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NEWS FOR IMMEDIATE RELEASE

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AG Kaul Announces Settlement with 3 Facilities Requiring \$190,000 in Payment for Water Pollution and Wastewater Violations

MADISON, Wis. – Attorney General Josh Kaul announces today that his office has obtained a judgment against three facilities in Wisconsin, with assistance from the Wisconsin Department of Natural Resources (DNR), requiring payment of \$190,000 in forfeitures, surcharges, court costs, and attorney fees for violations of water pollution control laws, manure management, and wastewater violations.

“Holding those who break these laws accountable isn’t just good for the environment. It also keeps the playing field level for family farms and other small businesses that are doing the right thing by following the law and protecting clean water,” said Attorney General Kaul.

Tri-Star Dairy, Inc.

Tri-Star Dairy, Inc., is a large concentrated animal feeding operation (CAFO) in Wood County. Mr. Vobora owns and operates the dairy. According to the Complaint, Defendants (1) discharged polluted runoff into state waters in violation of state law and the CAFO’s water discharge permit, (2) failed to maintain a safe level of manure in a storage pit at the dairy, (3) failed to report the unauthorized manure discharge as required by state law and permit, and (4) failed to mitigate the impacts of the four-day unauthorized discharge of pollutants into state waters.

The judgment requires defendants to pay \$55,000 of forfeitures, surcharges, court costs, and attorney fees, and to submit photographic proof to the DNR for the next two years so that DNR can more easily ensure safe manure management and storage at the CAFO going forward. This is the second time that DOJ has had to prosecute Tri-Star Dairy for manure management-related violations.

Page 1 of 3

Because this compromise was reached prior to the commencement of a civil action, the requirements of 2017 Wisconsin Act 369 do not apply.

Assistant Attorneys General Tressie K. Kamp and Lorraine C. Stoltzfus represented the state. The Order for Judgment was signed by Wood County Circuit Court Judge Judge Nicholas J. Brazeau on February 8, 2021.

Relevant filings are [available here](#).

Mt. Sterling Cheese

Southwestern Wisconsin Dairy Goat Products Cooperative, a.k.a. Mt. Sterling Cheese, is a cooperative that accepts milk from various states throughout the Midwest. The cooperative is required to operate in compliance with a water pollution (WPDES) permit to regulate disposal of wash water and liquid whey generated at the facility. According to the complaint, defendants allowed an unpermitted discharge of wastewater from the facility over at least two days in summer of 2018. The discharge, which contained high levels of pollutants such as chloride, reached a nearby water of the state. The complaint alleges that defendants failed to timely report this runoff event to the DNR.

The judgement requires payment of \$50,000 in forfeitures, surcharges, court costs, and attorney fees for violations of water pollution control laws. The judgment also requires defendants to hire an environmental consultant to evaluate and improve waste generation and storage practices at Mt. Sterling.

Because this compromise was reached prior to the commencement of a civil action, the requirements of 2017 Wisconsin Act 369 do not apply.

Assistant Attorney General Tressie K. Kamp represented the state. The Order for Judgment was signed by Crawford County Circuit Court Judge Lynn M. Rider on February 15, 2021.

Relevant filings are [available here](#).

Maple Leaf Dairy, Inc.

Maple Leaf Dairy operates its CAFO across several farms in Manitowoc County. The state alleged that Maple Leaf Dairy: (1) discharged contaminated runoff to an unnamed tributary to Fisher Creek on multiple occasions, (2) constructed three new facilities without DNR's approval, and (3) failed to submit engineering evaluations of existing facilities to DNR as required by the dairy's Wisconsin Pollutant Discharge Elimination System (WPDES) permit.

The judgment requires Maple Leaf Dairy to pay \$85,000 in forfeitures, surcharges, court costs, and attorney fees. The agreement also requires Maple Leaf Dairy to upgrade the runoff controls on the feed storage area at one farm and on the calf hutch area at a second farm. Maple Leaf Dairy also agreed to stop using a feed storage area that has inadequate runoff controls at the second farm. These actions will help prevent contaminated runoff from flowing into surface and groundwater in the future. This is the second time that DOJ has prosecuted Maple Leaf Dairy for manure management-related violations.

Because this compromise was reached prior to the commencement of a civil action, requirements of 2017 Wisconsin Act 369 do not apply.

Assistant Attorney General Emily M. Ertel represented the state. The Order for Judgment was signed by Manitowoc County Circuit Court Judge Jerilyn M. Dietz on February 9, 2021.

Relevant filings are [available here](#).