



March 28, 2023

Jeffrey Sauer
Cumberland LLC
N13126 Bruce Mound Ave
Thorp, WI 54771

Subject: CAFO WPDES Permit Application Rejection

Dear Jeffrey Sauer:

The Department received your final application materials for issuance of a CAFO WPDES permit to Cumberland LLC on December 30, 2022. Your application is currently missing a complete nutrient management plan that meets the requirements of NR 243.14, Wis. Adm. Code. The application has been rejected and must be entirely resubmitted if Cumberland LLC intends to continue to pursue a CAFO WPDES permit.

A preliminary review letter for the nutrient management plan was sent on February 10, 2023. The letter requested additional information including verification of permission to land apply manure and process wastewater on rented land by March 10, 2023. This verification has not been received to date. On March 24, 2023, the Department received information indicating that verification was obtained for approximately 800 acres and that the outstanding necessary land base would be located within Minnesota. Verification for the approximately 800 acres was not included with this correspondence. Due to the substantial change in operational plans, the Department is rejecting the permit application for Cumberland LLC.

Since the application has been rejected, a new application containing all required materials must be resubmitted through the ePermitting System if Cumberland LLC intends to continue to pursue a WPDES permit.

Information to assist you and your consultant in preparing and submitting a complete application is available at: <https://dnr.wisconsin.gov/topic/CAFO/WPDESNR243.html>.

Please understand that until the Department approves design plans, you may not begin construction of reviewable facilities.

The Permit Drafter assigned to your operation is Tyler Dix. Please do not hesitate to contact him (phone: (608) 220-2096, e-mail: Tyler.Dix@wisconsin.gov) or me if you have any question about your application materials. We look forward to working with you throughout the permitting process.

Sincerely,

A handwritten signature in black ink that reads 'Falon French'.

Falon French
CAFO Intake Specialist
Phone: (608) 228-5265
Email: Falon.French@wisconsin.gov

cc: Tyler Dix, Christopher Clayton – DNR
Erik Lietz - Oakridge Engineering, Inc.
Sam Guyer - Greener Acres Ag
Dave Ferris - Burnett County