



MINNESOTA
DEPARTMENT OF
COMMERCE

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St. Paul, Minnesota 55101-2198
mn.gov/commerce/
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An equal opportunity employer

October 7, 2013

MDW Equity LLC
Attn: Sara L. Vinas, Counsel
2760 North University Drive
Davie, FL 33024

SCANNED

RE: Financial Assessment Determination
Site: Former Food-n-Fuel, St. Francis, MN
Site ID#: 18925

Dear Ms. Vinas:

The financial disclosure forms completed on August 28, 2013, have been reviewed by Petrofund staff. Based on our analysis of your company's financial hardship claim, the Petrofund has determined that MDW Equity LLC does not have the financial means to pay for the corrective action work required at the above-referenced site.

The Petroleum Tank Release Cleanup Act provides that a corporation is responsible for a release from a tank if the corporation is an owner or operator of the tank at any time during or after the release. The Minnesota Pollution Control Agency (MPCA) has determined that MDW Equity LLC is a responsible person under Minn. Stat. §115C.021, subd. 1 for the release that occurred at this site. Although the MPCA has determined that you are a responsible person under Minn. Stat. §115C.021, subd. 1 for the release that occurred at this site, the MPCA will take corrective action in your place (pursuant to Minn. Stat. §115C.03, subd. 2). The MPCA will contact you with further instructions. **Please note that because MDW Equity LLC owns the leaksite property, the Minnesota Department of Commerce reserves the right to impose an environmental lien on the property for the corporation's portion of the corrective action costs (pursuant to Minn. Stat. §514.671 to 514.676).**

Please note that MDW Equity LLC has a continuing responsibility to promptly provide additional financial information should any of the submitted information change relating to the corporation's financial situation.

If you have any questions, please contact me at 651-539-1507 or 800-638-0418 (outside the Twin Cities), or via e-mail at joel.fischer@state.mn.us. The Petrofund fax number is 651-539-0103.

Sincerely,

Joel Fischer, Director
Petroleum Tank Release Cleanup Fund (Petrofund)

copy: Michelle Oie, MPCA Cost Recovery Coordinator
Stephen Frye, MPCA Project Manager