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MINNESOTA POLLUTION CONTROL AGENCY
COMMISSIONER'S SITE REPORT
TO THE PETROLEUM TANK RELEASE
COMPENSATION BOARD

SCANNED

Site: Former KC's Quick Stop
Site ID#: LEAK000014698
Applicant: Celeste Kirkoff
Date Commerce Received Application: 9/6/11

1. Eligibility Determination

I hereby determine that the corrective action described in the application was appropriate in terms of protecting public health, welfare, and the environment and that the applicant is eligible for Petrofund reimbursement, pursuant to Minn. Stat. § 115C.09, subd. 2a, item (d) (2008).

2. Compliance with Applicable Requirements: **INADEQUATE**

Information readily available to the Minnesota Pollution Control Agency staff shows that the applicant has complied with the applicable requirements of Laws 1999, Chapter 203, section 2, to be coded as Minnesota Statutes Section 115C.09, subdivision 3(i) (2008), with the following exceptions:

LEAK DETECTION FOR TANKS

-At the time of the release, regular inventory control and tank tightness testing measures were not taken and/or leak detection equipment was not installed on the underground petroleum storage tank system as required by Minn. R. 7150.0300-.0340 (2007) and/or 40 C.F.R. § 280.40-41.

-DATE TANK LEAK DETECTION REQUIRED:

- 12/93 (for tanks installed in 1986)
- Upon installation (for tank installed in 1997)

Reimbursement Reduction Recommendation:


The Minnesota Pollution Control Agency staff recommends a 15 percent reimbursement reduction in accordance with Laws 1999, Chapter 203, section 2, to be coded as Minnesota Statutes Section 115C.09, subdivision 3(i)(2008), and Minn. R. 2890.0065 subp. 1, item A(2) (2007).

MEMO

3. Conclusion

The determinations in this report are made solely for the purpose of determining eligibility for reimbursement under Minn. Stat. § 115C.09, subd. 2 (2008) and Laws 1999, Chapter 203, section 2, to be coded as Minnesota Statutes Section 115C.09, subdivision 3(i) (2007). Nothing in this site report releases any person from liability, and the Minnesota Pollution Control Agency does not waive any of its authority to require additional corrective action at the above-referenced site or to enforce other provisions of state law.

Dated: Oct. 19, 2011



Michael Kanner
Manager, Petroleum Remediation Program
Remediation Division



PETROFUND REQUEST FOR MPCA COMMISSIONER'S SITE REPORT

DATE: LEAK #:

APPLICANT: SITE NAME:

PROJECT MANAGER: TANK INSPECTOR:

REGION:

DATE APP RECEIVED: RETURN BY:

PROJECT STATUS: OPEN
 CLOSED

TANK(S): UST
 AST

TANK INSPECTOR REVIEW NEEDED?: YES
 NO

IF SO, TANK INSPECTOR REVIEW COMPLETED?: YES
 NO

SITE REPORT DETERMINATION: ADEQUATE
 INADEQUATE

SITE REPORT COMPLIANCE ISSUE(S):

- FAILURE TO PROVIDE CORROSION PROTECTION
- FAILURE TO PROVIDE LEAK DETECTION
- FAILURE TO PROVIDE SPILL & OVEREILL PROTECTION
- FAILURE TO PROVIDE SECONDARY CONTAINMENT
- FAILURE TO REPORT A RELEASE (STANDARD)
- FAILURE TO REPORT A RELEASE (LIMITED USE)
- FAILURE TO COOPERATE WITH THE MPCA

DESCRIPTION OF SITE REPORT COMPLIANCE ISSUE(S):

Comments from tank inspector review:

This site had tanks removed on or about April 15, 2002 by Rollies Tank Service. Also, the owner informed me that the bank had takeover this site back on or around 5-19-1999, when I was ont site with Mr. Kurt Kirkof

From time of install of the two 8,000 gallon tanks in 6-19-86 leak detection was to have been daily sticking and tank testing.

The completed Application by the Consultant stated they were using this method but no records have been provided.

Also the application stated that an ATG (Auto Tank Guage) was used for

Tank leak detection(This was only used when the new tank was installed in 3-1-1997....No records of passing leak tests have been provided. Was to have started in Dec. of 1993 on old tanks and in 1997 for the newer tank(003)

Should additional questions or comments arise, please feel free to contact me here in brainerd at 218-316-3879...