

# Permit Fact Sheet

## General Information

Permit Number:	WI-0067409-01-0
Permittee Name:	Rob-n-Cin Farms LLC
Address:	5545 County Road Y
City/State/Zip:	West Bend WI 53095
Discharge Location:	5545 County Road Y, West Bend, WI 53095; S25 T11N R20E, Township of Trenton, Washington County
Receiving Water:	Unnamed Tributaries within the Cedar Creek Watershed, Lake Michigan Drainage Basin and groundwaters of the state

Animal Units					
Animal Type	Current AU		Proposed AU (Note: If all zeroes, expansions are not expected during permit term)		
	Mixed	Individual	Mixed	Individual	Date of Proposed Expansion
Dairy Calves (under 400 lbs.)	30	0	34	0	10/01/2028
Milking and Dry Cows	1302	1330	2240	2288	10/01/2028
Heifers (800 lbs. to 1200 lbs.)	88	80	176	160	10/01/2028
Steers or Cows (400 lbs. to market)	50	50	50	50	10/01/2028
<b>Total</b>	<b>1470</b>	<b>1330</b>	<b>2500</b>	<b>2288</b>	

## Facility Description

Rob-N-Cin Farms LLC is a new Concentrated Animal Feeding Operation in Washington County, WI. Rob-N-Cin Farms is owned and operated by Robert Roden and Family. As of January of 2024, it has 930 milking and dry cows, 80 large heifers, 50 steers, and 150 calves (1,470 animal units). Rob-N-Cin Farms plans to expand to 2,500 animal units by 2028. Rob-N-Cin Farms will annually generate approximately 9,470,254 gallons of liquid manure and process wastewater and 1,528 tons of solid manure. After the expansion, Rob-N-Cin Farms will generate 16,851,866 gallons of manure and process wastewater and 795 tons of solid manure. Rob-N-Cin Farms currently does not have greater than the required minimum of 180 days of storage. A compliance schedule is included in the permit to construct WSF 3 and achieve compliance with the 180-day storage requirement. Plans and specifications for WSF 3 were approved by the Department on March 29, 2024. Rob-N-Cin Farms has 2,778 acres in its approved nutrient management plan, of which 2,323 acres are rented or in contract agreements and 455 acres are owned. Rob-n-Cin Farms has 2,700 acres available for land application.

## Substantial Compliance Determination

**Enforcement During Last Permit:**

This is Rob-N-Cin Farm’s first WPDES Permit. Rob-N-Cin Farm LLC was issued a Notice of Noncompliance for operating above 1,000 animal units without a WPDES Permit. To return to compliance, Rob-N-Cin Farms LLC submitted a WPDES Permit application. Due to this being the farm's first WPDES permit, a substantial compliance determination is not needed to issue the permit

<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>
001	Sample point 001 is for liquid waste storage facility 1 (WSF 1) located at Rob-N-Cin Farms. WSF 1 is an above-ground steel tank storage located north of Freestall Barn 1. The facility has a capacity of 1,098,506 gallons and was constructed in 1981. This storage accepts process wastewater from the feed storage areas. WSF 1 was last evaluated in 2023 and met permit requirements.
002	Sample point 002 is for liquid waste storage facility 2 (WSF 2) located at Rob-N-Cin Farms. WSF 2 is an above-ground steel tank storage located west of the outdoor vegetated area. The facility has a capacity of 2,594,562 gallons and was constructed in 2018. This storage accepts manure and process wastewater from the animal housing buildings and milking parlor. WSF 2 was last evaluated in 2023 and met permit requirements.
003	Sample point 003 is for the proposed liquid waste storage facility 3 (WSF 3) located at Rob-N-Cin Farms. WSF 3 will be a concrete storage located north of WSF 2. The facility will have a capacity of 5,914,074 gallons. This storage will accept manure and process wastewater from the other storage facilities. Plans and Specifications were approved by the Department on March 29, 2024.
004	Sample point 004 is for visual monitoring and inspection of the feed storage areas and associated runoff control systems at Rob-N-Cin Farms. Proper operation and maintenance is required to ensure discharges of process wastewater to waters of the state do not occur. Weekly inspections are required and shall be recorded according to monitoring program.
005	Sample point 005 is for visual monitoring and inspection of the concrete feed lots and associated runoff control system located at Rob-N-Cin Farms. Feedlot runoff is pumped into waste storage facility 1 and 2. Proper operation and maintenance is required to ensure discharges to waters of the state do not occur. Weekly inspections are required and shall be recorded according to monitoring program.
006	Sample point 006 is for visual monitoring and inspection of outdoor vegetated areas located east of WSF 2. Proper operation and maintenance is required to ensure vegetative cover is sustained across lot areas. Quarterly inspections are required and shall be recorded according to monitoring program. For proposed areas, a pasture management plan shall be submitted according to Schedules section of permit. Outdoor lot areas not managed to sustain vegetation are not permitted and shall be properly abandoned.
007	Sample point 007 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.
008	Sample point 008 is for separated manure solids. These are typically reused as bedding and stored outside of the barns. Separated solids may also be distributed to another party according to Department approval and Distribution of Manure and Process Wastewater section of permit.

<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>
009	Sample point 009 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.
010	Sample point 010 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.
011	Sample point 011 is for the proposed solid manure stacking pad (WSF 4) located at Rob-N-Cin Farms. WSF 4 will be a concrete stacking pad located north of proposed WSF 3. The facility has a capacity of 21,169 cubic feet and will be constructed in 2025. Plans and specifications were approved by the department in September of 2024.

# 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 less than 180-days of storage for liquid manure. A compliance schedule is included in the permit to construct WSF 3 and obtain 180-days of storage. Once the permittee obtains 180-days of storage, 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 930 milking and dry cows, 80 heifers, 150 calves, and 50 steers, it is estimated that approximately 9,470,254 gallons and 1,528 tons of manure and process wastewater will be produced per year. The permittee owns *approximately* 455 acres of cropland and rents about 2,323 acres. Given the rotation commonly used by the permittee, 2,700 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 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. Beginning February 1, 2025, 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- WSF 1; 002- WSF 2; 003- WSF 3**

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**

This is Rob-N-Cin’s first WPDES permit term.

**1.1.2 Explanation of Operation and Management Requirements**

Liquid manure sources must be properly samples, and land applied according to the permit and nutrient management plan.

**Sample Point Number: 004- Feed Storage Areas; 005- Concrete Lots; 006- Outdoor Vegetated Area; 010- Stormwater Conveyance**

**1.1.3 Changes from Previous Permit**

This is Rob-N-Cin’s first WPDES permit term.

**1.1.4 Explanation of Operation and Management Requirements**

Proper operation and maintenance is required to ensure unlawful discharges to waters of the state do not occur. Weekly or quarterly inspections are required and shall be recorded according to the monitoring plan.

**Sample Point Number: 007- Miscellaneous Solid Manure; 008- Separated Solids; 009- Headland Stacking, and 011- WSF 4**

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	

**1.1.5 Changes from Previous Permit**

This is Rob-N-Cin’s first WPDES permit term.

**1.1.6 Explanation of Operation and Management Requirements**

Solid manure sources must be properly sampled and land applied according to the permit and nutrient management plan.

**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.	02/28/2025

**2.2 Monitoring & Inspection Program**

Use of the department’s monitoring and inspection program template is encouraged, but optional.

