Permit Fact Sheet

General Information

<table>
<thead>
<tr>
<th>Permit Number:</th>
<th>WI-0061948-04-0</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permittee Name:</td>
<td>Wayside Dairy LLC</td>
</tr>
<tr>
<td>Address:</td>
<td>3603 WAYSIDE RD.</td>
</tr>
<tr>
<td>City/State/Zip:</td>
<td>GREENLEAF WI 54126</td>
</tr>
<tr>
<td>Discharge Location:</td>
<td>Unnamed tributaries withing the Branch River Watershed and groundwaters of the state</td>
</tr>
</tbody>
</table>

Animal Units

<table>
<thead>
<tr>
<th>Animal Type</th>
<th>Current AU</th>
<th>Proposed AU</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Mixed</td>
<td>Individual</td>
</tr>
<tr>
<td>Milking and Dry Cows</td>
<td>2280</td>
<td>3073</td>
</tr>
<tr>
<td>Heifers (400 lbs. to 800 lbs.)</td>
<td>60</td>
<td>121</td>
</tr>
<tr>
<td>Heifers (800 lbs. to 1200 lbs.)</td>
<td>361</td>
<td>295</td>
</tr>
<tr>
<td>Total</td>
<td>3625</td>
<td>3073</td>
</tr>
</tbody>
</table>

Facility Description

Wayside Dairy is a Concentrated Animal Feeding Operations (CAFO) owned and operated by Paul Natzke. It currently has 3,625 animal units (2,280 milking and dry cows, 421 heifers, and 0 calves). Based on herd size, Wayside Dairy has approximately 205 days of liquid waste storage. Wayside Dairy generates approximately 44,594,924 gallons of liquid manure and 1,200 tons of solid waste. Wayside Dairy currently has 3,569 acres (1,167 owned and 2,402 controlled through contracts, rental agreements or leases, or under manure agreements) of which 3,553.7 are spreadable acres.

Substantial Compliance Determination

Enforcement During Last Permit: None

After a desk top review of files and a site visit Wayside Dairy has been found to be in substantial compliance with their current permit.
### Sample Point Designation For Animal Waste

<table>
<thead>
<tr>
<th>Sample Point Number</th>
<th>Sample Point Location, WasteType/sample Contents and Treatment Description (as applicable)</th>
</tr>
</thead>
<tbody>
<tr>
<td>001</td>
<td>Sample Point 001 is for liquid manure and process wastewater that is directly land applied from waste storage facility 1 (WSF 1). WSF 1 is the first cell in a 3-celled system. It is an earthen lined facility that was constructed in 2003 and has a maximum operating level (MOL) of 3,797,017 gallons. This storage accepts manure, process wastewater, and minimal sand bedding from the adjacent freestall barns. WSF 1 also accepts process wastewater from the parlor and first flush runoff from the feed pad.</td>
</tr>
<tr>
<td>002</td>
<td>Sample Point 002 is for liquid manure and process wastewater that is directly land applied from waste storage facility 2 (WSF 2). WSF 2 is cell two, in a 3-celled system. It is an earthen lined facility that was constructed in 2003 and has a maximum operating level (MOL) of 14,095,682 gallons.</td>
</tr>
<tr>
<td>003</td>
<td>Sample Point 003 is for liquid manure and process wastewater that is directly land applied from waste storage facility 3 (WSF 3). WSF 3 is cell three, in a 3-celled system. It is an earthen lined facility that was constructed in 2010 and has a maximum operating level (MOL) of 6,059,388 gallons.</td>
</tr>
<tr>
<td>004</td>
<td>Sample Point 004 is for any miscellaneous solid manure directly land applied and not stored in a waste storage facility. This includes calf hutch manure, maternity pen bedpack, heifer bedpack, and any solids removed from the digester. Representative samples shall be taken for each manure source type.</td>
</tr>
<tr>
<td>005</td>
<td>Sample Point 005 is for solid manure land applied from approved headland stacking sites. Representative samples must be taken prior to land application. Stacks are defined as part of the production area and therefore subject to the production area discharge limitations of this permit. Weekly inspections of stack runoff controls are required and shall be recorded according to monitoring program.</td>
</tr>
<tr>
<td>006</td>
<td>Sample Point 006 is for visual monitoring and inspection of the earthen outdoor lots and associated runoff control system. Feedlot runoff gravity flows into the vegetated treatment area collection basin south of Heifer Barn #6. Proper operation and maintenance is required to ensure discharges meet permit requirements. Weekly inspections are required and shall be recorded according to monitoring program. The lot is occasionally used to stack solid manure.</td>
</tr>
<tr>
<td>007</td>
<td>Sample Point 007 is for visual monitoring and inspection of the concrete feedlots on the south sides of barns 5 and 6, and their associated runoff control systems. Proper operation and maintenance is required to ensure discharges meet permit requirements. Weekly inspections are required and shall be recorded according to monitoring program. The lot is occasionaly used to stack solid manure.</td>
</tr>
<tr>
<td>008</td>
<td>Sample Point 008 is for visual monitoring and inspection of animal outdoor vegetated areas located at the heifer site. Proper operation and maintenance is required to ensure sufficient vegetative cover, as defined in s. NR 243.03 is sustained. Quarterly inspections are required and shall be recorded according to monitoring program.</td>
</tr>
<tr>
<td>009</td>
<td>Sample Point 009 is for visual monitoring and inspection of the feed storage area and associated runoff control system at the main dairy. First flush of leachate and runoff is collected and pump to WSF 1. Remaining runoff is collected and flows south to the vegetated treatment area. Proper operation and maintenance is required to ensure to ensure discharges meet permit requirements. Weekly inspections are required and shall be recorded according to monitoring program. See the permit schedules section for additional requirements.</td>
</tr>
<tr>
<td>012</td>
<td>Effluent from a manure/industrial treatment system (methane digester) that is considered to be an industrial waste shall be tracked under this sampling point. The effluent may be temporarily stored in a</td>
</tr>
</tbody>
</table>
Sample Point Designation For Animal Waste

