Permit Fact Sheet

General Information

Permit Number	WI-0062600-05-0
Permittee Name	Opitz Dairy Farm
Facility Address	2314 Shady Lane Rd, Saukville, Wisconsin 53080; SE ¼ of SE ¼ Sec. 09 T11N R21E
Permit Term	November 01, 2025 to October 31, 2030
Discharge Location	Unnamed tributaries within the Milwaukee River South Watershed and groundwaters of the state

Animal Units					
	Current AU		**Proposed AU** **(Note: If all zeroes, expansions are not expected during permit term)**		
Animal Type	**Mixed**	**Individual**	**Mixed**	**Individual**	**Date of Proposed Expansion**
Milking and Dry Cows	1281	1308	0	0	N/A
Total	1281	1308	0	0	N/A

Facility Description

Opitz Dairy Farm is an existing concentrated animal feeding operation (CAFO) located in the Village of Saukville in Ozaukee County. Opitz Dairy Farm is owned and operated by Jeff Opitz. The CAFO consists of one main site that has a current herd size of 1,308 animal units (915 milking and dry cows). There are no current plans for expansion during the next permit term. The herd annually generates approximately 13,130,000 gallons of manure and process wastewater. Opitz Dairy Farm has 192 days of liquid waste storage on site. Approximately 302 acres of cropland are owned by Opitz Dairy Farm, and an additional 892 acres are controlled through contracts, rental agreements or leases, or under manure agreements. Of that acreage, 1,184 are available to receive manure and process wastewater.

Substantial Compliance Determination

Enforcement During Last Permit:. A of noncompliance (NON) was sent on February 7, 2022 in response to failure to adhere to permit schedule section 2.5 Manure Storage Facility – Engineering Evaluation, requiring the completion of engineering evaluations of WSF 3, 5 and 6 by February 1, 2022. Engineering evaluations were submitted to the department on March 23, 2023. The facility has completed all previously required actions and the engineering evaluations were approved by the department.

After a desk top review of all discharge monitoring reports, land app reports, compliance schedule items, and a site visit on June 17, 2025, this facility has been found to be in substantial compliance with their current permit.

Compliance determination made by Kate Markiewicz, permit drafter on September 15, 2025.

Sample Point Descriptions

Sample Point Designation For Animal Waste		
Sample Point Number	**Sample Point Location, Waste Type/Sample Contents and Treatment Description (as applicable)**	
001	WSF 1: Sample point 001 is for liquid waste storage facility 1 (WSF 1). WSF 1 is a concrete storage located west of WSF 3. The facility has a capacity (MOL) of 1,009,985 gallons and was constructed in 2007. This storage accepts manure and process wastewater from the manure transfer system. Post construction documentation for WSF 1 was received by the department in 2009.	
002	WSF 3-2: Sample point 002 is for liquid waste storage facility 3 cell 2 (WSF 3-2). WSF 3-2 is a concrete storage located south of WSF 3 cell 1. The facility has a capacity (MOL) of 443,221 gallons and was constructed in 2004. This storage accepts manure and process wastewater from the manure transfer system. An engineering evaluation for WSF 3-2 was completed and approved by the department in 2025.	
003	WSF 3-1: Sample point 003 is for liquid waste storage facility 3 cell 1 (WSF 3-1). WSF 3-1 is an earthen with concrete bottom storage located north of WSF 3-2. The facility has a capacity (MOL) of 4,454,105 gallons and was constructed in 2004. This storage accepts manure and process wastewater from WSF 3-2. An engineering evaluation was completed for WSF 3-1 in 2023 and approved by the department.	
004	WSF 4: Sample point 004 is for liquid waste storage facility 4 (WSF 4). WSF 4 is a concrete storage located north of Barn 8. The facility has a capacity (MOL) of 397,279 gallons and was constructed in 2003. This storage accepts manure and process wastewater from Barn 8 and the parlor. The department received post construction documentation for WSF 4 in 2004.	
005	WSF 5 (liquids): Sample point 005 is for waste storage facility 5 (WSF 5). WSF 5 is a solid manure stacking area with an underground tank for liquid manure located east of Barn 2. The tank has a capacity (MOL) of 6,163 gallons and was constructed in 2011. This storage accepts manure and process wastewater from Barn 2. An engineering evaluation was submitted for WSF 5 in 2023 and approved by the department	
006	WSF 6: Sample point 006 is for liquid waste storage facility 6 (WSF 6). WSF 6 is a concrete storage located south of barn 2. The facility has a capacity (MOL) of 208,665 gallons and was constructed in 2001. This storage accepts manure and process wastewater from Barn 1. An engineering evaluation for WSF 6 was completed in 2023 and approved by the department.	
007	Sand Lane System: Sample point 007 is for the sand lane system located to the west of WSF 1. The sand lane system consists of one sand lane and a concrete pad for stacking sand. The sand lane system was constructed in 2007. The department received post construction documentation in 2009.	
008	Solid Manure: Sample point 008 is for solid manure sources that are directly land applied and not stored in a waste storage facility. This includes solid sources such as calf hutch manure, maternity pen bedpack, heifer bedpack, steer manure, etc. Representative samples shall be taken for each manure source type.	
009	Settled Solid Manure: Sample point 009 is for any manure solids removed from bottom of liquid waste storage facilities. This includes manure-laden sand solids, manure fiber solids, etc. Representative samples shall be taken from each waste storage facility.	
010	Feed Area 1 & Runoff Control System: Sample point 010 is for visual monitoring and inspection of the feed storage area 1 and associated runoff control system. Proper operation and maintenance is required to ensure discharges meet permit requirements. Weekly inspections are required and shall be recorded according to monitoring program. Upgrades to FSA 1 and associated runoff controls were completed in 2022 with department approval.	
011	Feed Area 2 & Runoff Control System: Sample point 011 is for visual monitoring and inspection of the	

