

Dept. of Justice: AG Kaul announces judgment requiring installation of runoff controls and \$30,000 penalty

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MADISON, Wis. – Attorney General Josh Kaul announces today that his office has obtained a judgment against Kostechka Dairy, LLC and Michael and Shirley Baroun requiring installation of improved runoff controls at their facility in Whitelaw, Wisconsin and payment of \$30,000 in forfeitures, surcharges, court costs, and attorney fees for violations of the State’s animal runoff and water pollution control laws. DOJ worked closely with the Wisconsin Department of Natural Resources to obtain this result.

“This resolution will help prevent runoff from polluting state waters,” said Attorney General Kaul. “Our Public Protection Unit and the Wisconsin Department of Natural Resources will continue to work together to enforce our environmental laws and protect clean water.” Kostechka Dairy, LLC (Kostechka) is a large, concentrated animal feeding operation with approximately 850 cows in Manitowoc County. Michael and Shirley Baroun own and operate the dairy. The Complaint alleges that the Defendants (1) discharged polluted runoff into state waters in violation of Kostechka’s water discharge permit, (2) failed to construct permanent runoff controls for the feed storage area, and (3) failed to construct runoff controls for animal housing areas. The Defendants have already corrected many of the deficiencies that led to the alleged violations.

Because this compromise was reached prior to the commencement of a civil action, the requirements of 2017 Wisconsin Act 369 do not apply.

Assistant Attorneys General Sarah C. Geers and Lorraine C. Stoltzfus represented the State of Wisconsin in this case. The Order for Judgment was signed by Manitowoc County Circuit Court Judge Mark Rohrer on Friday, January 22, 2021.

Copies of the Summons and Complaint, Stipulation for Judgment, Order for Judgment, and Judgment are [available here](#).

Press release: <https://www.doj.state.wi.us/news-releases/ag-kaul-announces-judgment-requiring-installation-runoff-controls-and-30000-penalty>