

# Permit Fact Sheet

## General Information

Permit Number:	WI-0064092-03-1
Permittee Name:	Meyer Family Dairy, LLC
Address:	W3320 153 Road
City/State/Zip:	Loyal WI 54446
Discharge Location:	Same as facility address
Receiving Water:	Unnamed stream (WBIC 1751600) within the Cawley and Rock Creek Watershed of the Black River Basin, and groundwaters of the state
Discharge Type:	Existing discharge

<b>Animal Units</b>					
<b>Animal Type</b>	<b>Current AU</b>		<b>Proposed AU</b>		
	<b>Mixed</b>	<b>Individual</b>	<b>(Note: If all zeroes, expansions are not expected during permit term)</b>		
	<b>Mixed</b>	<b>Individual</b>	<b>Mixed</b>	<b>Individual</b>	<b>Date of Proposed Expansion</b>
Dairy Calves (under 400 lbs.)	0	0	0	0	12/01/2024
Milking and Dry Cows	2253	2301	3535	3611	12/01/2024
Heifers (400 lbs. to 800 lbs.)	317	0	351	0	12/01/2024
Heifers (800 lbs. to 1200 lbs.)	745	0	320	0	12/01/2024
<b>Total</b>	<b>3315</b>	<b>2301</b>	<b>4206</b>	<b>3611</b>	

## Facility Description

Meyer Family Dairy LLC is an existing Concentrated Animal Feeding Operation (CAFO) located in the Township of Beaver, Clark County. Meyer Family Dairy consists of one production site: the Main Facility Site located at W3320 153 Road Loyal, WI 54446. The operation is owned and operated by Mike Meyer with a current herd size of 3,315 animal units (1,609 milking/dry cows, 1204 heifers). The operation is proposing to expand to approximately 4,206 animal units (2,525 milking/dry cows, 876 heifers) by the end of 2025.

The operation is proposing to add one waste storage facility to store manure and process wastewater generated at the site. Existing and proposed manure storage structures provide the operation with 590+ days of liquid waste storage, based on expanded animal numbers during the permit term. The operation also proposes to upgrade the existing feed pad runoff collection system to collect 100% of leachate/runoff.

# Substantial Compliance Determination

## Enforcement During Current Permit:

- A Compliance Reminder letter was issued August 27, 2024 in response to a lack of manure sample results taken during crop years 2021, 2022, and 2023.
- A Notice of Noncompliance was issued September 27, 2024 in response to a lack of manure samples taken during crop years 2021, 2022, and 2023. The Department will review the 2025 NMP update (due March 31, 2025) to verify fall 2024 manure samples were taken according to permit requirements.

## Compliance During Current Permit:

- The facility submitted an Emergency Response Plan on April 21, 2021.
- The facility submitted a Monitoring and Inspection Plan on June 21, 2021.
- The facility submitted Annual Reports due by January 31 in 2022, 2023, and 2024.
- The facility submitted Annual NMP Updates due by March 31 in 2022, 2023, and 2024.
- One land application inspection (September 7, 2021) did not find permit violations.
- One stream observation inspection (October 17, 2023) did not find permit violations.
- One production site inspection (November 6, 2023) did not find permit violations.

**This facility is considered in substantial compliance with their current permit.**

Sample Point Designation For Animal Waste	
Sample Point Number	Sample Point Location, Waste Type/Sample Contents and Treatment Description (as applicable)
001	Under Barn Pit (liquids) - Sample point 001 is for liquids from the Under Barn Pit (WSF 1). It is an in-ground concrete-lined vertical wall pit located under heifer barn 2 in the eastern portion of the Main Facility. The pit was constructed in 1990 with a footprint of 8362 square feet and a depth of 12 feet. In 2021, total volume below the maximum operating level (MOL) was estimated at 563,029 gallons. It is not known if this structure was installed with approved plans and specifications. An engineering evaluation has not been requested. The Under Barn Pit accepts liquid manure from heifer barn 2. A waste transfer system empties structure contents into the South Pit (WSF 2). Representative samples for nutrient content are only required if the collected liquids are directly land applied from the Under Barn Pit.
002	South Pit (liquids) - Sample point 002 is for liquids from the South Pit (WSF 2). The facility is an in-ground, earthen berm, HDPE-lined manure pit with concrete access ramps and agitation pads. It is in the central portion of the Main Facility, just north of the milking parlor. The facility was constructed in 2000 and has a rectangular shape with top dimensions of 198 feet wide by 298 feet long and an estimated maximum operating level (MOL) of 3,235,648 gallons (2021 calculation). It was built according to Plans and Specifications designed by the Clark County Land Conservation Department in September 1999. An engineering evaluation has not been requested. The facility accepts manure and processed water after it has gone through the Sand Separation Building. A manure agitation boat mixes liquids and solids prior to removal for direct land application in the spring and fall.

