Minnesota Pollution Control Agency

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August 24, 2016

RE: Request for Approval of Site Listing and Delisting on the State Superfund Permanent List of Priorities

To Whom It May Concern:

On August 22, 2016, the MPCA issued the Findings of Fact, Conclusions of Law, and Order approving the proposed August 2016 Update to the State Superfund Permanent List of Priorities (PLP). The Findings of Fact, Conclusions of Law, and Order concludes that the decision to approve the proposed update satisfied the requirements of Minn. Stat. §115B.17. These documents can be found at the MPCA website listed below: https://www.pca.state.mn.us/advisory/meetings.

If you would like a paper copy of the MPCA Findings of Fact documentation please contact Tom Higgins from the MPCA Superfund Program at 651-757-2436 or by email at Tom.Higgins@state.mn.us

We appreciate the time and effort of those who submitted comments on the proposed August 2016 Update to the State Superfund Permanent List of Priorities.

Sincerely,

John Linc Stine
Commissioner

JLS/TH:bhj

MINNESOTA POLLUTION CONTROL AGENCY
Remediation Division
Site Remediation and Redevelopment Section

Request for Approval of Site Listings and Delisting on the State Superfund Permanent List of Priorities

August 16, 2016

ISSUE STATEMENT

The Minnesota Environmental Response and Liability Act (MERLA), Minn. Stat. §115B.17, subd. 13 and Minn. R. pt. 7044 requires the Minnesota Pollution Control Agency (MPCA) to establish a Permanent List of Priorities (PLP) among releases or threatened releases of hazardous substances, pollutants, or contaminants. The MPCA staff is proposing to modify the PLP by removing one site and adding ten sites. This proposed update of the PLP was published in the May 9, 2016 State Register for public comment. Four comment letters were received during the 31 day comment period. MPCA staff recommends that the MPCA Commissioner approve the update to the PLP.

BACKGROUND: Pursuant to Minn. Stat. §115B.17, subd. 13 and Minn. R. pt. 7044, the MPCA shall update the PLP with sites with releases or threatened releases of hazardous substances or pollutants or contaminants in Minnesota. The rules that govern the establishment of the PLP require that the PLP be updated at least annually. The PLP was last updated on September 30, 2015 (hereinafter the September 2015 PLP). The MPCA staff is proposing to modify the PLP. The current PLP with its proposed modification is, hereinafter, referred to as the proposed August 2016 Update of the PLP. Findings of Fact, Conclusion of Law, and Order can be found as Attachment 1. The proposed August 2016 Update of the PLP with releases or threatened releases of hazardous substances, pollutants, or contaminants was published in the May 9, 2016, State Register for the purpose of soliciting public comment (See Attachment 2). The proposed August 2016 Update of the PLP was available for public comment for 31 days, from May 9, 2016 to June 10, 2016.

In addition to the State Register publication, notices were mailed to approximately 381 affected parties and persons who may have an interest in one or more of the proposed changes to the PLP as listed in the proposed August 2016 Update of the PLP. A news release regarding this proposed PLP update was also sent out by the MPCA's Public Information Office (See Attachment 2).

DISCUSSION:

A. Proposed Modifications to the PLP

The September 30, 2015 Update of the PLP listed 83 sites. The proposed August 2016 Update of the PLP, as published in the State Register, recommends the addition of ten sites to the PLP and the deletion of one site from the PLP. The ten sites proposed for addition are proposed by the MPCA. These proposed changes would result in the listing of 92 sites on the proposed August 2016 Update of the PLP.

B. Additions to the PLP

The ten sites proposed for addition to the PLP were ranked using the Hazard Ranking System (HRS) method as required by Minn. R. pt. 7044.0350. The HRS is based on the revised HRS scoring system adopted by the U.S. Environmental Protection Agency, as published in the Federal Register on December 14, 1990. The sites proposed for addition and their assigned scores, as published in the May 9, 2016 State Register, are as follows:

1) D's Fabric Care, Carlton County (5.81)

2) West 66th Street and Vincent Avenue, Hennepin County (50.19)

3) Hospital Linen, Ramsey County (50.19)

4) South East Hennepin Area Groundwater and Vapor Site, Hennepin County (33.91)

5) Lyndale Avenue Corridor, Hennepin County (38.93)

6) Arcade Street North and Hawthorne Avenue East, Ramsey County (24.62)

7) 55th Street and Lyndale Avenue South, Hennepin County (17.38)

8) Universal Plating, Hennepin County (25.09)

9) Former Pure Oil Bulk Storage Facility, Hennepin County (7.13)

10) University Avenue and Pascal Street Area, Ramsey County (18.43)

Site listing memos for these ten sites are included in Attachment 3. The Commissioner of the Minnesota Department of Agriculture (MDA) did not propose the listing or delisting of any MDA site to or from the PLP for this update.

1. Deletions from the PLP

The MPCA staff proposed the deletion of one site from the PLP: Boyer Lumber Site, located in St. Louis County, meets the criteria for deletion as specified under Minn. R. 7044.0950, subp. 1.
The rules specify that to delete a site, either all response actions required at a site have been completed, or that the site no longer poses a threat to public health or welfare or the environment. The MPCA staff determined that all appropriate MERLA response actions have been completed at this site and the site does not pose a threat to public health or welfare or the environment from the release or a threatened release of a hazardous substance, or pollutant or contaminant. Because of these conditions no further MERLA-funded response actions will be necessary at this site and deletion of this site from the Minnesota Superfund PLP is appropriate pursuant to Minn. R. 7044.0950.
A delisting memo for the Boyer Lumber Site is included in Attachment 4.

2. Public Comments

The proposed August 2016 Update of the PLP, as published in the May 9, 2016 State Register, was available for public comment from May 9, 2016 through June 10, 2016. During the public comment period, the MPCA received four comments regarding changes to the PLP (See Attachment 1, Appendix A).

Mr. Daniel Schleck submitted a comment for the D's Fabric Care Site in Carlton County. Mr. Schleck expressed concerns for listing this Site on the Minnesota PLP and requested the MPCA review and respond to his comments.

The MPCA issued Mr. Schleck a response letter on August 2, 2016 (See Attachment 1, Appendix B).

Mr. Mark Chapin submitted a comment for the Universal Plating Site in Hennepin County. Mr. Chapin agreed with the MPCA's decision to list the Universal Plating Site however he requested the MPCA to coordinate with Hennepin County officials regarding future cleanup activities. The MPCA issued Mr. Chapin a response letter on August 2, 2016 (See Attachment 1, Appendix B).

Mr. Larry Deeney submitted a comment for the Southeast Hennepin Area Groundwater and Vapor Site located in Hennepin County. Mr. Deeney agreed with the MPCA's decision to list this Site however he provided technical comments for the MPCA's consideration and review. The MPCA issued Mr. Deeney a response letter on August 2, 2016 (See Attachment 1, Appendix B).

Mr. John and Mrs. Marjorie Smith submitted a comment for the Hospital Linen Site in Ramsey County. Mr. and Mrs. Smith had several questions regarding this Site including its history, investigation details, public health impacts, and the communication plan moving forward. The MPCA issued Mr. and Mrs. Smith a response letter on August 2, 2016 (See Attachment 1, Appendix B). The comments received did not result in changes to the proposed site additions or deletion.

CONCLUSIONS:

On May 9, 2016, the proposed August 2016 Update of the PLP was published in the State Register for the purpose of soliciting public comment. Four comments were received concerning the proposed site additions to the PLP, as published on May 9, 2016. The comments received did not result in changes to the proposed site additions or deletions.

The ten additions and one deletion from the PLP are appropriate under the applicable statutes and rules. The updated list more accurately reflects the current status of the Minnesota State Superfund sites.

Therefore, the MPCA staff recommends that the Commissioner adopt the proposed site additions as shown in Attachment 3 and the proposed site deletion as shown in Attachment 4. Attachment 5 lists the Final August 2016 Update of the PLP list alphabetically.

The PLP will be updated as information regarding releases of hazardous substances at the additional sites becomes available and as cleanup actions are accomplished.

RECOMMENDATION:

MPCA staff recommends that the Commissioner adopt the following staff resolution.

BE IT RESOLVED, that the MPCA makes the following determinations:

1. The proposed August 2016 update of the PLP among releases of threatened releases of hazardous substances of pollutants or contaminants was published in the State Register on May 9, 2016 and was available for comment for 31 days; and
2. Four comment letters were received by the MPCA staff during the public comment period concerning the proposed changes to the PLP, as published in the May 9, 2016 State Register; and
3. The comments received did not result in changes to the proposed additions to and deletions from the PLP.

BE IT FURTHER RESOLVED, that based on these determinations and for the reasons set forth in the attached memorandums, the MPCA hereby adopts the addition of ten MPCA proposed sites, as shown in Attachment 2, to the PLP and the deletion of the one site, as shown in Attachment 3, to the PLP. The Commissioner is authorized to execute the Update of the PLP on behalf of the MPCA.

BE IT FURTHER RESOLVED, that in approving the Update of the PLP, the MPCA adopts the factual determinations and reasons set forth in the attached memorandum(s).

Attachment 1: Findings of Fact, Conclusion of Law, and Order

Attachment 1, Appendix A: Public Comments Received for August 2016 Update to PLP

Attachment 1, Appendix B: MPCA Responses to Public Comments Received for August 2016 Update to PLP

STATE OF MINNESOTA
MINNESOTA POLLUTION CONTROL AGENCY

IN THE MATTER OF THE DECISION TO UPDATE THE MINNESOTA PERMANENT LIST OF PRIORITIES

FINDINGS OF FACT CONCLUSIONS OF LAW AND ORDER

FINDINGS OF FACT

Pursuant to Minn. R. 7044.0600, the Commissioner of the Minnesota Pollution Control Agency ("MPCA") has scored eligible sites having releases or threatened releases of hazardous substances or pollutants or contaminants and proposes to update the State of Minnesota's permanent list of priorities (PLP) by adding ten sites and deleting one site to the PLP.

General Background

1. MPCA staff recommended updating the Permanent List of Priorities (PLP) with the addition of ten sites to the PLP. The sites proposed for listing in the update of the PLP were published in the State Register on May 9, 2016. MPCA staff have documented that the sites have releases or threatened releases of hazardous substances, pollutants, or contaminants.

2. MPCA staff ranked the ten sites proposed for addition to the PLP using the Hazard Ranking System (HRS) method as required by Minn. R. 7044.0350. The sites proposed for addition and their assigned scores, as published in the May 9, 2016, State Register, are:

   A) D's Fabric Care, Carlton County (5.81)

   B) West 66th Street and Vincent Avenue, Hennepin County (50.19)

   C) Hospital Linen, Ramsey County (50.19)

   D) South East Hennepin Area Groundwater and Vapor Site, Hennepin County (33.91)

   E) Lyndale Avenue Corridor, Hennepin County (38.93)

   F) Arcade Street North and Hawthorne Avenue East, Ramsey County (24.62)

   G) 55th Street and Lyndale Avenue South, Hennepin County (17.38)

   H) Universal Plating, Hennepin County (25.09)

   I) Former Pure Oil Bulk Storage Facility, Hennepin County (7.13)

   J) University Avenue and Pascal Street Area, Ramsey County (18.43)

3. The Commissioner of the Minnesota Department of Agriculture (MDA) did not propose adding or deleting any MDA Sites to the PLP during this update:

4. The MPCA staff proposed deletion of one site from the PLP: Boyer Lumber Site, St. Louis County. This site meets the criteria for deletion as specified under Minn. R. 7044.0950, subp. 1.

   The rules specify that to delete a site, either all response actions required at a site have been completed, or that the site no longer poses a threat to public health or welfare or the environment. The MPCA staff determined that all appropriate Minnesota Environmental Response and Liability Act (MERLA) response actions have been completed at the Boyer Lumber Site and the site does not pose a threat to public health or welfare or the environment from the release or a threatened release of a hazardous substance, or pollutant or contaminant.

   No further MERLA-funded response actions will be necessary at this site and deletion of this site from the Superfund Permanent List of Priorities is appropriate pursuant to Minn. R. 7044.0950.

Procedural History

5. The proposed August 2016 Update of the PLP was published in the May 9, 2016, State Register for the purpose of soliciting public comment.

6. In addition to the State Register publication, the MPCA mailed notices to approximately 381 affected parties and persons who may have an interest in one or more of the proposed changes to the PLP as listed in the proposed August 2016 Update of the PLP. In addition, the MPCA's Public Information Office issued a news release regarding the proposed PLP update.

7. The public comment period for the proposed update began on May 9, 2016, and ended on June 10, 2016. During the 31-day public comment period, the MPCA received four comments regarding changes to the PLP. Daniel Schleck submitted a comment for the D's Fabric Care Site in Carlton County. Mr. Schleck expressed concerns for listing this Site on the MN PLP and requested the MPCA review and respond to his comments. The MPCA issued Mr. Schleck a response letter on 8/2/16. Mark Chapin submitted a comment for the Universal Plating Site in Hennepin County. Mr. Chapin agreed with the MPCA's decision to list the Universal Plating Site however he requested the MPCA to coordinate with Hennepin County officials regarding future cleanup activities. The MPCA issued Mr. Chapin a response letter on 8/2/16. Larry Deeney submitted a comment for the Southeast Hennepin Area Groundwater and Vapor Site located in Hennepin County. Mr. Deeney agreed with the MPCA's decision to list this Site however he provided technical comments for the MPCA's consideration and review. The MPCA issued Mr. Deeney a response letter on 8/2/16. John and Marjorie Smith submitted a comment for the Hospital Linen Site in Ramsey County. Mr. and Mrs. Smith had several questions regarding this Site including its history, investigation details, public health impacts, and the communication plan moving forward. The MPCA issued Mr. and Mrs. Smith a response letter on 8/2/16.

8. Four Comment letters received have been hereby incorporated by reference as Appendix A to the Findings of Fact, Conclusions of Law, and Order. The MPCA responses to comments received are hereby incorporated by reference as Appendix B to the Findings of Fact, Conclusions of Law, and Order.

9. On May 24, 2016, The Commissioner of the MPCA sought advice from the MPCA Advisory Committee on the proposed ten additions and one deletion from the PLP. The Commissioner took the Advisory Committee's advice into consideration in making his decision regarding the additions and deletion.

CONCLUSIONS OF LAW

10. Pursuant to Minn. Stat. 115B.17, the MPCA is authorized to take any removal action or remedial action which the MPCA deems necessary to protect the public health, welfare or the environment whenever there is a release, or threat of release, from a facility of a hazardous substance, pollutant or contaminant which presents an imminent or substantial danger to the public health, welfare, or the environment.

11. Where the hazardous substance or pollutant or contaminant is an agricultural chemical, as defined in Minn. Stat. 18D.01, subd. 3, the Commissioner of the Department of Agriculture is authorized under Minn. Stat. ch. 115B to take any removal or remedial action deemed necessary with regard to such releases or threatened releases.

12. The Minnesota Environmental Response and Liability Act (MERLA), Minn. Stat. §115B.17, subd. 13 and Minn. R. 7044 require the MPCA to establish a Permanent List of Priorities among releases or threatened releases of hazardous substances, pollutants, or contaminants, and to update the list at least annually.

13. The proposed additions to the PLP are properly scored and classified as required by rule for funding prioritization on the PLP.

14. The proposed deletion from the PLP met the criteria in Minn. R. 7044.0950 for deletion from the PLP.

15. The proposed ten site additions to and one deletion from the PLP satisfies the MPCA's obligation to annually update the PLP.

16. Any Findings of Fact that might properly be termed Conclusions of Law and any Conclusions of Law that might properly be termed Findings of Fact are hereby adopted as such.

ORDER

The Permanent List of Priorities is hereby updated to include the ten additions to and one deletion from Minnesota's Permanent List of Priorities. MPCA Staff shall publish the updated PLP in the State Register and shall notify all interested persons of the updates.

IT IS SO ORDERED

Commissioner John Linc Stine
Minnesota Pollution Control Agency

8/22/2016
Date

Appendix A: Public Comments Received for August 2016 Update to PLP

MESSERLI & KRAMER

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June 10, 2016

VIA E-MAIL AND US MAIL

Mr. Tom Higgins
Remediation Division
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, Minnesota 55155-4194
tom.higgins@state.mn.us

Writer's contact:

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Re: **PUBLIC COMMENT ON PROPOSED ADDITION OF D'S FABRIC CARE PROPERTY TO STATE SUPERFUND PERMANENT LIST OF PRIORITIES**
Our File No. 21971-1

Dear Mr. Higgins:

I submit this public comment on behalf of H&S Enterprises, Inc. the current owners of site referred to as D's Fabric Care located in Cloquet, Minnesota proposed for listing on the State Superfund Priority List (the "MN Superfund List"). Pursuant to Minn. R. 7044.0600, my clients respectfully request that MPCA both review and respond to these comments.

MPCA has not established that the D's Fabric Care property is the "site" that should be listed on the MN Superfund List. *See* Minn. R. 7004.0100 *et seq.* MPCA's analysis ignored the broader "place or area" around the property occupied by D's Fabric Care and contiguous additional likely sources of contamination. *See id.* at 7004.0200, subp. 7. Most of the MPCA data being used as a basis for listing the D's Fabric Care site comes from an attached, adjoining parcel that is also a likely source of the Perchloroethylene ("PERC") contamination cited as a basis for listing D's Fabric Care. This adjoining property was historically and currently operating as the Frank Lloyd Wright gas station ("FLW") known to use parts washing and brake cleaning solvents that contain large quantities of PERC. By making the arbitrary and capricious decision of focusing on the D's Fabric Care property without also making the FLW part of the "site" the Agency is making a decision not based on facts on the record and appears to be selectively targeting the D's Fabric Care site and ignoring the data on file.

Similarly, MPCA has insufficient evidence of "releases or threatened releases" from the D's Fabric Care property. *See* Minn. R. 7004.0100 and .0250. The lack of evidence stems, again, from MPCA's focus on the adjacent former gas station without similar sampling on the soil and groundwater beneath the D's Fabric Care property. MPCA's listing is based on a single indoor air sample taken in 2012 with no source identification. The PERC found in the indoor air at the building located on the D's Fabric Care property results from some unidentified source of PERC, it is not the source of the PERC. The only source of PERC identified is on the FLW site and MPCA is conveniently ignoring that data. As a result, MPCA lacks evidence of an upgradient release, the source of such a release, and the point in time when such a release occurred. *See* Minn. R. 7004.0200, subp. 2 (defining release by reference to MINN. STAT. § 115B.02, subd. 15).

The HRS Score that MPCA prepared for this site is incorrect and meaningless and cannot be used to support a listing of D's Fabric Care to the MN Superfund List. MPCA did not complete any soil or groundwater sampling and therefore had insufficient evidence to determine a score using the HRS. MPCA is supposed to apply the HRS adopted by the United States Environmental Protection Agency. *See* Minn. R. 7004.0350. The HRS aims to provide an appropriate degree of accuracy in risk assessment. *See* U.S. EPA, *Hazard Ranking System*, 55 Fed. Reg. at 51583 (Dec. 14, 1990). The accuracy of MPCA's analysis is problematic at best and most likely unrepresentative of the D's Fabric Care property's risk given that no significant sampling has occurred on the property and no exceedances identified. There is an insufficient basis to score the property at this point, and, before any remedial investigation and feasibility study are conducted, the property will have to be rescored pursuant to Minn. R. 7044.0600. MPCA's attempt to use an HRS Score based on assumed values and innuendo to list the D's Fabric Care property is also a clearly subjective attempt to cover the lack of a basis for listing the site.

Not only is the property not an "eligible sit[e]" for inclusion on the permanent list of priorities, *see* Minn. R. 7004.0250, MPCA has an insufficient basis to assign the property to a particular response action class. Any assignment "must be based on the response action necessary to abate the known or suspected dangers associated with hazardous substances, pollutants, or contaminants at the site of the release or the threatened release." *See* Minn. R. 7004.0450, subps. 1 – 2. At this point, MPCA has not sufficiently identified a release, threatened release, or any associated hazardous substances, pollutants, or contaminants on the property. Thus, MPCA cannot have possibly identified the associated dangers or the response actions necessary to abate those dangers. MPCA must know those pieces of information "[a]t the time of proposing to list a site on the permanent list of priorities[,]" so it cannot proceed with the listing at this time.

This is clearly demonstrated by MPCA's proposed remedy which seeks to use sub-slab depressurization to remove vapors from the soil and groundwater. Unfortunately give the high water table and potentially artesian conditions beneath the building this type of system would fill with water before accomplishing any removal of PERC.

MPCA also has failed to show that it has taken into account various statutory factors to determine the "relative risk or danger to public health or welfare or the environment" associated with the property. *See* MINN. STAT. § 115B.17, subd. 13. For example, MPCA has not sufficiently identified "the population [allegedly placed] at risk" by this property. *See id.* It has failed to sufficiently identify how the property poses "the potential for contamination of drinking water supplies" or "direct human contact." *See id.* MPCA also has not identified how the property poses "the potential for destruction of sensitive ecosystems." *See id.* As such, MPCA appears unprepared to propose listing of this property at this time.

There are other public policy reasons why this property should not be listed. MPCA must take into account "the administrative and financial capabilities of the Pollution Control Agency" when proposing a listing. *See* MINN. STAT. § 115B.17, subd. 13.

Costs associated with investigation and remediation of this site might be eligible for reimbursement pursuant to the Minnesota Dry Cleaner Environmental Response and Reimbursement Law. *See* MINN. STAT. § 115B.47 (the "Dry Cleaner's Fund"). The provisions of the Dry Cleaner's Fund allows eligible parties to assign their proceeds from the fund to the MPCA and the owner of this site has offered to assign any funds for which it is eligible to MPCA on several occasions.

MPCA has refused to accept this assignment every time it was offered.

This does not seem like the fiscally prudent approach for addressing the concerns over mitigation of risk espoused by the MPCA in its listing petition.