Sample Point Designation For Animal Waste		
Sample Point Number	**Sample Point Location, Waste Type/Sample Contents and Treatment Description (as applicable)**	
	feed storage area and associated runoff control system. Proper operation and maintenance is required to ensure discharges meet permit requirements. Weekly inspections are required and shall be recorded according to monitoring program. Upgrades to FSA 2 and associated runoff controls were completed in 2022 with department approval.	
012	Feed Area 3 & Runoff Control System: Sample point 012 is for visual monitoring and inspection of the feed storage area and associated runoff control system. Proper operation and maintenance is required to ensure discharges meet permit requirements. Weekly inspections are required and shall be recorded according to monitoring program. Upgrades to FSA 3 and associated runoff controls were completed in 2022 with department approval.	
015	WSF 5 (solids): Sample point 015 is for waste storage facility 5 (WSF 5). WSF 5 is a solid manure stacking area with an underground tank for liquid manure located east of Barn 2. The tank has a capacity (MOL) of 6,163 gallons and was constructed in 2011. This storage accepts manure and process wastewater from Barn 2. An engineering evaluation was submitted for WSF 5 in 2023 and approved by the department.	
016	Headland Stacking Solids: Sample point 016 is for solid manure stacked in approved headland stacking locations. Representative samples shall be taken of this manure prior to land application. Note: Headland stacking sites are subject to production site discharge limitations; weekly visual monitoring is required during use of stacking sites to ensure discharges meet permit requirements.	
017	Storm Water Runoff Control System: Sample point 017 is for visual monitoring and inspection of all production site storm water conveyance systems. This includes roof gutter and downspout structures, drainage tile systems, grassed waterways and other diversion systems that transport uncontaminated storm water. Proper operation and maintenance is required to keep uncontaminated runoff diverted away from manure and process wastewater handling systems. Weekly inspections are required and shall be recorded according to monitoring program.	
018	WSF 7: Sample point 018 is for liquid waste storage facility 7 (WSF 7). WSF 7 is a concrete storage located north of FSA 3. The facility has a capacity (MOL) of 376,609 gallons and was constructed in 2023 with department approval. This storage accepts process wastewater from FSA 1-3.	

Permit Requirements

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 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. In order 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 submitted to the Department for approval.

The permittee currently has approximately 6.3 months of storage for liquid manure. The permittee must maintain 180 days of storage, unless temporary reductions in required storage are approved by the Department.

Solid Manure Stacking

The operation has proposed to stack solid manure. All stacking of solid manure shall be done in accordance ch. NR 243, Wis. Adm. Code, which includes restrictions from NRCS Standard 313. Stacking of manure is considered to be part of the production area and is subject to the Production Area Discharge Limitations.

