



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

August 16, 2021

Brad Clark
Clark Paving
PO Box 93
Mitchell, SD 57301

Subject: Department of Agriculture and Natural Resources File Number 2021.104:
pertaining to a hot joint compound release at 208 South Edmunds Street,
Mitchell, South Dakota.

Dear Mr. Clark,

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. Based upon the information provided, approximately 25 gallons of hot joint compound leaked from a hole in a containment tote. The procedures for the assessment and cleanup of spills such as this were developed to protect surface and groundwater resources. It is understood that some of the hot joint compound may have been removed, but BNSF Railway has hired an environmental consultant to ensure that cleanup has been performed to their safety standards. In this situation, DANR requires the following:

- By September 17, 2021, please complete and return the attached Written Contamination Incident Follow Up Report form.

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

Sincerely,

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

cc Jeff Bathke, Davison County Emergency Manager, Mitchell, SD
Amanda Voborny, BNSF Railway, Lincoln, NE

South Dakota Spill Report Form

PRCF No.

Case No. 2021.104

Reported: (mm/dd/yy) 07/19/21		Time: 09:31		Recorded By: GK	
A. REPORTER	Reported By: Amanda Voborny				
	Organization Name: BNSF Railway				
	Organization: <input type="checkbox"/> discharger <input type="checkbox"/> public <input type="checkbox"/> state <input type="checkbox"/> local <input type="checkbox"/> federal				
	Address: 201 North 7th Street				
	City: Lincoln		County: Lancaster		State: NE
Zip: 68508		Phone: 402.458.7709			
B. DISCHARGER (Responsible Party)	Name: Brad Clark				
	Address: PO Box 93				
	City: Mitchell		County: Davison		State: SD
	Zip: 57301		Phone: 605.996.4495		
C. INCIDENT LOCATION	Street or Approx. Location: <input type="checkbox"/> As Above in B: <input type="checkbox"/>				
	208 S Edmunds Street				
	Survey Description: 43.708747, -98.031144				
	City: Mitchell		Zip: 57301		County: Davison State: SD
D. DATE	Spill Date: (mm/dd/yy)			Spill Time: Unknown	
E. MATERIAL	Material Type (Code/Name):		<input type="checkbox"/> hazardous substance <input type="checkbox"/> oil <input type="checkbox"/> material unknown <input checked="" type="checkbox"/> other		Quantity Spilled
	Asphalt - Hot Joint Compount		25		Spilled in Water
					Units (Check 1)
				<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: Plastic Tote				
	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 type="radio"/> transportation accident <input type="radio"/> operational error <input type="radio"/> dumping <input checked="" type="radio"/> equipment failure				
	<input type="radio"/> natural phenomenon <input type="radio"/> unknown <input type="radio"/> Other:				
Description: Hole in tote					
I. DAM-AGES	No. of injuries: 0		No. of deaths: 0		
J. ACTIONS	Response Action Taken:				
	BNSF will hire a consultant to remove the material. Clark Paving has stated they have picked up most of their debris.				
K. NOTIFIED	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:				

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