



Minnesota Pollution Control Agency

520 Lafayette Road North
St. Paul, MN 55155-4194

Voluntary Brownfields Programs Enrollment Application Form

Voluntary Investigation and Cleanup (VIC) and Petroleum Brownfields Program (PBP)

Doc Type: Brownfield Application



Instructions: Please complete this form to enroll in either or both of the Minnesota Pollution Control Agency (MPCA) Voluntary Brownfields Programs (Voluntary Investigation & Cleanup [VIC] and Petroleum Brownfields Program [PBP]), pursuant to Minn. Stat. § 115B.17, subd. 14 (or the Land Recycling Act of 1992, as amended) and Minn. Stat. § 115C.03, subd. 9. For questions regarding the VIC Program, please call Patrice Jensen at 651-757-2465. For questions regarding the Petroleum Brownfields Program, please call Stacey Hendry-Van Patten at 651-757-2425. The MPCA can also be reached toll free at 1-800-657-3864.

Mail the completed form to: Stacey Hendry-Van Patten
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, Minnesota 55155-4194

\*Fields with an asterisk are mandatory. The application will not be processed if fields are incomplete.

MPCA site ID number (if known): Leak ID # 12967

Closed 2001, but tanks remained.
T# 7976-

\* Subject Property Information

Preferred Site Name (<= 4 words): Former Glencoe Shell Station

Previous Site name (if known):

Address: 920 10th St E.

City (or Township): Glencoe County: McLeod Zip: 56336

Public land survey coordinates: Qtr: Section: Twshp: Range:

Property Identification Number (PIN) (if more than one, please list all):

Approximate property size: 0.5 acre

\* Applicant Information

Name: Richard Kary Title:

Organization: K&W Stores of MN Inc. Phone: 507-373-6466 Fax:

Address: 2303 E Main St E-mail (optional): rkary@southmnoil.com

City: Albert Lea State: MN Zip: 56007

\* Please provide one of the following:

State taxpayer ID#: 203772823 Federal taxpayer ID#:

Other Parties to be Listed on the Letter(s) Requested Below

Name: Fred Werth Title:

Organization: Catwell Banker Burnett Phone: 320-510-1193

Address: 2015 10th St E E-mail (optional): FJWerth@CBBURNET.COM

City: Glencoe, MN 55336 State: Zip: 55336

**Current Property Owner** (complete if different from applicant)

Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Organization: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ E-mail (optional): \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**Applicant's Consultant** (List the name of your current environmental consultant, if applicable.)

Name: Jerald Erickson Phone: 507-340-1113 Fax: 507-243-3277  
Organization: Apex Environmental, Inc. E-mail (optional): apexenv@gmail.com  
Address: 96 Cedar Lane  
City: Madison Lake State: MN Zip: 56063

**Applicant's Attorney** (List the name of your current legal counsel, if applicable.)

Name: \_\_\_\_\_ Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
Organization: \_\_\_\_\_ E-mail (optional): \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**\* Spatial Data Information Requirement** (VIC only)

Site location point description (select one):  Center of Site  Main/Front Door  Front Gate/Main Entrance  
Latitude/Easting/X coordinate: 44.7689  
Longitude/Northing/Y coordinate: 94.1492  
Collection method (select one):  GPS-Survey Quality  GPS-Receiver  Interpolation DOQ  
Collection date (enter into text box using format M/D/YYYY): \_\_\_\_\_  
Organization name of who collected spatial data: Apex  
Organization type of who collected spatial data (select one):  
 City office  State office  Voluntary/Responsible party  
 County office  Indian tribe  
 Consultant  Developer

\*The *Spatial Data Requirements* document located on the MPCA website at: <http://www.pca.state.mn.us/programs/spatialdata.html> provides background information and a complete description of the spatial data.

**\*Is a MPCA Brownfield(s) response required for Environmental Grant(s)** (such as DEED)? (select one)

Yes – List potential funding sources (Note: the MPCA requires a **minimum** of 30 days to complete reviews. To request a review/response in less than 30 days, you must request approval from a BF's supervisor. Please contact Hans Neve at 651-757-2608; or if the contaminant type is petroleum only, contact Barbara Jackson at 651-757-2459.) For a list of grant sources, please see the *Brownfield Resource Guide* located at <http://www.pca.state.mn.us/lupg7f9>.

No or unknown at this time.

**\* Known or Suspected Contaminant Type** (select all that apply)

- Petroleum only** (PBP) - complete Section A (submit one paper report copy and one copy on CD)
- Non-Petroleum only** (VIC) - complete Section B (submit one paper report copy and one copy on CD)
- Petroleum and Non-Petroleum (Both)** - complete Section's A and B

(Note: you must submit two paper report copies and two copies on CD of all necessary reports)

**Section A - PBP Assistance/Assurances – Description of applicant's request** (select all that apply)

(See Guidance Document 5-02 Petroleum Brownfields Program General Information for a detailed description of the following services.)

