



January 5, 2018

MICHAEL HUBENETT  
CHS  
2000 SOUTH MAIN STREET  
MCPHERSON KS 67460

SUBJECT: Diesel Spill at the CHS Council Bluffs Terminal, Incident No. 080717-ARM-1145  
Staff Action No. 125457, Pottawattamie County

Dear Mr. Hubenett:

On August 7, 2017, the Iowa Department of Natural Resources (DNR) received a report that diesel was leaking from a 1,575,000 gallon diesel tank located at the CHS facility at 825 Tank Farm Road, Council Bluffs, Iowa. The exact quantity of product lost was unknown. Measures were taken to excavate the contaminated soil on the outside of the tank. During my initial investigation the day that the spill was reported, you stated that an inspection of the steel floor of the tank would be conducted and, if needed, the floor would be removed so that further excavation could be completed.

On October 16, 2017, I received a letter regarding the incident and the final version of the 30 day written response. It was reported that the total volume of diesel released during the spill was between 5,220 and 15,220 gallons, depending on the volume of product that remains in the soil under the tank. The tank was inspected but the floor was not sand blasted and no floor thickness scans were taken because the tank floor will be replaced regardless.

In an email on October 19, 2017, I asked for a timeline when the contaminated soil under the tank would be excavated. You stated that some exploratory digs would be completed to determine the extent of the contamination in the next couple of weeks.

In an email on November 6, 2017, you stated that the exploratory digs confirmed that approximately 1/3 of the ground below the tank floor had some level of contamination. At that time you also stated that confirmation on plans for tank demolition and a timeline for excavation had not been finalized.

On November 20, 2017, I received an email from Joey Phillips, CHS Environmental Manager. I was again notified that the timing and logistics for tank removal and excavation of the contaminated soil were still being explored.

It has been five months since the date of this incident and, to date, the DNR has not received documentation that the tank has been removed or that the soil under the tank has been properly excavated.

In accordance with 567 Iowa Administrative Code (IAC) Chapter 133.4, in all cases where an active source of contamination is identified, such as leaking tanks or current practices, which may be readily corrected, the source shall be removed, repaired or otherwise contained, or the contaminating practices ceased, immediately upon discovery of the source. In addition, readily accessible contaminants, for example concentrated contaminants spilled on the ground or accessible through a recovery well or system, **shall be promptly removed to avoid or minimize further contamination in the groundwater.**

This site is required to be cleaned up no later than **May 1, 2018**. Failure to properly clean up the contaminated soil may result in legal enforcement.

If you have any questions, please contact me via e-mail at [alison.manz@dnr.iowa.gov](mailto:alison.manz@dnr.iowa.gov) or by phone at (712) 250-0129 /cell.

Sincerely,



Alison Manz  
Environmental Specialist  
Field Services & Compliance Bureau

File: council bluffs010418.sp.chs follow up diesel spill letter.manz

CC: Elonda Bacon, DNR (Email)  
Hylton Jackson, DNR Contaminated Sites (Email)  
Mike Weddle, 825 Tank Farm Road, Council Bluffs, IA 51503  
Joey Phillips, CHS (Email)  
CHS Contaminated Sites Facility File, Pottawattamie County

**Suspense: May 1, 2018 – Contaminated soil properly cleaned up (Ch. 133)**