

Attachment 1

HENNEPIN COUNTY

MAR - 7 2007

DEPARTMENT: POLLUTION CONTROL AGENCY

ENVIRONMENTAL
SERVICES

STATE OF MINNESOTA

SF-00006-05 (4/86)

Office Memorandum

DATE: March 5, 2007

TO: Gary Krueger, Planner Principal
Superfund Unit 1
Superfund and Emergency Response Section
Remediation Division

FROM: Steven M. Schoff, Project Manager *S.M.S.*
Superfund Unit 1
Superfund and Emergency Response Section
Remediation Division

D.W.
Douglas Wetzstein, Supervisor
Superfund Unit 1
Superfund and Emergency Response Section
Remediation Division

PHONE: 651-297-1790

SUBJECT: Delisting of Soil Operable Unit of the Whiteway Cleaners State Superfund Site

The Minnesota Pollution Control Agency (MPCA) Superfund Unit 1 staff recommends the Soil Operable Unit of the Whiteway Cleaners State Superfund Site (Site) be delisted from the Permanent List of Priorities (PLP).

The Site is located at 113 East 26th Street in Minneapolis, Hennepin County and is not affiliated with White Way Cleaners & Launderers in St. Paul. Despatch Laundry operated a dry cleaning and laundry facility at the site from the early 1900s up until the mid-1980s. Whiteway Cleaners purchased Despatch Laundry in the mid-1980s and the facility was closed shortly thereafter in 1988. Dry cleaning facility operations included the on-site bulk storage and use of both petroleum based and chlorinated solvents. A garage/filling station was present on the northeastern portion of the Site from the 1930's until the mid 1940's. A residential home and garage owned and used by the owner of the dry cleaning facility was located immediately south of the dry cleaning facility.

The Site no longer is in operation and the Site buildings have been torn down and the underground storage tanks removed. The Site is a State of Minnesota tax-forfeited property administered by Hennepin County. Hennepin County is actively working with a developer to develop the property for residential and commercial use.

Soil and ground water beneath the Site are contaminated with dry cleaning solvents and petroleum compounds. The primary contaminant of concern (COC) associated with the Site is perchloroethylene (PCE). Other COCs include trichloroethylene (TCE), cis-and trans-1,2-dichloroethylene(DCE), and various gasoline range organic(GRO) and diesel range organic (DRO) compounds. The Site was added to the PLP in 1998.

Response actions completed at the Site were generally performed over two discreet time periods. Some response actions were completed in the early to mid-1990s, shortly after the dry cleaner closed and all business operations ceased.

These response actions addressed issues that were of immediate concern to human health and safety. Additional interim response actions were performed in the mid-2000s, after Site investigation activities had been completed, in preparation of future Site redevelopment.

The following response actions were completed at the Site in the early to mid 1990s:

1. In February 1991, one deep aquifer water well located on-site was sealed.
2. In 1992, 32 drums of waste materials were removed from the building.
3. In 1993, six underground storage tanks (USTs) were removed, one UST was removed previously in 1988.
4. In 1994, the dry cleaning facility was demolished. Demolition work was limited to above ground structures, footings and foundation wall were left in place and covered with fill.

The following interim response actions were completed at the Site from late 2004 through mid 2006:

1. In the fall of 2004, a temporary soil vapor extraction (SVE) system was installed at the Site to mitigate PCE concentrations in shallow soil to remove sufficient mass of PCE to allow excavation activities associated with Site redevelopment.
2. In preparation of Site redevelopment work, Hennepin County with authorization from the MPCA abandoned all monitoring wells located on-site. The abandoned wells will be replaced by Hennepin County as Site redevelopment proceeds.
3. In the winter of 2005/2006, non-native backfill material used during Site demolition and old footings, foundation, basement walls and floors were excavated and the soil reconditioned in preparation of Site redevelopment. Approximately 2,200 tons of soil and 3,200 tons of concrete were disposed of in off-site landfills during the reconditioning process.

The final response action for the Site consists of a long-term operation of a SVE system which was installed in spring of 2006. The long-term SVE system eliminates contaminated soils as a source of sub-surface vapor migration towards utility corridors, off-site structures and future on-site structures. The long-term SVE system will have a beneficial effect on ground water quality beneath the Site.

MPCA staff makes the recommendation to delist the Soil Operable Unit of the Whiteway Cleaners Site on the fact that no further Superfund response actions are required at the Site. All remedial systems are in place and operational. The response actions are protective of human health and the environment and the Site does not pose a threat to public health and the environment.

