



Minnesota Pollution Control Agency

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SCANNED

May 17, 2011

Mr. Brian Miller
Seward Commons, LLC
2619 East Franklin Avenue
Minneapolis, MN 55406

RE: Seward Commons Redevelopment Site, 2200 Snelling Avenue, Minneapolis, MN
MPCA Project Number VP22791
Development Response Action Plan and Construction Contingency Plan Approval

Dear Mr. Miller:

The Minnesota Pollution Control Agency (MPCA) staff in the Voluntary Investigation and Cleanup (VIC) Unit has reviewed the "Response Action Plan and Construction Contingency Plan" (the RAP) for the Phase 2 Redevelopment area of the Site, prepared by Liesch Associates, Inc. (Liesch), dated April 28, 2011. The RAP was submitted for the Seward Commons Site at the address referenced above (the Site), and specifically the 0.44-acre area with common address of 2218 and 2304 Snelling Avenue located in the southwestern area of the Site.

VIC staff understands that the existing building, a multiphase complex completed in the 1940s to support a metal turning manufacturer of metal products, is to be replaced with an apartment complex and surrounding green space and outdoor corridors. The proposed apartment complex with complete understorey parking garage will cover approximately three-fourths of the Site. The RAP has been developed with consideration given to environmental investigations completed for the Site, beginning as early as 2005 with the previous VIC project (Bystrom Brothers site, VP22790), as well as a nine soil boring assessment scheduled to be completed before RAP construction activities. The additional soil assessment was reviewed and approved by VIC staff in a letter dated April 15, 2011. The soil results of the additional nine boring assessment will be submitted to the MPCA as a supplement to this RAP, and outline the volume and extent of contaminated soil for disposal. The RAP anticipates that the 0-8 foot below grade soils (estimated 12,000 cubic yards) will require landfill disposal, and that building construction will require excavation to approximately 12 feet below grade.

Thus far, contaminants identified at the Site include: trichloroethylene (TCE) in the soil at concentrations above the MPCA's Tier I Soil Leaching Value (SLV); TCE in the groundwater at concentrations above the Health Risk Limit (HRL) established by the Minnesota Department of Health; mercury and arsenic above the MPCA's Residential Soil Reference Values (R-SRVs); and TCE and other volatile organic compounds detected in the sub-slab soil vapors at concentrations above the MPCA's Industrial Intrusion Screening Values (I-ISVs). The RAP objectives are for soil removal and off-site disposal such that remaining soils meet the MPCA's applicable R-SRVs and SLVs, and that the vapor intrusion potential be mitigated with an understorey garage equipped with mechanical ventilation. Also referenced are remedial measures relative to potential asbestos in building demolition materials and petroleum compounds.

The RAP addresses releases to soil only, and is being completed with the goal of receiving a RAP Implementation Report approval letter and/or a No Further Action determination for soil from the VIC Program.

May 17, 2011

Based upon review of the Site documents, the RAP is hereby approved pursuant to Minn. Stat. § 115B.17, subd. 14 and subject to incorporation of the Amended DRAP/CCP modifications provided in Attachment B.

This letter is subject to the disclaimers listed in Attachment A. If you have any questions or comments please contact me at 651-757-2627 or Mike Connolly, Hydrogeologist, at 651-757-2287.

Sincerely,



Edward P. Olson, CEP
Project Leader
VIC & Emergency Response Section
Remediation Division

EPO:ls

Attachments

cc: Aaron Benker, Liesch Associates, Inc.
Tom Frame, City of Minneapolis
David Jaeger, Hennepin County
Mark Kopplitz, Remediation Division, MPCA

ATTACHMENT A
DISCLAIMERS

Seward Commons Redevelopment Site
MPCA Project Number VP22791

1. Reservation of Authorities

The MPCA Commissioner reserves the authority to take any appropriate actions with respect to any release, threatened release, or other conditions at the Site. The MPCA Commissioner also reserves the authority to take such action 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 threatened release, or create an imminent and substantial danger to public health and welfare.

2. No MPCA Assumption of Liability

The MPCA, its Commissioner and staff do not assume any liability for any release, threatened release or other conditions at the Site or for any actions taken or omitted by the voluntary party with regard to the release, threatened 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 his 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.

5. Disclaimer Regarding Investigative or Response Action at the Property

Nothing in this letter is intended to authorize any response action under Minn. Stat. § 115B.17, subd. 12.

ATTACHMENT B
RAP MODIFICATIONS
Seward Commons Redevelopment Site, VP22791

1. Building demolition shall be completed with necessary demolition permitting (i.e. MPCA and/or Hennepin County "Intent to Perform Demolition" Form).
2. Any debris identified as potentially asbestos containing material shall be managed in accordance with VIC Guidance Document #9 "VIC Program Guidance for Investigating and Remediating Asbestos Waste Material."
3. Any stockpiled soil or contaminated building materials shall be placed on plastic with constructed berm containment techniques and covered with plastic. Stockpiles shall not be larger than 500 cubic yards.