In this case, MPCA will have limited ability to allocate funds to investigate the D's Fabric Care property because its purported HRS score is significantly lower than the scores of many other sites that accordingly have higher priority for funding. *See* Minn. R. 7044.0850; *see* Notice of Proposed Update, dated May 10, 2016 (listing the property at 5.81 as compared to sites at 50.19, 33.91, 38.93, etc.). MN State Superfund funds would be better spent on those sites rather than on this one, particularly given the incomplete evidence of dangers posed by; and the alternative funding mechanism available to the MPCA for the D's Fabric Care property.

For multiple reasons, MPCA simply cannot place the D's Fabric Care property on the permanent list of priorities given insufficient evidence that it "poses a threat to public health or welfare or the environment[.]" *See* Minn. R. 7044.0950(B); *see also* MINN. STAT. § 115B.17.

Sincerely,

MESSERLI & KRAMER P.A.

Daniel S. Schleck
Attorney

C. Client

Hennepin County Resident and Real Estate Services

A-600 Hennepin County Government Center
Minneapolis, Minnesota 55487-0060

June 9, 2016

BY ELECTRONIC MAIL AND U.S. MAIL

Attention: Mr. Sandeep Burman, Manager, Remediation Division
John Linc Stine, Commissioner
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, MN 55155-4194

RE: Public Comment – Formal Response on Proposed Addition to the State Superfund Permanent List of Priorities (Universal Plating Facility, Minneapolis, Minnesota)

Dear Commissioner Stine:

As the Director of Hennepin County Resident and Real Estate Services ("Hennepin County") and acting in the capacity of County Auditor-Treasurer, I serve as the administrator of state of Minnesota tax-forfeited properties located in Hennepin County, under delegation of statutory authority, power and responsibility from the Board of Hennepin County Commissioners. My Department understands that the Minnesota Pollution Control Agency (MPCA) is proposing the addition of the Universal Plating Facility, Minneapolis, Minnesota (1900-1922 Monroe St. N.E., 661 19th Ave. N.E.) to the State Superfund Permanent List of Priorities (PLP).

This site became forfeited to the state of Minnesota under provisions of law relating to absolute forfeiture of real property for nonpayment of real property taxes on July 23, 2015. Subsequent to the tax-forfeiture, the property has been administered by Hennepin County on behalf of the State and other local taxing jurisdictions. Hennepin County contends that it is not an owner or responsible party pursuant to Minnesota Statutes, Section 115B.03, subd. 4.

Hennepin County, through its professional consultants, has achieved significant momentum toward stabilizing and abating potential threats to public health and the environment by completing the following work at the site:

- secured the property from trespass.
- removed debris from the site.
- inventoried and sampled wastes found abandoned on site at the time of forfeiture.
- consolidated and repacked waste drums and regulated wastes at the site.
- manifested and removed wastes to a proper disposal facility.

Hennepin County intends to complete the following short-term work to prepare for demolition of existing buildings on the site:

- pressure washing of floors.
- completing a pre-demolition hazardous materials survey.
- sampling and analysis of selected building materials for waste characterization.
- demolition of existing structures on site down to grade.
- replacement of perimeter security fencing.
- removal of brush and secondary tree growth.

The demolition of the building down to grade will reduce urban blight and lessen the negative aesthetic and environmental impacts on the neighboring school and surrounding community. Note: The concrete floors will not be removed during demolition to provide an encapsulating barrier until soil and/or groundwater remediation can be performed.

While Hennepin County has reservations about the Universal Plating Facility Site being added to the Permanent List of Priorities (PLP), we recognize the MPCA desires to move forward with this State Superfund listing in order to allocate future resources in a timely manner.

Hennepin County requests the MPCA agrees to work with the County to complete the short term goals listed above, including building demolition.

We have determined this is the best course consistent with a cooperative effort planning future cleanup, community safety and redevelopment for the site.

I respectfully request that this letter be entered into the official record. Please contact Lance Robinette, Senior Property Management Specialist, at (612) 348-8158 if there are questions.

Sincerely,

Mark V. Chapin

Mark V. Chapin, Director
Resident and Real Estate Services Department
Hennepin County Auditor-Treasurer

GENERAL MILLS

June 10, 2016

VIA EMAIL

Mr. Tom Higgins
MPCA Remediation Division
520 Lafayette Road North
St. Paul, MN 55155-4194

RE: General Mills, Inc.'s Comment on Minnesota Pollution Control Agency's May 9, 2016, Proposal to List on the Permanent List of Priorities the Southeast Hennepin Area Groundwater and Vapor Site

Dear Mr. Higgins:

General Mills, Inc. ("General Mills") appreciates the opportunity to provide this comment on the Minnesota Pollution Control Agency's ("MPCA") May 9, 2016, proposal to list the Southeast Hennepin Area Groundwater and Vapor Site ("Southeast Hennepin Site") on the Minnesota Permanent List of Priorities.

General Mills agrees with MPCA's decision to list the Southeast Hennepin Site. In particular, General Mills agrees with MPCA's conclusion that "[b]ased on past and current groundwater data, there appears to be one or more sources of PCE and TCE up-gradient of the General Mills Superfund Site."[1] Indeed, General Mills' Vapor Intrusion Pathway Investigation and MPCA's SA 249 investigation demonstrate that groundwater and soil gas *within* the boundaries of the proposed Southeast Hennepin Site are clearly the result of TCE from sources that are up-gradient to the northeast and cross-gradient to the east of the General Mills Site located at 2010 East Hennepin Avenue.[2]

[1] MPCA Office Memorandum, Permanent List of Priorities Request, Southeast Hennepin Area Groundwater and Vapor Site, dated May 2, 2016, from Crague Biglow and Allan Timm to Sandeep Burman, at 2) ("May 2, 2016, MPCA Listing Memorandum.)

[2] *Vapor Intrusion Pathway Investigation Report, East Hennepin Avenue Site, Minneapolis, MN*, dated July 2015, Barr Engineering, submitted to MPCA in July 2015 ("VIPI Report"); Letter from Larry Deeney, General Mills, to Timothy Grape, MPCA, dated April 6, 2016. ("April 6, 2016, General Mills letter to MPCA")

However, the MPCA's listing is incomplete and should be revised as follows:

1. **TCE from sources in the proposed Southeast Hennepin Site are also migrating and impacting down-gradient groundwater and soil vapor in the "Central Area," and the General Mills Site.**

   In its listing proposal, MPCA asserts that one or more sources of PCE and TCE in the Southeast Hennepin Area "may be contributing to the groundwater plume."[3] General Mills agrees. However, General Mills has identified multiple potential manufacturing and other sources of TCE that MPCA's listing does not acknowledge. Data from MPCA's and General Mills' respective investigations demonstrate there are multiple TCE sources in the proposed Southeast Hennepin Area that have been and are impacting down-gradient groundwater and soil gas in what General Mills labeled in its VIPI report the "Central Area," and the General Mills Site. Moreover, these data demonstrate that sources in the proposed Southeast Hennepin Area are the predominant sources of TCE in down-gradient groundwater and soil gas, based on the following:

   - The highest concentration of TCE measured in groundwater is along Hoover Street near the Ann Gendein Trust/Scott-Atwater property in the proposed Southeast Hennepin Area.

   - The VIPI Report data show TCE concentrations in groundwater are more than an order of magnitude higher at monitoring well locations within the proposed Southeast Hennepin Site up-gradient, or northeast, of the General Mills Site compared to those at the General Mills Site and immediately down-gradient of the General Mills Site.

   - Data collected by MPCA as part of the SA249 project also shows significantly higher TCE concentrations in the proposed Southeast Hennepin Site compared to concentrations at the former General Mills Site and the Central Area.

   - The axis of higher TCE concentrations (> 100 ug/L) in glacial drift groundwater and higher TCE concentrations (> 1,000 ug/m3) in sub-slab soil gas measured during the VI pathway investigation and sub-slab soil gas sampling effort is side-gradient of the General Mills Site, with respect to groundwater flow direction. This axis of higher TCE concentrations is more consistent with, and aligns more closely with, sources in the proposed Southeast Hennepin Site.

   - Preliminary groundwater particle tracking confirms that TCE releases in the proposed Southeast Hennepin Site are the predominant cause of TCE concentrations in groundwater in the Central Area.[4] The particle tracking simulated groundwater flow-paths originating along Hoover Street in the proposed Southeast Hennepin Site where the highest concentrations of TCE in groundwater are currently measured. The particle tracking predicted the migration paths and locations of individual particles

[3] May 2, 2016, MPCA Listing Memorandum, at 2.
[4] Attachment B to April 6, 2016, General Mills Letter to MPCA.

after 10 years of travel time. Most particles originating in the proposed Southeast Hennepin Site have migrated to the Central Area within 10 years. Therefore, only a very recent release of TCE in the proposed Southeast Hennepin Site would not yet have reached the Central Area. As noted in the VIPI Report, evidence of potential past disposal areas east of Hoover Street and high levels of TCE measured at the 359 Hoover Street property in 1999 indicate that the source(s) of TCE in the proposed Southeast Hennepin Site would have originated prior to 1999 and potentially as early as the 1940s. The particle tracking shows that the TCE source(s) in the proposed Southeast Hennepin Site are likely impacting groundwater over portions of the General Mills Site, and potentially flowing through the General Mills Site.[5]

- The connection between the contaminant sources in the proposed Southeast Hennepin Site and impacts in downgradient areas is further illustrated by examination of sub-slab soil gas test results. TCE concentrations in sub-slab samples collected from residences located between 22nd Avenue SE and 23rd Avenue SE (an area already included in the proposed Southeast Hennepin Area) fall within the same range as those measured at residences west of 23rd Avenue SE directly adjacent to the currently proposed Southeast Hennepin Area. Elevated TCE concentrations in sub-slab samples continue throughout the Central Area demonstrating a continuous area of impact associated with the sources located in the proposed Southeast Hennepin Area.

2. **The General Mills Site is not a continuing source of TCE to groundwater that would contribute to potential vapor intrusion pathway in the Central Area.**

   The extensive investigations conducted at the Site found no evidence of DNAPL or other source material at or emanating from the General Mills Site. The results include the following:

   - TCE is not detected in unsaturated soils at the Site, and only low concentrations of TCE (less than 1 mg/kg) are reported in the soil below the water table near the former disposal area based on recent investigations conducted after termination of the General Mills Site's groundwater pumping system.

   - These low concentrations of TCE in the soil along with the low dissolved TCE concentrations measured in the shallow groundwater indicate the absence of DNAPL or source material at the General Mills Site. [6]

   - Particle tracking results show that the General Mills Site is not an ongoing source of TCE to groundwater in the Central Area.[7]

---

[5] *Id.*
[6] VIPI Report and April 2, 2016, General Mills Letter to MPCA.
[7] Particle tracking results presented to MPCA at May 31, 2016, meeting.

3. **MPCA's listing the Southeast Hennepin Area Site without considering the down gradient impacts of TCE sources in the Southeast Hennepin Site could impede appropriate analysis of the TCE groundwater and vapor impacts in the overall area.**

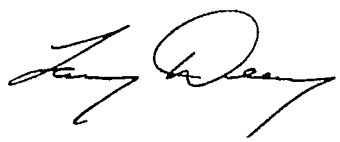
   General Mills understands that the MPCA expects further investigation of TCE sources up-gradient to the General Mills site later in 2016 and 2017. General Mills agrees that further investigation into the nature, extent and impacts of TCE disposal sites to the northeast of the General Mills site is necessary and appropriate. However, General Mills is concerned that any failure to consider the down gradient impacts of the TCE sources in the Southeast Hennepin Site will impede appropriately analyzing groundwater and soil gas impacts throughout the overall area, including the General Mills Site and the Central Area.[8]

Requested Action. General Mills agrees that further investigation into the nature, extent and impacts of TCE disposal sites to the northeast of the General Mills Site is necessary and appropriate. For the reasons described above, MPCA should make clear in the listing that it will fully assess the down gradient impacts of these sources on the soil gas and groundwater of the overall area. General Mills asks that MPCA revise the proposed listing of the Southeast Hennepin Site accordingly.

General Mills also asks that this letter and the documents referenced herein, including the VIPI Report, the Vapor Intrusion Feasibility Study and the April 6, 2016, letter and attachments thereto, be included in the administrative record underlying this listing.

Thank you for your consideration.

Regards,



Larry Deeney
Sr. Technical Leader, Global Environment

cc: Hans Neve (via email)
Timothy Grape (via email)
Carmen Netten (via email)
Mary Sands (via email)

[8] See Vapor Intrusion Pathway Feasibility Study, East Hennepin Avenue Site, Minneapolis, MN, Barr Engineering for General Mills, Inc., dated April 2016 ("Vapor Intrusion Feasibility Study").

APPENDIX A

RECEIVED
JUN 02 2016
BY:

TO: John Linc Stine & Tom Higgins

FROM: John and Marjorie Smith John Smith Marjorie Smith

DATE: May 31, 2016

RE: Hospital Linen Site, St. Paul, MN

We have been living at 724 E 6th St in Saint Paul since 1991. When we first moved in, the Hospital Linen site was operating as a laundry. When the company moved out and long afterwards when the building was torn down, that seems to be about the time that we first learned that the site was a problem due to hazardous waste left there (below ground). It wasn't until there was talk of building housing on that site that the issue was brought up.

Hazardous waste is something like the saying of "shutting the barn door after the horse has bolted" – in other words, too little, too late. We are certainly not experts on this topic but it doesn't take much knowledge to know that problems like this are becoming numerous in this country, especially in urban areas.

According to the aerial map from your agency, it seems like our property is outside of the boundary line that is the area of concern but this area must be growing.

We have, over the long period of time we have lived here, been provided very little information regarding the Linen Site contamination and the possible health/environmental risks that not just we face, but our neighborhood as a whole will have to deal with in the future. Important information including (but not limited to) contamination timelines, levels of toxicity, drinking water safety, health risks due to exposure, and how clean up was initially carried out. We assume that the Mississippi Market and the new senior apartments being built on "ground zero" must have felt that the clean-up project was good enough for them. As they say, "Good luck with that!"

We have many concerns including:

1. The public meeting scheduled 5/24/16 held at 9:00 a.m. (certainly working people such as ourselves can not attend a meeting held during working hours). It might be convenient for your staff but not for the neighbors. Plus, why has there not been multiple community meetings held in the evening?
2. What data has been collected? Data timeline, process, figures concerning how many tons of contamination, tank leakage, ground soil samples, location of contamination, spread of contamination, etc.
3. Very frustrating that we cannot even access information on the MN Pollution Control website! We have tried to gain access on a few different devices and each time we get a message that says it will not open due to it not being a reliable website. This is a big problem!

4. Health risks and exposure to all concerned but especially those like us who have lived in the area for over 25 years. We have other health issues that could make us more susceptible to industrial chemical solvents such as PERC. These solvents and their vapors can cause health risks that can lead to death such as leukemia, skin cancer, cancer of the colon, lung, larynx, bladder and urogential tract. We certainly should NOT be liable for any costs associated with this. Why are we not being tested? If you suspect lead in the water supply, you then test the residents for what lead is detected in their blood system.
5. Drinking water safety. Since this is a vapor issue, it is possible that it will penetrate the pipes and sewage pipes as well. City water is then at risk. This then will spread and seep into who know how many residential and commercial properties.
6. In 2009, our street was torn up for new city water, sewage and street work. What about the health risks to those all workers who were, for a few months, working in what could have been contaminated soil? It was not tested, so they did not know. The bigger question is: Who will know? What about all the soil and other materials that were taken out of that location? Where was it dumped? Whose radar was this suppose to be on at the time?
7. How long has this contamination been going on? We don't even know the location of the holding tanks, how many tons of toxins there were, or how much was removed at the site. It pretty much as been a "gotcha!" Surprise – you all now have a potential problem. This is shameful!
8. When talking to neighbors, everyone has a different version of what they know, or how their house was tested, or how the problem is "fixed". This is far from ideal.
9. What happens to our house market value? The area as a whole and its market value? If there is a negative affect that there is value lost due to the hazardous site, who pays the difference since we are not to blame? This is also a Historic District as designated by the City of Saint Paul.
10. From what we know, clean –up funds have been sporadic; causing there to be delays in the process Toxins do not wait for funding. Toxins in the area that cause health risks are urgent.
11. We have concerns regarding the process to "fix" the problem within a home. What is that company makes damages to the home? There are many possible liability issues that could present itself over time.
12. Concerns over the "truth in marketing" statements when selling a property. Future liability for previous owner.
13. The actual "ground zero" site was not posted as a hazardous waste site and not fenced off prior to the actual removal process. (to our knowledge)
14. We have not been contacted by either the City of Saint Paul or Ramsey County regarding the contamination and risks.
15. We are not limiting these concerns to what is here, since there are probably a good deal of things we have not been aware of or been through the process as of yet.

In conclusion, we feel like this is a very serious issue that could have possible monetary and life/death consequences. When we search for more information about these toxins, including PERC, long-term exposure has serious health diseases associated with industrial chemical solvents. Many of us in the area have lived here for years meaning the possibility of long-term exposure. While your agency is the one to focus on how to determine if there is a problem and how to fix it (if it is fixable), we still feel like it has been too little too late. At this point, we are unclear about how to go forward dealing with and if we need to consider assistance with all the complexity that accompanies this type of situation

Appendix B: MPCA Responses to Public Comments Received for August 2016 Update to PLP

Minnesota Pollution Control Agency

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August 2, 2016

Mr. Dan Schleck
Messerli & Kramer P.A.
1400 Fifth Street Towers
100 South Fifth Street
Minneapolis, MN 55402-1217

RE: Public Comment Letter Regarding the Proposed Addition of D's Fabric Care Property to the State Superfund Permanent List of Priorities

Dear Mr. Schleck:

The Minnesota Pollution Control Agency ("MPCA") received your letter dated June 10, 2016 that was submitted on behalf of H&S Enterprises, Inc. ("H&S Enterprises"), the current owners of the D's Fabric Care property at 12 Second Street, Cloquet, Minnesota that is proposed for listing on the State Superfund list. The letter makes several comments as to why the property should not be listed. These comments generally fall into one of the following categories: source identification, evidence of a release or threatened release, hazard ranking system (HRS) scoring, response action class assignment, evaluation of statutory factors to determine relative risk or danger to human health or the environment, and funding mechanisms. This letter addresses your comments with respect to each of these categories.

The purpose of the listing process is to establish a list of priorities among releases or threatened releases for the purpose of taking remedial or removal actions. See Minn. Stat. § 115B.17, subd. 13. In order to implement this statutory directive, Minn. R. ch. 7044 governs procedures for establishing a permanent list of such releases or threatened releases of hazardous substances. In general, the rules provide a mechanism for the MPCA to score a site using the United States Environmental Protection Agency (U.S. EPA) HRS, and classify a site to determine whether it requires emergency response, operation and maintenance for a previous response action, other response actions, or remedial investigation and feasibility studies. Once the site has been scored and classified, the site is prioritized for funding purposes.

1. ***Source Identification:***

H&S Enterprises' letter states that the D's Fabric Care property is not the site that should be listed on the State Superfund list. Instead, the letter points to the adjoining Frank Lloyd Wright designed gas station ("FLW property") as the source of contamination because the letter states that the FLW property is known to use solvents that contain large quantities of perchloroethylene (PCE).

Minn. R. 7044.0200, subp. 7, defines a "site" to include any place or area where a hazardous substance, or a pollutant or contaminant, has been deposited, stored, disposed of, placed, or otherwise come to be located. As described more fully in the MPCA's May 2, 2016 listing request and below, the D's Fabric Care property has been identified as the site for purposes of listing because the D's Fabric Care property was formerly used as a dry cleaner business, D's Fabric Care used PCE in its operations, and because sampling indicates that the D's Fabric Care property is the source of the release.

The MPCA conducted groundwater sampling in the area in 2012 to assess the extent of chlorinated solvent contamination previously detected during a petroleum release investigation at the FLW property. Samples were collected from eight soil probes/temporary monitoring wells advanced at the D's Fabric Care and FLW property, and from a sump located in the basement of the D's Fabric Care building. Of the sampling, the highest concentration of PCE was detected in the sump water sample. Unfortunately, the MPCA has not been able to collect additional data on the D's Fabric Care property because H&S Enterprises has since refused to allow access.

Groundwater sampling at the FLW property, which is hydrogeologically downgradient from the D's Fabric Care property indicates that the contamination appears to originate from the D's Fabric Care building and then extends onto the FLW property. As new information is identified through additional investigation, the scope of the site may extend onto additional properties.

Based on conversation with the current owner of the FLW property, MPCA is aware the current business at the FLW property uses a parts washer on an infrequent basis; the parts washer is reportedly emptied once every three to five years. Historical and current waste manifests for the FLW property (maintained by the MPCA hazardous waste compliance unit) do not identify PCE used at the property or sent off site for disposal. Thus, your assertion that the FLW property is a contributor of PCE is incorrect.

D's Fabric Care, however, is a known generator of PCE. While Cloquet Laundromat (the location of the former D's Fabric Care) does not currently generate or store PCE on-site, MPCA hazardous waste manifest records for the property indicate that D's Fabric Care generated 2,490 pounds of PCE hazardous waste for disposal from 1990 to 1994. While hazardous waste records do not exist prior to this timeframe, city directories indicate that D's Fabric Care operated as a drycleaner as early as 1966; drycleaners operating during this timeframe are known to have used PCE. Furthermore, sub-slab samples collected at the D's Fabric Care property in 2012 identified concentrations that exceeded ten times the industrial ISVs. In one case, the sub-slab sample collected near the location of the former dry cleaning machinery exceeded more than 35,000 times the regulatory value.

Based on all of these facts (lack of identified significant solvent use at FLW property, PCE concentrations detected at D's Fabric Care property, the historic generation and use of PCE at the D's Fabric Care property, and the 2012 PCE sampling location near the former dry cleaning equipment on the D's Fabric Care property) and other information in the MPCA's PLP listing request of May 2, 2016, the D's Fabric Care property is a site within the definition of site in Minn. R. 7044.0020, subp. 7.

