

**CWA COMPLIANCE EVALUATION INSPECTION REPORT
U.S. ENVIRONMENTAL PROTECTION AGENCY, REGION 5**

Purpose:

Compliance Evaluation Inspection

Facility:

Jauquet's Hillview Dairy
N6241 Hillview Road
Luxemburg, WI 54217
Kewaunee County
44.54988N, 87.73479W

NPDES Permit Number:

N/A

Date of Inspection:

June 3, 2024

EPA Representatives:

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Facility Representatives:

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Report Prepared by:

Joan Rogers

Report Prepared by: Joan Rogers

Inspector Signature/Date: _____

JOAN
ROGERS

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Approver Name and Title: Ryan Bahr, Supervisor, Section 2, WECAB

Bahr, Ryan

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Approver Signature/Date: _____

1. BACKGROUND

The purpose of this report is to describe, evaluate and document the Jauquet's Hillview Dairy's compliance with the Clean Water Act (CWA) at its Kewaunee, Wisconsin facility on June 3, 2024. This inspection was performed pursuant to Section 308(a) of the Federal Water Pollution Control Act, as amended.

Jauquet's Hillview Dairy is a dairy operation. At the time of the inspection, the facility owner stated that he had approximately 685 mature dairy cows, which meets the type and number of animals of a medium dairy concentrated animal feeding operation (CAFO). The farm also has approximately 40 weaned calves, and a few show heifers.

The facility lies on a topographic high and stormwater that falls on the facility's production area would flow to either the south to or the north. Runoff to the south could flow through swales to School Creek. School Creek flows to the northeast and to the Kewaunee River.

2. SITE INSPECTION

Table 1: Site Entry

Arrival Time:	8:45 A.M.
Temperature:	Approximately 70°F
Precipitation:	There had been a light rainfall the night before.
Presented credentials?	Yes.
Credentials presented to whom and at what time?	The owner at 8:50 A.M.
EPA vehicle parked in approved location?	Yes.
Location where EPA vehicle was parked?	North of the Milking Parlor.
Disposable boots worn?	Yes.
Other bio-security measures taken:	None.

2.1 Records Review (The following Records Review tables reflect information provided before the walk-through of the facility, unless otherwise noted.)

Table 2: Documents

Checklist(s) Used	
R5 CAFO Inspection Checklist	
Facility Documents Reviewed:	
Nutrient Management Plan	
If photographs or documents were taken, does the facility consider any to be Confidential Business Information (CBI)?	No.

Which information does the facility consider to be CBI?	NA.
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Table 3: Facility Description

Type of Animal	Number of Animals	Capacity	Type of Confinement
Mature Dairy Cows	685	At capacity	Freestall Barn
Weaned Calves	40	At capacity	In Barn
Show Heifers	6	At capacity	Under roof
Does the facility have an NPDES Permit?			No.
SIC or NAICS code:			0211
Do animals have direct access to WOUS?			No.
Other facilities under common ownership (name and address): None.			

Table 4: Livestock Waste Storage

Type of Storage	Storage Capacity	Type of Liner	Depth Markers Present	Last Time Waste was Removed	Amount of Waste Removed	Days of Storage
Manure Pond	5 million gallons	Clay	No	April 2024		
Silage Leachate Pond	4 million gallons	Concrete	Yes			
Reception Pit	60,000 gallons	Concrete	No			
Solids and Sand Storage	Unknown	Concrete	NA			4-5 months
Amount of Liquid Manure Generated per year:				Approximately 10 million gallons.		
Amount of Solid Manure Generated per year:				Unknown.		
Is manure stored for the short term? If yes, describe where it is stored, how it is drained and where it drains to.				Yes. Used bed pack is stored in the concrete sand settling lane and its leachate drains to the Reception Pit.		
When was the last time a storage structure was emptied, either partially or completely?				April 2024.		
Does the waste storage system have a managed outfall or discharge point?				No.		
Has the facility had any documented discharges of livestock waste to surface water in the past year?				No.		
Are there safety devices installed around any manure storage ponds?				Yes.		

