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## **NEWS FOR IMMEDIATE RELEASE**

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### **AG Kaul Announces Settlement with Rolling Hills Dairy Farm, LLC Requiring \$144,000 Payment and Construction of Runoff Controls to Resolve Violations of Wisconsin's Wastewater Laws**

MADISON, Wis. – Attorney General Josh Kaul announced today a settlement with Rolling Hills Dairy Farm, LLC (Rolling Hills Dairy) requiring Rolling Hills Dairy to pay \$144,000 and construct additional runoff controls to resolve violations of Wisconsin's wastewater laws at its concentrated animal feeding operation (CAFO) in Luxemburg. The settlement was approved by the Kewaunee County Circuit Court on January 29, 2021.

“Those who unlawfully pollute our waters must be held accountable. In this case, the work of DNR and DOJ to enforce our environmental laws has resulted in a significant financial penalty and greater protection against runoff into the East Twin River in Kewaunee County,” said Attorney General Kaul.

The state alleged Rolling Hills Dairy unlawfully discharged contaminated runoff from its feed storage area at the main dairy to an unnamed tributary to the East Twin River on at least two occasions. These discharges occurred after Department of Natural Resources (DNR) staff warned Rolling Hills Dairy that discharges likely were occurring from the CAFO in violation of the law and that the dairy needed to take immediate action to stop this. The East Twin River is classified as a trout stream and is on Wisconsin's list of waterways that are impaired due to excess phosphorus. Water sample results of the contaminated runoff showed that it contained high levels of pollutants, including phosphorus.

The state also alleged Rolling Hills Dairy unlawfully denied DNR staff access to inspect the CAFO to determine where the contaminated runoff was coming from and

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failed to submit information required when the dairy originally constructed the feed storage area runoff controls to show that those controls would not discharge contaminated runoff to the unnamed tributary. The state further alleged that Rolling Hills Dairy failed to construct runoff controls required by its Wisconsin Pollutant Discharge Elimination System (WPDES) permit at its satellite facility; stored feed in an unapproved location; and land spread manure before a rain storm, which caused the manure to run off the field that it was applied to.

The agreement requires Rolling Hills Dairy to pay \$144,000 in forfeitures, surcharges, court costs, and attorney fees. The agreement requires Rolling Hills Dairy to construct permanent runoff controls on the feed storage area at its main dairy to prevent discharges of contaminated runoff to the unnamed tributary. Rolling Hills Dairy also agreed to construct runoff controls on the feed storage area at its satellite facility as required by the WPDES permit.

The Kewaunee County Circuit Court entered judgment against Rolling Hills Dairy today pursuant to the terms of the settlement agreed to by the parties.

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

Wisconsin Department of Justice (DOJ) Public Protection Unit Assistant Attorney General Emily M. Ertel represented the State of Wisconsin. DOJ worked closely with the DNR to obtain this result.

Copies of the Summons and Complaint, Stipulation for Judgment, Order for Judgment, and Judgment are [available here](#).