<b>Sample Point Designation For Animal Waste</b>	
<b>Sample Point Number</b>	<b>Sample Point Location, Waste Type/Sample Contents and Treatment Description (as applicable)</b>
003	North Pit (liquids) - Sample point 003 is for liquids from the North Pit (WSF 3). The facility is constructed as an in-ground earthen berm, HDPE-lined pit with concrete access ramps and agitation pads. It is in the northern portion of the Main Facility, north of the Sand Separation Building. The facility was constructed in 2012 in a rectangular shape with top dimensions of 168 feet wide by 382 feet long by 16 feet deep for a total volume below the MOL of 7,939,903 gallons (2021 calculation). This facility was designed by Tiry Engineering and built according to Plans and Specifications approved by the Department of Natural Resources on June 14, 2012. An engineering evaluation has not been requested. The facility accepts manure and processed water after it has gone through the Sand Separation Building. A manure agitation boat mixes liquids and solids prior to removal for direct land application in the spring and fall.
004	Freestall Barn Reception Tank (liquids) - Sample point 004 is for liquids from the freestall barn reception tank (WSF 4). The facility is an in-ground cast in-place concrete vertical wall reception tank. It is in the southwest portion of the Main Facility, between the North and South Freestall Barns. The facility was constructed in 2012 with dimensions of 8 feet wide by 28 feet long by 10 feet deep. This facility was designed by Tiry Engineering and built according to Plans and Specifications approved by the Department of Natural Resources on June 14, 2012. An engineering evaluation has not been requested. The facility accepts manure from nearby freestall barns before being transferred to the Sand Separation Building. Representative samples for nutrient content are only required if the collected liquids are directly land applied from the reception tank.
005	Sand Separation Liquids (liquids) - Sample point 005 is for liquids from the Sand Separation Building (WSF 5). The facility contains in-ground concrete vertical wall reception tanks. It is in the northeast portion of the Main Facility, between the North and South Pits. The facility was constructed in 2013. This facility was designed by Tiry Engineering and built according to Plans and Specifications approved by the Department of Natural Resources on October 3, 2013. An engineering evaluation has not been requested. The facility accepts manure from the freestall barns, nearby heifer barn and processed wastewater from the parlor. After sand separation, liquids are transferred to the North and South Pits. Representative samples for nutrient content are only required if the collected liquids are directly land applied from the reception tanks.
006	Outdoor Solids Storage (solids) - Sample point 006 is for solids from the Outdoor Solids Storage pad (WSF 6). The facility is an above ground concrete pad sloped so liquids drain into the South Pit. It is in the central portion of the Main Facility, between the parlor and South Pit. The facility was constructed in 1975. It is not known if this structure was installed with approved plans and specifications. An engineering evaluation has not been requested. The Outdoor Solids Storage accepts recycled sand from the Sand Separation Building. Sand is reused as bedding. Representative samples for nutrient content are only required if the collected solids are directly land applied from the storage pad.
007	Misc. Solid Manure (solids) – Sample point 007 is for miscellaneous waste solids directly land applied from the production area of the Main Facility. This includes pen bedpack and any settled waste solids directly land applied from liquid waste storage facilities. Representative samples shall be taken for each nutrient source when land application occurs.
008	Manure Stacking Sites (solids) – Sample point 008 is for solid manure land applied from approved headland stacking sites. Representative samples shall be taken prior to land application. Stacks are defined as part of the production area and therefore subject to the discharge limitations of this permit. Weekly inspections of stack runoff controls are required and shall be recorded according to a monitoring program.

<b>Sample Point Designation For Animal Waste</b>	
<b>Sample Point Number</b>	<b>Sample Point Location, Waste Type/Sample Contents and Treatment Description (as applicable)</b>
010	Feed Storage Area - Sample point 010 is for visual monitoring and inspection of the feed storage area and associated runoff control system, which is in the western portion of the Main Facility. The feed pad's surface area is estimated at 99,300 square feet. The date of construction for the eastern bunker area (150 feet by 162 feet) and middle feed pad (150 feet by 250 feet) are not known. The western feed pad (150 feet by 250 feet) was constructed in 2012. This portion was designed by Tiry Engineering and built according to Plans and Specifications approved by the Department of Natural Resources on April 3, 2012. The current runoff collection system was built in 2012 with liquids being collected in a 10 foot by 32 foot by 4 feet deep leachate collection tank. Liquid equivalent of the first 0.20 inches of rainfall is transferred to the Sand Separation Building. Liquids exceeding this amount flow to a 120 feet wide by 300 feet long Vegetated Treatment Area north of the freestall barns. Proper operation and maintenance are required to ensure discharges meet permit requirements. Representative samples for nutrient content are only required if the collected liquids are directly land applied from the collection tank. An expansion to the Feed Storage Area and a new runoff collection system are planned for installation in 2025.
013	WSF 4 (liquids) - Sample point 013 is for liquids from WSF 4. It is in the southeastern portion of the Main Facility. The facility was built in 2024 in a rectangular shape with top dimensions of 575 feet wide by 640 feet long by 24 feet deep for a total volume below the MOL of 42,846,943 gallons (2024 DNR calculation). It is an in-ground earthen berm, geo-membrane lined pit with five concrete access ramps and agitation pad. This facility was designed by Oakridge Engineering with Plans and Specifications approved by the Department of Natural Resources on May 17, 2024. This storage facility will accept manure and processed water from a 12-inch manure transfer pipe after the waste has gone through the Solids Separation Building. A manure agitation boat will mix liquids and solids prior to removal for direct land application in the spring, summer, and fall.

# 1 Livestock Operations - Proposed Operation and Management

## Production Area Discharge Limitations

Beginning on the effective date of the permit, the permittee may not discharge pollutants from the operation's production area (e.g., manure storage areas, outdoor animal lots, composting and leachate containment systems, milking center wastewater treatment/containment systems, raw material storage areas) to navigable waters, except in the event a 25-year, 24-hour rainfall event (or greater) causes the discharge from a structure which is properly designed and maintained to contain a 25-year, 24-hour rainfall event for this location as determined under s. NR 243.04. If an allowable discharge occurs from the production area, state water quality standards may not be exceeded.

