



AMERICAN  
ENGINEERING  
TESTING, INC.

CONSULTANTS  
• ENVIRONMENTAL  
• GEOTECHNICAL  
• MATERIALS  
• FORENSICS

March 24, 2006

Minnesota Pollution Control Agency  
Voluntary Investigation & Cleanup Program  
520 Lafayette Road North  
St. Paul, MN 55155-4194

Attn: Ms. Patrice Jensen

RE: Response Action Plan/Development Response Action Plan  
Hiawatha Flats  
Minneapolis, Minnesota  
AET Project No. 03-02255

Dear Ms. Jensen:

American Engineering Testing, Inc. (AET) completed Phase I and Phase II Environmental Site Assessment (ESA) services for the Hiawatha Flats project in Minneapolis, Minnesota. Hiawatha Flats is an apartment project that is being proposed by KK-Five Corporation. Copies of those reports are attached.

The results of the Phase II ESA identified petroleum and non-petroleum impacted soils at various locations throughout the site. Based on the above we prepared a Response Action Plan (RAP)/Development Response Action Plan (DRAP) to manage the impacted soils and an application for KK-Five Corporation to enter the Voluntary Investigation & Cleanup program. The RAP/DRAP and VIC application are attached. KK-Five Corporation is also submitting an application to enter the Petroleum Brownfields Program.

KK-Five Corporation intends to proceed with demolition at the site in April and hopes to begin grading operations in early May. We are requesting your review and approval of the RAP/DRAP prior to that time.

This document shall not be reproduced, except in full, without written approval of American Engineering Testing, Inc.

**550 Cleveland Avenue North • St. Paul, MN 55114**  
**Phone 651-659-9001 • Toll Free 800-972-6364 • Fax 651-659-1379 • www.amengtest.com**  
Offices throughout Florida, Minnesota, South Dakota & Wisconsin  
AN AFFIRMATIVE ACTION AND EQUAL OPPORTUNITY EMPLOYER

Minnesota Pollution Control Agency  
AET Project No. 03-02255  
March 24, 2006  
Page 2 of 2

Please call with any questions or comments.

Sincerely,  
American Engineering Testing, Inc.



Charles W. Bisek  
Senior Environmental Scientist

Phone: (651) 659-1310  
Fax: (651) 659-1379  
Email: [cbisek@amengtest.com](mailto:cbisek@amengtest.com)

cc: John Bell; KK-Five Corporation  
John Bell, Klodt, Inc.

April 12, 2006

Mr. John Bell  
KK – Five Corporation  
50 Groveland Terrace, Suite A  
Minneapolis, MN 55403

RE: Approval of Voluntary Response Actions for Petroleum Contamination  
Site: Former Tiro Industries / Hiawatha Flats, 3612 East 44<sup>th</sup> Street, Minneapolis  
Site ID#: LEAK16076

Dear Mr. Bell:

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

- Response Action/Development Response Action Plan” dated March 24, 2006, prepared by American Engineering Testing, Inc.
- “Phase I Environmental Site Assessment” dated January 19, 2005, prepared by American Engineering Testing, Inc.
- “Phase II Environmental Site Assessment” dated February 4, 2005, prepared by American Engineering Testing, Inc.
- “Phase II Environmental Site Assessment” dated March 25, 2005, prepared by American Engineering Testing, Inc.
- “Supplemental Report of Phase II Environmental Site Assessment” dated April 27, 2005, prepared by American Engineering Testing.

Based on the information provided, the MPCA staff are approving the above-referenced plan with the following modifications listed.

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 encountered at the site, less than 200 PPM (PID) may be used as controlled fill and **thinspread** under newly constructed roadways and parking surfaces.
3. Petroleum contaminated soils may not be used as on-site fill material.



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April 19, 2007

Petroleum Brownfields Program  
Minnesota Pollution Control Agency  
520 Lafayette Road North  
St. Paul, Minnesota 55155-4194

Attn: Mr. Mark Koplitz:

RE: Closure Letter Request  
Hiawatha Flats  
3612 44<sup>th</sup> Street East and 3515 43<sup>rd</sup> Street East  
Minneapolis, Minnesota  
MPCA Leak 16076  
AET Project No. 03-02255



Dear Mr. Koplitz:

Our client, KK-Five Corporation, requests that the Minnesota Pollution Control Agency (MPCA) Voluntary Investigation and Cleanup (VIC) program issue a "File Closure" letter for the Hiawatha Flats project in Minneapolis, Minnesota.