<table>
<thead>
<tr>
<th>Sample Point Number</th>
<th>Sample Point Location, WasteType/sample Contents and Treatment Description (as applicable)</th>
</tr>
</thead>
<tbody>
<tr>
<td>013</td>
<td>Sample Point 013 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.</td>
</tr>
<tr>
<td>014</td>
<td>Sample Point 014 is for solid manure land applied from the offsite solid stacking pad, also called the Nonemacher Pad. The stacking pad is an old barn yard with concrete flowing and curbing around the perimeter located at 4425 Wayside Road, Greenleaf. Bedded pack manure and calf hutch manure is stored here. An engineering evaluation shall be submitted according to the permit schedules section.</td>
</tr>
<tr>
<td>015</td>
<td>Sample Point 015 is for solid manure land applied from the offsite solids pit, also called the Leick Pit. The pit is an in-ground concrete waste storage facility that was constructed in 1999 and is located at 8177 Dickenson Road, Town of Morrison. Bedded pack manure and calf hutch manure is stored here. An engineering evaluation shall be submitted according to the permit schedules section.</td>
</tr>
<tr>
<td>016</td>
<td>Sample point 016 is for all digested liquids located within the proposed digester cell(s). Manure will be piped from a proposed manure processing building to the digesters and then returned to the existing and proposed manure processing buildings (for solids removal) after the digestion is completed. Sampling from within the digester cell(s) for nutrient content is only required if the liquids are to be manually pumped from the cell(s) and directly land applied. Plans and specifications for the digesters were submitted to the Department on May 10, 2022 (R-2022-0115).</td>
</tr>
</tbody>
</table>

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 be submitted to the Department for approval.

The permittee currently has approximately 205 days of storage for liquid manure and 59 days of storage for solid 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 with 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 3,625 animal units (2,280 milking & dry cows, 421 heifers, and 0 calves), it is estimated that approximately 44,594,924 gallons of manure and process wastewater and 1,200 tons of solid waste will be produced per year. The permittee owns approximately 1,167 acres of cropland and rents about 2,402. Given the rotation commonly used by the permittee, 2,553.7 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 to 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 (>12% solids) on frozen or snow-covered ground during February and March.

**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 (liquids); 002- WSF 2 (liquids); 003- WSF 3 (liquids), and 016- Digester (liquids)**

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Limit Type</th>
<th>Limit and Units</th>
<th>Sample Frequency</th>
<th>Sample Type</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nitrogen, Total</td>
<td>lb/1000gal</td>
<td>2/Month</td>
<td>Grab</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nitrogen, Available</td>
<td>lb/1000gal</td>
<td>2/Month</td>
<td>Calculated</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Phosphorus, Total</td>
<td>lb/1000gal</td>
<td>2/Month</td>
<td>Grab</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Phosphorus, Available</td>
<td>lb/1000gal</td>
<td>2/Month</td>
<td>Calculated</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Solids, Total</td>
<td>Percent</td>
<td>2/Month</td>
<td>Grab</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**1.1.1 Changes from Previous Permit**

Sample Point 016 was added, and previous sample point language was updated to more accurately describe the production area.

