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

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).

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: 10/13/11 LEAK #: 14698

APPLICANT: Celeste Kirkoff SITE NAME: Former KC's Quick Stop

PROJECT MANAGER: AMY JENDRO TANK INSPECTOR: STAN KALINOSKI

REGION: II (Stearns)

DATE APP RECEIVED: 9/6/11 RETURN BY: 10/13/11

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 & OVERFILL 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 or on about April 15 2002 by Roles Tank Service. Also the owner informed me that the bank had taken over this site back on or around 5-15-1999 when I was out site with Mr Kurt Kirkoff.

From time of install of the two 8,000 gallon tanks in 5-19-99 leak detection was to have been daily, stocking and tank testing.

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

Also the applicator 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 214 316-3879...

Minnesota Pollution Control Agency

520 Lafayette Road North St. Paul, MN 55155-4194

Petroleum Tank Release Compliance Checklist

Petroleum Remediation Program

Doc Type Petrofund Compliance Checklist

Site name: Former KC Kwik Stop LEAK000: 14698
MPCA PRP Project Manager: Amy Jendro Date review completed: 10/13/2011
Regional MPCA Tank Inspector (if applicable): Stan Kallinoski Date review completed: 10/11/2011
Minnesota Pollution Control Agency (MPCA) Petroleum Remediation Program (PRP) (mm/dd/yyyy)
Tank Inspector review needed? (No TI review needed on unregulated tank sites) [X] Yes [] No
Tank Inspector review completed? [X] Yes [] No

Instructions: Project Manager - Complete Section I, plus remaining applicable sections only if Tank Inspector does not.
Tank Inspector - Complete Section II, plus Sections III and IV if applicable. Send this completed form to the site Project Manager within five days of receiving the Petrofund application from the Department of Commerce.

I. General Information (all sites)

Release notification:

Date release discovered: 4/17/2002 Date release reported: 4/17/2002
When/how was release discovered (if inadequate)?
Was there environmental damage due to delay (if inadequate)? [] Yes [] No
[X] Adequate or [] Inadequate Recommended reduction? [] Yes [] No

Status of responsible party:

[X] Regular applicant [] Limited use applicant

Cooperation issues: [] Yes [X] No (If yes, please prepare a narrative to be appended to the Commissioner's Site Report.)

Comments:

II. Tank Information

- [] Unregulated Tank(s): Underground Storage Tanks (USTs) 110 gallons or less; or Aboveground Storage Tanks (ASTs) 500 gallons or less; or ASTs between 500 - 1,100 gallons if they are greater than 500 feet from surface water; or residential (for non-commercial purposes) and heating oil ASTs/USTs 1,100 gallons or less; or farm USTs 1,100 gallons or less; or any farm AST, regardless of size if used for farming purposes; or ASTs that are on site for less than 30 days (regardless of size).
[] State Regulated Tank(s): Heating oil USTs with a capacity more than 1,100 gallons or all ASTs not specified above.
[X] Federally Regulated Tank(s): All USTs not specified above.

III. State Tanks/Federal Tanks

Corrosion protection:

Tanks: [] Yes [] No [X] N/A Piping: [] Yes [] No [X] N/A

Required on steel piping/steel USTs installed on or after August 1, 1985. Steel piping/steel USTs installed before August 1, 1985, require corrosion protection by December 22, 1998, except heating oil USTs installed before August 1, 1985, which don't ever require corrosion protection. Does not apply to ASTs (they require corrosion protection by November 1, 2003, but are not subject to a reduction). Violations which occurred before December 22, 1998, should be cited as inadequate but not recommended for reduction.

[] Adequate or [] Inadequate Recommend Reduction? [] Yes [] No

AST Secondary Containment: [] Yes [] No [] N/A

Applicable only for dikes or other structures that would contain a spill as required by Minn. R. 7151.6400, subp. 1B (Supp. 1998). Does not apply to impervious liners or other AST safeguards. Violations which occurred prior to November 1, 1998, should be cited as inadequate but not recommended for reduction.

