

Permit Fact Sheet

General Information

Permit Number:	WI-0065153-03-0
Permittee Name:	Egan Bros Partnership
Address:	N5736 CTH T
City/State/Zip:	New London WI 54961
Discharge Location:	N5736 CTH T New London WI 54961
Receiving Water:	Unnamed stream within the North Branch and Mainstem Embarrass River Watershed, and groundwaters of the state

Animal Units					
	Current AU		Proposed AU (Note: If all zeroes, expansions are not expected during permit term)		
	Mixed	Individual	Mixed	Individual	Date of Proposed Expansion
Dairy Calves (under 400 lbs.)	28	0	0	0	
Milking and Dry Cows	1358	1387	0	0	
Heifers (400 lbs. to 800 lbs.)	156	260	0	0	
Heifers (800 lbs. to 1200 lbs.)	176	160	0	0	
Total	1718	1387	0	0	

Facility Description

Brief Facility Description: Egan Bros Partnership is an existing Concentrated Animal Feeding Operation (CAFO). Egan Bros Partnership is owned and operated by John and Mark Egan. It currently has 1,718 animal units (970 milking & dry cows, 420 heifers, and 140 calves). Egan Bros Partnership has a total of 2,164.2 acres available for land application of manure and process wastewater. Of this acreage, 905.5 acres are owned and 1,258.7 acres are rented.

Substantial Compliance Determination

Enforcement During Last Permit: Egan Bros Partnership has had no enforcement during the last permit term.

Compliance determination entered by Bethani Chambers on 1/31/2024.

Sample Point Designation For Animal Waste	
Sample Point Number	Sample Point Location, WasteType/sample Contents and Treatment Description (as applicable)
001	Sample point 001 is for any manure solids removed from bottom of liquid waste storage facilities at the Main Farm (WSF 1-3). This includes manure-laden sand solids, manure fiber solids, etc. Representative samples shall be taken from each waste storage facility.
004	Sample point 004 is for solid manure stacked in approved headland stacking locations. Representative samples shall be taken of this manure prior to land application. Note: Headland stacking sites are subject to production site discharge limitations; weekly visual monitoring is required during use of stacking sites to ensure discharges meet permit requirements.
005	Sample point 005 is for visual monitoring and inspection of the concrete feedlot and associated runoff control system located south of WSF 1-3. Feedlot runoff is pumped into waste storage facility. Proper operation and maintenance is required to ensure discharges meet permit requirements. Weekly inspections are required and shall be recorded according to monitoring program.
006	Sample point 006 is for visual monitoring and inspection of the feed storage area and associated runoff control system. Proper operation and maintenance is required to ensure discharges of process wastewater to waters of the state do not occur. Weekly inspections are required and shall be recorded according to monitoring program.
007	Sample point 007 is for liquid waste storage facility 1-3 (WSF 1-3). WSF 1 – 3 are earthen and or concrete lined storages located to the north of the concrete feedlot at the Main Farm. WSF 1-3 has a maximum operating level capacity of 9,430,698 gallons and were constructed in 2015. These storages accept manure and process wastewater from the milking parlor, and adjacent animal lot.
008	Sample point 008 is for liquid waste storage facility 5 (WSF 5). WSF 5 is a concrete storage located to the Tank Farm. The facility has a capacity of 1,679,339 gallons and was constructed in 2012. This storage accepts manure and process wastewater from the adjacent animal barn.
009	Sample point 009 is for visual monitoring and inspection of the concrete/earthen feedlot and associated runoff control system located at the Red Shed Heifer Farm. Proper operation and maintenance is required to ensure discharges meet permit requirements. Weekly inspections are required and shall be recorded according to monitoring program.
010	Sample point 010 is for visual monitoring and inspection of all production site storm water conveyance systems. This includes roof gutter and downspout structures, drainage tile systems, grassed waterways and other diversion systems that transport uncontaminated storm water. Proper operation and maintenance is required to keep uncontaminated runoff diverted away from manure and process wastewater handling systems. Weekly inspections are required and shall be recorded according to monitoring program.
011	Sample point 011 is for any manure solids removed from bottom of liquid waste storage facilities at the Tank Farm (WSF 4). This includes manure-laden sand solids, manure fiber solids, etc. Representative samples shall be taken from each waste storage facility.
012	Sample point 012 is for the Feed Leachate Pit (FLP). The FLP is a concrete lined storage located at the Main Farm. This facility has a capacity of approximately of 1,451,526 gallons and was constructed in 2018. This storage accepts process wastewater from the feed storage area
013	Sample point 013 is for solid manure sources that are directly land applied and not stored in a waste storage facility. This includes solid sources such as calf hutch manure, maternity pen bedpack, heifer bedpack, steer manure, etc. Representative samples shall be taken for each manure source type.

