

MINNESOTA POLLUTION CONTROL AGENCY

DATE: July 10, 1997

TO: Petrofund Staff, Department of Commerce

THRU: Mark Schmitt, Supervisor, Tanks and Emergency Response Section

FROM: Steve Leppälä, Project Manager Duluth Regional Office

PHONE: 218/723-4897

SITE: Junction Food-N-Fuel, Hermantown

SITE ID#: LEAK00003534 DATE COMMERCE RECEIVED APPLICATION: May 5, 1997

Attached is a new Commissioner's Site Report that replaces the one dated March 10, 1992.

MPCA staff cannot issue a Commissioner's Site Report for the above-referenced site at this time since a Soil Corrective Action Plan has not been submitted yet.

A RI/CAD was submitted on <>. After hydro review, a CAD approval was **NOT** issued. More work was requested at that time. Upon receipt of this additional information a CAD approval will be issued.

This site is not eligible for additional reimbursement until a comprehensive Corrective Action Design (CAD) is approved.

MPCA staff does not recommend reimbursement of costs incurred at this site. Costs incurred were for: \_\_\_ tank closure \_\_\_ site assessment. No investigation and/or cleanup was necessary at this site and a "No Corrective Action Required" letter was sent on \_\_\_\_\_.

This application includes costs which are not related to the investigation and/or cleanup of the petroleum release at the site. Specifically, \_\_\_\_\_

\_\_\_\_\_

Other \_\_\_\_\_

\_\_\_\_\_

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

Site: Junction Food-N-Fuel  
Site ID#: LEAK00003534  
Applicant: Curtis Oil Company  
Date Commerce Received Application: May 5, 1997

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) (1996).

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

Information readily available to the Minnesota Pollution Control Agency (MPCA) staff shows that the applicant has complied with the applicable requirements of Minn. Stat. § 115C.09, subd. 3(I) (1996) with the following exceptions:

-The responsible party (RP) failed to cooperate with the MPCA in responding to the release as described below.

A release was reported on October 16, 1990. After a meeting with MPCA staff, the RP and his consultant, a remedial investigation/corrective action design (RI/CAD) report was submitted in February 1993. In June 1993, MPCA staff had to reject the RI/CAD report because it was incomplete and inadequate. MPCA staff had several telephone conversations and meetings with the RP and his consultants concerning continued work at this site. An addendum to the RI/CAD report was finally submitted in April 1997.

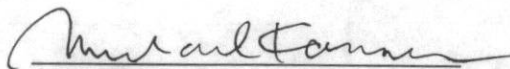
Reimbursement Reduction Recommendation:

Based upon the compliance failure noted above, the MPCA staff recommends a 25 percent reimbursement reduction in accordance with Minn. Stat. § 115C.09, subd. 3(I)(2) (1996) and Minn. R. 2890.0065 subp. 1, item C.

3. Conclusion

The determinations in this report are made solely for the purpose of determining eligibility for reimbursement under Minn. Stat. § 115C.09, subs. 2 and 3 (1996). Nothing in this site report releases any person from liability, and the MPCA 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: July 10 1997

  
Mark Schmitt  
Supervisor  
Tanks and Emergency Response Section