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**For support and more information about the Sand Sentinel Program,  
visit [publiclab.org/sentinel](https://publiclab.org/sentinel)**

## How to report air violations

### About Air Quality:

Air pollution can be injurious to human health and welfare, animal and plant life, and property. In the frac sand mining industry, one major contributor to air pollution is the particulate matter that becomes airborne in the mining process and in transportation. In the state of Wisconsin, no person may cause, allow, or permit any material to be handled, transported, or stored without taking precautions to prevent particulate matter from becoming airborne. The Wisconsin Department of Natural Resources requires mining owners or operators to limit air pollution emissions through a permitting process the state approves. Any suspected non-compliance with these permits can be reported. Local air pollution control programs can bolster the measures the state puts in place (by NR 400-499).

### What can be reported:

- The presence of dust, smoke, and fumes in the air (or any changes in the air caused by smoke, dust, gases, fumes, aerosols, and odorous substances)
- Uncovered trucks, rail cars, or open conveyors that are transporting material from mining sites. These can lead to airborne materials.
- The presence of sand under conveyors or on rail lines.

### Helpful information to collect for reporting air pollution:

- Dated photographs including location and (if possible) geographic coordinates
- The type of air pollution:
  - Can you identify the source of pollution? If so, what is it? For example: Is there sand visibly piling under conveyors or on rail lines? If so, how much would you estimate?
  - Can you identify what the material is that's impacting the air quality?
- Nature of the pollution:
  - How intense is the pollution?
  - Can you see through the pollution?
  - Is the pollution blurring your vision?
  - Would you describe the pollution as dust, smoke, haze, or otherwise?
  - Is there anything else notable about the pollution (color, odor)?

### Who to report to:

- The DNR state and/or regional departments (see DNR Reporting page)
- Local contacts (see Local Reporting page)

### Regulations that protect air quality in Wisconsin:

<b>VIOLATIONS</b>	<b>RELEVANT PROVISION</b>
Air pollution which is defined as the presence of smoke, dust, gases, fumes in the air. The presence of these substances must also lead to injury on humans, animals, or plants, as well as interfere with the enjoyment of life or one's property.	NR 400.02
Fugitive dust. This refers to the escape of dust into the air from activities such as blasting, construction, storage and transportation of dirt or sand. People undertaking these activities must take precautions against the release of dust into the air. Precautions include: watering, the use of chemicals or coverings for control for dust.	NR 415.04
Causing, allowing, or permitting solid or liquid hazardous substances into the air. This includes dust, soot, pollen, smoke, and liquid droplets. One can spot that violation by simply observing the ambient air.	NR. 415.05
Industrial sand mines are required to take precautions to ensure dust does not escape into the air. The precautions include covering, treatment, or securing of materials likely to become airborne from haul trucks during transport, prior to any transportation off site from the quarry or mine.	NR 415.075

## How to report water violations

### About Water Quality:

Water pollution can affect anything, from the waters we recreate in to our household drinking water. Water quality in the U.S. is protected by the Federal Clean Water Act (CWA), which “establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters.” For example, the CWA makes it illegal to discharge any pollutant into our streams and rivers without a permit. States are in charge of implementing the CWA. Sand mines can have multiple interactions with water. The site may be located near a river, stream, or wetland; or groundwater may be encountered as the site is excavated. Potential uses of process water at mines and processing facilities include transporting, cleaning, and sorting sand, as well as for dust control.

### What can be reported:

#### Waterways:

- The dumping or spilling of liquid or solid waste into waterways.
- The runoff of sand or soil from mining sites (or trains or vehicles) into waterways.
- Changes in smell or color of a waterway.

#### Tap water: *(these can be reported to the local county contacts, see the Local Reporting page)*

- Changes in smell, taste, or appearance of tap water.
- Reduction in water pressure or the amount of available water.
- Changes in the chemical makeup of your water (for example, if you use water filters, and you find you need to replace them more often).

### Helpful information to collect for reporting:

- Dated photographs including location and (if possible) geographic coordinates.
- Source of the water pollution:
  - Can you identify the source of pollution? If so, what is it?
  - Can you identify what the material is that’s going into the water?
- Nature of the pollution:
  - How intense is the pollution?
  - Is there anything notable about the pollution (color, odor)?
- Other impacts:
  - Do you see impacts around the waterway, for example, dead fish, an oil sheen?