**1.1.2 Explanation of Operation and Management Requirements**

Liquid manure must be properly stored, and land applied according to the permit and nutrient management plan.
Sample Point Number: 004- Misc. Solid Manure; 005- Headland Stacking; 014- Nonemacher Stacking Pad, and 015- Leick Pit

<table>
<thead>
<tr>
<th>Monitoring Requirements and Limitations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parameter</td>
</tr>
<tr>
<td>-----------</td>
</tr>
<tr>
<td>Nitrogen, Total</td>
</tr>
<tr>
<td>Nitrogen, Available</td>
</tr>
<tr>
<td>Phosphorus, Total</td>
</tr>
<tr>
<td>Phosphorus, Available</td>
</tr>
<tr>
<td>Solids, Total</td>
</tr>
</tbody>
</table>

1.1.3 Changes from Previous Permit
Sample Points 014 and 015 were added, and previous sample point language was updated to more accurately describe the production area.

1.1.4 Explanation of Operation and Management Requirements
Solid manure sources must be properly sampled, and land applied according to the permit and nutrient management plan.

Sample Point Number: 006- Earthen Outdoor Lots; 007- Concrete Feedlots; 008- Outdoor Vegetated Areas; 009- Feed Storage Area; 012- Industrial digester effluent, and 013- Stormwater

1.1.5 Changes from Previous Permit
Sample Point 012 and 013 were added, and previous sample point language was updated to more accurately describe the production area.

1.1.6 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.

2 Schedules

2.1 Emergency Response Plan

<table>
<thead>
<tr>
<th>Required Action</th>
<th>Due Date</th>
</tr>
</thead>
</table>

Develop Emergency Response Plan: Update the written Emergency Response Plan within 30 days of permit coverage and submit to the Department. 08/30/2022

2.2 Monitoring & Inspection Program
Use of the department’s monitoring and inspection program template is encouraged, but optional.

<table>
<thead>
<tr>
<th>Required Action</th>
<th>Due Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>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 30 days of the effective date of this permit.</td>
<td>08/30/2022</td>
</tr>
</tbody>
</table>

2.3 Annual Reports
Submit annual reports by January 31 of each year in accordance with the annual reports subsection in standard requirements.

<table>
<thead>
<tr>
<th>Required Action</th>
<th>Due Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Submit Annual Report #1: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.</td>
<td>01/31/2023</td>
</tr>
<tr>
<td>Submit Annual Report #2: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.</td>
<td>01/31/2024</td>
</tr>
<tr>
<td>Submit Annual Report #3: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.</td>
<td>01/31/2025</td>
</tr>
<tr>
<td>Submit Annual Report #4: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.</td>
<td>01/31/2026</td>
</tr>
<tr>
<td>Submit Annual Report #5: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.</td>
<td>01/31/2027</td>
</tr>
<tr>
<td>Ongoing Annual Reports: Continue to submit Annual Reports until permit reissuance has been completed.</td>
<td></td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>Required Action</th>
<th>Due Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>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).</td>
<td></td>
</tr>
<tr>
<td>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.</td>
<td>03/31/2023</td>
</tr>
<tr>
<td>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.</td>
<td>03/31/2024</td>
</tr>
</tbody>
</table>
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.  
03/31/2025

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.  
03/31/2026

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.  
03/31/2027

Ongoing Management Plan Annual Updates: Continue to submit Annual Updates to the Nutrient Management Plan until permit reissuance has been completed.

<table>
<thead>
<tr>
<th>Required Action</th>
<th>Due Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Written Report: Submit a written report evaluating or abandoning the existing manure stacking pad's ability to meet the conditions in the Production Area Discharge Limitations and Manure and Process Wastewater Storage subsections and s. NR 243.15, Wis. Adm. Code. (See Standard Requirements for report details.)</td>
<td>04/30/2023</td>
</tr>
<tr>
<td>Plans and Specifications: Submit plans and specifications for Department review and approval in accordance with Chapter 281.41, Wis. Stats., and Chapter NR 243, Wis. Adm. Code, to permanently correct any adverse manure storage conditions.</td>
<td>11/30/2023</td>
</tr>
<tr>
<td>Corrections and Post Construction Documentation: Complete construction on the manure storage facility that permanently corrects any adverse 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.</td>
<td>12/31/2024</td>
</tr>
</tbody>
</table>

2.5 Solid Manure Stacking Pad - Engineering Evaluation
Applicable to Sample Point 014, the Nonemacher Solid Stacking Pad.