2. Evidence of a release or threatened release:

The H&S Enterprises letter states that the MPCA has insufficient evidence of a release or threatened release from the D's Fabric Care property because the MPCA did not take soil and groundwater samples beneath the D's Fabric Care property.

Release is broadly defined in Minn. Stat. § 115B.02, subd. 15 to include a variety of activities including "spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment which occurred at a point in time or which continues to occur."

MPCA's decision to list the D's Fabric Care property was based on evaluation of all information that has been collected to date including (but not limited to): file reviews, interviews, and field activities (collection of soil, groundwater, and soil-gas/soil vapor samples at both the FLW property and D's Fabric Care properties, and a sump water sample from the D's Fabric Care building).

Contaminated media were identified during the field activities at concentrations exceeding regulatory criteria. Regulatory criteria are established to evaluate risk to human health and the environment. The exceedances are noted below:

- Groundwater samples collected throughout the investigation area had PCE detections exceeding the Minnesota Department of Health health risk limit (HRL) for drinking water of 5 micrograms per liter (µg/L).
- The sump water sample collected at the D's Fabric Care property from near the location of the former drycleaning equipment in the D's Fabric Care building, but in the basement portion of the building, exceeded the HRL and the Class 2B Chronic Standard of 8.9 µg/L. PCE in the sump (which reportedly discharges to the sanitary system without a city permit or authorization) creates a concern because PCE can compromise the integrity of the pipe and migrate out of the system.
- All of the soil-gas samples collected throughout the investigation area exceeded the residential ISV of 3 $\mu g/m^3$. As previously noted, the highest sub-slab vapor samples were collected at the D's Fabric Care property. These concentrations ranged from 1,030 $\mu g/m^3$ to 1,070,000 $\mu g/m^3$, and the concentrations significantly exceeded the established industrial ISV of 33 $\mu g/m^3$.

The data provides clear evidence that a release has occurred and that the D's Fabric Care property is the site of a release. As noted above, D's Fabric Care is known to have used PCE from at least 1990 to 1994, and it is likely that PCE was used as early as 1966. The release could have occurred at any point during this timeframe. When exactly it occurred is irrelevant; there are regulatory exceedances confirming a release has occurred. The MPCA is proposing to list the property on the State Superfund list based on facts that indicate a release at the D's Fabric Care property has occurred.

It is true that the full extent and magnitude of soil, groundwater, and soil-vapor impacts has yet to be defined. Between 2014 and 2015, MPCA had requested that H&S Enterprises voluntarily investigate the extent and magnitude of the release. However, H&S Enterprises did not take action on these requests. The need for full delineation of scope and extent of the release when there is evidence of a release at the site is why the site is being listed on the State Superfund list, the Permanent List of Priorities (PLP). By listing the site on the PLP, the MPCA will be able to allocate additional funds to complete the investigation of the extent and magnitude of the PCE release and to implement any additional remedial actions to protect human health and the environment.

3. HRS Scoring:

The letter states that the HRS score is incorrect, that the MPCA has insufficient information to determine an HRS score, and that rescoring will need to occur before the next step in Superfund (the Remedial Investigation/Feasibility Study [RI/FS]) can occur. The basis for these comments appears to be a misunderstanding of the scoring process for the site, and how the HRS score is applied.

The HRS is used to assess both human health risks (e.g. drinking water threat, human food chain threat, threat to residential population, and threat to worker population) and environmental risks (e.g. sensitive environments, resources) associated with actual or potential contamination of the groundwater, surface water, air migration pathway, and soil exposure threat. Each pathway evaluates the likelihood of release (defined by EPA as direct observation of a release, observed release by chemical analysis, and the potential to release based on hazardous substances associated with a source and sources with non-zero containment), waste characteristics, and targets (wells, intakes, populations at specified distances, resources, wellhead protection areas, human food chain threat, human food chain, workers, and sensitive environments).

The methodology for calculating the HRS score is set in federal regulation (40 CFR Part 300, Appendix A). Under Minn. R. 7044.0350, MPCA follows this methodology. In proposing to list the D's Fabric Care property on the State Superfund list, the MPCA evaluated each of the exposure pathway scenarios in developing the HRS score for the site. Data used in the evaluation included all of the soil, groundwater, and soil-vapor data that has been collected, not just samples collected on the D's Fabric Care property. The HRS score represents both the measured and the potential exposure to hazardous substances present at or from the site.

Scoring is done at the at the time of listing to determine if a site warrants listing on the federal Superfund list the National Priorities List, or ("NPL") and/or the State's Permanent List of Priorities ("PLP") under the Minnesota Environmental Response and Liability Act ("MERLA"), Minn. Stat. ch. 115B. Sites that score sufficiently high enough (above 28.5) are eligible for the NPL. HRS scoring is required under MERLA in order to list the site on the PLP (state Superfund list). However, there is no minimum score necessary to be listed on the PLP. In the case of the D's Fabric Care site, the score of 5.81 simply means that the site would not score high enough for listing on the NPL. Rescoring does not need to occur in order for continued investigation to proceed.

Based on the HRS criteria and on the information described in the MPCA's listing memo of May 2, 2016 and herein, the MPCA has adequately established a score for listing of the D's Fabric Care property on the PLP.

4. ***Response action class assignment:***

The letter states that the D's Fabric Care property can't be listed on the PLP because it can't be classed to a particular response action class because the MPCA cannot identify the associated dangers or response actions necessary to abate those dangers. As stated previously, the MPCA has data confirming that there has been a release at the property. Furthermore, the soil vapor sampling indicates that the sub-slab and indoor air concentrations of PCE at the D's Fabric Care property are at levels that present potential concerns to human health of building occupants. This is the basis for the response action class assignment. As site investigation occurs and appropriate cleanup measures are implemented under Superfund, the site can be reclassified. As is stated above, by listing the site on the PLP, the MPCA will be able to allocate additional funds in an effort to complete the investigation to define the extent and magnitude of the PCE release and to implement any additional response actions necessary to protect human health and the environment.

5. Statutory factors for determination of risk to human health or the environment:

The letter states that the MPCA has failed to show that it has taken into account the various statutory factors in Minn. Stat. § 115B.17, subd. 13 to determine the relative risk or danger to public health or welfare or the environment and the administrative and financial capacity of the MPCA when proposing a listing.

Minn. Stat. § 115B.17, subd. 13 lists the factors that the MPCA must consider when adopting rules for the PLP. The MPCA did that when it adopted Minn. R. ch. 7044. Specifically, by adopting the U.S. EPA HRS scoring system into Minn. R. 7044.0350, the MPCA considered the statutory factors when adopting the rules. The HRS score takes into account the factors listed in Minn. Stat. § 115B.17, subd. 13, such as the population at risk, the potential for contamination of drinking water supplies, direct human contact, and destruction of sensitive ecosystems. These factors are taken into account when the site is scored using the HRS process.

The claim that administrative and financial capabilities of the MPCA when proposing a listing has not been taken into account is incorrect. The MPCA is listing the site so that available funds can be allocated to this project to complete the remedial investigation, define the extent and magnitude of the PCE release, and to implement any additional corrective actions to protect human health and the environment.

6. Funding mechanisms:

H&S Enterprises is correct that costs associated with investigation and remediation of this site might be eligible for reimbursement pursuant to the Minnesota Dry Cleaner Environmental Response and Reimbursement Law, Minn. Stat. §§ 115B.47-.51 ("Dry Cleaner Environmental Response and Reimbursement Law"). An Owner or Operator of a dry cleaning facility is eligible for reimbursement of reasonable environmental response costs associated with a release.

However, your letter incorrectly states that the Dry Cleaner Environmental Response and Reimbursement Law allows for an eligible owner or operation to assign its proceeds from the fund to the MPCA. There is nothing in that law that allows for such assignment. Once a dry cleaning facility is listed on the PLP, the MPCA will be able to take response actions at or related to a dry cleaning facility that the commissioner determines are reasonable and necessary to protect the public health or welfare or the environment either in an emergency or when the owner or operator is unwilling or unable to take these actions. The owner or operator of the D's Fabric Care dry cleaning facility has to date declined to take the necessary actions, by failing to provide an adequate plan to mitigate soil vapors at the Cloquet Laundromat building and to voluntarily investigate the extent and magnitude of the release. The MPCA has therefore proposed listing the site on the PLP to allow the commissioner to take response actions. The MPCA will then become eligible for reimbursement of its costs from the fund.

Superfund funds are not allocated based on the scoring assignment as implied on the letter. As noted previously, the scoring is used primarily as a basis for NPL listing. Site funding is allocated based on the criteria established in Minn. R. 7044.0750. In the case of the D's Fabric Care property, funding would be allocated to ensure the air quality of building occupants is not compromised, and that nearby buildings are not impacted from the release.

In conclusion, the available information indicates that the D's Fabric Care property should be listed on the PLP because there is sufficient evidence that there is a release and that the release poses a potential threat to public health and the environment.

Sincerely,

Sandeep Burman, P.G.
Manager
Site Remediation & Redevelopment Section
Remediation Division

SB:csa

cc: Les Hovis, H&S Enterprises
Carmen Netten, MPCA Attorney
Beverly Conerton, MPCA Attorney
John Stine, Commissioners Office, MPCA
Kirk Koudelka, Commissioners Office, MPCA
Kathy Sather, Remediation Division, MPCA
Sandeep Burman, Remediation Division, MPCA
Crague Biglow, Remediation Division, MPCA
Barb Gnabasik, Remediation Division MPCA
Jen Jevnisek, Remediation Division, MPCA

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August 2, 2016

Mr. Mark V. Chapin
Resident and Real Estate Services Department
Hennepin County Auditor – Treasurer
A-600 Hennepin County Government Center
Minneapolis, MN 55487-0060

RE: Universal Plating Site, 1900-1922 Monroe Street Northeast and 661 19th Avenue Northeast, Minneapolis
Proposed Addition of the Universal Plating Site to the State Superfund Permanent List of Priorities

Dear Mr. Chapin:

Thank you for your June 9, 2016 comments regarding the Minnesota Pollution Control Agency's (MPCA) proposal to list the Universal Plating Site (the Site) on the state's Permanent List of Priorities (PLP). Your comment letter is part of the Site file, and will be included as part of the package forwarded to the MPCA Commissioner for his consideration of approval to add the Site to the PLP.

As discussed with Hennepin County staff, the MPCA has proposed the Site be listed on the State's PLP in order to access state funding in response to releases of hazardous substances that have occurred at the Site. Although Hennepin County has concerns about listing the Site on the PLP, the MPCA considers this the most efficient path for returning the Site to beneficial use.

The MPCA recognizes and appreciates Hennepin County's past work related to minimizing potential threats to the public and the environment at the Site. The MPCA intends to work cooperatively with Hennepin County to achieve the short-term goal of demolition of the Site's buildings down to the concrete slabs. The MPCA will also continue to work closely with Hennepin County to achieve the long-term goal of remediation of the Site.

Please contact either Tim Lockrem, Project Manager, at 651-757-2686 or email at tim.lockrem@state.mn.us or Chris Formby, Technical Analyst, at 651-757-2712 or email at chris.formby@state.mn.un with any questions you may have.

The MPCA will schedule a meeting as soon as possible to coordinate our efforts.

Sincerely,

Sandeep Burman, P.G.
Manager
Site Remediation & Redevelopment Section
Remediation Division

SB:csa

cc: Jeff Strand, Hennepin County
Lance Robinette, Hennepin County
Dave Jaeger, Hennepin County
Carmen Netten, MPCA Attorney
John Stine, Commissioners Office, MPCA
Kirk Koudelka, Commissioners Office, MPCA
Kathy Sather, Remediation Division, MPCA
Sandeep Burman, Remediation Division, MPCA
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Gary Krueger, Remediation Division, MPCA
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Tim Lockrem, Remediation Division, MPCA

Minnesota Pollution Control Agency

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August 2, 2016

Mr. Larry Deeney
General Mills, Inc.
P.O. Box 113
Minneapolis, MN 55440

Dear Mr. Deeney:

The Minnesota Pollution Control Agency (MPCA) received General Mills' letter of June 10, 2016 concurring with the MPCA's decision to list the Southeast Hennepin Site on the Minnesota Permanent List of Priorities. Although General Mills finds the listing appropriate, General Mills requests the MPCA revise the listing memorandum to include additional language General Mills proposed. Specifically, General Mills requests the MPCA insert the following language into the listing memorandum:

1. General Mills requests the MPCA insert a section indicating that trichloroethylene (TCE) from sources in the proposed Southeast Hennepin Site are migrating and impacting down-gradient groundwater and soil vapor in the "Central Area," and the General Mills Site.
2. General Mills requests the MPCA insert a section indicating that General Mills is not a continuing source of TCE to groundwater that would contribute to potential vapor intrusion pathways in the Central Area.
3. General Mills requests the MPCA expand the listing to consider the down-gradient impacts of TCE sources in the Southeast Hennepin Site or risk impeding appropriate analysis of the TCE groundwater and vapor impacts in the overall area.

While the MPCA understands General Mills requests, those requests are not appropriately before the Agency at this time. The purpose of the listing process is to establish a list of priorities among releases or threatened releases for the purpose of taking remedial or removal actions. See Minn. Stat. §115B.17, subd. 13. In order to implement this statutory directive, Minn. R. ch. 7044 governs procedures for establishing a permanent list of such releases or threatened releases of hazardous substances. In gross summary, the rules provide a mechanism for the MPCA to score a site using the U.S. Environmental Protection Agency's Hazard Ranking System, and classify a site to determine whether it requires emergency response, operation and maintenance for a previous response action, other response actions, or remedial investigation and feasibility studies. Once the site has been scored and classified, the site is prioritized for funding purposes.

In line with both the spirit and letter of the law, the MPCA has scored and classified the Southeast Hennepin Site for funding priority on the annual project list. According to its classification, the next step is to conduct investigation and feasibility studies at the Southeast Hennepin Site. At this time, it is premature to insert statements into the memorandum for listing that address questions of migrating plumes, liability determinations, or extension of the scope of the area for investigation. As stated above, the purpose of the listing is to prioritize and fund investigations at this Site.

It may be that the scope of the investigation is ultimately expanded to encompass migrating plumes and downgradient impacts; however, the issue currently before the Agency is the decision to establish the list of priorities among releases or threatened releases so that remedial or removal actions may be conducted, as appropriate.

The MPCA recognizes General Mills' concerns and will address those concerns as appropriate and timely in the investigation and remediation process.

Sincerely,

Sandeep Burman, P.G.
Manager
Site Remediation & Redevelopment Section
Remediation Division

SB:csa

cc: Mary Sands, Barr Engineering
Leah Evison, RPM, U.S. Environmental Protection Agency
John Stine, Commissioners Office, MPCA
Kirk Koudelka, Commissioners Office, MPCA
Carmen Netten, MPCA Attorney
Kathy Sather, Remediation Division, MPCA
Sandeep Burman, Remediation Division, MPCA
Hans Neve, Remediation Division, MPCA
Crague Biglow, Remediation Division, MPCA
Tim Grape, Remediation Division MPCA
Al Timm, Remediation Division, MPCA

Minnesota Pollution Control Agency

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August 2, 2016

Mr. Mark V. Chapin
Resident and Real Estate Services Department
Hennepin County Auditor – Treasurer
A-600 Hennepin County Government Center
Minneapolis, MN 55487-0060

RE: Universal Plating Site, 1900-1922 Monroe Street Northeast and 661 19th Avenue Northeast, Minneapolis
Proposed Addition of the Universal Plating Site to the State Superfund Permanent List of Priorities

Dear Mr. Chapin:

Thank you for your June 9, 2016 comments regarding the Minnesota Pollution Control Agency's (MPCA) proposal to list the Universal Plating Site (the Site) on the state's Permanent List of Priorities (PLP). Your comment letter is part of the Site file, and will be included as part of the package forwarded to the MPCA Commissioner for his consideration of approval to add the Site to the PLP.

As discussed with Hennepin County staff, the MPCA has proposed the Site be listed on the State's PLP in order to access state funding in response to releases of hazardous substances that have occurred at the Site. Although Hennepin County has concerns about listing the Site on the PLP, the MPCA considers this the most efficient path for returning the Site to beneficial use.

The MPCA recognizes and appreciates Hennepin County's past work related to minimizing potential threats to the public and the environment at the Site. The MPCA intends to work cooperatively with Hennepin County to achieve the short-term goal of demolition of the Site's buildings down to the concrete slabs. The MPCA will also continue to work closely with Hennepin County to achieve the long-term goal of remediation of the Site.

Please contact either Tim Lockrem, Project Manager, at 651-757-2686 or email at tim.lockrem@state.mn.us or Chris Formby, Technical Analyst, at 651-757-2712 or email at chris.formby@state.mn.un with any questions you may have.

The MPCA will schedule a meeting as soon as possible to coordinate our efforts.

Sincerely,

Sandeep Burman, P.G.
Manager
Site Remediation & Redevelopment Section
Remediation Division

SB:csa

cc: Jeff Strand, Hennepin County
Lance Robinette, Hennepin County
Dave Jaeger, Hennepin County
Carmen Netten, MPCA Attorney
John Stine, Commissioners Office, MPCA
Kirk Koudelka, Commissioners Office, MPCA
Kathy Sather, Remediation Division, MPCA
Sandeep Burman, Remediation Division, MPCA
Crague Biglow, Remediation Division, MPCA
Gary Krueger, Remediation Division, MPCA
Chris Formby, Remediation Division, MPCA
Tim Lockrem, Remediation Division, MPCA

APPENDIX B

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August 2, 2016

Mr. John and Mrs. Marjorie Smith
724 East 6th Street
St. Paul, MN 55106

RE: Hospital Linen Site, 740 East 7th Street, St. Paul

Dear Mr. and Mrs. Smith:

Thank you for your letter dated May 31, 2016 regarding the Hospital Linen site. I appreciate the opportunity to respond to the concerns outlined in your letter and to provide additional background information about the site. I'm sorry you are having trouble accessing the Minnesota Pollution Control Agency (MPCA) website. I have attached a copy of the website information, for your convenience. The MPCA website is functioning; it could be that the firewall settings on your home computer are restricting your access.

The MPCA knowledge of and involvement with the Hospital Linen site dates back to October 2006, when a prospective developer enrolled the site, then a vacant property, in the MPCA's Brownfield Program. The Brownfield Program provides assistance, upon request, to developers, local units of government, and other parties who wish to put former industrial properties to another use. The October 2006 environmental investigation at the site identified contaminated soil due to historical fill (buried ash) that had been placed at the property many years ago. Soils were also contaminated with tetrachloroethylene (PCE), a chemical commonly used in the dry-cleaning process which operated on the site property between the 1950s to approximately 1980. Shallow soil at the site did not contain contamination at levels of concern with respect to human exposure, so there was no need to have a fence around the vacant lot. The prospective developer, in partnership with the city of St. Paul, requested and received a Contamination Cleanup grant from the State of Minnesota, which he used to fund the excavation and landfill disposal of the contaminated soil, in accordance with an MPCA-approved clean-up plan. The soil cleanup was completed in 2008. Details about the soil investigation and cleanup, as well as what is known about historical dry cleaning operations at the site, are included in various reports in the MPCA's project file. All of these reports are public information and can be obtained by contacting Dianne Mitzuk at 651-757-2573 or dianne.mitzuk@state.mn.us.

Shortly after the soil cleanup, the prospective developer decided to not purchase or redevelop the site. The property remained vacant for several years, until Mississippi Market expressed an interest in the former Hospital Linen property. While contaminated soil at the site was no longer an issue, pre-construction soil vapor samples collected by Mississippi Market in 2014 identified high concentrations of PCE in soil vapor at the Hospital Linen site. Soil vapor exposure risks have only recently become well understood which is why these samples were not collected during the original investigation in 2006.

In response to the pre-construction soil vapor samples, Mississippi Market and Dominium, the developer of the west-adjacent senior apartment building, enrolled in the MPCA PBP to ensure that both buildings were designed with building controls to address these soil vapors. At the same time, the MPCA began outreach to the neighbors in closest proximity to the former Hospital Linen site, providing background information and requesting permission to access their property for the purpose of collecting a soil vapor sample from beneath their home. The MPCA hosted an evening open house at the Dayton's Bluff District Community Council Office in June 2014 for residents whose homes were targeted during that initial testing. The MPCA has continued to reach out and provide information to property owners on an individual basis as the area of potential soil vapor concern has grown to include those additional properties.

To date, the MPCA has tested soil vapor beneath 15 homes and commercial buildings in the neighborhood. Of these, the concentration of PCE in soil vapor beneath 10 buildings has not been at levels of concern. The concentration of PCE in soil vapor beneath five buildings has been above the threshold level that the MPCA uses to determine if a sub-slab mitigation system should be installed. Such systems have been installed beneath four of the homes, at no cost to the homeowners, and arrangements are being made for system installation beneath the other building. In the meantime, the MPCA is continuing to collect soil vapor samples beneath other nearby neighborhood buildings to identify the full extent of soil vapor impacts and to install protective systems where needed. The MPCA plans to conduct additional investigation activities to determine if the groundwater below the surface is causing the soil vapor impacts or if these impacts originate from contaminated soils at depth. By listing the Hospital Linen Site on the Permanent List of Priorities (PLP), the MPCA can establish its priority among releases or threatened releases and access funds to pay for additional investigation and remedial actions at the Site.

It's important to note that contaminated soil vapor in and of itself does not pose a risk to human health. It only becomes a problem if it is able to enter a building through cracks in the foundation; if it accumulates in an enclosed space with poor ventilation; and if it is present in indoor air at concentrations above levels of concern, as established by the Minnesota Department of Health (MDH). As a precautionary measure, the MPCA offers to install a soil vapor mitigation system at a residence if the soil vapor *beneath* the home is contaminated above levels of concern. The system removes contaminated soil vapor from beneath the home, thereby preventing it from potentially seeping into the building.

