

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES
PUBLIC NOTICE OF AVAILABILITY OF A NUTRIENT MANAGEMENT PLAN AND INFORMATIONAL
HEARING AND INTENT TO REISSUE A WISCONSIN POLLUTANT DISCHARGE ELIMINATION SYSTEM
(WPDES) PERMIT No. WI-0061824-03-0

Permittee: Burr Oak Heifers LLC, PO Box 122, Coloma, WI 54930

Facility Where Discharge Occurs: Burr Oak Heifers LLC, NWQ, Sec. 36, T18N, R7E, Town of Richfield, Adams County (adjacent to 1 ST Drive between CTH CC and CTH G)

Receiving Water and Location: Surface water and groundwater within the Little Roche Cri Creek Watershed

Brief Facility Description: Burr Oak Heifers LLC, previously permitted as Opitz Custom Heifers, LLC, is an existing Concentrated Animal Feeding Operation (CAFO). The previous permit provided coverage of four separate facilities which included approximately 4,250 animal units located on earthen lots. The permittee is scheduled to complete abandonment and closure of all earthen outdoor lots by March /April 2014, with all livestock concentrated under roof at the Burr Oak Heifer facility. The Burr Oak facility would house approximately 3,100 heifers or 2,675 animal units. Burr Oak Heifers LLC is owned and operated by Jeff Opitz.

Upon completion of the 2013-2014 construction, the Burr Oak Heifer facility will include four 450' X 104' livestock housing barns, a 180' X 600' X 14.5' concrete waste storage facility (WSF #1) designed to hold 7.06 million gallons of manure and process wastewater and a feed storage runoff collection system. The facility is also required to install a minimum of two additional groundwater monitoring wells, for the purpose of providing a more comprehensive monitoring system within the expanded Burr Oak Heifers production area.

Burr Oak Heifers has a total of 2,982 acres available for land application of manure and process wastewater. Of this acreage, 10 acres are owned and 2882 are rented. The Burr Oak Heifers Nutrient Management Plan received preliminary DNR approval on May 1, 2013.

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

Permit Drafter: Terence Kafka, DNR, 5301 Rib Mountain Drive, Wausau, WI 54401, (715) 355-1363, Terence.Kafka@Wisconsin.gov

Informational Hearing Date, Time, and Location: April 15, 2014, 2:00 pm, Adams County Community Center, 569 North Cedar Street, Adams, WI 53910.

The Department of Natural Resources, pursuant to Section 283.49, Wisconsin Statutes, has scheduled a public informational hearing for the purpose of giving all interested persons an opportunity to make a statement with respect to the proposed permit action, the terms of the nutrient management plan, and the application for this operation.

The hearing officer will conduct the hearing in an orderly fashion and will use procedures specified in Subchapter II of ch. NR 203, Wis. Adm. Code, necessary to insure broad public participation in the hearing. The hearing officer will open the hearing and make a concise statement of the scope and purpose of the hearing and shall state what procedures will be used during the course of the hearing. The hearing officer shall explain the method of notification of the final decision to grant or deny the permit and the methods by which the decision may be reviewed in a public adjudicatory hearing.

The hearing officer may place limits on individual oral statements to insure an opportunity for all persons present to make statements in a reasonable period of time and to prevent undue repetition. The hearing officer may also limit the number of representatives making oral statements on behalf of any person or group. Informational and clarifying questions and oral statements shall be directed through the hearing officer. Cross examination shall not be allowed.

Persons wishing to comment on or object to the proposed permit action, the terms of the nutrient management plan, or the application, are invited to do so by attending the public hearing or by submitting any comments or objections in writing to the Department of Natural Resources, at the above named permit drafter's address. All comments or suggestions received from members of the public no later than 7 days following the date of this public hearing will be used, along with other information on file and testimony presented at the hearing, in making a final determination. Anyone providing comments in response to this public notice will receive a notification of the Department's final decision regarding permit coverage. 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.

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) 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. 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.

PUBLISHING NEWSPAPER: Adams Friendship Times Reporter, PO Box 99, Adams, WI 53910-0099
Date Notice Issued: March 12, 2014