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.	03/31/2025

**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).	
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.	03/31/2025
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 3400-025D.	03/31/2026
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.	03/31/2027
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.	03/31/2028
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.	03/31/2029
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.	07/31/2029

## 2.6 Runoff Control System - Installation

Required Action	Due Date
Complete Installation: Complete construction of the runoff control system for feed storage area 3. System shall be functional and in operation by the specified Date Due. Post construction documentation shall be submitted within 60 days of completion of the project.	07/31/2025

## 2.7 Permanent Markers - Installation

WSF 1 and WSF 2

Required Action	Due Date
Plans and Specifications: For liquid storage facilities without permanent markers specified in s. NR 243.14(9), Wis. Adm. Code, submit plans and specifications to install permanent markers for Department review and approval in accordance with Chapter 281.41, Wis. Stats., and Chapter NR 243, Wis. Adm. Code.	03/31/2025
Complete Installation: Complete installation of permanent markers. The facility shall be functional and in operation by the specified Date Due. Post construction documentation shall be submitted within 60 days of completion of the project.	06/30/2025

## 2.8 Runoff Control System - Engineering Evaluation

Outdoor Concrete Feedlot

Required Action	Due Date
Corrections and Post Construction Documentation: Complete construction of runoff controls that permanently correct any adverse runoff control conditions in concurrence with and approval by the Department, by the specified Date Due. Submit post construction documentation within 60 days of completion of the project.	07/31/2025

## 2.9 Manure Storage Facility - Installation of 180 Day Liquid Manure Storage

Required Action	Due Date
Complete Installation: Complete construction of WSF 3. Plans and specifications were approved on March 29, 2024. The facility shall be functional and in operation by the specified Date Due. Post construction documentation shall be submitted within 60 days of completion of the project.	11/30/2025

## 2.10 Explanation of Schedules

Permit Schedules 2.1 through 2.5 are general WPDES permit schedule items. Permit Schedule 2.6 is included to construct approved runoff controls for Feed Storage Area 3. Permit Schedule 2.7 is included to install permanent markers within WSF 1 and WSF 2. Permit Schedule 2.8 is included to construct approved runoff controls for the outdoor concrete feedlot. Permit schedule 2.9 is included to construct WSF 3 and obtain 180-days of manure storage capacity.

## **Special Reporting Requirements**

N/A

## **Other Comments:**

N/A

## **Attachments:**

July 30, 2024 Conditional NMP Approval

March 29, 2024 Days of Storage Review

September 14, 2023 Inspection Report

Site Maps

## **Expiration Date:**

January 31, 2030

## **Justification Of Any Waivers From Permit Application Requirements**

N/A

**Prepared By: James Salscheider      CAFO Compliance and Enforcement Coordinator      Date: 11/11/2024**

**Notice of issuance was published in the Washington County Daily News , 100 S 6th Ave, West Bend, WI 53095.**



October 16, 2024

FILE REF: R-2024-0006a  
WPDES Permit #: WI-0067409

Robert Roden  
Rob-n-Cin Farms LLC  
5545 County Road Y  
West Bend, WI 53095

Subject: Evaluation Review for Lot and waste storage facilities 1 & 2, feed storage areas and runoff controls, and waste transfer systems at Rob-N-Cin Farms LLC in Washington County - FURTHER ACTIONS ARE REQUIRED

Dear Mr. Roden:

This letter is to inform you that the Wisconsin Department of Natural Resources (Department) received on January 6, 2024 an evaluation certified by Emily Micolichcek, P.E., Miller Engineers & Scientists (Engineer) submitted on behalf of Rob-n-Cin Farms LLC in accordance with s. NR 243.16(1), Wis. Adm. Code.

**Evaluated Facilities:** The evaluation included the following reviewable facilities:

- |  |
|--|
| <p><b>Home Farm (5545 County Road Y)</b></p> <ol style="list-style-type: none"><li>1. Waste Storage Facility 1 (WSF1)</li><li>2. Waste Storage Facility 2 (WSF2)</li><li>3. Feed Storage Area 1 (FSA1)</li><li>4. Feed Storage Area 3 (FSA3)</li><li>5. Waste Transfer Systems (WTS1 – WTS7)</li></ol> |
|--|

The Engineer evaluated the above referenced reviewable facilities based on applicable NRCS Standards and ch. NR 243 Wis. Adm. Code. The engineering report below summarizes the evaluation's findings, lists standards that apply, and provides a compliance analysis. The Department reviewed the evaluations in the table above and agreed with the Engineer's conclusion that the reviewable facilities meet ch. NR 243, Wis. Adm. Code requirements following maintenance or construction activities.

**Required Actions:** The following actions are required in accordance with s. NR 243.16(3), Wis. Adm. Code based on the Department's review of the submitted evaluation:

- Submit photo documentation to the Regional CAFO specialist that automatic level markers in WSF1 and WSF2 have been updated to the MOL level of the storage.
- Complete construction of Project R-2024-0004 which includes constructing runoff controls for the feed storage area 3. After construction of the facilities are completed, submit post-construction documentation through the Department's ePermitting system according to NR 243.15(10), Wis. Adm Code.
- Follow through with the revised O & M procedures for inspecting reception tanks WTS4, 5 and 7.

Submittal due dates are contained in your WPDES permit Schedules section(s). The DNR CAFO Specialist will contact you to discuss next steps. Questions concerning permit requirements should be directed to the DNR CAFO Specialist. Questions concerning the review may be directed to the review engineer Tony Salituro (contact information is at the end of this letter).

**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



---

Bernie Michaud, P.E.  
CAFO Engineer Supervisor  
Watershed Management Program

Enclosures:

1. Wisconsin DNR Engineering Report

Email: Robert Roden; Rob-n-Cin Farms LLC  
(262) 689-1038; robncinfarms@gmail.com

Emily Micolichuk; Miller Engineers & Scientists  
(920) 458-6164; emicolichuk@startwithmiller.com

Matt Woodrow; DATCP  
(920) 427-8505; matthew.woodrow@wisconsin.gov

Paul Backhaus; Washington County LWCD  
(262) 335-4803; paul.backhaus@washcowisco.gov

James Salscheider; DNR-Northeast Region  
(920) 367-3007; james.salscheider@wisconsin.gov

Kate Markiewicz; DNR-Southeast Region  
(608) 893-4046; kate.markiewicz@wisconsin.gov

Michelle M Scott; DNR-Southeast Region  
(920) 252-0679; Michelle.Scott@wisconsin.gov

Anthony Salituro; DNR-Central Office  
(608) 444-2869; anthony.salituro@wisconsin.gov

Aaron O'Rourke; DNR, Eau Claire  
(715) 839-3775; aaron.orourke@wisconsin.gov

## WISCONSIN DEPARTMENT OF NATURAL RESOURCES ENGINEERING REPORT

### GENERAL INFORMATION

**Farm Name:** Rob-n-Cin Farms LLC

**WPDES Permit#:** WI-0067409

**Location Address:** 5545 County Road Y

**DNR Project #:** R-2024-0006a

**Engineering Certification by:** Emily Micolichek, P.E.

### Evaluated Facilities:

**Waste Storage Facility 1 (WSF1):** WSF 1 is a pre-engineered A.O. Smith Slurrystore installed in 1980 by Washington County LWCD. The WSF is constructed of glass fused lined steel panels and is 101 ft in diameter x 23.5 ft deep. The MOL is located 2.8 ft below the top of the WSF. The WSF bottom is above grade and has a concrete base. Soil investigations from December 2022 verify that the storage has greater than 2 ft of separation from saturation and bedrock. The waste storage facility was emptied in 2021 to replace an agitation nozzle and sacrificial anode bars were checked and verified to be intact. It is stated that the farm periodically checks the anodes and have replaced the bars as needed.

- Assessment References: NRCS Standard 313 (12/05), NRCS 522 (10/17) and ss. NR 243.15(3), Wis. Adm. Code.
- The evaluation states, “the existing level markers (float switches that turn on flashing lights) should be adjusted to activate 1-foot remaining storage and at the maximum operating level. An acceptable plan and schedule to measure the liquid level should be implemented.”
  - Submit documentation to the regional CAFO specialist that level markers have been adjusted accordingly.

**Waste Storage Facility 2 (WSF2):** WSF 2 is a pre-engineered CST Slurrystore installed in 2014 and expanded in 2017 by Washington County LWCD. The WSF is constructed of glass fused lined steel panels and is 145 ft in diameter x 23.5 ft deep. The MOL is located 1.4 ft below the top of the WSF. The WSF bottom is above grade and has a concrete base. Four soil investigations from August 2013 verify that the storage has greater than 2 ft of separation from saturation and bedrock. Soil investigations from December 2022 for the proposed WSF3 also indicated that the WSF2 has sufficient separation from saturation and bedrock. A functional review of the WSF post construction was completed by NRCS in November 2018 and accepted the project as meeting NRCS standards and specifications. The waste storage facility was emptied in 2021 to replace an agitation nozzle and sacrificial anode bars were checked and verified to be intact. It is stated that the farm periodically checks the anodes and have replaced the bars as needed.