2.6 Manure Storage Facility - Engineering Evaluation
Applicable to Sample Point 015, the Leick Pit.

2.7 Submit Permit Reissuance Application
<table>
<thead>
<tr>
<th>Required Action</th>
<th>Due Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reissuance Application: Submit a complete permit reissuance application 180 days prior to permit expiration.</td>
<td>02/01/2027</td>
</tr>
</tbody>
</table>

**2.8 Explanation of Schedules**

Emergency Response Plan, Monitoring and Inspection Program – Schedules consistent with permit requirements

Annual Reports, Nutrient Management Plan, Submit Permit Reissuance Application - Schedules consistent with permit requirements.

Evaluation of Solid Stacking Pad and Manure Storage Facility due to age and addition into the permit.

**Special Reporting Requirements**

None

**Attachments:**

Plan Approval Letter(s)
- NMP Conditional Approval – March 16, 2022
- Days of Storage Calculation – March 15, 2022

Compliance Inspection Reports
- Reissuance Inspection – October 20, 2020

Public Notice

**Proposed Expiration Date:**

July 31, 2027

**Prepared By:**

Holly Stegemann  Agricultural Runoff Management Specialist

Date: 06/07/2022
March 15, 2022

Paul Natzke
Wayside Dairy Farm LLC
3603 Wayside Road
Greenleaf, WI 54126

SUBJECT: Conditional Approval of Wayside Dairy LLC’s Nutrient Management Plan, WPDES Permit No. 0061948-04

Dear Mr. Natzke:

After completing a review of Wayside Dairy LLC’s 2020-2024 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 Wayside Dairy LLC review the NMP with those individuals involved with manure applications to ensure all remain familiar with the approved manure spreading protocol, spreading maps, field and map verification, record keeping requirements, and all the conditions of this approval. Specifically, some fields in Wayside Dairy LLC may have:

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

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

FINDINGS OF FACT

The Department confirms that:

1. A current dairy herd size of 3,625 animal units (2,280 milking & dry cows, 421 heifers, and 0 calves). Currently there are no planned expansions in the next permit term.
2. Manure generation and spreading records indicate your herd will annually generate approximately 44,594,924 gallons of manure and process wastewater and 1,200 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 Wayside Dairy LLC currently has 3,569 acres (1,167 owned and 2,402 controlled through contracts, rental agreements or leases, or under manure agreements) of which 3553.7 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 Branch River (PCBs).
7. That no fields are directly adjacent to or have high potential to deliver nutrients and sediment to outstanding/exceptional waters.
8. That 15 fields are tiled. (Fields: 17, 21, 26, 29, 55, CK6, ES, HG, JB, OLY1, PD North, R1, RL1, SC, Z1)
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 2020-2024 Wayside Dairy LLC’s 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:

<table>
<thead>
<tr>
<th>Field Name</th>
<th>Other Permittee Name</th>
<th>Other Permittee Field Name</th>
<th>DNR #</th>
</tr>
</thead>
<tbody>
<tr>
<td>CS</td>
<td></td>
<td>CDS3</td>
<td>111578</td>
</tr>
<tr>
<td>PD A</td>
<td>New Organic Digestion LLC</td>
<td>PD19</td>
<td>116127</td>
</tr>
<tr>
<td>PD North</td>
<td></td>
<td>PD30</td>
<td>116128</td>
</tr>
<tr>
<td>PD SC-11</td>
<td></td>
<td>PD30</td>
<td>116128</td>
</tr>
</tbody>
</table>

Prior to any manure applications on these fields Farm Name 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 Wayside Dairy LLC shall contact each entity listed above to obtain spreading records from the previous year so that they can be properly tracked in the NMP. Please Note: Wayside Dairy LLC is responsible for obtaining nutrient content values for all other wastes spread on any field in their NMP.