American Engineering Testing, Inc. (AET) completed various assessments at the Hiawatha Flats site in Minneapolis, Minnesota. These assessments included the following: Report of Phase I ESA, AET Project No. 03-02255, report dated January 19, 2005; Report of Phase II Environmental Site Assessment, AET Project No. 03-02255ii, report dated February 4, 2005; Pre-Demolition Asbestos and Hazardous Material Survey, AET Project No. 03-02255, report dated March 16, 2005; Lead-Based Paint Survey, AET Project No. 03-02255, report dated March 16, 2006; Report of Phase II Environmental Site Assessment, AET Project No. 03-02255ii.u, report dated March 25, 2005; Supplemental Report of Phase II ESA, AET Project No. 03-02255ii.sup, report dated April 27, 2005; Response Action Implementation Report, AET Project No. 03-02255, report dated April 18, 2007. Refer to the above reports for background and supplemental information.

KK-Five Corporation plans to construct two residential apartment buildings <sup>(R)</sup>the site. The west building will contain 163 units and is currently under construction. The east building will contain 66 units and is scheduled for construction in the future. Both buildings will be of wood frame construction, three to five stories high, and have underground parking. A driveway will extend between East 43<sup>rd</sup> and 44<sup>th</sup> Streets between the two buildings. A driveway will also extend along the west side of the west building. Exterior parking spaces are planned adjacent to

Mr. Mark Koplitz  
AET Project No. 03-02255  
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the driveway between the buildings. Stormwater infiltration chambers will be installed below areas of the driveway. The buildings will be connected to sanitary sewer mains present below East 43<sup>rd</sup> and 44<sup>th</sup> Streets and the water services will enter from East 43<sup>rd</sup> Street.

If you have questions regarding this submittal, please contact us.

Sincerely,  
American Engineering Testing, Inc.



Charles W. Bisek  
Senior Environmental Scientist

Phone: (651) 659-1310  
Fax: (651) 659-1379  
Email: [cbisek@amengtest.com](mailto:cbisek@amengtest.com)

cc: Mr. John Bell – KK-Five Corporation

Mr. John Bell  
Page 2  
April 12, 2006

4. 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 development plan. If PID readings are above 10 PPM, a vapor barrier should be installed.
5. Petroleum contaminated soils that exhibit PID headspace readings in "green space" areas should be removed and properly managed. A minimum four-foot buffer of clean soil should exist in all "green space" areas, along with a vegetative cover.
6. Appropriate permits for the discharge and treatment of petroleum contaminated ground water should be acquired, if necessary.
7. Please define the extent of petroleum contamination following Petroleum Remediation Program guidance. Please refer to guidance document 4-02, "Potential Receptor Surveys and Risk Evaluation Procedures at Petroleum Release Sites."
8. Follow-up soil sampling should be conducted, upon the completion of petroleum contaminated soil excavation.

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.

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

MEK:tf

cc: Chuck Bisek, American Engineering Testing, St. Paul



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March 24, 2006

Minnesota Pollution Control Agency  
Petroleum Brownfields Program  
520 Lafayette Road North  
St. Paul, MN 55155-4194

Attn: Mr. Mark Koplitz

RE: Response Action Plan/Development Response Action Plan  
Hiawatha Flats  
Minneapolis, Minnesota  
AET Project No. 03-02255  
MPCA Leak No. 16076

Dear Mr. Koplitz:

American Engineering Testing, Inc. (AET) completed Phase I and Phase II Environmental Site Assessment (ESA) services for the Hiawatha Flats project in Minneapolis, Minnesota. Hiawatha Flats is an apartment project that is being proposed by KK-Five Corporation. Copies of those reports are attached.

The results of the Phase II ESA identified petroleum and non-petroleum impacted soils at various locations throughout the site. Based on the above we prepared a Response Action Plan (RAP)/Development Response Action Plan (DRAP) to manage the impacted soils and an application for KK-Five Corporation to enter the Petroleum Brownfields program. The RAP/DRAP and PBP application are attached. KK-Five Corporation is also submitting an application to enter the VIC program.

KK-Five Corporation intends to proceed with demolition at the site in April and hopes to begin grading operations in early May. We are requesting your review and approval of the RAP/DRAP prior to that time.



Minnesota Pollution Control Agency  
AET Project No. 03-02255  
March 24, 2006  
Page 2 of 2

Please call with any questions or comments.

Sincerely,  
American Engineering Testing, Inc.



Charles W. Bisek  
Senior Environmental Scientist

Phone: (651) 659-1310  
Fax: (651) 659-1379  
Email: [cbisek@amengtest.com](mailto:cbisek@amengtest.com)

cc: John Bell, KK-Five Corporation,  
John Bell, Klodt, Inc.





