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NEWS FOR IMMEDIATE RELEASE

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Kaul Announces Settlement with Wisconsin Whey Protein Inc. Requiring \$350,000 Payment and Installation of Chiller to Resolve Violations of Wisconsin's Wastewater and Stormwater Laws

MADISON, Wis. – Attorney General Josh Kaul announced a settlement with Wisconsin Whey Protein Inc. requiring it to pay \$350,000 to resolve violations of Wisconsin’s wastewater and stormwater laws related to its operation of a cheese and whey plant in Darlington, Wis. The settlement was approved by the Lafayette County Circuit Court on July 11, 2024.

“We must protect our waterways from wastewater,” said Attorney General Kaul. “This case serves as another reminder of our commitment to obtaining accountability for violations of our environmental laws.”

“It is the Wisconsin DNR’s mission to protect our state’s great water resources,” said DNR Bureau of Water Quality Director Adrian Stocks. “Planned upgrades to the treatment facility stemming from this settlement will aid in that effort.”

The state alleged that Wisconsin Whey Protein Inc. discharged treated wastewater to an unnamed tributary that had biological oxygen demand, total suspended solids, ammonia nitrogen, dissolved oxygen, pH, and temperature beyond the levels allowed by its wastewater permit. The state also alleged that Wisconsin Whey Protein Inc. did not properly operate and maintain its wastewater treatment facility, resulting in multiple spills of untreated wastewater, some of which entered nearby waterways. Finally, the state alleged that Wisconsin Whey Protein Inc. did not timely obtain stormwater permit coverage required for its construction and industrial operations.

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The settlement requires Wisconsin Whey Protein Inc. to pay a total of \$350,000 in forfeitures, surcharges, court costs, and attorney fees, and install and begin operating a chiller by October 30, 2024, to cool the temperature of its wastewater before discharge. Wisconsin Whey Protein Inc. estimated the cost of installing the chiller is \$617,550.

Wisconsin Department of Justice (DOJ) Public Protection Unit Assistant Attorney General Emily M. Ertel represented the State of Wisconsin. Wisconsin DOJ worked closely with Wisconsin Department of Natural Resources to obtain this result.

Copies of the Complaints, Stipulations for Judgment, Orders for Judgment, and Judgments are available [here](#).

The Legislature's Joint Committee on Finance approved the proposed resolution on July 9, 2024.