## Runoff Control

The permit requires control of contaminated runoff from all elements of the production area to prevent a discharge of pollutants to navigable waters in accordance with the Production Area Discharge Limitations and to comply with surface water quality standards and groundwater standards. Beginning on the effective date of this permit, (if needed) interim measures shall be implemented to prevent discharges of pollutants to navigable waters. In addition, permanent runoff control system(s) shall be designed, operated, and maintained in accordance with the requirements found in USDA Natural Resources Conservation Service standards and ch. NR 243, Wis. Adm. Code. If any upgrading or modifications to runoff controls are necessary, formal engineering plans and specifications must be submitted to the Department for approval.

### **Manure and Process Wastewater Storage**

The permit requires the operation to have adequate storage for manure and process wastewater and that storage or containment facilities are designed, operated, and maintained to prevent overflows and discharges to waters of the state. To prevent overflows, the permittee must maintain levels of materials in liquid storage or containment facilities at or below certain levels including a one-foot margin of safety that can never be exceeded. If any upgrading or modifications to the storage facilities are necessary, formal engineering plans and specifications must be submitted to the Department for approval.

Based on expanded animal numbers, the permittee would have approximately 597 days of storage for liquid waste. The permittee must maintain 180 days of storage, unless temporary reductions in required storage are approved by the Department.

### **Ancillary Service and Storage Areas**

The permittee shall take preventative maintenance actions and conduct visual inspections to minimize pollutant discharges from areas of the operation that are not part of the production area or land application areas. These areas are called ancillary service and storage areas and include access roads, shipping and receiving areas, maintenance areas, refuse piles and CAFO outdoor vegetated areas.

### **Nutrient Management**

With 4,205 animal units and current feed pad collection system, it is estimated that approximately 33.3 million gallons of manure and process wastewater will be produced per year. The permittee owns approximately 715.1 acres of cropland and controls an additional 4,001.2 acres through contracts, rental agreements or leases, or manure agreements. The permit requires all landspreading of manure and process wastewater be completed in accordance with an approved nutrient management plan. The permit will require sampling and analysis of manure and process wastewater that will be landspread. Landspreading rates must be adjusted based on sample analysis. The permit requires the permittee to maintain a daily log that documents landspreading activities. The permit also requires the submittal of an annual report that summarizes all landspreading activities. Plans must be updated annually to reflect cropping plans and other operational changes. Among the requirements, the plans must include detailed landspreading information including field by field nutrient budgets.

The permittee is required to implement a number of practices to address potential water quality impacts associated with the land application of manure and process wastewater. Among the permit conditions are restrictions on manure ponding, restrictions on runoff of manure and process wastewater from cropped fields, and setbacks from wells and direct conduits to groundwater (e.g., sinkholes, fractured bedrock at the surface). In addition, the permittee must implement a phosphorus based nutrient management plan that addresses phosphorus delivery to surface waters by basing manure and process wastewater applications on soil test phosphorus levels or the Wisconsin Phosphorus index. Additional phosphorus application restrictions apply to fields that are high in soil test phosphorus (>100 ppm).

The permittee must also implement conservation practices when applying manure near navigable waters and their conduits, referred to as the Surface Water Quality Management Area (SWQMA). These practices include a 100-foot setback from navigable waters and their conduits, a 35-foot vegetated buffer adjacent to the navigable water or conduit, or a practice that provides equivalent pollutant reductions equivalent to or better than the 100-foot setback.

In addition, the permittee must comply with restrictions on land application of manure and process wastewater on frozen or snow-covered ground. Included in these restrictions is a prohibition on surface applications of solid manure ( $\geq 12\%$  solids) on frozen or snow-covered ground during February and March. Non-emergency surface applications of liquid manure (<12%) on frozen or snow-covered ground are prohibited.

**Monitoring and Sampling Requirements**

The permittee must submit a monitoring and inspection program that outlines how the permittee will conduct self-inspections to determine compliance with permit conditions. These self-inspections include visual inspections of water lines, diversion devices, storage and containment structures and other parts of the production area. The permit requires periodic inspections and calibrations of landspreading equipment. The permittee must take corrective actions to problems identified inspections or otherwise notify the Department. Samples of manure, process wastewater and soils receiving land applied materials from the operation must also be collected and analyzed.

**Sampling Points**

The permit identifies the different sources of land applied materials (e.g., manure storage facilities, milking centers, egg-washing facilities) as “Sampling Points.” For these Sampling Points, the permittee is required to sample and analyze the different sources for nutrients and other parameters which serve as the basis for determining rates of application for these materials. Other areas are also identified as Sampling Points as a means of identifying them as areas requiring action by the permittee, such as an upgrade or evaluation of a certain system or structure (e.g., runoff control systems), even though sampling is not actually required.

**Sample Point Number: 001- Under Barn Pit; 002- South Pit; 003- North Pit; 004- Freestall Barn Reception Tank; 005- Sand Separation Liquids, and 013- WSF 4**

Monitoring Requirements and Limitations					
Parameter	Limit Type	Limit and Units	Sample Frequency	Sample Type	Notes
Nitrogen, Total		lb/1000gal	2/Month	Grab	
Nitrogen, Available		lb/1000gal	2/Month	Calculated	
Phosphorus, Total		lb/1000gal	2/Month	Grab	
Phosphorus, Available		lb/1000gal	2/Month	Calculated	
Solids, Total		Percent	2/Month	Grab	

**1.1.1 Changes from Previous Permit**

Sample Point 013 (WSF 4) has been added to the permit.

