



Minnesota Pollution Control Agency

520 Lafayette Road North | St. Paul, MN 55155-4194 | 651-296-6300 | 800-675-3843 | 651-282-5332 TTY | www.pca.state.mn.us

FILE COPY

February 15, 2010

**CERTIFIED MAIL NO. 7007 3020 0000 0961 1617
RETURN RECEIPT REQUESTED**

Horizon Bank
600 Hillside Avenue Southwest
Pine City, MN 55063

RE: Notice of Requirements for Out of Service Underground Storage Tanks – Don’s One Stop,
Crosby, Minnesota - Minnesota Pollution Control Agency - Identification No. 6581

To Whom It May Concern:

The purpose of the letter is to notify the owner of the tanks at the above referenced site of the requirements for out of service underground storage tanks (UST). The Minnesota Pollution Control Agency (MPCA) has documentation that the USTs, at the above referenced facility, have been out of service for **one year or longer**. Minnesota Rule Chapter 7150 and the most current Minnesota Fire Code, specifies the requirements pertaining to out of service tanks with which owners/operators must comply:

When an UST system is out of service for one year or more, owners and operators must permanently close the UST system, which includes removing the tank from the ground, or filling it in place. Filling the tank in place would require the State Fire Marshall approval. The owner may requests an extension of the closure period by submitting an approved application for extension form and the MPCA approves the extension in writing. Conditions of extension shall include: reporting and record keeping requirements according to part 7150.0450; the continued operation and maintenance of cathodic protection according to part 7150.0215; and compliance with all applicable requirements. The UST system may not be returned to service without the written approval of the commissioner, based on compliance with the applicable requirements.

All UST systems must be permanently closed, if the tank system is out of service for five years or more.

In order to address out of service tank systems, the MPCA has developed forms and procedures to assist you in complying with the regulations. Stated below are two options for USTs, which are out of service for more than one year, but less than five years. Please decide which course of action you plan to take and complete the corresponding actions within the specified timelines:

Official File Stamp	<u>DON'S ONE STOP</u>
File Name	<u>6581</u>
File Number	
Page #	<u>03</u>
Staff	<u>JB</u>
Category	<u>AST/UST</u>

Option 1: Permanently close tanks

Actions: Within 90 days of the receipt of this letter permanently close the USTs by removing them from the ground or closing them in place. Closure must be performed by a MPCA certified contractor. At the time of permanent closure, a site assessment must be completed to determine if contamination is present on the site.

Option 2: Request an extension of temporary closure.

Actions: Within 60 days of the receipt of this letter complete the "Underground Storage Tank Application for Extension of Temporary Closure" and submit the application with all required documentation. All conditions of temporary closure must be implemented including cathodic protection operation and maintenance requirements. An extension for temporary closure may be valid for a maximum of five years from when the tanks were taken out of service, if approved by the MPCA. At the end of that time, the tanks must be permanently closed.

Failure to respond in one of the manners prescribed above may result in high level enforcement actions which may include fines.

To help better understand tank closure requirements, please see the following fact sheets which are enclosed for your convenience: "Permanent and Temporary Closure of Underground Storage Tanks", "Planning Ahead for an Underground Storage Tank Removal", and "Site Assessment for Underground Storage Tanks with No Apparent Contamination."

If you have any further questions, please do not hesitate to call me at 651-757-2321.

Sincerely,



Bob Dullinger
Supervisor, Tanks Compliance and
Enforcement Unit
St. Paul Office
Industrial Division

BD:map

Enclosures

cc: File

For Office Use Only

Site # **6581**

County: **CROW WING**

CERTIFIED MAIL

Staff: JEFF BRANDON

Floor: 4th

Mailed On: February 15, 2010

Letter – Notice of Requirements for Out of Service UST (1-5 years)

7007 3020 0000 0961 1617

U.S. Postal Service
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Restricted Delivery Fee		

Horizon Bank
600 Hillside Avenue Southwest
Pine City, MN 55063

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
Print your name and address on the reverse so that we can return the card to you.
Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to: **SITE ID# 6581**

COMPLETE THIS SECTION ON DELIVERY

A. Signature *Jeff Brandon* Agent Addressee

B. Received by (Printed Name) *Jeff Brandon* C. Date of Delivery *2-16-10*

D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below:

3. Service Type
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 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes No

Horizon Bank
600 Hillside Avenue Southwest
Pine City, MN 55063

2. Article Number (Transfer from service label) **7007 3020 0000 0961 1617**

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540