



Minnesota
Pollution
Control
Agency

Environmental
Audit Program

Environmental Audit Checklist – Spill and Discharge Reporting Program

Environmental Audits/General/#1.51/August 2001

Minn. Stat. ch. 115.061 requires that the Minnesota Pollution Control Agency (MPCA) be notified of spills and discharges, and that cleanup begin immediately:

115.061 DUTY TO NOTIFY AND AVOID WATER POLLUTION.

- (a) *Except as provided in paragraph (b), it is the duty of 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.*
- (b) *Notification is not required under paragraph (a) for a discharge of five gallons or less of petroleum, as defined in section 115C.02, subdivision 10. This paragraph does not effect the other requirements of paragraph (a).*

Spill and Discharge Audit Completion and Submittal

By necessity, this audit checklist is generalized. If there are doubts about the requirements or this checklist, owners, and operators are asked to contact MPCA staff. Contacts for the Spill and Emergency Response Program are:

Spill audit process:

Emergency Response Team Supervisor
Stephen Lee at (651) 297-8610.

Spill or discharge or contamination
reporting:

State Duty Officer at (651) 649-5451 or
(800) 422-0798.

Reporting and Cleaning Up Spills and Discharges (Minn. Stat. § 115.061)

Minnesota Law requires the person in control of a substance to immediately report any leaks or spills of the substance to the MPCA via the State Duty Officer. (There is a five-gallon “reportable quantity” for petroleum. Spills of any quantity of other substances must be reported.) The responsible person must take immediate steps to recover and clean up spills and leaks, regardless of quantity or material.

Minnesota Pollution Control Agency (MPCA) environmental audit checklists are designed to assist businesses by providing a low cost way of reviewing compliance with Minnesota’s environmental laws and rules. Because the laws and rules are numerous and often complicated, this checklist cannot be a complete guide to your legal obligations. You may have obligations that are not covered on this checklist. If you have questions regarding this checklist, your obligations, or conditions you discover when you evaluate your business operations, call the Emergency Response Team Staff at (651) 297-8573 or 1 (800) 657-3864.

For additional information on pollution prevention and waste minimization contact the Minnesota Technical Assistance Program (MnTAP) at (612) 624-1300 or 1 (800) 247-0015.





A. Compliance Determination:

Are there areas on the site (including tanks, pipelines, loading, and unloading areas) which are contaminated by spills or leaks which have not been cleaned up? ☐ Yes ☐ No

If "yes", describe the areas and known or suspected contamination:

Have there been spills on the site which have not been reported to the MPCA via the State Duty Officer at (651) 649-5451 or (800) 422-0798?

☐ Yes ☐ No

B. Compliance Plan:

If you answered "yes" to either of the questions in Section A, compliance should begin with a report to the State Duty Officer at (651) 649-5451 or (800) 422-0798.

If the situation has to do with leaks or spills of petroleum from storage tanks, the Duty Officer will connect you with the program that assists tank owners through the cleanup and reimbursement program. If the situation has to do with petroleum from other sources or any other product, then the Duty Officer will connect you with the Emergency Response Team who will either oversee your cleanup or refer you to the correct MPCA program. You should also send the results of your audit to the MPCA Environmental Audit Program Coordinator.

MPCA Web site: <http://www.pca.state.mn.us>