

Officer Narrative

Case Number: 2405EPA0000716 Entered On: 6/6/2024 7:37:00 AM
Subject: 05WATERWAY: CREEK, PONDS, WETLAND, RIVERS, ETC. Entered By: Wise, Keith

Narrative:

2405-0716 FR

RTF Narrative:

5/1/2024 (5.5 ST, 1.5 PT)

0927hr- Ohio EPA Emergency Response On Scene Coordinator (OSC) Keith Wise, was notified by OSC Schilt that Indiana Department of Emergency Management (IDEM) had reported a fish kill on Middle Fork East Fork Whitewater River that originates from a farm located along Hollansburg-Richmond Rd, Hollansburg, Darke County.

OSC Wise spoke with Brian Smith, IDEM, and was advised IDEM had received a report that manure had been applied to fields in Ohio, the area had received a large amount of rain, and Middle Fork East Fork Whitewater River feeds into a drinking water reservoir located in Richmond, Indiana.

OSC Wise received notification from Duty Room that incident 2405EPA0000716 had been received through the Ohio EPA Spill Hot Line.

0950hr-OSC Wise contacted OER Manager Budnik and discussed the incident. It was agreed to conduct an immediate response, due to reported conditions. A Field Response Notification Email (Orange Email) was issued and the OSC departed to the site.

While enroute OSC Wise Notified Ohio DNR and Darke County Soil & Water Conservation District (DCSWCD).

OSC Wise spoke with Matthew Garringer, Indiana Department of Natural Resources (IDNR).

1110hr- OSC Wise arrived at Hill Rd. bridge and observed an ammonia reading of 4ppm and dead fish within Middle Fork East Fork Whitewater River. The OSC met with Jared Coppess and Elizabeth Farver, DCSWCD and was informed fields located near 1737 Hollansburg-Richmond Rd. had manure runoff impacting culverts. The OSC relocated and observed ammonia reading of 58.2ppm at the culvert just south of 1737 Hollansburg-Richmond Rd, manure laden field runoff west side of Hollansburg-Richmond Rd, large pooling of manure laden waters on the east side of Hollansburg-Richmond Rd., and dead fish within Middle Fork East Fork Whitewater River correlating with the manure runoff. The OSC determined manure laden waters (pollutant) impacting Middle Fork East Fork Whitewater River had originated from Justin Meyers property.

OSC Wise met with Justin Meyers. Meyers stated that he had applied cow manure to the fields on April 25th, April 26th, and April 30th of 2024. The OSC discussed mitigation efforts to prevent additional impact to Middle Fork East Fork Whitewater River and advised that a Notice of Violation (NOV) would be issued due to manure impacting Middle Fork East Fork Whitewater River.

1403hr- OSC Wise worked the incident in records and issued a Notice of Violation (NOV) to Justin Meyers.

1407hr- OSC Wise met with Brian Smith, IDEM, and discussed the incident.

1450hr- OSC Wise departed the site.

1630hr- OSC Wise initial response complete.

5/2/2024

OSC Wise spoke with DCSWCD and was informed a tile pipe impacted with manure that leads to a culvert had been discovered further north on the manure applied fields. SWCD provided photographs.

OSC Wise called Myers and discussed mitigation efforts. Myers advised the area has not received rain and mitigation efforts are ongoing.

5/3/2024

OSC Wise called Myers and discussed mitigation efforts. Myers advised that he has been working on drying up the pools of manure laden waters and was aware of DCSWCD additional findings.

5/9/2024

OSC Wise spoke with Jeff Wenning, ODNR, regarding the incident.

5/24/2024

OSC Wise received an email from Matthew Garringer, IDNR, advising 6.3 miles of stream had been impacted, 11,243 dead fish, and 1,434 dead crayfish.

6/3/2024 (1 ST)

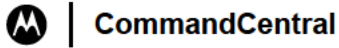
OSC Wise worked the incident in records and photo log.

6/6/2024 (2 ST)

Because a Notice of Violation was issued, Ohio EPA Division of Surface Water will determine the need for any further assessment, investigation, monitoring, cleanup, or restoration of the waterway is needed or if the violation was resolved based on the completed response actions.

OSC Wise completed the case file, report, photo log and electronic management of the file. Any documents received after the closing of this incident will be forwarded to the OEPA's OER electronic records.

No further action by ER is anticipated.



Darke County

Incident ID: 24NR0002184 - Stream Litter / Pollution
Expiration: 89 days

Overview

Reported Time:

05/01/2024, 10:54 (EDT)

Reported by:

Grossnickle, Jasmine M

Address:

1737 Hollansburg Richmond Rd, Hollansburg, OH
45332

Observed Offenses:

Offense Code:

Litter in any ditch, stream, river, lake, pond, or other watercourse, or upon the bank thereof

Location Type:

Lake/Waterway

Type Of Weapon Force:

None

Event Duration:

04/27/2024, 00:00 (EDT) -

Disposition:

Active

Description:

Litter in any ditch, stream, river, lake, pond, or other watercourse, or upon the bank thereof

Offenders Suspected Of Using:

Not Applicable

Narratives (3)

Primary Narrative: Grossnickle, Jasmine M

05/01/2024, 16:36 (EDT)

I, Wildlife Officer Jasmine Grossnickle, responded to a report of a fish kill in the Middle Fork East Fork Whitewater River in Darke County on May 1, 2024 at 1054Hrs.

