

# General Environmental Incident Summary

**Incident:** 8042      **Notice:** 4/5/2019      2015      **Occurred:** 4/5/2019      2015  
**DEM Incident No:**      **No Further Action:** ☒

**Responsible Party:** H and L Safety and Supply

**County:** Ward

**Twp Rng Sec Qtr:** 156 86 21

**Lat Long + Method:** 48.31311 -101.73570 Interpolation from map

**Location Description:** H and L Safety and Supply 109 Central Ave E Berthold, ND 58718

**Submitted By Info:** Allen Schmidt  
Police Department  
105 Main St  
Berthold ND 58718

**Received By Info:**

**Contact Info:** Christopher Taylor  
109 Central Ave E  
Berthold ND 58718

**Affected Medium:** 04 - water and soil

**Near. Occupied Bldg:** 20 Feet

**Type of Incident:** Unknown

**Release Contained:** No

**Reported to NRC:** Unknown

**Contaminant:** oil

**Volume of Release:**

**Duration of Release:**

**Agriculture Related:** No

**EPA Extremely**

**Hazardous Substance:** Yes

**Number of Fatalities:** 0

**Number of Injuries:** 0

**Cause of Incident:**

Cause is uncertain. One of the totes may have been dumped.

**Risk Evaluation:**

water table

**Potential Env. Impacts:**

moderate

**Action Taken/Planned:**

Excavation is promised by the owner of the company Christopher Taylor

**Wastes Disposal Location:**

The company informed me the will be taking waste to Clean Harbors

**Other Agencies Involved:**

Local Fire Department, Local Law Enforcement, Local Emergency Manager,

## **Updates**

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**Date:** 4/5/2019      **Status:** Reviewed - Follow-up Required

**Author:** DeVries, Taylor

**Notes:**

According to the incident report, the release of oil was not contained. Further follow-up is needed.

**Updated Volume:** None at the time of this update

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**Date:** 4/8/2019      **Status:** Inspection

**Author:** DeVries, Taylor

**Notes:**

Inspection Date: 4/8/2019

Arrived on location at 1620. Observed employee moving dirt with skid-steer on corner of property. The release starts at the southeast corner of the property and follows the ditch way, through culverts, 2.5 blocks to the east to the corner of Central Ave E and turns the corner going north another block. There are spots of dark petroleum staining along this pathway.

Spoke with the responsible party about clean up efforts. The southeast corner was being cleaned up at the time of my inspection. When asked about the ditch way, the responsible party wanted to wait until the ground dried to get a small excavator in to remove remaining contamination. Contaminated soil will be brought to Clean Harbors as stated by the responsible party.

Soil samples were taken for this incident. One sample in an impacted area within the ditch (48.312835 -101.733378 ) and another background sample (48.312392 -101.733423 ). Photos were taken and can be found in the report folder.

Follow-up is needed to assure proper cleanup.

**Updated Volume:** None at the time of this update

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**Date:** 4/24/2019      **Status:** Inspection

**Author:** Striebel, Ivana

**Notes:**

4/23/2019 - Onsite at 12:10 pm, overcast, 59° F, winds from the south at ~10 mph. Spoke to a company representative. He was able to call the owner of this business who was fine with me being escorted by the company representative. Some clean-up has taken place, but oil staining still remains. Pictures are in the incident folder. This business generates used oil. There was a tote on site at the time of site visit that was unmarked. I informed the representative that he needed to mark it "Used Oil". Next to the tote of oil was a barrel that had been cut. Inside the barrel was oil. The representative was informed that this is not acceptable storage. Another individual was called out and began to pump the contents of the barrel into the used oil tote. There was quite a bit of water on the ground on this property and in the gutter just off the site. This appears to be wash water from cleaning vehicles, in places where it has puddled, there is sheen on the water.

It has come to light that there was a piece of pipe that apparently runs from inside the building to the ditch that runs between the business and the trailer park to the east. By the time the department representative arrived this pipe was missing. It is unknown if this pipe was capped or just removed.

A meeting with the business owner has been scheduled for April 24, 2019. Further action required.

**Updated Volume:** None at the time of this update

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**Date:** 4/25/2019      **Status:** Inspection

**Author:** Striebel, Ivana

**Notes:**

4/25/2019 - Onsite at 2:12 pm, mostly sunny, winds WNW at ~37 mph, 49° F, conducted Hazardous Waste Inspection of this facility. Report will be put in folder after it has been finalized. Owner believes 5-7 gallons of oil was released. Three samples along the stormwater system were taken and, while digging for these soil samples, approximately half of an inch of petroleum staining was visible. Further action needed.