The MDH staff is available to answer questions about the potential health risk associated with vapor intrusion. If you would like to speak with someone at MDH, please feel free to contact Emily Hansen, MDH, at 651-201-4602. The MDH also has a fact sheet on their website which addresses commonly asked health-related questions pertaining to vapor intrusion:
http://www.health.state.mn.us/divs/eh/hazardous/topics/visitequestions.html

In your letter, you express concern about workers potentially being exposed to contamination during a 2009 street construction project. The former soil contamination associated with the Hospital Linen site did not extend south of the Hospital Linen site and was not present in the East 6th Street construction area. City workers and their contractors who perform excavation activities are skilled at recognizing contaminated soil and know they are required to report the discovery of contaminated soil to the Minnesota State Duty Officer, if encountered on any project.

In your letter you also expressed concerns about the municipal water supply becoming contaminated from this site. The municipal water supply would not be affected by contamination associated with the Hospital Linen site. It is not physically possible for soil vapor to pass through or move into water; nor is it possible for soil vapor to penetrate the highly-pressurized water distribution pipes.

In conclusion, the available information indicates that the Hospital Linen Site should be listed on the PLP because there is sufficient evidence indicating the release poses a potential threat to public health and the environment which requires further investigation and MPCA oversight.

The MPCA plans to continue working closely with the interested parties associated with the Hospital Linen Site to achieve the long-term remediation goals for the Site.

Please contact Wayne Sarappo, Project Manager at 651-757-2690 or email at wayne.sarappo@state.mn.us or Christopher Formby, Technical Analyst at 651-757-2712 or email at christopher.formby@state.mn.us with any questions you may have.

Sincerely,

for Sandeep Burman, P.G.
Manager
Site Remediation & Redevelopment Section
Remediation Division

SB:csa

cc: Carmen Netten, MPCA Attorney
Sandeep Burman, Remediation Division, MPCA
Crague Biglow, Remediation Division, MPCA
Hans Neve, Remediation Division, MPCA
Wayne Sarappo, Remediation Division, MPCA
Amy Hadiaris, Remediation Division, MPCA

Attachment 2: Minnesota State Register Posting Information – May 9, 2016 Edition

Minnesota State Register

Judicial Notice Shall Be Taken of Material Published in the *Minnesota State Register*

The *Minnesota State Register* is the official publication of the State of Minnesota's Executive Branch of government, published weekly to fulfill the legislative mandate set forth in *Minnesota Statutes*, Chapter 14, and *Minnesota Rules*, Chapter 1400. It contains:

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- **Official Notices**
- **State Grants and Loans**
- **Contracts for Professional, Technical and Consulting Services**
- **Non-State Public Bids, Contracts and Grants**

Printing Schedule and Submission Deadlines

Vol. 40 Issue Number	PUBLISH DATE (**BOLDFACE** shows altered publish date)	Deadline for: all Short Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts	Deadline for LONG, Complicated Rules (contact the editor to negotiate a deadline)
# 46	Monday 16 May	Noon Tuesday 10 May	Noon Thursday 19 April
# 47	Monday 23 May	Noon Tuesday 17 May	Noon Thursday 26 April
# 48	Monday 30 May	Noon Tuesday 24 May	Noon Thursday 3 May
# 49	Monday 6 June	Noon Tuesday 31 May	Noon Thursday 10 May

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The State Register features partial and cumulative listings of rules in this section on the following schedule: issues #1-13 inclusive; issues #14-25 inclusive (issue #26 cumulative for issues #1-26); issues #27-38 inclusive (issue #39, cumulative for issues #1-39); issues #40-52 inclusive, with final index (#1-52, or 53 in some years). An annual subject matter index for rules was separately printed usually in August, but starting with Volume 19 now appears in the final issue of each volume. For copies or subscriptions to the State Register, contact Minnesota's Bookstore, 660 Olive Street (one block east of I-35E and one block north of University Ave), St. Paul, MN 55155, phone: (612) 297-3000, or toll-free 1-800-657-3757. TTY relay service phone number: (800) 627-3529.

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7007.0325; 7009.0070; 7011.0725; .1280 s. 8; .1400 s. 12; .1415; 7017.1080 s. 3; .1120 s. 2; .1170 s. 1, 4, 5; .1210; .2001 s. 2; .2018 (proposed repealer)..... 1085

7050.0180; .0185 (proposed repealer)..... 901

Official Notices

Minnesota Pollution Control Agency

Remediation Division

Notice of Proposed Update of the State Superfund Priority List (State Superfund List) (also known as the Permanent List of Priorities (PLP)) Among Releases or Threatened Releases of Hazardous Substances or Pollutants or Contaminants

NOTICE IS HEREBY GIVEN that the Minnesota Pollution Control Agency (MPCA) is publishing for public comment proposed additions to the State Superfund List which lists releases or threatened releases of hazardous substances, pollutants, or contaminants for which the MPCA may take removal or remedial actions under the Minnesota Environmental Response and Liability Act (MERLA), Minn. Stat. §§ 115B.01-115B.20.

Pursuant to Minn. Stat. § 115B.17, the MPCA is authorized to take any removal or remedial action which the MPCA deems necessary to protect the public health, welfare or the environment whenever there is a release, or substantial threat of release, from a facility of any pollutant or contaminant which presents an imminent and substantial danger to the public health, welfare, or the environment, or whenever a hazardous substance is released or there is a threatened release of a hazardous substance from a facility.

Minn. Stat. § 115B.17, subd. 13 required the MPCA to establish priority rules regarding releases or threatened releases of hazardous substances, and pollutants or contaminants. These rules,
Minn. R. ch. 7044, became effective on April 5, 1993.

Minn. Stat. § 115B.17, subd. 13 also require the MPCA to adopt the State Superfund List and to update the list annually according to the criteria set forth in the priority rules. Before any update of the State Superfund List is adopted by the MPCA, it must be published in the State Register and a 30-day public comment period must be provided. This notice is, therefore, published to inform the public that the MPCA is proposing to update the State Superfund List and to solicit public comment on the proposed additions.

Pursuant to Minn. Stat. § 115B.17 and Minn. R. 7044.0950, the MPCA is proposing the following changes to the Superfund List.

The MPCA is proposing to add the following ten sites (Sites) to the State Superfund List (Hazard Ranking Score assigned pursuant to Minn. R. 7044.0350 follows the Site): 1) D's Fabric Care, Carlton County (5.81); 2) West 66th Street and Vincent Avenue, Hennepin County (50.19); 3) Hospital Linen, Ramsey County (50.19); 4) South East Hennepin Area Groundwater and Vapor Site, Hennepin County (33.91) 5); Lyndale Avenue Corridor, Hennepin County (38.93); 6) Arcade Street North and Hawthorne Avenue East, Ramsey County (24.62); 7) 55th Street and Lyndale Avenue South, Hennepin County (17.38); 8) Universal Plating, Hennepin County (25.09); 9) Former Pure Oil Bulk Storage Facility, Hennepin County (7.13); 10) University Avenue and Pascal Street Area, Ramsey County (18.43).

These MPCA sites are being proposed for addition to the State Superfund List as in each case, State Superfund resources will likely be necessary to complete appropriate response actions.

Each MPCA Site has been assigned to Response Action Classes C and D (see Minn. R. 7044.0450). The four response action classes are defined as follows: Class A - Declared Emergency; Class B - Response Actions Completed and Operation and Maintenance/Long-Term Monitoring Ongoing; Class C - Response Actions Necessary or in Progress or First Year Operation and Maintenance at a Site; and Class D - Remedial Investigations and Feasibility Studies Necessary or in Progress.

The MPCA is also proposing to delist the following Site from the Superfund List: Boyer Lumber Superfund Site, Virginia, St. Louis County.

The 2.75 acre site was listed on the Permanent List of Priorities (PLP) February 25th, 2014. Several investigations were completed by various MPCA programs between 1990-2013 at the Boyer Lumber Site which identified volatile organic compounds (VOC's), polycyclic aromatic hydrocarbons (PAH's), pentachlorophenol (PCP), and dioxins in soil and VOC's, PAH's and PCP's in groundwater. In most cases, contaminated soils were removed to a landfill and backfill material was brought in from a clean, off-site sources. Groundwater impacts were only found on the site property and were not identified offsite during investigation activities. The impacted groundwater was also found to be stable and not moving offsite. The site investigations determined there was a low risk to human health associated with the contaminated groundwater from the Boyer Lumber site. The lack of nearby

water supply wells near the site along with the limited size and mobility of the groundwater contamination support this determination.

The Minnesota Decision Document (MDD) as amended March 31st, 2016 documents that the MPCA has determined the selected response actions are protective of public health and welfare and the environment. MPCA staff recommends that the Boyer Lumber site be removed from the PLP because Boyer Lumber has taken all reasonable and appropriate actions related to the identified releases. The PLP deletion criteria have been met by Boyer Lumber for the site and no further Minnesota Environmental Response and Liability Act (MERLA) response actions are necessary there. In addition, no further MERLA-funded response actions are necessary because there is no longer a threat to human health or the environment under the current land use.

The MPCA invites members of the public to submit written comments on the proposed ten additions and one deletion from the State Superfund Permanent List of Priorities. All written comments with regard to these proposed changes to the Superfund List must be received no later than **4:30 p.m. on June 10th, 2016.**

Written comments regarding the proposed updates to the State PLP should be submitted to: Tom Higgins, Site Remediation and Redevelopment Section, Remediation Division, Minnesota Pollution Control Agency, 520 Lafayette Road North, St. Paul, Minnesota 55155-4194. There will also be a public meeting of the MPCA Advisory Committee on **Tuesday May 24th, 2016** at which time the proposed listings and de-listing described in this document will be discussed. Additional information will also be posted about each site on the MPCA website.

All written comments received by the above deadline will be considered by the MPCA in establishing the updated State Superfund List.

John Linc Stine, Commissioner
Minnesota Pollution Control Agency

Minnesota Department of Transportation (Mn/DOT)

Modal Planning and Program Management Division - Office of Transportation

Notice of Public Comment Period for the Revised Public Participation Plan for the Statewide Multimodal Transportation Plan and the Minnesota State Highway Investment Plan Joint Update

NOTICE IS HEREBY GIVEN that the public is invited to review and provide comments through June 24th on the updated Public Participation Plan for the Statewide Multimodal Transportation Plan and the Minnesota State Highway Investment Plan Joint Update. The Statewide Multimodal Transportation Plan is Minnesota Department of Transportation's policy guide for transportation throughout all of Minnesota. The Minnesota State Highway Investment Plan uses the policy direction created in the Statewide Multimodal Transportation Plan and creates a fiscally constrained, performance based investment strategy for the state highway system. The plans are being updated through a single joint planning process.

The Public Participation Plan can be accessed electronically at ***http://www.minnesotago.org***. It also is available for review in hard copy at the MnDOT Library, 395 John Ireland Blvd., in St. Paul.

Written comments will be accepted through June 24th and should be addressed to:

Josh Pearson
MnDOT Office of Transportation System Management
395 John Ireland Blvd, MS 440
Saint Paul, MN 55155
Email: *joshua.pearson@state.mn.us*

For more information, contact Josh Pearson at 651-366-3773 or *joshua.pearson@state.mn.us*, or visit *www.minnesotago.org*, follow the plan on Twitter, **@minnesotago**, or Facebook, *www.facebook.com/MinnesotaGO*.

The MPCA is proposing to add the following ten sites (Sites) to the State Superfund List (Hazard Ranking Score assigned pursuant to Minn. R. 7044.0350 follows the Site): 1) D's Fabric Care, Carlton County (5.81); 2) West 66th Street and Vincent Avenue, Hennepin County (50.19); 3) Hospital Linen, Ramsey County (50.19); 4) South East Hennepin Area Groundwater and Vapor Site, Hennepin County (33.91) 5); Lyndale Avenue Corridor, Hennepin County (38.93); 6) Arcade Street North and Hawthorne Avenue East, Ramsey County (24.62); 7) 55th Street and Lyndale Avenue South, Hennepin County (17.38); 8) Universal Plating, Hennepin County (25.09); 9) Former Pure Oil Bulk Storage Facility, Hennepin County (7.13); 10) University Avenue and Pascal Street Area, Ramsey County (18.43).

These MPCA sites are being proposed for addition to the State Superfund List as in each case, State Superfund resources will likely be necessary to complete appropriate response actions.

Each MPCA Site has been assigned to Response Action Classes C and D (see Minn. R. 7044.0450). The four response action classes are defined as follows: Class A - Declared Emergency; Class B - Response Actions Completed and Operation and Maintenance/Long-Term Monitoring Ongoing; Class C - Response Actions Necessary or in Progress or First Year Operation and Maintenance at a Site; and Class D - Remedial Investigations and Feasibility Studies Necessary or in Progress.

The MPCA is also proposing to delist the following Site from the Superfund List: Boyer Lumber Superfund Site, Virginia, St. Louis County.

The 2.75 acre site was listed on the Permanent List of Priorities (PLP) February 25th, 2014. Several investigations were completed by various MPCA programs between 1990-2013 at the Boyer Lumber Site which identified volatile organic compounds (VOC's), polycyclic aromatic hydrocarbons (PAH's), pentachlorophenol (PCP), and dioxins in soil and VOC's, PAH's and PCP's in groundwater. In most cases, contaminated soils were removed to a landfill and backfill material was brought in from a clean, off-site sources. Groundwater impacts were only found on the site property and were not identified offsite during investigation activities. The impacted groundwater was also found to be stable and not moving offsite. The site investigations determined there was a low risk to human health associated with the contaminated

groundwater from the Boyer Lumber site. The lack of nearby water supply wells near the site along with the limited size and mobility of the groundwater contamination support this determination.

The Minnesota Decision Document (MDD) as amended March 31st, 2016 documents that the MPCA has determined the selected response actions are protective of public health and welfare and the environment. MPCA staff recommends that the Boyer Lumber site be removed from the PLP because Boyer Lumber has taken all reasonable and appropriate actions related to the identified releases. The PLP deletion criteria have been met by Boyer Lumber for the site and no further Minnesota Environmental Response and Liability Act (MERLA) response actions are necessary there. In addition, no further MERLA-funded response actions are necessary because there is no longer a threat to human health or the environment under the current land use.

The MPCA invites members of the public to submit written comments on the proposed ten additions and one deletion from the State Superfund Permanent List of Priorities. All written comments with regard to these proposed changes to the Superfund List must be received no later than 4:30 p.m. on June 10th, 2016.

Written comments regarding the proposed updates to the State PLP should be submitted to: Tom Higgins, Site Remediation and Redevelopment Section, Remediation Division, Minnesota Pollution Control Agency, 520 Lafayette Road North, St. Paul, Minnesota 55155-4194. There will also be a public meeting of the MPCA Advisory Committee on Tuesday May 24th, 2016 at which time the proposed listings and de-listing described in this document will be discussed. Additional information will also be posted about each site on the MPCA website.

All written comments received by the above deadline will be considered by the MPCA in establishing the updated State Superfund List.

John Linc Stine, Commissioner

Minnesota Pollution Control Agency

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Minnesota Pollution Control Agency

MPCA proposes to add ten, delete one of state's contaminated sites on Minnesota Superfund list

Minnesota Pollution Control Agency sent this bulletin at 05/09/2016 10:29 AM CDT

Having trouble viewing this message? View it as a webpage.

News Release — Minnesota Pollution Control Agency

For release: May 9, 2016
Contact: Anne Moore, 218-302-6605

MPCA proposes to add ten, delete one of state's contaminated sites on Minnesota Superfund list

St. Paul, Minn. --The Minnesota Pollution Control Agency (MPCA) is proposing to delete one from, and add 10 contaminated sites to, the state's Superfund Permanent List of Priorities. These sites have known risks to human health and the environment, or the potential to pose these risks. The public is invited to comment on the proposed sites' additions and deletion by June 10, 2016.

MPCA Remediation Division staff will make a presentation about the proposed list changes to the MPCA Advisory Committee on May 24 in St. Paul. This meeting will be open to the public; however, formal comments about the proposal must be made to the designated staff contact described below.

Nine of the 10 sites are located in the Twin Cities metro area and the remaining site is in Cloquet, Minnesota.

Sites being added to the list are current or former dry cleaners, metal platers or other industries that use industrial chemical solvents, including trichloroethylene (TCE), and perchloroethylene (PCE, or perc) in their business processes. When these chemicals are spilled or otherwise migrate into soil or groundwater beneath the establishment, the resulting contamination can spread outward through groundwater or upward as vapors into residential or commercial basements and foundations.

The Metro-area sites being proposed for addition are:

- 55th Street and Lyndale Avenue South, Minneapolis, is the site of a former dry cleaning operation; the MPCA is investigating a PCE release which has contaminated groundwater and soil vapor;
- Arcade and Hawthorne, St Paul, is the site of a former dry cleaner and auto service station where industrial solvents have been found in groundwater and soil;
- Hospital Linen, St Paul, is a former commercial laundry and industrial dry cleaning site where PCE was found in soil and soil vapor;

- Lyndale Avenue Corridor, Bloomington, is home to more than 40 commercial and industrial businesses, including vehicle repair, dry cleaning and manufacturing, that have or currently use hazardous chemicals which contaminated soil and groundwater;
- Pure Oil Bulk Storage Facility, Excelsior, where industrial solvents PCE and TCE were detected in groundwater and soil vapors, from an unknown source;
- Southeast Hennepin Area Ground Water and Vapor Plume, Hennepin County, is a TCE-contaminated site that has ongoing groundwater monitoring and soil vapor testing;
- Universal Plating Facility, Minneapolis, was a chemical and mechanical plating facility that closed in 2009 and has been included in the MPCA's Voluntary Investigation and Cleanup program since 2014;
- University Avenue and Pascal Street, St Paul, is an area that has had TCE and PCE detected in soil and groundwater; and,
- West 66th Street and Vincent Avenue, Richfield, was the site of small spills or disposal of the dry cleaning chemical PCE that contaminated groundwater.

The Cloquet-based site being proposed for addition is the former D's Fabric Care, which was a dry cleaning operation that is being investigated for groundwater and soil vapor contamination.

The one site proposed for delisting is Boyer Lumber Superfund site in Virginia, Minn. This site was an undeveloped mining property that later became a manufacturing facility and later a lumber yard and hardware store. Based on MPCA hazardous materials cleanup actions, no further work is necessary at this site to protect public health and the environment.

Online access to all sites being added or taken off the list is available here.

Placement on the PLP list makes funding available to investigate and clean up these sites. The last time the agency added or deleted a site from this list was in September 2015.

Comments about the proposed site additions and deletion may be made by 4:30 p.m. on June 10, 2016 to Tom Higgins, MPCA Site Remediation and Redevelopment Section, at (651) 757-2436, (800) 657-3864 or tom.higgins@state.mn.us.

For more information about the state's Superfund program, visit https://www.pca.state.mn.us/waste/superfund-program.

Broadcast version

The Minnesota Pollution Control Agency is proposing to add ten contaminated sites to the state's Superfund list. All but one is in the Twin Cities metro area; the other is in Cloquet, Minnesota. Sites added to this list become eligible for funding which allows the agency to investigate and clean up these sites.

One site in Virginia, Minnesota is proposed for delisting, meaning the site has been cleaned up and no longer qualifies as a Superfund site.

The agency's Remediation Division staff will make a presentation about the proposed list changes to the MPCA Advisory Committee on May 24 in St. Paul. This meeting will be open to the public; however, comments about the proposal must be made in writing by June 10.

To learn more about these sites or to comment about the M-P-C-A's proposal, visit the M-P-C-A web site.

###

The mission of the MPCA is to protect and improve the environment and enhance human health.

St. Paul • Brainerd • Detroit Lakes • Duluth • Mankato • Marshall • Rochester • Willmar
www.pca.state.mn.us • Toll-free and TDD 800-657-3864

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

May 10, 2016

RE: Public Comment Period for State Superfund Priority List

To Whom It May Concern:

Pursuant to the Minnesota Environment Response and Liability Act, Minn. Stat. § 115B.17 (2012), and Minn. R. ch. 7044 (2010), the Minnesota Pollution Control Agency (MPCA) is publishing for public comment the proposed update of the State Superfund Priority List of releases or threatened releases of hazardous substances, pollutants, or contaminants. Prior to updating the Superfund List, the MPCA must solicit public comment on the proposed update for thirty (30) days. The public comment period ends on June 10, 2016.

According to MPCA records, you may have an interest in one or more of the sites proposed for addition to or deletion from the Superfund List. Therefore, please find enclosed a copy of the May 9, 2016, *State Register* notice on this matter. There will also be a public meeting of the MPCA Advisory Committee on Tuesday May 24, 2016 at the MPCA in St. Paul, Minnesota. During this meeting the proposed listings and de-listing described in the *State Register* will be discussed. Additional information about each site can be found on the MPCA website at https://www.pca.state.mn.us/waste/superfund-program.

If you have any comments, please submit them as directed in the enclosed Public Notice. Should you know of additional interested parties concerning this update, please advise them of the Public Notice and public comment period.

Sincerely,

Kathryn J. Sather
Division Director
Remediation Division

KJS:csa

Enclosure

Attachment 3: Site Listing Memorandum's for August 2016 Update to PLP

DEPARTMENT: POLLUTION CONTROL AGENCY

STATE OF MINNESOTA SF-00006-05 (

Office Memorandum

DATE: 5/2/2016

TO: Sandeep Burman
Manager
Site Remediation and Redevelopment
Remediation Division

FROM: Cragué Biglow
Supervisor
Site Remediation and Redevelopment Section
Remediation Division

Rick Jolley
Hydrogeologist
Site Remediation and Redevelopment Section
Remediation Division
PHONE: 651-757-2608/651-757-2475

SUBJECT: Permanent List of Priorities Listing Request
University Ave & Pascal Street Site, St. Paul (SA132)

Minnesota Pollution Control Agency (MPCA) staff in the Site Assessment Program (SA) recommends referring the University Avenue and Pascal Street Area site (the Site) to the State Superfund Program and listing it on the Minnesota Permanent List of Priorities (PLP). This action is being requested so that state funds can be used to conduct additional investigation activities and response actions. This Site is being referred to the MPCA Superfund program based upon results from the MPCA Site Assessment Program investigation of the Site (MPCA Project Number SA132) conducted from 2014-2016 and investigation results conducted by Kline Auto World (KAW) on the adjacent Voluntary Investigation and Cleanup (VIC) site (MPCA Project Number VP27960) from 2012-2015.

