

District 4 No. TLA-2008-19801
C.S. 2106 TH 27
R.P. 81.128

**ACCESS AGREEMENT BETWEEN
THE MINNESOTA POLLUTION CONTROL AGENCY AND
THE MINNESOTA DEPARTMENT OF TRANSPORTATION**

The Minnesota Pollution Control Agency (MPCA) is investigating, and/or taking corrective action in response to a suspected release of petroleum from a tank in the vicinity of the property owned by the Minnesota Department of Transportation (Mn/DOT), located at:

TH 27 in Alexandria, Minnesota at locations indicated on the map attached as Exhibit 1 and made part of this Access Agreement.

Mn/DOT hereby consents and authorizes the MPCA, its employees, agents and contractors, to enter this property for the purpose of performing reasonable and necessary investigations and corrective actions in response to the suspected petroleum tank release. The MPCA is authorized to take these actions under Minn. Stat. § 115C.03, subd. 7(2000). The MPCA will provide Mn/DOT with a copy of its proposed workplan for investigation and/or corrective action prior to initial entry on the property. The MPCA will notify Mn/DOT as to any substantial changes made in the proposed workplan, including the addition of new borings or monitoring wells within 48 hours of making the changes.

The MPCA will notify Mn/DOT's Permits Coordinator, Steve Maack (218-847-1545) at least 48 hours before entering the property. Work will be conducted during regular business hours (8:00 a.m. to 5:00 p.m.) unless the MPCA receives permission to conduct work during different hours. The MPCA will conduct its activities so as to minimize interference with the use of the property. If any portion of the property must be disturbed as a result of the MPCA's activities, the MPCA will restore the property as close to its original condition as is reasonably possible under the circumstances. Mn/DOT will take reasonable precautions to ensure that the equipment of the MPCA and its contractors on the property is not damaged, and that the work being conducted by the MPCA, its employees, agents and contractors is not disrupted.

The MPCA will obtain all necessary permits for installation and maintenance of the monitoring wells, remediation wells, and/or water wells, if such wells are installed. Upon completion of all necessary sampling or remediation, the MPCA will seal the monitoring wells, remediation wells and/or water wells in accordance with state law. Results of all testing conducted on the property will be provided to Mn/DOT.

MPCA agrees that any traffic control in connection with the work under this Access Agreement shall be in accordance with the Minnesota Field Manual on Temporary Traffic Control Layouts (January 2007 Field Manual). MPCA agrees that there shall be no traffic detours in connection with the work under this Access Agreement. MPCA agrees that it shall be responsible for furnishing and maintaining all traffic control devices in accordance with the Field Manual.



Minnesota Department of Transportation
Environmental Services
6000 Minnehaha Ave. South, Mailstop 660
St. Paul, MN 55111

February 26, 2008

Tim Grape
STS Consultants
10900 73rd Avenue N, Suite 150
Maple Grove, MN 55369

Re: Drilling and Sampling on Mn/DOT's TH 27 Right of Way in Alexandria

Dear Mr. Grape:

Enclosed is the signed "Temporary License Agreement for Drilling and Sampling" between the Minnesota Pollution Control Agency and the Minnesota Department of Transportation, for work at the above-referenced location.

Please remember, a minimum of 48 hours before your work is scheduled to begin, you will need to notify the Mn/DOT District Permits Coordinator of the date you plan to start the work in the right of way, and approximately how long the work will take to complete. When the installation is complete, you must sign and return the Certificate of Completion of Drilling and/or Sampling to the District Permits Coordinator.

Please call me at 651-366-3635 if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Summer S. Allen".

Summer S. Allen
Project Manager

Enclosure

cc: File

The MPCA shall be liable for injury to or loss of property, or personal injury or death, caused by an act of omission of any employee of the state in the performance of the work described above, under the circumstances where the state, if a private person, would be liable to the claimant, in accordance with Minn. Stat. § 3.736.

This Access Agreement shall be effective upon the date that the final required signature is obtained by Mn/DOT pursuant to Minn. Stat. § 16C.05, subd. 2 (2000). The MPCA shall not commence any activities on Mn/DOT property until the MPCA has received a fully executed copy of this Access Agreement. The authorization to perform work pursuant to this Access Agreement shall remain in effect for a three-year period from the date of full execution, and may only be extended upon written request from the MPCA, and by written authorization from Mn/DOT.