3. The following fields are prohibited from receiving applications of manure or process wastewater:
   - JN (Soil Test P > 200ppm)
   - 28 (P2O5 Balance)
   - CT1 (Additional Soil Samples Needed)
   - CT2 (Additional Soil Samples Needed)
   - HS Z11 (Additional Soil Samples Needed)
   - PD A (Additional Soil Samples Needed)
   - PD North (Additional Soil Samples Needed)
   - PD SC-11 (Additional Soil Samples Needed)
   - PD SC-7-11 (Additional Soil Samples Needed)
   - PD SC-7-10 (Additional Soil Samples Needed)
   - PD SC-8 (Additional Soil Samples Needed)
   - PD SU 1-4 (Additional Soil Samples Needed)
   - SC (Additional Soil Samples Needed)

If Wayside Dairy LLC wishes to use these fields for applications of manure or process wastewater all necessary information shall be submitted to the Department prior to application to demonstrate compliance with NR 243 and other applicable codes. Written Department approval amending this condition approval must be received prior to application.
4. If existing fields yield a soil test results 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. Wayside Dairy LLC shall record daily manure applications by using form 3200-123A.

6. Wayside Dairy LLC shall annually submit a spreading report that summarizes the land application activities listed under NR 243.19(3)(c)5., Wis. Adm. Code by using form 3200-123.

WINTER SPREADING

7. Liquid manure applications during winter conditions, as defined by NR 243.14(7), Wis. Adm. Code, are prohibited with the exception of emergency applications.

8. The following field(s) are approved for winter spreading solid manure, emergency applications of liquid manure and frozen liquid manure:
   - 11
   - 14
   - 30
   - 32
   - K5
   - K6
   - TK1

9. 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.

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

11. 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

12. No headland stacking sites are approved.

MANURE & PROCESS WASTEWATER IRRIGATION

13. Irrigation of manure or process wastewater is prohibited.

NR243.143/151.075 SILURIAN BEDROCK PERFORMANCE STANDARDS

14. Manure generated by Wayside Dairy 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 standards immediately following this approval.
SUBMITAL AND RECORDKEEPING REQUIREMENTS

15. 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.

16. The farm must submit any supporting evidence to justify to the Department why any applications of nutrients above UW recommendations that took place were necessary. Evidence should be submitted as part of the Nutrient management Plan Update.

17. An updated NMP Narrative shall be provided in the NMP Update showing updated manure generation and spreading amounts using Manure Hauling Log averages.

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 608-444-2869 or Anthony.Salituro@Wisconsin.gov.

Sincerely,

Anthony Salituro
CAFO Intake Specialist
Wisconsin Department of Natural Resources

cc: Holly Stegemann, WDNR Agricultural Runoff Specialist (Holly.Stegemann@Wisconsin.gov)
Joe Baeten, WDNR Watershed Field Supervisor (Joseph.Baeten@Wisconsin.gov)
Chris Clayton, WDNR Ag Runoff Management Section Chief (Christopher.Clayton@Wisconsin.gov)
Aaron O’Rourke, WDNR NMP Coordinator (Aaron.Orourke@Wisconsin.gov)
Ashley Scheel, WDNR CAFO NMP Reviewer (Ashley.Scheel@Wisconsin.gov)
Mike Mushinski, Brown County LCD (Michael.mushinski@browncountywi.gov)
Jerry Halverson, Manitowoc County LCD (jerryhalverson@co.manitowoc.wi.us)
Shawn Eckstein, Eckstein Agronomics (ecksteinag@tm.net)
File
March 15, 2022

Paul Natzke
Wayside Dairy Farm LLC
3603 Wayside Road
Greenleaf, WI 54126

Subject: Days of Storage Review for Wayside Dairy Farm LLC T21N, R21E, Section 28 in Morrison Township, Brown County – NO ADDITIONAL ACTION REQUIRED

Dear Mr. Natzke:

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 Emily Micolichek, Miller Engineers & Scientists on November 24, 2021 with revisions received on February 22, 2022 on behalf of Wayside Dairy Farm LLC.

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 Wayside Dairy Farm LLC has 205 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 3,625. The liquid waste volumes are based on manure hauling logs and a collection period of 365 days. The first 0.05” flush from the feed storage area is contained in permanent storage, with the remainder transferred to the existing VTA.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>#1</td>
<td>4,511,870</td>
<td>0</td>
<td>179,001</td>
<td>0</td>
<td>511,430</td>
<td>3,821,439</td>
</tr>
<tr>
<td>#2</td>
<td>8,310,076</td>
<td>678,417</td>
<td>237,140</td>
<td>0</td>
<td>677,544</td>
<td>6,716,975</td>
</tr>
<tr>
<td>#3</td>
<td>17,798,735</td>
<td>1,352,982</td>
<td>481,332</td>
<td>39,741</td>
<td>1,375,235</td>
<td>14,549,445</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Total MOL Vol: 25,087,859</td>
</tr>
</tbody>
</table>