Background

The Site is located east of the University Avenue and Pascal Street intersection in the Midway-Hamline neighborhood of St. Paul, MN as depicted on the map attached as Figure 1. The general location of the site may be amended as environmental investigations identify the area where hazardous substances, or pollutants or contaminants are deposited, stored, disposed of placed or otherwise are located. The primary contaminants of concern at this site are the volatile organic compounds (VOCs) trichloroethylene (TCE) and perchloroethylene (PCE). TCE and PCE are chlorinated solvents used for metal cleaning and other industrial processes. PCE is a chemical used in the dry cleaning industry. Further, TCE can be a breakdown product of PCE. Both chemicals have potential to create long-term human health risks.

PCE and TCE have been identified in groundwater and in soil vapor samples at the site. PCE and TCE were initially identified during voluntary investigations conducted by KAW on their property at the northwest corner of University Avenue and Pascal Street.

PCE and TCE have been identified in groundwater at levels up to 60 ug/l and 165 ug/L, respectively, near the Pascal St and University Ave Intersection. Potential sources for the PCE and TCE groundwater contamination include commercial properties east of the KAW property and from the former Midway Plaza VIC site (VP1700) located south of University Avenue (Figure 2). The former Midway Plaza VIC site underwent a groundwater investigation and remediation for PCE and TCE originating from a dry cleaner at the Midway Plaza shopping center during the 1990's. The Midway Plaza VIC site was closed in 2003.

The MPCA intends to pursue further characterization of contaminated groundwater and soil vapor, to identify potential sources of contamination, and to conduct vapor intrusion mitigation to address identified risks at the Site. Once contaminant sources are identified either the MPCA or identified responsible parties will conduct remedial activities to address soil, groundwater and soil vapor contamination.

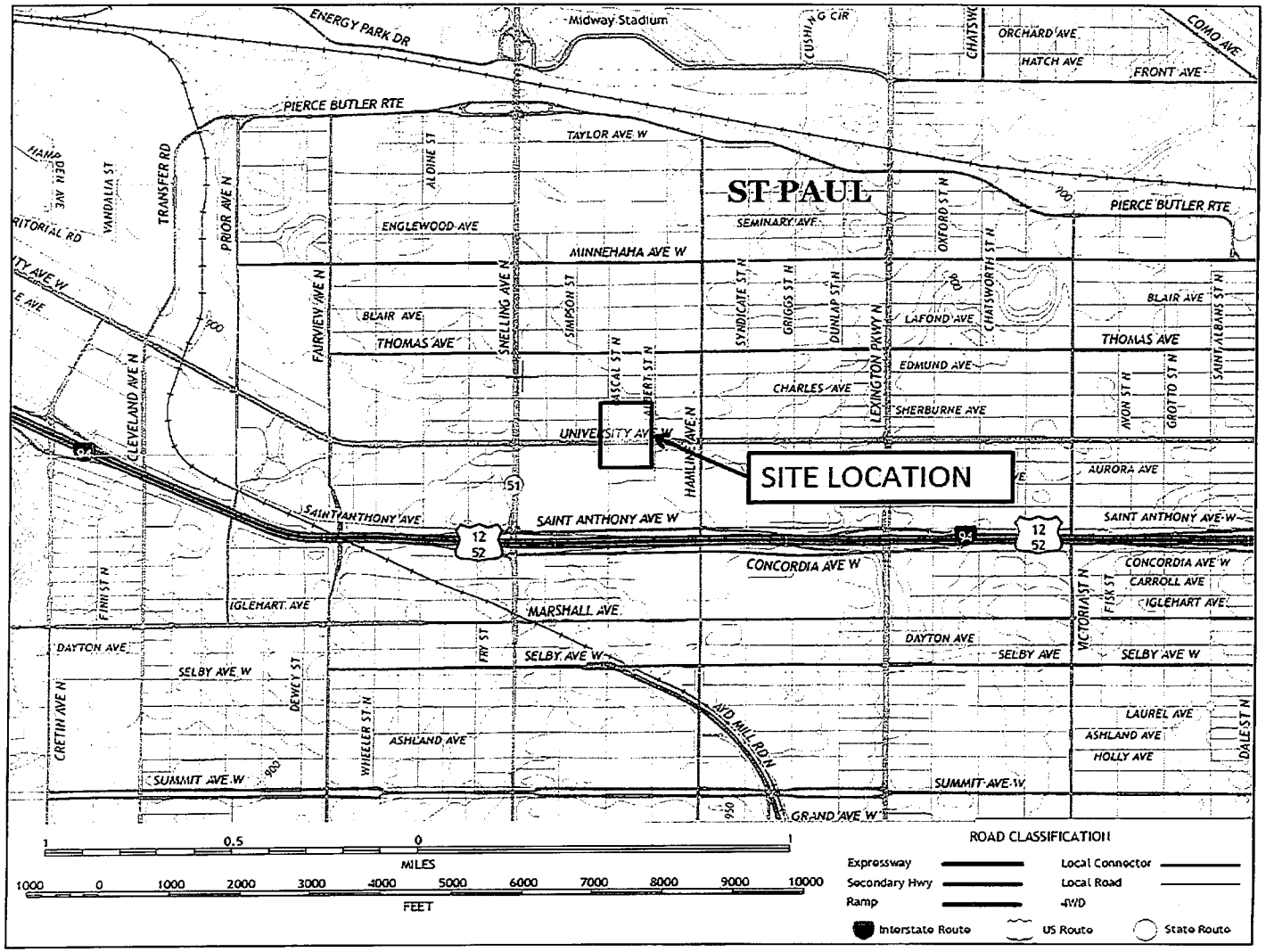
Human Health Risks

The primary human health concerns are vapor intrusion risks resulting from PCE and TCE impacts in groundwater and in soil vapors. Vapor intrusion has the potential to degrade indoor air quality resulting in human health risks from inhaling PCE and TCE. The Site area is connected to the St. Paul municipal drinking water system which is not impacted by the Site release(s). Seven registered commercial wells completed in bedrock aquifers are located within one mile of the Site however these wells are not at risk since they are completed at depths significantly greater than the identified groundwater contamination at the Site.

Conclusion

The site should be listed on the PLP in order to access State Superfund funding to allow further delineation of the PCE and TCE sources in soil and groundwater, complete additional building-specific vapor intrusion investigations and install vapor intrusion mitigation systems when risks are identified. Additional source area response actions may also be necessary once the sources of contamination have been defined. Additional vapor intrusion assessment will be required near the residential properties located west, north, and east of the current investigation area. Additional groundwater sampling is also needed south of University Avenue in the area of the former Midway Plaza VIC site to determine if residual groundwater sources or soil vapors exist that needs to be addressed in this direction from the site. The distribution of PCE and TCE in groundwater and in soil vapor from the combined historic Midway Plaza site, the KAW VIC site and the MPCA Site Assessment investigation suggest multiple contaminant release sources are present at the Site.

Figure 1: North Midway Plaza Site Location



DEPARTMENT: POLLUTION CONTROL AGENCY

SF-00006-05 (

STATE OF MINNESOTA

Office Memorandum

DATE: 5/2/2016

TO: Sandeep Burman
Manager
Site Remediation and Redevelopment
Remediation Division

FROM: Cragué Biglow
Supervisor
Site Remediation and Redevelopment Section
Remediation Division

Christopher Formby
Redevelopment Unit
Site Remediation and Redevelopment Section
Remediation Division

PHONE: 651-757-2712

SUBJECT: Permanent List of Priorities Listing Request
Pure Oil Bulk Storage Facility No. 359643, 352 3rd Street, Excelsior (SA295)

Minnesota Pollution Control Agency (MPCA) staff recommends listing the Pure Oil Bulk Storage Facility No. 359643 property, located at 352 3rd Street in Excelsior (the Site) on the Minnesota Permanent List of Priorities (PLP). This will allow state funds to be used to conduct investigation activities and response actions. This Site was referred to the MPCA Site Assessment (SA) program from the MPCA Petroleum Remediation Program (Leak Site #19632) after perchloroethylene (PCE) was detected in groundwater and soil vapor, and it is now being referred to the MPCA Superfund program based on the findings of SA investigation.

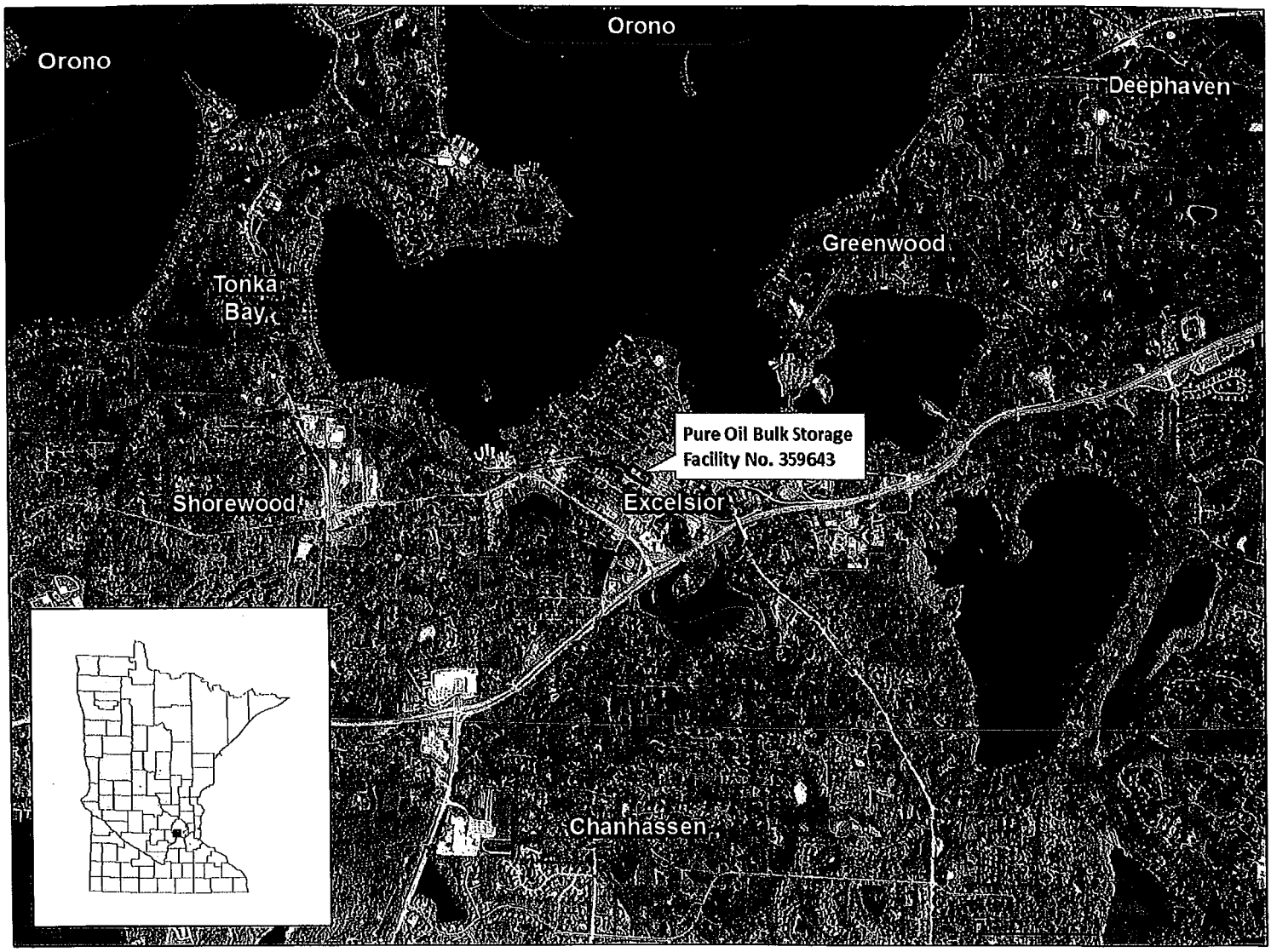
Background

Formerly, the Site was a bulk oil storage facility. It is an active Petroleum Brownfield Program (PBP) and Petroleum Remediation Program (PRP) site with the Minnesota Pollution Control Agency (MPCA) under PB 4131 and Leak Site 19362 respectively. During the initial investigation in early 2013, the chlorinated solvents perchloroethylene (PCE) and trichloroethene (TCE) were detected in groundwater and in soil vapors. In 2013 PCE concentrations in groundwater were above the Minnesota Department of Health's (MDH) Health Risk Limits (HRLs) for drinking water of 4 micrograms per liter (ug/l) with the highest concentration being 9.74 ug/l. PCE concentrations in soil vapor exceeded the MPCA's Intrusion Screening Value (ISV) for commercial/industrial land use by over one-hundred times (100X) with the highest concentration being 2,200 micrograms per cubic meter (ug/m^3).

Minnesota Pollution Control Agency

Pure Oil Bulk Storage Facility No. 359643

5/2/2016



DEPARTMENT: POLLUTION CONTROL AGENCY

SF-00006-05 (4/86)

STATE OF MINNESOTA

Office Memorandum

DATE: 5/2/2016

TO: Sandeep Burman
Manager
Site Remediation and Redevelopment Section
Remediation Division

FROM: Cragne Biglow
Supervisor
Site Remediation and Redevelopment
Section Remediation Division

Allan Timm
Site Remediation Unit 1
Site Remediation and Redevelopment Section
Remediation Division

SUBJECT: Permanent List of Priorities Listing Request
Lyndale Avenue Corridor, Bloomington, MN (SA243)

Minnesota Pollution Control Agency (MPCA) staff in the Site Assessment Program recommend referring the Lyndale Avenue Corridor site, located approximately three blocks east and west of Lyndale Avenue between 83rd Street and 98th Street (the Site), to the State Superfund Program and listing it on the Minnesota Permanent List of Priorities (PLP), so state funds can be used to conduct response actions. This Site is being referred to the MPCA Superfund Program based upon the findings from MPCA Site Assessment (SA) program investigations. (MPCA Project Number SA243). The location of the Site is shown in Figures 1 and 2.

Background

The Lyndale Avenue Corridor is located in Bloomington, Minnesota and is bounded by 83rd Street to the north, 98th Street to the south, Nicollet Avenue to the east, and Bryant Avenue to the west. The Site area may be amended as investigations identify the area(s) where hazardous substances, pollutants or contaminants were stored, deposited, disposed of or used. Within the Site area are manufacturing, vehicle repair, and dry cleaning facilities that in the past have used or are currently using hazardous chemicals. Residential properties are also located in the Site area.

Investigation work at over 40 individual properties has found contamination along the Lyndale Avenue Corridor between 83rd Street and 98th Street. The MPCA has overseen investigations of approximately eight petroleum releases through the Petroleum Remediation Program and thirty-five sites containing non-petroleum chemicals through the Voluntary Investigation and Clean-up Program.

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Installation of vapor intrusion mitigation systems

- Vapor mitigation systems have been installed at eight residential properties to date.
- Residential properties were prioritized for vapor mitigation. Additional vapor mitigation will likely be needed in several commercial properties once additional funding is obtained.

Current MPCA Investigation and Mitigation Activity

Based on the soil vapor and groundwater data there appears to be multiple sources of VOC contamination in the area. Most of the recent investigation work has been completed to assess potential vapor intrusion risks. Further definition of the contaminated groundwater source areas will be required to fully define the soil vapor area of concern. Based on these investigations, source area remediation will likely be required in the future after the site has been listed on the PLP.

The sub-slab soil vapor investigation is also being expanded to include single family and multiple family residential properties on the north side of 92nd Street between Lyndale and Bryant Avenue.

Human Health Risks

Vapor intrusion occurs when chemical vapors migrate from contaminated groundwater through the soil into buildings. These chemical vapors can degrade indoor air quality, sometimes to the point of posing risks to human health. In recent years, research has shown that volatile organic compounds (VOCs) entering a home through vapor intrusion may be more harmful than we previously thought. This has prompted the Intrusion Screening Values (ISV) of several VOCs, like TCE and PCE, to be lowered based upon recommendations by the MDH.

Conclusion

Elevated levels of TCE and PCE have been detected in soil gas and groundwater in the vicinity of the Lyndale Avenue Corridor site in Bloomington, Minnesota. There appears to be multiple source areas for the contamination. TCE and PCE soil vapors from this plume are above the screening criteria in samples collected below the building slab at residential and commercial properties located within the site area.

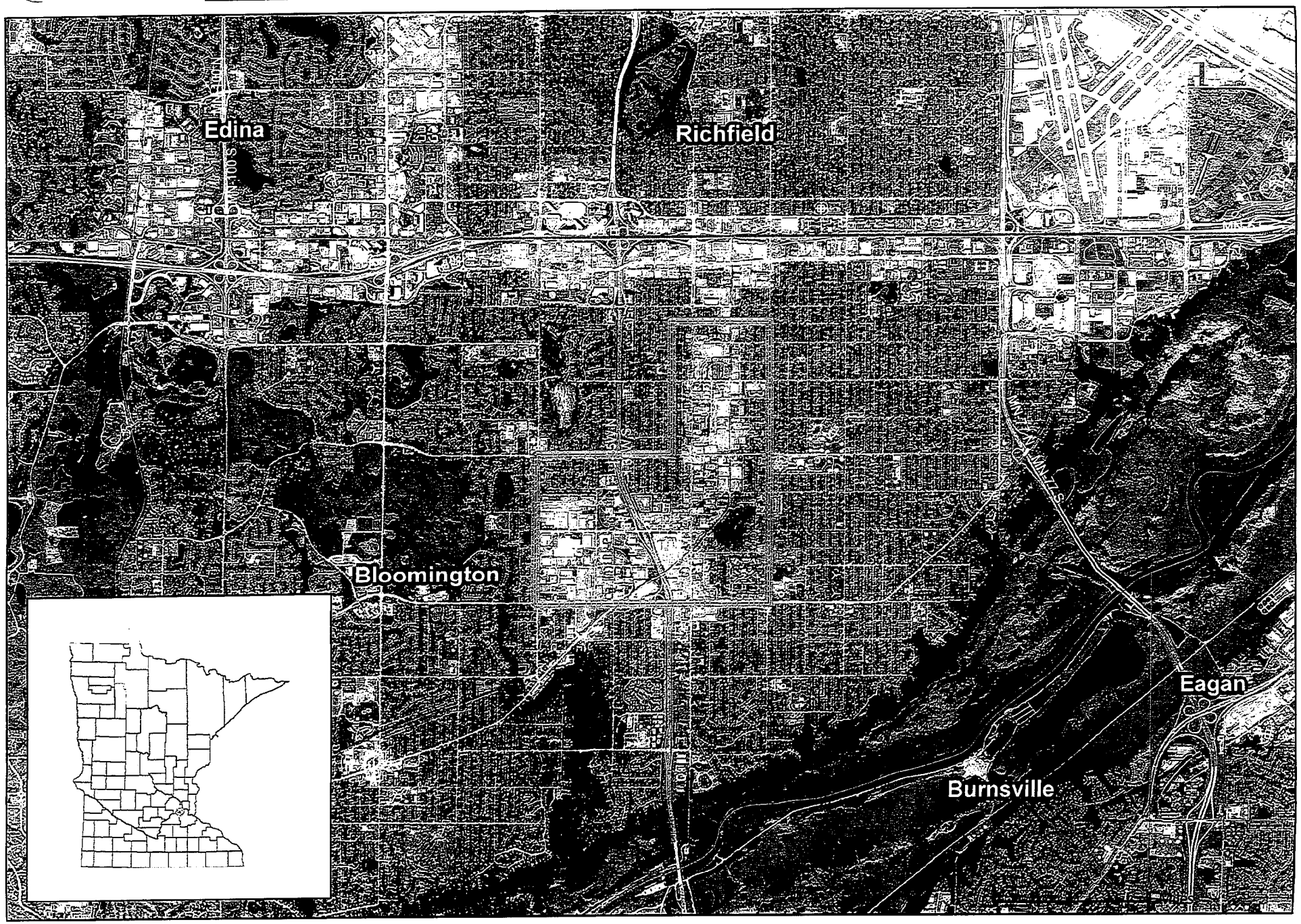
Vapor Mitigation systems have been installed in eight residential properties to date. Based on the sub-slab soil vapor concentrations from pending assessments, several commercial properties may also require vapor mitigation.

Additional sub-slab vapor sampling and mitigation work is needed to address potential vapor intrusion risks. Additional investigation is needed to identify and define the sources of contamination along with the horizontal extent. Soil and groundwater remediation may be needed to remove the source of the contamination.

Minnesota Pollution Control Agency

Lyndale Avenue Corridor

4/25/2016



DEPARTMENT: POLLUTION CONTROL AGENCY

SF-00006-05 (

STATE OF MINNESOTA

Office Memorandum

DATE: 5/2/2016

TO: Sandeep Burman
Manager
Site Remediation and Redevelopment
Remediation Division

FROM: Cragué Biglow
Supervisor
Site Remediation and Redevelopment Section
Remediation Division

Christopher Formby
Redevelopment Unit
Site Remediation and Redevelopment Section
Remediation Division

PHONE: 651-757-2712

SUBJECT: Permanent List of Priorities Listing Request
Universal Plating, 1900, 1912, 1922 Monroe Street NE and 661 19th Ave NE, Minneapolis (SA114)

Minnesota Pollution Control Agency (MPCA) staff recommends listing the Universal Plating property, located at 1900, 1912, 1922 Monroe Street NE and 661 19th Ave NE in Minneapolis (the Site) on the Minnesota State Superfund Permanent List of Priorities (PLP). This will allow state funds to be used to complete additional investigation activities and response actions. This Site was referred to the MPCA Site Assessment (SA) program after an extended period of inactivity while enrolled in the Voluntary Investigation and Cleanup (VIC) program. This Site is being referred to the MPCA Superfund program based on investigations conducted by a voluntary party and by an investigation conducted by the SA program (MPCA Project Numbers VP27720, VP27721, and SA114). A viable Responsible Party does not exist for the Site.