Supplemental Narrative: Wenning, Jeff P

05/28/2024, 15:01 (EDT)

On May 1, 2024 at approximately 5:42 pm, Indiana Conservation Officer Matthew Garringer and I, State Wildlife Officer Jeffery P. Wenning, met with Justin Meyers regarding a manure spill that occurred the previous week after he applied the days before. We met with Meyers at 1737 Hollansburg Richmond Road, this is the farm where his dairy cattle herd is located and where the manure had been spread.

During the conversation with Meyers, he stated they applied manure on disked ground April 25th and 26th. Before applying manure on April 29th, they disked part of the field when the disk broke down. They were unable to work the entire field that was applied upon on Monday and this is what he ultimately believed caused the manure to run-off and end up in the watershed.

Prior to applying on April 29th, he reviewed the forecast at AccuWeather and observed future rainfall predictions of 1/4 inch. On April 30th, an unexpected rainfall event of approximately 1 inch occurred. He believed that it was this event, coupled with manure being applied to untilled ground, that led to the spill occurring.

The area of the farm that they applied to on April 29th, was located at the Southeast corner of Hollansburg Richmond and Moore

Roads. Meyers stated that the manure found a way into a tile and was flowing from a field tile outlet just north of 1898 Hollansburg Richmond Road. Meyers was unsure of how many gallons of manure were applied during each application.

Supplemental Narrative: Grossnickle, Jasmine M 05/02/2024, 09:15 (EDT)

I, Wildlife Officer Jasmine Grossnickle, was notified of a potential fish kill in Darke County by Wildlife Officer Jeffery Wenning at 0949 Hrs while I was off duty on 5/1/24. I initiated an incident and went enroute to the complaint at 1054Hrs. Starting mileage was 36198. WLO Wenning relayed to me that Keith Wise from Ohio EPA was also enroute and should arrive around 1100 Hrs to the area of the complaint. I was given the initial location of 2079 Hollansburg-Richmond Rd, Hollansburg, OH. Wise sent me an updated location of 1737 Hollansburg-Richmond Rd after he had arrived in the area. Wise called a short time later and said that the affected waterway was Middle Fork East Fork Whitewater River. Wise told me that there was a manure application that had run off the surface of the field into the river. He said ammonia readings were currently 4ppm at the river and that he noticed several game fish dead. I briefly stopped and talked to Indiana Conservation Officer Matt Garringer while he was stopped in Middleboro, Indiana. ICO Garringer confirmed Indiana waters were affected from the pollution event and said they had dead fish at the bridge in Middleboro near where he was parked. I gave him my business card and told him that I was going to do a fish kill count from the source in Ohio to the Indiana state line.

I arrived on scene at 1213Hrs and met with members from Ohio EPA and Darke County Soil and Water Conservation District. They told me that liquid manure was applied to the field on the east side of Hollansburg-Richmond Road on Saturday, April 27, 2024. After application, the area received approximately one inch of rain, causing surface drainage of manure down through the edge of the field on the the west side of the Hollansburg-Richmond Rd and entering into Middle Fork East Fork Whitewater River. They pointed me to the direction of the field that still had standing liquid manure and the general area where the manure entered the river. I was told that there was approximately 1/4 mile of the river affected by the pollution in Ohio before the river flows into Indiana. I was told the approximate location of the Indiana/Ohio boundary at the bend in the river.

I started walking into the field on the west side of the road shortly afterwards and took numerous pictures of the liquid manure pooled in the field. I started my fish kill count survey at 1230 Hrs and took a picture of the river where I started and did not see any dead fish. I entered the river in the area where I first observed dead fish shortly afterwards. The river had a deep center in several areas that I was unable to see the bottom in those pools. The bottom of the river was a combination of river rocks and silt. Dead fish were covered in silt in many of the areas I walked. I noticed some small areas where the water had a reddish-brown discoloration, but the water was mostly clear and I did not detect a strong smell of manure during my survey. The majority of the fish I counted were minnows and darters. I also counted dead sunfish, mottled sculpin, smallmouth bass, suckers, and crayfish. I took several pictures of dead fish during the survey. I did not see any live fish during my survey. I checked my location after traversing around a downed cottonwood tree and noticed that I had crossed into Indiana. I took pictures of several large suckers in the area of the tree and forwarded them to ICO Garringer. The Indiana suckers were not included in my count. The Ohio water that was affected was shorter than initially reported and was around 100 yards in length. I ended my fish kill count survey in Ohio at 1310 Hrs.

During the investigation, Wise forwarded the responsible party's information, Justin Meyers at 1804 Hollansburg-Richmond Rd, Hollansburg, OH. Wise also forwarded pictures of the culvert running under Hollansburg-Richmond Rd connecting the flow of manure from the east field to the west field. Wise confirmed that ammonia levels were at 58.2 ppm coming from the field at the culvert. I briefly spoke to Wise about our observations again before clearing the scene. I cleared at 1408 Hrs and returned to post at 1514 Hrs with an ending mileage of 36300.