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 915 milking and dry cows, it is estimated that approximately 13,130,000 gallons of manure and process wastewater and 3,200 tons of solid manure will be produced per year. The permittee owns *approximately* 302 acres of cropland and rents about 892 acres. Given the rotation commonly used by the permittee, 1,184 acres are available (or open) to receive manure and process wastewater on an annual basis. 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 or 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 permitee 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.

1.1 Sample Point Number: 001- WSF 1; 002- WSF 3-2; 003- WSF 3-1; 004- WSF 4; 005- WSF 5 (liquids); 006- WSF 6, and 018- WSF 7

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 descriptions were updated to include engineering evaluations that occurred during the previous permit term. Naming of WSF 3-1 and 3-2 updated to better represent how the farm refers to the facilities.

1.1.2 Explanation of Operation and Management Requirements

Wastes shall be stored and land applied according to permit and nutrient management requirements.

1.2 Sample Point Number: 007- Sand Lane System; 008- Solid Manure; 009- Settled Solid Manure; 015- WSF 5 (solids); 016- Headland Stacking Solids

Monitoring Requirements and Limitations					
Parameter	**Limit Type**	**Limit and Units**	**Sample Frequency**	**Sample Type**	**Notes**
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	

1.2.1 Explanation of Operation and Management Requirements

Wastes shall be stored and land applied according to permit and nutrient management requirements.

1.3 Sample Point Number: 010- Feed Area 1 & Runoff Controls; 011- Feed Area 2 & Runoff Controls; 012- Feed Area 3 & Runoff Controls, and 017- Storm Water Runoff Controls

1.3.1 Changes from Previous Permit

Sample point descriptions were updated to include engineering evaluations that occurred during the previous permit term.

1.3.2 Explanation of Operation and Management Requirements

The is no required sampling for the runoff controls. Rather, there is required inspection and routine maintenance that should be recorded on a monitoring and inspection form or calendar. A copy of the inspection records shall be submitted with the Annual Report.

2 Schedules

2.1 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.	12/01/2025

2.2 Monitoring & Inspection Program

Required Action	Due Date
Proposed Monitoring and Inspection Program: Consistent with the Monitoring and Sampling Requirements subsection, the permittee shall submit a proposed monitoring and inspection program within 30 days of the effective date of this permit.	12/01/2025

2.3 Annual Reports

Submit Annual Reports by January 31st of each year in accordance with the Annual Reports subsection in Standard Requirements.

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.	01/31/2026
Submit Annual Report #2: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2027
Submit Annual Report #3: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2028
Submit Annual Report #4: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2029
Submit Annual Report #5: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2030
Ongoing Annual Reports: Continue to submit Annual Reports until permit reissuance has been completed.	

2.4 Nutrient Management Plan

Submit annual nutrient management plan (NMP) updates by March 31 of each year. Note, in addition to annual NMP updates, submit NMP amendments and substantial revisions to the department for written approval prior to implementation of any changes to the NMP.

Required Action	Due Date
Management Plan Submittal: Submit any necessary updates to the Nutrient Management Plan to meet the conditions outlined in this permit (see conditions in the Livestock Operational and Sampling Requirements section).	
Submit NMP 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.	03/31/2026
Submit NMP 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 3400-025D.	03/31/2027
Submit NMP 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.	03/31/2028

Submit NMP 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.	03/31/2029
Submit NMP 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.	03/31/2030
Ongoing Management Plan Annual Updates: Continue to submit Annual Updates to the Nutrient Management Plan until permit reissuance has been completed.	

2.5 Submit Permit Reissuance Application

Required Action	Due Date
Reissuance Application: Submit a complete permit reissuance application 180 days prior to permit expiration.	05/04/2030

2.6 Explanation of Schedules

Schedules are included in the permit to monitor and fulfill requirements of permit discharge limitations, and to ensure compliance with s. NR 243, Wis. Admin. Code, requirements. Schedules for the following items have been incorporated into the permit:
The schedules contained in 2.1-2.5 are standard permit schedules.