SS/DW:csa

cc: Kathy Sather, Remediation Division
Michael Kanner, Remediation Division

MINNESOTA DECISION DOCUMENT

FEB 02 2007

White Way Cleaners Site
113 East 26th Street
City of Minneapolis, Hennepin County, Minnesota

Department of
Environmental Services

SITE DESCRIPTION

The White Way Cleaners Site (Site), located at 113-115 26th Street East and 2600-2614 Stevens Avenue, Minneapolis, Minnesota, is a former Dry Cleaner facility. The Site is a State of Minnesota tax-forfeited property administered by Hennepin County. For approximately the past two years, the Site has been fenced in and unused while various temporary and long-term response actions were implemented. A soil vapor extraction (SVE) system was recently installed to remove volatile organic compounds (VOCs) from the subsurface in preparation of future development. Previously, the Site was used as an unpaved parking lot. The Site location is shown on the following page as Figure 1.

The following information regarding the Site was taken from the Minnesota Pollution Control Agency (MPCA) 2001 Superfund List - Permanent List of Priorities document:

Site Name: White Way Cleaners

Location: 113 East 26th Street
Minneapolis, Hennepin County

Priority: Permanent List of Priorities Classification:
C: Response Action Design and Implementation
D: Remedial Investigation, Feasibility Study