Persons (1)

Person 1 of 1

Offender Meyers, Justin undefined

DOB: 12/12/1983 (40)

1804 Hollansburg-richmond Rd. Hollansburg. OH. 45332

Information

Driver License #

[REDACTED]

SSN

[REDACTED]

Race

White

Sex

Male

Eyes

Green

Hair

Brown

Height

70"

Weight

200lbs

Other Phone

[REDACTED]

Date: 5/1 Stream Name:

Segment Location:

Bridge 1

Hill RD

Stratum:

1

SCULPIN (All Sizes)

///

Minnow

Chub

Carp

1-6

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///
///
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///
///
///
///
///
///
///
///

7-8

9

10

11+

Stoneroller is in the same size and price break down

Darter

Yellow Perch

1

///
///
///
///
///

2

///
///
///
///
///
///
///
///
///
///

3

///

4

and every inch after to 10+

Sunfish, Bluegill, Redear, etc.

1

5" = 1

2

1

3

4

///

and every inch after to 10+

Suckers, Redhorse

1-2

///

3-6

///
///

7-12

///
///
///

13+

Smallmouth Bass every inch to 12+

Rockbass - ///
///

3" large mouth - 1

Crayfish - ///
///
///

Date: 5/1 Stream Name: Segment Location: Bridge 1
Holl Rd Stratum: 11

SCULPIN (All Sizes)

11

Minnow

1-6

Chub

(61)

Carp

Nocarp

7-8

9

10

11+

Stoneroller is in the same size and price break down

Darter

Yellow Perch

1

|||||
|||||

2

|||||

3

|||||

4

and every inch after to 10+

Sunfish, Bluegill, Redear, etc.

1

||||| 5" - 1

2

|||||

3

|||||

4

|||||

and every inch after to 10+

Suckers, Redhorse

1-2

3-6

|||||

7-12

|||||

13+

|||||

Smallmouth Bass every inch to 12+

11" - 1

largemouth - 2" - 11

6" - 11

Rockbass - |||||

5" - 11

4" - 11

Crayfish - |||||

3" - 1

Date: 5/1 Stream Name: _____ Segment Location: Bridge 2 Stratum: 1

SCULPIN (All Sizes)
||||

Minnow Chub |||| |||| || Carp

1-6 |||| ||

7-8

9

10

11+ Stoneroller is in the same size and price break down

Darter

Yellow Perch

1 |||| ||||

2 |||| |||| ||||

3 |||

4 and every inch after to 10+

Sunfish, Bluegill, Redear, etc.

1

2

3

4 and every inch after to 10+

Suckers, Redhorse

1-2 |||

3-6 ||

7-12 |

13+ |

Smallmouth Bass every inch to 12+

Rockbass: 1

Crayfish: |||||

Date: 5/1 Stream Name: _____ Segment Location: Whitewater Bridge 2 Stratum: 2

SCULPIN (All Sizes)
1 1 1 1

Minnow _____ Chub 1 1 1 1 1 1 1 Carp _____
1-6 1 1 1 1

7-8 _____
9 _____
10 _____
11+ _____ Stoneroller is in the same size and price break down

Darter _____ Yellow Perch _____
1 1 1 1
2 1 1
3 _____
4 _____ and every inch after to 10+

Sunfish, Bluegill, Redear, etc.
1 _____
2 _____
3 _____
4 1 and every inch after to 10+

Suckers, Redhorse
1-2 1
3-6 1 1 1
7-12 1 1
13+ _____

Smallmouth Bass every inch to 12+

Rock Bass - 1
Crayfish: 1 1 1 1 1 1 1

Date: 9/1 Stream Name: Segment Location: Bridge 3 - Wallace Stratum: 1

SCULPIN (All Sizes)

|||||
|||||
25

Minnow

Chub

Carp

1-6 |||

|||||
20 |||

7-8

9

10

11+

Stoneroller is in the same size and price break down

Darter

Yellow Perch

1 |||

2 |||

3 /

4

and every inch after to 10+

Sunfish, Bluegill, Redear, etc.

1

2

3

4

and every inch after to 10+

Suckers, Redhorse

1-2

3-6 |||

7-12

13+ //

Smallmouth Bass every inch to 12+

Crayfish: |||

Rock bass - /

Date: 5/1 Stream Name: Segment Location: Bridge 3 - Wallace Stratum: 2

SCULPIN (All Sizes)

1 1/2 2 2 1/2 3 3 1/2 4 4 1/2
5 5 1/2 6 6 1/2 7

Minnow Chub Carp

1-6 1 1/2 2 2 1/2 3 3 1/2 4 4 1/2

1 1/2 2 2 1/2 3 3 1/2

7-8

9

10

11+ Stoneroller is in the same size and price break down

Darter Yellow Perch

1 1 1/2 2 2 1/2 3 3 1/2 4 4 1/2

2 1/2 3

3 1

4 and every inch after to 10+

Sunfish, Bluegill, Redear, etc.

