



Minnesota Pollution Control Agency

November 5, 2004

Mr. John Fox
5552 85th Street Northeast
Foley, MN 56329

RE: Petroleum Tank Release Site File Closure
Site: Granite City Iron Works, 905 35th Avenue NE, Sauk Rapids
Site ID#: LEAK00015798

Dear Mr. Fox:

We are pleased to let you know that the Minnesota Pollution Control Agency (MPCA) Petroleum Remediation Program (PRP) staff has determined that your investigation and/or cleanup has adequately addressed the petroleum tank release at the site listed above. Based on the information provided, the PRP staff has closed the release site file.

Closure of the file means that the PRP staff does not require any additional investigation and/or cleanup work at this time or in the foreseeable future. Please be aware that file closure does not necessarily mean that all petroleum contamination has been removed from this site. However, the PRP staff has concluded that any remaining contamination, if present, does not appear to pose a threat to public health or the environment.

The MPCA reserves the right to reopen this file and to require additional investigation and/or cleanup work if new information or changing regulatory requirements make additional work necessary. If you or other parties discover additional contamination (either petroleum or non-petroleum) that was not previously reported to the MPCA, Minnesota law requires that the MPCA be immediately notified.

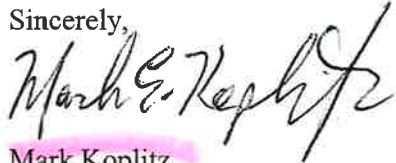
You should understand that this letter does not release any party from liability for the petroleum contamination under Minn. Stat. ch. 115C (2002) or any other applicable state or federal law. In addition, this letter does not release any party from liability for non-petroleum contamination, if present, under Minn. Stat. ch. 115B (2002), the Minnesota Superfund Law.

If future development of the site or the surrounding area is planned, it should be assumed that petroleum contamination might be present. Property with petroleum contamination to soil or ground water may cause on-site vapor risks to future occupants. The MPCA can assist you with environmental risk and development plan review. MPCA VPIC staff will review and approve plans for property development. If petroleum contamination is encountered during future development work, the MPCA staff should be notified immediately.

Mr. John Fox
Page 2
November 5, 2004

For specific information regarding petroleum contamination that may remain at this leak site, please call the Petroleum Remediation File Request Program at 651/297-8499. Thank you for your response to this petroleum tank release and for your cooperation with the MPCA to protect public health and the environment. If you have any questions regarding this letter, please call me at 651/296-7999.

Sincerely,



Mark Koplitz
Project Leader
Petroleum Remediation Program
Petroleum and Closed Landfill Section
Remediation Division

MK:tf

cc: Ross Olson, city clerk, Sauk Rapids
Bruce Trushenski, Fire chief, Sauk Rapids
George Minerich, Benton County Solid Waste Officer
Mary Christopherson, ProSource Technologies, Inc., Minneapolis
Minnesota Department of Commerce Petrofund Staff



Minnesota Pollution Control Agency

October 28, 2004

Mr. John Fox
5552 85th Street NE
Foley, MN 56329

RE: Completion of Voluntary Response Actions for Petroleum Contamination
Site: Granite City Iron Works, 905 35th Avenue NE, Sauk Rapids
Site ID#: LEAK00015798

Dear Mr. Fox:

The Minnesota Pollution Control Agency (MPCA) Voluntary Petroleum Investigation and Cleanup (VPIC) program staff has reviewed the following documents describing your management of petroleum impacted soils as part of voluntary cleanup work completed at the above-referenced site:

- "DRAP Implementation Report" dated September 24, 2004, prepared by ProSource Technologies, Inc.

Based on the information provided, MPCA VPIC staff has concluded that petroleum contaminated soils were managed as proposed in the development plan approved by MPCA VPIC staff. Thank you for your participation in the VPIC program. If you have any questions regarding this letter, please call me at (651) 296-7999.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark E. Koplitz".

Mark Koplitz
Project Leader
Petroleum Remediation Program
Petroleum and Landfill Section
Remediation Division

MEK:jmp

cc: Mary Christopherson, ProSource Technologies, Inc.



