signature date above). Further information regarding the conduct and nature of public adjudicatory hearings may be obtained by contacting the Department of Natural Resources, Bureau of Watershed Management, WPDES Permits, Box 7921, Madison, Wisconsin 53707 and by review of ch. NR 203, Wis. Adm. Code, s. 283.63 Stats., and applicable code law.

Information on file for this permit action may be inspected and copied at the above named permit drafter's address, Monday through Friday (except holidays), between 9:00 a.m. and 3:30 p.m. Information on this permit action may also be obtained by calling the permit drafter at (715) 355-1363 or by writing to the Department. Reasonable costs (usually 20 cents per page) will be charged for copies of information in the file other than the public notice and fact sheet. Pursuant to the Americans with Disabilities Act, reasonable accommodation, including the provision of informational material in an alternative format, will be made to qualified individuals upon request.