Juneau County Wisconsin Sampling Event Questions

Question 1 Please find out what agency is telling private citizens near CSD not to drink the water? Is that from the state or county health dept? Are there advisories in place? Wisconsin Department of Agriculture, Trade, and Consumer Protection. WECAB does not know if other advisories are in place.

Question 2. Did DNR ask us to sample since they don't have the authority to ask the company to do GW sampling? Wisconsin did not ask EPA to do the sampling. They did assist EPA by providing advice and information to support the sampling and had considerable knowledge about the type of sampling that EPA was considering. (See timeline below)

Question 3. When you asked DNR if they wanted to participate in the sampling and they declined, did they object to EPA sampling? WDNR was uncertain if they would attend. They did not express objection to the sampling.

Timeline of Recent Communications with Wisconsin DNR Staff and Supervisors

February 2018 – WECAB's Cheryl Burdett sent WDNR's Aaron O'Rourke and Michelle Scarpace information on the results of EPA's evaluation of Central Sands Dairy Nutrient Management Plan and application records indicating that the facility appeared to be over-applying Nitrogen on its fields and asked if WDNR could review EPA's assessment and confirm EPA's conclusion. WDNR was not authorized to provide EPA a response until they consulted with UW Stevens Point. No response was~~has been~~ provided. In April, MaryAnne Lowndes indicated that WDNR did not need to review the analysis but could check if WDNR had additional tests from the facility on record that could inform the review.

February, 2018 - EPA's CSD inspection/evaluation was listed on the quarterly coordination call with WDNR. The specifics of discussion are not recorded.

March, 2018 – Cheryl Burdett had separate calls with WDNR's MaryAnne Low~~u~~ndes and Michelle Scarpace discussing EPA's plan to continue investigating Central Sands Dairy. They discussed whether and if WDNR is working on any type of enforcement based on the high nitrate data that WDNR had collected from the CSD production area monitoring wells. Ms. Low~~u~~ndes indicated that WDNR was not working on any type of enforcement because WDNR could not confirm the source of groundwater contamination since they did not have up-gradient data to rule out other potential sources. They also discussed WDNR's inability to require CSD to install up-gradient wells. Ms. Burdett explained that EPA was planning on conducting groundwater sampling up-gradient and downgradient of Central Sands Dairy, LLC to determine if other sources were contributing to the groundwater contamination of nitrates in the area. Ms. Burdett also asked about whether WDNR could help citizens that had private home wells with nitrate contamination. Ms. ~~Lounde~~sLowndes indicated that WDNR laws for assistance for private well contamination did not cover nitrate contamination.

The Week of April 9, 2018 - Ms. Burdett contacted WDNR's Laura Chern, via phone the week of April 9, 2018 discussing EPA plans to conduct a groundwater sampling investigation

up-gradient and downgradient of Central Sands Dairy, LLC the week of April 30th using a Geoprobe. Ms. Burdett asked if she was aware of any permits that were needed to do the borings or to add a tracer. Ms. Chern e-mailed Ms. Burdett with information on April 10, with suggestions for sample sites and identified the necessary documents needed for doing borings. Ms. Chern copied Dave Johnson, WDNR, Bruce D. Rheineck WDNR, and Brian P. Austin on her e-mail response to Ms. Burdett's phone call.

Ms. Burdett also communicated via phone with MaryAnne Lowndes and explained EPA's anticipated groundwater monitoring project tentatively scheduled for 4/30/- 5/5, 2018. She discussed the use of a Geoprobe and asked if any state permits were needed. Ms. ~~Laundes~~Lowndes indicated that she thought the only permits needed were if EPA were on State Roads. Ms. ~~Laundes~~Lowndes provided EPA a map of state roads ~~map~~ on April 12, 2018. At that time, she stated that she may need to notify her upper management about EPA's plans. Ms. Burdett offered the names of her supervisor and branch chief if Ms. ~~Laundes~~Lowndes wished to talk with them.

Ms. Burdett also had discussions with WDNR's Michelle Scarpace via phone about the project before ~~and~~ 4/4/18, but did not provide dates of the project. Ms. Scarpace was out of the office from 4/4/18 - 4/11/18.

April 24, 2018 – Ms. Burdett reached out to Ms. ~~Laundes~~Lowndes and Ms. Scarpace and invited WDNR to join EPA on the sampling event. She also sent via e-mail a map of the proposed sampling locations and asked that she contact Ms. Burdett~~me~~, so Ms. Burdett I could tell her at what location the sampling team~~we~~ would be at if she had time to join ~~us~~.

"Hello MaryAnne and Michelle:

I wanted to make you aware that EPA will be conducting groundwater sampling at approximately 41 locations up-gradient and downgradient of Central Sands Dairy, LLC's land application fields and production area in Northwest Juneau county, Wisconsin. The groundwater sampling will take place from April 30, 2018 through May 4, 2018 (unless we are able to finish early). If WDNR would like to join us on any of these days (or all of the days), please contact me and we can find a location to meet or I can provide you the sampling schedule. Also, if you would like to know more about the project, please contact me and we can further discuss the details."

April 26, 2018 – WECAB's Ryan Bahr contacted Ms. ~~Laundes~~Lowndes to ensure the state was aware of the project.

Is the sampling event that occurred near CSD ~~is~~ atypical for WECAB, and if in the future, if we do an investigation of a similar type or scope (in WI or elsewhere) whether that should warrant a higher-level notification to the State senior managers? Sampling inspections are not atypical. The ground water sampling is atypical. The site conditions ~~are~~ in this situation are atypical which required a different approach to evaluate any potential discharge or eminent or substantial endangerment conditions. We communicated and coordinated with WDNR staff. They indicated they would consider notifying their management. WECAB

understood that higher level notification would occur. We recently worked out a detailed notification document with Ohio that seems to work well. We will reach out to Wisconsin to try and create a similar document.

WDNR Contacts
MaryAnne Lowndes - Section Chief, Runoff Management Section
Michelle Scarpace - Wastewater Specialist - (Andy Morton is Michelle Scarpace's Supervisor)
Bruce D. Rheineck - Section Chief - Drinking Water and Ground Bureau/Division of Environmental Management

Bruce D. Rheineck - Supervises:
Laura Chern, Hydrogeologist
Dave Johnson, Hydrogeologist
Brian P. Austin, Water Supply Specialist