**1.1.2 Explanation of Operation and Management Requirements**

Waste levels in liquid storages are required to be recorded weekly. Contents shall be sampled twice per month that land application occurs. Sampling results shall be submitted annually with the operation’s nutrient management plan update. Manure and process wastewater shall be land applied in accordance with the operation’s approved nutrient management plan.

**Sample Point Number: 006- Outdoor Solids Storage; 007- Misc. Solid Manure; 008- Manure Stacking Sites**

<b>Monitoring Requirements and Limitations</b>					
<b>Parameter</b>	<b>Limit Type</b>	<b>Limit and Units</b>	<b>Sample Frequency</b>	<b>Sample Type</b>	<b>Notes</b>
Nitrogen, Total		lbs/ton	Quarterly	Grab	
Nitrogen, Available		lbs/ton	Quarterly	Calculated	
Phosphorus, Total		lbs/ton	Quarterly	Grab	
Phosphorus, Available		lbs/ton	Quarterly	Calculated	
Solids, Total		Percent	Quarterly	Grab	

**1.1.3 Changes from Previous Permit**

None.

**1.1.4 Explanation of Operation and Management Requirements**

Contents shall be sampled once per quarter that land application occurs. Sampling results shall be submitted annually with the operation’s nutrient management plan update. Manure solids shall be land applied in accordance with the operation’s approved nutrient management plan.

**Sample Point Number: 010- Feed Storage Area**

**1.1.5 Changes from Previous Permit**

None.

**1.1.6 Explanation of Operation and Management Requirements**

Runoff control system shall be monitored on a weekly basis. Results shall be submitted with the operation’s annual report. Process wastewater from the feed storage area will be stored in WSF 4.

## 2 Schedules

### 2.1 Monitoring & Inspection Program

Required Action	Due Date
Proposed Monitoring and Inspection Program: Consistent with the Monitoring and Sampling Requirements subsection, the permittee shall update and submit a proposed monitoring and inspection program within 60 days of the effective date of this permit.	10/31/2021

### 2.2 Emergency Response Plan

Required Action	Due Date
Develop Emergency Response Plan: Develop a written Emergency Response Plan within 30 days of permit coverage, available to the Department upon request.	09/30/2021

### 2.3 Annual Reports

Required Action	Due Date
Submit Annual Report #1: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2022
Submit Annual Report #2: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2023
Submit Annual Report #3: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2024
Submit Annual Report #4: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2025
Submit Annual Report #5: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2026
Ongoing Annual Reports: Continue to submit Annual Reports until permit reissuance has been completed.	

### 2.4 Nutrient Management Plan

Required Action	Due Date
Management Plan Annual Update #1: To include actual cropping, tillage, and nutrient application data from the previous calendar or crop year, consistent with the requirements of department for 3400-025D.	03/31/2022
Management Plan Annual Update #2: To include actual cropping, tillage, and nutrient application data from the previous calendar or crop year, consistent with the requirements of department for	03/31/2023



3400-025D.	
Management Plan Annual Update #3: To include actual cropping, tillage, and nutrient application data from the previous calendar or crop year, consistent with the requirements of department for 3400-025D.	03/31/2024
Management Plan Annual Update #4: To include actual cropping, tillage, and nutrient application data from the previous calendar or crop year, consistent with the requirements of department for 3400-025D.	03/31/2025
Management Plan Annual Update #5: To include actual cropping, tillage, and nutrient application data from the previous calendar or crop year, consistent with the requirements of department for 3400-025D.	03/31/2026
Ongoing Management Plan Annual Updates: Continue to submit Annual Updates to the Nutrient Management Plan until permit reissuance has been completed.	

## 2.5 Runoff Control System - Installation

New runoff control system to replace existing system.

Required Action	Due Date
Plans and Specifications: Submit plans and specifications to upgrade the Feed Storage Area runoff control system for Department review and approval in accordance with Chapter 281.41, Wis. Stats., and Chapter NR 243, Wis. Adm. Code. See Standard Requirements for plan content information.	03/01/2025
Complete Installation: Complete construction of runoff control system. System shall be functional and in operation by the specified Date Due. Post construction documentation shall be submitted within 6 months of completion of the project.	12/31/2025

## 2.6 Submit Permit Reissuance Application

Required Action	Due Date
Reissuance Application: Submit a complete permit reissuance application 180 days prior to permit expiration.	02/28/2026

## Other Comments:

The intent of this permit modification is to add one waste storage facility to support the proposed increase in animal units.

## Expiration Date:

August 31, 2026

Prepared By: Todd Prill

Agricultural Runoff Management Specialist

Date: October 2, 2024

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

PUBLIC NOTICE OF AVAILABILITY OF A NUTRIENT MANAGEMENT PLAN AND INTENT TO REISSUE A WISCONSIN POLLUTANT DISCHARGE ELIMINATION SYSTEM (WPDES) PERMIT No. WI-0064092-03-1

Permittee: Meyer Family Dairy, LLC, W3320 153 Road, Loyal, WI, 54446

Facility Where Discharge Occurs: Meyer Family Dairy, LLC, W3360 153 Road Loyal

Receiving Water And Location: Unnamed stream (WBIC 1751600) within the Cawley and Rock Creek Watershed of the Black River Basin, and groundwaters of the state

Brief Facility Description : Meyer Family Dairy LLC is an existing Concentrated Animal Feeding Operation (CAFO) located in the Township of Beaver, Clark County. Meyer Family Dairy consists of one production site: the Main Facility Site located at W3320 153 Road Loyal, WI 54446. The operation is owned and operated by Mike Meyer with a current herd size of 3,315 animal units (1,609 milking/dry cows, 1204 heifers). The operation is proposing to expand to approximately 4,206 animal units (2,525 milking/dry cows, 876 heifers) by the end of 2025.