Minnesota Pollution Control Agency

September 30, 2004

Mr. John Fox
5552 85th Street Northeast
Foley, MN 56329

RE: Approval of Voluntary Response Actions for Petroleum Contamination
Site: Granite City Iron Works, 905 35th Avenue Northeast, Sauk Rapids
Site ID#: LEAK00015798

Dear Mr. Fox:

The Minnesota Pollution Control Agency (MPCA) Voluntary Petroleum Investigation and Cleanup (VPIC) program staff has reviewed the following documents regarding your intent to manage petroleum contaminated soils and/or ground water at the above-referenced site:

- “Phase II Investigation/Development Response Action Plan” dated August 13, 2004 prepared by ProSource Technologies, Inc.

Based on the information provided, the MPCA VPIC staff is approving the above-referenced plan as proposed. A minimum two foot buffer of clean soil is required as part of the response actions. If future activities include residential development a minimum of four feet of clean soils is required in all green space areas.

Approval assumes that an implementation report will be provided to the MPCA summarizing the voluntary cleanup work once completed. If subsequently obtained information indicates that the proposed activities are inappropriate or inadequate, the MPCA may request modifications in the proposed work.

This letter does not apply to other types of contamination if present at the site. Approval of this plan does not suggest that any of the costs incurred will be eligible for reimbursement from the PetroBoard.

Mr. John Fox
Page 2
September 30, 2004

If you have any questions regarding this letter, please call me at 651/296-7999.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark E. Koplitz". The signature is fluid and cursive, with a large, stylized initial "M".

Mark Koplitz
Project Leader
Petroleum Remediation Program
Petroleum and Closed Landfill Section
Remediation Division

MEK:tf

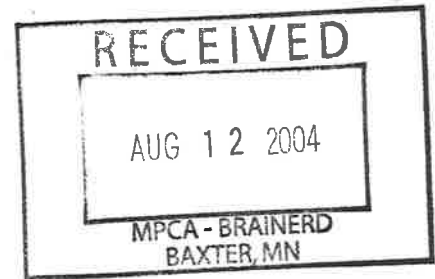
cc: Mary Christopherson, ProSource Technologies, Inc.,



Minnesota Pollution Control Agency

August 11, 2004

Mr. John Fox
5552 - 85th Street NE
Foley, MN 56329



RE: Storage Tank Release Investigation and Corrective Action
Site: Granite City Iron Works, 905 35th Avenue NE, Sauk Rapids, 56379, Benton
Site ID#: LEAK00015798

Dear Mr. Fox:

Notice of Release

The Minnesota Pollution Control Agency (MPCA) has been informed that a release has occurred or contamination has been encountered from storage tanks and/or storage tank facilities that you own and/or operate. The MPCA appreciates 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 and/or discovery of contamination, investigate and, if necessary, clean up the release(s)/contamination. A person is considered legally responsible for a petroleum tank release if the person owned or operated the tank either during or after the release, unless specifically exempted under the law. For releases of other substances, a person is considered legally responsible if the substance discharged was under the control of the person at the time of the discharge or release or if the person was an owner or operator of the storage tanks and/or tank facility at the time the release occurred. If you believe that you are not legally responsible for this storage tank facility release, please contact the project manager listed below.

Request to Take Corrective Action

The MPCA requests that you take steps to investigate and, if necessary, clean up the release(s)/contamination 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(s)/contamination. For petroleum release sites, the MPCA has fact sheets that will help you or your consultant properly investigate the release and report the results to the MPCA. Unless your site is considered "high priority" (see below), you must submit a report to this office which details the results of the investigation or concludes that excavation was sufficient to clean up the release within 10 months of the date of this letter. The MPCA reserves the right to reject proposed corrective actions if the requirements of the site investigation have not been fulfilled. Refer to the following web site for related guidance documents and information, http://www.pca.state.mn.us/programs/lust_p.html. For sites contaminated by pollutants other than petroleum, the MPCA requests that you or your consultant contact the MPCA project manager listed to discuss the investigation and reporting timeline that will be required for your site.

