



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Matthew J. Frank, Secretary
Lloyd L. Eagan, Regional Director

South Central Region Headquarters
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November 6, 2008

Casetrack ID# 2008-SCEE-058

Chris Kearsing, Director of Operations
Morgan Management
509 Queensbury Ave
Queensbury, NY 12804

Subject: Enforcement Conference Summary – Crystal Lake RV Resort LLC

Dear Mr. Kearsing:

Thank you for attending the enforcement conference on Tuesday October 28, 2008. This letter will serve as a summary of our discussion.

At the conference Morgan Management stated that Howie Wiese has been hired as the new wastewater treatment operator and Dennis Crow is now the certified water operator. The Department was also told that Scott Reskey will start by Thanksgiving as the new on site manager.

Morgan Management added that information from the previous management team was not being conveyed and that they "want to do the right thing and are going to do the right thing".

Drinking Water

Morgan Management is in the process of obtaining bids from 3 general contractors for the arsenic reduction project. The work is expected to start as soon as the bid is awarded in the first week of November, and should be finished by March 30, 2009. The Department stated that Morgan Management needs to work with Mark Harder for approval for additional work that wasn't included in the original plan approval.

Once the contractor has been selected, the Department would like an award letter which includes an outline of the project's timeframe. Please submit this letter to the Department by November 18, 2008.

Bob Kaczmarek, 608-275-3202, is the contact for drinking water related questions.

Solid Waste

Morgan Management stated that after the June 2008 flooding, Green Valley hauled out recyclable waste and tires. Logs were cut and removed by private individuals. Only brush was burned at the site. Morgan Management added that they thought the brush was acceptable to burn because a burning permit had been obtained from the Town of Westport.

The Department explained that except for exemptions outlined in the Wisconsin Administrative Code, businesses need a solid waste license to burn. Leaves may not be burned or land filled in Wisconsin under any circumstances, but they may be land spread for agricultural purposes. Yard waste disposal also may require a composting license, depending on size. Land clearing activities may fall under the exemption thus making it unnecessary to apply for a wood burning license. Chipping, storing or giving away wood are encouraged.

Barb Palecek, 920-387-7870, is the contact for solid waste questions.

Fish Habitat

Morgan Management stated that starting on June 9, 2008 the existing road was built up with 1 ½" gravel and breaker rock. Sand was also brought in for the beach area. Bud Styer did the work during the remaining month of June. Crystal Lake experienced 3 different flooding events in June. Morgan Management made the decision to build up the road in order to protect campsites from flooding and to protect the Lake from potential contamination from Crystal Lake (sewage, propane, gasoline).

Since the conference, Dan Hunt has discovered that making an Ordinary High Water Mark determination would not be possible because of the history of lake levels in Crystal Lake. If any materials were deposited in the water, a water quality certification is needed under Chapters NR 102, and 299, Wis. Adm. Code. An after the fact water quality certification is required. Please contact Dan Hunt, 920-387-7878, to get the water quality certification process started.

Wastewater

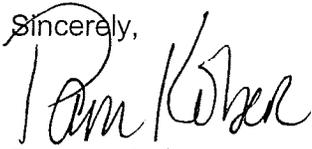
Morgan Management stated that during the flooding events, Pat Rehwinkel was in charge of the wastewater lagoons. The Department showed Morgan Management pictures of the lagoons overtopping. The Department explained that this action requires a Sanitary Sewer Overflow or Bypass Notification Summary Report to be completed. In addition, the Department explained that samples required by the WPDES permit have not been taken, and annual reports have not been submitted.

A decision was made that Morgan Management will need to work with their wastewater treatment operator to complete the annual reports and to ensure all sampling is completed. This information needs to be submitted to the Department as soon as practicable. A Sanitary Sewer Overflow or Bypass Notification Summary Report dated October 29, 2008 was received by the Department. As a follow up to the conference, Doris Thiele offered to assist with Morgan Management and their wastewater treatment operator in preparing annual reports.

Doris Thiele, 920-387-7864, is the contact for wastewater questions.

If you have questions regarding this letter, please contact me at 608-275-3306.

Sincerely,

A handwritten signature in black ink that reads "Pam Kober". The signature is written in a cursive style with a large initial "P" and "K".

Pamela Kober
Environmental Enforcement Specialist

cc: Doris Thiele – Horicon Service Center
Ken Denow – Horicon Service Center
Barb Palecek – Horicon Service Center
Dan Hunt – Horicon Service Center
Bob Kaczmarek – SCR

Crystal Lake
10/28/08

Pam Kotter	DNR	608-275-3306
Doris Thiele	DNR	920 387 7864
Barb Palecek	WDR	920 387-7870
Asa Keskey	MM cell	785-230-3012
Chris Keating	Morgen RV	518-615-0552 (other)
Bob Kaczmarek	DNR	518-321-4208 (cell)
		608-275-3202
Dan Hunt	DNR	920 387-7878

10/25/02

DRK

P. Kober - SCR

Sanitary Sewer Overflow or Bypass
Notification Summary Report

Notice: Under s.283.55 (1)(dm), Wis. Stats., and in accordance with reporting requirements in your WPDES permit, all permittees shall provide the following notices if an unscheduled sanitary sewer overflow or bypass occurs:

- Within 24 hours of the occurrence, notify the DNR regional wastewater staff by telephone (FAX, email or voice mail, if staff are unavailable).
- Within 5 days of the occurrence, provide a written report describing the overflow or bypass, including all information requested on this form. The permittee is required to submit this form or other equivalent written notification to the DNR Regional Office.