Table 5: Livestock Waste Management

Describe the way manure is collected and disposed of at the facility:	
Manure in the Freestall barn is scraped to a center flume. The manure travels in the flume to a junction box and then to the Sand Settling Lane. Used sand is scraped out of the manure and piled on the concrete to dry. The liquid manure flows to a reception pit at the west side of the Sand Settling Lane. It is then pumped to the Manure Pond with a pump that is turned on manually but is on a timer and shuts off automatically. Used bed pack is stored separately in the Sand Settling Lane and is transferred to another party.	
Describe the way used bedding is collected and disposed of at the facility:	
Sand is used for bedding for the dairy cows, and it flows with the manure to the Sand Settling Lane. It is then land applied. Calves are on a bed pack of straw and sawdust and the used bed pack is stored in the Sand Settling Lane until it is picked up by another operator.	
Are mortality records kept?	Yes.
Describe the way mortalities are managed at the facility:	
Mortalities are picked up by Sandy Bay Mink Farm.	
What type of method is used to provide drinking water for the animals?	Drinkers with a float system
Describe the way spilled drinking water is collected and disposed of at the facility:	
Spilled drinking water is managed with the manure.	
Describe the way mist cooling water is collected and disposed of at the facility:	
Mist cooling water is managed with the manure.	
Describe how chemicals are stored and how used or spilled chemicals are collected and disposed of at the facility:	
Chemicals are stored in the Vet Room.	
Describe where water comes from that is used to clean and/or flush. (Wells, city, etc.)	
The facility uses well water.	
Describe the way feed is contained and how runoff from feed is collected and disposed of at the facility:	
Feed is stored in bags and on blacktop on the Feed Storage Pad. Runoff from the silage on the Feed Storage Pad flows via gravity to a pit and then via gravity to the Leachate Storage Pond.	
If a dairy, describe how process wastewater from the plate cooler water is collected and disposed of at the facility:	
Plate cooling water is stored in a tank and reused for drinking water for the cows.	

If a dairy, describe how process wastewater from the cleaning of the milking parlor is collected and disposed of at the facility:	
Water used to wash the Milking Parlor is managed with the manure.	
If a dairy, describe how process wastewater from the cleaning of the milk tanks is disposed of at the facility:	
Milk flows directly into the semi-trucks and no milk tanks are maintained on site.	
If a dairy, how many times per day are cows milked?	Cows are milked three times per day.

Table 6: Land Application and Disposal of Manure and Process Wastewater

Does the facility perform and keep records of the manure testing?	Yes.
When was the last time a sample was taken of the manure and/or process wastewater?	April 2024.
Describe the process to take the manure and/or process wastewater sample.	Manure is agitated in the pond and then the sample is taken from the injector.
Number of acres available for land application:	1,033 acres.
Are land application records kept?	Yes.
Who applies the manure and process wastewater to the fields?	Facility personnel.
Are weather conditions at time of application kept? (24 before – 24 after)	Did not ask.
Does the facility perform and keep records of the soil testing?	Yes.
Is manure transferred off-site to another party?	Yes.
Are manure transfer records maintained?	Yes.
Do facility personnel perform visual inspections of the production area?	Yes.
Are the visual inspections documented?	No.

Table 7: Receiving Surface Waters

Describe the surface flow pathways:	
On the south side of the facility, precipitation would flow to the south and through swales until reaching School Creek. On the north side of the facility, tile inlets allow surface runoff to flow through agricultural tiles to an intermittent unnamed tributary.	
How many months out of the year is there flow in the nearest surface water pathway:	Only when it rains.

Are there any storm water pathways entering the facility?	No.
Are there any clean water ponds on site?	No.
What is the name of the first waterway that is identified as a Traditional Navigable Water (TNW) for surface flow from the facility?	Lake Michigan.
Is the surface water pathway nearest to the facility considered to be ephemeral, intermittent or perennial?	Ephemeral.
Has the surface water pathway nearest to the facility been assessed for water quality?	No.