The MPCA considers sites with "free product" (free-floating petroleum), that have affected or that threaten to affect drinking water supplies, sites where pollutants are being released to surface waters such as lakes or wetlands, sites where petroleum or other vapors have been detected within structures or that pose fire or explosion hazards, to be high priority for staff review. If one or more of these situations apply to your petroleum or non-petroleum facility, a Remedial Investigation/Corrective Action Design report (refer to guidance documents) must be submitted within 90 days. The MPCA reserves the right to reject proposed corrective actions if the requirements of the site investigation have not been fulfilled. In addition, if you know or discover that there is free product in a well, excavation, or borehole, you must notify the MPCA within 24 hours and IMMEDIATELY begin interim free product recovery (refer to guidance documents). If you have any question with regard to whether your site is "high priority" please contact the MPCA project manager listed below.

520 Lafayette Rd. N.; Saint Paul, MN 55155-4194; (651) 296-6300 (Voice); (651) 282-5332 (TTY); www.pca.state.mn.us

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Reimbursement for petroleum sites:

In 1987, the legislature established the Petroleum Tank Release Compensation Fund (Petrofund) to reimburse some responsible persons and volunteers (property owners not responsible for releases) who take corrective action for a portion of their costs. The Petrofund is administered by the Petroleum Tank Release Compensation Board (Petro Board), which is part of the Minnesota Department of Commerce. If the release at your site is a petroleum release, the MPCA encourages you to learn more about the Petrofund reimbursement program by contacting Petrofund staff at 651/215-1775 or 1/800-638-0418 (in greater Minnesota only), or by reviewing the information that is available at the following website, http://www.pca.state.mn.us/programs/lust_p.html. Because there are rules governing eligible costs of cleanup, the MPCA strongly encourages you to familiarize yourself with the enclosed proposal and invoice forms and the other program requirements in order to maximize the available reimbursement. Please note that final decisions regarding the amount of reimbursement are made by the Petro Board, not the MPCA.

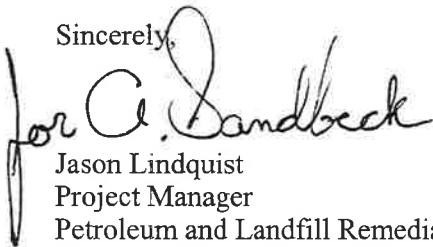
If you have not already done so, the MPCA recommends that you hire a qualified environmental consulting firm to help you investigate and clean up the contamination on your site. To be qualified, the consultant should have experience in performing investigations of contaminated sites and in developing and implementing corrective actions. For petroleum investigations, the consultant must be registered with the Petro Board if you wish to have your costs considered for reimbursement. A list of registered contractors is available from the Petrofund staff. Please note that, under the Petro Board's rules, (see Minn. R. ch. 2890), you must solicit a minimum of two written competitive consultant proposals on a form prescribed by the Petro Board to incur costs eligible for reimbursement, and a minimum of two written competitive contractor bids must also be obtained for each contractor service. Again, the MPCA strongly encourages you to contact Petrofund staff for answers to all of your questions about bidding and the other Petrofund reimbursement program requirements.

Required Response

The MPCA requires that you respond to this letter within 30 days to indicate whether you intend to proceed with the requested work. If you do not respond within this time frame, the MPCA will assume that you do not intend to comply, in which case the MPCA Commissioner may issue you an enforceable order that will require 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. ch. 2890. If you do not cooperate, the MPCA has the option of taking the corrective actions on your behalf and recovering its costs from you.

If you have any questions concerning this letter or need additional information, please contact me at 218-828-6072. Please reference the above LEAK # in all correspondence. If you are calling long distance, you may reach the MPCA by calling 1-800/657-3864.