1

2 1

3

4 and every inch after to 10+

Suckers, Redhorse

1-2 1

3-6 1 1/2

7-12 1

13+ 1/2

Smallmouth Bass every inch to 12+

Crayfish: 1 1/2 2 2 1/2 3

Large mouth 3" - 11

Date: 5/1 Stream Name: _____ Segment Location: Bridge 9 - Inke Stratum: 1

SCULPIN (All Sizes)

Minnow	Chub	Carp
1-6 <i>111 111 111 111 111 111 111 111 111 111 111 111 111 111</i>	<i>111 111 111 111 111 111 111 111 111 111 111</i>	
7-8		
9		
10		
11+	Stoneroller is in the same size and price break down	

Darter	Yellow Perch
1 <i>111 100 111 111 111 111 111 111 111 111</i>	
2 <i>111 111 111</i>	
3 <i>111</i>	
4	and every inch after to 10+

Sunfish, Bluegill, Redear, etc.

1
2
3
4

and every inch after to 10+

Suckers, Redhorse

1-2 <i>111</i>
3-6
7-12
13+

Smallmouth Bass every inch to 12+
2

Crayfish
*111 111 111 111 111 111
111 111 111 111 111 111*

Date: 5/1 Stream Name: Segment Location: Bridge 4 - Lake Stratum: 2

SCULPIN (All Sizes)

Minnow

1-6

1-6 1-6 1-6 1-6 1-6 1-6
96 1-6 1-6 1-6 1-6 1-6

Chub

1-6 1-6 1-6 1-6 1-6 1-6
1-6 1-6 1-6 1-6 1-6

Carp

7-8

9

10

11+

Stoneroller is in the same size and price break down

Darter

1

1-6 1-6 1-6 1-6 1-6 1-6
1-6 1-6 1-6 1-6 1-6 1-6

2

1-6 1-6 1-6 1-6 1-6

3

4

and every inch after to 10+

Sunfish, Bluegill, Redear, etc.

1

2

3

4

and every inch after to 10+

Suckers, Redhorse

1-2

3-6

1-6 1-6

7-12

13+

Smallmouth Bass every inch to 12+

Crayfish 1-6 1-6 1-6 1-6 1-6
1-6 1-6 1-6 1-6 1-6

Bridge 5-227 5-1

Date: 5/1 Stream Name: Segment Location: Bridge 5-227 Stratum: 1

SCULPIN (All Sizes)

Minnow

Chub

Carp

1-6

101

7-8

9

10

11+

Stoneroller is in the same size and price break down

Darter

Yellow Perch

1 //

2 ///

3

4

and every inch after to 10+

Sunfish, Bluegill, Redear, etc.

1

2

3

4

and every inch after to 10+

Suckers, Redhorse

1-2

3-6

7-12

13+

Smallmouth Bass every inch to 12+

Crayfish - 7

3

Date: 5/1 Stream Name: _____ Segment Location: Bridge 5-227 Stratum: 2

SCULPIN (All Sizes)

Minnow	Chub	Carp
1-6	<u>11</u>	
7-8		
9		
10		
11+	Stoneroller is in the same size and price break down	

Darter	Yellow Perch
1-2	
2	
3	
4	and every inch after to 10+




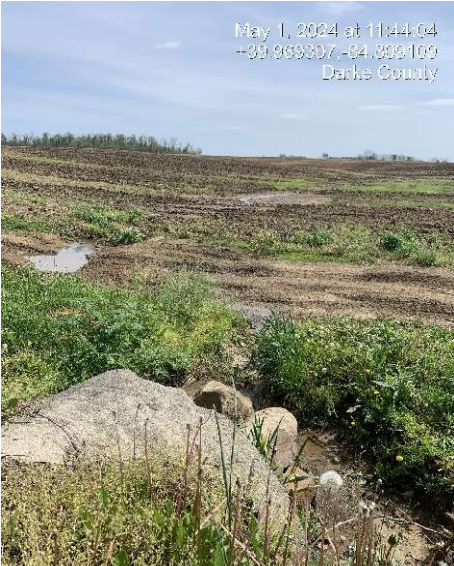
Sunfish, Bluegill, Redear, etc.	
1	
2	
3	
4	and every inch after to 10+