## Petroleum Remediation Program

Minnesota Pollution Control Agency

[http://www.pca.state.mn.us/programs/lust\\_p.html](http://www.pca.state.mn.us/programs/lust_p.html)

## **Petroleum Brownfields Program Application/Request for Assistance Form**

Guidance Document 5-04

Please complete this form to request assistance from the Minnesota Pollution Control Agency (MPCA) staff in the Petroleum Brownfields Program, pursuant to Minn. Stat. § 115C.03, subd. 9. If you have any questions about the services offered by the 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  
Petroleum Brownfields Program  
Petroleum and Closed Landfill Section  
Minnesota Pollution Control Agency  
520 Lafayette Road North  
St. Paul, Minnesota 55155-4194  
Fax: 651/296-9707

**MPCA SITE ID#:** 16076

### **Subject Property**

Property/Site Name Hiawatha Flats  
Address 3612 East 44th St

City (or Township) Minneapolis State MN Zip Code 55406

Public land survey coordinates:

County Hennepin Twp. 28N Range 23W Sec. 12 Qtr. \_\_\_\_\_

Property Size 4.16 \_\_\_\_\_ (in acres)

*Former Tire Industries*

### **Applicant**

Name John Bell

Title V.P. Construction

Organization KK - Five Corporation

Phone (612) 374-8282 Fax (612) 374-1814

Address 50 Groveland Terrace, Suite A

Email jbell@klodt.com

City Minneapolis

State MN Zip Code 55403

State Taxpayer ID# 4180951

Federal Taxpayer ID# 41-1891080

Social Security # \_\_\_\_\_ (if applicant is an individual)

### **Additional Interested Party**

Name John Bell

Title V.P. Construction

Organization Klodt, Inc.

Phone (612) 374-8282 Fax (612) 374-1814

Address 50 Groveland Terrace, Suite A

Email jbell@klodt.com

City Minneapolis

State MN Zip Code 55406

**Current property owner (if different from applicant)**

Name	John Bell	Title	
Organization	KK - Five Corporation	Phone	(612) 374-8282 Fax (612) 374-1814
Address	50 Groveland Terrace, Suite A	Email	jbell@klodt.com
City	Minneapolis	State	MN Zip Code 55403

**Applicant's Interest in Property**

- Currently owns property  Considering purchasing property
- Renting or leasing property  Mortgage interest in property
- Other (explain)  Brownfields Eligibility

**Description of Applicant's Request** (See Guidance Document 5-02 *Petroleum Brownfields*

*Program General Information* for a detailed description of the following services.)

- 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# \_\_\_\_\_
- Technical review of a *DRAP* for a petroleum impacted property. (note: need 45 days for Grants)  
MPCA ID# 16076
- Leak site Tank Removal Verification Letter. (Minn. Stat. 115C.03, subd. 9C).  
MPCA ID# \_\_\_\_\_
- Leak site File Closure Confirmation Letter. (Minn. Stat. 115C.03, subd. 9C).  
MPCA ID# 16076
- Off-site Tank Release Determination Letter. (Minn. Stat. 115C.03, subd. 9C).  
Suspected source MPCA ID# \_\_\_\_\_
- General Liability Letter.
- Grant Eligibility Letters
- 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
- Ground water contamination
- Surface water contamination
- Not known
- Other (explain)

**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).

Voluntary Investigation and Cleanup Program

**City Contact:**

**Known or suspected sources**

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

- Underground tank or pipeline release(s)
- Drums or other storage containers
- Septic tank or drainfield
- Surface spillage or discharge
- Dumping or burial of waste
- Above-ground tank or pipeline release(s)
- Seepage pit or dry well(s)
- Adjacent property
- Not known
- 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 I ESA, AET No. 03-02255, report dated 1/19/05
- Phase II ESA, AET No. 03-02255ii, report dated 2/4/05
- Phase II ESA, AET No. 03-02255ii.u, report dated 3/25/05
- Supplemental Report of Phase II ESA, AET No. 03-02255ii.sup, report dated 4/27/05

**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 (site map), owner, well number, aquifers, depth and use.

## Contact persons

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

Consultant American Engineering Testing, Inc. Phone (651) 659-1310 Fax (651) 659-1379  
Name Charles W. Bisek Email cbisek@amengtest.com  
Address 550 Cleveland Avenue North  
City St. Paul State MN Zip Code 55104  
Attorney \_\_\_\_\_ Phone \_\_\_\_\_ Fax \_\_\_\_\_  
Name \_\_\_\_\_ Email \_\_\_\_\_  
Address \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
City \_\_\_\_\_

## 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. The current fee is \$150.00 per hour. 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 Bell Title VP - Construction  
Signature John Bell Date 3/23/2006

Subscribed and sworn to before me this 23<sup>rd</sup> day of March, 2006.

Notary Public Lois Flannery