**Average Volume/AU:** 12,302

**Average Annual Volume for Current AUs:** 44,594,924
Should you have any questions, please contact Tony Salituro, 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

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

Email: Emily Micolichek; Miller Engineers & Scientists
(920) 458-6164; emicolichek@startwithmiller.com
Mike Mushinski; Brown County
(920) 391-4621; michael.mushinski@browncountywi.gov
Aaron O’Rourke; DNR, Eau Claire
(715) 839-3775; aaron.orourke@wisconsin.gov
Matt Woodrow; DATCP
(920) 427-8505; matthew.woodrow@wisconsin.gov

Tony Salituro, E.I.T.
Engineering Intern
Watershed Management Program

Holly Stegemann; DNR-Northeast Region
(920) 360-0794; Holly.Stegemann@wisconsin.gov
Joe B Baeten; DNR-Northeast Region
(920) 662-5196; Joseph.Baeten@wisconsin.gov
Ashley Scheel; DNR, Central Office
(608) 261-6419; ashley.scheel@wisconsin.gov
Tony Salituro; DNR-Central Office
(608) 444-2869; anthony.salituro@wisconsin.gov
November 3, 2020

Paul Natzke
Wayside Dairy, LLC
3603 Wayside Road
Greenleaf, WI 54126

Subject: Permit Reissue Walkover Inspection Report

Dear Mr. Paul Natzke:

On October 20, 2020 the Department of Natural Resources (department) conducted a permit reissuance walkover inspection of Wayside Dairy. Results and photos are included in the enclosed report.

Page 17 of the enclosed report includes a detailed list of “Action Items”. Please review this section and send photo documentation of required items by the dates requested.

The department will continue to review Wayside Dairy’s application materials that were received on September 11, 2019 and proceed with the reissuance of the WPDES permit.

If you have any questions regarding this letter or your WPDES permit requirements, please contact me at (920) 360-0794 or at holly.stegemann@wisconsin.gov.

Sincerely,

Holly Stegemann
Agricultural Runoff Management Specialist

Enclosure: Wayside Dairy LLC Reissuance Inspection Report

Electronic CC:
Mike Mushinski - Brown LCD
Shawn Eckstein – Eckstein Agronomics
Joe Baeten, Brian Hanson, Tony Salituro - DNR
On October 20, 2020 DNR Agricultural Runoff Management Specialists Stegemann and Hanson met with Natzke, owner/operator of Wayside Dairy and Eckstein, Wayside Dairy’s agronomist. All facilities currently under Wayside Dairy’s WPDES permit were inspected, as well as the Leick pit and Nonemacher site. No liquid precipitation had fallen 24 hours prior to the inspection. Follow up items are requested on page 17. Overall, the permittee is in substantial compliance with the permit.
Figure 2. Alternate aerial overview of Wayside Dairy showing manure transfer systems. Pink arrows indicate manure transfer systems and yellow arrows indicated approximate contaminated runoff flow paths.
Figure 3. Aerial view of the Leick pit used by Wayside Dairy as a solid stacking area.

Figure 4. Aerial overview of the Nonemacher stacking pad, where Wayside Dairy utilizes a concrete barnyard as a solid stacking pad.
Figure 5. Aerial overview of Wayside Dairy in relation to surface water features. Green areas represent designed wetlands. Blue lines indicated mapped waterways. Image obtained from SNAP Maps v.19.

Figure 6. Aerial overview of the Nonemacher stacking pad in relation to water features. Green areas represent designed wetlands. Blue lines indicate mapped waterways. Image obtained from SNAP Maps v19.
SITE OBSERVATIONS

Feedlot Runoff
Some concrete open-air feed lanes are utilized by Wayside Dairy. These lots are located on the south side of barn 5 and barn 6. The lanes are scraped as needed and solid waste is stored at one of the two offside solid manure storages utilized by the dairy. Runoff from the feed lane on the south side of barn 6, is collected by the concrete sediment basin to the south. And then transferred to the VTA on the south side of Wayside Road.

Animals have access to multiple outdoor earthen feedlots as well as a concrete lot utilized by dry cows in barn 5. The runoff from the outdoor earthen feedlots flow south to a central swale on the north side of barn 6 and then under barn 6 to a sediment basin. From here the collected runoff is gravity flows south, under Wayside Road, to the VTA. Feedlot areas are managed to not have current or past indicators of discharges. Feedlot runoff control systems are well-maintained, in good repair and in compliance with permit requirements.