1 Livestock Operations - Proposed Operation and Management

Production Area Discharge Limitations

Beginning on the effective date of the permit, the permittee may not discharge pollutants from the operation's production area (e.g., manure storage areas, outdoor animal lots, composting and leachate containment systems, milking center wastewater treatment/containment systems, raw material storage areas) to navigable waters, except in the event a 25-year, 24-hour rainfall event (or greater) causes the discharge from a structure which is properly designed and maintained to contain a 25-year, 24-hour rainfall event for this location as determined under s. NR 243.04. If an allowable discharge occurs from the production area, state water quality standards may not be exceeded.

Runoff Control

The permit requires control of contaminated runoff from all elements of the production area to prevent a discharge of pollutants to navigable waters in accordance with the Production Area Discharge Limitations and to comply with surface water quality standards and groundwater standards. Beginning on the effective date of this permit, (if needed) interim measures shall be implemented to prevent discharges of pollutants to navigable waters. In addition, permanent runoff control system(s) shall be designed, operated and maintained in accordance with the requirements found in USDA Natural Resources Conservation Service standards and ch. NR 243, Wis. Adm. Code. If any upgrading or modifications to runoff controls are necessary, formal engineering plans and specifications must be submitted to the Department for approval.

Manure and Process Wastewater Storage

The permit requires the operation to have adequate storage for manure and process wastewater and that storage or containment facilities are designed, operated and maintained to prevent overflows and discharges to waters of the state. In order to prevent overflows, the permittee must maintain levels of materials in liquid storage or containment facilities at or below certain levels including a one foot margin of safety that can never be exceeded. If any upgrading or modifications to the storage facilities are necessary, formal engineering plans and specifications must be submitted to the Department for approval.

The permittee currently has approximately 215 days of storage for liquid manure. The permittee must maintain 180 days of storage, unless temporary reductions in required storage are approved by the Department.

Solid Manure Stacking

The operation has proposed to stack solid manure. All stacking of solid manure shall be done in accordance with ch. NR 243, Wis. Adm. Code, which includes restrictions from NRCS Standard 313. Stacking of manure is considered to be part of the production area and is subject to the Production Area Discharge Limitations.

Ancillary Service and Storage Areas

The permittee shall take preventative maintenance actions and conduct visual inspections to minimize pollutant discharges from areas of the operation that are not part of the production area or land application areas. These areas are called ancillary service and storage areas and include access roads, shipping and receiving areas, maintenance areas, refuse piles and CAFO outdoor vegetated areas.

Nutrient Management

With 1,718 animal units, it is estimated that approximately 21,329,487 gallons of manure and process wastewater and 1,250 tons of solid manure will be produced per year. The permittee owns *approximately* 906 acres of cropland and rents about 1,259. Given the rotation commonly used by the permittee, 2,154 acres are available (or open) to receive manure and process wastewater on an annual basis. The permit requires all landspreading of manure and process wastewater be completed in accordance with an approved nutrient management plan. The permit will require sampling and analysis of

manure and process wastewater that will be landspread. Landspreading rates must be adjusted based on sample analysis. The permit requires the permittee to maintain a daily log that documents landspreading activities. The permit also requires the submittal of an annual report that summarizes all landspreading activities. Plans must be updated annually to reflect cropping plans and other operational changes. Among the requirements, the plans must include detailed landspreading information including field by field nutrient budgets.

The permittee is required to implement a number of practices to address potential water quality impacts associated with the land application of manure and process wastewater. Among the permit conditions are restrictions on manure ponding, restrictions on runoff of manure and process wastewater from cropped fields, and setbacks from wells and direct conduits to groundwater (e.g., sinkholes, fractured bedrock at the surface). In addition, the permittee must implement a phosphorus based nutrient management plan that addresses phosphorus delivery to surface waters by basing manure and process wastewater applications on soil test phosphorus levels or the Wisconsin Phosphorus index. Additional phosphorus application restrictions apply to fields that are high in soil test phosphorus (>100 ppm).

The permittee must also implement conservation practices when applying manure near navigable waters and their conduits, referred to as the Surface Water Quality Management Area (SWQMA). These practices include a 100-foot setback from navigable waters and their conduits, a 35-foot vegetated buffer adjacent to the navigable water or conduit, or a practice that provides equivalent pollutant reductions equivalent to or better than the 100-foot setback.

In addition, the permittee must comply with restrictions on land application of manure and process wastewater on frozen or snow-covered ground. Included in these restrictions is a prohibition on surface applications of solid manure ($\geq 12\%$ solids) on frozen or snow-covered ground during February and March.

