

**Division of Forestry
500 Lafayette Road
St. Paul, MN 55155**

October 01, 2019

Greetings,

To avoid water pollution, MS 115.061 requires “*every person to **notify** the agency immediately of the discharge, accidental or otherwise, of any substance or material under its control which, if not recovered, may cause pollution of waters of the state, and the responsible person shall **recover** as rapidly and as thoroughly as possible such substance or material and take immediately such other action as may be reasonably possible to minimize or abate pollution of waters of the state caused thereby.*” This requirement to notify the Minnesota duty officer of a spill over five gallons and to have the appropriate equipment on-site to immediately contain and capture petroleum spills is included in the terms and conditions of DNR’s permit to cut timber.

To ensure operators are in compliance with state law, DNR will take the following **new** actions in bold:

- Upon sale start-up, in addition to asking if the operator has a spill prevention plan, the timber sale administrator will **verify that the operator has a spill kit on-site.**
- If operators do not have a spill kit on-site, **written notification will be sent to the permit holder that a spill kit is required within one week of on-site work or operations will cease.** A spill kit must be acquired immediately to avoid a delay in permit operations.
- All permit **operations will be shut down and a liquidated damage charge may be assessed if the operator cannot produce a spill kit one-week after being notified.** Operations may resume as soon as a spill kit is on site. Operations include road and trail establishment and maintenance, felling trees, and hauling wood off the permit.
- As the sale progresses, foresters may ask to see that a spill kit is on site. Sites without a kit may be assessed liquidated damages and potentially be shut down until a kit is onsite.

What constitutes a spill kit? The intention is to have materials on hand that will minimize and contain a petroleum spill. Absorbent materials, trash bags, a shovel, and repair putty to remedy a leak constitute the minimum spill kit. The recommended contents of a spill kit are available in the Forest Management Guideline Quick Reference Field Guide on page 73. It includes:

- Emergency phone numbers
 - State Duty Officer 1-800-422-0789
- Absorbent pads, snakes and booms
- Trash bags
- Loose absorbent
- Plastic gloves
- Plugs
- Puncture repair putty

For more information, or if there are specific questions, please contact Jon Drimel, DNR Timber Program Supervisor 651-259-5289.