Sincerely,



Jason Lindquist
Project Manager
Petroleum and Landfill Remediation Section
Majors and Remediation Division

JPL:ais

Enclosures

cc: Ross Olson, Administrative City Clerk, Sauk Rapids
Bruce Trushenski, Fire Chief, Sauk Rapids
George Minerich, Benton County Solid Waste Officer
Mary Christopherson, ProSource Technologies, Coon Rapids

5

STATE OF MINNESOTA

Department of Public Safety - Division of Emergency Management
444 Cedar St. Suite 223 St. Paul, MN 55101

MINNESOTA DUTY OFFICER

Report #: 62760 Report Date: 8/5/2004 Report Time: 13:40 DO#: 50

CALLER INFORMATION

Contact: Mary Christopherson Company: ProSource Technologies
Address: 277 Coon Rapids Blvd/Suite 304
City: Coon Rapids State: MN Zip: 55433-
Phone: (763) 786-1445 Ext: Alt phone: Ext:
Have local police and/or fire been notified?

NARRATIVE

Caller reporting soil sample results relating to above ground storage tank. Tank is not going to be removed but contaminated soil will be.

ENTERED AUG 0 5 2004

INCIDENT REPORT: TANK

RESPONSIBLE PARTY/PROPERTY OWNER

Name:
Company: John Fox
Address: 5552 85th Street NE
City: Foley State MN Zip 56329-
Phone: (320) 387-2716 Ext
Alt. phone: Ext

SITE LOCATION

Name: Granite City Iron Works
Address: 905 35th Ave NE
City: SAUK RAPIDS
County BENTON Zip: 56379-

SITE INFORMATION

Discovery date 8/5/2004 Discovery time: 13:43 Previously reported site? NO Leak #: 0

TANK INFORMATION

Number/Size of Tank(s) Tank Contents Age of Tank(s) Type of Tank

Native soil type: sand Surface water nearby? No
Cause of Release Discovery AST Facility Site water source: Unknown
Contaminated soil excavated? No Quantity: Able to dig out contamination?
Ground water encountered? No Depth to ground water: unk
Free product found? No Stained soils? Yes Petroleum odors? Yes
Highest vapor reading: na Analytical results: 5600 ppm DRO

If this incident involves an A.S.T. is there secondary containment around the tank?

If not tank related, specify Release Source and Product Type

MPCA Project Manager: JPL Leak Number: 15798

ANY QUESTIONS - PLEASE CONTACT THE MN DUTY OFFICER AT 651-649-5451 OR 800-422-0798

no reg's T# - PM should check m
AST size & reg. status

Notifications

Report #: 62760 **ReportDate:** 8/5/2004 **ReportTime:** 13:40 **DO:** 50

In:	Out:	Link:	Date:	Time:	Agency:	County:	Method of Contact:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	8/5/2004	13:49	MPCA Metro		Fax

Narrative:

In:	Out:	Link:	Date:	Time:	Agency:	County:	Method of Contact:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	8/5/2004	13:50	MPCA Region 2		Fax

Narrative:



Minnesota Pollution Control Agency

520 Lafayette Road North
Saint Paul, Minnesota 55155-4194

November 2001

Voluntary Petroleum Investigation and Cleanup Program Application/ Request for Assistance Form

Please complete this form to request assistance from the Minnesota Pollution Control Agency (MPCA) staff in the Voluntary Petroleum Investigation and Cleanup (VPIC) Program, pursuant to Minn. Stat. § 115C.03, subd. 9. If you have any questions about the services offered by the VPIC Program or this form, please call 651/296-7999. The MPCA can also be reached toll free at 1-800-657-3864.

Mail the completed form to:

Mark Koplitz
VPIC Program
Petroleum and Landfill Remediation Section
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, Minnesota 55155-4194
fax: 651/296-9707

L15798

Subject Property

Property/Site Name Granite City Iron Works
Address 905 35th Avenue Northeast
City (or Township) Sauk Rapids State MN Zip Code 56379
Public land survey coordinates:
County Benton Twp. 36 North Range 30 West Sec. 29 Qtr. SE 1/4
Property Size 1.67 (in acres)

Applicant

Name John Fox Title _____
Organization _____ Phone 320-387-2716 Fax _____
Address 5552 85th Street Northeast Email _____
City Foley State MN Zip Code 56329
State Taxpayer ID# _____ Federal Taxpayer ID# _____
Social Security # _____ (if applicant is an individual)

Current property owner (if different from applicant)