Monitoring and Sampling Requirements

The permittee must submit a monitoring and inspection program that outlines how the permittee will conduct self-inspections to determine compliance with permit conditions. These self-inspections include visual inspections of water lines, diversion devices, storage and containment structures and other parts of the production area. The permit requires periodic inspections and calibrations of landspreading equipment. The permittee must take corrective actions to problems identified inspections or otherwise notify the Department. Samples of manure, process wastewater and soils receiving land applied materials from the operation must also be collected and analyzed.

Sampling Points

The permit identifies the different sources of land applied materials (e.g., manure storage facilities, milking centers, egg-washing facilities) as "Sampling Points." For these Sampling Points, the permittee is required to sample and analyze the different sources for nutrients and other parameters which serve as the basis for determining rates of application for these materials. Other areas are also identified as Sampling Points as a means of identifying them as areas requiring action by the permittee, such as an upgrade or evaluation of a certain system or structure (e.g., runoff control systems), even though sampling is not actually required.

Sample Point Number: 001- Settle Solid Manure Main Farm; 004- Headland Stack Site; 011- Settle Solid Manure Tank Farm , and 013- Miscellaneous Solid Manure

Monitoring Requirements and Limitations					
Parameter	Limit Type	Limit and Units	Sample Frequency	Sample Type	Notes
Nitrogen, Total		lbs/ton	Quarterly	Grab	
Nitrogen, Available		lbs/ton	Quarterly	Calculated	
Phosphorus, Total		lbs/ton	Quarterly	Grab	
Phosphorus, Available		lbs/ton	Quarterly	Calculated	
Solids, Total		Percent	Quarterly	Grab	

1.1.1 Changes from Previous Permit

Sample point language was updated.

1.1.2 Explanation of Operation and Management Requirements

Solid manure sources must be properly sampled, and land applied according to the permit and nutrient management plan.

Sample Point Number: 005- Outdoor Feedlot Main Farm; 006- Feed Storage & Runoff Controls; 009- Outdoor Feedlot Red Shed Site; 010- Storm Water Runoff Controls

1.1.3 Changes from Previous Permit

Sample point language was updated.

1.1.4 Explanation of Operation and Management Requirements

Proper operation and maintenance is required to ensure unlawful discharges to waters of the state do not occur. Weekly or quarterly inspections are required and shall be recorded according to the monitoring plan.

Sample Point Number: 007- WSF 1-3 Main Dairy; 008- WSF 5 Tank Farm, and 012- Feed Leachate Pit

Monitoring Requirements and Limitations					
Parameter	Limit Type	Limit and Units	Sample Frequency	Sample Type	Notes
Nitrogen, Total		lb/1000gal	2/Month	Grab	
Nitrogen, Available		lb/1000gal	2/Month	Calculated	
Phosphorus, Total		lb/1000gal	2/Month	Grab	

Monitoring Requirements and Limitations					
Parameter	Limit Type	Limit and Units	Sample Frequency	Sample Type	Notes
Phosphorus, Available		lb/1000gal	2/Month	Calculated	
Solids, Total		Percent	2/Month	Grab	

1.1.5 Changes from Previous Permit

Sample point language updated.

1.1.6 Explanation of Operation and Management Requirements

Manure must be properly stored and land applied according to the permit and nutrient management plan.

2 Schedules

2.1 Emergency Response Plan

Required Action	Due Date
Develop Emergency Response Plan: Develop a written Emergency Response Plan within 30 days of permit coverage, available to the Department upon request.	05/30/2024

2.2 Monitoring & Inspection Program

Use of the department's monitoring and inspection program template is encouraged, but optional.

Required Action	Due Date
Proposed Monitoring and Inspection Program: Consistent with the Monitoring and Sampling Requirements subsection, the permittee shall submit a proposed monitoring and inspection program within 60 days of the effective date of this permit.	06/30/2024

2.3 Annual Reports

Submit Annual Reports by January 31st of each year in accordance with the Annual Reports subsection in Standard Requirements.

Required Action	Due Date
Submit Annual Report #1: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2025
Submit Annual Report #2: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2026
Submit Annual Report #3: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2027
Submit Annual Report #4: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2028

Submit Annual Report #5: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2029
Ongoing Annual Reports: Continue to submit Annual Reports until permit reissuance has been completed.	