Meyer Family Dairy LLC has approximately 4,716.3 acres identified in their nutrient management plan. The permittee owns approximately 715.1 acres of cropland and controls an additional 4,001.2 acres through contracts, rental agreements or leases, or manure agreements.

Meyer Family Dairy LLC requested a modification to their WPDES CAFO permit to accommodate the addition of a new manure storage facility (WSF 4). A new sample point describing the structure has been added to the permit. Existing and proposed manure storage structures provide the operation with 590+ days of liquid waste storage, based on expanded animal numbers during the permit term. The operation also proposes to upgrade the existing feed pad runoff collection system to collect 100% of leachate/runoff. Only aspects of the modification process are subject to the public input process. This includes the addition of Sample Point 013 (WSF 4), upgrade to the feed pad runoff system, and the updated nutrient management plan.

The Department has tentatively decided that the above specified WPDES permit should be reissued.

Permit Drafter's Name, Address, Phone and Email: Todd Prill, DNR, 1300 W Clairemont Ave, Eau Claire, WI, 54701, (715) 214-8576, [Todd.Prill@wisconsin.gov](mailto:Todd.Prill@wisconsin.gov)

Persons wishing to comment on or object to the proposed permit action, the terms of the nutrient management plan, or the application, or to request a public informational hearing may write to the Department of Natural Resources at the permit drafter's address. All comments or suggestions received no later than 30 days after the publication date of this public notice will be considered along with other information on file in making a final decision regarding the permit. Anyone providing comments in response to this public notice will receive a notification of the Department's final decision when the permit is re-issued. Where designated as a reviewable surface water discharge permit, the U.S. Environmental Protection Agency is allowed up to 90 days to submit comments or objections regarding this permit determination. If no comments are received on the proposed permit from anyone, including U.S. EPA, the permit will be re-issued as proposed.

The Department may schedule a public informational hearing if within 30 days of the public date of this notice, a request for a hearing is filed by any person. The Department shall schedule a public informational hearing if a petition requesting a hearing is received from USEPA or from 5 or more persons or if the Department determines there is significant public interest. Requests for a public informational hearing shall state the following: the name and address of the person(s) requesting the hearing; the interest in the proposed permit of the person(s) requesting the hearing; the reasons for the request; and the issues proposed to be considered at the hearing.

Information on file for this permit action, including the draft permit and fact sheet (if required), the operation's nutrient management plan and application may be inspected and copied at the permit drafter's office, Monday through Friday (except holidays), between 9:00 a.m. and 3:30 p.m. Please call the permit drafter for directions to their office location, if necessary. Information on this permit action may also be obtained by calling the permit drafter at (715) 214-8576 or by writing to the Department. Reasonable costs (15 cents per page for copies and 7 cents per page for scanning) will be charged for information in the file other than the public notice and fact sheet. Permit information is also available on the internet at: <http://dnr.wi.gov/topic/wastewater/PublicNotices.html>. 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.

NAME OF PUBLISHING NEWSPAPER: **Enter Name of Publishing Newspaper**

ADDRESS OF PUBLISHING NEWSPAPER: **Enter Address of Publishing Newspaper**

Date Notice Issued: **Enter Date Notice Issued**

# Meyer Family Dairy LLC Sample Points

Aerial Photo Source: Google Earth October 2, 2024



## Sample Points – Main Facility

- |     |                               |     |                         |
|-----|-------------------------------|-----|-------------------------|
| 001 | Under Barn Pit                | 005 | Sand Separation Liquids |
| 002 | South Pit                     | 006 | Outdoor Solids Storage  |
| 003 | North Pit                     | 010 | Feed Storage Area       |
| 004 | Freestall Barn Reception Tank | 013 | WSF 4                   |

## Sample Points – Facility Wide

- |     |                    |     |                                   |
|-----|--------------------|-----|-----------------------------------|
| 007 | Misc. Solid Manure | 008 | Manure Stacking Sites (Headlands) |
|-----|--------------------|-----|-----------------------------------|



August 28, 2024

FILE REF: R-2024-0074  
 WPDES Permit #: WI-0064092

Mike Meyer  
 Meyer Family Dairy, LLC  
 W3320 153 Road  
 Loyal, WI 54446

Subject: Days of Storage Review for Meyer Family Dairy, LLC in T27N, R01W, Section 22, Beaver Township, Clark County – NO ADDITIONAL ACTION REQUIRED

Dear Mr. Meyer:

This letter is to inform you that the Wisconsin Department of Natural Resources (Department) has completed its review of the calculation of days of storage submitted under certification by Erik Lietz, P.E., Oakridge Engineering, Inc. on March 12, 2024 with revisions received on July 25, 2024 on behalf of Meyer Family Dairy.

The Department reviewed the submitted calculations in accordance with ss. NR 243.14(9) and NR 243.15(3)(i) to (k), Wis. Adm. Code. Under s. NR 243.17(3)(c), Wis. Adm. Code, the permittee shall demonstrate compliance with the 180-day design storage capacity requirement at specified times. For the following liquid manure storage calculations, the Department has determined **no additional actions** on your part are required.

