

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

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Site: K-C's Kwik Stop  
Site ID#: LEAK00014698  
Applicant: North American State Bank  
Date Commerce Received Application: August 1, 2002

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**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. 2, items (a) and (c) (1998).

**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), with the following exceptions:

-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 (1997) and/or 40 C.F.R. § 280.40-41.

-At the time of the release, annual line tightness testing was not completed and/or automatic line leak detection equipment was not installed on the underground petroleum storage tank pressurized piping system as required by Minn. R. 7150.0300-0340 (1997) and/or 40 C.F.R. § 280.40-41.

-DATE PIPING LEAK DETECTION REQUIRED: December 22, 1990

**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), and Minn. R. 2890.0065 subp. 1, item A(2) (1997).

-At the time of the release, the underground petroleum storage tanks and/or piping did not have corrosion protection as required by Minn. R. 7150.0100, subps. 2-5 (1997), Minn. Stat. § 116.49, subd. 2 (1998), and/or 40 C.F.R. § 280.20.

-DATE CORROSION PROTECTION REQUIRED: December 22, 1998


Reimbursement Reduction Recommendation:

The Minnesota Pollution Control Agency does not recommend a reimbursement reduction because there is already a 15 percent reduction for leak detection.

### 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 (1998) and Laws 1999, Chapter 203, section 2, to be coded as Minnesota Statutes Section 115C.09, subdivision 3(i). 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: 9-4-02

  
Richard Newquist, Supervisor  
Petroleum Remediation Program  
Majors and Remediation Division

