

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-0062651-04-0

Permittee: Vir Clar Farms LLC, N5421 County Rd K, Fond du Lac, WI, 54937

Facility Where Discharge Occurs: Vir Clar Farms LLC, N5057 County Rd K Fond du Lac

Receiving Water and Location: Surface water and groundwater within the DeNeveu Creek and Lake Winnebago Watersheds

Brief Facility Description : Vir Clar Farms LLC is an existing Concentrated Animal Feeding Operation (CAFO) dairy farm in the Town of Empire in Fond du Lac County. The operation consists of the Main Dairy Site and Artesian Road Site. The Main Dairy Site consists of three freestall barns, calf hutch housing area, calf loafing sheds; two feed storage pads; three vertical digesters; an under-barn manure storage structure; an open concrete-lined manure storage structure; feed center; large vertical grain bins; and several stormwater ponds. The Artesian Road Site consists of one loafing shed used to house dry cows and an open concrete-lined manure storage structure.

The farm is operating at 3,502 Animal Units (2,305 cows, 114 heifers, and 750 calves) and is not currently proposing an expansion during the next permit-term. Based on current animal numbers the operation is estimated to produce approximately 32,874,792 gallons of liquid waste and 900 tons of solid waste annually. Based on estimated waste generation, the farm is believed to have approximately 247 days of liquid storage available.

Vir Clar Farms has a total of 3,428.7 acres in their nutrient management plan. Of these acres, 2,284.8 acres are owned, and 1,143.9 acres are controlled through manure spreading contracts. Acres are located within the Fond du Lac County townships of Fond du Lac, Empire, Byron, Eden, and Taycheedah.

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

Permit Drafter's Name, Address, Phone and Email: Jeffrey Jackson, DNR, 890 Spruce St, Baldwin, WI, 54002, (715) 210-1415, Jeffrey.Jackson@wisconsin.gov

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

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

Information on file for this permit action, including the draft permit and fact sheet (if required), the operation's nutrient management plan and application may be inspected and copied at the permit drafter's office, Monday through Friday (except holidays), between 9:00 a.m. and 3:30 p.m. Please call the permit drafter for directions to their office location, if necessary. Information on this permit action may also be obtained by calling the permit drafter at (715) 210-1415 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 AND ADDRESS OF PUBLISHING NEWSPAPER: The Reporter, N6637 Rolling Meadows Dr, Fond du Lac, WI, 54937-1955

Date Notice Issued: Thursday, May 2, 2024