

South Dakota Spill Report Form

PRCF No.

Case No. **2023.037**

Reported: (mm/dd/yy) 04/19/23		Time:		Recorded By: J. McGuire	
A. REPORTER	Reported By: Sarah Blaine				
	Organization Name: POET Biorefining				
	Organization: <input type="checkbox"/> discharger <input type="checkbox"/> public <input type="checkbox"/> state <input type="checkbox"/> local <input type="checkbox"/> federal				
	Address: 40509 247th Street				
	City: Mitchell		County: Davison		State: SD
	Zip: 57301		Phone: 605-995-4213		
B. DISCHARGER (Responsible Party)	Name: Transportation Express				
	Address:				
	City:		County:		State:
	Zip:		Phone:		
C. INCIDENT LOCATION	Street or Approx. Location: As Above in B: <input type="checkbox"/>				
	40509 247th Street				
	Survey Description: 43.801533, -98.103491				
	City: Mitchell		Zip: 57301		County: Davison State: SD
D. DATE	Spill Date: (mm/dd/yy) 04/19/23			Spill Time:	
	E. MATERIAL	Material Type (Code/Name):		Quantity Spilled	Spilled in Water
<input checked="" type="checkbox"/> hazardous substance <input type="checkbox"/> oil <input type="checkbox"/> material unknown <input type="checkbox"/> other		445	unk.	<input type="radio"/> lb. <input type="radio"/> bbl. <input checked="" type="radio"/> gal. <input type="radio"/> oth.	
Sulfuric Acid (pH=2)				<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.	
				<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: Transportation tank				
	Regulated Tank Facility: <input type="checkbox"/> Tank Facility ID #:				
G. MED.	Medium Affected: <input type="checkbox"/> air <input checked="" type="checkbox"/> land <input checked="" type="checkbox"/> water <input type="checkbox"/> groundwater <input type="checkbox"/> within facilities only				
	Waterway Affected: Stormwater pond (on site)				
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: Hose failure				
I. DAM- AGES	No. of injuries:		No. of deaths:		
	Response Action Taken:				
J. ACTIONS	Some product entered a nearby storm drain. The drain was later bermed up to prevent further runoff. The spill was contained with soil berms.				
	Agencies Notified: NRC				
K. NOTI- FIED	Responding Agency: <input checked="" type="checkbox"/> DANR <input type="checkbox"/> Local <input checked="" type="checkbox"/> discharger <input type="checkbox"/> federal <input type="checkbox"/> EPA <input type="checkbox"/> Other				
	Agencies Notified: NRC				
L. COMMENTS	Comments:				
	Clean Harbors was hired to perform remediation. Scraped material to be put on drying pad until it can be properly disposed.				



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

May 1, 2023

Adam Ruden
Transportation Express
224 South Bell Avenue
Ames, IA 50010

Subject: Department of Agriculture and Natural Resources File Number 2023.037, pertaining to a sulfuric acid release at POET Biorefining, 40509 247th Street, Mitchell, SD.

Dear Mr. Ruden:

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 on the information provided, an estimate of 445 gallons of sulfuric acid were released due to Transportation Express' equipment failure. It is understood that POET Biorefining has hired Clean Harbors to perform the cleanup. Since the failed equipment that caused the release was owned and operated by Transportation Express, DANR considers Transportation Express as the responsible party and ultimately responsible for ensuring that this release is cleaned up in accordance with state standards. The procedures for the assessment and cleanup of spills such as this were developed to protect surface and groundwater resources. At this time, DANR requires the following:

- Direct the environmental consultant to excavate contaminated soil and collect confirmation soil samples to ensure that remaining soil has a pH in accordance with background levels. Contaminated soil must have a pH greater than 2 to be properly disposed at a permitted municipal solid waste landfill or it will need to be disposed as hazardous waste;
- Please provide this office a copy of the consultant's final report and disposal documentation;
- By June 1, 2023, complete and return the attached Written Contamination Incident Follow Up Report form.

Jackie McGuire has been assigned as the project manager for this case. She will review the information provided and will contact you if further assessment and/or cleanup is necessary. If you have questions or need additional information, please do not hesitate to contact her or myself at 605.773.3296. Thank you for your cooperation in this matter.

Sincerely,

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

cc Jeff Bathke, Davison County Emergency Manager
Sarah Blaine, POET Biorefining, Mitchell, SD