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Kewaunee County Dairy Fined \$50,000 for Polluting Residential Well

Stahl Brothers Dairy penalized for contaminating a local drinking water well, wetlands & two streams; judgment & fine “tip of the iceberg” for rural Wisconsin pollution crisis

MADISON, WI—JULY 25, 2017—The Wisconsin Department of Justice (WDOJ) has fined Stahl Brothers Dairy of Luxemburg, WI a total of \$50,000 for two incidents of over-application and runoff of liquefied manure in Kewaunee County. In December 2014, Stahl Brothers over-applied manure to frozen crop fields resulting in runoff that polluted a private drinking water well at a County residence. The manure also contaminated a County wetland. In November 2015, Stahl Brothers Dairy again over-applied liquefied manure that spilled into two area streams.

Working with impacted citizens of Kewaunee County, [Socially Responsible Agricultural Project \(SRAP\)](#) is releasing the state’s Complaint, Judgment, Stipulation and Order after obtaining the documents through an [open records request](#) to Wisconsin Department of Justice (WDOJ). Per new internal WDOJ procedures, the state agency has reversed previous practices and does not communicate actions by their office to the public.

“This is just the tip of the iceberg for industrial dairy violations that deserve penalties and sanction from the State of Wisconsin,” said Scott Dye, Regional Representative for SRAP. “State records tell the tale and it’s a harsh fact of life for Kewaunee County residents. The Stahl Brothers Dairy has long been a repeat offender with an abysmal history of violations dating back nearly 30 years.”

According to the [Wisconsin Department of Health Services](#), manure contamination of water sources creates the risk for bacterial infections, including *Campylobacter*, *Cryptosporidium*, *E. coli* and *Salmonella*. Contamination can lead to public health risks such as respiratory and ear infections, skin rashes and infections in open wounds, with young children, the elderly and those with weakened immune systems being the most at-risk.

The WDOJ judgment outlines specific violations of the Wisconsin Pollutant Discharge Elimination System (WPDES) program by the Stahl Brothers’ operation. The dairy “failed to comply with approved application rates when applying manure and process wastewater to land application sites”; failed to prevent manure and process wastewater from running off application sites”; and “failed to prevent manure and process wastewater from discharging into waters of the state in excess of applicable discharge limitations.”

“Failure to protect the citizens of Kewaunee County is business as usual for these industrial dairy operations,” said Lynn Utesch, a local farmer and co-founder of Kewaunee Cares. “Residents are constantly exposed to health hazards due to excess liquid manure applications. The resulting contamination to private wells and our community surface waters poses a threat that the state must continue to confront.”

The judgment against Stahl Brothers Dairy is not the first. In September 2011, the industrial dairy paid more than \$55,000 in state fines and penalties for a major spill from a liquefied manure pit in 2009. That contamination incident resulted in a large-scale fish-kill and polluted 12.9 miles of the Kewaunee River.

Stahl Brothers Dairy isn't the only Kewaunee County concentrated animal feeding operation (CAFO) that has had recent violations. Since April 2014, one-half of the County's 15 industrial dairies and one large beef feedlot have been cited for violations 15 times by the Wisconsin Department of Natural Resources (WDNR). The violations include 11 citations for improper manure application, two for waste discharges from animal production areas and two for violations of required reporting or approvals.

Since 2013, only Stahl Brothers has been referred to WDOJ for enforcement and paid fines and penalties.

After more than a year-and a-half of research, SRAP compiled and released an exhaustive audit of Wisconsin Department of Natural Resources records on the compliance history for all 16 Kewaunee County CAFOs. The 137-page report [The Rap Sheets: Industrial Dairies in Kewaunee County, Wisconsin](#) was released in April 2015. Then as now, approximately 30 percent of all tested drinking water wells in rural Kewaunee County remain contaminated with dangerous levels of *E. coli* bacteria and/or nitrates, rendering them unsafe and unfit for human consumption and household use.

"Monitoring, reporting and punishing ongoing violations by industrial CAFOs needs to continue until Kewaunee County's public health emergency has been eliminated," said Dye.

A copy of State of Wisconsin v Stahl Brothers Dairy, LLC, Case No. 17-CX-6 is available upon request (names redacted).

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About Socially Responsible Agricultural Project

Socially Responsible Agricultural Project provides free, professional assistance to communities working to protect themselves from factory farms and their impact on local communities and populations, and to those who are trying to reclaim agriculture by producing and marketing sustainable agricultural goods. More information can be found at www.sraproject.org.

About Kewaunee CARES

Kewaunee CARES advocates for stewardship of the land, air and water to provide a thriving environment, economy and community in Kewaunee County, Wisconsin. Please visit www.kewaunee cares.wordpress.com.