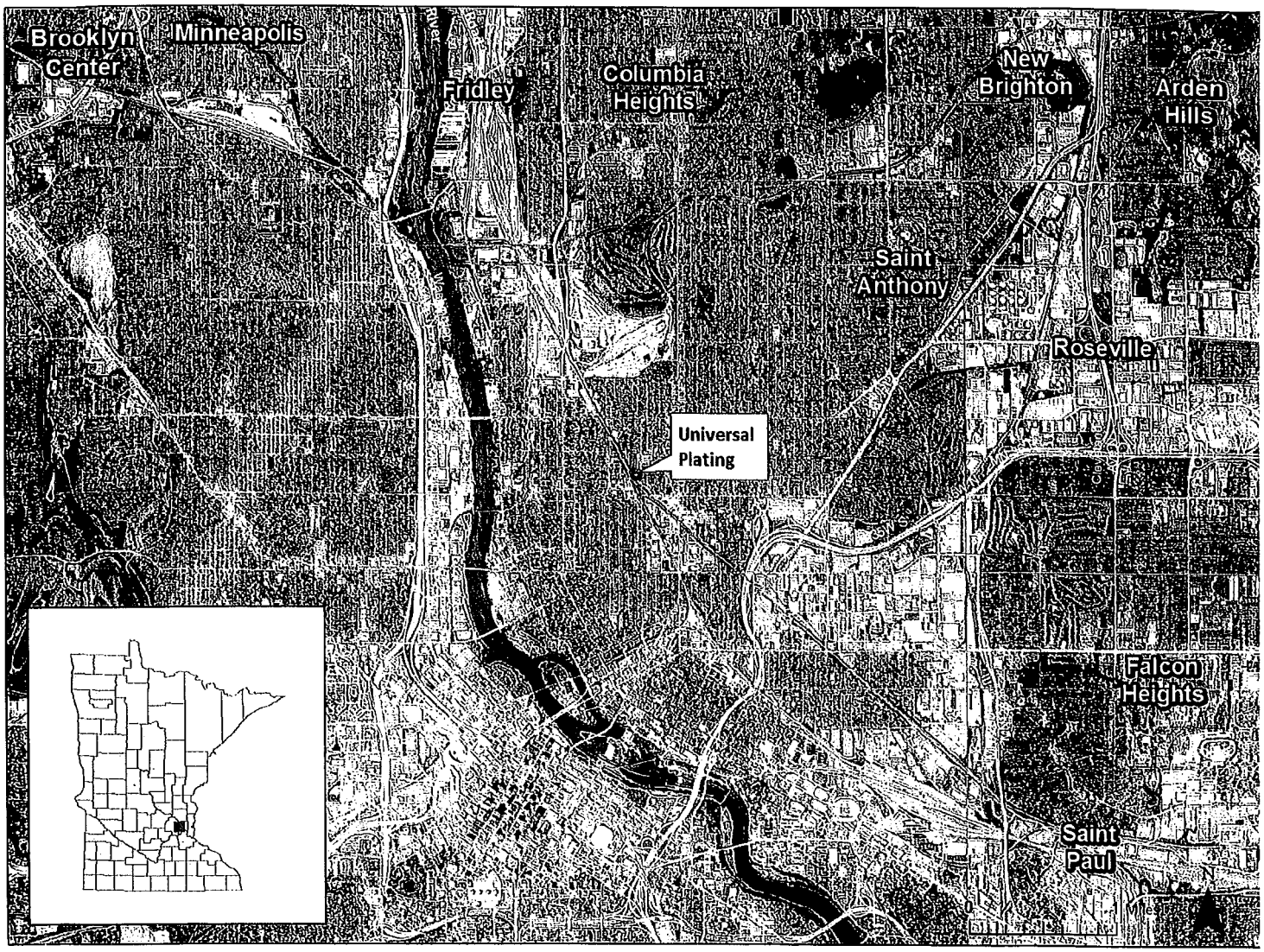
Background

The Universal Plating Site operated as a chemical and mechanical plating and finishing facility from 1944 through 2009. The Site has been in the VIC program twice, with the last time being April 2014 when a Response Action Plan (RAP) was submitted by the voluntary party and approved by the MPCA. When the RAP was not implemented due to fading interest in redevelopment, the Site was referred to Site Assessment for further investigation. Subsurface investigations conducted in 2012 while enrolled in the VIC program detected metals in soil at concentrations that exceed the MPCA's Soil Reference Values (SRVs) for residential land use. The metals included arsenic up to 44.6 mg/kg (SRV of 9mg/kg), cadmium up to 128 mg/kg (SRV of 25 mg/kg), chromium up to 610 mg/kg (SRV of 87mg/kg), copper up to 1750 mg/kg (SRV of 100 mg/kg), lead up to 7,350 mg/kg (SRV of 300 mg/kg), and nickel up to 515

Minnesota Pollution Control Agency

Universal Plating, SA114

5/2/2016



DEPARTMENT: POLLUTION CONTROL AGENCY

SF-00006-05 (

STATE OF MINNESOTA

Office Memorandum

DATE: 5/2/16

TO: Sandeep Burman
Manager
Site Remediation and Redevelopment
Remediation Division

FROM: Cragué Biglow
Supervisor
Site Remediation and Redevelopment Section
Remediation Division

Jennifer Jevnisek
Site Remediation Unit 2
Site Remediation and Redevelopment Section
Remediation Division

PHONE: 651-757-2181

SUBJECT: Permanent List of Priorities Listing Request
D's Fabric Care, 12 Second Street, Cloquet (SR264)

Minnesota Pollution Control Agency (MPCA) staff recommends listing the D's Fabric Care property, located at 12 Second Street in Cloquet (the Site) on the Minnesota Permanent List of Priorities (PLP). This will allow state funds to be used to conduct investigation activities and response actions. This Site was previously referred to the MPCA Superfund program based upon the findings from the MPCA Site Assessment program investigations of the site (SA4521) conducted in 2012. Between 2014 and 2015, MPCA Superfund program staff provided several opportunities for the owner of the Site to voluntarily address investigation and response activities; the offers were declined.

Background

The D's Fabric Care Site (Figure 1) was referred to the MPCA Site Assessment Program when perchloroethylene (PCE) was detected in groundwater samples collected during a petroleum leak site investigation at the adjoining Frank Lloyd Wright (FLW) designed gas station (Leak ID 6780). PCE is commonly used as a dry cleaning solvent. The D's Fabric Care property was identified as the possible source of the PCE release due to its upgradient location, and because of its past use as a laundry and dry cleaning service from 1966 to at least 1995. The D's Fabric Care property is currently occupied by Cloquet Laundromat.

An investigation conducted by the MPCA Site Assessment program in 2012 confirmed that high concentrations of PCE vapors are present under the D's Fabric Care building (the highest concentration was 1,070,000 micrograms per cubic meter, $\mu g/m^3$), and that the PCE release appears to originate from beneath this building near the former dry cleaning machinery. PCE soil vapor concentrations are depicted on Figure 2, which also denotes the extent of the investigation.

install sub-slab vapor points in seven nearby residences, and evaluate if soil-vapor intrusion is occurring at these properties.

MPCA was informed by the city of Cloquet that sump discharge to the sanitary system is not allowed under city code. The matter has been referred to the Western Lake States Sanitary District (WLSSD) for regulatory oversight.

Human Health Risks

The presence of elevated levels of PCE in the soil gas in the vicinity of the D's Fabric Care site constitutes a significant health risk. PCE has been detected in soil gas at levels more than 35,000 times the regulatory values for commercial properties in this area. Not only is this a potential soil vapor intrusion risk to the on-site buildings, but also to those who may need to excavate soil or work in areas below grade. The extent of on-site soil vapor contamination has not yet been fully determined, nor has the extent of soil vapor contamination to off-site receptors been defined.

The risk of direct soil or groundwater exposure is not known because the extent and magnitude of soil and groundwater contamination is not known at this time.

Conclusion

Site investigation work has demonstrated the presence of elevated concentrations of PCE in the soil gas at the Site. Groundwater and soil vapor concentrations from samples collected at the Site indicate that PCE is present in groundwater and soil vapors at concentrations of regulatory concern. Additional investigation is necessary to determine the extent and magnitude of the release(s) and the source area(s).

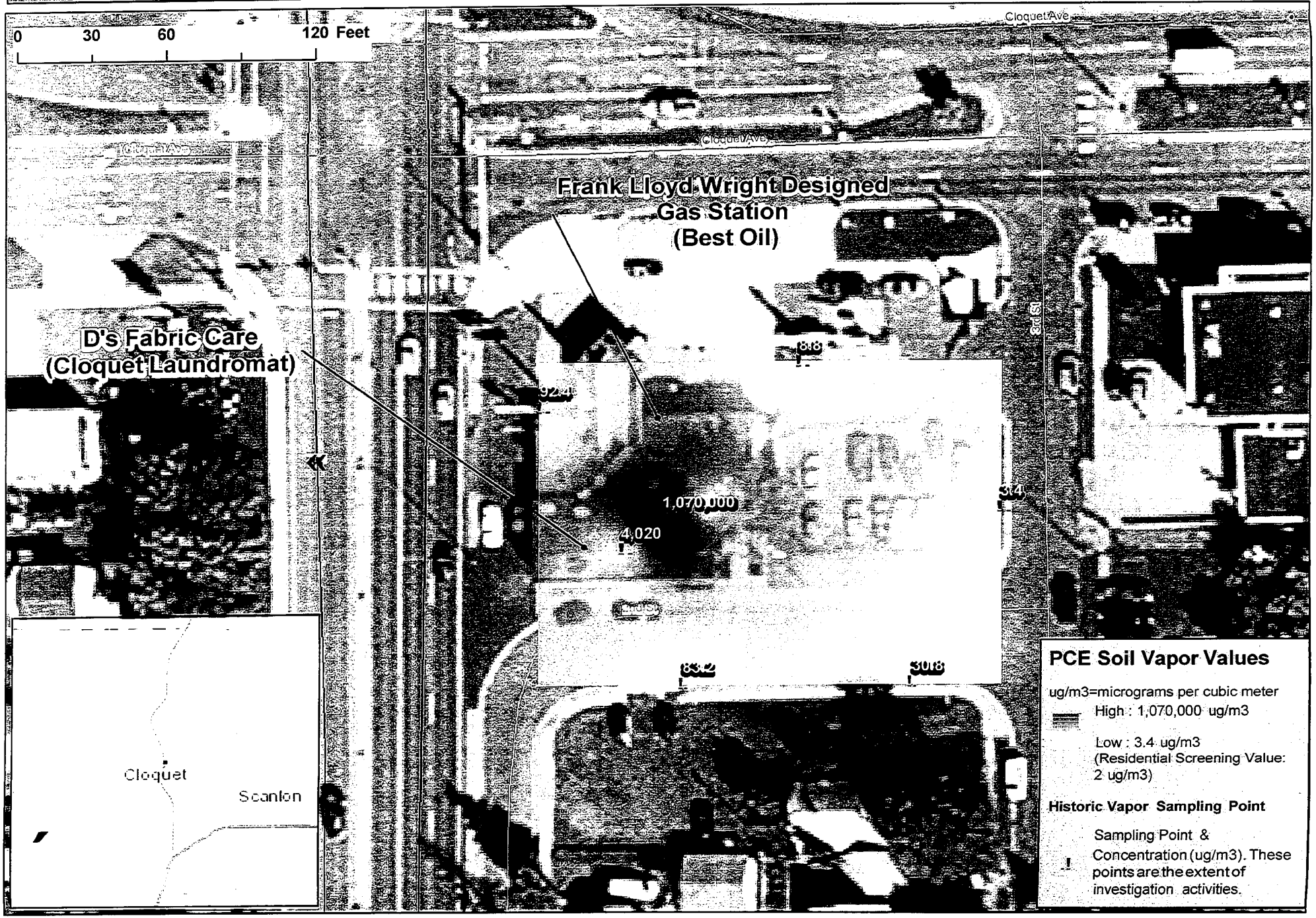
Soil vapor concentrations of PCE are high enough to warrant installation of vapor intrusion mitigation systems at the on-site buildings to mitigate the exposure potential. Additional sub-slab vapor sampling and mitigation work is needed to address potential vapor intrusion risks to off-site receptors.

The D's Fabric Care Site should be listed to the State PLP to perform additional investigation to determine the potential risks to receptors associated with the identified release and to determine any corrective actions, if necessary.

Minnesota Pollution Control Agency

Figure 2: D's Fabric Care SR264

4/25/2016



PCE Soil Vapor Values

ug/m3=micrograms per cubic meter

High : 1,070,000 ug/m3

Low : 3.4 ug/m3
(Residential Screening Value: 2 ug/m3)

Historic Vapor Sampling Point

Sampling Point & Concentration (ug/m3). These points are the extent of investigation activities.

DEPARTMENT: POLLUTION CONTROL AGENCY

SF-00006-05 (4/86)

STATE OF MINNESOTA

Office Memorandum

DATE: 5/2/2016

TO: Sandeep Burman
Manager
Site Remediation & Redevelopment Section
Remediation Division

FROM: Cragué Biglow
Supervisor
Site Remediation & Redevelopment
Section Remediation Division

Wayne Sarappo
Site Remediation Unit 1
Site Remediation & Redevelopment Section
Remediation Division

SUBJECT: Permanent List of Priorities Request
Hospital Linen Site, St. Paul, MN (SA248)

Minnesota Pollution Control Agency (MPCA) staff in the Site Assessment Program recommend referring the Hospital Linen site, located at 740th 7th Street East, St. Paul (the Site), to the State Superfund Program and listing it on the Minnesota Permanent List of Priorities (PLP), so that state funds can be used to conduct response actions. This Site is being referred to the MPCA Superfund Program based upon the findings from MPCA Site Assessment (SA) program investigations (MPCA Project Number SA248). The location of the Site is shown in Figure 1.

Background

The Site has been redeveloped through the voluntary Investigation and Cleanup (VIC) Program and is now a Mississippi Market store with an active sub-slab mitigation system. The Site is located at the intersection of Maple Street and East 7th Street, about one mile east of downtown St. Paul. Residential properties, as well as a few commercial properties, are located adjacent to the Site. A commercial laundry, Hospital Linen Services, operated at the Site from the 1920s until the early 2000s. During the 1950s to the 1980s, laundry operations included industrial dry-cleaning.

After the building was demolished in 2005, an environmental investigation discovered perchloroethylene (PCE), in soil beneath the portion of the Site where dry-cleaning operations had occurred. PCE is a solvent that is commonly used in the dry-cleaning process which has the potential to cause long term human health risks. Spills or leaks from dry-cleaning equipment or chemical storage tanks may have occurred when dry-cleaning operations were active at the site.

Most of the PCE in soil was below the land surface, and the concentrations of PCE in soil did not exceed the screening levels that MPCA uses to evaluate risk from direct contact with the soil. Thus, the PCE in soil did not pose a risk to people who may have come into contact with soil at the Site. However, PCE often moves down through the soil to the groundwater and causes

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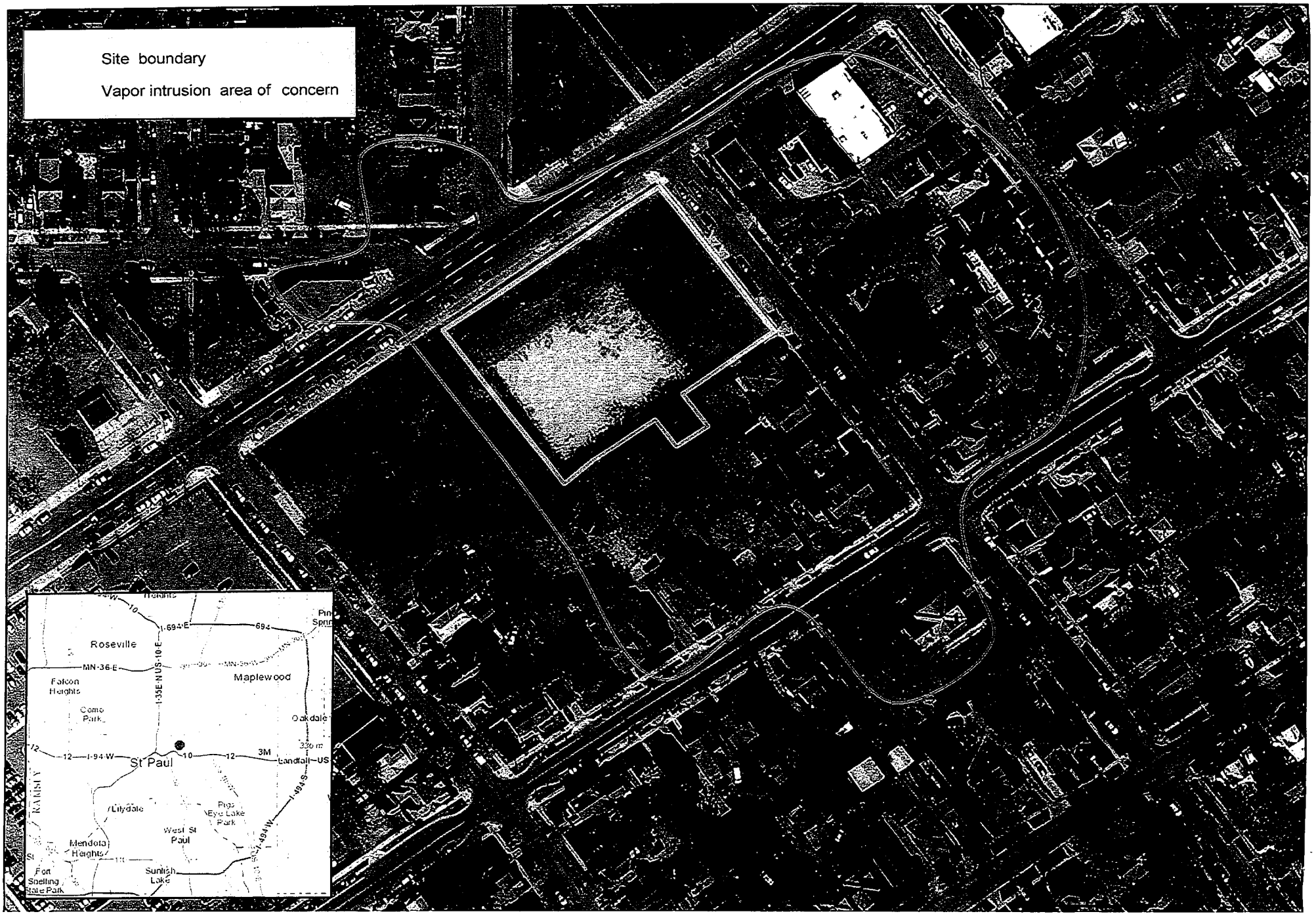
OF 10% POSTCONSUMER WASTE

Additional sub-slab vapor sampling and mitigation work may be needed to address potential vapor intrusion risks at nearby residences. Additional investigation may also be necessary to identify and define the sources of contamination. Soil and groundwater may also need to be remediated to address the source of the contamination. Therefore, the Hospital Linen Site should be listed on the State PLP so that the MPCA can perform additional investigations to determine the potential risks to receptors associated with the identified release and to determine additional corrective actions, if necessary.

Minnesota Pollution Control Agency

Former Hospital Linen

4/25/2016



DEPARTMENT: POLLUTION CONTROL AGENCY

SF-00006-05 (

STATE OF MINNESOTA

Office Memorandum

DATE: 5/2/2016

TO: Sandeep Burman
Manager
Site Remediation and Redevelopment
Remediation Division

FROM: Cragué Biglow
Supervisor
Site Remediation and Redevelopment Section
Remediation Division

Mark Ostby
Hydrologist
Site Remediation and Redevelopment Section
Remediation Division

PHONE: 651-757-2283

SUBJECT: Permanent List of Priorities Listing Request
55th Street and Lyndale Avenue South Site, Minneapolis

The Minnesota Pollution Control Agency (MPCA) Site Assessment Program recommends referring the 55th Street and Lyndale Avenue South site (the Site) in Minneapolis, to the MPCA State Superfund program and listing it on the Minnesota Permanent List of Priorities (PLP). This will allow state funds to be used to conduct additional investigation activities and response actions. This site is being referred to the MPCA Superfund program based upon the findings from a MPCA Site Assessment (SA) investigation of two adjacent properties that have been investigated under SA 239 and SA 4604.

Background

The Site is located in an area of mixed commercial and residential use in South Minneapolis around the intersection of 55th Street and Lyndale Ave South. The Site is bounded to the north by 54th Street, to the west by Aldrich Ave South, to the east by Garfield Ave South., and extends just to the south of 55th Street as shown on the attached Figure 1. The general location of the site may be amended as environmental investigations identify the area(s) where hazardous substances, or pollutants, or contaminants are deposited, stored, disposed or otherwise become located. This Site was originally referred to MPCA SA program in 1999 as a result of an environmental investigation conducted by the property owner to facilitate a property transfer at a former dry-cleaning operation depicted in the attached site figures.