- Expedited Review of a petroleum storage tank release site (e.g., leak site) or a petroleum non-tank source
- Technical review of a *Response Action Plan (RAP)* for a petroleum impacted property
- Liability Assurance Letters (Minn. Stat. § 115C.03, subd. 9C)
- General liability Letter.
- Tank Removal Verification Letter. MPCA ID#: \_\_\_\_\_
- Off-site Tank Release Determination Letter. Suspected source MPCA ID#: \_\_\_\_\_
- File Closure Confirmation Letter. MPCA ID#: 12967 - NA, may have updated info in future for this

**Section B - VIC Program Assistance/Assurances – Description of applicant's request** (select all that apply)

(See Guidance Document #1 and #4 MPCA Voluntary Investigation and Cleanup for a detailed description of the following services.)

- Technical review or third-party review only.
- No Association Determination or Retroactive No Association Determination.
- For a **No Association Determination** request, please include a Proposed Actions Letter that includes a statement on any association with the property and releases at the property by the party(s) requesting the determination, and a list of the actions the party(s) intend/s to take at the site.
  - For a **Retroactive No Association Determination** request, please include:
    1. A Past Actions Letter that includes a statement on any past association with the property and releases at the property by the party(s) requesting the determination, and a list of the actions the party(s) took at the site; and
    2. An affidavit for each party requesting the determination, including a statement of the signing individual's relation to the party, and a statement that the party did not contribute or associate itself in any manner with the releases to be named in the determination.
- No Action or No Further Action Letter.
- No Action Agreement or Covenant Not to Sue.
- Off-Site Source Determination or Agreement under the Land Recycling Act (Minn. Stat. § 115B.177).
- Certificate of Completion under the Land Recycling Act (Minn. Stat. § 115B.175).

**Attachments to the Application Form**

Please list any reports, maps, or other attachments to this form (use separate page if necessary). **All documents submitted to the MPCA for use in this program are considered public unless otherwise classified by the Minnesota Data Practices Act. Requests to classify documents as non-public must be submitted to the MPCA in writing.**

## \* Certification

The **applicant** or other person signing below on behalf of applicant (Agent):

- Certifies that the **applicant** has read and is familiar with the information on this form and all attached documents, and that the submitted information is true, accurate and complete to the best of the **applicant's** knowledge.
- Hereby asks the MPCA Commissioner for assistance as requested by this application. The **applicant** understands this assistance may include the review of MPCA records and files, and review and approval of investigation plans and reports as well as response action plans and oversight of implementation actions.
- Understands that the **applicant** must pay the MPCA Commissioner for the MPCA's costs of providing this assistance under Minn. Stat. § 115B.17 subd. 14. and/or Minn. Stat. § 115C.03 subd. 9. The current fee is \$125.00 per hour. The **applicant** understands that the MPCA Commissioner will send invoices for these costs and that failure to pay the MPCA's costs in a timely manner may result in the MPCA Commissioner taking appropriate administrative or legal action against the **applicant**.
- Hereby agrees to pay the costs of the MPCA to provide services to the **applicant** as requested in this application. Furthermore, if the form is completed by an Agent of the **applicant**, that person certifies that he/she has the authority to submit this application on behalf of the **applicant** named herein.

Name (print): Richard E. Kary Title: President  
Organization name: R & W Stores of Mn, Inc  
Signature: Richard E Kary Date: 5-6-11

To request state assistance or report petroleum or hazardous materials spill call the Minnesota Duty Officer at 1-800-422-0798 or 651-649-5451 (24 hours a day).

## VanPatten, Stacey (MPCA)

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**From:** Werth, Fredric [FJWerth@CBBURNET.COM]  
**Sent:** Wednesday, May 11, 2011 9:53 AM  
**To:** VanPatten, Stacey (MPCA)  
**Subject:** Glencoe Shell-L# 12967

Hello Stacey,

I received your name from Richard Kary's agent. I am the real estate agent representing the buyer of the former Shell station in Glencoe. The tanks were removed approximately a month ago by the current owner. I am not sure what a General Liability letter entails, but my buyer just wants assurance that he will not be responsible or need to destroy \$30,000 worth of new concrete to possibly remove contaminated soil at a later date. - my want to call?

Please send this letter to me at:

Fred Werth  
Coldwell Banker Burnet  
2015 10th Street East  
Glencoe, MN 55336

or fax it to 888-510-1193.

Thank you.

**Fred Werth**  
**Coldwell Banker Burnet**  
**320-510-1193**  
**[www.FredWerth.com](http://www.FredWerth.com)**

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*Mark Johnson*