



Ohio

Environmental Protection Agency
Department of Agriculture
Department of Natural Resources



News Release

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**OWNER OF PIG FARM IN ASHLEY, OHIO PLEADS GUILTY TO VIOLATING
FEDERAL CLEAN WATER ACT, AGREES TO PAY MORE THAN \$50,000 FINE**
Liquid whey spill killed more than 36,700 fish and other aquatic animals

COLUMBUS – William H. Ringler, the owner and operator of a pig-feeding operation based in Ashley, Ohio, pleaded guilty in United States District Court today to one count of allowing an unpermitted discharge under the Clean Water Act after thousands of gallons of liquid whey leaked from a tank on the farm, flowed into Alum Creek and killed more than 36,700 fish and other small aquatic animals such as crawfish.

Carter M. Stewart, United States Attorney for the Southern District of Ohio, Director Chris Korleski of the Ohio Environmental Protection Agency and Randall Ashe of U.S. EPA's Office of Criminal Enforcement announced the plea entered today before U.S. Magistrate Judge Elizabeth Preston Deavers.

According to court documents, Ringler operates Steamtown Farm, a pig-feeding operation located in both Morrow and Delaware counties. In June 2007, a 26,000-gallon tank holding liquid whey, a dairy by-product used as a food supplement, leaked twice in eight days spilling thousands of gallons of the liquid whey on the ground.

The spill entered the facility's drainage system and ended up in the west branch of Alum Creek. The presence of the whey in the creek reduced the concentration of dissolved oxygen and caused the major fish kill.

"As owner and operator of the facility, Mr. Ringler had the responsibility to take measures to try and prevent the spilled whey from entering the creek," Stewart said. "Mr. Ringler admitted that he did not take appropriate measures."

"This case demonstrates that the state of Ohio is concerned about all releases from farming operations that can cause water pollution and fish kills," Korleski said. "We hope this case and its serious legal consequences will deter other similar incidents and encourage compliance among agricultural facilities."

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The plea agreement includes a recommended sentence of six months confinement consisting of three months imprisonment and three months of electronic monitoring. Ringler has agreed to pay a fine of \$51,750 and a restitution payment of \$17,250 to Ohio EPA. Ringler already paid \$11,309.97 to the Ohio Department of Natural Resources (ODNR) for the cost of the dead fish and aquatic animals and ODNR's investigation. Magistrate Judge Preston Deavers will review the recommendations and determine whether to accept the proposed sentence. She will then set a date for sentencing.

Stewart commended the cooperative investigation by special agents from U.S. EPA's Criminal Investigation Division, Ohio EPA's Office of Special Investigations, ODNR's Division of Wildlife, the Ohio Attorney General's Bureau of Criminal Identification and Investigation (Environmental Enforcement Unit), as well as Assistant U.S. Attorney Michael Marous who prosecuted the case.

Incidents like this can be prevented when agricultural producers learn about regulations and best management practices. An abundance of information is available to assist producers. Some programs offer financial assistance.

Technical assistance is available from the local Soil and Water Conservation Districts, USDA-Natural Resources Conservation Service and The Ohio State University Extension Service for developing conservation plans, including best management practices for nutrient management, manure management, and practices to minimize impacts to water quality, while improving crop and livestock production.

The Ohio Department of Agriculture's Livestock Environmental Permitting Program engineers and inspectors provide technical assistance to permitted livestock and poultry farms to improve or change structural or management practices.

USDA Natural Resources Conservation Service's Environmental Quality Incentive Program offers financial assistance for installation and implementation of best management practices.

Several of the Lake Erie and Mississippi River basin local grant opportunities include implementation incentives to encourage new best management practices.

For more information on manure management or agricultural best management practices, contact the ODA Livestock Environmental Permitting Program at (614) 387-0470 or lepp@agri.ohio.gov, or a local soil and water conservation district.

To report a spill, contact the 24-hour Ohio EPA hotline (1-800-282-9378).

Related court documents are available with the news release at www.justice.gov/usao/ohs/press.html.

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