2.4 Nutrient Management Plan

Submit annual nutrient management plan (NMP) updates by March 31 of each year. Note, in addition to annual NMP updates, submit NMP amendments and substantial revisions to the department for written approval prior to implementation of any changes to the NMP

Required Action	Due Date
Management Plan Submittal: Submit any necessary updates to the Nutrient Management Plan to meet the conditions outlined in this permit (see conditions in the Livestock Operational and Sampling Requirements section).	
Management Plan Annual Update #1: Submit an Annual Update to the Nutrient Management Plan.	03/31/2025
Management Plan Annual Update #2: Submit an Annual Update to the Nutrient Management Plan.	03/31/2026
Management Plan Annual Update #3: Submit an Annual Update to the Nutrient Management Plan.	03/31/2027
Management Plan Annual Update #4: Submit an Annual Update to the Nutrient Management Plan.	03/31/2028
Management Plan Annual Update #5: Submit an Annual Update to the Nutrient Management Plan.	03/31/2029
Ongoing Management Plan Annual Updates: Continue to submit Annual Updates to the Nutrient Management Plan until permit reissuance has been completed.	

2.5 Submit Permit Reissuance Application

Required Action	Due Date
Reissuance Application: Submit a complete permit reissuance application 180 days prior to permit expiration.	11/01/2029

2.6 Explanation of Schedules

Emergency Response Plan, Monitoring and Inspection Program – Schedules consistent with permit requirements

Annual Reports, Nutrient Management Plan, Submit Permit Reissuance Application - Schedules consistent with permit requirements.

Other schedule items are required to comply with s. NR 243 and WPDES permit conditions.

Attachments:

Plan Approval Letter(s)

Public Notice

Expiration Date:

4/30/2029

Prepared By: Bethani Chambers

Agricultural Runoff Management Specialist

Date: 1/31/2024



January 9th, 2024

Waupaca County
Approval

Mark Egan
Egan Bros Partnership
N5736 CTH T
New London, WI 54961

SUBJECT: Conditional Approval of Egan Bros Partnership Nutrient Management Plan, WPDES
Permit No. 0065153-03-0

Dear Mr. Egan:

After completing a review of Egan Bros Partnership 2024-2028 Nutrient Management Plan (NMP) the Wisconsin Department of Natural Resources (Department) is providing conditional approval that it is consistent with s. NR 243.14, Wis. Adm. Code. This part of your WPDES permit application is now ready for the public notice and comment process as required by Ch. 283 Stats.

Before applying manure onto approved fields each season, the Department recommends Egan Bros Partnership review the NMP with those individuals involved with manure applications to ensure all remain familiar with the approved manure spreading protocol, spreading maps, field and map verification, record keeping requirements, and all the conditions of this approval. Specifically, some fields in Egan Bros Partnership may have:

- Soils that may have bedrock or groundwater within 24 inches of surface,
- Multiple setback areas due to streams, conduits to streams, grassed waterways, wetlands or wells, and
- Evidence of possible soil erosion/flow channels. Note: road ditches or other man-made channels may be considered flow channels or conduits to navigable water and may be subject to a SWQMA and setback.

Reviewing the NMP and checking fields for these features and soil conditions prior to manure applications will help Egan Bros Partnership maintain compliance with their WPDES permit and Ch. NR 243 requirements.

FINDINGS OF FACT

The Department confirms that:

1. A current dairy herd size of 1,718 animal units (970 milking & dry cows, 420 heifers, and 140 calves). Currently there are no planned expansions in the next permit term.
2. Manure generation and spreading records indicate your herd will annually generate approximately 21,329,487 gallons of manure and process wastewater and 1,250 tons of solid manure in the first year of the permit term.
3. The use of application restriction options 1 and 5 within surface water quality management areas.
4. The use of phosphorus delivery method P Index.
5. That Egan Bros Partnership currently has 2,164.2 acres (905.5 owned and 1,258.7 controlled through contracts, rental agreements or leases, or under manure agreements) of which 2,154.2 are spreadable acres.

6. That no fields are directly adjacent to or have high potential to deliver nutrients and sediment to a 303(d) impaired water.
7. That no fields are directly adjacent to or have high potential to deliver nutrients and sediment to outstanding/exceptional waters.
8. That 19 fields are tiled.

- 1AB	- 03-4-4A	- 5-6-7
- 10	- C8	- Ethel-BO-North
- GC	- Huebner	- JB1
- JH4	- JH4N	- JH5N
- JH7	- LF	- L-LL-1-2
- N	- R4-5-6	- The 140
- W02		
9. That all fields will be checked for the following features prior to/during manure or process wastewater applications: soil areas with possible shallow groundwater (i.e., within 24 inches of surface) at the time of manure application; required setbacks associated with wells, navigable waters, conduits to navigable waters, grassed waterways, wetlands, possible soil erosion/flow channels.
10. That surface applications of manure will not be completed when precipitation capable of producing runoff is forecasted within 24 hours of the time of planned application.