Conclusion

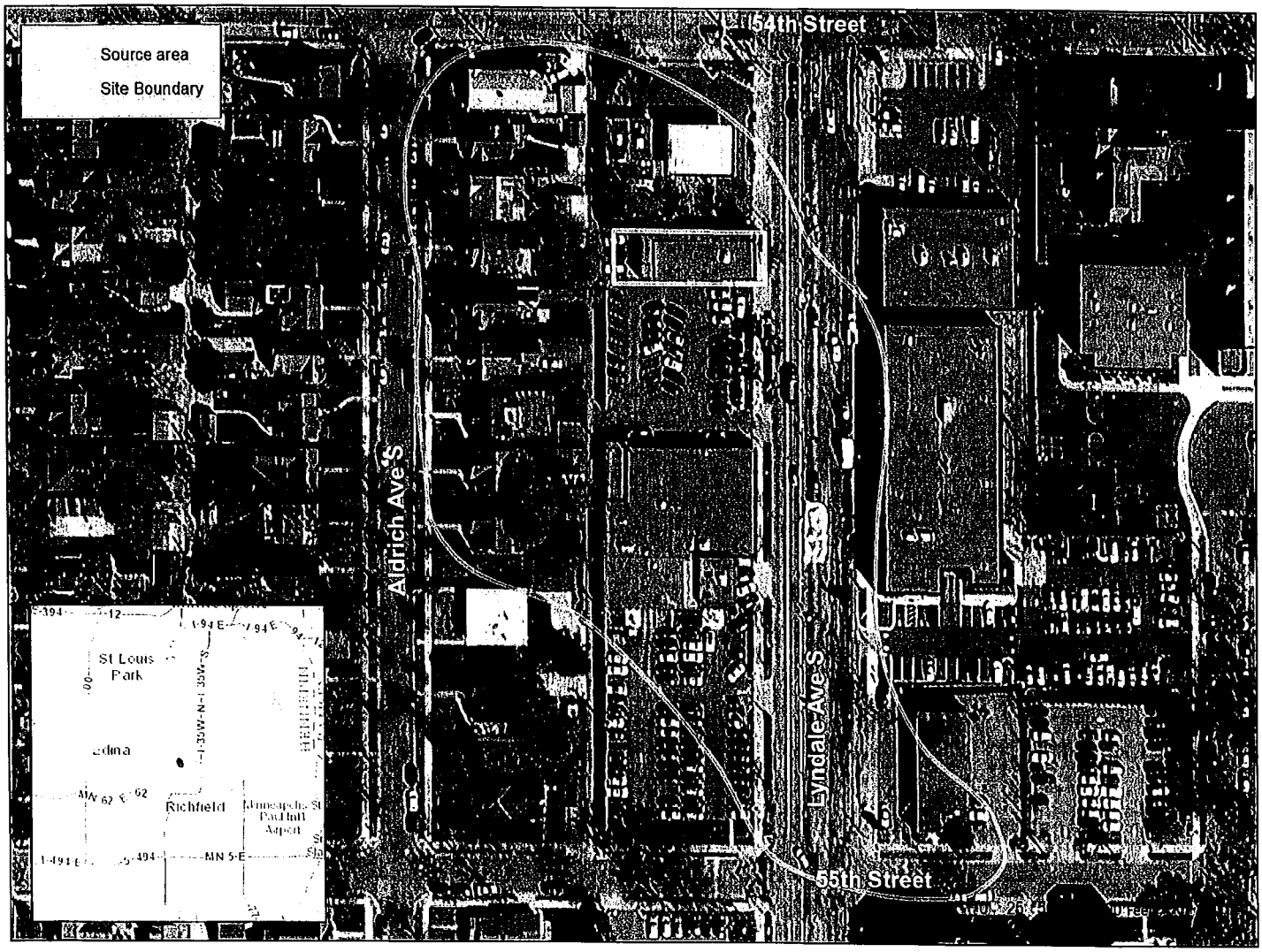
Site investigation work to date has demonstrated the presence of elevated concentrations of PCE in soil vapors in the Minneapolis neighborhood of 55th Street and Lyndale Ave South. The PCE reported from sampling activities at the Site exceed ISVs used to evaluate human health risks for soil vapor intrusion. Additional residential and commercial properties are potentially at risk from the contamination associated with this site however further investigation and sampling will be needed to fully understand these risks. Listing this site on Minnesota State Superfund PLP will allow the MPCA to access state funding to conduct additional work that is needed which includes:

1) Determining the full extent and magnitude of soil vapor contamination associated with this site.
2) Determining if there are additional residences or commercial buildings that require the installation of soil vapor mitigation systems.
3) Identify and determine the source(s) of the PCE contamination in groundwater which is acting as the source for contaminated soil vapors.
4) Determining the extent and magnitude of groundwater contamination associated with this site.
5) Identify and define the contaminant source area(s) and identify the Potentially Responsible Parties (PRP) for the contamination that led to this situation.
6) Require the PRP(s) to conduct investigation and remediation activities in accordance with State and Federal cleanup requirements. Seek to recover costs for the initial site response from the PRP(s).

Minnesota Pollution Control Agency

55th and Lyndale

4/28/2016



DEPARTMENT: POLLUTION CONTROL AGENCY

SF-00006-05 (4

STATE OF MINNESOTA

Office Memorandum

DATE: 5/2/2016

TO: Sandeep Burman
Manager
Site Remediation and Redevelopment
Remediation Division

FROM: Cragué Biglow
Supervisor
Site Remediation and Redevelopment Section
Remediation Division

Mark Ostby
Hydrologist
Site Remediation and Redevelopment Section
Remediation Division

PHONE: 651-757-2283

SUBJECT: Permanent List of Priorities Listing Request
Arcade Street and Hawthorne Avenue East, St. Paul (SA 4596)

Minnesota Pollution Control Agency (MPCA) staff recommends listing the Arcade Street and Hawthorne Avenue site (the Site) in St. Paul, Minnesota on the Minnesota Permanent List of Priorities (PLP). This will allow state funds to be used to conduct investigation activities and response actions. This site is being referred to the MPCA Superfund program based upon the findings from an investigation completed by the MPCA Site Assessment (SA) program under SA 4596.

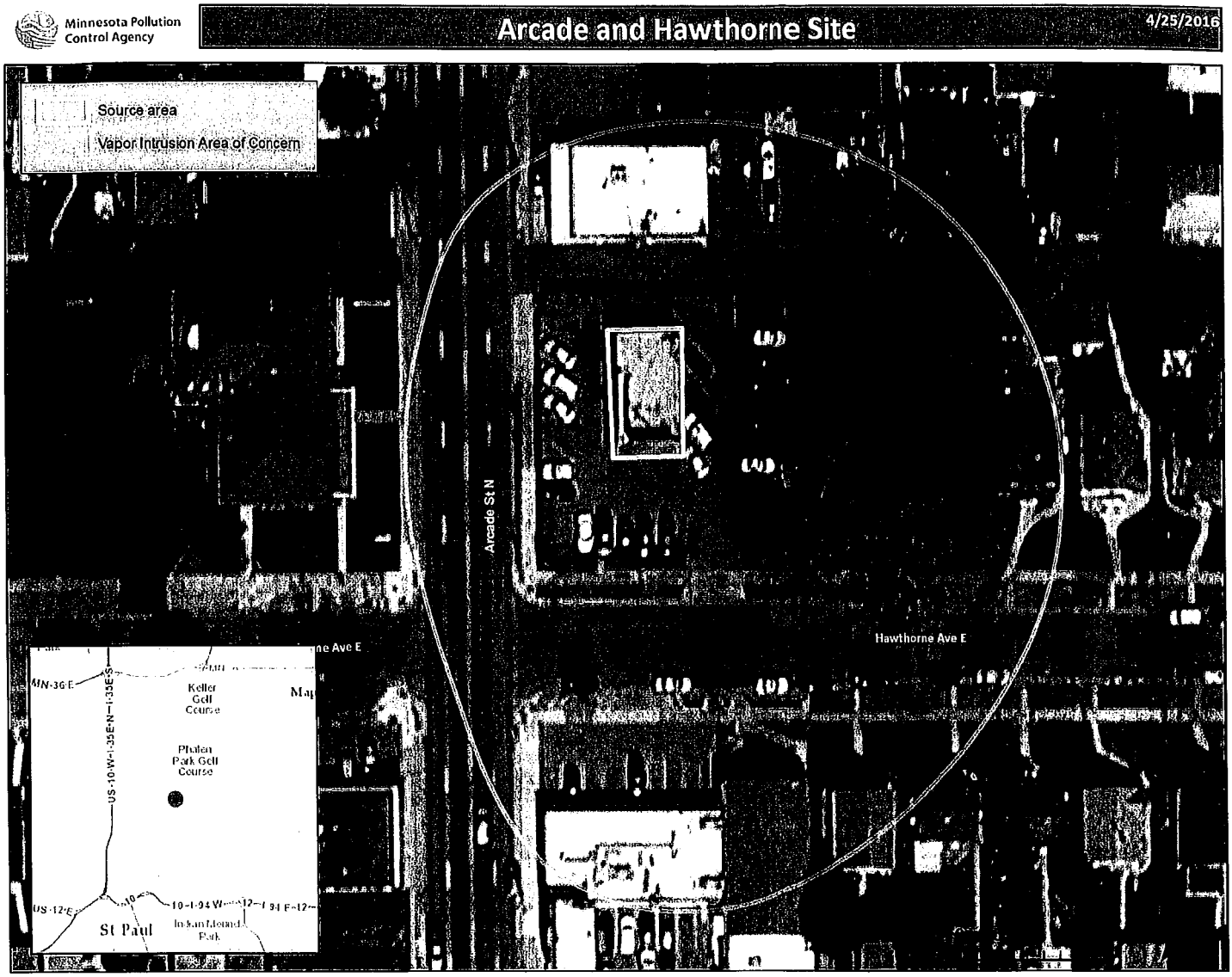
Background

The Site is located near the intersection of Arcade Street and Hawthorne Avenue East in an area of mixed commercial and residential use. It is bounded to the North by Orange Avenue East, to the West by Arcade Street, to the South by Maryland Avenue East, and extends roughly ½ block to the East of Arcade Street as depicted on the attached Figure 1. A dry-cleaner and an auto service station were historically operated on the Site property. Currently the site property is a vacant parking lot. The Site was first referred to MPCA SA in 2011 as a result of perchloroethylene (PCE) contamination detected during an environmental investigation conducted by a potential purchaser of the property. PCE is a chemical used in the dry-cleaning industry and is used for other industrial purposes as a solvent and degreaser.

Superfund PLP will allow the MPCA to access state funding to conduct additional work that is needed for this site which includes:

1) Determining the full extent and magnitude of soil vapor contamination associated with this site.
2) Determining if there are additional residences or commercial buildings that require the installation of soil vapor mitigation systems.
3) Identify and determine source(s) of the PCE contamination in groundwater which is acting as the source for contaminated soil vapors.
4) Determining the extent and magnitude of groundwater contamination associated with this site.
5) Completing source area remedial actions to reduce the quantity of PCE present in the subsurface.
6) Identify and define the contaminant source area(s) and identify the Potentially Responsible Parties (PRP) for the contamination that led to this situation.
7) Require the PRP(s) to conduct investigation and remediation activities in accordance with State and Federal cleanup requirements. Seek to recover costs for the initial site response from the PRP(s).

Figure 2: Arcade Street and Hawthorne Ave – Detailed Map



DEPARTMENT: POLLUTION CONTROL AGENCY

SF-00006-05 (4/86)

STATE OF MINNESOTA

Office Memorandum

DATE: 5/2/2016

TO: Sandeep Burman
Manager
Site Remediation & Redevelopment Section
Remediation Division

FROM: Cragne Biglow
Supervisor
Site Remediation & Redevelopment Section
Remediation Division

Allan Timm
Site Remediation Unit I
Site Remediation & Redevelopment Section
Remediation Division

SUBJECT: Permanent List of Priorities Listing Request
Southeast Hennepin Area Groundwater and Vapor Site, Minneapolis MN (SA249)

Minnesota Pollution Control Agency (MPCA) staff recommends listing the Southeast Hennepin Area Groundwater and Vapor Site (the Site) on the Minnesota Permanent List of Priorities (PLP). This will allow state funds to be used to complete additional investigation and response actions. This Site is being referred to the MPCA Superfund Program based upon the findings from MPCA Site Assessment (SA) program investigations of the Site (MPCA Project Number SA249).

Background

The Southeast Hennepin Area Groundwater and Vapor Site, located in Minneapolis MN, is bounded to the north by Broadway Street NE, to the east by Industrial Boulevard NE, to the south by Hennepin Avenue and Taft Street NE to the west. The location of the Site is shown in Figures 1 and 2. The general location of the site may be amended as environmental investigations identify the area(s) where hazardous substances, or pollutants or contaminants, are deposited, stored, disposed of, placed or otherwise come to be located. Properties within the Site area consist of residential homes along parts of 19th Avenue SE to 23 Avenue SE bounded by SE Hennepin Avenue to the north and Elm Street SE to the south. The Site consists of properties up-gradient (northeast) and side-gradient (east and southeast) from the General Mills Superfund Site (MPCA Project Number SR3). Within the Site are manufacturing, plating, vehicle repair, and dry cleaning facilities that in the past have used or are currently using hazardous chemicals.

The primary contaminants of concern are trichloroethylene (TCE) and perchloroethylene (PCE). TCE and PCE are solvents used for metal cleaning and other industrial processes. PCE is also a commonly used solvent in the dry cleaning industry. TCE is also a breakdown product of PCE as it degrades. Both compounds have the potential to cause long term human health risks.

Historic Investigations Timeline:

- In 2001, TCE was detected in the groundwater at the Anne Gendein Trust property, located at 359 Hoover Street. TCE was reported at a concentration of 3,500 micrograms per liter (ug/l). There were no groundwater receptors at the time of the investigation and there was an Off-Site Source Determination. Soil vapor intrusion was not an identified pathway in 2001.

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OF 10% POSTCONSUMER WASTE

Additional sub-slab vapor sampling and mitigation work is needed to address potential vapor intrusion risks. Additional investigation is needed to identify and define the sources of contamination. Soil and groundwater remediation may be needed to remove the source of the contamination.

The SE Hennepin Area Groundwater and Vapor should be listed to the State PLP to perform additional investigation to determine the potential risks to receptors associated with the identified release and to determine any corrective actions, if necessary.

Minnesota Pollution Control Agency

SE Hennepin Area Groundwater and Vapor Site

4/26/2016

DEPARTMENT: POLLUTION CONTROL AGENCY

SF-00006-05 (

STATE OF MINNESOTA

Office Memorandum

DATE: 5/2/2016

TO: Sandeep Burman
Manager
Site Remediation and Redevelopment Section
Remediation Division

FROM: Cragué Biglow
Supervisor
Site Remediation and Redevelopment Section
Remediation Division

Gregory Small
Site Assessment Program
Site Remediation and Redevelopment Section
Remediation Division

PHONE: 651-757-2304

SUBJECT: Permanent List of Priorities Listing Request West 66th Street and Vincent Avenue, Richfield (SA4586)

Minnesota Pollution Control Agency (MPCA) Site Assessment Program (SA) recommends referring the West 66th Street and Vincent Avenue Site in Richfield, (the Site) to the State Superfund program and listing it on the Minnesota Permanent List of Priorities (PLP). This will allow state funds to be used to conduct investigation activities and response actions. This Site is being referred to the MPCA Superfund program based upon the findings from a Site Assessment program investigation of the West 66th Street and Vincent Avenue Site (SA 4586) conducted from 2012-2014.

Background

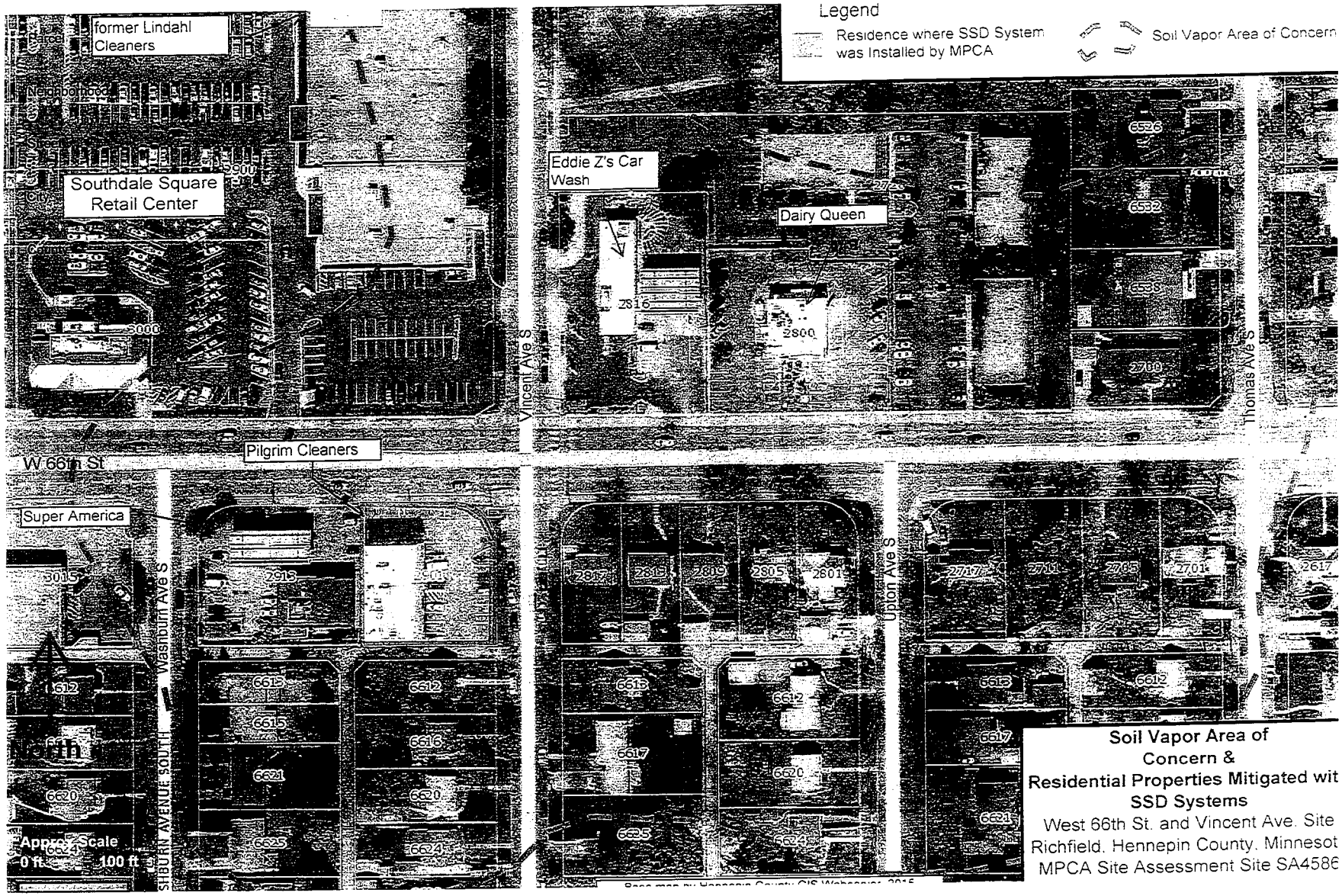
MPCA investigation results for the area around West 66th Street and Vincent Avenue South discovered the presence of perchloroethylene (PCE) and trichloroethylene (TCE) in ground water and soil vapor at concentrations above the regulatory criteria. Subsequent investigations focused on PCE and TCE in soil vapor which was detected over a three block area along both sides of W. 66th St, extending from Washburn Avenue on the west end to Thomas Avenue on the east end (see attached site figures for details). Maximum concentrations of PCE in soil vapor ranged up to 36,700 ug/m^3. The residential Intrusion Screening Value (ISV) for PCE is 2 ug/m^3. PCE is a commonly used chemical in the dry cleaning industry.

There are several active and former dry cleaning operations in the neighborhood. Potential sources include the Pilgrim Clothing Care Center at 2901 W. 66th Street and the former Lindahl Cleaners located across W. 66th Street in the Southdale Square Shopping Center. However, it is not clear at this time if one or more sources for the contamination is present.

center. Additional investigation is necessary to determine the extent and magnitude of the release(s) and the source area(s).

Listing this Site on the state PLP will allow the MPCA to access state funding to conduct the additional work that is needed which includes:

1) Determining the extent and magnitude of soil vapor contamination associated with this Site.
2) Determining if there are additional residences that require installation of vapor mitigation systems.
3) Determining the extent and magnitude of groundwater contamination associated with this site.
4) Determining the extent and magnitude of soil contamination associated with this site.
5) Identify and define the contaminant source area(s) and identify the Potentially Responsible Parties (PRP) for the contamination that led to this situation.
6) Require the PRP(s) to conduct investigation and remediation activities in accordance with State and Federal cleanup requirements. Seek to recover costs for the initial site response from the PRP(s).



Soil Vapor Area of Concern & Residential Properties Mitigated wit SSD Systems

West 66th St. and Vincent Ave. Site
Richfield, Hennepin County, Minnesot
MPCA Site Assessment Site SA4586

Attachment 4: Site Delisting Memorandum for August 2016 Update to PLP

ATTACHMENT 4

SF-00006-05 (4/86)

DEPARTMENT: POLLUTION CONTROL AGENCY

STATE OF MINNESOTA
Office Memorandum

DATE: May 2, 2016

TO: Sandeep Burman
Manager
Site Remediation & Redevelopment Section
Remediation Division

THRU: Cragué Biglow
Supervisor
Site Remediation & Redevelopment Section
Remediation Division

FROM: Jennifer Jevnisek
Environmental Specialist 4
Site Remediation & Redevelopment Section
Remediation Division

PHONE: 651-757-2181

SUBJECT: Recommendation for Removal of Boyer Lumber Site (SR370) from the Permanent List of Priorities

The Boyer Lumber site (Site) is located at 1504 4th Street South in Virginia, Minnesota, and consists of an approximate 2.75-acre tract of land that was undeveloped mining property until it was purchased and developed in 1960. The property was used for the manufacture and storage of snow rakes until it was purchased in 1976 by Kenneth C. and Katherine M. Boyer (collectively the "Boyers"). From 1976 to 1999, the Boyers used the Site as a lumber yard and hardware store. In 1999 Blue Water Venture Partnership purchased the property and operated it as a retail home store until 2004, when Cedar Isle Holdings purchased the property and leased it to Virginia Lumber and Hardware Inc. to operate a retail lumber and hardware store.