Name _____ Title _____
Organization _____ Phone _____ Fax _____
Address _____ Email _____
City _____ State _____ Zip Code _____

Applicant's Interest in Property

- Currently owns property Considering purchasing property
- Renting or leasing property Mortgagee interest in property
- Other (explain)

Description of Applicant's Request

- Technical *Expedited review* of a petroleum storage tank release site (e.g., leak site), or petroleum impacted property for which the contamination did not originate from a tank (e.g., petroleum non-tank release site).
 Request for closure
MPCA ID# LEAK0000 _____
- Technical *Review of a development response action plan for a petroleum impacted property.*
MPCA ID# LEAK0000 **Not yet assigned, reported to Duty Officer on 8/5/04**
- Leak site Tank Removal *Verification* letter. (Minn. Stat. 115C.03, subd. 9C).
MPCA ID# LEAK0000 _____
- Leak site File Closure *Confirmation* letter. (Minn. Stat. 115C.03, subd. 9C).
MPCA ID# LEAK0000 _____
- Off-site Tank Release *Determination* letter. (Minn. Stat. 115C.03, subd. 9C).
Suspected source MPCA ID# LEAK0000 _____
- General *Liability* letter.
- Other technical assistance not specified above (please describe on a separate sheet).

Nature of the problem or suspected problem

Check all that apply:

- Soil contamination Not known
- Ground water contamination Other (explain)
- Surface water contamination

Involvement with other regulatory programs

Please indicate all environmental/health related programs or agencies that have been involved with the property in question (note the contact person(s) if known).

VIC application sent in also (8/2004)

Known or suspected sources

Please check all applicable boxes below regarding the nature of the problem source.

- | | |
|--|--|
| <input type="checkbox"/> Underground tank or pipeline release(s) | <input checked="" type="checkbox"/> Above-ground tank or pipeline release(s) |
| <input type="checkbox"/> Drums or other storage containers | <input type="checkbox"/> Seepage pit or dry well(s) |
| <input type="checkbox"/> Septic tank or drainfield | <input type="checkbox"/> Industrial accident |
| <input type="checkbox"/> Surface spillage or discharge | <input type="checkbox"/> Adjacent property |
| <input type="checkbox"/> Dumping or burial of waste | <input type="checkbox"/> Not known |
| <input type="checkbox"/> Lagoons | <input checked="" type="checkbox"/> Other (explain) Soil staining |

Information about attachments to the request form

Please list any reports, maps or other attachments to this form (use separate page if necessary).

- **Phase II Investigation Report/Development Response Action Plan, ProSource Technologies, Inc., August 2004.**

Disclosure

- Yes No Has the release at this site been reported to the State Duty Officer pursuant to Minn. Stat. § 115.061 (Duty to Notify and Avoid Water Pollution)? If so, please indicate notification date. **August 5, 2004 MN Duty Officer Report #62760**
- Yes No To your knowledge, have on- or off-site wells been contaminated? If so, attach a separate sheet detailing well location, owner, well number, aquifers, depth and use. A site map showing the well locations would be useful.

Contact persons

Please list the name(s) of your current environmental consultant and legal counsel, if applicable.

Consultant	<u>ProSource Technologies, Inc.</u>	Phone	<u>763-786-0445</u>	Fax	<u>763-786-1030</u>
Name	<u>Mary Christopherson</u>	Email	<u>mchristopherson@prosourcecotech.com</u>		
Address	<u>277 Coon Rapids Boulevard, Suite 304</u>				
City	<u>Coon Rapids</u>	State	<u>MN</u>	Zip Code	<u>55433</u>
Attorney	_____	Phone	_____	Fax	_____
Name	_____	Email	_____		
Address	_____				
City	_____	State	_____	Zip Code	_____

Certification

I certify that I have read and am familiar with the information on this form and all attached documents, and that the submitted information is true, accurate and complete to the best of my knowledge.

I hereby ask the MPCA Commissioner to assist me and the company/organization I represent, as requested by this application. I understand this assistance may include the review of MPCA records and files, and review and approval of investigation plans and reports as well as response action plans and oversight of implementation actions.