Other Comments

N/A

Attachments

Map

Nutrient Management Plan Approval Letter

Days of Storage Approval Letter

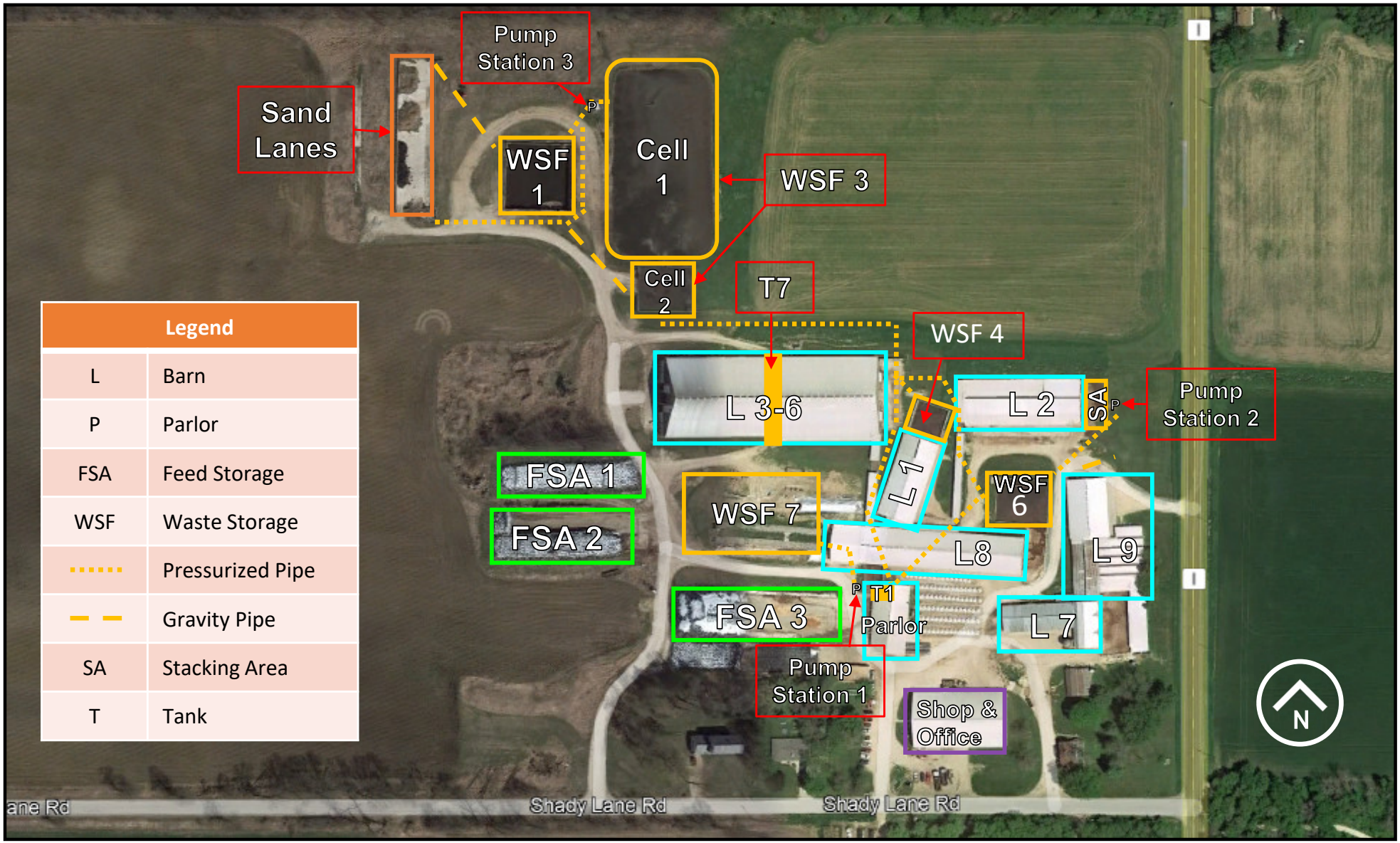
Public Notice

Justification Of Any Waivers From Permit Application Requirements

No waivers requested or granted as part of this permit reissuance.