In August 1990, the Site was reported to the Minnesota Pollution Control Agency (MPCA) when a petroleum release was discovered during the removal of a 500-gallon underground storage tank. Investigations were conducted under the Minnesota Pollution Control Agency's Petroleum Remediation Program (PRP) and Site Assessment Programs (SA) from 1990 to 2013. Contaminants identified during this investigation period included volatile organic compounds (VOCs), polycyclic aromatic hydrocarbons (PAHs), pentachlorophenol (PCP), and dioxins in soil, and VOCs, PAHs, and PCPs in groundwater. Investigations for petroleum contaminants were completed by the MPCA PRP from 1990-2009. Information regarding the PRP investigation was documented under PRP Leak 3645. From 2006-2009 the MPCA SA program provided technical assistance to the PRP for hazardous substances or pollutants or contaminants that were discovered and reported during the petroleum investigation. In 2009 the Site obtained regulatory closure from the MPCA PRP for petroleum contaminants at the Site. From 2009 to 2013, the MPCA SA program conducted continued investigation of the hazardous substances or pollutants or contaminants.

The MPCA listed the Site on the State Permanent List of Priorities (PLP) on February 25, 2014, with a Hazard Ranking System (HRS) score of 1.

Corrective Actions Completed for the Petroleum Release
From 1998-2013, light non-aqueous phase liquid containing PCP was removed from the Site. Recovery methods included the use of petroleum absorbent socks, hand removal with a bailer, and using a vacuum truck and/or peristaltic pump.

Conclusion

The Minnesota Decision Document (MDD), issued on March 31, 2016, presents the selected remedial action and cleanup levels, as well as the response actions undertaken at the site. Hazardous materials in exceedance of clean-up levels in the soil were excavated from the site. The MPCA has determined that the selected response actions for the Site are protective of human health, welfare, or the environment and that residual contaminants remaining in soil, groundwater, and soil vapor no longer pose a threat to human health, welfare, or the environment from a release or threatened release of the hazardous substance, or pollutant or contaminant. MPCA staff recommends that the Site be removed from the PLP.

ATTACHMENT 1

Boyer Lumber Superfund Site

Minnesota Decision Document

Additional site work completed by the MPCA included the advancement of additional soil borings, the installation of additional monitoring wells, the collection and disposal of free-phase fuel oil present in the monitoring wells, and the completion of a multi-phase extraction (MPE) pilot test. During the June 2004 MPE pilot test, analysis of the MPE system effluent identified the presence of pentachlorophenol (PCP). Subsequent analysis of the free-phase fuel oil revealed PCP present at a concentration of 880,000 micrograms per liter (µg/L).

Subsequent to the discovery of PCP, the MPCA's Petroleum Remediation Program and Site Assessment Program worked together to expand the scope of the environmental investigation to include potential non-petroleum contaminants. The Petroleum Remediation Program closed the leak file for the Site in December 2009. Non-petroleum related site work continued under the Site Assessment Program. The Site was eventually transferred from Site Assessment Program to the Superfund Program. The Site was added to the Minnesota State Permanent List of Priorities on February 25, 2014.

a. Remedial Investigation

I. Soil Analytical Data for Superfund Contaminants of Concern

Between 2006 and 2013 the MPCA collected 24 PCP soil samples and 25 dioxin soil samples at the Site. Six soil samples had detectable levels of PCP present with results ranging from 0.945 milligrams per kilogram (mg/kg) to 101 mg/kg. None of the PCP sample results exceeded the current Tier 2 Soil Reference Value (SRV) of 120 mg/kg, which is the exposure level protective of human health in a commercial setting. The identified PCP impacts extended from the ground surface to a depth of approximately 18 feet below grade. Each soil sample had detectable levels of dioxins present as (2,3,7,8- tetrachlorodibenzo-p-dioxin equivalents) with results ranging from 0.0000000030 mg/kg to 0.00077 mg/kg. Several dioxin samples exceeded the current Tier 2 SRV of 0.000035 mg/kg, indicating the dioxin levels present were not protective of human health. The identified dioxin impacts extended from the ground surface to a depth of approximately four feet below grade.

II. Groundwater Analytical Data

Between November 2003 and March 2007, the MPCA collected groundwater analytical samples from 24 soil borings/temporary monitoring wells advanced at the Site. Groundwater contamination exceeded the Minnesota Department of Health's Health Risk Limits (HRLs) for PCP and benzene, 0.3 µg/L and 2 µg/L, respectively; however, the groundwater monitoring data indicated a stable groundwater plume primarily confined to the boundaries of the Site. Based on the data results, the MPCA discontinued groundwater monitoring in 2007.

II. Vapor Intrusion Assessment

The contaminant types present, along with land use and zoning in the immediate area (commercial and/or industrial) around the Site, indicate vapor intrusion risks are low.

b. DOCUMENTS REVIEWED

The MPCA based its remedial action decision on the files, records and proceedings of the MPCA including, but not limited to, the following formal reports. These Site Documents describe the Site conditions and characteristics, evaluated selected alternatives, and describe the effectiveness and cost analysis of various response actions for the Site:

Potential exposure to contaminated surface soils was determined to be the primary human health pathway of concern at the Site. As such, MPCA staff selected the SRVs as reasonable and appropriate cleanup levels for the 2014 excavation. The current and planned use of the impacted area is commercial; therefore, the commercial Tier 2 SRVs are appropriate and were applied (see Attachment 2).

Because the source of impacted soil was removed in December 2014, the primary exposure pathway to potential receptors has been disrupted. The filed Affidavit discloses the remaining contamination at the Site. Therefore, the overall short-term and long-term presents a high measure of effectiveness for the response action.

f. DESCRIPTION OF SELECTED RESPONSE ACTIONS

Based on the results of the 2014 Excavation Report and the filing of the Affidavit in July 2015, the MPCA is recommending that no further actions are necessary in response to releases identified at the Site.

g. RESPONSIVENESS SUMMARY

Pursuant to Minn. Stat. § 115B.17, subd. 2b (2014), the MPCA issued a public notice regarding the proposed response action. The notice was published in the Mesabi Daily News newspaper on December 23, 2015 and comments were accepted until January 23, 2016. No comments were received.

h. STATUTORY DETERMINATIONS

The selected response actions are consistent with the Minnesota Environmental Response and Liability Act, Minn. Stat. §§ 115B.01 to 115B.24 (MERLA), and are not inconsistent with the Federal Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. § 9601 *et seq* (CERCLA) and the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 C.F.R. Part 300. I have determined the selected response actions are protective of public health and welfare and the environment.

Kathryn Sather — 3/31/2016

Kathryn Sather
Director
Remediation Division

Date

959318

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MPCA Site IDs: SA4517 & SR370

4. The Boyers began an investigation of the petroleum release, including the advancement of several soil borings and one monitoring well, but did not complete the investigation. The MPCA Petroleum Remediation Program took over the petroleum investigation as a fund financed project in 2003. During a June 2004 multi-phase extraction ("MPE") pilot test for free phase petroleum remediation, pentachlorophenol ("PCP") was discovered in the MPE system effluent and Site ID SA4517 was assigned to investigate the PCP detection. Subsequent to the discovery of the PCP, the MPCA Petroleum Remediation Program and the MPCA Site Assessment Program worked together on investigation of the Property.

Site Assessment Program staff assigned Site ID SR370 to the Property in 2006 to further investigate non-petroleum impacts. Petroleum Remediation Program staff closed the petroleum release investigation in December 2009, although continued assessment of the non-petroleum impacts was conducted under the Site Assessment Program until 2013. The Property was transferred from the Site Assessment Program to the Superfund Program and was added to the Minnesota State Permanent List of Priorities on February 25, 2014.

5. Between 2003 and 2013, the MPCA and their consultant, Terracon Consultants, Inc., installed a number of push probes, hand augers, monitoring wells, and test wells to investigate the extent and magnitude of petroleum and non-petroleum impacts. Further investigation identified the presence of volatile organic compounds ("VOCs"), polycyclic aromatic hydrocarbons ("PAHs"), dioxin, and PCP in soil from just below ground surface ("bgs") to 18 feet bgs. Groundwater sampling documented the presence of free product (also referred to as light non aqueous phase liquid, LNAPL), VOCs, PAHs, and PCP, and was consistent with soil sampling results. Groundwater monitoring data identified a stable groundwater plume confined to the boundaries of the Site, and groundwater monitoring was discontinued in 2007.

Pilot testing of a MPE system was completed, but the system was not constructed, LNAPL was removed over time with the use of petroleum absorbent socks, via hand removal with a bailer, and with recovery using a vacuum truck and/or a peristaltic pump. The monitoring wells and test wells were sealed between May 19 and 21, 2014. A response action, consisting of soil excavation (approximately 591 tons of surface soil), was conducted in 2014. The excavation was completed during December 2014 and is documented in *Excavation Cleanup Report – 2014, by Terracon Consultants, Inc., and dated March 20, 2015 ("the Excavation Report").*

6. Contaminants are of concern only if contaminants are detected at concentrations greater than a regulatory action level as listed below.

Contaminant	Acronym	Applicable Regulatory Standard
Diesel Range Organics	DRO	Concentrations > 10 parts per million ("ppm") in top 2 feet soil; Groundwater concentrations > 200 micrograms per liter ("µg/L")
Gasoline Range Organics	GRO	Concentrations > 10 ppm in top 2 feet soil; Groundwater concentrations > 200 µg/L
Pentachlorophenol	PCP	Industrial Soil Reference Value ("SRV"), Soil Leaching Value ("SLV"); Groundwater concentrations > 0.3 µg/L
Tetrachlorodibenzo-p-dioxin	TCDD	Industrial SRV, SLV; Groundwater concentrations > 0.00003 µg/L
Semi-volatile organic compounds	SVOC	Industrial SRV, SLV; Groundwater concentrations > health risk limits ("HRLs")
Benzene	-	Groundwater concentrations > 2 µg/L

10. Further, Affiant states that he makes this Affidavit based upon information provided to the Affiant from consultants, contractors, and MPCA representatives, and the Affiant states that the information contained herein is true and correct to the best of knowledge of the Affiant.

By _____ (signature)

Jim Roszak, Chief Manager
Cedar Isle Holdings, LLC

ACKNOWLEDGMENT

STATE OF ~~MINNESOTA~~ CALIFORNIA ss

COUNTY OF ORANGE

On this 23 day of June, 2015, before me a notary public within and for said County and State, personally appeared Jim Roszak to me personally known, who, being duly sworn by me on oath, did say that he is the person who signed the foregoing instrument and acknowledged that he signed the same as free act and deed for the uses and purposes therein set forth.

_____ (signature)

Notary Public, ORANGE County,

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT

ELLEN STUEBER
Commission # 2007856
Notary Public - California
Orange County
My Comm. Expires Feb 14, 2017

THIS INSTRUMENT WAS DRAFTED BY:
Richard H. Crum, P.G.
Northeast Technical Services, Inc.
526 Chestnut Street, Virginia, MN 55792

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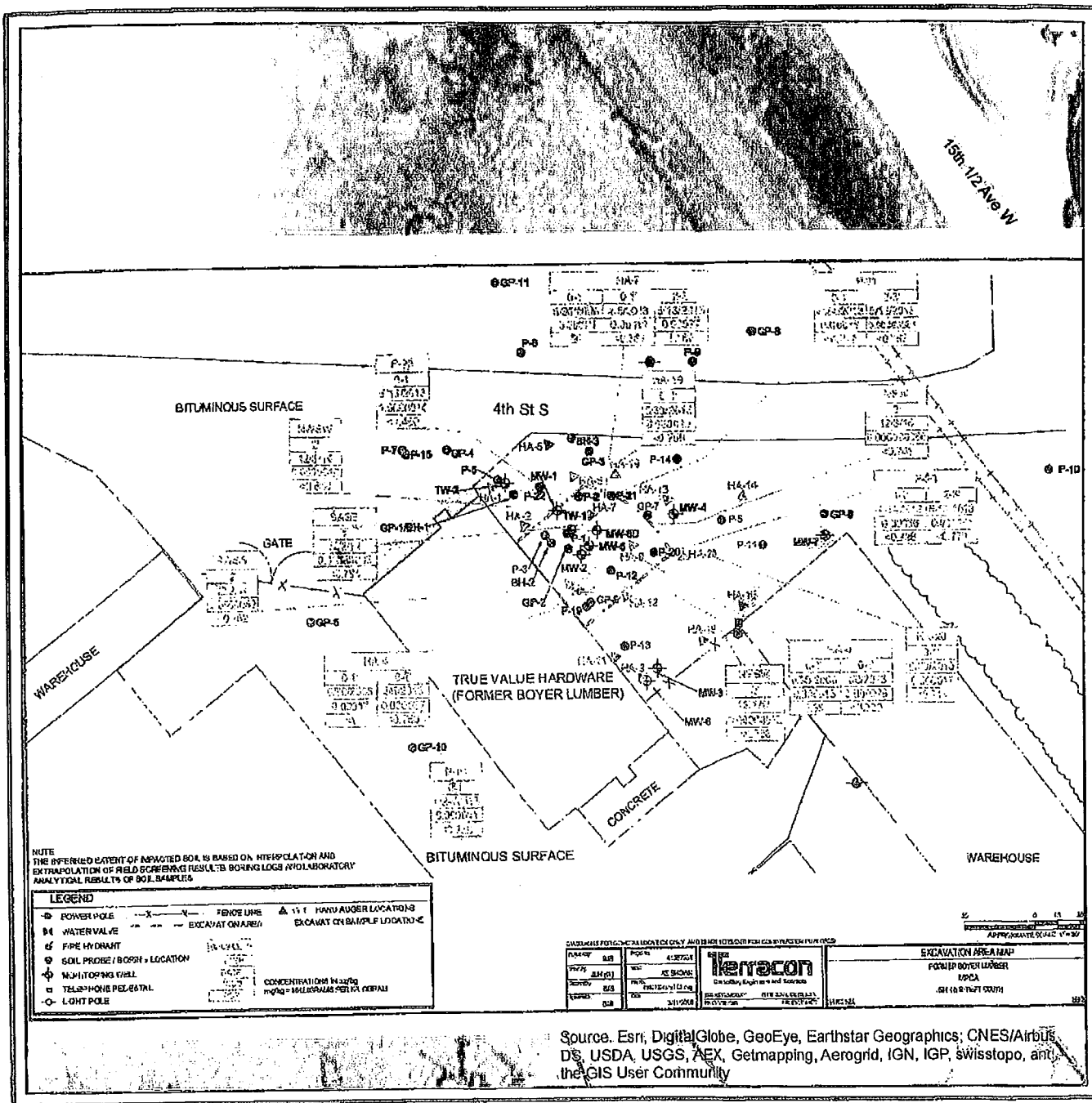

Legend

Project Boundary

Parcel Boundary

Reference Overlay:
Terracon Figure - 3 (Project No. 41087004)
Excavation Area Map
Former Boyer Lumber

N

0 30 60 120

Feet

1 inch = 60 feet

Environmental Science & Engineering 526 Chestnut Street Virginia, MN 55792-1142 218.741.4290	Drawn By: SRP Date: 26 May 2015 Checked RC	Range Rental Affidavit Former Boyer Lumber 1504 4th St. South Virginia, Minnesota (St. Louis)	Exhibit 2 Terracon Excavation and Sampling Map NTS Project #: 10553 Date: 26 May 2015	2 SHEET

ATTACHMENT 2

Boyer Lumber Superfund Site

Applicable Commercial Soil Reference Values (SRVs)

Contaminant	Milligrams per kilogram (mg/kg)
Dioxins (as 2,3,7,8- tetrachlorodibenzo-p-dioxin equivalents)	0.000035

Attachment 5: Final Site List for August 2016 Update to PLP (Sites Listed Alphabetically)

ATTACHMENT 5

Permanent List of Priorities (Minnesota Superfund List) - August 2016

Site Name	City	County
55th Street and Lyndale Avenue South	Minneapolis	Hennepin
3M Chemolite Disposal Site	Cottage Grove	Washington
Ace Sign	Willmar	Kandiyohi
Arcade Street North & Hawthorne Avenue East	St. Paul	Ramsey
Arrowhead Refinery Company	Duluth	St. Louis
Ashland Oil/Park Penta/Sonford Products Site	St. Paul Park	Washington
Baytown Township Ground Water Contamination	Baytown Township	Washington
Bell Lumber & Pole Company	New Brighton	Ramsey
Boise Cascade/Medtronic	Fridley	Anoka
Boise Cascade/Onan	Fridley	Anoka
Brainerd Foundary	Brainerd	Crow Wing
Brooklyn Park Dump	Brooklyn Park	Hennepin
Bulinski Point	Ely	St. Louis
Burlington Northern Car Shops	Brainerd	Crow Wing
Burlington Northern Tie Plant	Waite Park	Stearns
Capril Beauty Salon	Minneapolis	Hennepin
Cedar Service - Bemidji (MDA)	Byron	Olmsted
Cedar Service - Minneapolis (MDA)	Minneapolis	Hennepin
Centerville Dump	Bemidji	Beltrami
Chemical Marketing Corp.	White Bear Township	Ramsey
Clothing Care Cleaners	Minneapolis	Hennepin
CMC Heartland Lite Yard Site(MDA)	Rochester	Olmsted
D's Fabric Care	Cloquet	Carlton
Duluth Air Force Base	Duluth	St. Louis
Duluth Former City Dump	Duluth	St. Louis
Edina Well Field	Edina	Hennepin
Electric Machinery	St. Cloud	Stearns
Esko Ground Water	Esko	Carlton
Exclusive Cleaners	Worthington	Nobles
Farmington Ground Water Plume Site	Fridley	Anoka
Finland Air Force Base	Farmington	Dakota
Fish Hatchery Dump	Finland	Lake
FMC Corporation - Fridley Plant	St. Paul	Ramsey
Freeway Sanitary Landfill	Burnsville	Dakota
General Mills	Minneapolis	Hennepin
Hibbing Gas Mfg.	Hibbing	St. Louis
Highway 96 Dump	White Bear Lake	Ramsey
Hmong Shopping Center	Brooklyn Center	Hennepin
Honeywell, Inc. - Golden Valley Plant	Golden Valley	Hennepin
Hospital Linen	St. Paul	Ramsey

Isanti Solvent Site	Isanti County	Isanti
Joslyn Mfg. & Supply Company	Brooklyn Center	Hennepin
Kettle River Company – Creosote(MDA)	Sandstone	Pine
Lakeland Ground Water Contamination*	Lakeland	Washington
Little Fork Ground Water Contamination	Littlefork	Koochiching
Long Prairie Ground Water Contamination	Long Prairie	Todd
Lyndale Avenue Corridor	Bloomington	Hennepin
MacGillis & Gibbs Company	New Brighton	Ramsey
Main Street Solvent Plume, Biwabik	Biwabik	St. Louis
Mankato Plating	Mankato	Blue Earth
Mibco	Minnetonka	Hennepin
Minnegasco	Minneapolis	Hennepin
Minnesota Valley Landfill	Shakopee	Scott
Oakdale Dump, 3M	Oakdale	Washington
Old Freeway Dump	Burnsville	Dakota
Page & Hill (MDA)	Big Falls	Koochiching
PCI, Inc.	Shakopee	Scott
Perham Arsenic Site	Perham	Otter Tail
Peter Pan Dry Cleaners	Duluth	St. Louis
Pig's Eye Landfill	St. Paul	Ramsey
Pilgrim Cleaners	Brooklyn Park	Hennepin
Pine Street Dump	Hastings	Dakota
Poplar Hill Solvent Plume, Hibbing	Hibbing	St. Louis
Precision Plating	Minneapolis	Hennepin
Pure Oil Bulk Storage Facility	Excelsior	Hennepin
Reserve Mining	Silver Bay	Lake
Reilly Tar	St. Louis Park	Hennepin
Rice County Dump (Former)	Dundas	Rice County
Ritari Post and Pole	Sabeka	Wadena
Rochester Ground Water Plume	Rochester	Olmsted
Schloff Chemical	St. Louis Park	Hennepin
Southeast Hennepin Area Groundwater and Vapor Site	Minneapolis	Hennepin
Southview Boulevard	South St. Paul	Dakota
Spring Park Municipal Wells	Spring Park	Hennepin
St. Louis Park Solvent Plume	St. Louis Park	Hennepin
St. Louis River/Interlake/Duluth Tar	Duluth	St. Louis
St. Louis River/U.S. Steel	Duluth	St. Louis
St. Paul Levee Property	St. Paul	Ramsey
St. Regis Paper	Cass Lake	Cass
Superior Plating, Inc.	Minneapolis	Hennepin
Tonka Main Plant	Minnetonka	Hennepin
Twin Cities Army Ammunition Plant/ New Brighton/ Arden Hills/St. Anthony Site	Arden Hills	Ramsey
Universal Plating	Minneapolis	Hennepin
University Avenue and Pascal Street Area	St. Paul	Ramsey
U.S. Naval Industrial Reserve Ordinance Plant (NIROP)	Fridley	Anoka
Valentine-Clark	Minneapolis	Hennepin
Waite Park Ground Water Contamination Site	Waite Park	Stearns

West 66th Street and Vincent Avenue	Richfield	Hennepin
West Broadway Ground Water Plume(Owatonna)	Owatonna	Steele
West Duluth Industrial Site	Duluth	St. Louis
Whiteway Cleaners	Minneapolis	Hennepin
Winona Ground Water Contamination (Clarks Lane/Gilmore Avenue)	Winona	Winona