



STATE OF IOWA

TERRY E. BRANSTAD, GOVERNOR
KIM REYNOLDS, LT. GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
CHUCK GIPP, DIRECTOR

October 14, 2015

Michael Foods
Attn: Shane Menefee
301 Carlson Parkway, Suite 400
Minnetonka, MN 55305

Subject: **Notice of Violation** – Land Application Setback Violation
Michael Foods (Permit #4100905); Hancock County

Dear Mr. Menefee:

On October 9, 2015, this office received a complaint with a picture showing the end gun on the new center pivot spraying the 220th St. road surface. I spoke with you regarding the matter on October 9 and 10 and you confirmed that an issue with the programming of the new end gun resulted in accidental application of wastewater to the road surface.

As you know, Michael Foods' permit requires a 50 ft. separation distance to all property lines. It is a violation of Subrule 567 IAC 64.3(1) to operate the irrigation equipment contrary to the conditions of the permit.

This incident is also a violation of Administrative Order No. 2015-WW-15, which was issued to Michael Foods due to repeated permit condition violations including land application set back violations.

Submit to this office no later than **November 15, 2015**, the action you have taken or will take to ensure that no additional violations of the permit occur. Please be advised that any further violations may result in referral to the Department's legal section for additional enforcement.

Sincerely,

FIELD SERVICES AND COMPLIANCE BUREAU



Jeremy Klatt
Environmental Specialist

C: Heather Noble (electronically)