Suckers, Redhorse
1-2
3-6
7-12
13+


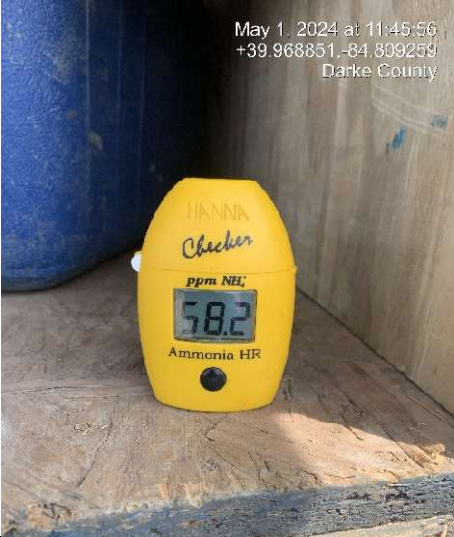


Smallmouth Bass every inch to 12+

Crayfish - 26


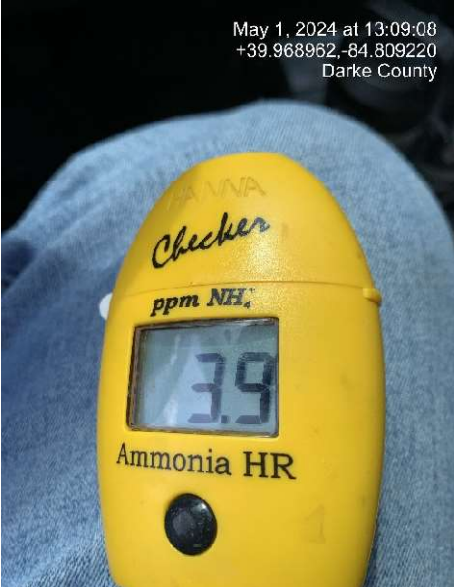


Ohio Environmental Protection Agency Emergency Response Unit
 District Office Investigation Report - Photograph Log
 Incident Number: 2405EPA0716

Name:	24-0716 (01)	Name:	24-0716 (02)
			
Taken By:	OSC WISE	Taken By:	OSC WISE
Date:	5/1/2024	Date:	5/1/2024
Description	Middle Fork East Fork Whitewater River at Hill Rd. IN.	Description	Ammonia reading at Hill Rd.
Name:	24-0716 (03)	Name:	24-0716 (04)
			
Taken by:	OSC WISE	Taken by:	OSC WISE
Date:	5/1/2024	Date:	5/1/2024
Description	Culvert pipe with manure laden water.	Description	Manure applied field with standing pools of manure laden water.

Ohio Environmental Protection Agency Emergency Response Unit
 District Office Investigation Report - Photograph Log
 Incident Number: 2405EPA0716

Name:	24-0716 (05)	Name:	24-0716 (06)
			
Taken By:	OSC WISE	Taken By:	OSC WISE
Date:	5/1/2024	Date:	5/1/2024
Description	Culvert pipe with manure laden water.	Description	Ammonia reading of manure laden water at culvert pipe.
Name:	24-0716 (07)	Name:	24-0716 (08)
			
Taken By:	OSC WISE	Taken By:	OSC WISE
Date:	5/1/2024	Date:	5/1/2024
Description	Standing pool of manure laden water in field located west of Hollansburg-Richmond Rd.	Description	Large standing pool of manure laden water in field located west of Hollansburg-Richmond Rd.

Ohio Environmental Protection Agency Emergency Response Unit
 District Office Investigation Report - Photograph Log
 Incident Number: 2405EPA0716

Name:	24-0716 (09)	Name:	24-0716 (10)
			
Taken By:	OSC WISE	Taken By:	OSC WISE
Date:	5/1/2024	Date:	5/1/2024
Description	Dead fish within Middle Fork East Fork Whitewater River.	Description	Ammonia reading of Middle Fork East Fork Whitewater River.
Name:	24-0716 (11)	Name:	24-0716 (12)
			
Taken By:	OSC WISE	Taken By:	OSC WISE
Date:	5/2/2024	Date:	5/2/2024
Description	NonEPA	Description	NonEPA

IDNR LAW ENFORCEMENT Incident Report Form

04-24-00837

04/30/2024

STREAM POLLUTION/ FISH KILL SUPPLEMENT

Primary Officer: **MATHEW GARRINGER - MGARRI**

- | | | | | |
|--|--|--|--|--|
| <input type="checkbox"/> Juvenile Involved | <input type="checkbox"/> Investigation | <input type="checkbox"/> Video Available | <input type="checkbox"/> Gang Related | <input type="checkbox"/> Paperless |
| <input type="checkbox"/> Domestic Related | <input type="checkbox"/> Suspects | <input type="checkbox"/> Bias Crime | <input type="checkbox"/> Accident | <input type="checkbox"/> Administrative |
| <input type="checkbox"/> Alcohol Related | <input type="checkbox"/> Arrests Made | <input type="checkbox"/> Drugs Involved | <input type="checkbox"/> Ready for DA / Prosecutor | <input type="checkbox"/> Alarm Activated |

Log Number 04-24-00837	Incident Number FI	File Number CD-24-13098	Case Number	UCR
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Incident Type SP	Dispatcher K0373	Source CDC	District 489	Status CLR-I
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Incident Date / Times Incident Occurred At or Between

Date Received 04/30/2024	Day Rec'd Tuesday	Rcvd 1956	Disp 2048	Arrv 0000	Clrd 2001	Earliest Date and Time	Latest Date and Time
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Disposition REPORT	Clear By Exception	<input type="checkbox"/> Suspended
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UCR Clearance N/A	UCR Occur Date	UCR Clear Date	UCR Count	UCR Human Traffic Code	UCR HT Count
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Location Intersection

6040 HILL RD FOUNTAIN CITY IN 47341	Cross Street	
Municipality:	GPS Loc X 0	GPS Loc X 0

Business Name	Premise Code 899	Arson Value
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Gang	Weather
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Modus Operandi Coding VICTIM:

ENTRY: PROPERTY

EXIT: AREA:

METHOD: TIME OF DAY:

WEAPONS USED:

