Message

From: Holst, Linda [holst.linda@epa.gov]
Sent: 5/4/2018 8:19:42 PM
To: Thiede, Kurt [thiede.kurt@epa.gov]
CC: Chu, Ed [Chu.Ed@epa.gov]; Korleski, Christopher [korleski.christopher@epa.gov]; Kuefler, Patrick [kuefler.patrick@epa.gov]; Bahr, Ryan [bahr.ryan@epa.gov]
Subject: FW: Follow-up from yesterday

Hi, Kurt. Below are answers to the questions related to the Juneau County, WI sampling event and a timeline of communications with WDNR. If you need anything else, or want to discuss, please let me know.

1. 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?

   Response: Wisconsin Department of Agriculture, Trade, and Consumer Protection (DATCP) has been performing private well testing for nitrates in the Northwest Juneau County area and notifies the well users when concerns are identified. WECAB does not know if other general advisories are in place.

2. Did DNR ask us to sample since they don't have the authority to ask the company to do ground water sampling?

   Response: Wisconsin did not ask EPA to do the sampling. WDNR 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)

3. When you asked DNR if they wanted to participate in the sampling and they declined, did they object to EPA sampling?

   Response: WDNR was uncertain if they would attend. WDNR did not express objection to the sampling.

4. Is the sampling event that occurred near CSD atypical for WECAB, and if in the future, 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?

   Response: Sampling inspections are not atypical, however, the ground water sampling we did is atypical. The site conditions 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) and Brian P. Austin (Water Supply Specialist).

Timeline of Recent Communications with Wisconsin DNR Staff and Supervisors [Note - this does not cover all the discussion with WDNR but those most related to the specific sampling events. EPA has been investigating the problem for several years and coordinating with WDNR.]

- 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 (CSD) 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 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 Central Sands Dairy (CSD) inspection/evaluation was listed on the quarterly coordination call with WDNR. The specifics of discussion are not recorded.

- March 2018 – **Ms. Burdett had separate calls with WDNR's MaryAnne Lowndes 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. Lowndes 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 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. Lowndes indicated that WDNR laws for assistance for private well contamination did not cover nitrate contamination.

- The Week of April 9, 2018 - Ms. Burdett called WDNR's Laura Chern. **Ms Burdett discussed EPA plans to conduct a groundwater sampling investigation up-gradient and downgradient of Central Sands Dairy 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, 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. Lowndes indicated that she thought the only permits needed were if EPA were on State Road right-of ways. Ms. Lowndes provided EPA a map of state roads 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. Lowndes wished to talk with them**.

  Ms. Burdett also had discussions with WDNR's Michelle Scarpace via phone about the project before 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. Lowndes and Ms. Scarpace and invited WDNR to join EPA on the sampling event.** (See below.) She also sent a separate e-mail to Ms. Scarpace with a map of the proposed sampling locations and asked that she contact Ms. Burdett, so Ms. Burdett could tell her at what location the sampling team would be at if she had time to join.

  "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."

  Ms. Burdett did not hear back from WDNR.

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