I understand that the applicant (or other person signing below) must pay the MPCA Commissioner for the MPCA's costs of providing this assistance under Minn. Stat. § 115C.03 subd. 9. I understand that the MPCA Commissioner will send invoices for these costs and that failure to pay the MPCA's costs in a timely manner may result in the MPCA Commissioner taking appropriate administrative or legal action.

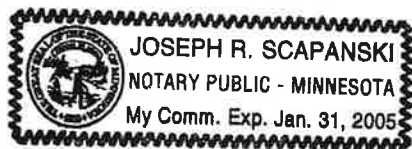
I hereby agree to pay the costs of the MPCA to provide services to the applicant as requested in this application. Furthermore, I hereby certify that I have the authority to submit this application on behalf of the applicant named herein.

Typed/printed name John Fox Title _____

Signature *John E. Fox* Date 8-7-04

Subscribed and sworn to before me this 07 day of August, 2004.

Notary Public *Joseph R Scapanski*





Minnesota Pollution Control Agency

520 Lafayette Road North
Saint Paul, Minnesota 55155-4194

November 2001

Voluntary Petroleum Investigation and Cleanup Program Application/ Request for Assistance Form

Please complete this form to request assistance from the Minnesota Pollution Control Agency (MPCA) staff in the Voluntary Petroleum Investigation and Cleanup (VPIC) Program, pursuant to Minn. Stat. § 115C.03, subd. 9. If you have any questions about the services offered by the VPIC Program or this form, please call 651/296-7999. The MPCA can also be reached toll free at 1-800-657-3864.

Mail the completed form to: Mark Koplitz
VPIC Program
Petroleum and Landfill Remediation Section
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, Minnesota 55155-4194
fax: 651/296-9707

Subject Property

Property/Site Name Northeast Quadrant of Wedgewood Road and Bass Lake Road
Address Northeast Quadrant of Wedgewood Road and Bass Lake Road
City (or Township) Maple Grove State MN Zip Code 55369
Public land survey coordinates:
County Hennepin Twp. 119 N Range 22 W Sec. 34 Qtr. SW
Property Size 1.71 (in acres)

Applicant

NT3547
Name William J. Tippmann Title Vice President
Organization Bear Creek Capital Phone 513/233-7033 Fax 513/793-5820
Address 9549 Montgomery Road, Suite 300 Email btippmann@bearcreekcapital.com
City Cincinnati State Ohio Zip Code 45242
State Taxpayer ID# NA Federal Taxpayer ID# 31-1637815
Social Security # NA (if applicant is an individual)

Current property owner (if different from applicant)

Name Gary Dreher Title _____
Organization Wedgewood Equities, LLC Phone 952-278-9000 Fax 952-278-7574
% Told Development Company
Address 6385 Old Shady Oak Road, Suite
120
City Eden Prairie State MN Zip Code 55344

Applicant's Interest in Property

- Currently owns property Considering purchasing property
- Renting or leasing property Mortgagee interest in property
- Other (explain) Considering developing and leasing Property

Description of Applicant's Request

- Technical *Expedited review* of a petroleum storage tank release site (e.g., leak site), or petroleum impacted property for which the contamination did not originate from a tank (e.g., petroleum non-tank release site).
 Request for closure
MPCA ID# LEAK0000 _____
- Technical *Review of a development response action plan for a petroleum impacted property.*
MPCA ID# LEAK0000 _____
- Leak site Tank Removal *Verification* letter. (Minn. Stat. 115C.03, subd. 9C).
MPCA ID# LEAK0000 _____
- Leak site File Closure *Confirmation* letter. (Minn. Stat. 115C.03, subd. 9C).
MPCA ID# LEAK0000 _____
- Off-site Tank Release *Determination* letter. (Minn. Stat. 115C.03, subd. 9C).
Suspected source MPCA ID# LEAK0000 _____
- General *Liability* letter.
- Other technical assistance not specified above (please describe on a separate sheet).

Nature of the problem or suspected problem

Check all that apply:

- Soil contamination Not known
- Ground water contamination Other (explain)
- Surface water contamination

Involvement with other regulatory programs

Please indicate all environmental/health related programs or agencies that have been involved with the property in question (note the contact person(s) if known).

