

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
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June 3, 2015

Jordan Hemaïdan
Michael Best & Friedrich LLP
One South Pinckney Street, Suite 700
Madison, WI 53703

Subject: Case No. 14-CV-73, Kewaukee County Circuit Court

Dear Mr. Hemaïdan:

Pursuant to Judge Ehler's April 28, 2015, decision in the above-referenced matter, the Department of Natural Resources (DNR) intends to modify the Wisconsin Pollutant Discharge Elimination System (WPDES) Permit issued to Kinnard Farms, Inc. (Kinnard), under the supervision of the Division of Hearings and Appeals.

As required in the DNR Order dated October 29, 2014, DNR will amend the Permit to establish a maximum number of animal units at the facility and will amend the Permit to require a groundwater monitoring plan.

To that end, DNR requests that Kinnard provide DNR with a proposed maximum number of animal units for the current Permit term, along with a justification for that proposed number. DNR will review the number provided by Kinnard and determine the maximum number of animal units to be included in the Permit. Also, as required by the DNR Order, DNR requests Kinnard to submit additional information regarding its proposed groundwater monitoring plan. Kinnard must address the missing components of the plan, as identified in DNR's letter to Kinnard, dated March 19, 2015, including the requirement to include at least 2 monitoring wells to assess groundwater quality impacts from off-site landspreading, if practicable.

Sincerely,

A handwritten signature in blue ink that reads "Judy Mills Ohm".

Judy Mills Ohm
Attorney
(608)266-9972

c: Sarah Williams
Attorney for Petitioners
Midwest Environmental Advocates