

Minnesota Pollution Control Agency

March 22, 2004

Ms. Bridgette Malvin
Alex Exhaust
905 Third Avenue East
Alexandria, MN 56308

← Not RP
Ben Zacher
901 Hwy 29 N
(320) 760-1712

RE: Petroleum Storage Tank Release Investigation and Corrective Action
Site: Alex Exhaust, 905 Third Avenue East, Alexandria, 56308, Douglas
Site ID#: LEAK00015656

Dear Ms. Malvin:

Notice of Release

The Minnesota Pollution Control Agency (MPCA) has been informed that a release of petroleum has occurred from storage tank facilities that you own and/or operate. We appreciate your timely notification so this site can be handled in an efficient manner.

Legal Obligations

Federal and state laws require that persons legally responsible for storage tank releases notify the MPCA of the release, investigate the release and, if necessary, clean up the release. A person is considered legally responsible for a tank release if the person owned or operated the tank either during or after the release, unless specifically exempted under the law. If you believe that you are not legally responsible for this storage tank release, please contact the project manager listed below.

If you are not legally responsible for the release, but hold legal or equitable title to the property where a petroleum tank release occurred, you may volunteer to take corrective action. The legislature established the Petroleum Tank Release Compensation Fund (Petrofund) to reimburse responsible persons and volunteers who take corrective action for a portion of their costs. The Petrofund is administered by the Petroleum Tank Release Compensation Board (Petro Board), which is part of the Minnesota Department of Commerce. To learn more about the Petrofund reimbursement program and the responsibilities of an eligible applicant, please contact Petrofund staff at 651/215-1775 or 1-800-638-0418 (in greater Minnesota only). We strongly encourage you to familiarize yourself with the enclosed proposal and invoice forms and the other program requirements in order to maximize the available reimbursement (Please note that final decisions regarding the amount of reimbursement are made by the Petro Board).

Request to Take Corrective Action

The MPCA staff requests that you take steps to investigate and, if necessary, clean up the release in accordance with the enclosed MPCA fact sheets. The site investigation must fully define the extent and magnitude of the soil and/or ground water contamination caused by the release. A report (excavation report and/or remedial investigation/corrective action design (RI/CAD)) which details the results of the investigation or concludes that excavation was sufficient to clean up the release must be submitted to this office within 10 months of the date of this letter. Please refer to MPCA fact sheets for information pertaining to the amount of work needed at the petroleum release site(s).

520 Lafayette Rd. N., Saint Paul, MN 55155-4194; (651) 296-6300 (Voice); (651) 282-5332 (TTY); www.pca.state.mn.us

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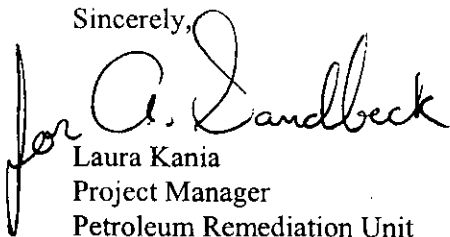
Sites with free product (free-floating petroleum), drinking water supply impacts, surface water impacts, indoor vapor impacts, fire or explosion hazards, or ground water impacts which pose a significant threat to public health or the environment, are considered high priority for staff review. If one or more of these situations apply to your site, an RI/CAD report must be submitted within 90 days. In addition, if you know or discover that there is free-product from a well, excavation, or borehole, you must notify the MPCA within 24 hours and IMMEDIATELY begin interim free product recovery.

If you have not already done so, the MPCA recommends that you hire a qualified consulting firm registered with the Petro Board that has experience in conducting petroleum tank release site investigations and in proposing and implementing appropriate corrective actions. A list of registered contractors is available from the Petrofund staff. The MPCA reserves the right to reject proposed corrective actions if the requirements of the site investigation have not been fulfilled. Please note that, under Minn. R. 2890 (1998), you must solicit a minimum of two written competitive consultant proposals on a form prescribed by the Petro Board. A minimum of two written competitive contractor bids must also be obtained for each contractor service. We encourage you to contact Petrofund staff for answers to all of your questions about bidding and the other Petrofund reimbursement program requirements.

Required Response

MPCA staff requests a response to this letter within 30 days. Please tell us whether you intend to proceed with the requested work. If you do not respond within this time frame, the MPCA staff will assume that you do not intend to comply, in which case the MPCA Commissioner may order you to take corrective action. Failure to cooperate with the MPCA in a timely manner may result in reduced reimbursement from the Petro Board. See Minn. R. 2890 (1998). The enclosed fact sheets will provide you with the information necessary to complete a successful investigation and cleanup. If you have any questions concerning this letter or need additional information, please contact me at 651-297-8600. Please reference the above LEAK # in all correspondence. If you are calling long distance, you may reach the MPCA by calling 1-800-657-3864.

Sincerely,



Laura Kania
Project Manager
Petroleum Remediation Unit
Petroleum and Landfill Remediation Section
Majors and Remediation Division

LMK:ais

Enclosures

cc: Jim Taddei, Administrative City Clerk, Alexandria
Shane Schmidt, Fire Chief, Alexandria
Paula Carpenter, Douglas County Solid Waste Officer
Andy Schmidt, Coteau Environmental, Alexandria