



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

denr.sd.gov

July 17, 2020

Gary Perowitz  
CHS Farmers Alliance  
407 South Main  
White Lake, SD 57383

Subject: Department of Environment and Natural Resources File Number 2020.100: pertaining to the herbicide release at 1800 Elevator Road, Mitchell, SD.

Dear Mr. Perowitz:

The Department of Environment and Natural Resources is contacting you regarding the event noted above. The department has recorded information provided about the event on an initial spill report form (enclosed for your review). It is understood that approximately 40 gallons of herbicide 2.4-D was released when a valve was knocked off a tote. All visibly contaminated material was excavated and placed on a tarp inside a building. In this situation, DENR requires the following:

- Please properly dispose or land apply all contaminated material;
- Please provide photos of the release site following excavation of all visibly contaminated material;
- Please include a copy of the manifest or documentation the material was land applied;
- By August 17, 2020, please complete 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).

Baylee Hoff has been assigned as the project manager of DENR case 2020.100 and will review your information to determine if additional cleanup is required. Please contact her at 605.773.3296 if you need additional information. Thank you for your cooperation and assistance.

Sincerely,

A handwritten signature in black ink, appearing to read 'Trish Kindt', is written over a white background.

Trish Kindt  
Ground Water Quality Program  
Phone: (605) 773-3296

cc: Jeff Bathke, Davison County Emergency Manager, Mitchell, SD  
Jeff Cleveland, Agronomy Manager, CHS Farmers Alliance, Mitchell, SD  
JD Farley, Department of Agriculture, Pierre, SD.

## South Dakota Spill Report Form

Dept. of Ag. Case No.

PRCF No.

State Case No. 2020.100

Reported: (mm/dd/yy) <b>07/16/20</b>		Time: <b>2:10 PM</b>		Recorded By: <b>J. McGuire</b>	
<b>A. REPORTER</b>	Reported By: <b>Jeff Cleveland Agronomy Manager</b>				
	Organization Name: <b>CHS Mitchell</b>				
	Organization: <input checked="" type="checkbox"/> discharger <input type="checkbox"/> public <input type="checkbox"/> state <input type="checkbox"/> local <input type="checkbox"/> federal				
	Address: <b>1800 Elevator Rd</b>				
	City: <b>Mitchell</b>		County: <b>Davison</b>		State: <b>SD</b>
Zip: <b>57301</b>		Phone: <b>605-996-7322</b>			
<b>B. DISCHARGER (Responsible Party)</b>	Name: <b>CHS Mitchell</b>				
	Address: <b>1800 Elevator Rd</b>				
	City: <b>Mitchell</b>		County: <b>Davison</b>		State: <b>SD</b>
	Zip: <b>57301</b>		Phone:		
<b>C. INCIDENT LOCATION</b>	Street or Approx. Location: As Above in B: <input checked="" type="checkbox"/> <b>NE of fertilizer tanks and building, on gravel.</b>				
	Survey Description: <b>43.723194, -98.049982</b>				
	City: <b>Mitchell</b>		Zip: <b>57301</b>		County: <b>Davison</b>
					State: <b>SD</b>
<b>D. DATE</b>	Spill Date: (mm/dd/yy) <b>07/16/20</b>			Spill Time: <b>2:00 PM</b>	
	Material Type (Code/Name):		Quantity Spilled		Spilled in Water
<b>E. MATERIAL</b>	<input checked="" type="checkbox"/> hazardous substance <input type="checkbox"/> oil				Units (Check 1)
	<input type="checkbox"/> material unknown <input type="checkbox"/> other				
	<b>Enlist 1 (herbicide)</b>		<b>~40</b>		
				<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.	
<b>F. SOURCE</b>	Source of Spill: <input type="radio"/> AST <input type="radio"/> UST <input type="radio"/> railway <input type="radio"/> transport <input type="radio"/> fixed facility <input type="radio"/> pipeline <input type="radio"/> highway <input checked="" type="radio"/> other				
	Description: <b>Mini-bulk tote had 70 gallons in it at time of transfer of fluids</b>				
	Regulated Tank: <input type="checkbox"/>				
<b>G. MED. AFFECTED</b>	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: <b>n/a</b>				
<b>H. CAUSE</b>	Reported Cause: <input type="radio"/> transportation accident <input type="radio"/> operational error <input type="radio"/> dumping <input type="radio"/> equipment failure				
	<input type="radio"/> natural phenomenon <input type="radio"/> unknown <input checked="" type="radio"/> Other:				
Description: <b>accidentally knocked the valve off of the tote</b>					
<b>I. DAM-AGES</b>	No. of injuries: <b>0</b>		No. of deaths: <b>0</b>		
	Response Action Taken:				
<b>J. ACTIONS</b>	<b>contained to gravel drive, applied Floor Dry. Will scrape up gravel and take to landfill</b>				
	Responding Agency: <input checked="" type="checkbox"/> DENR <input checked="" type="checkbox"/> DOA <input checked="" type="checkbox"/> discharger <input type="checkbox"/> federal <input type="checkbox"/> EPA <input type="checkbox"/> local				
<b>K. NOTIFIED</b>	Agencies Notified:				
	Comments:				
<b>L. COMMENTS</b>					

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