



# Minnesota Pollution Control Agency

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April 26, 2002

Brian Borgending  
North American State Bank  
P.O. Box 189  
Belgrade, MN 56312

RE: Petroleum Storage Tank Release Investigation and Corrective Action  
Site: Former KCs Quik Stop, 230 – 1<sup>st</sup> St., Brooten  
Site ID#: LEAK00014698

Dear Mr. Borgending:

## Notice of Release

The Minnesota Pollution Control Agency (MPCA) has been informed that a release of petroleum has occurred from storage tank facilities which 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 the release occurred, you may volunteer to take corrective action. Responsible persons and volunteers who take corrective action may be eligible for reimbursement for a major portion of the costs of corrective action. The legislature has established the Petroleum Tank Release Cleanup Account to reimburse responsible persons and volunteers. The account is administered by the Petro Board which is part of the Minnesota Department of Commerce. Final decisions regarding the amount of reimbursement are made by the Petro Board. All questions about eligibility and reimbursement should be directed to the Petrofund staff at (651) 297-1119 or (651) 297-4203.

## 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).

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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 Petrofund staff that has experience in conducting petroleum release site investigations and in proposing and implementing appropriate corrective actions. A list of registered contractors and consultants 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. 2890.0075, subp. 2, you must solicit a minimum of two competitive proposals on a form prescribed by the Petro Board to ensure that the consulting costs are reasonable. Questions about bidding requirements should be directed to Petrofund staff.

#### **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. 2890.0065, subp. 1, item C. 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) 297-8580. Please reference the above LEAK # in all correspondence. If you are calling long distance, you may reach the MPCA St. Paul office by calling 1-800-657-3864.

Sincerely,



Chris McLain  
Project Manager  
Petroleum Remediation Unit  
Petroleum and Landfill Remediation Section  
Majors and Remediation Division

CLM:ls

Enclosures

cc: Susan Lundell, City Clerk, Brooten  
Loren Solbreken, Fire Chief, Brooten  
George Minerich, Stearns County Solid Waste Officer  
John Bargmann, Coteau Environmental, Watertown