CONDITIONAL NUTRIENT MANAGEMENT PLAN APPROVAL

The Department hereby approves the 2024-2028 Egan Bros Partnership Nutrient Management Plan subject to the following conditions and the applicable requirements of Ch. NR 243, Wis. Adm. Code:

FIELD AND MANURE MANAGEMENT

1. Fields not included in the NMP and new fields shall not receive manure or process wastewater applications until they have been properly soil sampled, entered into Snap Plus, evaluated for their nutrient needs, and approved by the Department.
2. The following fields have also been approved to receive industrial, municipal, or septage waste:

CAFO Field ID:	Other Permittee Name:	DNR #:	Site Name:	Field Name:
BF-B5.NB3	AGROPUR INC WEYAUWEGA PLANT	108286	TB1	11
BF-C1 2	NEW LONDON WASTEWATER TREATMENT FACILITY	41505	TB1	1
CT1-2	AGROPUR INC WEYAUWEGA PLANT	109498	CT1	3
CT1-2	AGROPUR INC WEYAUWEGA PLANT	109499	CT1	4
CT1-2	AGROPUR INC WEYAUWEGA PLANT	109500	CT1	5
CT3	AGROPUR INC WEYAUWEGA PLANT	109496	CT1	1
CT4	AGROPUR INC WEYAUWEGA PLANT	109497	CT1	2
Stein 1	AGROPUR INC WEYAUWEGA PLANT	108693	SS1	1
Stein 1	AGROPUR INC WEYAUWEGA PLANT	108694	SS1	2

Prior to any manure applications on these fields Egan Bros Partnership shall contact the entities listed above to obtain recent spreading records and make the necessary adjustments to the planned manure application rates. At the end of each year Egan Bros Partnership shall contact each entity listed above to obtain spreading records from the previous year so that they can be properly tracked in the NMP. Please Note: Egan Bros

Partnership is responsible for obtaining nutrient content values for all other wastes spread on any field in their NMP.

3. The following fields are prohibited from receiving applications of manure or process wastewater:
 - JH8S (default soil test)

If Egan Bros Partnership wishes to use these fields for applications of manure or process wastewater all necessary information shall be submitted to the Department prior to application to demonstrate compliance with NR 243 and other applicable codes. Written Department approval amending this condition approval must be received prior to application.

4. If existing fields yield a soil test results ≥ 200 ppm P, those fields would be prohibited from receiving manure or process wastewater applications, unless you obtain Department approval in accordance with NR 243.14(5)(b)2., Wis. Adm. Code.
5. All liquid manure samples collected may be analyzed, at a minimum, for percent dry matter, total nitrogen, percent $\text{NH}_4\text{-N}$, percent $\text{NO}_3\text{-N}$, phosphorus, potassium, and sulfur.
6. If manure sample results have a dry matter (DM) content less than 2.0% and the percent ammonium (NH_4^+) is greater than 75% of the total N, Egan Bros Partnership may use the following equation to adjust the first year available nitrogen when applications are injected or incorporated within 1 hour:

$$\text{First-Year Available N} = \text{NH}_4\text{-N} + [0.25 \times (\text{Total N} - \text{NH}_4\text{-N})]$$

7. Egan Bros Partnership shall record daily manure applications by using one of the following forms: DNR 3200-123A, Egan Bros NR243 Daily Manure Application Log, or Egan Brothers Daily Log Form. These forms shall be retained at the farm and provided to the department upon request.
8. Egan Bros Partnership shall annually submit a spreading report that summarizes the land application activities listed under NR 243.19(3)(c)5., Wis. Adm. Code by using 'CAFO Annual Spreading Report' as generated by Snap Plus.

WINTER SPREADING

9. Liquid manure applications during winter conditions, as defined by NR 243.14(7), Wis. Adm. Code, are prohibited with the exception of emergency applications.
10. The following field(s) are approved for winter spreading solid manure, emergency applications of liquid manure and frozen liquid manure:

- Ethel-BO	- N	- 5-6-7	- BF-C1 2
- TR1	- CT1-2	- CT3	- JB2
- JB3	- 1C-2AB	- 1AB	- C6-10
- C4	- C3	- C1-2	- DE-1
- CT4	- Bf-B5.NB3	- TR2	- TR4
- CR02	- CR03	- CR04	- CR07-9
- JH4	- JH5S	- JH1	- L-ML2-5
- CR10	- CR11-12	- CR13	- L-GO1
- L-LL1-2	- R456	- TMH	- TR5
- MK	- WO1	- WO2	- W03-4
- Stein 1			

If additional information, project changes or other circumstances indicate a possible need to modify this approval, the Department may ask you to provide further information relating to this activity.

Please keep in mind that approval by the Department of Natural Resources – Runoff Management Program does not relieve you of obligations to meet all other applicable federal, state or local permits, zoning and regulatory requirements.