The designated contacts for purposes of administration of this Access Agreement are as follows:

Mn/DOT

Mn/DOT District 4
Attn: Steve Maack
1000 Highway 10 West
Detroit Lakes, MN 56501
218-847-1545

MPCA

Minnesota Pollution Control Agency
Attn: Arlene Furueth
714 Lake Avenue
Detroit Lakes, MN 56501
218-846-0732

STS Consultants
Attn: Tim Grapc
10900 73rd Avenue N, Suite 150
Maple Grove, MN 55369
612-759-5042

MINNESOTA POLLUTION CONTROL AGENCY

Donald Milles
DONALD MILLES
Project Manager *supervisor*
Minnesota Pollution Control Agency

2/6/08
Date

MINNESOTA DEPARTMENT OF TRANSPORTATION

Steve M Maack
STEVE MAACK
District Permits Coordinator
Minnesota Department of Transportation

2/11/2008
Date

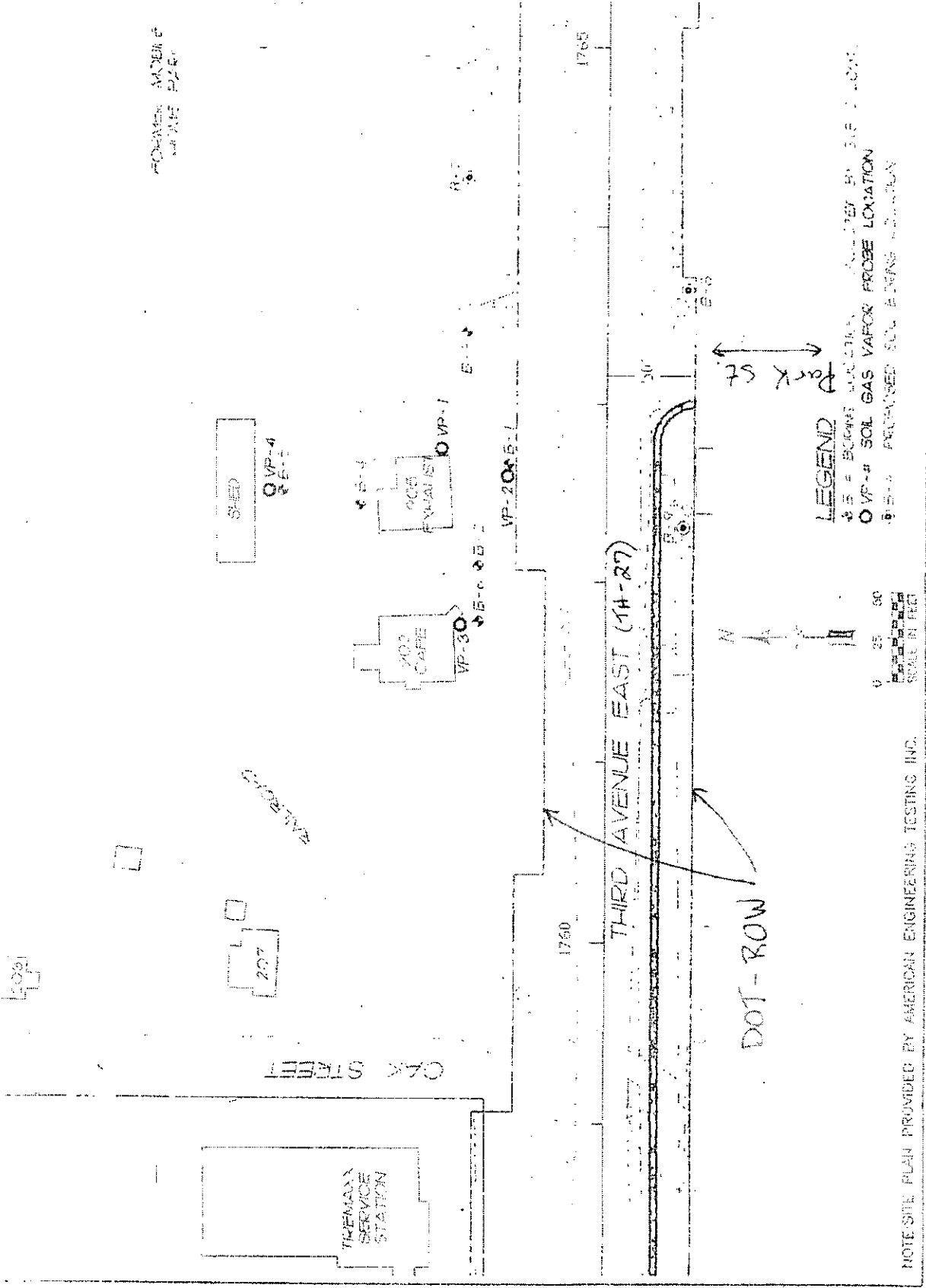


REGISTERED PROFESSIONAL ENGINEERS

PROJECT: 21168207225ALEX-01-03-PA-010-10187-WP-15 (11-27-04)

PROPOSED SOIL BORING LOCATION DIAGRAM
ALEX BARNHART
905 3RD AVENUE EAST
ALEXANDRIA, MINNESOTA
P.O. BOX 102

DATE	11/27/04
NO.	210/102724



NOTE: SITE PLAN PROVIDED BY AMERICAN ENGINEERING TESTING INC.