Caller / Complainant Type Normal Anonymous Hangup Refused

IDNR LAW ENFORCEMENT Incident Report Form

04-24-00837

04/30/2024

STREAM POLLUTION/ FISH KILL SUPPLEMENT

INVOLVED PERSONS

POLICE OFFICER

CODE: OFFCR

Name (Last, First, Middle) - Address WENNING, JEFFERY P 1076 OLD SPRINGFIELD PIKE XENIA OH 45385	Juvenile <input type="checkbox"/>	Date of Birth	Age	Race	Sex	Ethnic	Social Security Number
		Weight	Height	Hair	Eyes	Phone Number	
		Driver License Number			State	Class	Expiration Date
		ID Provided	Identification Detail				

Link Comments

POLICE OFFICER

CODE: OFFCR

Name (Last, First, Middle) - Address GROSSNICKLE, JASMINE 1076 OLD SPRINGFIELD PIKE XENIA OH 45385	Juvenile <input type="checkbox"/>	Date of Birth	Age	Race	Sex	Ethnic	Social Security Number
		Weight	Height	Hair	Eyes	Phone Number	
		Driver License Number			State	Class	Expiration Date
		ID Provided	Identification Detail				

Link Comments

POLICE OFFICER

CODE: OFFCR

Name (Last, First, Middle) - Address BURTON, TYLER 3734 MOUNDS RD ANDERSON IN 46017	Juvenile <input type="checkbox"/>	Date of Birth	Age	Race	Sex	Ethnic	Social Security Number
		Weight	Height	Hair	Eyes	Phone Number	
		Driver License Number			State	Class	Expiration Date
		ID Provided	Identification Detail				

Link Comments

POLICE OFFICER

CODE: OFFCR

Name (Last, First, Middle) - Address BRAND, JORDAN 3734 MOUNDS RD ANDERSON IN 46017	Juvenile <input type="checkbox"/>	Date of Birth	Age	Race	Sex	Ethnic	Social Security Number
		Weight	Height	Hair	Eyes	Phone Number	
		Driver License Number			State	Class	Expiration Date
		ID Provided	Identification Detail				

Link Comments

OTHER

CODE: OTHER

Name (Last, First, Middle) - Address SMITH, BRIAN, IDEM	Juvenile <input type="checkbox"/>	Date of Birth	Age	Race	Sex	Ethnic	Social Security Number
		Weight	Height	Hair	Eyes	Phone Number	
		Driver License Number			State	Class	Expiration Date
		ID Provided	Identification Detail				

Link Comments



IDNR LAW ENFORCEMENT Incident Report Form

04-24-00837

04/30/2024

STREAM POLLUTION/ FISH KILL SUPPLEMENT

INVOLVED PERSONS

OTHER							CODE: OTHER				
Name (Last, First, Middle) - Address RALEIGH, ALYSA 402 W WASHINGTON ST ROOM W273 INDIANAPOLIS IN 46204-2781					Juvenile <input type="checkbox"/>	Date of Birth	Age	Race	Sex	Ethnic	Social Security Number
Weight		Height	Hair		Eyes		Phone Number (317) 233-3293				
Driver License Number						State		Class	Expiration Date		
ID Provided						Identification Detail					

OTHER							CODE: OTHER				
Name (Last, First, Middle) - Address WISE, KEITH 401 E 5TH ST DAYTON OH 45402					Juvenile <input type="checkbox"/>	Date of Birth	Age	Race	Sex	Ethnic	Social Security Number
Weight		Height	Hair		Eyes		Phone Number (937) 285-6037				
Driver License Number						State OH		Class	Expiration Date		
ID Provided						Identification Detail					

SUSPECT							CODE: SUSP				
Name (Last, First, Middle) - Address MEYERS, JUSTIN L 1804 HOLLANDSBURG-RICHMOND RD HOLLANDSBURG OH 45332					Juvenile <input type="checkbox"/>	Date of Birth 12/12/1983	Age 40	Race W	Sex M	Ethnic O	Social Security Number
Weight 200		Height 510	Hair BRN		Eyes GRN		Phone Number (515) 783-6972				
Driver License Number [REDACTED]						State IN		Class	Expiration Date		
ID Provided						Identification Detail					

RESPONDING / INVOLVED UNITS, OFFICERS, AND TIMES

Unit Number	Officer / ID (Ofcr 1 / Ofcr 2)	Officer / ID (Ofcr 3 / Ofcr 4)
417	MATHEW GARRINGER MGARRI	
414	JORDAN TYLER BRAND B4757	
412	TYLER BURTON B4604	

Agency Lognum	Unit	DISP	CLRD
04-24-00837	417	20:48:08	
		22:54:51	
		12:43:56	
		20:01:00	
04-24-00837	414	10:38:11	
		20:01:00	
04-24-00837	412	11:40:25	
		19:44:02	

IDNR LAW ENFORCEMENT Incident Report Form

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04/30/2024

STREAM POLLUTION/ FISH KILL SUPPLEMENT

COMMENTS / NARRATIVES

Title NARRATIVE	
Narrative Created By / Created On MATHEW GARRINGER 05/24/2024	Narrative Updated By / Update On JOSHUA KILGORE 06/10/2024
Approved By / On JOSHUA KILGORE 06/10/2024	

Prelude:

I investigated a stream pollution.

