

Office Memorandum

NO COST RECOVERY MEMO

February 1999

DATE: ~~4/26/06~~ 8/7/06

TO: File

THROUGH: *Donald Milless*
Don Milless, Supervisor, Petroleum Remediation UnitFROM: Laurie Kania, Project Leader, Petroleum Remediation Unit *Laurie Kania*

PHONE: 218/529-6257

SUBJECT: UNCOLLECTIBLE DEBT/ MPCA

1. Leak Number: LEAK00015656
2. Leaksite name/city: Alex Exhaust, 905 Third Avenue East, Alexandria, MN 56308
3. Date of occurrence/report: February 25, 2004
4. Date money first spent (work order date): No money spent.
5. How much spent: State amount: \$
Federal amount: \$
6. What accomplished: Fund Financed work to begin FY07
7. Why cost recovery should not be pursued (**bold** all that apply):
 - A. All reasonable collection efforts have been exhausted.
 - B. The cost of further collection action will exceed the amount recoverable.
 - C. The debt is legally without merit or cannot be substantiated by evidence.
 - D. **The debtor is deceased or cannot be located.**
 - E. The available assets or income, current or anticipated, that may be available for payment of the debt are insufficient.
 - F. The debt has been discharged in bankruptcy or corporation has been dissolved.
 - G. The applicable statute of limitations for collection of the debt has expired.
 - H. It is not in the public interest to pursue collection of the debt.
 - I. Other.

8. Supporting information (**bold** those that apply with explanation below):

- A. Collection efforts taken
- B. Cost of collection
- C. Legal or evidentiary problems
- D. Efforts to locate debtor**
- E. Information regarding debtors assets
- F. Bankruptcy filing date or corporate dissolution date
- G. Statute of limitations
- H. Why the public interest does not support further collection efforts
- I. See explanation below

Explanation:

04/25/06 (DKM) Reviewed FUND-FINANCED evaluation form. Recommend taking over FF'd, and assigning to Amy Miller. FF'd work to begin in FY07 (July 06). No viable RPs. Release discovered during Phase II, site was a former gas station in the 60s, but two most recent property owners have never owned any tanks, or had knowledge of any tanks. Because no viable RP, unable to send Commissioner's Order, and NCR for current property owner should be submitted for signature.

cc: KariJo Ferguson, Assistant Attorney General
Michelle Oie, Cost Recovery Coordinator