- Assessment References: NRCS Standard 313 (10/17), NRCS 522 (10/17R) and ss. NR 243.15(3), Wis. Adm. Code.
- The evaluation states, “the existing level markers (float switches that turn on flashing lights) should be adjusted to activate 1-foot remaining storage and at the maximum operating level. An acceptable plan and schedule to measure the liquid level should be implemented.”
  - Submit documentation to the regional CAFO specialist that level markers have been adjusted accordingly.

**Feed Storage Area 1 (FSA1) and Associated Runoff Controls:** FSA 1 was constructed in 2021 by Washington County LWCD. The area is located on the southeast side of the facility and consists of two concrete bunkers and an apron approximately 29,582 sq. ft. in area. Post construction documentation indicates that the concrete surface is 6-inch thick steel reinforced concrete with waterstop joints at 100 ft spacing. An interceptor drain tile is located along the perimeter of the feed storage area and transfers to the reception tank located in the northwest corner of the FSA. The runoff controls consist of a 16 ft x 10 ft



x 5.75 ft deep Wieser concrete tank that transfers the runoff through one of two DR11 PE pressure pipeline to WSF1. The system is designed to handle the peak flow from the 25yr – 24hr storm on the FSA.

- Assessment References: NRCS Standard 629 (01/17) and 634 (01/14) and ss. NR 243.15(2), (4), and (9), Wis. Adm. Code.
- No further actions required.

**Feed Storage Area #3 (FSA3) and Associated Runoff Controls:** FSA 3 was constructed in 2022 by Washington County LWCD. The area is located north of FSA1 and consists of a 118 ft x 200 ft concrete soil composite liner. Documentation provided indicates that the concrete is on average 7-inches thick. Test pits indicate that the primary subsoils around the feed storage area are silty sands and clays, and meet the minimum 3 ft of separation from saturation. Two soil tests were provided verifying that soils present exceed a P200% of 20%. Plans and specifications to install permanent runoff controls were approved on March 29, 2024.

- Assessment References: NRCS Standard 561 (11/22) and 634 (11/22) and ss. NR 243.15(2), (4), and (9), Wis. Adm. Code.
- A further action required is to complete construction of the permanent runoff controls in Project Number R-2024-0004 and submit post construction documentation through the Departments ePermitting system.

**Waste Transfer Systems (WTS):** A total of seven (7) waste transfer systems are in place and summarized below: Assessment References: NRCS Standard 634 (12/05) and ss. NR 243.15(2) and (4), Wis. Adm. Code.

**WTS1:** Consists of a concrete cross channel in freestall barn 1, the concrete central reception tank (12 ft x 20 ft x 8 ft deep), and a 6-inch diameter PVC pressure pipeline. The pipeline utilizes a piston pump to transfer waste from the central reception tank to WSF1. A drain tile was installed around the Central Reception Tank to alleviate hydrostatic forces on the tank.

**WTS2:** Consists of a piston hopper pump in a concrete structure and a 12-inch diameter PVC pipeline. The piston pump acts as its own inlet and the concrete tank is intended to hold the pump. Waste transfers from the Big Heifer Barn to the central reception tank in WTS1.

**WTS3:** Consists of a supply pipeline to the fiber separator and a gravity return pipeline. The supply pipeline uses a piston pump to transfer waste from the central reception tank to the fiber separation building.

**WTS4:** The transfer system includes all portions of the FSA1 runoff controls. The runoff controls consist of a 16 ft x 10 ft x 5.75 ft deep custom Wieser concrete tank that transfers the runoff through one of two DR11 PE pressure pipeline to WSF1. Documentation indicates that the pre-cast concrete reception tank is constructed in saturation. Buoyancy calculations provided from 2017 indicate that the tank can withstand the hydrostatic forces. Due to being in saturation, the OM Plan has been updated to inspect the interior concrete walls and slabs for separation or cracking following all emptying. Repairs will be conducted as needed.

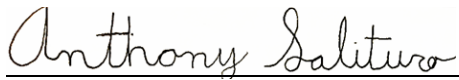
**WTS5:** Consists of a concrete cross channel, reception tank (28.5 ft x 12.7 ft x 8 ft deep), and 8-inch diameter PE pressure pipeline in freestall barn 2. The pipeline utilizes a piston pump to transfer waste to the central reception tank. The pre-cast concrete reception tank is indicated to be constructed in saturation. Buoyancy calculations provided from 2017 indicate that the tank can withstand the hydrostatic forces. Due to being in saturation, the OM Plan has been updated to inspect the interior concrete walls and slabs for separation or cracking following all emptying. Repairs will be conducted as needed.

**WTS6:** Consists of a centrifugal pump and pressure pipeline to transfer waste between WSF1 and WSF2. The pipeline is approximately 990 linear feet of 8-inch diameter DR11 PE pipeline. Cleanout access is located along the pipeline route.

**WTS7:** Consists of a Wieser pre-cast concrete channel, a WLP2000-P Wieser holding tank (13 ft x 7 ft x 5.4 ft deep), and SDR35 PVC pressure pipeline. The pipeline utilizes a Jamesway vertical pump to transfer waste from the new milking parlor building to the central reception tank. The pre-cast concrete reception tank is indicated to be constructed in saturation. Buoyancy calculations provided from 2017 indicate that the tank can withstand the hydrostatic forces. Due to being in saturation, the OM Plan has been updated to inspect the interior concrete walls and slabs for separation or cracking following all emptying. Repairs will be conducted as needed.

- Photo documentation of all transfer systems indicate that all reception structures, pipeline penetrations, and concrete channels are in good working conditions.
- No further actions required for WTS 1, 2, 3, and 6. Further actions required for WTS 4, 5, and 7 to update OM Plans.

**DECISION RECOMMENDATION:** Based on my review completed on October 16, 2024, the reviewable facilities identified above require further actions.



Tony Salituro, E.I.T.

Water Resources Engineer

Watershed Management Program



March 29, 2024

FILE REF: R-2024-0003

Robert Roden  
Rob-N-Cin Farms LLC  
5545 County Road Y  
West Bend, WI 53095

Subject: Conditional Approval of Plans & Specifications for a waste storage facility 4 (WSF4) at, Rob-N-Cin Farms LLC at NW¼ SE¼ of T11N, R20E, Section 25 in Trenton Township, Washington County

Dear Mr. Roden:

This letter is to inform you that the Wisconsin Department of Natural Resources (Department) has reviewed and conditionally approves the above referenced plans and specifications, submitted under certification by Taylor Rudlaff, Miller Engineers & Scientists and received on January 5, 2024 with revisions received on March 20, 2024. The review was conducted in accordance with s. 281.41, Wis. Stats., chs. NR 151 and NR 243, Wis. Adm. Code, and applicable NRCS Standards. The attached engineering report describes the project, lists standards that apply and provides compliance analysis. Questions may be directed to the assigned regional staff or the review engineer Tony Salituro (contact information is at the end of this letter).

**Proposed Project:** The proposed project includes the following facilities that are reviewable under s. NR 243.15, Wis. Adm. Code: An above ground Excel Engineering concrete waste storage facility, with associated waste transfer pipeline.

