

# Air Enforcement: Wisconsin Attorney General and Manitowoc Liquid Smoke Manufacturing Facility Enter into Settlement



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The State of Wisconsin through its Attorney General (“AG”) entered into a Stipulation of Judgement (“Judgement”) with Kerry Inc. (“KI”) addressing alleged violations of the Wisconsin Air Emission Laws. See *State of Wisconsin v. Kerry Inc.*, Case No. 24-CX000002.

KI is described in a previously filed Complaint in the Circuit Court of Manitowoc County as a liquid smoke manufacturing facility (“Facility”) operating in Manitowoc, Wisconsin.

The Complaint indicated that the KI Facility had been issued a Wisconsin Air Pollutant Control Operation Permit (“Permit”) in 2016. KI is stated to have continued to operate under the terms and conditions of the expired Permit because it had timely submitted an application to the Wisconsin Department of Natural Resources (“DNR”) for its reissuance.

DNR is stated to have conducted a compliance evaluation and inspection of the Facility on March 22, 2022.

The following violations were alleged to have been identified:

- Failure to observe opacity from stack S01 during 2021.
- Failure to observe opacity from stack S18 during 2021.
- Exceedance of heat input limit for west fuel burner.
- Exceedance of heat input limit for thermal oxidizer.
- Failure to maintain pressure drop across demisters for plant air spray tower.
- Failure to notify DNR of deviations by next day.

The Judgement states that KI does not admit liability or concede to the State regarding the veracity of its allegations.

The Judgement assesses to KI forfeitures, surcharges, and costs in the total amount of \$85,000.00.

A copy of the referenced documents can be downloaded below:

- <https://www.doj.state.wi.us/sites/default/files/news-media/2%20Complaint-%20Kerry.PDF>
- <https://www.doj.state.wi.us/sites/default/files/news-media/4%20Stipulation%20for%20Judgement-Kerry.PDF>
- <https://www.doj.state.wi.us/sites/default/files/news-media/7%20Order%20for%20Judgment-Kerry.PDF>

- <https://www.doj.state.wi.us/sites/default/files/news-media/8%20Judgment-Kerry.PDF>