



Minnesota Pollution Control Agency

September 22, 1995

Mr Ted Foster
GTE North Inc
150 South Second Street
Hallock, Minnesota 56728

RE: Petroleum Storage Tank Release Investigation and Corrective Action
Site: GTE North Inc , 150 South Second Street, Hallock
Site ID# LEAK00008767

Dear Mr Foster:

Notice of Release

The Minnesota Pollution Control Agency (MPCA) has received notification that a release of petroleum has occurred from storage tank facilities which you own and/or operate that has resulted in contamination of soil and/or ground water

Legal Obligations

Federal and state laws require that persons legally responsible for storage tank releases notify the MPCA of the release, investigate the extent of the release and take actions needed to ensure that the release is cleaned up. 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. See Minn. Stat § 115C.021 (1992). If you believe that you are not legally responsible for this storage tank release, please submit a written explanation of your position to the MPCA within 30 days.

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 Petro Board at 612/297-1119 or 612/297-4203

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Request to Take Corrective Action

The MPCA staff is requesting you to take the steps necessary to investigate and clean up the release in accordance with the enclosed MPCA fact sheets. The MPCA requires that you conduct a site investigation to define the full extent and magnitude of the soil and/or ground water contamination caused by the release. A report which details the results of the investigation or concludes that excavation was sufficient to address the release for cleanup (Excavation Report and/or Remedial Investigation/Corrective Action Design (RI/CAD)) 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 degree of investigative work necessary at petroleum release sites

Sites with free product, drinking water supply 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-floating petroleum in 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 Petro Board 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 Minnesota Department of Commerce. 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. Rules pt. 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 Petro Board staff.

Required Response

MPCA staff requests a written or verbal response to this letter within 30 days. In your response, please tell us whether you intend to comply with the above requirements. 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. If you do not comply with the Commissioner's order, it may be enforced in court or, alternatively, the MPCA could use state funds to clean up the release and then request the Attorney General to recover its costs from you through legal action. Failure to cooperate with the MPCA in a timely manner will also result in reduced reimbursement from the Petro Board. See Minn. Rules pt. 2890.0065, subp 1, item C.

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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 612/297-8580. Please reference the above LEAK # in all correspondence

Sincerely,



for Chris McLain
Project Manager
Cleanup Unit III
Tanks and Spills Section

CM:bah

Enclosures

cc. Henry Noel, City Clerk, Hallock
Kim Turner, Fire Chief, Hallock
Gary Rice, Kittson County Official