**Days of Available Liquid Waste Storage:** The submitted information states that Meyer Family Dairy will have 597 days of liquid waste storage after the proposed increase in animals and after construction of the proposed WSF #4, which was approved by DNR Project R-2023-0249, based on the volumes listed in the table below with respect to s. NR 243.15(3)(i) to (k), Wis. Adm. Code. The proposed number of animal units provided for the calculation is 4,206. The animal units are based on the upcoming expansion that will increase animal units from 3,314 to 4,206. The expansion is expected to occur by 2025. The liquid waste volumes are based on the NRCS spreadsheet and other estimated or calculated values for a collection period of 365 days. The first 0.2” flush from the feed storage areas is currently collected in permanent storage, with the remainder transferred to a VTA. All runoff from the sand stacking areas, up to the 25-yr, 24-hr storm, is collected in permanent storage. One waste storage facility, WSF 1, is underbarn and collects no precipitation.

**Proposed Conditions (4,206 AU) – 597 Days of Storage**

Waste Storage	Total Volume	Solids Storage	25-yr, 24-hr Precipitation on Storage	25-yr, 24-hr Collected Runoff	Freeboard Volume	Max. Operating Level (MOL) Volume
#1	789,888	68,816	27,182	0	68,816	625,074
#2	4,296,632	140,504	162,828	18,245	401,503	3,573,552
#3	9,440,097	148,436	270,346	49,274	670,130	8,301,911
#4	46,593,414	481,589	1,087,293	285,925	2,725,510	42,013,097
Total MOL Volume:						54,513,634
Days of Storage:						<b>597</b>

Manure, Bedding, and Parlor Wastewater:	23,898,421 gallons
Total Feed Storage Leachate:	366,520 gallons
Total Feed Storage Runoff Collected:	2,000,503 gallons
Net Precipitation on Storage Surfaces:	6,628,117 gallons
Sand Storage Runoff Collected:	420,773 gallons
<b>Total Liquid Waste Stored Below the MOL:</b>	<b>33,314,334 gallons</b>

Should you have any questions, please contact Rob Davis, DNR Madison office or your regional CAFO Specialist.

**NOTICE OF APPEAL RIGHTS**

If you believe that you have a right to challenge this decision, you should know that the Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions must be filed. For judicial review of a decision pursuant to WIS. STAT. §§ 227.52 and 227.53, you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review must name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to WIS. STAT. § 227.42, you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources. All requests for contested case hearings must be made in accordance with WIS. ADMIN. CODE § NR 2.05(5), and served on the Secretary in accordance with WIS. ADMIN. CODE § NR 2.03. The filing of a request for a contested case hearing does not extend the 30-day period for filing a petition for judicial review.

STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES




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Watershed Management Program




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September 23<sup>rd</sup>, 2024

Clark County  
Approval

Mike Meyer  
Meyer Family Dairy, LLC  
W3320 153 Road  
Loyal, WI 54446

**SUBJECT:** Permit Modification Approval of Meyer Family Dairy, LLC Nutrient Management Plan, WPDES Permit No. 0064092-03-1

Dear Mr. Meyer:

After completing a review of Meyer Family Dairy, LLC 2024-2028 Nutrient Management Plan (NMP) the Wisconsin Department of Natural Resources (Department) is providing conditional approval of the permit modification that it is consistent with Nutrient Management Requirements in s. NR 243, Wis. Adm. Code. This part of your WPDES permit application is now ready for the public notice and comment process as required by Ch. 283 Stats.

Before applying manure onto approved fields each season, the Department recommends Meyer Family Dairy, LLC review the NMP with those individuals involved with manure applications to ensure all remain familiar with the approved manure spreading protocol, spreading maps, field and map verification, record keeping requirements, and all the conditions of this approval. Specifically, some fields in Meyer Family Dairy, LLC may have:

- Soils that may have bedrock or groundwater within 24 inches of surface,
- Multiple setback areas due to streams, conduits to streams, grassed waterways, wetlands or wells, and
- Evidence of possible soil erosion/flow channels. Note: road ditches or other man-made channels may be considered flow channels or conduits to navigable water and may be subject to a SWQMA and setback.

Reviewing the NMP and checking fields for these features and soil conditions prior to manure applications will help Meyer Family Dairy, LLC maintain compliance with their WPDES permit and Ch. NR 243 requirements.

### **FINDINGS OF FACT**

The Department confirms that:

1. A current dairy herd size of 3,314 animal units (1,609 milking & dry cows, 676 heifers 800-1200 lbs, 528 heifers 400-800 lbs). A planned herd size of 4,206 animal units (2,525 milking & dry cows, 291 heifers 800-1200 lbs, 585 heifers 500-800lbs) by 2025.
2. Manure generation and spreading records indicate your herd will annually generate approximately 21,197,437 gallons of manure and process wastewater and 0 tons of solid manure in the first year of the permit term. Approximately 33,314,335 gallons of manure and process wastewater will be generated in 2025 once full expansion has been reached.