If you have any questions regarding this approval I can be reached at 608-212-8460 or Ashley.Scheel@Wisconsin.gov.

Sincerely,

Handwritten signature of Ashley Scheel in black ink.

Ashley Scheel, CCA
WDNR Nutrient Management Plan Reviewer
Wisconsin Department of Natural Resources

cc: Bethani Chambers, WDNR Agricultural Runoff Management Specialist (Bethani.Chambers@Wisconsin.gov)
Joe Baeten, WDNR Watershed Field Supervisor (Joeseeph.Baeten@Wisconsin.gov)
Tyler Dix, WDNR CAFO Permit Coordinator (Tyler.Dix@Wisconsin.gov)
Christopher Clayton, WDNR Runoff Management Section Chief (Christopherr.Clayton@Wisconsin.gov)
Aaron O'Rourke, WDNR Nutrient Management Program Coordinator (Aaron.Orourke@Wisconsin.gov)
Tony Salituro, WDNR Intake Specialist (Anthony.Salituro@Wisconsin.gov)
Brian Haase, Waupaca County (Brian.Haase@Co.Waupaca.Wi.Us)
Kevin Beckard, AgSource Laboratories (Kevin.Beckard@Agsource.com)
File



January 9th, 2024

Waupaca County
Approval

Mark Egan
Egan Bros Partnership
N5736 CTH T
New London, WI 54961

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4. The use of phosphorus delivery method P Index.
5. That Egan Bros Partnership currently has 2,164.2 acres (905.5 owned and 1,258.7 controlled through contracts, rental agreements or leases, or under manure agreements) of which 2,154.2 are spreadable acres.

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- GC	- Huebner	- JB1
- JH4	- JH4N	- JH5N
- JH7	- LF	- L-LL-1-2
- N	- R4-5-6	- The 140
- W02		
9. That all fields will be checked for the following features prior to/during manure or process wastewater applications: soil areas with possible shallow groundwater (i.e., within 24 inches of surface) at the time of manure application; required setbacks associated with wells, navigable waters, conduits to navigable waters, grassed waterways, wetlands, possible soil erosion/flow channels.
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4. If existing fields yield a soil test results ≥ 200 ppm P, those fields would be prohibited from receiving manure or process wastewater applications, unless you obtain Department approval in accordance with NR 243.14(5)(b)2., Wis. Adm. Code.
5. All liquid manure samples collected may be analyzed, at a minimum, for percent dry matter, total nitrogen, percent $\text{NH}_4\text{-N}$, percent $\text{NO}_3\text{-N}$, phosphorus, potassium, and sulfur.
6. If manure sample results have a dry matter (DM) content less than 2.0% and the percent ammonium (NH_4^+) is greater than 75% of the total N, Egan Bros Partnership may use the following equation to adjust the first year available nitrogen when applications are injected or incorporated within 1 hour:

$$\text{First-Year Available N} = \text{NH}_4\text{-N} + [0.25 \times (\text{Total N} - \text{NH}_4\text{-N})]$$

7. Egan Bros Partnership shall record daily manure applications by using one of the following forms: DNR 3200-123A, Egan Bros NR243 Daily Manure Application Log, or Egan Brothers Daily Log Form. These forms shall be retained at the farm and provided to the department upon request.
8. Egan Bros Partnership shall annually submit a spreading report that summarizes the land application activities listed under NR 243.19(3)(c)5., Wis. Adm. Code by using 'CAFO Annual Spreading Report' as generated by Snap Plus.

WINTER SPREADING

9. Liquid manure applications during winter conditions, as defined by NR 243.14(7), Wis. Adm. Code, are prohibited with the exception of emergency applications.
10. The following field(s) are approved for winter spreading solid manure, emergency applications of liquid manure and frozen liquid manure:

- Ethel-BO	- N	- 5-6-7	- BF-C1 2
- TR1	- CT1-2	- CT3	- JB2
- JB3	- 1C-2AB	- 1AB	- C6-10
- C4	- C3	- C1-2	- DE-1
- CT4	- Bf-B5.NB3	- TR2	- TR4
- CR02	- CR03	- CR04	- CR07-9
- JH4	- JH5S	- JH1	- L-ML2-5
- CR10	- CR11-12	- CR13	- L-GO1
- L-LL1-2	- R456	- TMH	- TR5
- MK	- WO1	- WO2	- W03-4
- Stein 1			

If additional information, project changes or other circumstances indicate a possible need to modify this approval, the Department may ask you to provide further information relating to this activity.

Please keep in mind that approval by the Department of Natural Resources – Runoff Management Program does not relieve you of obligations to meet all other applicable federal, state or local permits, zoning and regulatory requirements.

If you have any questions regarding this approval I can be reached at 608-212-8460 or Ashley.Scheel@Wisconsin.gov.