**Conditions of Approval:** The plans and specifications for project number R-2024-0003 are hereby approved and subject to chs. NR 151 and NR 243, Wis. Adm. Code, and the conditions listed below:

1. **Revisions:** If revisions are made to the approved plans and specifications, revised plans and specifications shall be submitted for approval modification, in accordance with ss. NR 108.03 and NR 108.04, Wis. Adm. Code, and s. 281.41(1)(c), Wis. Stats. Submit revised plans and specifications via the Department's e-Permitting System. **Note:** This includes revisions for local permitting. If a formal approval modification may not be warranted, contact the review engineer to confirm.
2. **Approval Period:** In accordance with ss. NR 243.15(1)(a)1., and NR 108.04(2)d., Wis. Adm. Code, if construction is not commenced within 2 years from the approval date, the approval is void, and a new approval must be obtained prior to commencing construction.
3. **Notification:** Prior to construction and when construction is complete, notify the Department's regional contact and county contact provided a copy of the approval (contact information is at the end of this letter).
4. **Inspection:** During the construction of critical components, inspection shall be performed by a Wisconsin registered professional engineer or other qualified third party (excludes the owner and construction contractor and their employees).
5. **Post-Construction Documentation:** In accordance with the permit, a post-construction report must be submitted to the DNR's e-Permitting website (<http://dnr.wi.gov/permits/water>) within 60 days of completing construction. The report must include documentation specified by s. NR 243.15(10), Wis. Adm. Code.

**Limitation of Approval:** The Department reserves the right to order changes or additions should conditions arise making this necessary. This approval is not to be construed as a determination on the issuance of a Wisconsin Pollutant Discharge Elimination System Permit or opinion as to the ability of the

proposed system to comply with effluent limitations in such a permit, approval of an Environmental Impact Statement that may be prepared, or approval for any activities requiring a permit under chs. 30 or 31, Wis. Stats. Where necessary, plans and specifications should be submitted to the Department of Safety and Professional Services or other state or local agencies to ensure conformance with applicable codes or regulations of such agencies.

**Tax Treatment:** Tangible personal property, that becomes part of a waste treatment of pollution abatement plant or equipment, may be exempt from sales tax under s. 77.45(26), Wis. Stats. Similarly, property purchased or constructed as a waste treatment facility and used for industrial waste treatment may be exempt from general property taxes under s. 70.11(21), Wis. Stats. A prerequisite to exemption is filing a statement on prescribed forms. To obtain the forms, and information about this sales tax exemption, please contact the Department of Revenue, P.O. Box 8933, Madison, WI 53708, or check their website <http://www.revenue.wi.gov/>.

### 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  
For the Secretary




---

Bernie Michaud, P.E.  
CAFO Engineer Supervisor  
Watershed Management Program

Enclosures: Wisconsin DNR Engineering Report

email: Robert Roden; Rob-n-Cin Farms LLC  
(262) 689-1038; robncinfarms@gmail.com

Taylor Rudlaff; Miller Engineers and Scientists  
(920) 334-4004; trudlaff@startwithmiller.com

Matt Woodrow; DATCP  
(920) 427-8505; matthew.woodrow@wisconsin.gov

Paul Sebo; Washington County  
(262) 335-4805; paul.sebo@washcowisco.gov

Danielle L Block; DNR-Southeast Region  
(920) 400-7014; Danielle.Block@wisconsin.gov

Michelle M Scott; DNR-Southeast Region  
(920) 252-0679; Michelle.Scott@wisconsin.gov

Anthony Salituro; DNR-Central Office  
(608) 444-2869; anthony.salituro@wisconsin.gov

Aaron O'Rourke; DNR, Eau Claire  
(715) 839-3775; aaron.orourke@wisconsin.gov

## WISCONSIN DEPARTMENT OF NATURAL RESOURCES ENGINEERING REPORT

### GENERAL INFORMATION

**Farm Name:** Rob-N-Cin Farms LLC

**Location Address:** 5545 County Road Y, West Bend WI

**DNR Project #:** R-2024-0003

**Engineering Plans Certified by:**

**Initial Submittal:**

**Revised Submittal(s):**

Taylor Rudlaff, P.E.

January 5, 2024

March 20, 2024

Andy Dexheimer

**Site Assessment:** Geographical features of the site include soils that are silt loams. The nearest stream is the North Branch Cedar Creek approximately 1,500 ft to the West of the proposed WSF footprint. The nearest wetland is approximately 300 ft to the Northwest of the proposed WSF footprint, with additional wetlands to the North and West of the production area. Clean runoff will be diverted around waste handling areas to existing waterways. No karst features are known to exist within 1,000 ft of the proposed facilities or systems. No ground water supply wells are located within 250 feet of the proposed facilities or systems.

Soil investigations were performed in December 2022 and August 2013 consisting of three soil borings and four test pits in the proposed project area, which found the primary subsoils consist of stiff lean clays and silts/sands with a fines content of 69.6%. Bedrock was not found in any test pit, but saturation was found in every test pit. A limiting elevation of 860.2 ft was selected as it was the highest saturation elevation found.

### PROJECT SUMMARY

#### **Proposed Facilities:**

**Waste Storage 3 (WSF3):** The proposed design was submitted to meet NRCS 313 (10/17R), NRCS 522, Table 2, Column A (06/21). The design is compliant with s. NR 243.15(3), Wis. Adm. Code. The WSF3 will be located at the northwest portion of the production area and northwest of the existing WSF2. Below is a summary of what is proposed.

- The proposed WSF3 will be a circular, vertical walled storage with a diameter of 272 ft x 16 ft deep. The walls and floor are designed with 12-inch thick and 5-inch thick steel reinforced concrete with waterstop respectively. The waterstop joints will be continuous throughout the wall and floor/footing. A 6-inch layer of compacted granular material will be placed below the concrete to provide a foundation for the concrete floor. In-situ soils beneath the foundation materials meet a sub-liner soil criteria of 2 ft of materials with a P200  $\geq$  20%. If any placed materials are required, they will be inspected to meets P200  $\geq$  20% and be compacted to WI Spec 204.
- The proposed storage will have a total and maximum operating level (MOL) volume of WSF1 6,954,716 and 5,914,074 gallons respectively. The floor elevation will be 865.0 ft and the MOL elevation will be 879.6 ft.
- The WSF design has two sump options. Option 1 is a 4 ft x 4 ft x 8-inch deep square sump and Option 2 is a 3 ft diameter x 1 ft deep sump. The location of the sump is proposed to be selected during construction. A pipeline is proposed to penetrate the concrete floor and be made liquid tight via a Linkseal pipe seal.
- A 4-inch diameter drain tile (141 LF) to drain saturation around the perimeter of the WSF at an invert elevation of 860.5 ft and will daylight at an invert elevation of 858.0 ft. The drain tile is not intended to drain saturation to meet separation conditions for the WSF and is only intended to aid site conditions during construction.

**Waste Transfer System Expansion:** The proposed design was submitted to meet with NRCS Standard 634 (11/22). The design is compliant with s. NR 243.15(4), Wis. Adm. Code.

- An 8-inch diameter DR 11 HDPE pressure pipeline (97 LF) is proposed to transfer manure from the existing waste transfer system to the WSF3. The existing 10 HP Gusher pump will provide an

operating pressure of 15.2 psi and operating velocity of 6.7 ft/sec. The transferred material is free of scour materials and a velocity more than 6 ft/sec is allowed. All angled fittings will have concrete thrust blocks.

- To empty the WSF, the pipeline may also be operated via gravity to transfer manure back to WSF2 where load out appurtenances exist. Four manually operated valves are present that will be closed and opened as needed to allow transfer back and forth between the storages. The storages MOL elevations will be monitored before opening valves to verify that WSF2 will not overtop.

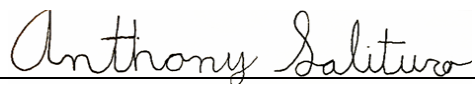
**DAYS OF AVAILABLE LIQUID WASTE STORAGE:** The submitted information states that Rob-N-Cin Farms LLC will have 208 days of liquid waste storage based on the volumes listed in the table below with respect to s. NR 243.15(3)(i) to (k), Wis. Adm. Code. The proposed number of animal units provided for the calculation is 2,500. The liquid waste volumes are based on the NRCS spreadsheet and other estimated or calculated values for a collection period of 365 days. All runoff, up to the 25yr – 24hr storm, is captured from the FSA1 and 3 and transferred to WSF1.

