



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

February 11, 2020

Edward Kavanagh  
KC Dairies, LLP  
48612 212<sup>th</sup> Street  
Elkton, SD 57026-6716

Re: Manure Spill – February 9, 2020

Dear Mr. Kavanagh:

The purpose of this letter is to follow-up on the phone call that Department of Environment and Natural Resources (DENR) staff received from you about a process wastewater spill that occurred on February 9, 2020, when a hose on the flush pump by the south settling pond came off. You estimated approximately 14,000 gallons of recycled flush water leaked from the hose before you were able to stop it.

KC Dairies, LLP currently has coverage under the 2013 General Water Pollution Control Permit for Concentrated Animal Feeding Operations (the general permit) for its dairy feeding operation (**permit number SDG-0100031**). The general permit requires you to report any manure discharge as soon as possible, but no later than twenty-four hours from the time you first became aware of the discharge.

You indicated the process wastewater flowed south through a culvert under the road and spread out in a field to the south of the dairy. You indicated you had contacted the landowner and would be contacting the county. Please remember to document the manure spill and your response. You indicated you would attempt to clean up as much of the spill as possible.

**You must send a letter to the department by February 25, 2020, detailing the process wastewater spill and your response to it and indicating how this kind of discharge will be prevented from happening again in the future.**

Additionally, this process wastewater spill (discharge) will need to be reported on your 2020 annual report. DENR normally sends out the annual report forms, for the previous year, in January. The completed annual report is to be submitted to DENR on or before March 28<sup>th</sup>.

Edward Kavanagh  
KC Dairies, LLP  
February 11, 2020  
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If you have any questions regarding this letter, please feel free to contact me at (605) 773-3351.  
Thank you for your cooperation and assistance in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ben Myers', written over a horizontal line.

Ben Myers  
Feedlot Permit Program  
Department of Environment and Natural Resources

cc: Brookings County Commissioners  
Brookings County Planning & Zoning