Prepared By: Kate Markiewicz **Agricultural Runoff Management Specialist** **Date: 9/15/2025**

Opitz Dairy Farm ▪ 2314 Shady Lane Road, Saukville WI 53080
Ozaukee County
Sec 9 T11N R21E



State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
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Eau Claire WI 54701

Tony Evers, Governor
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711

May 15, 2025

Ozaukee County
Approval

Jeff Opitz
Opitz Dairy Farm
2314 Shady Lane Rd
Saukville, WI 53080

SUBJECT: Conditional Approval of Opitz Dairy Farm Nutrient Management Plan, WPDES Permit No. 0062600-05-0

Dear Mr. Opitz:

After completing a review of Opitz Dairy Farm 2025-2029 Nutrient Management Plan (NMP) the Wisconsin Department of Natural Resources (Department) is providing conditional approval 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 Opitz Dairy Farm 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.

FINDINGS OF FACT

The Department confirms that:

1. A current dairy herd size of 1,308 animal units (915 milking & dry cows). Currently there are no planned expansions in the next permit term.

2. Manure generation and spreading records indicate your herd will annually generate approximately 13,130,000 gallons of manure and process wastewater and 3,200 tons of solid manure in the first year of the permit term.

3. The use of application restriction options 1 and 5 within surface water quality management areas.

4. The use of phosphorus delivery method P Index.

5. That Opitz Dairy Farm currently has 1,194 acres (302 owned and 892 controlled through contracts, rental agreements or leases, or under manure agreements) of which 1,184 are spreadable acres.

6. 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.

7. 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 2025-2029 Opitz Dairy Farm 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:

Field Name	Other Permittee Name	Other Permittee Field Name	DNR #
Oskey 1	RANDOM LAKE VILLAGE	RL-B	120668
Oskey 4	RANDOM LAKE VILLAGE	RL-B	120668
Oskey 6 7	RANDOM LAKE VILLAGE	RL-A	120669

   Prior to any manure applications on these fields Opitz Dairy Farm 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 Opitz Dairy Farm 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: Opitz Dairy Farm 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:

   - R 40 (>200ppm P)
   - R 31 (outdated soil test)
   - R 32 (outdated soil test)

   If Opitz Dairy Farm 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_4-N, percent NO_3-N, phosphorus, potassium, and sulfur.

6. If manure sample results have a dry matter (DM) content less than 2.0% and the percent ammonium (NH_4^+) is greater than 75% of the total N, Opitz Dairy Farm may use the following equation to adjust the first year available nitrogen when applications are injected or incorporated within 1 hour:

$$\text{First-Year Available N} = NH_4\text{-N} + [0.25 \times (\text{Total N} - NH_4\text{-N})]$$

7. Opitz Dairy Farm shall record daily manure applications by using a farm specific form 'Daily Spreading Log for Manure Applications'. These forms shall be retained at the farm and provided to the department upon request.

8. Opitz Dairy Farm 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 SNAP Plus form 'Annual Spreading Report'.

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:

- Dietrich 1
- Dietrich 2
- Gildemeister
- Lynn 2 S
- Oskey 4
- Oskey 6 7
- Plautz 2
- Scholler 3 4 5
- Staege 6
- T 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.

MANURE & PROCESS WASTEWATER DISTRIBUTION

16. Opitz Dairy Farm has insufficient acres to land apply their anticipated volumes of manure and process wastewater. Opitz Dairy Farm has a relationship with a neighboring dairy, Rockland Dairy LLC located in Random Lake, Wisconsin. Opitz Dairy has planned manure and process wastewater applications directly to fields that are in the WPDES NMP for Rockland Dairy LLC. Approximately 4,000,000-4,700,000 gallons of manure and process wastewater are planned to be applied to fields in Rockland Dairy LLCs Nutrient Management Plan each year.
    - Liquid manure from Opitz Dairy shall not be stored in any of the liquid manure storage facilities at Rockland Dairy LLC, but when transferred, it will be directly applied to fields.
    - This liquid manure is also planned in the Rockland Dairy LLC NMP and is listed as "Opitz Dairy Transfer" in the nutrient sources for Rockland Dairy LLC.

- Opitz Dairy Farm shall maintain responsibility of this manure and process wastewater during the applications as well as if any non-compliance occurs due to the applications. This includes but is not limited to manure runoff, overapplications of nutrients, or any other non-compliance of Rockland Dairy LLCs nutrient management plan that results from the applications of this manure from Opitz Dairy Farm LLC.

SUBMITAL AND RECORDKEEPING REQUIREMENTS

17. 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.

