



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

September 30, 2025

Jonathan Bussmus
24903 404th Avenue
Mitchell, Sd 57301

Re: No Further Action designation for DANR File# 2025.041: pertaining to a dry fertilizer release that occurred due to a transportation accident on 403rd Avenue in Davison County near Mitchell, SD.

Dear Mr. Bussmus:

The Department of Agriculture and Natural Resources (DANR) has reviewed the available information regarding the dry fertilizer release and determined further investigation is unwarranted. As a result of this determination, DANR is assigning this case a No Further Action designation. DANR has decided based on available information, there is no current risk to human health and no additional significant risk to the environment.

Please note, if future problems arise from the remaining contamination, you may be responsible for conducting additional assessment or remediation. The No Further Action designation will be recorded in DANR's release database and can be found at <https://apps.sd.gov/NR42InteractiveMap>.

Thank you for your cooperation in protecting the ground water resources of South Dakota. If you have questions or concerns about this site's No Further Action designation, please contact Jamison Smith of my staff at (605) 773-3296.

Sincerely,

Hunter Roberts
Secretary

cc: Karen Wegleitner, Davison County EM
Rusty Weinburg, Davison County Highway Department
Cody Plamp, Central Farmers Coop
Jim White, Dakota Environmental



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MEMORANDUM

To: Terry Florentz, P.E., Administrator
Inspection, Compliance, and Remediation Program

From: Jamison Smith, Environmental Scientist I
Inspection, Compliance, and Remediation Program

Date: September 30, 2025

Subject: No Further Action designation for DANR File# 2025.41: pertaining to a dry fertilizer release that occurred due to a transportation accident on 403rd Avenue in Davison County near Mitchell, SD.

[Handwritten signature: J. Smith] *10/01/2025*
[Handwritten signature: J. Smith] *10/1/25*

Background Information

On April 16, 2025, DANR received a call from the Office of Emergency Management Duty Officer to report a release of an estimated 30,000 lbs. of dry fertilizer. The release occurred due to a transportation accident on 403rd Avenue just south of the intersection with 250th Street. The Responsible Party is Jonathan Bussmus, the semi driver, and the load belonged to Central Farmers Cooperative (CFC).

Investigation & Remediation

Mr. Bussmus reportedly conducted remedial activity the night of the spill, scraping up the remaining dry fertilizer after CFC recovered a majority of the spilled material with a vacuum truck. The recovered material and contaminated soil were land applied at SE 22-105N-58W & NW 25-105-58W, per CFC. The spill site was backfilled and reseeded after scraping.

After receiving pictures of the spill site from both Mr. Bussmus and the local Emergency Manager, it was observed that the ditch appeared to be in poor condition despite the scraping and reseeded action that had occurred. There was also standing water visible in both sets of pictures, which can prevent successful reseeding. DANR instructed Mr. Bussmus to hire an Environmental Consultant to take a sample of the site and conduct any necessary remedial activities. Jim White of Dakota Environmental was retained as the consultant for this case and took samples of the site on August 19th. Analysis was conducted for Nitrogen as ammonia (NH₃), nitrate and nitrite. The highest level and greatest cause for concern was a nitrogen as ammonia level of 5,410 parts per million, which exceeds application rates. After consulting with DANR agricultural chemical regulatory staff, it was determined the remaining nitrogen as

ammonia will not cause long-term environmental impacts at this spill site. It should be noted that this site is a low-lying area that is often very wet, and this may contribute to the lack of healthy vegetation.

Recommendation

Due to the lack of significant risk posed by the remaining contamination, I recommend that it be allowed to naturally attenuate, and this case be assigned No Further Action Status.