Sincerely,

A handwritten signature in black ink that reads "Ashley Scheel". The signature is written in a cursive, slightly slanted style.

Ashley Scheel, CCA
WDNR Nutrient Management Plan Reviewer
Wisconsin Department of Natural Resources

cc: Bethani Chambers, WDNR Agricultural Runoff Management Specialist (Bethani.Chambers@Wisconsin.gov)
Joe Baeten, WDNR Watershed Field Supervisor (Joeseeph.Baeten@Wisconsin.gov)
Tyler Dix, WDNR CAFO Permit Coordinator (Tyler.Dix@Wisconsin.gov)
Christopher Clayton, WDNR Runoff Management Section Chief (Christopherr.Clayton@Wisconsin.gov)
Aaron O'Rourke, WDNR Nutrient Management Program Coordinator (Aaron.Orourke@Wisconsin.gov)
Tony Salituro, WDNR Intake Specialist (Anthony.Salituro@Wisconsin.gov)
Brian Haase, Waupaca County (Brian.Haase@Co.Waupaca.Wi.Us)
Kevin Beckard, AgSource Laboratories (Kevin.Beckard@Agsource.com)
File



January 10, 2024

FILE REF: R-2023-0221
 WPDES Permit #: WI-0065153

Mark Egan
 Egan Bros Partnership
 N5736 Cth T
 New London, WI 54961

Subject: Days of Storage Review for Egan Bros Partnership T23N, R14E, Section 22 in Lebanon Township, Waupaca County – NO ADDITIONAL ACTION REQUIRED

Dear Mr. Egan:

This letter is to inform you that the Wisconsin Department of Natural Resources (Department) has completed its review of the calculation of days of storage submitted under certification by Kevin Beckard, AgSource Laboratories, and Corey Schuelke, Waupaca County on October 31, 2023 with revisions received on January 5, 2024 on behalf of Egan Bros Partnership.

The Department reviewed the submitted calculations in accordance with ss. NR 243.14(9) and NR 243.15(3)(i) to (k), Wis. Adm. Code. Under s. NR 243.17(3)(c), Wis. Adm. Code, the permittee shall demonstrate compliance with the 180-day design storage capacity requirement at specified times. For the following liquid manure storage calculations, the Department has determined **no additional actions** on your part are required.

Days of Available Liquid Waste Storage: The submitted information states that Egan Bros Partnership has 215 days of liquid waste storage based on the volumes listed in the table below with respect to s. NR 243.15(3)(i) to (k), Wis. Adm. Code. The current number of animal units provided for the calculation is 1,686. The liquid waste volumes are based on the NRCS spreadsheet and other estimated or calculated values for a collection period of 365 days. All runoff, up to the 25yr – 24hr storm, is captured from the Main Site feed storage area, Main Site outdoor feedlot, and small portions of the Tank Farm outdoor area. All storages are fully emptied of solids every fall.

Waste Storage	Total Vol. from Settled Top to Bottom	Solids Storage	25-yr, 24-hr Precip. on Storage	25-yr, 24-hr Collected Runoff	Freeboard Vol.	Max. Operating Level (MOL) Vol.
3 Stage WSF	10,774,808	0	382,510	110,283	851,317	9,430,698
Tank Farm WSF	2,003,085	0	94,467	5,087	224,192	1,679,339
Leachate Pit	2,926,389	0	132,954	560,814	781,095	1,451,526
Total MOL Vol:						12,561,563
Days of Storage:						215

Liquids Collected/Stored	Annual Gallons
Manure and Bedding	10,493,961
Parlor Wastewater	2,737,500
Feed Storage Leachate	104,727
Feed Storage Runoff Collected	4,240,718
Feedlot Runoff	873,147
Net Precipitation on Storage Surfaces	2,879,434
TOTAL:	21,329,487

Should you have any questions, please contact Tony Salituro, DNR Madison office or your regional CAFO Specialist.

NOTICE OF APPEAL RIGHTS

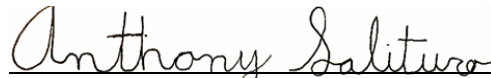
If you believe that you have a right to challenge this decision, you should know that the Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions must be filed. For judicial review of a decision pursuant to WIS. STAT. §§ 227.52 and 227.53, you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review must name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to WIS. STAT. § 227.42, you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources. All requests for contested case hearings must be made in accordance with WIS. ADMIN. CODE § NR 2.05(5), and served on the Secretary in accordance with WIS. ADMIN. CODE § NR 2.03. The filing of a request for a contested case hearing does not extend the 30-day period for filing a petition for judicial review.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES



