



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

May 10, 2021

Michael Seaman
State Farm
PO Box 106171
Atlanta, GA 30348

Subject: Department of Agriculture and Natural Resources File Number 2021.062:
pertaining to a diesel release at the intersection of Highway 42 and Highway 37,
west of Ethan, South Dakota. Claim #4119G767R

Dear Mr. Seaman:

The Department of Agriculture and Natural Resources (DANR) is contacting you regarding the event noted above. A copy of the initial spill report form is enclosed for your review. It is understood an accident involving your insured, resulted in the release of diesel fuel from a 50 gallon drum. The fuel spilled into a ditch in front of a Sinclair fuel station. Based upon information provided by South Dakota Highway Patrol, your insured was cited in the accident. For this reason, DANR considers Ms. Mette the party most responsible for causing the spill. The procedures for assessment/remediation of releases such as this were developed to protect the resources of the state of South Dakota. In this case, DANR requires the following:

- Hire an environmental consultant capable of performing petroleum spill response and clean-up activities in South Dakota. Instruct your consultant to assess the extent of the contamination and propose a remediation plan to DANR; and
- By June 7, 2021 complete the attached Written Contamination Incident Follow Up Report form (highlighted fields are required).

Kelsey Newling has been assigned as the project manager for this case. She will review the information provided and will contact you if remedial action is necessary. If you have any questions or need additional information, please do not hesitate to contact her at 605.773.3296. Thank you for your cooperation and assistance.

Sincerely,

Trish Kindt
Inspections, Compliance, & Remediation Program
(605) 773-3296

cc Mark Jenniges, Davison County Emergency Manager
Colleen Mette, 301 N Chapman Dr, Parkston, SD 57366

South Dakota Spill Report Form

Ag Case No.

PRCF No.

Spill Case No. **2021.062**

Reported: (mm/dd/yy) 05/02/21		Time: 3 PM		Recorded By: K.Newling	
A. REPORTER	Reported By: Duty Officer				
	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:		County:		State:
B. DISCHARGER (Responsible Party)	Name: Colleen Mette				
	Address: 301N Chapman Dr				
	City: Parkston		County:		State: SD
	Zip: 57366		Phone:		
C. INCIDENT LOCATION	Street or Approx. Location: As Above in B: <input type="checkbox"/>				
	Northeast ditch at Hwy 42 & Hwy 37				
	Survey Description:				
D. DATE	Spill Date: (mm/dd/yy) 05/02/21		Spill Time:		
	Material Type (Code/Name): <input type="checkbox"/> hazardous substance <input type="checkbox"/> oil <input type="checkbox"/> material unknown <input checked="" type="checkbox"/> other				
E. MATERIAL	Quantity Spilled		Spilled in Water		Units (Check 1)
	Diesel		50		<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.
F. SOURCE	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: Drum full of diesel				
	Regulated Tank: <input type="checkbox"/>				
G. 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 checked="" 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 type="radio"/> Other:				
I. DAM-AGES	Description: Trailer was struck by a van causing it to overturn in the ditch.				
	No. of injuries:		No. of deaths:		
J. ACTIONS	Response Action Taken:				
K. NOTI-FIED	Responding Agency: <input type="checkbox"/> DANR <input type="checkbox"/> Local <input type="checkbox"/> discharger <input type="checkbox"/> federal <input type="checkbox"/> EPA <input type="checkbox"/> Other				
	Agencies Notified:				
L. COMMENTS	Comments: Van struck a GFP truck and trailer. The trailer was hauling a four wheeler and a side by side. There was also a drum with approx. 50 gallons of diesel. The diesel was spilled in the ditch that appears to be a little wetland. An environmental consultant needs to be hired to remove the contamination.				

Department of Agriculture and Natural Resources
 Inspection, Compliance, and Remediation 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