### Ways to report:

- The DNR state and/or regional departments (see DNR Reporting page)
- Local contacts (see Local Reporting page)

## Water Quality Testing

### Drinking water:

There are several options available to homeowners to test the quality and safety of well water.

The **Wisconsin State Lab of Hygiene** (WSLH) offers laboratory testing services to Wisconsin citizens and operates out of UW- Madison. They offer several testing options relevant to properties neighboring frac sand mining including **a metals screen for home water**, includes testing for aluminum, arsenic, cadmium, calcium, chromium, cobalt, copper, iron, lead, magnesium, manganese, nickel, strontium, vanadium, zinc and hardness. Cost: \$79.

Additional testing can be done with:

- Chromium Panel, which includes chromium VI, (hexachrome) and total chromium. Cost \$90.
- Arsenic Speciation, which includes total arsenic, arsenic (dissolved), arsenic III, arsenic V. Cost \$150.
- Individual contaminants such as aluminum, arsenic, and lead, for around \$30 each.

To order a sampling kit, call (800) 442-4618. More information is available on their website: [www.slh.wisc.edu](http://www.slh.wisc.edu).

**UW-Stevens Point** also offers homeowner well water testing through the Center for Watershed Science and Education. The **Metal Package** includes testing for arsenic, copper, and lead. Cost: \$49.

You can find more information about this test on the UW-Stevens Point Water and Environmental Analysis Lab web page, where you can also request sample bottles. Additionally, you can call (715) 346-3209 or email the lab at [weal@uwsp.edu](mailto:weal@uwsp.edu).

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### DNR Water Quality Reporting Contact (as of 2020):

Troy Stapelmann, NR Region Program Manager

(715) 839-3745 // 1300 W. Clairemont Ave., Eau Claire, WI 54701

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### Surface Water:

Getting a sample of water from a river or stream to show contamination (such as from a runoff event), can be helpful. However, if you are looking for it to be tested in a lab, many labs require specific sampling techniques. Be sure to read up on the specific requirements for sampling from the lab you will be using. To explore some examples of these, visit <https://publiclab.org/n/14843>.

Other reasons you might grab a sample are to show people what you saw at the time of your report. This can also be done with photos.

### Regulations that protect water quality in Wisconsin:

<b>VIOLATIONS</b>	<b>RELEVANT PROVISION</b>
All industrial sites greater than one acre are required to have a stormwater discharge permit at least 14 working days prior to any construction activities.	NR 216.22
All industrial sites greater than one acre are required to have a Stormwater Pollution Prevention Plan	NR 216.27
Any violation of the stormwater discharge permit issued (Spill) is grounds for enforcement action or denial of continued coverage under a general permit.	NR 216.004
Process water may not be discharged to any well including any bored, drilled or driven shaft, dug hole whose depth is greater than its largest surface dimension, improved sinkhole or subsurface fluid distribution system.	NR 815
Water supplier for community water systems shall deliver to their customers an annual report containing information on the quality of the water and the characterization of risks, if any, from exposure to contaminants detected in the drinking water delivered by their public water system. The report shall be written in an accurate and understandable manner. This is relevant because if a mining or processing operation provides drinking water to more than 25 people it falls under the definition of a public water system which is regulated by the Department to assure safe reliable drinking water.	NR 809.83
Before the surface of a non-metallic mining site can be disturbed, there is a requirement that all necessary measures are in place to prevent pollution of surface water, groundwater, and soil runoff. There must also be a plan in place for reclamation and revegetation. This includes a reclamation permit from the county in which the facility is located.	NR 135
Though at certain concentrations, substances may not be toxic to humans, but may impart undesirable taste or odor to water or aquatic organisms ingested by humans. The taste and odor criterion is applied to prevent substances from concentrating in surface waters or accumulating in aquatic organisms to a level which results in undesirable tastes or odors to human consumers.	NR 102.14(1)

# Transportation Violations

## About Transportation:

The frac sand mining industry uses various forms of transportation including dump trucks, semis, railroad cars, and conveyors. Regulations may vary from county to county and some are regulated by state law. In terms of railroad regulations, some companies using short lines are more locally regulated while federal laws apply to rail companies that travel interstate. Fugitive dust from conveyors may be a problem. However, seldom does the DNR regulate fugitive the State Patrol has jurisdiction of dust emissions from vehicular traffic. Towns can also pass ordinances to regulate their use of town roads by mining companies. These can include ordinances to govern truck routes, establish hours of operation, set other limits on trucking and hauling sand and materials (such as weight limits and requiring tarping loads), etc. These protections can be found in Wis. Stats. §§ 349.16 & 349.17.