Bernie Michaud, P.E.
CAFO Engineer Supervisor
Watershed Management Program



Tony Salituro, EIT
CAFO Review Engineer
Watershed Management Program

Email: Mark Egan; Egan Bros Partnership
(920) 878-0028; markegan61@yahoo.com

Corey Schuelke; Waupaca County LWCD
(715) 258-6483; corey.schuelke@co.waupaca.wi.us

Kevin Beckard; AgSource
(920) 309-1948; kevin.beckard@agsource.com

Brian Haase; Waupaca County
(715) 258-6245; brian.haase@co.waupaca.wi.us

Matt Woodrow; DATCP
(920) 427-8505; matthew.woodrow@wisconsin.gov

Bethani Chambers; DNR-Northeast Region
(920) 573-8033; bethani.chambers@wisconsin.gov

Joe B Baeten; DNR-Northeast Region
(920) 366-2072; Joseph.Baeten@wisconsin.gov

Anthony Salituro; DNR-Central Office
(608) 444-2869; anthony.salituro@wisconsin.gov

Aaron O'Rourke; DNR, Eau Claire
(715) 839-3775; aaron.orourke@wisconsin.gov

Ashley Scheel; DNR, Central Office
(608) 261-6419; ashley.scheel@wisconsin.gov

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

PUBLIC NOTICE OF AVAILABILITY OF A NUTRIENT MANAGEMENT PLAN AND INTENT TO REISSUE A WISCONSIN POLLUTANT DISCHARGE ELIMINATION SYSTEM (WPDES) PERMIT No. WI-0065153-03-0

Permittee: Egan Bros Partnership, N5736 CTH T, New London, WI, 54961

Facility Where Discharge Occurs: Egan Bros Partnership, 5736 County Hwy T New London

Receiving Water And Location: Surface water and groundwater within the North Branch and Mainstem Embarrass River Watersheds

Brief Facility Description : Egan Bros Partnership is an existing Concentrated Animal Feeding Operation (CAFO). Egan Bros Partnership is owned and operated by John and Mark Egan. It currently has 1,718 animal units (970 milking & dry cows, 420 heifers, and 140 calves). Egan Bros Partnership has a total of 2,164.2 acres available for land application of manure and process wastewater. Of this acreage, 905.5 acres are owned and 1,258.7 acres are rented.

The Department has tentatively decided that the above specified WPDES permit should be reissued.

Permit Drafter's Name, Address, Phone and Email: Bethani Chambers, DNR, 625 E Cty Rd Y Suite 700, Oshkosh, WI, 54901, (920) 573-8033, Bethani.Chambers@wisconsin.gov

Persons wishing to comment on or object to the proposed permit action, the terms of the nutrient management plan, or the application, or to request a public informational hearing may write to the Department of Natural Resources at the permit drafter's address. All comments or suggestions received no later than 30 days after the publication date of this public notice will be considered along with other information on file in making a final decision regarding the permit. Anyone providing comments in response to this public notice will receive a notification of the Department's final decision when the permit is re-issued. Where designated as a reviewable surface water discharge permit, the U.S. Environmental Protection Agency is allowed up to 90 days to submit comments or objections regarding this permit determination. If no comments are received on the proposed permit from anyone, including U.S. EPA, the permit will be re-issued as proposed.

The Department may schedule a public informational hearing if within 30 days of the public date of this notice, a request for a hearing is filed by any person. The Department shall schedule a public informational hearing if a petition requesting a hearing is received from USEPA or from 5 or more persons or if the Department determines there is significant public interest. Requests for a public informational hearing shall state the following: the name and address of the person(s) requesting the hearing; the interest in the proposed permit of the person(s) requesting the hearing; the reasons for the request; and the issues proposed to be considered at the hearing.

Information on file for this permit action, including the draft permit and fact sheet (if required), the operation's nutrient management plan and application may be inspected and copied at the permit drafter's office, Monday through Friday (except holidays), between 9:00 a.m. and 3:30 p.m. Please call the permit drafter for directions to their office location, if necessary. Information on this permit action may also be obtained by calling the permit drafter at (920) 573-8033 or by writing to the Department. Reasonable costs (15 cents per page for copies and 7 cents per page for scanning) will be charged for information in the file other than the public notice and fact sheet. Permit information is also available on the internet at: <http://dnr.wi.gov/topic/wastewater/PublicNotices.html>. Pursuant to the Americans with Disabilities Act, reasonable accommodation, including the provision of informational material in an alternative format, will be made to qualified individuals upon request.

NAME OF PUBLISHING NEWSPAPER: **Enter Name of Publishing Newspaper**

ADDRESS OF PUBLISHING NEWSPAPER: **Enter Address of Publishing Newspaper**

Date Notice Issued: **Enter Date Notice Issued**