

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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The status of an appeal may be found on court access websites at:

<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>

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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

AHLGRIMM EXPLOSIVES COMPANY, INC.,
RESPONDENT.

:
:
:
: NOTICE OF FORFEITURE
: AND NOTICE OF RIGHT
: TO REQUEST REVIEW

:
:
: Case # 17 COM 196

:
:
: Order: **0006025**

TO: John Ahlgrimm
1829 E Ravenswood Ct.
Appleton, WI 54913

You are hereby notified that an investigation found that you had a non-compliant blast at J&E Construction – Stockbridge Quarry on October 12, 2017 in violation of Wis. Admin. Code § SPS 307.44. You are subject to an administrative forfeiture of **\$100.00** in accordance with Wis. Admin. Code § SPS 307.10(1) and Wis. Stat. § 101.02(12). This forfeiture must be paid within 30 days of the date of mailing of this Notice, or a 12% interest penalty will be assessed and/or enforcement action may be taken against you.

You are hereby notified that an investigation found that you operated a seismograph that was not calibrated within the previous 12 months at J&E Construction – Stockbridge Quarry in violation of Wis. Admin. Code § SPS 307.43(7). You are subject to an administrative forfeiture of **\$100.00** in accordance with Wis. Admin. Code § SPS 307.10(1) and Wis. Stat. § 101.02(12). This forfeiture must be paid within 30 days of the date of mailing of this Notice, or a 12% interest penalty will be assessed and/or enforcement action may be taken against you.

The total forfeiture of **\$200.00** shall be made payable to the “Department of Safety and Professional Services”, it shall reference 17 COM 196, and shall be sent to:

Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
4822 Madison Yards Way
P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

You have the right to request a review of the assessment of forfeiture by sending a request to the Division Administrator, Division of Industry Services, P.O. Box 7302, Madison,

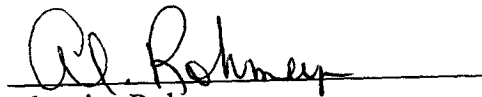
Wisconsin 53707, which must be received by the Division no later than 30 days from the date of mailing of this Notice. In your request you must set out specifically and in full detail the order upon which a hearing is desired and every reason why such order is unreasonable, and every issue to be considered by the department on the hearing. Any issues not addressed in your statement shall be deemed waived for consideration by the Department at the hearing, and the Department shall only consider the reasons specified in your statement. Wis. Stat. § 101.02(6)(f). Upon receipt of such petition, if the issues raised in such petition have theretofore been adequately considered, the department shall determine the same by confirming without hearing its previous determination, or if such hearing is necessary to determine the issues raised, the department shall order a hearing thereon and consider and determine the matter or matters in question at such times as shall be prescribed. Wis. Stat. § 101.02(6)(g).

You are receiving this forfeiture because the blast conducted on October 12, 2017 at the J&E Construction – Stockbridge Quarry was not in compliance with Wis. Admin. Code § SPS 307.44. The Department has reviewed the event report and it is clear that part of the blast exceeded the maximum velocity allowed.

Second, the seismograph used for the October 12, 2017, blast had a calibration date of September 12, 2016. Subject to Wis. Admin. Code § SPS 307.43(7) seismographs must be calibrated at least once every twelve months. The Department has reviewed additional blasts from this site and has determined that the seismographs are in compliance.

For these reasons the administrative forfeiture of \$200.00 is assessed in accordance with Wis. Admin. Code § 307.10(1) and Wis. Stat. § 101.02(12).

Dated at Madison, Wisconsin on ~~December~~ ^{January} 25, ²⁰¹⁹ 2018.



Aloysius Rohmeyer
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