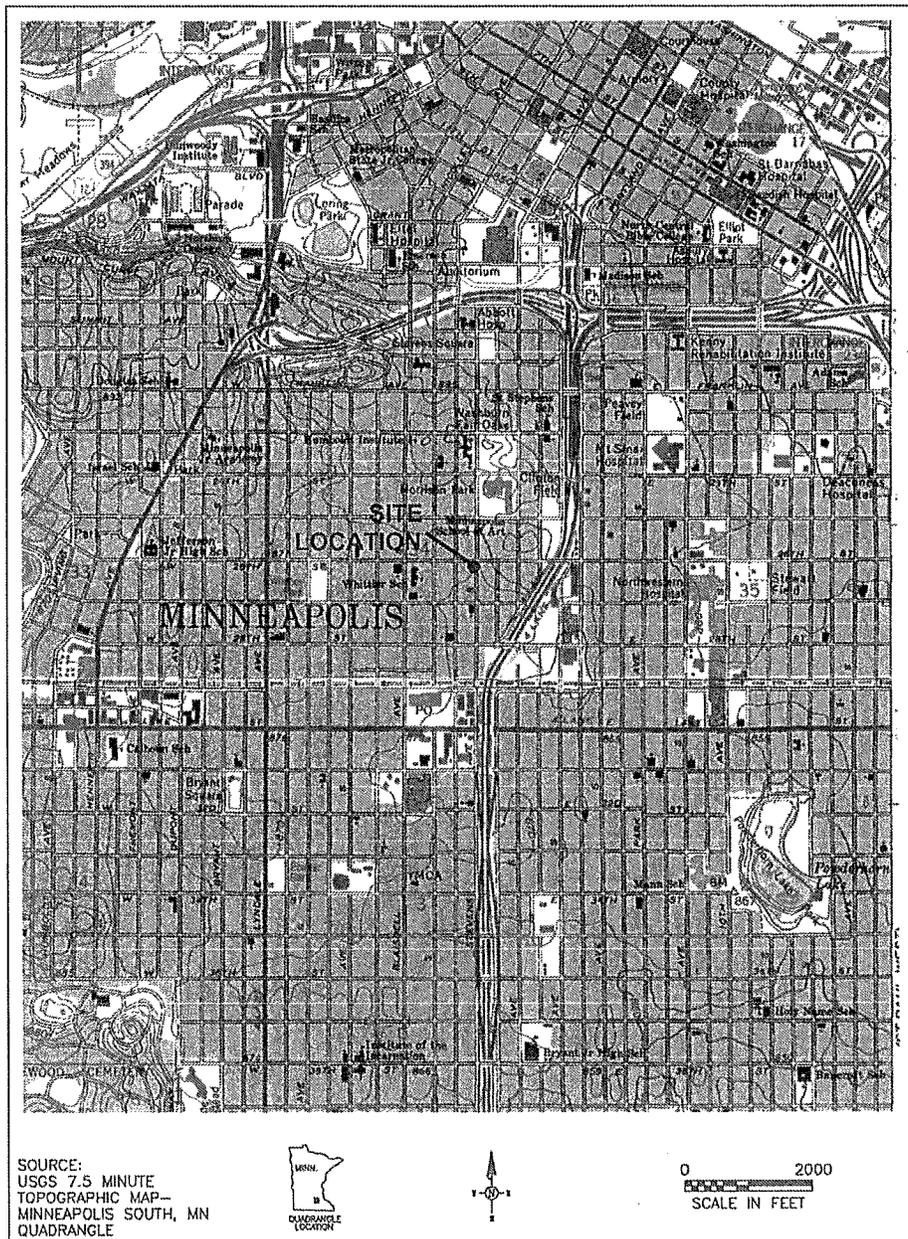
National Priority List: No Score: 4.26

Site Description:

White Way Cleaners operated a dry cleaning and laundry facility in Minneapolis from the early 1900s up until 1986. The Site had a drop-off and pick-up point in a building directly behind the dry cleaning building. The Site no longer is in operation and the Site buildings have been torn down and the underground storage tanks removed.

In February 1988, Nova Environmental Services, Inc. was conducting soil borings at the Site and perchloroethylene (PCE) vapors were found to be venting under pressure through a lug nut hole on the drill head assembly. For an unspecified period of time during the operation of the facility, PCE spilled from tanks on the first floor of the dry cleaning building and entered the soil beneath the basement floor. A hole in the floor, 1.5 to 2 feet deep into the sand below, yielded vapor concentrations greater than 1,000 parts per million (ppm) when monitored with an organic vapor analyzer. Soil samples taken in this hole have shown PCE concentrations of 240 parts ppb.

Figure 1: White Way Cleaners Site Location Map



A ground water sample taken immediately east of the Site at 75 feet below ground surface contained 8,900 ppb PCE, 220 ppb trichloroethylene (TCE), 72 ppb 1,2-dichloroethene and 2,500 ppb of total petroleum hydrocarbons as gasoline. A former 1,000-foot-deep well at the Site was sampled and found to contain TCE and was subsequently sealed. The Site is tax-forfeited property due to unpaid taxes and is currently administered by Hennepin County.

Current Status: MPCA lead investigation.

STATEMENT OF PURPOSE

This Minnesota Decision Document (MDD) presents the selected response actions and clean-up criteria for source area contamination at the Site and summarizes the facts and determinations made by Minnesota Pollution Control Agency (MPCA) staff in approving the recommended response actions.

The selected response actions are intended to (1) remediate contaminated soil as a potential source of chemical vapors to utility corridors, buildings adjacent to the Site and future buildings planned for construction on-site; (2) control the contamination source to prevent further degradation of ground water quality; (3) design and operate the remediation system in a manner that prevents the emission of VOCs to the atmosphere in a residential/light commercial neighborhood; (4) ensure that appropriate engineering controls are incorporated into the design of new structures built on-site to prevent VOC migration from the subsurface into indoor air; (5) ensure that appropriate contingency and health and safety plans are in place to allow below ground construction work to be completed in a manner that is protective of human health and safety; and (6) long-term ground water monitoring and the evaluation of natural attenuation of ground water contamination once source area soil remediation has been accomplished.

The Commissioner or his delegate has determined that the response actions set forth in this MDD are reasonable and necessary to protect the public health and welfare and the environment from the release and threatened release of hazardous substances and/or pollutants and contaminants from the Site.

