



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

May 14, 2020

Erick Arevalo
Arevalo Truck Lines
510 Nebraska Ave SW
Huron, SD 57350

Re: Closure designation for DENR File #2019.207: pertaining to a diesel release that occurred when an Arevalo Truck Lines vehicle had a overfill at the Cubby's West Station, 1700 W Havens Ave, Mitchell, South Dakota

Dear Mr. Arevalo:

The Department of Environment and Natural Resources (DENR) has reviewed the available information regarding the above referenced incident. Based on the information provided, it appears that a majority of the released fuel was cleaned up and poses no further risk to human health or the environment. Therefore, the department is closing this case.

Reports indicate that Arevalo Truck Lines violated state environmental laws by failing to report the overfill and leaving the scene of the release without taking any actions to clean up the spilled fuel. Violations of state environmental laws may result in enforcement actions and penalties. Further, in accordance with state laws, Arevalo Truck Lines is responsible for all costs incurred to clean up and properly dispose of the spilled fuel.

In this situation, Cubby's West staff responded appropriately to the spilled fuel and applied sand and floor dry. After the fuel was absorbed, contaminated media was scraped up and properly disposed at the Mitchell Regional Landfill. Costs associated with this action are the responsibility of Arevalo Truck Lines.

If you have questions or concerns about this closure designation, please contact Kelsey Newling of my staff at 605.773.3296.

Sincerely,

Kim McIntosh
Administrator
Ground Water Quality Program

cc: Jeff Bathke, Davison County Emergency Manager, Mitchell, SD
Faith Luntz, Cubby's West, 1700 W Havens, Mitchell, SD 57301