Involved Persons:

Justin L. Meyers (Suspect)
IDEM Brian Smith (Other)
ICO Jordan Brand (Officer)
ICO Tyler Burton (Officer)
Ohio Division of Wildlife Officer Jeff Wenning (Officer)
Ohio Division of Wildlife Officer Jasmine Grossnickle (Officer)
Ohio EPA Keith Wise (Other)
Indiana Fish and Wildlife Health Biologist Alysa Raleigh, (Other)

Details Of Investigation/Incident:

THIS INCIDENT WAS RECORDED ON A BODY WORN CAMERA

On 4/30/24 at approximately 7:59 p.m., I, Indiana Conservation Officer (ICO) Matthew Garringer, was notified of several dead fish located near the Ohio / Indiana State Line. The fish were in the Middle Fork of the East Fork of the Whitewater River near the Hill Road bridge. I responded to the scene and arrived when daylight was waning at approximately 8:48 p.m. I walked a short distance of the river near this bridge and located minimal fish of varying species and size. Due to the late hour, I did not count fish and could not make an accurate assessment of the cause or extent of the fish kill. I was informed that IDEM Officer Brian Smith Senior Environment Manager would be responding in the morning to determine the possible cause and extent.

On 5/1/24, I was notified by Smith that he responded to the scene and found ammonia-nitrogen present in the water. He further informed me that he was anonymously notified by a subject in the area that a dairy farmer located near 1804 Hollansburg-Richmond Rd. Hollansburg, OH 45332 was observed spreading manure heavily on the surface of a field and was not incorporated into the soil on 4/27/24. Smith confirmed the presence of manure still on the ground in this area. Smith contacted Ohio since the source of the stream pollution was potentially located in Ohio and affected part of the stream located in Ohio. This same date I was contacted by Ohio Division of Wildlife Officer Jeff Wenning and informed that they had been informed of a fish kill in the same area and Ohio Environmental Protection Agency (EPA), later determined to be Keith Wise, would be investigating as well as Ohio Division of Wildlife Officer Jasmine Grossnickle. Smith informed me that OEPA would be doing the responsible party investigation.

This same date at approximately 10:30 a.m., I requested ICO Jordan Brand and ICO Tyler Burton to respond to the area to help me locate the end of the fish kill and to count the affected fish and wildlife. Upon arrival, we determined the end of the fish kill to be approximately 150 yards down stream from the Indiana 227 Bridge on the Middle Fork of the East Fork of the Whitewater River. The starting location was determined to be the

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drainage ditch leading from the dairy farm located on Hollansburg-Richmond Rd. After discussing the details with Indiana Fish and Wildlife Health Biologist Alysa Raleigh, it was determined that the best plan of action would be to estimate the number of fish and wildlife affected by using the bridge count method of approximation.

Using the USGS StreamStats website measuring tool, I estimated the affected stream to be 33,307 feet or 11,102 and 1/3 of a yard. This is approximately 6.3 miles of stream. This only measures the Indiana portion of the stream and does not include the portion of the stream affected in Ohio. This portion of the stream was observed by Officer Grossnickle, and she counted the affected fish and wildlife on this portion of the stream. Five bridges were counted on the Indiana affected stream. These bridges were IN-227, Inke Rd, Wallace Rd., Whitewater Rd., and Hill Rd. Fish/wildlife counted at these bridges were separated into two stratum. Stratum I was a fifty-yard portion of the stream on either side of the bridges. Stratum II was a 100-yard portion of the stream both upstream and downstream that was immediately located beyond Stratum I (all yardages were estimated by a range finder). Using the bridge counting method requires an expansion factor to be determined to approximate the number of actual fish/wildlife affected. To find the expansion factor, I subtracted the total yards in all of Stratum I (500 yards) from the total affected yards (11,102 and 1/3 yards). I then divided this by the total yards in Stratum II (1,000 yards). This yielded an expansion factor that was rounded down to 10.6 for the purposes of later calculations. For my final grand total, I then added all the fish/wildlife counted in Stratum I without expanding them. I then multiplied all the fish/wildlife counted in Stratum II by the expansion factor of 10.6. All numbers that resulted in a decimal place were then rounded down (e.g. 31.8 would be rounded to 31). Therefore, all estimates of the total number of fish/wildlife affected were an under estimation for multiple reasons. The first would be the rounding method used. The second would be due to the fact that multiple deep locations in the river existed that caused counting in these areas to be difficult and would always result in less fish being counted. Any fish that sank to the bottom in these deep areas would be missed due to turbid water conditions. Lastly, this fish kill potentially began several days prior to the actual count. There was a highwater event that could have left multiple fish on the bank of the stream. Many fish were observed in varying states of decay and/or were obviously consumed partially by other animals. Thus, a reduced number of fish/wildlife are expected due to a loss to the scavengers in the area over an extended period.