DESCRIPTION OF PROBLEM

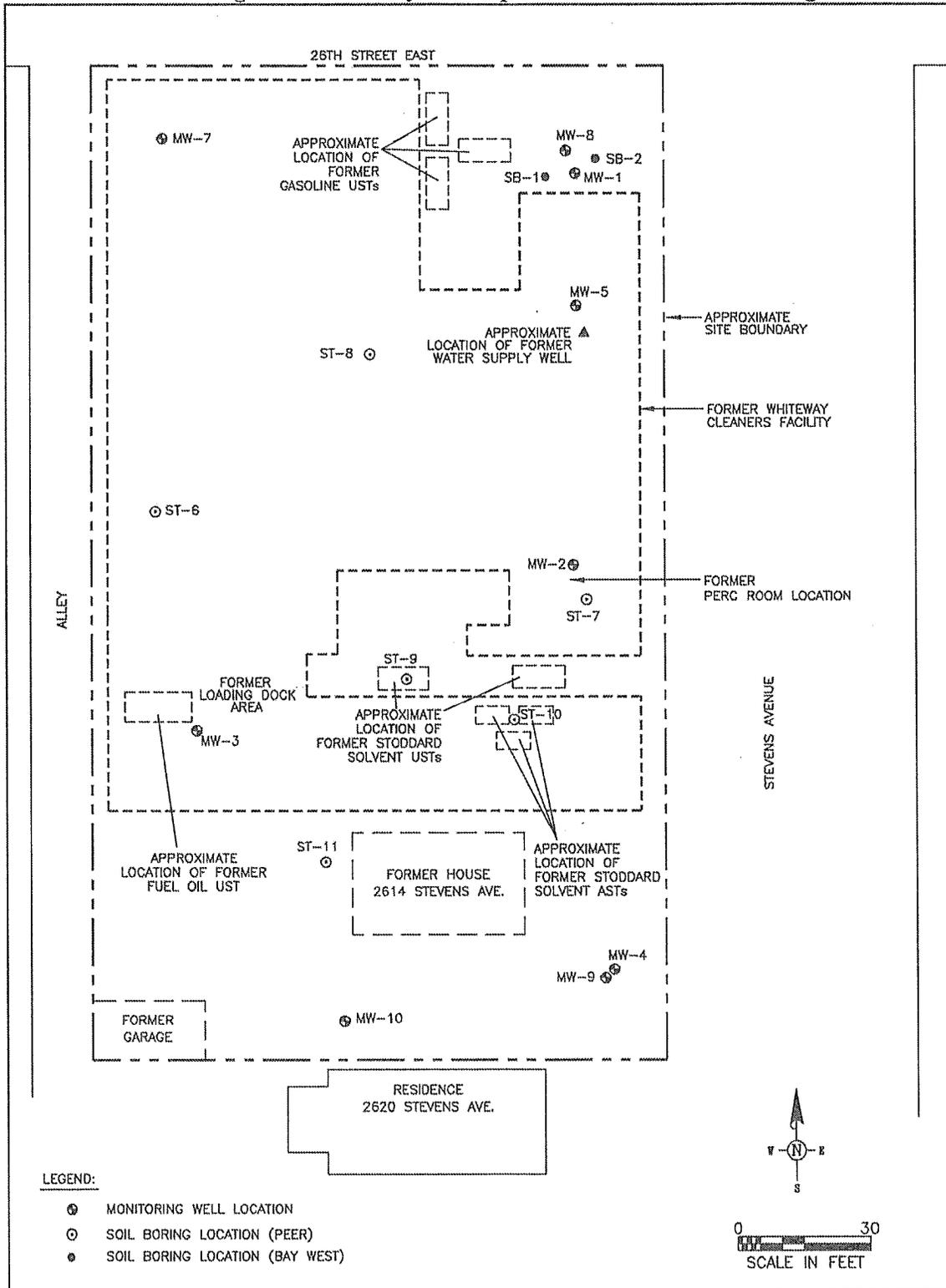
Industrial dry cleaning was conducted at the Site from the early 1900s to approximately 1986. Dry cleaning facility operations included the on-site bulk storage and use of both petroleum-based and chlorinated solvents. A garage/filling station was present on the northeastern portion of the Site from the 1930's until the mid 1940's. A residential home and garage owned and used by the owner of the dry cleaning facility was located immediately south of the dry cleaning facility. As shown in Figure 2 on the following page, the residential property referenced above is also considered part of the Site.

Historic records indicated that seven underground storage tanks (USTs) and three above ground storage tanks (ASTs) were present at the Site at one time. These tanks were removed in the early 1990s. Several small volume tanks, process vessels, and one water well, were discovered buried during the performance of field work completed in early 2006. The tanks/vessels were removed and the well abandoned shortly after their discovery. Dry cleaning solvents and petroleum products, including stoddard solvent, gasoline, and fuel oil, were stored in the USTs, ASTs and process vessels.

Soil and ground water beneath the Site are contaminated with dry cleaning solvents and petroleum compounds as the result of accidental spills of these materials and leaks from USTs, ASTs and process vessels. Additionally, it appears that outright disposal of some of these materials and dry cleaning wastes may have occurred at the Site. The primary contaminant of concern (COC) associated with the Site is PCE. Other COCs include TCE, cis- and trans-1,2-dichloroethylene (DCE), and various gasoline range organic (GRO) and diesel range organic (DRO) compounds.