Photo 1. View of open-air feed lanes on the south side of barn 6. Photo direction, east.

Photo 2. View of earthen outdoor feedlot, looking south towards barn 6.
Photo 3. Alternate view of earthen outdoor feedlot, looking northeast toward the feed storage area.

Photo 4. View of burnt vegetation in the central swale north of barn 6, where runoff is channelized before heading to the sediment basin and finally the VTA. Photo direction, west.

Photo 5. View of another earthen outdoor lot located south of barn 4, looking west.
Calf Hutch Areas
Wayside Dairy does not utilize any calf hutches. Calves are sent out of state to be raised.

Waste Storage Facilities
Manure and process wastewater is stored in three waste storage facilities on the main farm. Two offsite solid manure waste storages are utilized by the dairy, Leick Pit and the Nonemacher stacking pad. Wayside Dairy utilizes sand for cattle bedding that is recycled through the sand separating building and dried on the concrete sand stacking pad located on the northwest side of the main farm.

WSF 1 is an earthen lined pit with a concrete ramp and bottom that was constructed in 2003. WSF 1 is the first cell in a three-celled system and has a maximum operating level of 3,797,017 gallons. This storage accepts liquid manure, process wastewater, and some sand bedding from the adjacent freestall barns and sand separating building. This lagoon also accepts process wastewater from the parlor that is flushed through the barns to the south, and then pumped north into WSF 1. The first flush that is collected from the feed pad is also stored in WSF 1.

WSF 2 is a clay-lined lagoon that was constructed in 2003. This storage is cell two in the three-celled system. This lagoon accepts liquid manure and process wastewater from WSF 1 via concrete overflow channel. WSF 2 has a maximum operating level of 14,095,682 gallons.

WSF 3 is a clay-lined facility that was constructed in 2010. This storage is cell three of the three-celled system and accepts waste from WSF 2 via an overflow pipe with valve. WSF 3 always contains some liquid as this is where process wastewater for the mechanical sand separating building is taken from. WSF 3 has a maximum operating level of 6,059,388 gallons. At the time of inspection, a MOL permanent marker was observed on the west side of this storage.

Leick Pit is an in-ground concrete waste storage facility that was constructed in 1999 and is located southeast of the main farm. This storage is rented by Wayside Dairy and is utilized to store solid manure until it can be land applied, normally in the fall. At the time of inspection, fencing was present around the facility.

Nonemacher stacking pad is an old barnyard that Wayside Dairy utilizes for stacking solid manure. This facility has concrete flooring and walls, but it is unknown in which direction contaminated runoff flows. At the time of inspection, no runoff controls were visible.

Wayside Dairy utilizes mechanical sand separation to recycle sand cattle bedding. This building is located on the northwest corner of the main farm with the concrete sand stacking pad located to the west of the sand building. This concrete slab is used to dry the sand before it is either moved into the barns to be used or stored. Sand laden manure and process wastewater is pumped to the east of the sand building into WSF 1.

Solid and liquid waste storage facilities are managed to not have current or past indicators of discharges (includes headland stacking sites). Solid and liquid waste storage structures are well-maintained, in good repair, and in compliance with permit requirements. At the time of inspection safety fencing was present around all three lagoons and the Leick pit.
Photo 6. View of discharge pipe to WSF 1. Photo direction, east.

Photo 7. Alternate view of WSF 1, looking northwest.

Photo 8. View of concrete overflow channel from WSF 1 into WSF 2. Photo direction, northwest. Arrow indicated flow direction.
Photo 9. View of WSF 2, looking northeast.


Photo 11. View of floating recirculation pump in WSF 3, used to bring water to the sand building for solids separation. Photo direction, east.
Photo 12. View of Leick pit concrete ramp, looking southeast.

Photo 13. View of solids stacked in Leick pit, looking south.

Photo 15. Alternate view of Nonemacher stacking pad, looking northeast.

Photo 16. View of the concrete sand stacking pad on northwest side of main farm. Photo direction, northeast.

Photo 17. Alternate view of the concrete sand stacking pad, looking east towards sand building.
Process Wastewater (other than feed storage area leachate/runoff)
Wastewater from the parlor is used as flush water through the barns to the south and then pumped north into WSF 1. Process wastewater sources are managed to not have current or past indicators of discharges.

