



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY
JACKSON DISTRICT OFFICE



LIESL EICHLER CLARK
DIRECTOR

November 23, 2021

Violation Notice No. VN-012494

VIA E-MAIL

Todd Willer, VP of Operations
Milk Source, LLC
Medina Dairy, LLC
N3569 Vanden Bosch Road
Kaukauna, Wisconsin 54130

Dear Todd Willer:

SUBJECT: Violation Notice, Medina Dairy manure discharge September 30, 2021

The Michigan Department of Environment, Great Lakes, and Energy (EGLE), Water Resources Division (WRD), inspected Medina Dairy-CAFO, located at 7601 Dillon Highway, Hudson, Michigan, on October 1, 2021, and October 5, 2021 to determine compliance with Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA), MCL 324.3101 et seq., and the administrative rules promulgated thereunder being 2006 AACRS R 323.2101 et seq., as amended; and National Pollutant Discharge Elimination System (NPDES) Permit No. MI0057473 which was issued on November 7, 2017, and effective December 1, 2017.

The inspections noted above were completed in follow-up to a complaint received by the WRD Jackson District Office on September 30, 2021 regarding discolored and manure-smelling water within a tributary of Bean Creek located along the south side of Medina Road and east of Ingall Highway. Based on phone calls with Jade Clark, with Medina Dairy, during the afternoon and early evening of September 30, 2021, it was determined that manure applied to field 800-026 (on the west side of Ingall Highway) earlier that day had somehow reached the drainage tile and was flowing into the tributary to Bean Creek. Jade Clark stated that farm staff would plug the tile outlet located on the west side of Ingall Highway and flush the tributary immediately and pump the flushed water to field 800-014. When WRD staff conducted an inspection on October 1, 2021, Medina Dairy staff had completed all remediation work that had been discussed and agreed to via telephone the afternoon/evening before. During the inspection on October 1, 2021, WRD staff noted that the tributary to Bean Creek contained unnatural turbidity and color. Unnatural turbidity and color in a receiving water as a result of an application of CAFO waste is a violation of Part 31, Water Resources Protection, of the NREPA and NPDES Permit No. MI0057473.

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The violations identified in this Violation Notice have ceased. As required in NPDES Permit No. MI0057473, Medina Dairy-CAFO submitted a Report of Discharge(s) from Concentrated Animal Feeding Operation (CAFO) through MiWaters on October 6, 2021. The discharge report was complete, was submitted on time, and contained all required information. It is further noted that on November 8, 2021 a transfer of ownership occurred and Milk Source, LLC is no longer the owner of Medina Dairy, LLC. To ensure that a similar discharge does not occur in the future, please submit a written response that details the results of the investigations of the tile in field 800-026 that were described in the discharge report. This response will be shared by WRD with the new owner of Medina Dairy. **The response should be submitted through MiWaters by January 3, 2021.** At a minimum, the response should include:

1. A summary of how manure reached the field tile. If the cause could not be found, please state this.
2. A summary of how the field tile was repaired or a summary of what management steps need to be taken on field 800-026 to avoid future discharges.

If you have any factual information you would like us to consider regarding the violation identified in this Violation Notice, please provide them with your written response.

We anticipate and appreciate your cooperation in resolving this matter. Should you require further information regarding this Violation Notice or if you would like to arrange a meeting to discuss it, please contact me at 517-416-4073; BurnsR6@Michigan.gov; or EGLE, WRD, Jackson District Office, 301 East Louis Glick Highway, Jackson, Michigan 49201-1535.

Sincerely,



Rachel Burns
Environmental Quality Analyst
Water Resources Division

cc: Jade Clark, Medina Dairy Farm Manager (via e-mail)
Brian Ingram, Rathmourne Dairy, LLC (via e-mail)
Melissa Lehman, Agronomic Solutions, LLC (via e-mail)
Joe Kelpinski, MAEAP Program Manager (via e-mail)