



Minnesota Pollution Control Agency

520 Lafayette Road North | St. Paul, MN 55155-4194 | 651-296-6300 | 800-657-3864 | 651-282-5332 TTY | www.pca.state.mn.us

April 24, 2009

Mr. Dan Filzen
South central Grain & Energy
PO Box 338
Hector, MN 55342

RE: Approval of Voluntary Response Actions for Petroleum Contamination
Site: South Central Grain & Energy, 212 Bryant Avenue, Hector, MN 55342
Site ID#: LEAK00017141

Dear Mr. Filzen:

The Minnesota Pollution Control Agency (MPCA) Petroleum Brownfields Program (PBP) staff has reviewed the following documents regarding South Central Grain & Energy (Applicant) intent to investigate and manage all petroleum contaminated soils for the project/property located at 212 Bryant Avenue, Hector MN 55342 (the Site)

- "Response Action Plan" dated March 25, 2009, prepared by Glacial Lakes Environmental Consulting, Inc.
- MPCA Petroleum Leaksite ID # 17141 and the file's associated documents.

Based on the information provided, MPCA PBP staff approves the above-referenced plan with the following modifications:

1. Petroleum contaminated soils encountered at the site, at or greater than 200 parts per million (PPM) (PID), should be excavated and properly managed at an MPCA approved off-site treatment/disposal facility.
2. Petroleum contaminated soils less than 200 PPM (PID) may be thin spread on-site under paved surfaces.
3. Petroleum contaminated soils at or greater than 10 PPM (PID) encountered during the installation of underground utilities should be removed and properly managed as part of the voluntary plan. If contamination remains at or above 10 PPM a vapor barrier is required.
4. Any petroleum contaminated soils removed from the site must be treated or disposed of in a method approved by the MPCA. Petroleum contaminated soils transported to an approved landfill must be in compliance with all state and local permits. The applicant must notify MPCA PBP staff when petroleum contaminated soils are initially transported and where soils will be disposed of prior to disposal. Please include all transportation and handling manifests for such soils within the final implementation report.
5. For the purpose of soil disposal or re-use, unrestricted soils are defined as soils with no detectable field readings, no visual indications, no olfactory indications, no debris, and analytical results of non-detect (method detection limit of 10 PPM). Soils that do not meet this definition may not be used as at the discretion of the contractor or other project personnel.
6. The PBP does not provide review and/or approval for the discharge and/or treatment of ground water, stormwater or any other dewatering action.
7. This DRAP approval is contingent on the Applicant obtaining all other MPCA, state, federal and local government permit requirements.


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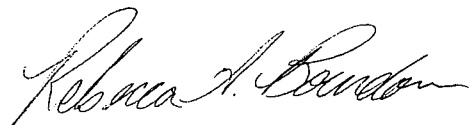
Approval assumes that an implementation report will be provided to the MPCA summarizing the voluntary cleanup work once completed. This report should include all necessary components as described in part V of MPCA Guidance Document 5-03, "*Petroleum Brownfields Program Voluntary Response Action Plan*." If subsequently obtained information indicates that the proposed activities are inappropriate or inadequate, the MPCA may request modifications in the proposed work.

If the implementation report will not be submitted within six months of the date of this letter, please notify the MPCA Petroleum Brownfields Program project manager of the status of the development. The Applicant's failure to submit the implementation report or to inform the MPCA of the status of the development may result in the MPCA revoking the DRAP approval or pursuing additional actions as appropriate to protect public health and the environment.

The responsibility for implementing the Petroleum Brownfields approved plan fully lies with the Applicant. 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.** Please be advised that the determination made in this letter is subject to the disclaimers found in Attachment A. If you have any questions regarding this letter, please call Stacey Hendry-Van Patten at 651-757-2425 or Bassou Oulgout at 651-757-2632.

Sincerely,


Stacey Hendry-Van Patten
Project Leader
Petroleum and Closed Landfill Section
Remediation Division


Bassou Oulgout
Hydrogeologist
Petroleum and Closed Landfill Section
Remediation Division

SHV:BO:tf

Enclosure

cc: Terry Sieck, Glacial Lakes Environmental Consulting

ATTACHMENT A
DISCLAIMERS
Site ID: LEAK00017141

1. Reservation of Authorities

The MPCA Commissioner reserves the authority to take any appropriate actions with respect to any release or other conditions at the Site. The MPCA Commissioner also reserves the authority to take such actions if the voluntary party does not proceed in the manner described in this letter or if actions taken or omitted by the voluntary party with respect to the Site contribute to any release or create an imminent and substantial danger to public health and welfare or the environment.

2. No MPCA Assumption of Liability

The MPCA, its Commissioner and staff do not assume any liability for any release or other conditions at the Site or for any actions taken or omitted by the voluntary party with regard to the release or other conditions at the Site, whether the actions taken or omitted are in accordance with this letter or otherwise.

3. Letter Based on Current Information

All statements, conclusions and representations in this letter are based upon information known to the MPCA Commissioner and staff at the time this letter was issued. The MPCA Commissioner and staff reserve the authority to modify or rescind any such statement, conclusion or representation and to take any appropriate action under this authority if the MPCA Commissioner or staff acquires information after issuance of this letter that provides a basis for such modification or action.

4. Disclaimer Regarding Use or Development of the Property

The MPCA, its Commissioner and staff do not warrant that the Site is suitable or appropriate for any particular use.

