

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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DIVISION OF INDUSTRY SERVICES
4822 MADISON YARDS WAY
MADISON WI 53705
Contact Through Relay
<http://dsps.wi.gov/programs/industry-services>
www.wisconsin.gov



Tony Evers, Governor
Dawn B. Crim, Secretary

NOTICE OF VIOLATIONS AND ORDERS

December 28, 2020

Jay Binversie
Robinway Dairy LLC
17231 Point Creek Road
Kiel, WI 53042
(920) 773-2802
jaybinversie@hotmail.com

SITE: ROBINWAY DAIRY LLC

17231 Point Creek Road
Kiel, WI 53042

ORDER 0007134

Regulated Objects:

Nature of Complaint Summary: Failure to submit plans to the Department

Object Type: Complaint

Last Inspection Date: July 2020

INVESTIGATION NOTES:

NOTE: Due to the uncertainty caused by COVID-19 the Department will extend compliance dates so long as work is being made on gaining compliance with orders or if the site is not being used due to restrictions.

This DEPARTMENT ORDER is issued as a result of an inspection on the above referenced site, Robinway Dairy.

The following violations were revealed:

Violation: A Livestock Water Recycling (LWR) Manure Treatment System was installed without submitting a plan review for the LWR treatment system in violation of SPS Table 382.20-1.

SPS 382.20(1)(a) *Department review.* Plumbing plans and specifications for the types of plumbing installations, except direct replacements, listed in Table 382.20-1 shall be submitted to the department for review, regardless of where the installation is to be located. A municipality shall be designated as an agent municipality in accordance with sub. (2). Written approval for the plumbing plans shall be obtained prior to installation of the plumbing.

Table 382.20-1, 7. Submittals To Department. Treatment systems, other than
POWTS, designed to treat water for compliance with Table 382.70-1.


Suggested action: submit plans for the LWR treatment system as failure to submit plans is a violation of Wis. Admin. Code § SPS 382.20.

You are hereby ordered to have the installation corrected to conform to the indicated provisions of the Wisconsin Administrative Code and/or Wisconsin Statutes. This installation shall be corrected by the compliance date noted, and upon correction of violations I must be notified. If you fail to comply, this order is enforceable in circuit court pursuant to Wis. Stat. 101.02(13), Stats., with forfeitures ranging from \$10 to \$100 per day for each violation.

If you have any questions regarding this matter, please feel free to contact me at the number listed below.

Wis. Admin. Code § SPS 303.03 Permits any person affected by a rule of the department to petition for a variance of the rule. The petition needs to establish equivalency to the rule, be provided on the form from the department and be submitted with accompanying fee and municipal recommendation.

Wis. Stat. § 101.02(6) Any employer or other person interested either because of ownership in or occupation of any property affected by any such order, or otherwise, may petition for a hearing on the reasonableness of any order of the department in the manner provided in this subchapter. All requests must be received within 30 days of the date of this Order and shall 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. The petitioner shall be deemed to have finally waived all objections to any irregularities and illegalities in the order upon which a hearing is sought other than those set forth in the petition.

ATTORNEY NAME: Matthew McCasland		INVESTIGATION DATE: 7/2020
PHONE/WORK HOURS: (608) 266-9814		
E-MAIL: matthew.mccasland@wisconsin.gov		INVESTIGATION TYPE: Requested
SIGNATURE: 	DATE:	INVESTIGATION SOURCE: Other
	12/28/2020	COMPLIANCE DATE: 2/26/20

cc: Tony Martin