Due to the high concentrations of the chemicals detected in near surface soil and the high volatility of most of these compounds, subsurface vapor migration has also occurred near the Site.

Figure 2: Site Layout Map with Former Site Buildings



Use of adjoining properties has included service stations, dry cleaning facilities, painting facilities and an enameling facility since the early 1900s. These types of businesses use many of the same solvents and petroleum products as were once used at the Site. While the vast majority of the contamination identified beneath and down-gradient the Site is believed to have originated at the Site, it is acknowledged that these off-site locations have the potential to be contributing factors to ground water contamination identified off-site.

Site stratigraphy consists of unconsolidated material to a depth of approximately 90 feet below ground surface, followed by bedrock. Within the unconsolidated zone, stratigraphy generally consists of between 2 and 15 feet of fill material, with the underlying material consisting predominantly of well-sorted to poorly-sorted sand deposits, with inter-bedded lenses of less permeable material. Some of the inter-bedded lenses are contiguous, such as a 5- to 10-foot-thick layer of sandy lean clay between 14 and 25 feet below ground surface. Other lenses are discontinuous, such as the silt layer encountered in some boring locations at a depth between 28 and 38 feet below ground surface. The first bedrock unit encountered beneath the Site is the Platteville Formation. Figure 3 on the following page provides a general illustration of Site stratigraphy that includes both unconsolidated material and bedrock zones. Figure 4 provides a general illustration of the upper 35 feet of unconsolidated material, including details on the lenses described above.

The ground water table beneath the Site is encountered in the unconsolidated material at a depth of approximately 60 to 65 feet below ground surface. Ground water contamination is present in both the unconsolidated aquifer and underlying bedrock aquifers. As chlorinated solvents are heavier than water, monitoring wells were installed at both the surface of the ground water table and the surface of the bedrock unit to evaluate the vertical distribution of contaminants and the possible presence of a dense, non-aqueous phase, liquid (DNAPL) solvent plume. Investigation results indicate a DNAPL plume is not present beneath the Site. Petroleum hydrocarbons are lighter than water and form a light, non-aqueous phase, liquid (LNAPL) plume when present in sufficient quantity. Investigation results indicate a LNAPL plume is not present beneath the Site.

Various environmental investigations identified several areas of highly contaminated soil beneath the Site. The maximum PCE concentrations detected in soil exceed the MPCA Tier 1 (residential) Soil Reference Value (SRV, 72 mg/kg) by a factor of several hundred. All PCE detections which exceed the SRV were identified in soil samples collected at depths greater than two feet below ground surface. As such, there is little potential for PCE exposure by direct contact with, or ingestion of, highly contaminated soil by local residents or people that might have access to the Site. The same is true for the high levels of residual petroleum contamination found in soil beneath at the Site. Soil fill reconditioning work (described later in this MDD) completed in 2006 removed even this minor potential for exposure to PCE and VOCs in shallow soils.

The contaminated soil remaining beneath the Site does serve as a continuing source of ground water contamination and is the likely source of elevated VOC concentrations that have been detected in indoor air in adjacent buildings. Figure 5 provides a summary of PCE concentrations detected in soil beneath the Site during a phase of work where suspected source areas were investigated. Figure 6 provides a PCE soil concentration contour map and GRO-DRO soil concentrations detected during some of the initial investigations performed.