**Updated Volume:** None at the time of this update

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**Date:** 5/24/2019      **Status:** Inspection

**Author:** Striebel, Ivana

**Notes:**

5/8/2019 - Met with Chief of Police who called responsible party. We met at the business to discuss remediation efforts in the stormwater system. No additional clean up has occurred on site. Department representative let responsible party know that during the previous visit, while taking soil samples, he/she noticed approximately half an inch of staining present in the stormwater system. It was explained that the most conservative approach would be to take approximately 2 inches of soil out of the stormwater system, then test to make sure that enough oil contaminated soil was removed. Responsible party stated that he would not remove any soils unless he knew that it was oil contaminated. Department representative explained that the longer this remains in the stormwater system the greater the chance that the release will be pushed further in the system creating a larger release that would require remediation. Responsible party stated they would be hiring Braun Interek for site delineation and remediation. No samples were taken. Further action needed.

**Updated Volume:** None at the time of this update

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**Date:** 6/4/2019      **Status:** Correspondence

**Author:** Striebel, Ivana

**Notes:**

6/4/2019 - Finalized Hazardous Waste Inspection Report and LOAN placed in incident folder. Further action needed.

**Updated Volume:** None at the time of this update

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**Date:** 9/23/2019      **Status:** Inspection - More Follow-up Required

**Author:** Striebel, Ivana

**Notes:**

6/27/2019 - Onsite at 12:20 pm, mostly sunny, 84° F, light breeze from the east, no additional disturbance to soils in the stormwater system have been made. Took pictures of system from the RP's business through to the culvert located on the west side of 5th St NE (Hwy 28). Stormwater system has begun to revegetate, bottom of the area has some weeds. There has been quite a bit of precipitation and there are some areas with what appears to be staining that is daylighting especially around conex located on the east side of the business property.

Stopped in to the business to let them know that one of their vehicles was leaking (P1000554.JPG). Offsite at 12:50 pm, further action needed.

**Updated Volume:** None at the time of this update

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**Date:** 9/23/2019      **Status:** Inspection - More Follow-up Required

**Author:** Striebel, Ivana

**Notes:**

7/16/2019 - Onsite at 10:45 am, mostly cloudy, ~75° F, light breeze from the south. Spoke to RP who gave us a copy of work done by a contractor to delineate the site. This was dated July 11, 2019. Report is located in the file. At the time of this visit, samples and photos were taken which are also in the file, as well as the chain of custody paperwork for samples.

This area recently received nearly 5 inches of rain and there is still standing water. No sheen was seen in stormwater system, but there is staining around conex on the east end of the property, and erosional area has developed near the conex which also has dark staining. In the pictures there appears to be dark staining around vegetation in the water and is most likely caused by decaying vegetation. Offsite at 12:45 pm. Further action needed.

**Updated Volume:** None at the time of this update

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**Date:** 9/23/2019      **Status:** Correspondence - More Follow-up Required

**Author:** Striebel, Ivana

**Notes:**

6/19/2019 - Received RP response to LOAN letter. Further action required.

**Updated Volume:** None at the time of this update

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**Date:** 10/3/2019      **Status:** Correspondence - More Follow-up Required

**Author:** DeVries, Taylor

**Notes:**

Received sample results from the sampling event of 4/8/2019.

At the time these samples were taken, the diesel range organics in the soil were very elevated. Lab results can be found in the report folder.

**Updated Volume:** None at the time of this update

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**Date:** 10/25/2019      **Status:** Correspondence - More Follow-up Required

**Author:** Striebel, Ivana

**Notes:**

10/25/2019 - Left voice mail on RP cell phone requesting copies of disposal paperwork for debris generated from spill cleanup. Further action needed.

**Updated Volume:** None at the time of this update

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**Date:** 10/29/2019      **Status:** Correspondence - More Follow-up Required

**Author:** Striebel, Ivana

**Notes:**

10/29/2019 - Sending RP disposal information request by certified mail. Letter added to incident folder. Further action needed.

**Updated Volume:** None at the time of this update

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**Date:** 1/29/2020      **Status:** Correspondence - More Follow-up Required

**Author:** Striebel, Ivana

**Notes:**

1/29/2020 - Waste characterization and disposal paperwork added to file. Further action needed.

**Updated Volume:** None at the time of this update

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**Date:** 1/29/2020      **Status:** Correspondence - No Action Required

**Author:** Striebel, Ivana

**Notes:**

1/29/2020 - RP Return to Compliance letter has been placed in file. No further action needed.

**Updated Volume:** None at the time of this update