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.
WSF1	1,402,427	59,933	23,624	160,333	59,933	1,098,605
WSF2	2,890,503	123,526	48,690	0	123,526	2,594,761
WSF3	6,954,716	434,640	171,332	0	434,670	5,914,074
<b>Total MOL Vol:</b>						9,607,442
<b>Days of Storage:</b>						<b>208</b>

Liquids Collected/Stored	Annual Gallons
Manure and Bedding	11,544,363
Parlor Wastewater	3,097,025
Feed Storage Leachate	64,010
Feed Storage Runoff Collected	1,100,799
Net Precipitation on Storage Surfaces	1,045,667
<b>TOTAL:</b>	<b>16,851,864</b>

**PURPOSE OF THIS REPORT:** This report documents review of plans and specifications for each structure or practice indicated below, including findings regarding the structure or practice’s compliance with applicable standards. The reviewer considered if management and site assessment were conducted, documented, and reflected in the final design, and if proper construction and related plans (operation and maintenance, inspection, erosion control if applicable) were provided, and demonstrated compliance with applicable rules standards.

**DECISION RECOMMENDATION:** Based on my review completed on March 29, 2024, the proposed plans and specifications meet ch. NR 243, Wis. Adm. Code, and applicable NRCS Standards. Therefore, I recommend the plans and specifications be approved.

  
 Tony Salituro, EIT  
 Water Resources Engineer



July 30, 2024

Washington County  
Approval

Robert Roden  
Rob-n-Cin Farms LLC  
5545 County Road Y  
West Bend, WI 53095

SUBJECT: Conditional Approval of Rob-n-Cin Farms LLC Nutrient Management Plan, WPDES Permit No. 0067409-01-0

Dear Mr. Roden:

After completing a review of Rob-n-Cin Farms LLC 2024-2028 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 Rob-n-Cin Farms 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 Rob-n-Cin Farms 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 Rob-n-Cin Farms 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 1,470 animal units (930 milking & dry cows, 80 heifers, 150 calves and 50 steers). A planned herd size of 2,500 animal units (1,600 milking & dry cows, 160 heifers, 170 calves and 50 steers) by 2028.
2. Manure generation and spreading records indicate your herd will annually generate approximately 9,470,254 gallons of manure and process wastewater and 1,528 tons of solid manure in the first year of the permit term. After the proposed expansion, your herd will annually generate approximately 16,851,866 gallons of manure and process wastewater and 795 tons of solid manure.
3. The use of application restriction options 1,2, and 5 within surface water quality management areas.
4. The use of phosphorus delivery method P Index.

5. That Rob-n-Cin Farms LLC currently has 2,778.7 acres (455.3 owned and 2,323.4 controlled through contracts, rental agreements or leases, or under manure agreements) of which 2,700.1 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 Milwaukee River (listed 303(d) impaired water by ‘Total Phosphorus, E. Coli, Unspecified Metals, PCBs, and Unknown Pollutants’), Unnamed 5031399 (listed 303(d) impaired water by ‘Total Phosphorus’), North Branch Cedar Creek (listed 303(d) impaired water by ‘Total Phosphorus’), Cedar Creek (listed 303(d) impaired water by ‘Total Phosphorus and PCBs’), Lake Michigan (listed 303(d) impaired water by ‘E. Coli, PCBs, Mercury, and Unknown Pollutant’).
7. That no fields are directly adjacent to or have high potential to deliver nutrients and sediment to outstanding/exceptional waters.
8. That 10 fields are tiled.
 

- Home 1	- Home 2	- Home 4
- Lochen 1	- Pagel 1	- Pagel 2
- Slagel 5	- Tilmann Cedarburg 1	- Tilmann Cedarburg 2
- Wollner South 1		
9. 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.
10. 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 Rob-n-Cin Farms 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>Other Permittee Field Name</b>	<b>DNR #</b>
Lane North 1-2L	ROBERT RODEN	2L	103095
Tilmann Port 8	SAUKVILLE VILLAGE SEWER UTILITY	3	116054
Lane North 1-2L	ROBERT RODEN	1L	103094
Tilmann Port 3	SAUKVILLE VILLAGE SEWER UTILITY	1	116045
Tilmann Port 2	SAUKVILLE VILLAGE SEWER UTILITY	1	116045
Tilmann Port 5	SAUKVILLE VILLAGE SEWER UTILITY	3	116054



Tillmann Port 1	SAUKVILLE VILLAGE SEWER UTILITY	1	116045
Lane North 3L	ROBERT RODEN	3L	103096
Tillmann Port 7	SAUKVILLE VILLAGE SEWER UTILITY	3	116054
Roden 2	ROBERT RODEN	2	89985
Strehlow 2s	ROBERT RODEN	2S	103091
Worth-O 2	ROBERT RODEN	2	11249
Tillmann Port 6	SAUKVILLE VILLAGE SEWER UTILITY	3	116054
Tillmann Port 4	SAUKVILLE VILLAGE SEWER UTILITY	2	116046
Tillmann Port 9	SAUKVILLE VILLAGE SEWER UTILITY	3	116054
Worth-O 1	ROBERT RODEN	1	82054
Worth-O 4	ROBERT RODEN	2	11249
Worth-O 3	ROBERT RODEN	2	11249
MK-6	BADGER STATE WASTE LLC	3	30659
MK-3	BADGER STATE WASTE LLC	4	112468
MK-5	BADGER STATE WASTE LLC	2	11339
MK-4	BADGER STATE WASTE LLC	1	112467

Prior to any manure applications on these fields Rob-n-Cin Farms 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 Rob-n-Cin Farms 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: Rob-n-Cin Farms 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:

- AS 11E (default soil test)
- Mayer 8 (default soil test)
- Roeckl 5 (>200ppm P)

If Rob-n-Cin Farms 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 (NH<sub>4</sub><sup>+</sup>) is greater than 75% of the total N, Rob-n-Cin Farms 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. Rob-n-Cin Farms LLC shall record daily manure applications by using form 3200-123A. These forms shall be retained at the farm and provided to the department upon request.
8. Rob-n-Cin Farms 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 the SNAP Plus report '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:

- AS 13-14	- AS 15S	- St. Augustine 1
- St. Augustine 2	- Kleman N K1	- Slagel 2
- Home 1	- Home 4	- Wausaukee 8
- Schaefer 1	- Schaefer 2	- Schaefer 3
- Wollner North 2	- Lochen 1	- Mayer 1
- Mayer 2	- Preschat 2	- Paul 1
- Paul 2	- Stroebel 4	- Stroebel 5
- Stroebel 6	- Stroebel 7	- Kohlwey 2K
- Kohlwey 3K	- Kohlwey 5K	- Last 1
- Last 2	- Worth 0-1	- Worth 0-2
- Oneil Cty I-2	- Gundrum 2	- Rathke 1
- Rathke 2	- MK-7	- MK-8
- MK-15	- MK-16	- Worth Hawthorne 3
- Worth Hawthorne 5	- Kleman South 1	- Kleman South 2
- Kleman South 3		

11. The following field(s) are denied for winter spreading solid manure, emergency applications of liquid manure and frozen liquid manure:

- AS 15N (inadequate acres)

12. 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.
13. Winter applications of liquid manure shall only occur under emergency situations, after notifying the Department and receiving verbal approval.

14. 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

15. The following sites are approved for non-winter and winter headland stacking of solid manure >32% solids only:

- |                          |                 |                 |
|--------------------------|-----------------|-----------------|
| - Rathke 1 #1            | - Rathke 2 #2   | - Gundrum 1 #1  |
| - Worth 0-1 #1           | - Worth 0-1 #2  | - Worth 0-2 #1  |
| - Tillman Cedarburg 1 #1 | - Stroebel 5 #1 | - Stroebel 4 #1 |
| - Stroebel 6 #1          | - Roden 2 #2    | - Roden 2 #1    |
| - Last 1 #1              | - Last 2 #1     | - Last 3 #1     |
| - Kohlwey 3K #1          | - Home 4 #2     | - Home 4 #1     |
| - Home 1 #1              |                 |                 |

#### MANURE & PROCESS WASTEWATER IRRIGATION

16. Irrigation of manure or process wastewater is prohibited.

#### NR243.143/151.075 SILURIAN BEDROCK PERFORMANCE STANDARDS

Manure generated by Rob-n-Cin Farms LLC that is mechanically applied to the following approved fields meet planning requirements under NR243.143/151.075, Silurian bedrock performance standards. The following fields are required to meet all requirements under NR243.143/151.075, Silurian bedrock performance. Any fields not on this list that are identified as <20ft to Silurian bedrock must abide by the same rules:

- |          |               |               |
|----------|---------------|---------------|
| - AS 1   | - AS 6        | - Roeckl 4    |
| - AS 10  | - AS 7        | - Roeckl 5    |
| - AS 11  | - AS 8        | - Slagel 2    |
| - AS 11E | - MK-1        | - Wausaukee 8 |
| - AS 2   | - MK-2        | - Worth-O 1   |
| - AS 3   | - Proefrock 1 |               |
| - AS 4   | - Roeckl 1    |               |

#### 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 local 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](mailto:Aaron.Orourke@Wisconsin.gov).