**Figure 3: Representative Geologic Cross-Section,
Including Unconsolidated Material and Bedrock**

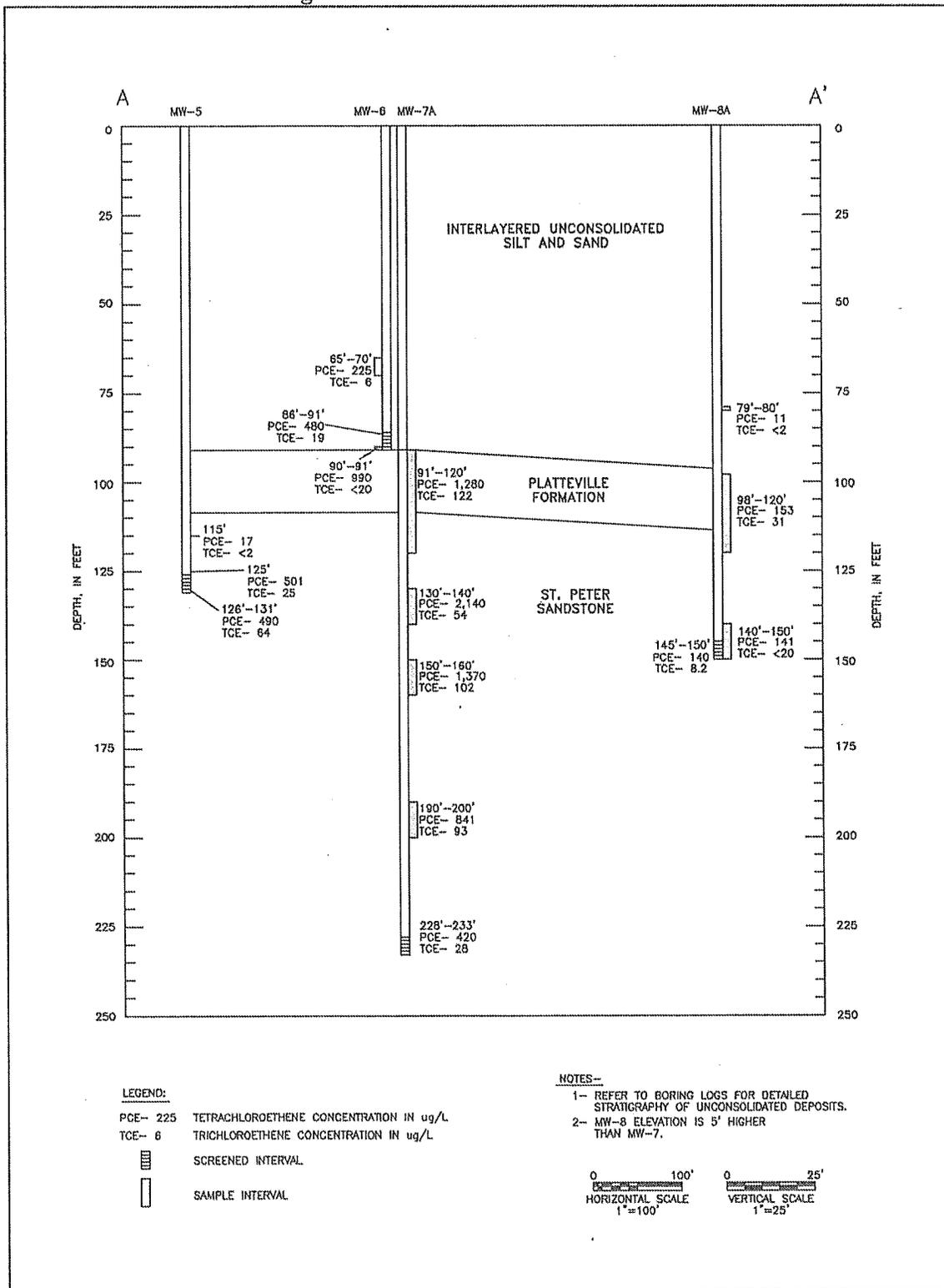


Figure 5: PCE Concentrations in Suspected Source Area Soils

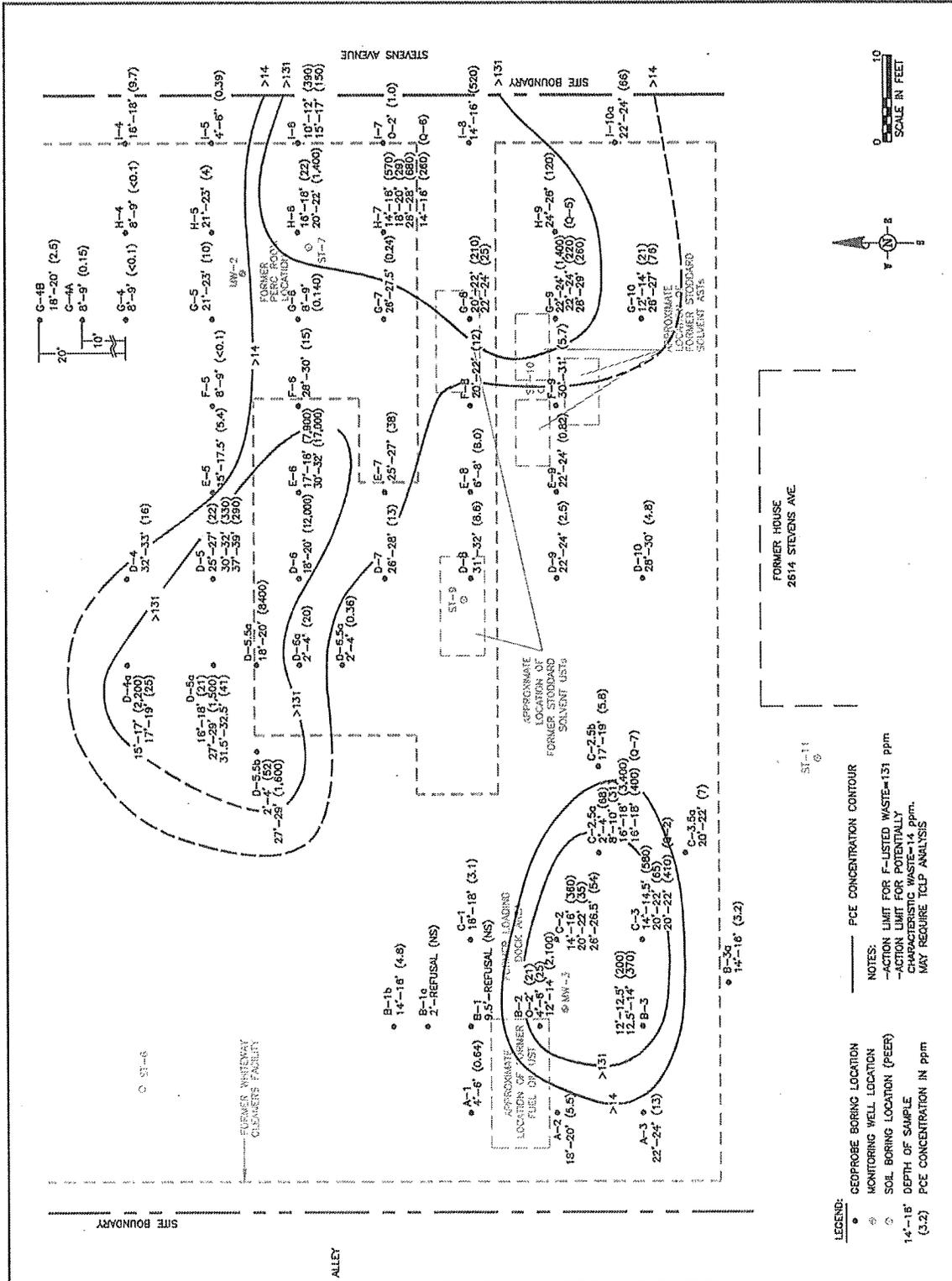


Figure 6: PCE Soil Concentration Contour Map and GRO-DRO Concentration Map

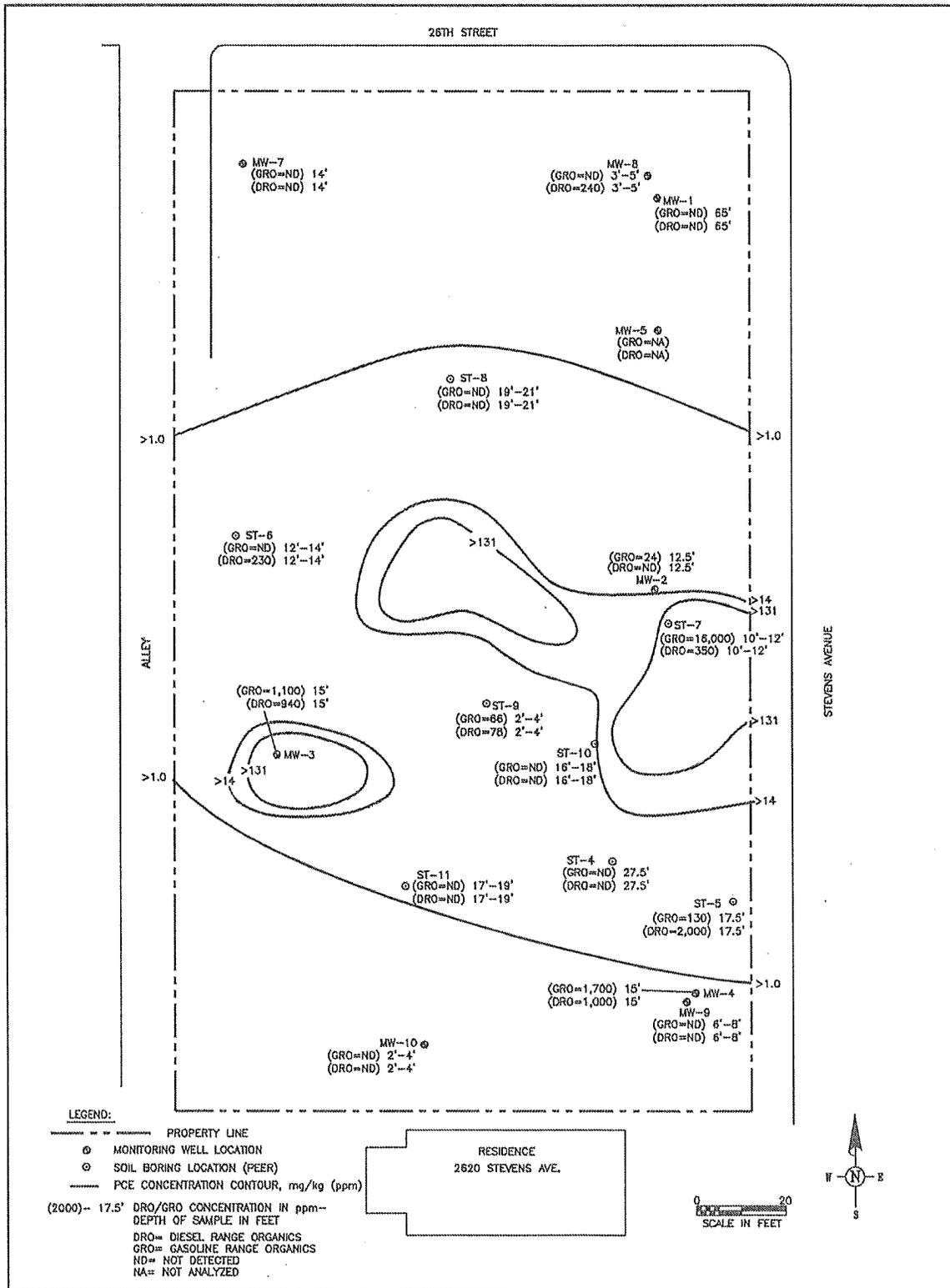


Figure 7 provides additional PCE data obtained during a subsequent investigation phase that focused on evaluating contaminant concentrations outside the historic source areas and shallow soil that construction workers have the potential to come in contact with during Site redevelopment activities.

The maximum, historic, PCE concentration detected in the uppermost, non-perched, ground water unit beneath the Site (30,900 $\mu\text{g/l}$, October 2004) exceeded the Minnesota Department of Health (MDH) Health Risk Limit (HRL, 7 $\mu\text{g/l}$) by a factor of 4,400. TCE has also been detected