

June 21, 2024

AGRILAND FS, INC.
ATTN TRENTON CHEERS
421 N. 10TH ST.
WINTERSET IA 50273

SUBJECT: Complaint Investigation, Complaint No. 33602, Staff Action No. 175731, Adair County

Dear Mr. Cheers:

On June 3, 2024, the Iowa Department of Natural Resources (DNR) Field Office 4 (FO4) received a complaint regarding poor water quality in a downstream pond from the Canby Agriland FS located at 1706 160th St, Casey. On June 10, 2024, Kaitlynne Henriksen, Environmental Specialist, and I investigated the complaint. Observations from the on-site investigations are included in the attached report of investigation (ROI).

While no water quality violations were noted, there are deficiencies in stormwater controls at your site. It appears as though the western basin has overflowed at some point. Additionally, the intake associated with the basin appears to have been designed as a managed intake with a cap over the pipe to regulate when flow to the secondary basin can occur. At the time of our inspection the cap was present but water was actively flowing around the cap and through the tile to the second basin. This should be modified so no further flow can occur without active management. Also, please evaluate the elevation of the intake pipe to ensure it is placed at the correct grade. This will help ensure the basin does not overflow the berms.

The east retention basin is designed to be dewatered when needed. However, although the area has received 9 inches of precipitation during the course of the last 3 months, Mr. Miller stated he has never needed to dewater the basin. During this investigation we observed signs of trenching indicating that the basin has overflowed. Measures must be taken to ensure an overflow does not occur. Additionally, the basin has several animal burrows on the east and west side of the berm. These should be filled to ensure a berm failure does not occur.

As a reminder, and pursuant to 567 Iowa Administrative Code 61.3(2), the following criteria are applicable to all surface waters including general use and designated use waters, at all places and at all times:

- a. Such waters shall be free from substances attributable to point source wastewater discharges that will settle to form sludge deposits.
- b. Such waters shall be free from floating debris, oil, grease, scum and other floating materials attributable to wastewater discharges or agricultural practices in amounts sufficient to create a nuisance.

Please ensure repairs to the basins are made, including a plan for dewatering the eastern most basin. Please contact me by **July 15, 2024**, documenting repairs were made.

If you have any questions, please contact me via email at brent.martens@dnr.iowa.gov or by telephone at (712) 304-7956.

Sincerely,

A handwritten signature in black ink, appearing to read "Brent Martens", with a stylized, cursive script.

Brent Martens, Environmental Specialist
Field Services and Compliance

Enc. Inspection Report

Cc: Jeff Miller (email)

File: casey061024.stw.Agriland FS.complaint.martens

SUSPENSE: July 15, 2024 – Provide photo documentation of stormwater control repair and implementation

IOWA DEPARTMENT OF NATURAL RESOURCES

Report of Investigation

INVESTIGATION DATE: Current: June 10, 2024 Last: N/A

TO: AGRILAND FS, INC.
 ATTN TRENTON CHEERS
 421 N. 10TH ST.
 WINTERSET IA 50273

RE: Complaint Investigation, Complaint No. 33602, Staff Action No. 175731, Adair County

PERSONS CONTACTED: Jeff Miller, Location Manager

On June 3, 2024, the Iowa Department of Natural Resources (DNR) received a complaint regarding poor water quality in a pond located at 1738 160th St. Casey. The pond is located downgradient from the Canby Agriland FS located at 1706 160th St, Casey. According to the complaint, the pond was covered in a "scum".

On June 10, 2024, Kaitlynn Henriksen, Environmental Specialist, and I investigated the complaint. Upon arrival at 1738 160th St. Casey we went to the furthest east pond alleged to have poor water quality. We found no evidence of dead fish and the water appeared clear with no scum floating on the surface. We then administered a field test for ammonia and did not detect the presence of ammonia in the pond. We then went to the west retention pond. There another ammonia test was taken and a slight presence of ammonia was detected, around 15 mg/L. We then spoke to the pond owner who stated they were worried another fertilizer release had occurred as their pond had experienced a fish kill due to a release from the Agriland FS in 2011. After they filed this complaint with the DNR, they stated the scum on their pond went away and they now believe the pond was naturally turning over and that it was not due to another Agriland FS discharge similar to the spill that occurred in 2011 (spill # 052311-MAC-1145). Photos of our observations are below.