Table 8: Nutrient Management Plan

NMP on site?	Yes.
Planner Name/Company:	Tilth Agronomy.
Date that the NMP was last updated:	January 2, 2024, for 2023-2024 plan.

2.2 Walkthrough of the Facility

EPA began the walkthrough by walking south and then west on the south side of the Milking Cow Barn. At the southeast corner of the Milking Cow Barn, EPA observed a pipe which discharged into a stormwater ditch. There was foam in the ditch under the pipe and for approximately three feet in the ditch. When asked where the foam could be coming from, the facility owner stated that someone had probably just washed their hands in the wash tub in the Vet Room. EPA asked to see the Vet Room and followed the facility owner into the east end of the Milking Cow Barn. The facility owner stated that no animals enter this room, and EPA observed liquid chemicals stored in there. EPA advised the owner to eliminate the discharge to the ditch and instead tie the drains in the Vet Room to the manure system.

The walkthrough continued south of the Milking Cow Barn and the inspectors followed the stormwater ditch to the south and observed the swale that it joined. There was no water in the stormwater ditch at the junction with the swale and there was stagnant water in the swale.

The inspection continued with the inspectors walking west toward the west side of the Milking Cow Barn. Before reaching the end of the barn, the owner identified the junction box for the Flush Flume system. There was a covered concrete manhole over the junction box. EPA observed the grate in the barn under which is the Flush Flume. Manure in the Flush Flume flows to the junction box and then to the Sand Settling Lane,

which is located north and west of the Milking Cow Barn. The owner explained that he can add water from the Leachate Pond to the Flush Flume.

EPA observed that the owner was in the process of adding an extension onto the Milking Cow Barn. He stated that this was only to give the cows more room to move and not to confine additional cows.

EPA walked north to the Sand Settling Lane. EPA observed that the manure, with the used sand bedding flows into the Sand Settling Lane at the southeast corner. Facility personnel scrape the sand up into piles to the north of the lane but still on the concrete, and the leachate is allowed to flow to the south, into the lane. At the west end of the lane, there is a 60,000-gallon Reception Pit for the liquid wastewater. Used bed pack straw and sand is also stored on the concrete and leachate from the bed pack would flow to the south to the lane.

Two pumps in the Reception Pit pump the liquid wastewater to either the Manure Pond (lower pump) or into the Flush Flume (upper pump). The Reception Pit was most recently cleaned out in Spring 2024.

EPA observed stormwater inlets in the yard between the Milking Cow Barn and the Sand Settling Lane. There was no indication that any manure or process wastewater had entered the stormwater inlets. A white pipe in one of the stormwater inlets was from piping from downspouts on the Milking Cow Barn.

EPA then walked west and then north along the facility's pasture on the west side of the property. Cows are currently not allowed to use the pasture while construction on the Milking Cow Barn was underway. A bag of rye silage was stored at the south side of the pasture. The bag was sealed, and EPA did not observe any leachate coming from it.

At the north end of the pasture, there was some ponded water. Some of the water in the ponded water was dark colored and appeared to have nutrients in it. The water did not leave the ponded area. Flow into this low area would come from the neighboring animal feeding operation's pasture.

Additional silage bags were also stored on the north side of the pasture and north of the bags was a swale that would flow to the west. The facility owner had recently scraped the swale to remove channels and installed an orange tile riser pipe at the west end of the swale. The facility owner stated that he tied the orange tile riser pipe to existing agricultural field tiles. In previous inspections by WDNR, the field tiles were observed to exit in an unnamed tributary west of the facility. EPA and WDNR advised the owner to open the silage bags on their east ends to prevent the leachate and feed from entering the new orange tile riser and discharge to the unnamed tributary. EPA and WDNR also advised the owner to find a different location for the silage bags in the future.

