

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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DIVISION OF INDUSTRY SERVICES

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[www.wisconsin.gov](http://www.wisconsin.gov)

Tony Evers, Governor

Dan Hereth, Secretary



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**NOTICE OF VIOLATIONS AND ORDERS**

February 6, 2024

ROCK GARDEN

IRREVOCABLE TRUST

5 W MONTELLO ST

MONTELLO WI 53949

Site: Emrick Lake Campgrounds

TOWN OF OXFORD; MARQUETTE COUNTY

PARCEL: 020-00390-0000; 020-0039100000

**Regulated Objects:**

**ORDER 0008966**

Nature of Complaint Summary: Emrick Lake Campgrounds Cleanout Violations (24 COM 009)

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**Powers of the Department.** Pursuant to Wis. Stat. § 145.02 the Department of Safety and Professional Services shall have general supervision of all construction, installation, and maintenance of plumbing in connection with all buildings in this state. The Department shall promulgate rules that shall uniformly apply to all types of buildings, private or public, rural or urban.

**INVESTIGATION NOTES:** Plumbing plans were submitted to the Department for review on or about February 9, 2023 (DIS-022306428). Those plans were denied by the Department on March 30, 2023. New plans were submitted by General Engineering on May 2, 2023 (DIS-052320552).

On May 16, 2023, the Department inspected the site. The Department noted that plumbing work had already been installed, prior to any plan approval. The Department learned that 23 new Private Onsite Waste Treatment Systems (POWTS) were installed. It was discovered that the hose bibbs for the backflow preventer were incorrectly installed. The breakoff screw was not set. The Department also noted that on one POWTS a vent cap was too low to the grade.

On June 7, 2023, the Department reviewed Plans DIS-052320552 and sent a letter to General Engineering requesting additional information. On July 10, 2023, the Department approved the plans.

On December 19, 2023, the Department visited the site for an inspection. The Department issued a progress report indicating that the inspection was not approved and that there were still outstanding violations at the site.

As of this writing the violations have still not been abated.

**The following violations were revealed and shall be corrected pursuant to this Order:**

1. **Violation:** On Approved Plans DIS 052-2320552 Page C2.1, attached, the clean-outs are not installed on site. Cleanouts are required per Wis. Admin. Code § SPS 382.30-382.37.

**Wis. Admin. Code SPS § 382.10(1)(d) Basic Plumbing Principles:** Drain systems shall be designed, constructed and maintained so as to conduct the wastewater or sewage efficiently and shall have adequate cleanouts. *See Wis. Admin. Code § SPS 382.30-382.37 for specific requirements.*

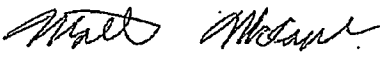
You are hereby ordered to have the violations corrected to conform to the indicated provisions of the Wisconsin Administrative Code and/or Wisconsin Statutes. These corrections shall be made no later than the compliance date noted, and upon correction of violations **please notify James Eddy at 608-789-7891 or james.eddy@wisconsin.gov.**