Sincerely,

A handwritten signature in black ink, appearing to read 'AOR', is positioned below the word '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](mailto:kate.markiewicz@wisconsin.gov))  
Michelle Scott, WDNR Watershed Field Supervisor ([michelle.scott@wisconsin.gov](mailto:michelle.scott@wisconsin.gov))  
Chris Clayton, WDNR Ag Runoff Section Chief ([Christopherr.Clayton@Wisconsin.gov](mailto:Christopherr.Clayton@Wisconsin.gov))  
Ashley Scheel, WDNR CAFO NMP Reviewer ([Ashley.Scheel@Wisconsin.gov](mailto:Ashley.Scheel@Wisconsin.gov))  
Falon French, WDNR Intake Specialist ([Falon.French@Wisconsin.gov](mailto:Falon.French@Wisconsin.gov))  
Paul Backhaus, Washington County ([paul.backhaus@washcowisconsin.gov](mailto:paul.backhaus@washcowisconsin.gov))  
Kevin Beckard, AgSource ([kevin.beckard@agsource.com](mailto:kevin.beckard@agsource.com))  
File



September 26, 2023

Bob Roden  
Rob-N-Cin Farms, LLC  
5545 County Road Y  
West Bend, WI 53095

Subject: Site Inspection Summary & Permit Application Materials Required for First-Time Applicant

Dear Mr. Roden,

The Department of Natural Resources (Department) conducted a site walkover inspection at Rob-n-Cin Farms LLC on September 14, 2023, for a first-time permit issuance, as Rob-n-Cin Farms submitted an animal unit (AU) farm on August 15, 2023 stating they had 1470 AUs. A site inspection report, including photographs of your site with an accompanying narrative, is attached for your review.

A preliminary application was submitted on September 15, 2023. Since the operation is over 1000AUs, the owner or operator shall then submit a complete final Wisconsin Pollutant Discharge Elimination System (WPDES) permit application as soon as possible. Contents of a complete final WPDES permit application consists of the following components:

Items Required for Final Permit Application

1. 3400-025 Form (Livestock/Poultry Operation WPDES Permit Application)
2. 3400-025A Form (Animal Units Form)
3. 3400-025B Form (Nutrient Management Plan Checklist)
4. 3400-025C Form (Reviewable Facilities of Systems Checklist)
5. Labeled Aerial Maps (including stormwater and waste flow direction)
6. Soil Survey Maps
7. Days of Liquid Waste Storage Calculations and Supporting Documents
  - NR 243.12, Wis. Adm. Code requires that you submit 180-days manure storage calculations as part of your final application for a WPDES permit. The Department strongly encourages you to work with a Professional Engineer for computing your 180 days of storage capacity.
8. Five-Year Nutrient Management Plan
  - You are required to submit a complete nutrient management plan (NMP) in accordance with NR 243.14, Wis. Adm. Code and the NRCS Nutrient Management 590 Standard as part of the final application for a WPDES permit. You must receive Department approval of the NMP prior to the Department covering your operation under a WPDES permit. The NMP must account for all

sources of manure, process wastewater and any other waste generated and/or received by your operation. Other waste may include non-agricultural industrial wastewater and septage.

- The NMP must demonstrate that your operation has enough crop land to spread all the sources of manure and process wastewater generated and/or received during the first year of your permit. You will need to work closely with any consultants you hire to ensure the waste volume and nutrients expected to be generated and/or received by your farm are properly accounted for in the NMP, and that the volume of liquid waste correlates with the volume used to calculate the farm's 180-day storage capacity for liquid manure.
9. Engineering design plans and specifications for proposed reviewable systems, including new waste storage facility (WSF 3).
  10. Engineering design plans and specifications for previously constructed reviewable facilities the farm intends to modify or upgrade to meet discharge requirements. This includes, but is not limited to:
    - Outdoor lot runoff controls
    - Cattle Lanes
  11. Engineering Evaluations for previously constructed reviewable facilities the farm does not intend to modify or abandon. This includes, but is not limited to:
    - WSF 1
    - WSF 2
    - Feed storage area 1 and runoff controls
    - Feed storage area 2 and runoff controls
    - Manure transfer system

Note: According to NR 243.03 (56), Wis. Adm. Code a “reviewable facility or system means runoff control structures, feed and other raw materials storage, permanent spray irrigation or other land application systems, groundwater monitoring systems, manure storage facilities, manure treatment or transfer systems, or other structures or systems associated with the storage, containment, or handling of manure or process wastewater”.

More information and forms for the permitting process are located online at:  
<http://dnr.wi.gov/topic/AgBusiness/CAFO/FirstTimeApplicants.html>

Permit application materials for the items referenced above should be submitted through the Department's ePermitting System. Once the items listed above are received and the application components are deemed complete, the Department will review your application.

Other permits or regulations that may apply to agricultural operations are summarized online at:  
<http://dnr.wi.gov/topic/AgBusiness/CAFO/otherPermits.html>

If you have questions regarding this summary or the WPDES permitting process, please contact me at (414) 391-8946 or [Victoria.Ziegler@wisconsin.gov](mailto:Victoria.Ziegler@wisconsin.gov).

Sincerely,

A handwritten signature in blue ink that reads "Victoria Ziegler". The signature is written in a cursive style with a long, sweeping underline.

Victoria Ziegler  
Agricultural Runoff Management Specialist

ecc: Jesse Bennett, Falon French, Danielle Block, Ben Uvaas, and Michelle Scott, DNR  
Andy Dexheimer, Miller Scientists and Engineers  
Kevin Beckard, AgSource  
Paul Sebo and Stephanie Egner, Washington County

## CAFO Compliance Report (September 26, 2023)



Inspection Date: September 14, 2023

Inspection Type: Permit Issuance

Operation Name: Rob-N-Cin Farms

WPDES Permit No.: NA

Operation Address: 5545 County Road Y, West Bend, WI 53095

On-Site Representative(s): Bob Roden, Rob-n-Cin Farms  
Rick Roden, Rob-n-Cin Farms  
Andy Dexheimer, Miller Scientists and Engineers  
Kevin Beckard, AgSource

DNR Staff / Report Writer: Victoria Ziegler, Agricultural Runoff Management Specialist, Report Writer  
Jesse Bennett, Nonpoint Coordinator

Washington County Staff: Stephanie Egner

---

On Thursday, September 14, 2023, at 10AM, DNR staff Victoria Ziegler and Jesse Bennett met with Rob and Rick Roden of Rob-N-Cin Farms LLC, Andy D of Miller Engineering and Scientists, Kevin Beckard of AgSource, and Stephanie Egner of Washington County to conduct a permit issuance inspection. Rob-N-Cin Farms submitted an animal unit form on August 15, 2023, to the Department stating they have 1470 animal units. The Department issued a notice of noncompliance on August 17, 2023, for operating over 1000 AUs without a WPDES permit. Rob-N-Cin Farms submitted preliminary application on September 15, 2023.

Weather on the day of the inspection was 70 and sunny. No water samples were collected as part of the inspection.



