

New York State DEC Office of Public Protection  
HELENA CHEMICAL

Call for Service #17-011694

## General Information

**Type:** Complaint  
**County:** Tompkins  
**Town:** Town of Lansing  
**Street Address:** 477 Lansingville Rd  
**Nature of Complaint:** 8920 - Environmental Quality - Pesticides  
**Date Received:** 06-17-2017  
**Time Received:** 13:43

## Complainant

**Name:** [REDACTED] **Home Phone:** [REDACTED]  
**Address:** [REDACTED] **Work Phone:** [REDACTED]  
**[REDACTED]** **Cell Phone:** [REDACTED]

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8/15/2017 9:33 AM

Complaint Form

## Facts and Information provided by Complainant

The following information was received through the DEC website "Report an Environmental Violation Online" or sent directly by the complainant to an OPP dispatch mailbox:

Who Did It: Helena

What Occurred: I was mowing my lawn, when I noticed a large high-clearance ag sprayer racing down the adjacent field towards me. It passed me only a few feet [less than 30 ft.] away and covered me with a strong smelling cloud [I was down wind in a 20 mph wind according to my weather station.] I immediately went inside and tried to clean up, but there was nothing I could do about what I had already breathed in and absorbed through my nasal passages, and then called the farmer, Jeff Cook, who was renting the land. Through the windows I could see the boom sprayer flying around the fields which surround my house on three sides. [There are dead patches in my lawn where overspray has killed the grass.] Jeff told me it was herbicide/"round-up", and a short while later someone from Helena called and told me they had spoken with the applicator, but they were rushing to spray before the rain came, and I should take off my clothes and shower — there was not even an apology.  
 Early Sunday morning, the diarrhea started, followed by fairly severe vomiting a couple of hours later. It took over a week before my digestion seemed back to normal, but the anger still remains.

When Did It Occur: On Saturday, June 3, 2017 in the afternoon [around 3:00 pm]

County: Tompkins

Municipality: Lansing

Location Or Address: 477 Lansingville Road

How Did It Occur: Reckless endangerment through arrogance and unsafe application of poison by licensed company.

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Additional Details: I'm sure they'll do it again — they're protected by Ag Law.

Complainants Name: [REDACTED]

Complainants Phone: [REDACTED]

Complainants Email: [REDACTED]

Date of Submittal: 06/17/2017

**Possible Responsible Parties Information**

<b>Name:</b> Helena Chemical,	<b>Date of Birth:</b>	<b>Homephone:</b>
<b>Address:</b>		<b>Workphone:</b>
, NY		<b>Cellphone:</b>

**Closing Information**

<b>Prosecutor:</b> None	<b>Tickets</b>	<b>Warrants Executed</b>
<b>Referral Date:</b>	None	Search Warrant: NO Arrest Warrant: NO
		<b>Court Ordered Seal Executed</b> Sealed: No

**Dispatch Information**

<b>Date Entered:</b> 06-17-2017	<b>Approved By:</b> 362(Kenric Warner)	<b>Case Disposition:</b> Closed
<b>Time Entered:</b> 06-17-2017	<b>Approved Date:</b> 08-02-2017	<b>Date Disposed:</b> 07-15-2017
<b>Officer:</b> 582(Jeffrey Krueger)		<b>Opened By:</b> Sprague(Amber Sprague)

**Narrative**

Date	Time	Notes
06-25-2017	07:52:08	<p>On Saturday, June 17th, at approximately 1500hrs, ECO Eisenberg and I met with [REDACTED] at [REDACTED] residence. A statement was received from [REDACTED] indicating that [REDACTED] leases [REDACTED] land, approximately 10.5 acres, to Jeff Cook for agricultural work. [REDACTED] stated that on June 3rd, specialized spraying farm equipment sprayed pesticides in a reckless manner by traveling at a high rate of speed, spraying in high winds (20mph from the North read from [REDACTED] weather station), and by spraying past the cornfield, into [REDACTED] adjacent lawn. [REDACTED] stated that [REDACTED] was sprayed with the pesticide, and has been violently sick for the following week. [REDACTED] contacted Jeff Cook who said that the chemical was an herbicide, and [REDACTED] was later contacted by Helena advising [REDACTED] to remove [REDACTED] contaminated clothes and shower if [REDACTED] was sprayed. Overspray of herbicide was found on the south and east edge of the property.</p> <p>Upon questioning, [REDACTED] did not seek medical attention for the spraying and I advised [REDACTED] to do so. [REDACTED] did not provide an answer for why [REDACTED] did not report the incident immediately. [REDACTED] expressed [REDACTED] views on farming and that [REDACTED] was politically active against farming.</p>
06-25-2017	08:05:31	<p>On Wednesday, June 21st, 2017, I visited the Cook Farm located on Lockerby Hill Rd, T/Lansing. Jeff Cook was on vacation, but a farm worker provided the details and contact information for Andy Miller at Helena Chemical. The farm also provided a basic map of pesticide application areas, but was not able to provide a lease for the 477 Lansingville Rd property. I contacted Andy and he agreed to meet on Thursday.</p> <p>On Wednesday, I visited [REDACTED] as [REDACTED] was able to find a copy of the lease of the the property. Upon investigation of the lease, the lease provided no boundaries or physical descriptors, additionally [REDACTED] stated that the lease covered 8.5 acres, but [REDACTED] was leasing the remaining 2 acres on a verbal agreement with Jeff Cook. The residence and leased farm land are all on one tax parcel. On this</p>

07-15-2017	14:09:13	<p>visit, I noticed other areas of [REDACTED] Lawn had dead grass, and [REDACTED] stated that [REDACTED] had used roundup herbicide on his lawn.</p> <p>On Thursday, the 22nd, I met with Andrew Miller of Helena Chemical, applicator # C7809771. Andrew had all required, paperwork and licenses. No previous violations with Helena Chemical. Andrew was aware of the complaint and disputed the wind speed and high speed of the tractor and stated that the tractors must travel at 12 mph as the dosage rate is fixed.</p> <p>Helena Chemical was issued Warning No. 20910 for application of pesticide to non-target area, 6NYCRR 325.2(a)</p> <p>The complainant was contacted via telephone and notified of the outcome of the investigation.</p> <p>Case closed!</p>
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