[] Adequate or [] Inadequate Recommend Reduction? [] Yes [] No

IV. Federal Tanks

Spill prevention: Yes No N/A

Required on USTs installed on or after December 22, 1988. USTs installed before December 22, 1988, require spill prevention by December 22, 1998. **Violations which occurred prior to December 22, 1998, should be cited as inadequate but not recommended for reduction.**

Adequate or Inadequate Recommend Reduction? Yes No

Overfill protection: Yes No N/A

Required on USTs installed on or after December 22, 1988. USTs installed before December 22, 1988, require spill protection by December 22, 1998. **Violations which occurred prior to December 22, 1998, should be cited as inadequate but not recommended for reduction.**

Adequate or Inadequate Recommend Reduction? Yes No

Leak detection:

Tanks: Tank leak detection: Yes No N/A

Tank tightness testing: Yes No N/A

If tank was installed:	Then the leaks detection deadline is:
Before 1965 or unknown	12/22/1989
1965 – 1969	12/22/1990
1970 – 1974	12/22/1991
1975 – 1979	12/22/1992
1980 – 12/22/88	12/22/1993

(Tanks installed after 12/22/1988 should have leak detection at installation.)

Piping: Pipe leak detection: Yes No N/A

Pipe tightness testing: Yes No N/A

(Applicable for pressurized piping installed after December 22, 1988. Pressurized piping installed before December 22, 1988 must have leak detection by December 22, 1990.)

Violations which occurred before December 22, 1993, should be cited as inadequate but not recommended for reduction.

Audit program: Has the RP entered the audit program? Yes No

If yes, evaluate further to determine if reductions should be waived (for tank violations only). The only time consideration will be given for waiving the tank system violations is when there is documented enrollment in the audit program before discovering a release at the site.

Adequate or Inadequate Recommend Reduction? Yes No

Please include any comments regarding inadequate sections here:

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

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



Minnesota Pollution Control Agency

520 Lafayette Road North
St. Paul, MN 55155-4194

RECEIVED
JUN 14 2011
BY: _____

Leaksite Ownership Form

Petroleum Remediation Program

Doc Type Standard Letter

Instructions: Please complete this form and return it in the envelope provided within 30 days of receipt

Site ID#: LEAK 18422

Property Ownership

Do you own the property where the tank is/was located? Yes No *(Personal Representative)*
 If no, list current property owner. Estate of: Susan E. Cornwell Individual Corporation
 If the tanks have been removed from the site, who was the property owner at the time of tank removal? N/A
 Property owner at time of removal. Individual Corporation
 Corporation name (if applicable): _____
 Mailing address _____
 City _____ State _____ Zip code: _____
 Phone: _____ E-mail: _____

Tank Ownership

If the tank owner is different from the property owner, please list tank owner name: N/A
 Explain: _____

If the tanks have been removed from the site, who was the tank owner at the time of tank removal?
 Tank owner at time of removal: _____ Individual Corporation
 Corporation name (if applicable): _____
 Mailing address: _____
 City _____ State _____ Zip code _____
 Phone: _____ E-mail: _____

Tank Operator

If a separate party operates the tank, please complete the following N/A Individual Corporation
 Tank operator: _____
 Corporation name (if applicable): _____
 Mailing address: _____
 City _____ State _____ Zip code _____
 Phone: _____ E-mail: _____

Environmental Consultant

If you are working with an environmental consultant, please provide the following:
 Consultant company name: Omni Environmental ^① Contact name Matt Gikag/ Jeff Broberg ^②
 Is the property undergoing development or a property transfer? Yes No
McGhiebetts ^②

Intent to Proceed

Do you intend to proceed with the necessary investigation and potential corrective action as described in the attached letter?
 Yes No: If no, please describe why: _____

Print name: Sally Katter Signature Sally Katter Date: 6/10/11
 Mailing address: 15769 Diamond Way
 City: Apple Valley State: MN Zip code: 55124
 Phone: 952-807-7598 E-mail: skatter@me.com

Property Located: 23132 Little Cedar Rd. Winona, MN 55987