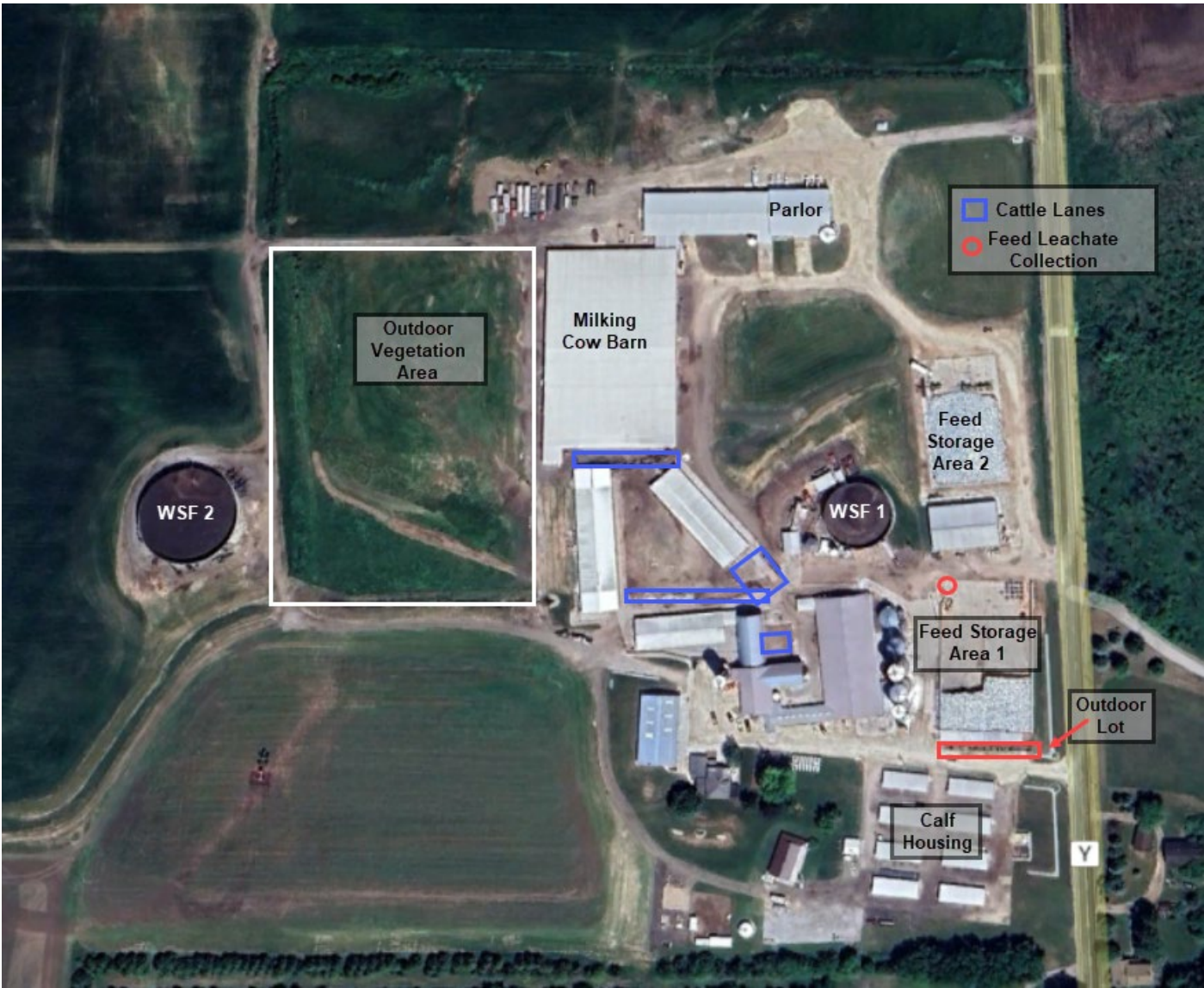


Figure 1: Labeled map of Rob-n-Cin Farms. Image Source: Google Earth.



Figure 2: Rob-n-Cin Farms in relation to surface water and wetlands (orange). Image Source: DNR Surface Water Data Viewer.



## SITE OBSERVATIONS

### Outdoor Lot Runoff

Rob-n-Cin Farms operates one outdoor lot located on the southside of feed storage area 1. The outdoor lot houses heifers. No engineered runoff controls were observed. Runoff from the outdoor lot flows east into a grassed area and is cleaned out with a skidsteer. R. Roden explained the plan is to eventually eliminate the outdoor lot when the barn expansion happens. Ziegler explained the outdoor lot would need to be evaluated as part of the final application. The group brainstormed some potential interim practices for the outdoor lot including: replacing the gutters and adding a curb to the end of the lot to prevent manure from leaving.



Photo 1: West side of the outdoor lot facing east.



Photo 2: South side of the outdoor lot facing east.





Photo 3: East side of the outdoor lot facing west. Yellow arrow indicates runoff flow direction.

Cattle Lanes

Rob-n-Cin Farms operates cattle lanes between barns. The frequency of use of the cattle lane depends on the animals housed in the surrounding barns. The cattle lanes by the new milking cow barn are used multiple times a day to move the cows to the parlor. R. Roden explained that the future plan is to move all milking cows into the new barn when expanded which will minimize the use of the cattle lanes. The group discussed potential changes to the cattle lanes including: installing gutters, installing roofs, scraping the lanes more often, and installing curbs on the lanes.



Photo 4: Cattle lane outside of the special needs barn facing southwest.





Photo 5: Cattle lane outside of the special needs barn facing south.



Photo 6: Cattle lane outside of the big heifer barn facing west.



Photo 7: Cattle lane outside of the dry cow barn facing east.





Photo 8: Cattle lane from dry cow barn to milking cow barn facing south into the barn.



Photo 9: Cattle lane between the dry cow barn and drover lane barn facing south.

Calf Hutch Areas

Rob-N-Cin Farms operates no calf hutch areas. Calves are housed in pens under roof.



Photo 10: Calf hutches under roof facing west.





Photo 11: Calf hutches under roof facing east.



Photo 12: Temporary storage for used calf bedding facing east.



Photo 13: Temporary storage for used calf bedding facing northwest.



## Waste Storage Facilities

Rob-N-Cin Farms currently operates two liquid waste storage facilities (WSF), both slurry stores. WSF 1 is located in the middle of the production site and was constructed in 1981. Feed leachate from FSA 1 is pumped into WSF 1. WSF 2 is located on the west side of the production site and constructed in 2018. Manure is transferred between WSF 1 and WSF 2. The group discussed the permanent requirements of installing permanent markers (MOL or MOS) in all liquid WSFs. B. Roden explained he had created a system that when the waste reaches a certain level in the slurry stores, a light turns on to notify them of the level of waste.

Rob-n-Cin Farms beds with the separated solids. The solid separator is located in the middle of the production site. R. Roden explained they plan to relocate the solid separator system to be adjacent to the milking cow barn in the future. This relocation would reduce the pumping/transferring of manure throughout the production site.

Rob-n-Cin Farm's plans to construct an additional manure storage, another slurry store, in Fall 2024. To date, plans and specifications have not been submitted.



Photo 14: WSF 1 facing north.



Photo 15: WSF 2 facing west.





Photo 16: Separated solids to be placed for bedding outside barn facing west.



Photo 17: Solid separator room facing north.

Process Wastewater (other than feed storage area leachate/runoff)

Process wastewater sources (milking center, wash water, etc.) are managed to not have current or past indicators of discharges.

Feed Storage Area Runoff

Rob-N-Cin Farms operations two feed storage areas. Feed storage area 1 (FSA 1) is located on the northeast side of the production area and consists of a feed pad. Rob-N-Cin Farms is in the process of constructing runoff controls for FSA 1. Dexheimer stated the runoff controls would contain the 25 year, 24 hour storm and the leachate would be pumped to WSF 1. Ziegler explained that if the construction took place prior to submitting a final permit application, then an evaluation of the system would be required.

Feed storage area 2 (FSA 2) consists of two feed bunkers and a leachate collection system. Leachate flows into a collection tank and then is automatically (on a float system) pumped into WSF 1. Dexheimer explained the system was designed to capture the 25 year, 24 hour storm. Ziegler stated that an engineering evaluation of FSA 2 and its runoff controls would be required as part of a final permit application.





