

February 10, 2020

**Via Electronic Mail Only to pat.hanson@state.mn.us**

Pat Hanson  
Minnesota Pollution Control Agency  
520 Lafayette Road N  
St. Paul MN 55155

**Re: Request under the Minnesota Government Data Practices Act, Minnesota Statutes Section 13.01, et. seq. Regarding for Freeway Landfill and Freeway Dump  
Our File No. 21513.3**

Dear Mr. Hanson:

As you know, this firm represents the owners of Freeway Landfill and Freeway Dump (collectively, the "Properties") and I write to request, pursuant to the Minnesota Data Practices Act, Minnesota Statutes section 13.01 et seq. for public data, including without limitation, documents, e-mails, photographs, charts, maps, videotapes, audio-tapes, handwritten notes in either paper or electronic form or other mental impressions or spoken comments, copies of any and all records of correspondence, written, recorded or electronic (collectively "Data") within the control of the Minnesota Pollution Control Agency ("MPCA") regarding the following matters:

1. Any and all Data from January 1, 2000 to the date of this request between the Minnesota Pollution Control Agency ("MPCA") staff, agents or employees and the United States Environmental Protection Agency ("EPA") regarding the presence, production, release, monitoring, testing or reports for landfill gas or any of its typical constituents from, at or emanating from the Properties, including, without limitation, and Remedial Investigations in the possession of MPCA which were provided to EPA; and
2. Any and all Data as it relates to any public statements of Mr. Pat Hanson made to any elected officials of Burnsville regarding the presence or absence of any releases of hazardous substances, pollutants or contaminants as those terms are defined in Minn. Stat. 115B.02 (collectively "Hazardous Substances") to the limestone beneath the Properties; and
3. Any and all recordings or transcripts of the meeting between MPCA staff, agents or employees and the City of Burnsville on or about July 8, 2019; and
4. Any and all correspondence, transmittals or evidence showing that the MPCA every sent, disseminated or transferred originals or copies of any Environmental Impact

direct: 612.672.3672

email: dschleck@messerlikramer.com

fax: 612.672.3777

Statements from MPCA to the EPA at any time after 1980 and copies of the documents transmitted; and

5. Any and all Data regarding any Agency of the State of Minnesota planning for, investigating, studying, evaluating or discussing acquisition of any portion of the Property by private sale or eminent domain.

Once the documents are available please contact me at Messerli & Kramer 100 South Fifth Street, Suite 1400, Minneapolis, MN 55402, dschleck@messerlikramer.com, 612-672-3683 with an estimate of the costs to produce copies of such information.

If there are any fees for searching or copying these records, please inform me if the cost will exceed \$50.00 and what the total costs will be prior to charging me these costs. I have attached the form found on the City Website for such requests.

The Minnesota Data Practices Act requires compliance with this data request within a reasonable amount of time. If access to the records I am requesting will take longer than ten (10) days, please inform me of when I might expect copies to be available.

Sincerely,  
**MESSERLI KRAMER P.A.**



Daniel S. Schleck  
Attorney

C. Client  
C. O'Donovan  
MPCA Records Management Intake