UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7
11201 Renner Boulevard
Lenexa, Kansas 66219

31 JUL 2018

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
Article No.: 7014 1200 0000 6127 5000

Mr. Mike Butikofer
Fawn Hollow Feedlot
P.O. Box 875
Monona, Iowa 52195

Re: EPA Compliance Evaluation Inspection
SW ¼ of the NE ¼ Section 24, Township 94N, Range 05W, Clayton County, Iowa

Dear Mr. Butikofer:

Letter of Warning

On April 11, 2018, a representative of the U.S. Environmental Protection Agency inspected your facility. The inspection was conducted under the authority of Section 308 of the Clean Water Act. A copy of the inspection report was sent to you on or about May 31, 2018.

The EPA has concluded its review of this inspection and determined that your facility had approximately 1,840 head of beef cattle at three locations (both confinement and open lots) and is operating as a large concentrated animal feeding operation. The EPA also determined that several areas of your facility do not have adequate runoff controls in place to prevent process wastewater from discharging into Howard Creek/Roberts Creek and their tributaries. Be advised that any discharge of manure, litter or process wastewater from a large CAFO to a water of the United States is a violation of the CWA unless it is pursuant to a National Pollutant Discharge Elimination System permit. Unpermitted discharges are a serious violation of the CWA that could result in the EPA pursuing an enforcement action that could include penalties.

To comply with the CWA three options are available:

- Permanently eliminate all pollutant discharges from your facility;
- Contact the Iowa Department of Natural Resources to apply for and obtain an NPDES permit; or
- Reduce the number of animals confined at your open feedlot below the regulatory threshold of a CAFO (less than 1,000 head for large CAFOs and less than 300 head for medium CAFOs).

The EPA requests that you submit a written response indicating how you intend to ensure compliance with the CWA. Please respond within 30 days of the receipt of this letter. Please send your response to:

Printed on Recycled Paper

Don Hamera
U.S. Environmental Protection Agency
Water, Wetlands and Pesticides Division
Water Enforcement Branch
11201 Renner Blvd.
Lenexa, Kansas 66219

Please be advised that the EPA reserves its right to pursue appropriate enforcement actions, including penalties, for violations discovered as a result of this inspection. If you have any questions regarding this letter, please contact Don Hamera at (913) 551-7818, or at Hamera.don@epa.gov.

Sincerely,

For Diane Huffman
Chief
Water Enforcement Branch

cc: Joe Sanfilippo, IDNR FO#1 (via electronic copy)