## What can be reported:

- A truck transporting frac sand material that is stopped:
  - In an intersection
  - On a crosswalk
  - In a safety zone
  - Within 25 ft. of the nearest rail at a railroad crossing
- A vehicle or train hauling material from a mine that does not adequately prevent its contents from dropping, sifting, leaking, or otherwise escaping.
- A train, locomotive or car that stops at a highway or street crossing longer than 10 minutes.

## Helpful information to collect for reporting:

- Photos
- The name of the company who owns/operates the vehicle
- License plate number and other identifiable information

## Who to report to:

- Vehicle:
  - State Patrol, Headquarters Phone: 1-844-847-1234
  - Northwest region (Serves Buffalo, Chippewa, Clark, Dunn, Eau Claire, Jackson, Pepin, Pierce, St. Croix, and Trempealeau Counties) Phone: (715) 839-3800
  - Reporting of an alleged violation can be done through the US Department of Transportation website (<https://www.fra.dot.gov/app/violationreport>).
- Rail: <https://www.fra.dot.gov/app/violationreport>
- Local contacts (see **Local Reporting page**)

## Regulations on transporting frac sand material in Wisconsin:

VIOLATION	RELEVANT PROVISION
An owner or operator of a vehicle must reimburse for the damage done to the highway. This is provided for through the agreement that the county highway commissioner enters into with the owner or operator of the vehicle.	Wisconsin Statute 349.16(1)(c)
Through resolution or ordinance, a city, village or town may restrict or prohibit heavy traffic from using other streets or highways under its jurisdiction, except those which are routed state trunk highways. (Heavy traffic is defined as any vehicle who's total weight is greater than 6,000 lbs.)	Wisconsin Statute 349.17
The operator of a vehicle shall not at any time drive through or over a safety zone when such safety zone is clearly indicated.	Wisconsin Statute 346.12
Stopping of a vehicle is prohibited in an intersection, on a crosswalk, between a safety zone and the adjacent curb, on a sidewalk or sidewalk area or within 25 feet of the nearest rail at a railroad crossing.	Wisconsin Statute 346.52
No person without a permit shall operate on a highway any vehicle having a total width in excess of 8 feet 6 inches, exceeding an overall height of 13 and a half feet or an overall length in excess of <b>40 feet</b> or any combination of 2 vehicles with an overall length in excess of <b>65 feet</b> on a highway.	Wisconsin Statute 348.05-348.07
No person shall operate a vehicle on a highway unless such vehicle is so constructed and loaded as to prevent its contents from dropping, sifting, leaking or otherwise escaping from it.	Wisconsin Statute 348.10
Transporters must take precautions to ensure particulate matter does not become airborne during transport, prior to any transportation off site from the quarry or mine.	NR. 415.075
Prior to a haul truck's departure from plant property, the haul truck's wheels and tires shall be sprayed with water or otherwise cleaned at the exit point from plant property.	NR. 415.075(3)(a)
It is unlawful to stop any railroad train, upon or across any highway or street crossing, outside of cities, or leave standing upon such crossing longer than 10 minutes, except in cases of accident; and any railroad company that shall violate this section shall be liable to a fine of not more than \$500 or any officer of such company responsible for the violation shall be liable to imprisonment of not more than 15 days.	192.292 Trains obstructing highways. Wisconsin Railroad Enforcement



## Wisconsin Department of Natural Resources Reporting

### PHONE:

Call the DNR Violation Hotline or Emergency Spill Hotline:

(800) 847-9367 (Violation Hotline) or:

(800) 943-0003 (Emergency Spill Hotline)

The DNR's Violation and Emergency Spill Hotlines provide Wisconsin citizens with the opportunity to confidentially report suspected environmental violations using a toll-free number. The hotline numbers are in operation 24 hours a day, 7 days a week. Trained staff relay reported information to Wisconsin Department of Natural Resources conservation wardens. **Anyone who calls the hotline or provides information can remain anonymous.**

### ONLINE:

Submit a copy of your report to the DNR violation reporting site at: <https://dnrx.wisconsin.gov/rav/>

**Please note: by sending your written report of a problem to the DNR staff, your name and complaint will be a part of the public record.**

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### You can also report concerns to Regional DNR Offices:

Eau Claire DNR Service Center  
1300 W Clairemont Ave  
Eau Claire, WI 54701  
(715) 839-3700 – phone  
(715) 839-6076 – fax  
Mon. – Fri. 8:30 a.m. – 4 p.m.