None

Known or suspected sources

Please check all applicable boxes below regarding the nature of the problem source.

- | | |
|--|---|
| <input type="checkbox"/> Underground tank or pipeline release(s) | <input type="checkbox"/> Above-ground tank or pipeline release(s) |
| <input type="checkbox"/> Drums or other storage containers | <input type="checkbox"/> Seepage pit or dry well(s) |
| <input type="checkbox"/> Septic tank or drainfield | <input type="checkbox"/> Industrial accident |
| <input type="checkbox"/> Surface spillage or discharge | <input checked="" type="checkbox"/> Adjacent property |
| <input type="checkbox"/> Dumping or burial of waste | <input type="checkbox"/> Not known |
| <input type="checkbox"/> Lagoons | <input type="checkbox"/> Other (explain) |

Information about attachments to the request form

Please list any reports, maps or other attachments to this form (use separate page if necessary).

- Phase One Environmental Site Assessment, Vacant Parcel, Northeast Quadrant of Wedgewood Road and Bass Lake Road, Maple Grove, Minnesota, 55369, prepared by Liesch for Bear Creek Capital and dated May 10, 2004
- Limited Phase Two Environmental Site Assessment, Vacant Parcel, Northeast Quadrant of Wedgewood Road and Bass Lake Road, Maple Grove, Minnesota, 55369, prepared by Liesch for Bear Creek Capital and dated June 14, 2004

Disclosure

Yes No Has the release at this site been reported to the State Duty Officer pursuant to Minn. Stat. § 115.061 (Duty to Notify and Avoid Water Pollution)? If so, please indicate notification date.

Yes No To your knowledge, have on- or off-site wells been contaminated? If so, attach a separate sheet detailing well location, owner, well number, aquifers, depth and use. A site map showing the well locations would be useful.

Page Four

Contact persons

Please list the name(s) of your current environmental consultant and legal counsel, if applicable.

Consultant	<u>Liesch Associates, Inc.</u>	Phone	<u>763/489-3100</u>	Fax	<u>763/489/3101</u>
Name	<u>Dana J. Wagner or Aaron Benker</u>	Email	<u>danaw@liesch.com</u> <u>aaronb@liesch.com</u>		
Address	<u>13400 15th Avenue North</u>				
City	<u>Plymouth</u>	State	<u>MN</u>	Zip Code	<u>55441</u>
Attorney	<u>Mintz, Levin, Cohn, Ferris, Glovsky & Popeo, P.C.</u>	Phone	<u>617-348-1713</u>	Fax	<u>617-542-2241</u>
Name	<u>Susan Phillips</u>	Email	<u>SPhillips@mintz.com</u>		
Address	<u>One Financial Center</u>				
City	<u>Boston</u>	State	<u>MA</u>	Zip Code	<u>02111</u>

Certification

I certify that I have read and am familiar with the information on this form and all attached documents, and that the submitted information is true, accurate and complete to the best of my knowledge.

I hereby ask the MPCA Commissioner to assist me and the company/organization I represent, as requested by this application. I understand this assistance may include the review of MPCA records and files, and review and approval of investigation plans and reports as well as response action plans and oversight of implementation actions.

I understand that the applicant (or other person signing below) must pay the MPCA Commissioner for the MPCA's costs of providing this assistance under Minn. Stat. § 115C.03 subd. 9. I understand that the MPCA Commissioner will send invoices for these costs and that failure to pay the MPCA's costs in a timely manner may result in the MPCA Commissioner taking appropriate administrative or legal action.

I hereby agree to pay the costs of the MPCA to provide services to the applicant as requested in this application. Furthermore, I hereby certify that I have the authority to submit this application on behalf of the applicant named herein.

Typed/printed name William J. Tippmann Title Vice President

Signature *William J. Tippmann* Date 8/24/04

Subscribed and sworn to before me this 24th day of August, 2004.

Notary Public *Vickie L. Kramer*



VICKIE L. KRAMER
Notary Public, State of Ohio
My Commission Expires 05-20-07