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

**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.

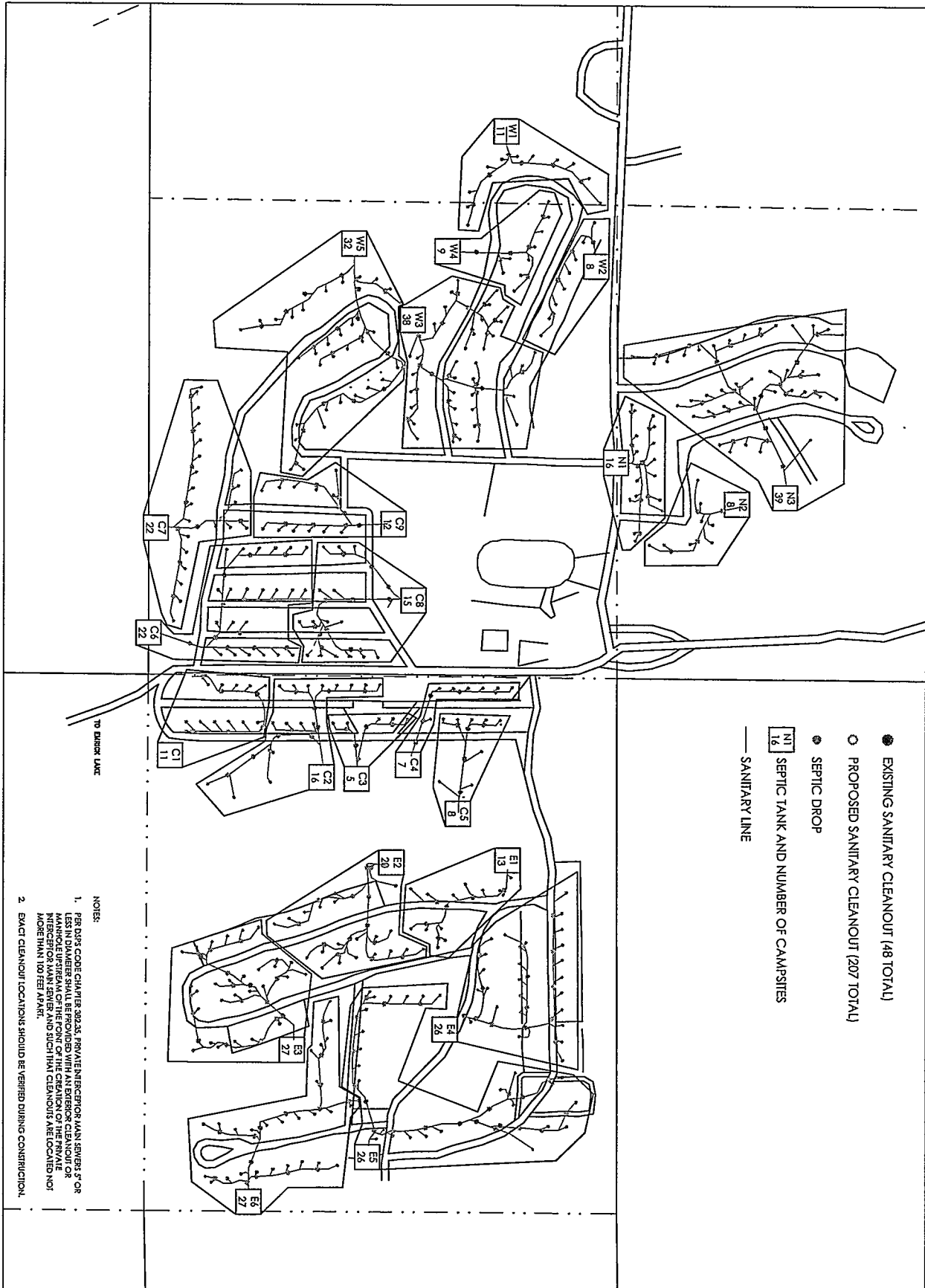
The Department may exercise such powers as are reasonably necessary to carry out the provisions of Wisconsin Chapter 145. It may issue special orders directing and requiring compliance with the rules and standards of the Department promulgated under this chapter whenever, in the judgment of the Department, the rules or standards are threatened with violation, are being violated or have been violated. The circuit court for any county where violation of such an order occurs has jurisdiction to enforce and shall enforce any order brought before it by injunctive and other appropriate relief. The attorney general or the district attorney of the county where the violation of the order occurs shall bring action for its enforcement. The department may issue an order under this paragraph to abate a violation of s. 254.59. *See Wis. Stat. § 145.02(3)(f)*

**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		
PHONE/WORK HOURS: (608) 266-9814		
E-MAIL: matthew.mccasland@wisconsin.gov		INVESTIGATION TYPE: Requested
SIGNATURE:	DATE:	INVESTIGATION SOURCE: Other
	February 6, 2024	COMPLIANCE DATE: 4/1/2024

cc: Mike McNally

James Eddy



**REVISIONS**

NO.	BY	DATE

**GENERAL ENGINEERING COMPANY**  
P.O. Box 310 • 516 Saver Lake Dr. • Portage, WI 53001  
608-742-2190 (Office) • 608-742-2552 (Fax)  
www.generalengineering.net

**General Engineering Company**

**CEC**

**Sanitary Drainage System**  
**Emrick Lake Campgrounds**  
**Bud Daggett**

**Town of Oxford**  
**Adams & Marquette County, WI**

**Drawn by:** JEA  
**Reviewed by:** JEA  
**Issue Date:** 5/28/2023  
**Sheet No.:** 2007209  
**Sheet:** C2.1