Black River Falls DNR Satellite Center  
910 HWY 54 E  
Black River Falls, WI 54615  
(715) 284-1400 – phone  
(715) 284-1737 – fax  
Mon. – Fri. 11 a.m. – 2 p.m.

La Crosse DNR Service Center  
3550 Mormon Coulee Rd  
La Crosse, WI 54601  
(608) 785-9000 – phone  
608-785-9990 – fax  
Mon. – Fri. 8:30 a.m. - 4 p.m.

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DNR personnel you can speak to directly \*(as of 2020) : To find the most recent contacts visit:  
<https://dnr.wi.gov/topic/AirQuality/Contacts.html>

Maria Hill  
NR Program Manager  
(Compliance, Enforcement and Emissions Inventory)  
(608) 264-6049  
[Maria.Hill@wisconsin.gov](mailto:Maria.Hill@wisconsin.gov)

Susan Lindem  
Environmental Engineer Supervisor  
(West Central Region Air Program Supervisor)  
(608) 999-0978  
[Susan.Lindem@wisconsin.gov](mailto:Susan.Lindem@wisconsin.gov)

## Local Reporting

Towns/villages/cities/counties can have specific rules around frac sand mining that can be reported. Frac sand operations currently take place in Polk, Rusk, Crawford, Green, Portage, Burnett, Columbia, Juneau, Outagamie, Pierce, St. Croix, and Waupaca counties (2020).

**Some things you can look for that can indicate an opportunity for local reporting include:**

Licensing ordinances or conditional use permits (CUP). These can include limitations around Hours of Operation, Use of Town Roads, Control of Light and Noise, Control of Air Pollution, Control of Waste Materials, Standards Regarding Groundwater and Surface Water (impacts to groundwater quality and quantity), and Hazardous Materials.

*Fill out this form to help identify who you can contact about local frac sand mining issues and concerns:*

Local Authority	Issues covered related to Frac Sand Mining	Contact information	Notes
County Conservation / Land Management office (see following page for 2020 contacts)	Local water concerns Local air concerns		
County Highway Dept.	Transport by rail, truck		
County Health Department	Air, water, radon, other health issues such as coughs etc. that may be caused by the industry		
City or Village Police	Truck, rail issues		
County zoning, planning adm. and/or county adm. Or county board member who can make changes in ordinances or recommend state law changes	<ul style="list-style-type: none"> <li>- Set backs</li> <li>- Blasting ordinances</li> <li>- Air/water monitoring</li> <li>- Monies available for legal issues and reclamation projects</li> <li>- Illegal practices related to air/water etc.</li> </ul>		
Town board chairs and/or supervisors who can recommend or make changes to the existing local town ordinances	Continued nuisances that occur with the industry		

## LOCAL ENVIRONMENTAL REPORTING

### Local County Conservationist / Land Management Offices (as of 2020)

**Barron:** Tyler Gruetzmacher, (715) 537-6315, tyler.gruetzmacher@co.barron.wi.us

**Buffalo:** Carrie Olson, (608) 685-6260, carrie.olson@co.buffalo.wi.us

**Chippewa:** Dan Masterpole, (715) 726-7920, dmasterpole@co.chippewa.wi.us

**Clark:** Jim Arch, (715) 743-5285, james.arch@co.clark.wi.us

**Dunn:** Daniel Prestebak, (715) 232-1496, dprestek@co.dunn.wi.us

**Eau Claire:** Greg Leonard, (715) 839-6226, greg.leonard@co.eau-claire.wi.us

**Jackson:** Gaylord Olson, (715) 284-0256, gaylord.olsonll@co.jackson.wi.us

**La Crosse:** Matt Hanewall, (608) 785-9867, mhanewall@lacrossecounty.org

**Monroe:** Bob Micheel, (608) 269-8975, bob.micheel@co.monroe.wi.us

**Trempealeau:** Kirstie Heidenreich, (715) 538-2311, kirstie.heidenreich@co.trempealeau.wi.us


**Pepin:** Chase Cummings, (715) 672-8665, ccummings@co.pepin.wi.us

**Wood:** Shane Wucherpennig, (715) 421-8475, swucherpennig@co.wood.wi.us

## CONTRIBUTOR NOTES

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