



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
JACKSON DISTRICT OFFICE



DAN WYANT  
DIRECTOR

June 18, 2014

Mr. Todd Willer, VP of Operations  
Hudson Dairy, LLC  
N3569 Vanden Bosch  
Kaukauna, Wisconsin 54130

Dear Mr. Willer:

SUBJECT: National Pollutant Discharge Elimination System (NPDES)  
Permit No. MI0058888  
Designated Name: Hudson Dairy-CAFO

Staff of the Michigan Department of Environmental Quality (MDEQ), Water Resources Division (WRD), received a complaint on May 26, 2014 about Hudson Dairy, LLC, located at 8502 South Meridian Road, Hudson, Michigan, of a potential violation of Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA) and National Pollutant Discharge Elimination System (NPDES) Permit No. MI0058888 issued April 9, 2012.

The complainant alleged that CAFO waste from Hudson Dairy had been applied on fields in Medina Dairy's (Permit No. MI0057473) Comprehensive Nutrient Management Plan (CNMP). Upon conferring with Hudson Dairy staff and reviewing application records, it was determined that CAFO waste from Hudson Dairy had been applied to fields in Medina Dairy's CNMP without proper manifest documentation on May 23-25, and May 27, 2014. These applications occurred on fields 249A, 249C, and 250, as listed in Medina Dairy's CNMP. The application of CAFO waste to fields not in the facility's CNMP or not properly manifested is a violation of Permit No. MI0058888. This violation ceased on May 27, 2014 when Hudson Dairy staff was informed of the violation by the MDEQ.

Hudson Dairy staff informed MDEQ that they believed the fields in question were in Hudson Dairy's CNMP. While these fields were listed in Hudson Dairy's CNMP (CNMP submitted in 2012 by prior owners), field maps and soil tests for these fields are currently only located in the CNMP for Medina Dairy. Dairy staff noted that the field in question is in the CNMP currently being completed for Hudson Dairy; however, as this plan has not yet been submitted to the MDEQ, the most recent CNMPs submitted must be followed until a new CNMP is submitted. For the purposes of on farm records and the Annual Report, these land applications should be recorded as Medina Dairy applications.

Please note, commonly owned facilities that co-mingle CAFO waste, or share a land base, are considered one facility under Part 31 and Part 22, Groundwater Quality, of the NREPA. As such, animal numbers from each facility shall be combined to determine the total animal count for the purposes of the permit. While at this time, Hudson Dairy and Medina Dairy have no animals on site, please remember any dairy facility with over 3,500 mature dairy cows would be required to obtain a Groundwater Permit from the MDEQ.

Please note, as the CNMP for Hudson Dairy is updated, the MDEQ shall be notified of the addition of new fields prior to their use through submittal of a permit modification request to be public noticed for two weeks. This includes fields formerly in another facility's CNMP. This permit modification request shall include a map showing the entire field, its size in acres, location information, planned crops, and realistic crop yield goals. The permittee may not use the field until the permittee has been notified by the MDEQ that processing of the permit modification is complete.

Thank you for your cooperation in these matters. Should you require further information, please contact me at 517-780-7917; kennedym@michigan.gov; or MDEQ, WRD, Jackson District Office, 301 East Louis Glick Highway, Jackson, Michigan 49201-1556.

Sincerely,



Michael Kennedy  
Environmental Quality Analyst  
Water Resource Division

cc: Ms. Melissa Lehman, Agronomic Solutions (via e-mail)  
Ms. Sarah Babcock, Milk Source (via e-mail)  
Mr. Jade Clark, Milk Source (via e-mail)  
Ms. Nicole Zacharda, MDEQ, WRD, Enforcement Unit (via e-mail)  
File: Hudson Dairy – CAFO, MI0058888, Correspondence, Hillsdale County  
File: Medina Dairy – CAFO, MI0057473, Correspondence, Lenawee County