The facility has a circular driveway on the north side. EPA observed stormwater piping and a culvert for stormwater under the driveway. Stormwater that enters the piping would come from the neighboring facility's pasture and their windrows of composting manure. The stormwater pipes exit just south of a tile riser pipe which is also connected to the agricultural field tiles that exit in the unnamed tributary.

EPA then observed the clay-lined Manure Pond and the concrete-lined Leachate Pond. There was approximately 12' of freeboard in the Manure Pond on the day of the inspection and a similar amount in the Leachate Pond. Both ponds were fenced, but only the Leachate Pond had a depth marker. The owner did not know what the marking on the depth marker represented. The owner can put manure in the Leachate Pond as well, if necessary. And the liquid from the Leachate Pond can be used in the Flush Flume if needed.

EPA walked around both ponds. Although the vegetation was mowed on the outside of the fence, it was not mowed on the inside and was tall enough that a person would not be able to observe any rodent holes in the berm.

EPA then walked east to the Feed Storage Pad. The Feed Storage Pad had a blacktop surface and was sloped to the north so leachate from the feed could flow to a pit at ground level. From the pit, leachate flowed via gravity to the southeast corner of the Leachate Pond.

At the southeast corner of the Feed Storage Pad, EPA observed that the feed had been placed beyond the apron of the pad. Absorbent pads had been placed at the corner to prevent leachate from flowing to the east and to a roadside ditch.

EPA then walked south to the open yard where calf hutches used to be placed. The facility owner does not use the calf hutches anymore. In the yard are two small pens for show heifers. EPA observed that there were stormwater inlets in the yard south and west of where the show heifers are housed but did not observe any manure or process wastewater reaching the stormwater inlets on the day of the inspection.

EPA then concluded the walkthrough. EPA provided a Closing Conference to the facility owner and left the disposable booties at the facility. EPA exited the facility at 11:42 A.M.

2.3 Closing Conference and Post-Inspection

Table 12: Post Walk-Through

Were specific "Areas of Concern" discussed with facility personnel?	Yes.
Who were the Potential Violations or Areas of Concern discussed with?	
The owner.	
Compliance assistance materials given to facility personnel:	

WDNR Handout - Wisconsin's Runoff Rules (January 2013)	
USEPA Handout – Beneficial Uses of Manure and Environmental Protection (August 2015)	
USEPA Handout – Concentrated Animal Feeding Operations Final Rulemaking – Fact Sheet (October 2008)	
USDA Handout – Environmental Quality Incentives Program (October 2003)	
USEPA Handout – U.S. EPA Small Business Resources Information Sheet (June 2017)	
USDA/NRCS Handout – Most Common Conservation Practices for Confined Livestock (February 2009)	
WDNR Handout – Don't Burn Ag Plastic	
Exit Time:	11:42 A.M.
Disposable Boots Left at Facility?	Yes.
Vehicle Washed after leaving facility?	Yes.
Date and Time that vehicle was washed:	June 6, 2024 at approximately 11:00 A.M.

Table 13: Waterway Documentation

List the pathway taken by EPA inspectors to document the waterway at the facility.
EPA inspector walked down the ditch south of the Milking Cow Barn to the swale to the south and then walked along the swale.

3. AREAS OF CONCERN

EPA observed these areas of concern whereby pollutants have the potential to reach waters of the United States:

1. The drain in the Vet Room allows hand washing soap to flow to the stormwater ditch at the southwest corner of the Milking Cow Barn.
2. The new orange tile riser pipe is connected to existing field tiles and bags of silage are placed very near the orange tile riser pipe.
3. The vegetation inside the fence of the Manure Pond was too high to be able to observe the condition of the berm.
4. There was no depth marker in the Manure Pond.
5. Feed was placed over the apron of the Feed Storage Pad and any leachate would not flow north on the pad and to the pit.
6. If the facility uses the yard north of the Milking Parlor for housing show heifers, manure and process wastewater could flow to the stormwater inlets.

4. LIST OF ATTACHMENTS

- A) Photolog
- B) Aerial photograph of Jauquet's Hillview Dairy with buildings, stormwater inlets and stormwater pathways labeled.