Failure to notify the Department as specified may result in fines up to \$10,000 for each day of violation [s. 283.91(2), Wis. Stats.].

Personally identifiable information will be used for program administration and will also be made available to requesters as required under Wisconsin Open Records law [ss. 19.31 - 19.39, Wis. Stats.].

Instructions: Use this form to report all unscheduled sanitary sewer overflow or bypass occurrences. Attach additional information as necessary to explain or document the overflow or bypass. For the purpose of this report, an overflow or bypass is defined as the discharge of untreated sewage from the sanitary sewer collection system to a surface water and/or ground due to circumstances such as those identified by the check boxes in the overflow or bypass details section of this form.

Use one form per occurrence. A single occurrence may be more than one day if the circumstance causing the overflow or bypass results in a discharge duration more than 24-hours. If there is a stop and restart of the overflow or bypass within 24-hours, but it's caused by the same circumstances, report it as one occurrence. If the discharges are separated by more than 24 hours, they should be reported as separate occurrences.

Notification Information

Permittee (Municipality or Facility Name)	Overflow or Bypass Reported To DNR		
Crystal Lake RV Resort, LLC	Date	Time	
	10/29/08	11:50	<input checked="" type="checkbox"/> am <input type="checkbox"/> pm
Person Representing Permittee Who Contacted DNR	DNR Office and Person Contacted		
Lisa Reskey	Doris Thiele		

Overflow or Bypass Details

Date(s) and Duration of Overflow or Bypass Occurrence (complete a separate form for each occurrence)			
Start Date	Time (to nearest 15 minutes)	End Date	Time (to nearest 15 minutes)
6/08/08	11:00 <input type="checkbox"/> am <input checked="" type="checkbox"/> pm	6/30/08	10:00 <input type="checkbox"/> am <input checked="" type="checkbox"/> pm
Duration of the overflow or bypass (hours and minutes)		Estimated Volume of Wastewater Discharged (gallons)	
252 hours (estimated)		12600 gallons (estimated)	
Location of the Overflow or Bypass (complete a separate form for each discharge location)			
Pond # 3 / Overflow field			
Circumstances Causing the Overflow or Bypass (check all that apply)			

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Rain | <input type="checkbox"/> Power Outage | <input type="checkbox"/> Equipment Failure |
| <input type="checkbox"/> Rain and Snow Melt | <input type="checkbox"/> Plugged Sewer | <input type="checkbox"/> Widespread Flooding |
| <input type="checkbox"/> Snow Melt | <input type="checkbox"/> Broken Sewer | <input checked="" type="checkbox"/> Other (explain below) |

Provide a narrative description to further explain why the overflow or bypass occurred. For example, describe what equipment failed, what caused the power outage, or what plugged the sewer. Flooding should only be indicated as a cause if there is significant flooding that is caused by high river, stream, or lake water levels, not just localized high water in the street.

On 6/8/08, due to excessive rain, the overflow field encroached into our third pond and then flowed back out into the overflow field. This was a direct result of the flood level of the lake.

Sanitary Sewer Overflow or Bypass
Notification Summary Report

Form 3400-184 (4/02)

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Wet Weather Data (If Applicable)

Document the weather conditions if it contributed to the cause of the overflow or bypass. An overflow or bypass may be caused by a series of short rain storms or in combination with a snow melt. The wet weather data should include the cumulative amount of precipitation that caused the overflow or bypass.

Date(s) and Duration of Rainfall			
Start Date 6/8/08	Time (to nearest 15 minutes) 7pm <input type="checkbox"/> am <input checked="" type="checkbox"/> pm	End Date 6/30/08	Time (to nearest 15 minutes) 4 <input type="checkbox"/> am <input checked="" type="checkbox"/> pm
Amount of Rainfall (nearest rain gauge to 0.1 inch accuracy) 15 → 20 inches		Amount of Snow Melt (estimated inches melted) 150 inches	
Contributing Soil Conditions (saturated, frozen, soil type) saturated			

Where Did the Discharge from the Overflow or Bypass Go? (check all that apply)

Provide the name of the local receiving water that the wastewater enters, which could be a nearby stream, river, lake, or wetland. If discharge does not enter directly into a surface water, but indirectly by way of a ditch or storm sewer, trace the path of the ditch or storm sewer to find the receiving water.

- Runs on ground and absorbs into the soil.
- Ditch. Name of surface water it drains to: _____
- Storm sewer. Name of surface water it drains to: _____
- Surface water direct discharge: _____
- Other, describe: into wetlands north of third pond

Actions to Correct This Occurrence and Prevent Future Overflows or Bypasses

Describe what actions were taken to minimize the volume of wastewater discharged from the overflow or bypass reported on this form. Also describe what actions are planned to prevent or minimize future overflows or bypasses. The WPDES permit prohibits overflows or bypasses, unless certain specified conditions are met. If the permittee fails to operate and maintain the sewage collection system to prevent overflows and bypasses, they will be subject to enforcement action.

When it occurred, the wetland overflowed into Pond #3, then Pond 3 overflowed back to wetland. As discussed with Doris Thiele, we could build a berm on the North bank of Pond 3 to restrain wetland overflow into Pond 3

Report Completed By

Authorized Representative Name (Print) Lisa Reskey	Title Regional Manager
Authorized Representative Signature <i>Lisa Reskey</i>	Date 10/29/08