



STATE OF
MINNESOTA
 DEPARTMENT OF NATURAL RESOURCES

500 LAFAYETTE ROAD • ST. PAUL, MINNESOTA • 55155-40_____

DNR INFORMATION
 (612) 296-6157

September 20, 1993

RECEIVED

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MPCA, HAZARDOUS
 WASTE DIVISION

Conoco Inc.
 Attn: Cindy Mueller
 P.O. Box 4784
 Houston, TX 77210-4784

Dear Ms. Mueller:

APPROPRIATION PERMIT 92-6197, ONE WELL, DAKOTA COUNTY

Enclosed is Permit 92-6197, authorizing appropriation of water for the containment, removal, and treatment of ground-water contaminants on a continuous basis in Section 17, T28N, R22W. Please read all permit conditions and limitations. As a condition of this permit you are required to install a flow meter to record the monthly and total volumes of water appropriated annually. A water use report will be sent to you each January for reporting the amounts for the previous year. The report must be submitted with a processing fee by February 15 each year. The minimum processing fee is \$50.00 for any amount of water appropriated from zero to 50 million gallons. The report and fee must be submitted as long as the permit is active, even if no water is used. Failure to submit the water use report and fee can result in the termination of your permit. Please do not send the report and fee until notified.

Please note the provision of your permit regarding wetlands not subject to DNR jurisdiction. You should contact your local unit of government (County, City, or Soil and Water Conservation District) to determine your compliance with the Wetland Conservation Act of 1991. Your DNR permit does not authorize you to proceed with your project until you comply with the Act.

If you have any questions, please feel free to contact Evan Drivas at (612) 297-4604.

Sincerely,
 DIVISION OF WATERS

John Linc Stine, Administrator
 Permits and Land Use Section

JLS/ED:ed
 Enclosure

cc: Regional Hydrologist, Region 6
 Lower Mississippi River WMO
 David Scheer, MPCA Tanks & Spills
 Evan Drivas, Ground Water Unit
 Mayor's Office, City of West Saint Paul

Dakota County SWCD
 Jon Paetz, Dahl & Associates
 Data Systems



WATER APPROPRIATION PERMIT

500 Lafayette Road
St. Paul, MN 55155-4032

PERMIT	92-6197
COUNTY	DAKOTA

IN THE MATTER OF THE APPLICATION FOR APPROPRIATION OF WATERS OF THE STATE, PERMISSION IS HEREBY GRANTED TO:

PERMITTEE Conoco, Inc.	Authorized Agent Cindy Mueller	
Address P.O. Box 4784; Houston, TX 77210-4784		
To appropriate from: One Well in Water Table Aquifer (QWTA): Unique #513429, Diameter: 12", Depth: 33', Screened interval: 15'- 30' Point of Taking: SW $\frac{1}{4}$, SE $\frac{1}{4}$, NW $\frac{1}{4}$, Section 17, T28N, R22W, Dakota County.		
Purpose: The containment, removal, and treatment of ground water contaminants. Discharge is into sanitary sewer via oil/water separator and air stripper, under the authorization of Metropolitan Waste Control Commission.		
Property described as: Former Conoco Station 1126 South Robert Street West St. Paul, MN T28N, R22W, Section 17, SW $\frac{1}{4}$, SE $\frac{1}{4}$, NW $\frac{1}{4}$, Dakota County.		
Authorized Signature John Linc Stine <i>John Linc Stine</i>	Title Administrator Permits and Land Use Section	Date 9/20/93

This permit is granted subject to the following **CONDITIONS:**

1. QUANTITY:

The permittee is authorized to appropriate water at a rate not to exceed 50 gallons per minute. The total amount of water appropriated shall not exceed XXXXXXXXXXXXXXXX acre feet or 27 million gallons per year.

2. LIMITATIONS:

- (a) Any violation of the terms and provisions of this permit and any appropriation of the waters of the state in excess of that authorized hereon shall constitute a violation of Minnesota Statutes, Chapter 105.
- (b) This permit shall not be construed as establishing any priority of appropriation of waters of the state.
- (c) This permit is permissive only. No liability shall be imposed upon or incurred by the State of Minnesota or any of its employees on account of the granting hereof or an account of any damage to any person or property resulting from any act or omission of the permittee relating to any matter hereunder. This permit shall not be construed as estopping or limiting any legal claims or right of action of any person other than the state against the permittee, for any damage or injury resulting from any such act or omission, or as stopping or limiting any legal claim or right of action of the state against the permittee, for violation of or failure to comply with the provisions of the permit or applicable provisions of law.
- (d) In all cases where the doing by the permittee of anything authorized by this permit shall involve the taking, using, or damaging of any property, rights or interests of any other person or persons, or of any publicly owned lands or improvements thereon or interests therein, the permittee, before proceeding therewith, shall obtain the written consent of all persons, agencies, or authorities concerned, and shall acquire all property, rights and interests necessary therefore.
- (e) This permit shall not release the permittee from any other permit requirements or liability or obligation imposed by Minnesota Statutes, Federal Law or local ordinances relating thereto and shall remain in force subject to all conditions and limitations now or hereafter imposed by law.
- (f) Unless explicitly specified, this permit does not authorize any alterations of the beds or banks of any public (protected) waters or wetlands. A separate permit must be obtained from the Department of Natural Resources prior to any such alteration.