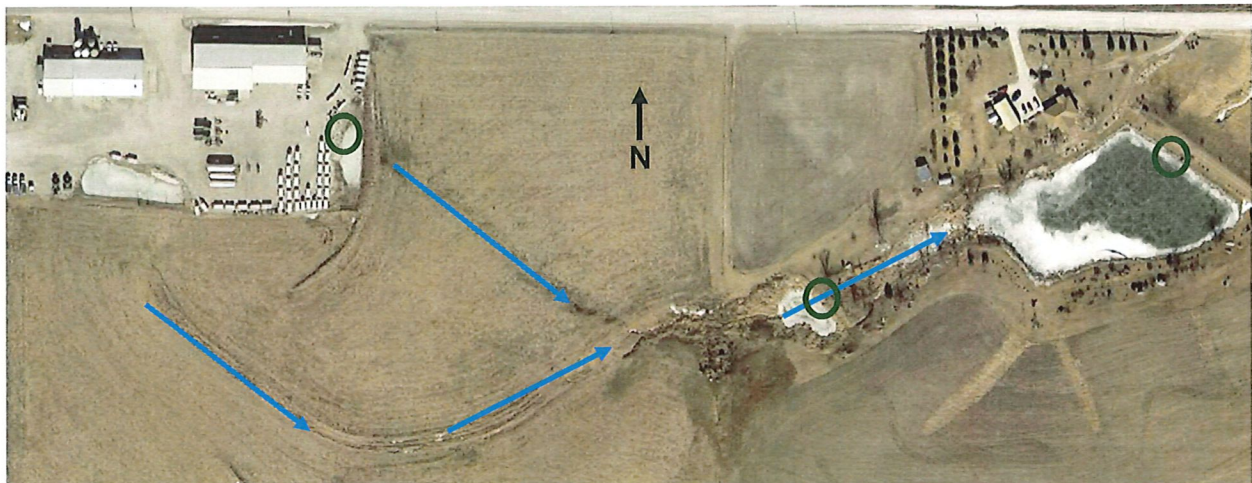


Figure #1: Location of ponds with flow direction and location samples were taken



Photo #1: View of east pond looking west with clear water and fish present

Ms. Henriksen and I then went to the Agriland FS facility located at 1706 160th St. Although Jeff Miller, Location Manager, was not readily available to meet with us, we were given approval to inspect the retention basins. The west retention basin was constructed in the early 2000's; however, the east basin was constructed following administrative order no 2012-WW-14 and following a fish kill due to contaminated storm water runoff entering a downgradient farm pond.

Storm water runoff from the west portion of the facility flows into the west retention pond and stormwater from the east side of the facility flows into the east retention pond. Stormwater from the north side of the facility travels through an underground tile and into the west retention basin. When the western basin becomes too full, a tile with an overflow intake directs the excess water underground to the eastern retention pond.

We observed several empty chemical totes located around the western retention basin and the water was green in color. A stormwater inlet pipe is located on the northern side of the basin and was not flowing at the time of this investigation. On the southern berm of the basin we located an area of dead grass from the top to the bottom of the berm. Within the area of dead grass were signs of some trenching and erosion indicating the potential for the basin to overflow or evidence that it has overflowed before. Liquid levels were not at the high-water mark at this time. The photos below document the western basin.