Photo 18: East side of FSA 1 facing south.



Photo 19: Middle of FSA 1 facing south.



Photo 20: Feed leachate inlet grate in FSA 1 facing south and down.





Photo 21: North side of FSA 2 facing south. Red circle indicates location of future runoff controls.



Photo 22: North side of FSA 2 facing southeast.



Photo 23: East side of FSA 2 facing south.



Photo 24: East side of FSA 2 facing north.

#### Animal Mortality Disposal

Rob-N-Cin Farms calls Sandy Bay to pick up mortalities. Additionally, calves are composted on the edge of the woods north of the production site. Ziegler explained composting facilities are a reviewable structure and if they farm wants to compost, they need to have an engineered composting area.

#### Ancillary Service Areas

Preventative maintenance actions and visual inspections are occurring to minimize pollutant discharges from ancillary service and storage areas (i.e. storm water conveyance systems, driveways, etc.).

Rob-n-Cin Farms operates one outdoor vegetated area. The group discussed a CAFO outdoor vegetated area management plan as part of the final application.

### **SUMMARY**

#### Areas of Concern

- Lack of runoff controls for the outdoor lot
- Mortality composting
- No runoff controls for FSA 2
- Cattle lanes

#### Action Items

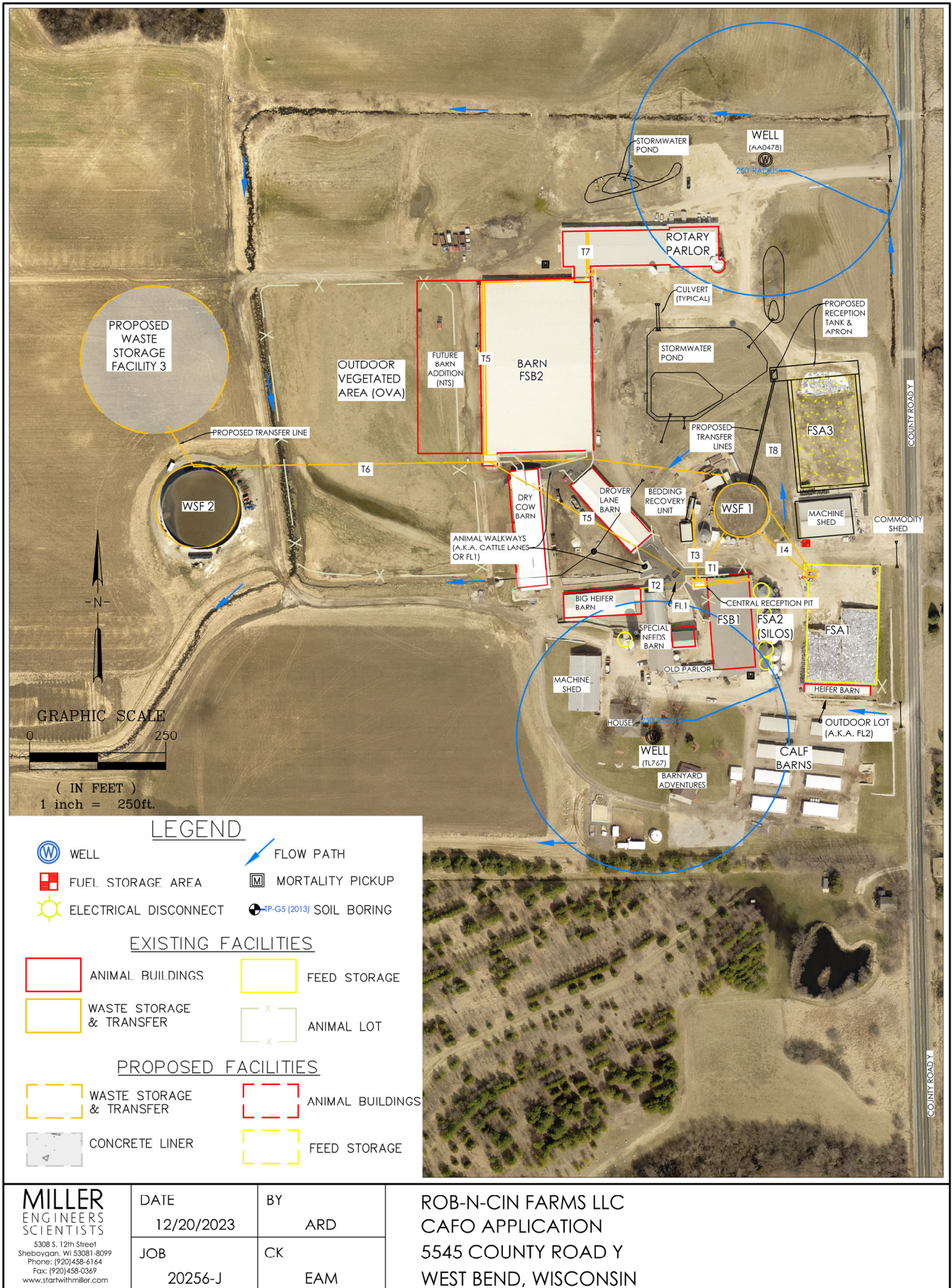
Submit a final permit application as soon as possible.

#### Items Required for Final Permit Application

1. 3400-025 Form (Livestock/Poultry Operation WPDES Permit Application)
2. 3400-025A Form (Animal Units Form)
3. 3400-025B Form (Nutrient Management Plan Checklist)
4. 3400-025C Form (Reviewable Facilities of Systems Checklist)

5. Labeled Aerial Maps (including stormwater and waste flow direction)
6. Soil Survey Maps
7. Days of Liquid Waste Storage Calculations and Supporting Documents
  - NR 243.12, Wis. Adm. Code requires that you submit 180-days manure storage calculations as part of your final application for a WPDES permit. The Department strongly encourages you to work with a Professional Engineer for computing your 180 days of storage capacity.
8. Five-Year Nutrient Management Plan
  - You are required to submit a complete nutrient management plan (NMP) in accordance with NR 243.14, Wis. Adm. Code and the NRCS Nutrient Management 590 Standard as part of the final application for a WPDES permit. You must receive Department approval of the NMP prior to the Department covering your operation under a WPDES permit. The NMP must account for all sources of manure, process wastewater and any other waste generated and/or received by your operation. Other waste may include non-agricultural industrial wastewater and septage.
  - The NMP must demonstrate that your operation has enough crop land to spread all the sources of manure and process wastewater generated and/or received during the first year of your permit. You will need to work closely with any consultants you hire to ensure the waste volume and nutrients expected to be generated and/or received by your farm are properly accounted for in the NMP, and that the volume of liquid waste correlates with the volume used to calculate the farm's 180-day storage capacity for liquid manure.
9. Engineering design plans and specifications for proposed reviewable systems, including new waste storage facility (WSF 3).
10. Engineering design plans and specifications for previously constructed reviewable facilities the farm intends to modify or upgrade to meet discharge requirements. This includes, but is not limited to:
  - Outdoor lot runoff controls
  - Cattle Lanes
11. Engineering Evaluations for previously constructed reviewable facilities the farm does not intend to modify or abandon. This includes, but is not limited to:
  - WSF 1
  - WSF 2
  - Feed storage area 1 and runoff controls
  - Feed storage area 2 and runoff controls
  - Manure transfer system





MILLER ENGINEERS & SCIENTISTS, INC. (M.E.S.) is a professional engineering firm. The information contained herein is the property of M.E.S. and is not to be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of M.E.S.

**MILLER ENGINEERS & SCIENTISTS**  
 5308 S. 12th Street  
 Sheboygan, WI 53081-8099  
 Phone: (920) 458-6184  
 Fax: (920) 458-0369  
 www.startwithmiller.com

DATE	12/20/2023	BY	ARD
JOB	20256-J	CK	EAM

ROB-N-CIN FARMS LLC  
 CAFO APPLICATION  
 5545 COUNTY ROAD Y  
 WEST BEND, WISCONSIN

FIGURE 2: RODEN ECHO VALLEY SITE MAP