(over, please)

3. PERMITTEE'S RESPONSIBILITIES:

(a) MONITORING.

The permittee shall equip each installation for appropriating or using water with a device or employ a method to measure the quantity of water appropriated to within ten (10) percent of actual amount withdrawn unless otherwise specified by special provision.

(b) REPORTS.

Monthly records of the amount of water appropriated or used shall be recorded for each installation. Such readings and the total amount of water appropriated or used shall be reported annually to the Director of the Division of Waters, on or before February 15 of the following year, upon forms supplied by the Division. Any processing fee required by law or rule shall be submitted with the records whether or not any water was appropriated during the year. Failure to report shall be sufficient cause for terminating the permit 30 days following written notice.

(c) TRANSFER OR ASSIGNMENT.

Any transfer or assignment of rights, or sale of property involved hereunder shall be reported within 90 days thereafter to the Director of the Division of Waters. Such notice shall be made by the transferee (i.e. new owner) and shall state the intention to continue the appropriation as stated in the permit. This permit shall not be transferred or assigned except with the written consent of the Commissioner.

(d) MODIFICATION.

The permittee must notify the Commissioner in writing of any proposed changes to the existing permit. This permit shall not be modified without first obtaining the written permission from the Commissioner.

4. COMMISSIONER'S AUTHORITY:

(a) The Commissioner may inspect any installation utilized for the appropriation or use of water. The permittee shall grant access to the site at all reasonable times and shall supply such information concerning such installation as the Commissioner may require.

(b) The Commissioner may, as he deems necessary, require the permittee to install gages and/or observation wells to monitor the impact of the permittee's appropriation on the water resource and require the permittee to pay necessary costs of installation and maintenance.

(c) The Commissioner may restrict, suspend, amend, or cancel this permit in accordance with applicable laws and rules for any cause for the protection of public interests, or for violation of the provisions of this permit.

5. PUBLIC RECORD:

All data, facts, plans, maps, applications, annual water use reports, and any additional information submitted as part of this permit, and this permit itself are part of the public record and are available for public inspection at the offices of the Division of Waters. The information contained therein may be used by the Division as it deems necessary. The submission of false data, statements, reports, or any such additional information, at any time, shall be deemed as just grounds for revocation of this permit.

ADDITIONAL CONDITIONS

(See Attached Sheet.)

cc: Regional Hydrologist, Region 6
David Scheer, MPCA Tanks and Spills
Dakota County SWCD
Lower Mississippi River WMO
Mayor's Office, City of West St. Paul
Data Systems
Evan Drivas, Ground Water Unit
Jon Paetz, Dahl & Associates

PERMIT #92-6197

ADDITIONAL CONDITIONS

6. The permittee shall notify the Commissioner prior to abandoning, removing, covering, plugging or filling the well(s) from which the authorized appropriation was made. The well(s) must be abandoned by a licensed well driller and in accordance with the procedures required under the Minnesota Department of Health Water Well Code (4725.2500-4725.2900).
7. This permit is valid only in conjunction with all required discharge authorizations. The permittee must submit copies of discharge authorizations and agreements and report the termination of same to the Division of Waters.
8. The permittee shall measure observation well water levels on a quarterly basis.
9. The permittee must submit to the Division of Waters an annual progress report relating to the status of the cleanup. This report shall include water level data, a record of volumes of water pumped, estimates of contaminant mass removed or recovered from the water, and an estimate of the extent of the capture zone. The first annual report is due on or before October 31, 1994.
10. The permittee shall, whenever practical and feasible, provide for the reuse of discharged water and employ water conservation measures.
11. If notified by the Division of Waters that well interference is suspected and probable from your appropriation, based on confirmation of a formal well interference complaint, all appropriation authorized by this permit must cease immediately until the interference is resolved.
12. Minnesota Statutes require all installations for appropriating water to be equipped with flow meters, unless another method of measurement is approved by the DNR-Division of Waters.
13. Where the work authorized by this permit involves the draining, filling or burning of wetlands not subject to DNR jurisdiction, the permittee shall not initiate any work under this permit until the permittee has obtained official approval from the responsible governmental unit as required by the Minnesota Wetlands Conservation Act of 1991.

John Linc Stine
John Linc Stine, Administrator
Permits and Land Use Section

9/20/93
Date