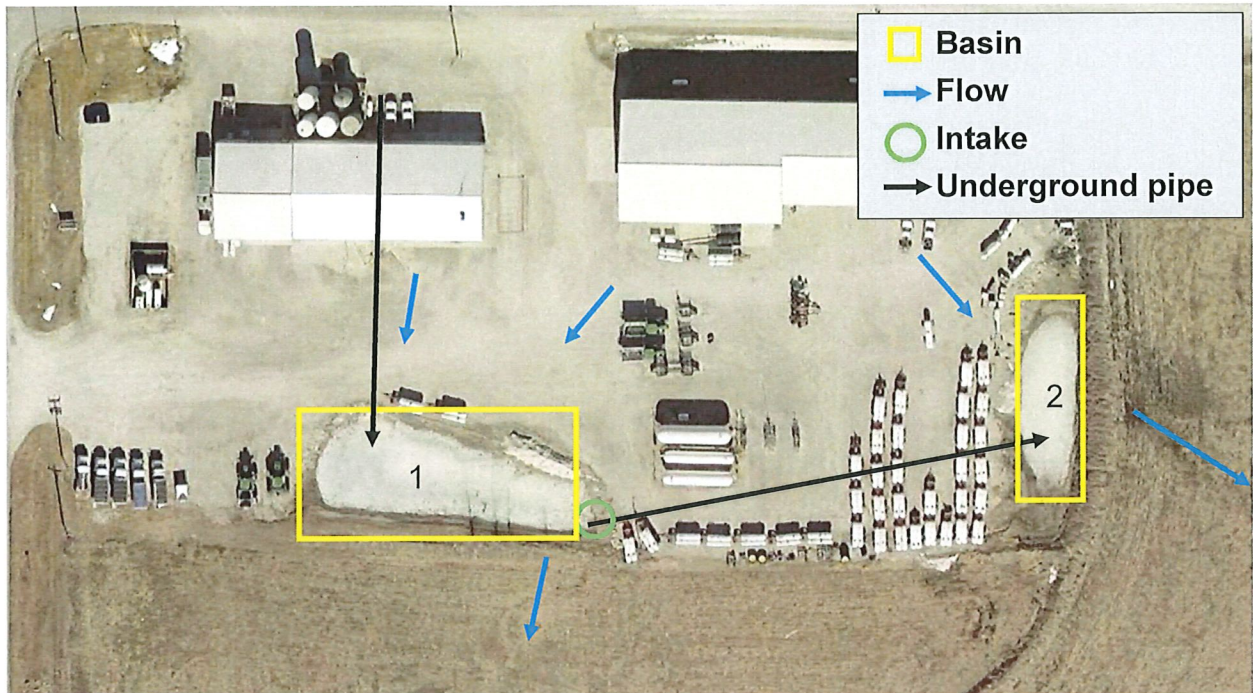


Figure #2: Overview of Agriland facility with direction of flow and basin locations



Figure #3: West basin with area of concern and direction of flow



Photo #2: West pond looking east with inlet pipe present



Photo #3: South side of basin with evidence of overflow on berm and dead grass present



Photo #4: South side of basin with evidence of overflow on berm and dead grass present



Photo #5: Looking south down the retention basin berm showing erosion and dead grass present



Photo #6: Looking east at area of dead grass along south berm



Photo #7: Tile intake to east retention basin with hole in cap present



Photo #8: Tile intake to east retention basin

We then inspected the eastern basin. We observed green water flowing through the tube from the west basin. On the eastern berm several animal burrows were noted on the west side of the berm itself and near the waterline of the berm. On the east side of the berm holes were again noted in the berm wall and an area of flow appeared to be coming out of one of the holes but was not flowing at this time. This basin is not equipped with a tile line to discharge the basin and must physically be dewatered. However, evidence that the basin had overflowed was observed. We took another field test and noted ammonia levels of ≈ 250 mg/L. The photos below document the eastern basin.

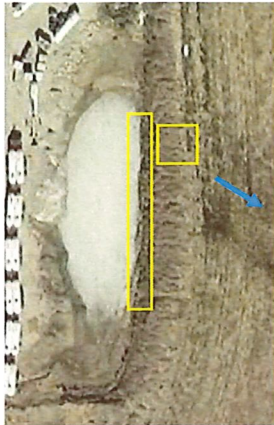


Figure #4: Eastern basin with areas of concern and direction of flow



Photo #: Eastern retention basin



Photo #: Inlet pipe from primary retention basin with green water flowing in



Photo #: Animal burrow just above waterline of basin



Photo #: Looking east from eastern berm with dry trench present



Photo #: Animal burrow on east side of east berm with area of flow coming out of it

On June 13, 2024 I spoke to Jeff Miller, Canby Agriland FS Location Manager. I explained why we were called out and that a water quality violation was not documented at that time. However, deficiencies were noted in berm walls. He stated he would have them filled with bentonite when time allowed. I also asked about the chemical totes and dewatering the basins. Mr. Miller stated the chemical totes are empty. Mr. Miller stated he wanted to find a new place to store them but thought this location was the best as it offers an additional form of protection from any runoff that could occur. Mr. Miller said he has not needed to dewater the basins.

Inspector:  6-21-24
Brent Martens, Environmental Specialist

Reviewer:  6-20-24
Alison Manz, Environmental Specialist Senior

Distribution: Field Office: Central Office: Inspected Facility

Date Sent: 6/21/24

File: casey061024.stw.Agriland FS.complaint.inspection.martens