3. The use of application restriction options 1, 2 & 5 within surface water quality management areas.
4. The use of phosphorus delivery method P Index.
5. That Meyer Family Dairy, LLC currently has 4,716.3 acres (715.1 owned and 4,001.2 controlled through contracts, rental agreements or leases, or under manure agreements) of which 4,626.9 are spreadable acres.
6. That some fields included in the NMP are directly adjacent to or have high potential to deliver nutrients and sediment to North Fork Popple River, South Fork Popple River, East Fork Popple River, Rock Creek, Yellow River, South Branch Yellow River, Cawley Creek (listed 303(d) impaired water by ‘total phosphorus’).
7. That no fields are directly adjacent to or have high potential to deliver nutrients and sediment to outstanding/exceptional waters.
8. That the following fields included in the NMP are located within the well head protection area for the Name of City of Loyal: VL-6W, VL-W1
9. That no fields are tiled.
10. That all fields will be checked for the following features prior to/during manure or process wastewater applications: soil areas with possible shallow groundwater (i.e., within 24 inches of surface) at the time of manure application; required setbacks associated with wells, navigable waters, conduits to navigable waters, grassed waterways, wetlands, possible soil erosion/flow channels.
11. That surface applications of manure will not be completed when precipitation capable of producing runoff is forecasted within 24 hours of the time of planned application.

### **CONDITIONAL NUTRIENT MANAGEMENT PLAN APPROVAL**

The Department hereby approves the 2024-2028 Meyer Family Dairy, LLC Nutrient Management Plan subject to the following conditions and the applicable requirements of Ch. NR 243, Wis. Adm. Code:

#### FIELD AND MANURE MANAGEMENT

1. Fields not included in the NMP and new fields shall not receive manure or process wastewater applications until they have been properly soil sampled, entered into Snap Plus, evaluated for their nutrient needs, and approved by the Department.
2. The following fields have also been approved to receive industrial, municipal, or septage waste:

<b>Field Name:</b>	<b>Other Permittee Name:</b>	<b>Site ID-Field ID:</b>	<b>DNR #:</b>
EL F1-4	GRASSLAND DAIRY PRODUCTS INC	LANDINI-F3	108771
KH U-30-10	BALCHEM INGREDIENT SOLUTIONS	154	109594
EL G1-5	GRASSLAND DAIRY PRODUCTS INC	LANDINI-G3	108803
EL G1-5	GRASSLAND DAIRY PRODUCTS INC	LANDINI-G1	108801
MAB-8A	ABBYLAND FOODS INC ABBOTSFORD PLANT	AB-6	121055
MAB-13	ABBYLAND FOODS INC ABBOTSFORD PLANT	MB-9	76598
EL G1-5	GRASSLAND DAIRY PRODUCTS INC	LANDINI-G2	108802
MAB-8A	ABBYLAND FOODS INC ABBOTSFORD PLANT	AB-5	121054
EL F1-4	GRASSLAND DAIRY PRODUCTS INC	LANDINI-F1	108770
MAB-8C	ABBYLAND FOODS INC ABBOTSFORD PLANT	AB-9	76583
MAB-12	ABBYLAND FOODS INC ABBOTSFORD PLANT	MB-1	107888
MAB-7	ABBYLAND FOODS INC ABBOTSFORD PLANT	MB-2	76592
EL F1-4	GRASSLAND DAIRY PRODUCTS INC	LANDINI-F4	108772
MAB-7	ABBYLAND FOODS INC ABBOTSFORD PLANT	AB-10	121058
KH U-19-40	BALCHEM INGREDIENT SOLUTIONS	153	109593
MAB-13	ABBYLAND FOODS INC ABBOTSFORD PLANT	MB-8	120791

MAB-5	ABBYLAND FOODS INC ABBOTSFORD PLANT	AB-4	76581
MAB-14A	ABBYLAND FOODS INC ABBOTSFORD PLANT	MC-1	76597
MAB-6	ABBYLAND FOODS INC ABBOTSFORD PLANT	AB-3	76578
MAB-8C	ABBYLAND FOODS INC ABBOTSFORD PLANT	AB-8	76582
EL K1-5	GRASSLAND DAIRY PRODUCTS INC	K-1	108760
MAB-11B	ABBYLAND FOODS INC ABBOTSFORD PLANT	MB-4	76593
EL H-2	GRASSLAND DAIRY PRODUCTS INC	H-2	108753
MAB-11A	ABBYLAND FOODS INC ABBOTSFORD PLANT	MB-3	76595
MAB-8B	ABBYLAND FOODS INC ABBOTSFORD PLANT	AB-7	121056
EL KHONS	GRASSLAND DAIRY PRODUCTS INC	LANDINI-KH	108798
EL H-3	GRASSLAND DAIRY PRODUCTS INC	H-3	108754
EL H-1	GRASSLAND DAIRY PRODUCTS INC	H-1	108752
MAB-2	ABBYLAND FOODS INC ABBOTSFORD PLANT	AB-1	76577
KH U-19-30	BALCHEM INGREDIENT SOLUTIONS	153	109593
EL H-4	GRASSLAND DAIRY PRODUCTS INC	H-4	108755
EL RW	GRASSLAND DAIRY PRODUCTS INC	LANDINI-RW	108800
MAB-14B	ABBYLAND FOODS INC ABBOTSFORD PLANT	MC-2	120829
EL H-6	GRASSLAND DAIRY PRODUCTS INC	H-6	108757
EL SPARKY'S	GRASSLAND DAIRY PRODUCTS INC	LANDINI-SP	108797
MAB-11C	ABBYLAND FOODS INC ABBOTSFORD PLANT	MB-6	76591
EL H-5	GRASSLAND DAIRY PRODUCTS INC	H-5	108756
KH U-30-20	BALCHEM INGREDIENT SOLUTIONS	154	109594
MAB-9	ABBYLAND FOODS INC ABBOTSFORD PLANT	MB-5	76600

Prior to any manure applications on these fields Meyer Family Dairy, LLC shall contact the entities listed above to obtain recent spreading records and make the necessary adjustments to the planned manure application rates. At the end of each year Meyer Family Dairy, LLC shall contact each entity listed above to obtain spreading records from the previous year so that they can be properly tracked in the NMP. Please Note: Meyer Family Dairy, LLC is responsible for obtaining nutrient content values for all other wastes spread on any field in their NMP.

