



Minnesota Pollution Control Agency

520 Lafayette Road North | St. Paul, Minnesota 55155-4194 | 651-296-6300

800-657-3864 | Use your preferred relay service | info.pca@state.mn.us | Equal Opportunity Employer

October 14, 2016

Mr. Larry Rogers
LMMS Properties
7229 S 85th E Ave, STE 400
Tulsa, OK 74133

RE: Petroleum Storage Tank Release
Site: Former Sinclair Station, 7733 Portland Ave S, Richfield, Hennepin County 55423
MPCA Site ID: LS0020238

Dear Mr. Rogers:

The Minnesota Pollution Control Agency (MPCA) has learned there was a petroleum tank release at the Site referenced above. As the owner/operator of the tank(s), you are responsible for the contamination caused by the release. According to state law, you must investigate and if necessary, clean up the contamination.

Your first step

Complete and submit the enclosed *Leak Site Ownership Form* **within 30 days**. If you believe that you are not legally responsible for the release, please contact me immediately.

Definition of legally responsible:

You are considered legally responsible for a petroleum tank release if you owned or operated the tank either *during or after* the release, unless specifically exempted under the law. See Minn. Stat. §115C.021.

Next steps

Hire a qualified environmental consulting firm to help you investigate and address the contamination. A site investigation must fully define the extent and magnitude of the soil and/or groundwater contamination caused by the release. Investigation and cleanup guidance documents, standardized report forms, and related information are located at the following website:

<https://www.pca.state.mn.us/waste/petroleum-remediation-program>. Once the investigation is complete, your consultant should summarize the results in an MPCA report form, including a recommendation for additional investigation or monitoring, corrective action, or site closure. If your site is high priority (see below), you must submit the report to the MPCA **within 90 days** of the date of this letter. For all other sites, you must submit the report **within 10 months**.

High-priority sites have one or more of the following conditions. See guidance document 1-01 *Petroleum Remediation Program General Policy* for detailed descriptions of each condition. If you are uncertain whether your site is high priority, please contact me.

- Existing or high risk of drinking water contamination
- Existing or high risk of vapor intrusion into occupied buildings or risk of explosive vapor buildup
- Surface water impacts
- Recent or ongoing releases
- Petroleum free product

Paying for the work

The Minnesota Petrofund helps tank owners, operators, and volunteer property owners pay for the cost of investigating and cleaning up contamination from petroleum tank releases. You will receive a

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separate mailing from the Minnesota Department of Commerce, which administers the Petrofund, explaining eligibility criteria and how to apply for reimbursement. Please note that applicants are required to use an environmental consulting firm registered with the Petrofund and obtain written competitive bids. Read the Petrofund mailing thoroughly so you know how to be eligible for the maximum reimbursement.

Please respond

Your timely response is important. If you do not submit the completed *Leak Site Ownership Form* within 30 days, the MPCA will assume that you do not intend to comply and will begin enforcement actions. Also, please be aware that failure to cooperate in a timely manner will reduce your reimbursement from the Petrofund. Finally, should you fail to take necessary corrective actions, the MPCA may take them on your behalf and request the Petrofund to recover the costs from you.

If you have questions about this letter or the MPCA's requirements, please contact me at 651-757-2331 or andrew.eddy@state.mn.us. Additional contact information is listed below.

Sincerely,



Andy Eddy
Project Manager
Petroleum Remediation and Redevelopment Section
Remediation Division

AJE:kg

Enclosures

Cc: Elizabeth VanHoose, Clerk, City of Richfield
Wayne Kewitsch, Fire Chief, City of Richfield
John Evans, Supervisor, Land/Water Unit, Hennepin County
Wade Carlson, Carlson McCain Inc, Blaine
Ginger Commodore, Department of Commerce (ec)

Contacts and more information:

Please have your MPCA Site ID available when calling about your site

MPCA Project Manager for this site: 651-757-2331 or andrew.eddy@state.mn.us

Petrofund: Reimbursement questions? 651-539-1515 or 800-638-0418,
or go to <http://mn.gov/commerce/industries/fuel/petrofund/index.jsp>

MPCA Petroleum Remediation Program guidance documents:

<http://www.pca.state.mn.us/index.php/waste/waste-and-cleanup/cleanup/cleanup-guidance.html>

MPCA Brownfields Program: Selling or redeveloping contaminated property?

Go to <http://www.pca.state.mn.us/lupg7f9>