



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

November 13, 2019

Cubby's West
1700 W Havens
Mitchell, SD 57301

Subject: Department of Environment and Natural Resources File Number 2019.207
Pertaining to the diesel spill 1700 W Havens in Mitchell, SD

To whom it may concern:

The Department of Environment and Natural Resources is contacting you regarding the above referenced event. This office has recorded the information provided about this event on an initial spill report form (enclosed for your review). The procedures for assessment and remediation of a release such as this were developed to prevent pollution of the waters of the State. In this situation, the following steps must be taken:

- Clean up and properly dispose of the contaminated materials;
- Please provide a written narrative detailing the actions taken in response to this event, to include the final disposition of recovered material, disposal receipts, and post cleanup pictures;
- By December 13, 2019, please complete and return the attached Written Contamination Incident Follow Up Report form (this is a standard form so some questions will not apply to this situation, just skip those questions).

Kelsey Newling has been assigned as the project manager of this case. Once Kelsey has reviewed all of the information on this case she will contact you to discuss any further actions that may be needed. If you have any questions or need additional information, please do not hesitate to contact Kelsey Newling or me at 605.773.3296. Thank you for your cooperation and assistance in protecting the quality of South Dakota's natural resources.

Sincerely,

Trish Kindt
Environmental Manager

cc: Jeff Bathke, Davison County Emergency Management, Mitchell, SD

South Dakota Spill Report Form

Dept. of Ag. Case No.

State Case No. 2019.207

Reported: (mm/dd/yy) 11/12/19		Time: 10 PM		Recorded By: Newling		
A. REPORTER	Reported By: Brad M					
	Organization Name: OEM					
	Organization: <input type="checkbox"/> discharger <input type="checkbox"/> public <input checked="" type="checkbox"/> state <input type="checkbox"/> local <input type="checkbox"/> federal					
	Address:					
	City: Pierre		County:	State: SD		
Zip:		Phone:				
B. DISCHARGER (Responsible Party)	Name: Cubby's West					
	Address: 1700 W Havens					
	City: Mitchell		County: Davison	State: SD		
	Zip: 57301		Phone: 605-996-1951			
C. INCIDENT LOCATION	As Above in B Street or Approx. Location 1700 W Havens					
	Survey Description:					
	City: Mitchell		Zip: 57301	County: Davison	State: SD	
D. DATE	Spill Date: (mm/dd/yy) 11/12/19			Spill Time:		
	E. MATERIAL	Material Type (Code/Name):	<input type="checkbox"/> hazardous substance <input type="checkbox"/> oil <input type="checkbox"/> material unknown <input type="checkbox"/> other	Quantity Spilled	Spilled in Water	Units (Check 1)
Diesel		~40		<input type="radio"/> lb. <input type="radio"/> bbl. <input checked="" type="radio"/> gal. <input type="radio"/> oth.		
				<input type="radio"/> lb. <input type="radio"/> bbl. <input type="radio"/> gal. <input type="radio"/> oth.		
				<input type="radio"/> lb. <input type="radio"/> bbl. <input type="radio"/> gal. <input type="radio"/> oth.		
F. SOURCE	Source of Spill: <input type="radio"/> AST <input type="radio"/> UST <input type="radio"/> railway <input checked="" type="radio"/> transport <input type="radio"/> fixed facility <input type="radio"/> pipeline <input type="radio"/> highway <input type="radio"/> other					
	Description: Truck over filled at pump and drove off					
G. MED. MED.	Medium Affected: <input type="checkbox"/> air <input checked="" type="checkbox"/> land <input type="checkbox"/> water <input type="checkbox"/> groundwater <input type="checkbox"/> within facilities only					
	Waterway Affected:					
H. CAUSE	Reported Cause: <input type="radio"/> transportation accident <input checked="" type="radio"/> operational error <input type="radio"/> dumping <input type="radio"/> equipment failure <input type="radio"/> natural phenomenon <input type="radio"/> unknown <input type="radio"/> Other:					
	Description: Over filled at the pump					
I. DAM- AGES	Damages: No. of injuries: No. of deaths:					
	Evacuation Response Action Taken:					
K. NOT- FIED	Responding Agency: <input type="checkbox"/> DENR <input type="checkbox"/> DOA <input type="checkbox"/> discharger <input type="checkbox"/> federal <input type="checkbox"/> EPA <input type="checkbox"/> local					
	Agencies Notified:					
L. COMMENTS	Comments:					
	Truck driver overfilled and the diesel went on the ground. The gas station placed floor dry on the spill and let it soak over night. The floor dry was thrown away in their on-site dumpster.					

Department of Environment and Natural Resources
Ground Water Quality Program
523 East Capitol Avenue
Pierre, South Dakota 57501

Business Hours M thru F 8:00 - 5:00 pm
Normal business hours - (605) 773-3296
After business hours - (605) 773-3231