3. The following fields are prohibited from receiving applications of manure or process wastewater:
  - EL LOKKEN (expired soil samples)
  - KH U-31 (insufficient soil sample density)

If Meyer Family Dairy, LLC wishes to use these fields for applications of manure or process wastewater all necessary information shall be submitted to the Department prior to application to demonstrate compliance with NR 243 and other applicable codes. Written Department approval amending this condition approval must be received prior to application.

4. If existing fields yield a soil test results equal to or greater than 200 ppm P, those fields would be prohibited from receiving manure or process wastewater applications, unless you obtain Department approval in accordance with NR 243.14(5)(b)2., Wis. Adm. Code.
5. All liquid manure samples collected may be analyzed, at a minimum, for percent dry matter, total nitrogen, percent NH<sub>4</sub>-N, percent NO<sub>3</sub>-N, phosphorus, potassium, and sulfur.



6. If manure sample results have a dry matter (DM) content less than 2.0% and the percent ammonium ( $\text{NH}_4^+$ ) is greater than 75% of the total N, Meyer Family Dairy, LLC may use the following equation to adjust the first year available nitrogen when applications are injected or incorporated within 1 hour:

$$\text{First-Year Available N} = \text{NH}_4\text{-N} + [0.25 \times (\text{Total N} - \text{NH}_4\text{-N})]$$

7. Meyer Family Dairy, LLC shall record daily manure applications by using the 'Daily Log' as generated by Snap Plus. These forms shall be retained at the farm and provided to the department upon request.
8. Meyer Family Dairy, LLC shall annually submit a spreading report that summarizes the land application activities listed under NR 243.19(3)(c)5., Wis. Adm. Code by using 'CAFO Annual Spreading Reports' as generated by Snap Plus.

#### WINTER SPREADING

9. Liquid manure applications during winter conditions, as defined by NR 243.14(7), Wis. Adm. Code, are prohibited with the exception of emergency applications.
10. The following field(s) are approved for winter spreading solid manure, emergency applications of liquid manure and frozen liquid manure:
- |                      |                    |              |
|----------------------|--------------------|--------------|
| - MAB-8C             | - 201 202 Robinson | - 151 Urs-S  |
| - KH B-24-20 B 24-20 | - 153 DELO 40      | - KH B-25-14 |
| - 122 MFD            | - 001 GL 11 12     |              |
11. Winter spreading of solid and liquid manure may not occur during the "high risk runoff period" pursuant to s. NR 243.14(6)(c) and NR 243.14(7)(c), respectively.
12. Winter applications of liquid manure shall only occur under emergency situations, after notifying the Department and receiving verbal approval.
13. Liquid applications shall be limited to 3,500 gallons per acre or 30 lbs. P per acre, whichever is less, on slopes 2-6% and 7,000 gallons per acre or 60 lbs. P per acre, whichever is less, on slopes 0-2%. Winter applications of solid manure shall be limited to 60 lbs. P per acre.

#### HEADLAND STACKING

14. No headland stacking sites are approved.

#### MANURE & PROCESS WASTEWATER IRRIGATION

15. Irrigation of manure or process wastewater is prohibited.

#### SUBMITAL AND RECORDKEEPING REQUIREMENTS

16. A copy of this conditional approval shall be included in all future annual Nutrient Management Plan Updates in addition to the NR 243 and NRCS 590 checklists.
17. The department is requesting that all fall manure samples taken with respect to permit requirements are submitted by no later than **December 31<sup>st</sup>, 2024**. Manure sampling requirements are 2 liquid samples per calendar month for each source when hauling takes place.

This conditional approval does not limit the Department's regulatory authority to require NMP revisions (based upon new information or manure irrigation research findings) or request additional information in order to confirm or ensure your farm operation remains in compliance with NR 243 and your WPDES permit conditions. If additional information, project changes or other circumstances indicate a possible need to modify this approval, the Department may ask you to provide further information relating to this activity.

Please keep in mind that approval by the Department of Natural Resources – Runoff Management Program does not relieve you of obligations to meet all other applicable federal, state or local permits, zoning and regulatory requirements.

If you have any questions regarding this approval I can be reached at 608-212-8460 or [Ashley.Scheel@Wisconsin.gov](mailto:Ashley.Scheel@Wisconsin.gov).

Sincerely,

A handwritten signature in black ink that reads "Ashley Scheel". The signature is written in a cursive, slightly slanted style.

Ashley Scheel, CCA  
WDNR Nutrient Management Plan Reviewer  
Wisconsin Department of Natural Resources

cc: Todd Prill, WDNR Agricultural Runoff Specialist ([Todd.Prill@Wisconsin.gov](mailto:Todd.Prill@Wisconsin.gov))  
Bradley Johnson, WDNR Watershed Field Supervisor ([Bradley.Johnson@Wisconsin.gov](mailto:Bradley.Johnson@Wisconsin.gov))  
Christopher Clayton, WDNR Runoff Management Section Chief ([Christopherr.Clayton@Wisconsin.gov](mailto:Christopherr.Clayton@Wisconsin.gov))  
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