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NEWS FOR IMMEDIATE RELEASE

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**Phil Mlsna and Mlsna Dairy Supply, Inc. Assessed \$209,641.47 for
Violations of Wisconsin's Wastewater Laws at their CAFO located in
Sparta, Wis.**

MADISON, Wis. – Attorney General Josh Kaul today, in partnership with the Wisconsin Department of Natural Resources (DNR), announced that Monroe County Judge Mark L. Goodman issued an order requiring Phil G. Mlsna and Mlsna Dairy Supply, Inc. to pay \$209,641.47 for violations of Wisconsin's wastewater laws at the concentrated animal feeding operation (CAFO) that they own and operate in Sparta, Wis.

“The WPDES permitting system is in place for a very good reason: to protect clean water,” said AG Kaul. “As this case highlights, violations of our wastewater laws can result in significant penalties.”

“Wisconsin's wastewater laws are in place to protect our environment and ensure safe, clean water for Wisconsinites. Violations of those laws are serious offenses, as they can contaminate our waters, harm wildlife and jeopardize public health,” said Wisconsin DNR Assistant Deputy Secretary Mark Aquino. “We appreciate the efforts of the Wisconsin DOJ to hold violators accountable and protect our natural resources.”

The defendants allowed the Wisconsin Pollutant Discharge Elimination System (WPDES) permit for their CAFO to expire in 2015 and continued operating their large CAFO without a permit for years. During that time, the defendants were not subject to the laws that other legally permitted CAFOs within the state are required to follow. The defendants also constructed a sand separation system without plans and

specifications approved by the DNR. The defendants were found liable for all 2,501 days on which the State alleged that they violated Wisconsin's wastewater laws.

After the State filed this case, the defendants submitted a complete application for a WPDES permit to DNR. DNR issued that permit effective September 1, 2023.

Judge Goodman held a court trial from November 6, 2023, to November 8, 2023, to receive evidence regarding the forfeiture that he should assess for defendants' violations. On May 16, 2024, Judge Goodman issued an order requiring defendants to pay \$209,641.47 total in forfeitures, surcharges, court costs, and attorney fees.

The investigation of this case was aided by tips from members of the public. The public can report tips anonymously to the DNR Tip Hotline at 1-800-TIP-WDNR (1-800-847-9367).

This case was prosecuted by Wisconsin Department of Justice Public Protection Unit Assistant Attorney General Emily M. Ertel and Paralegals Lisa Rossman and Sara Balde. DOJ staff worked closely with numerous DNR staff to obtain this result, including current Environmental Enforcement Specialist Andrea Gruen and now-retired Environmental Enforcement Specialist Deborah Dix.

A copy of the State's Complaint and the Court's order is available [here](#).