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 locate permits, zoning and regulatory requirements.

If you have any questions regarding this approval I can be reached at 715-214-5503 or Aaron.Orourke@Wisconsin.gov.

Sincerely,

Aaron O'Rourke
WDNR Nutrient Management Program Coordinator
Wisconsin Department of Natural Resources

cc: Kate Markiewicz, WDNR Agricultural Runoff Specialist (Kate.Markiewicz@Wisconsin.gov)
Michelle Scott, WDNR Watershed Field Supervisor (Michelle.Scott@Wisconsin.gov)
Chris Clayton, WDNR Ag Runoff Section Chief (Christopherr.Clayton@Wisconsin.gov)
Ashley Scheel, WDNR CAFO NMP Reviewer (Ashley.Scheel@Wisconsin.gov)
Falon French, WDNR Intake Specialist (Falon.French@Wisconsin.gov)
Chase Brouilette, Ozaukee County (cbrouillette@ozaukeecounty.gov)
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File

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April 29, 2025

FILE REF: R-2025-0060
WPDES Permit #: WI-0062600

Jeff Opitz
Opitz Dairy Farm
2314 Shady Lane Rd
Saukville, WI 53080

Subject: Days of Storage Review for Opitz Dairy Farm SE¼ of T11N, R21E, Section 09 in Saukville Township, Port Washington County – NO ADDITIONAL ACTION REQUIRED

Dear Jeff Opitz:

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 Patrick Roach, Roach & Associates, LLC on February 28, 2025 on behalf of Opitz Dairy Farm.

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 Opitz Dairy Farm has 192 days of liquid waste storage based on the volumes listed in the table below with respect to s. NR 243.15(3)(i) to (k), Wis. Adm. Code. The current number of animal units provided for the calculation is 1,308. The liquid waste volumes are based on the NRCS spreadsheet and other estimated or calculated values for a collection period of 365 days. All feed storage area, feedlot and sand lane runoff, up to the 25-year, 24-hour storm is collected in permanent storage.

Total Liquid Waste Storage Capacity (gallons)						
Waste Storage	Total Vol. from Settled Top to Bottom	-Solids Storage	-25-yr, 24-hr Precip. on Storage	25-yr, 24-hr Collected Runoff	Freeboard Vol.	Max. Operating Level (MOL) Vol.
#1	1,176,686		35,301	40,886	90,514	1,009,985
#2	5,013,961		159,130		400,726	4,454,105
#3	514,774		20,076		51,477	443,221
#4	485,193		20,135	16,402	51,359	397,297
#5	242,352		9,452		24,235	208,665
#6	889,332		70,302	241,452	200,969	376,609
					Total MOL Vol:	6,889,882
					Days of Storage:	**192**

Total Annual Liquid Waste Volume (NRCS Table Values)	
Liquids Collected/Stored	Annual Gallons
Manure and Bedding	7,069,716
Parlor Wastewater	2,657,618
Feed Storage Leachate	69,767
Feed Storage Runoff Collected	1,676,358
Feedlot Runoff	113,877
Net Precipitation on Storage Surface(s)	1,365,721
Sand Lane Runoff	175,839
TOTAL:	**13,128,896**

Should you have any questions, please contact Tabby 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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Watershed Management Program

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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-0062600-05-0

Permittee: Opitz Dairy Farm, 2314 Shady Lane Rd, Saukville, WI, 53080

Facility Where Discharge Occurs: Opitz Dairy Farm, 2314 Shady Lane Rd Saukville

Receiving Water And Location: Surface water and groundwater within the Milwaukee River South Watershed

Brief Facility Description : Opitz Dairy Farm is a proposed Concentrated Animal Feeding Operation (CAFO). Opitz Dairy Farm is owned and operated by Jeff Opitz. It currently has 1,308 animal units (915 milking & dry cows) with no current plans for expansion in the next permit term. Opitz Dairy Farm has a total of 1,194 acres (302 owned and 892 controlled through contracts, rental agreements or leases, or under manure agreements) of which 1,184 are spreadable acres.

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

Permit Drafter's Name, Address, Phone and Email: Kate Markiewicz, DNR, 1027 W St Paul Ave, Milwaukee, WI, 53233, (608) 893-4046, Kate.Markiewicz@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 (608) 893-4046 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**