Feed Storage Area Runoff
All feed is stored under plastic in concrete bunkers. The concrete is pitched to convey runoff towards a designated collection tank and VTA located on the south side of Wayside Road. First flush is transferred from the collection tank to WSF 1 via an automated pumping system. Additional runoff is directed under barn 6 to a concrete sediment basin, and then gravity flows under Wayside Road to the VTA. The VTA is mowed and baled three times a year as part of the proper maintenance and operation of the VTA. During periods when the VTA is nonfunctional, additional runoff is captured and stored in permanent storage. During the time of inspection, vegetation looked good, and concrete spreader bar was clear of solids. Observations of overgrown gravel spreader bars were made.
A perimeter drain tile is in place around the concrete bunker walls of the feed storage area. Captured runoff is transferred to the collection tank. Observations of cracks in bunker walls, some burnt vegetation, and black leaching were made between the bunker wall and perimeter drain tiles. Feed storage areas and associated process wastewater (leachate, runoff) are managed to not have current or past indicators of discharges. Feed storage areas and runoff control systems are well-maintained, in good repair and in compliance with permit requirements.

Observations of cracks in concrete, some burnt vegetation, and evidence of minimal leaching. Photo direction, southeast.
Photo 20. View of feed storage area and bunker walls. Arrows indicate approximate flow paths of contaminated runoff. Photo direction, east.


Photo 22. View of leachate collection tank and overgrown overflow area north of the collection tank. Arrow indicates runoff overflow path. Photo direction, south.
Photo 23. View of sediment basin that receives collected runoff from feed storage area and outdoor lots. Photo direction, north.

Photo 24. View of discharge inlet in southeast corner of concrete sediment basin. System moves collected runoff to VTA.

Photo 25. View of concrete spreader bar for VTA on the south side of Wayside Road. Photo direction, west.
Animal Mortality Disposal
Animal mortalities are picked up as needed by Sandy Bay Mink Ranch. Animal mortalities are managed to not have current or past indicators of discharges.

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.).

CAFO outdoor vegetated areas are utilized by Wayside Dairy and are located on the southwest corner of the main farm. At the time of inspection, sufficient vegetative cover was present with no signs of overuse. Management practices are implemented to sustain sufficient vegetative cover on CAFO outdoor vegetated areas.
RECORDS REVIEW
The permittee has current WPDES Permit and Nutrient Management Plan onsite.
The permittee did not provide complete production site inspection records that are required to be retained.
The permittee provided adequate documentation that the facility has a minimum of 180 days of liquid manure storage capacity.
The permittee provided land application records to demonstrate compliance with nutrient management plan requirements.
The permittee has copies of their emergency response and monitoring and inspection plans onsite.
The permittee is up to date on required reporting and actions as specified in the Schedules section of permit.

Photo 28. Alternate view of CAFO outdoor vegetated area, looking southwest.

Photo 29. View of Wayside Dairy’s CAFO calendar that the dairy uses to record required daily, weekly, monthly inspections. No weekly pit measurements were recorded.
SUMMARY

Substantial Compliance
The permittee is in substantial compliance with the permit.

Areas of Concern
- No written records of weekly manure pit measurements.
- WSF 1, WSF 2, and WSF 3 are missing MOS permanent marker.
- WSF 1 and WSF 2 are missing MOL permanent marker.
- Outdoor earthen lots have the potential for unpermitted discharges from the production area.
- Cracks in bunker walls have potential for unpermitted discharges from the production area.
- Gravel spreader bars within VTA have accumulated solids which have the potential to cause unnecessary pooling of runoff.
- Leick manure storage has not previously been evaluated and approved by the department for use.
- Nonemacher solid stacking pad has not previously been evaluated and approved by the department for use.

Permit Violations
- Permit Section 1.3.1 – Liquid manure and process wastewater storage and containment facilities shall be constructed with permanent markers to clearly indicate the margin of safety level and maximum operating levels.
- Permit Section 1.6.1 - Monitoring and Inspection Program, “In addition, the level of material in all liquid storage and containment facilities shall be measured and recorded in feet or inches above or below the margin of safety level.”

Action Items
- Complete and record weekly measurements of liquid manure storages as required by WPDES permit.
- Submit to the department photo documentation of the installed permanent markers as required by NR. 243.15 by 12/31/2020.
  - MOL permanent marker installed in WSF 1 and WSF 2.
  - MOS permanent marker installed in WSF 1, WSF 2, and WSF 3.
- Submit to the department photo documentation of cleaned out gravel spreader bars within the VTA by 06/01/2021.

Items for Next Permit Term
- Engineering evaluation of the Leick Pit
- Engineering evaluation of the Nonemacher Stacking Pad