



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
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August 9, 2007

FIN: 36698

Dow Didion
Didion Milling, Inc.
501 S. Williams Street
Cambria, WI 53923

Subject: **Notice of Non-Compliance** Didion Milling, Inc.

Dear Mr. Didion:

On August 7, 2007 Department storm water staff inspected the construction site of Didion Milling, Inc. in the Village of Cambria, Columbia County. This was a follow up inspection to determine if implementation of BMPs were consistent with the site's stormwater plans and to check if previous problems observed from an inspection conducted on April 3, 2007 had been corrected. On both occasions it was observed that certain sediment controls of the construction site were not installed and/or maintained. As a result, sediment-laden runoff is able to leave the construction site and enter a wetland to the north of Cabbage Road or tributaries on both the east and west side that ultimately flow to the North Branch of Duck Creek. These sediment controls include:

1. Silt fence surrounding Wetland B north of Cabbage Road has not been properly installed or maintained. This is of particular concern since this is the only means of protection currently used between the construction site and the wetland. Many sections of the silt fence are no longer trenched in, are knocked down, have gaps, sags, or have large boulders up against it. Silt fence should be installed by trenching the bottom edge according to Technical Standard 1056. I have supplied a link to the DNR website: <http://dnr.wi.gov/org/water/wm/nps/stormwater/techstds.htm#Construction> so that you can refer to it. All repairs and replacements of silt fence should be performed according to this Technical Standard.
2. The applicant also agreed to an amendment to the erosion control and stormwater management plan which stated that the proposed Biofiltration Pond would be used as a sediment basin where the western portion of the construction site would be directed to the sediment basin. This basin was to be constructed prior to up-slope disturbance and to function during all phases of construction. Since this sediment basin was not constructed before up-slope disturbance occurred, sediment laden runoff was able to leave the construction site. During the site compliance visit both I and Eric Rortvedt observed that this sediment basin was in the initial stages of construction. This sediment basin should be constructed and put on-line immediately to reduce sediment that is presently leaving the site without treatment.
3. Sediment laden runoff from the construction site has flowed north over Cabbage Road and entered the wetland. Instead all runoff south of Cabbage Road should be directed into a sediment basin for treatment (either to the eastern or western basin) prior to discharge off the site. On the north side of Cabbage Road silt fencing and also the ditch with rock checks should be used to help settle sediment from runoff from any areas of land disturbance before it leaves the site.
4. A ditch has been excavated parallel and adjacent to the south boundary of Wetland B for placement of a future storm water pipe. There is runoff entering this unstable ditch which is sediment laden and also is picking up additional sediment within the ditch. Until this area is fully stabilized with vegetation a series of rock ditch checks should be constructed across this ditch. This will reduce flow velocity of storm water causing it to pond up and promote settling of suspended solids behind the ditch checks before entering the wetland.
5. The area of the new culvert and reconfigured ditch immediately upstream of a small wetland area at the intersection of Cabbage Road and Hwy 146 needs to be stabilized as soon as possible. During our inspection it was observed that the

ditch slopes near the new culvert outlet need further work to conform to the grading/drainage plan. Proper rip rap, seed, mulch and erosion mat will be needed to stabilize this area.

Failure to install and/or maintain erosion and sediment control devices that are included in the construction site's erosion control plan would be in violation of s. NR 216.46, Wis. Adm. Code. As the liable landowner, you must immediately take actions to install and maintain sediment and erosion control measures in accordance with the erosion control plan. Such actions would include repair, maintenance, and replacement if necessary of these erosion and sediment controls. Please contact me at (608) 275-3279 when erosion control work at this site has been completed. This contact should occur no later than Tuesday, August 14, 2007.

Sincerely,

Susan L. Kenney
Storm Water Specialist

cc: Bob Hansis – SCR/Fitchburg
Eric Rortvedt – SCR/Fitchburg
Gordon Stevenson – CO/Madison
Andy Morton – SCR/Dodgeville
Casey Krueger – SCR/Portage
Pam Kober – SCR/Janesville
Marty Koopman – Northern Environmental
Eric Maki – Northern Environmental