For a detailed report of the fish/wildlife counted at each bridge and in each stratum, please see the attached field notes. For a detailed report of how the calculation process was done, please see the attached excel stream pollution report. A summary of affected fish is as follows:

Sculpin:		874
Minnow:	1-6 inches	3,123
Chub:	1-6 inches	1,841
Darter:	1 inch	2,454
	2 inch	1,520
	3 inch	82
Sunfish/Bluegill:	1 inch	41

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4/30/2024



Approved By:
Approved On:

JOSHUA KILGORE
6/10/2024 2:33:34 PM

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	2 inch	127
	3 inch	63
	4 inch	25
	5 inch	11
Sucker:	1-2 inch	39
	3-6 inch	534
	7-12 inch	112
	13+ inch	32
Smallmouth Bass:	11 inch	10
Largemouth Bass:	2 inch	1
	3 inch	43
	4 inch	12
	5 inch	21
	6 inch	21
	7 inch	21
Rock Bass:		246
Crayfish:		1,434
Total Fish:		11,243

Total Fish/Wildlife (crayfish and fish): 12,677

Indiana Conservation Officer Hours: 30.75

Indiana Conservation Officer Vehicle Miles: 494

On this date at approximately 12:04 p.m. I was informed by OEPA Wise that Justin Meyers was the responsible party located at 1804 Hollansburg-Richmond Rd., Hollansburg, Ohio 45332. Wise further advised at approximately 1:02 p.m. via a photograph text message that a high reading of ammonia (58.2 ppm) was originating from Meyers field and had a picture of a drainage ditch on his farm located at approximately 39.963841, -84.815410. He sent another picture of this location with a latitude and longitude of 39.969307, -84.809109. Officer Grossnickle confirmed finding dead darters, bass, sunfish, suckers, mottled sculpins, and minnows on the Ohio side of the stream.

On 5/8/24 at approximately 5:41 hours, Officer Wenning and I contacted Meyers. Officer Wenning asked

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STREAM POLLUTION/ FISH KILL SUPPLEMENT

Meyers what happened last week. Meyers advised "...we got manure in the ditch...". Meyers advised that located where it got in and tried to stop it. Meyers advised they applied manure on Monday 4/29/24 as well as 4/25 and 4/26. Meyers advised he believed the problem occurred when they applied Monday 4/29/24. He believed the forecast was .25" and he believed they actually received 1" of rain instead. Meyers advised he gets his rain prediction from Accuweather but did not have any records of what the rain prediction was. He further advised this is the only weather forecast that he watches. Meyers further claimed that part of the issue was the fact that his disc stopped functioning. He advised he disced at an angle to get the hose out to the field north of his operation but then it stopped working and they were unable to disc everywhere they had applied. Part of what he applied on Monday 4/29 was on ground that was not disced. Meyers stated "We shouldn't have done it but that's, that's what we did..." Meyers advised that stuff runs really bad, and he felt like this was a big part of the problem. Meyers believed the worst of the manure was running in from a culvert north of the location where OEPA had located the high ammonia reading. Meyers advised there was a broken tile in this field north of his dairy operation that he spread manure on which dumps into the stream in question after going through some swales. Meyers later stated that he thinks that the rain prediction was a .25" but it could have been .3". Meyer advised they stopped applying on 4/29 at approximately 4:00 p.m. Meyers advised that his help was the actual spreader and when he went up to the field to check on him, he saw that the manure was running out too much. Meyers advised that they would have kept going if it was disced ground but decided to stop because the manure load was too high for not having the ground disced. Meyer advised they were driving too slow for how fast the manure was running. Meyers advised soil and water measured how much manure was spread and it was estimated to be 12,000 gallons per acre total. Meyers advised he does not have a meter to measure how much he actually spreads per acre, and he must go off of just what it looks like. The assistant that was helping Meyer was Jamin Coning.

On 5/24/24 I received IDEM Brian Smith's report and it is attached.

On 5/30/24 I received reports from Ohio DNR Wildlife Officer's.

On 6/6/24 I received OEPA's report and photo log.

I affirm under penalty of perjury that the foregoing is true and accurate to the best of my information and belief.

Dated: 06/09/24

Officer: /s/ M. Garringer

Attachments:

Photographs (5)

IDEM Report

Field Notes (6)

Ohio Wildlife Officer Report

OEPA Photo Log

OEPA Report



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Incident Report Form

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STREAM POLLUTION/ FISH KILL SUPPLEMENT

Stream Pollution Report

Current Disposition:

Report Taken



IDNR LAW ENFORCEMENT
Incident Report Form

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STREAM POLLUTION/ FISH KILL SUPPLEMENT

IMAGES



B2 Expanded

Species	Sculpin	Minnow	Chub	Carp	Darter	Sunfish/Bluegill	Sucker	Smallmouth Bass	Largemouth Bass	Crayfish	Rock Bass
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Stratum 1
 1 inch
 2 inch
 3 inch
 4 inch
 5 inch
 6 inch
 7 inch
 8 inch
 9 inch
 10 inch
 11 inch
 12 inch
 13 + inch

Species	Sculpin	Minnow	Chub	Carp	Darter	Sunfish/Bluegill	Sucker	Smallmouth Bass	Largemouth Bass	Crayfish	Rock Bass
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Stratum 2										318	10.6
1 inch					84.8						
2 inch					63.6		10.6				
3 inch								10.6			
4 inch											
5 inch											
6 inch		169.6	275.6				63.6				
7 inch											
8 inch											
9 inch											
10 inch											
11 inch											
12 inch							21.2				
13 + inch	95.4										