at concentrations above its interim recommended exposure limit (5 $\mu\text{g/l}$), with the greatest concentration (186 $\mu\text{g/l}$, October 2004) detected in monitoring well MW-7, located near the northwest corner of the Site. The ground water plume extends under residential neighborhoods to the east and northeast of the Site. The highest PCE concentration detected in an off-site well was 23,000 $\mu\text{g/L}$ (October 2004) at MW-12, located east of the Site. Figure 8 illustrates PCE concentrations detected in monitoring wells during the September/October 2004 ground water monitoring event associated with the Site.

Residences and businesses in the City of Minneapolis are connected to the municipal water supply. As such, exposure to contaminated ground water through ingestion or direct contact is unlikely. Given the depth to the surficial water-bearing unit (i.e., approximately 60 feet below ground surface), ground water vapor migration is not expected to be an exposure pathway that will result in a health risk for people in existing/planned buildings on, or adjacent to, the Site.

Ground water flow is generally to the east, southeast, towards the Mississippi River within the sand unit. Ground water in the bedrock aquifers also likely flows to the east, southeast. Laboratory analytical results suggest the extent of the ground water contaminant plume in the surficial aquifer is defined to the north, but may extend at least 2,000 feet east of the Site. Possible contaminant contributions from other sites prevent a clear determination regarding the source of contamination at the most down-gradient wells sampled, or the percent of the contamination identified in these down-gradient wells that originates at the Site. However, given the elevated PCE concentrations detected in Site soil and ground water, it is believed that a significant percentage of the concentrations detected in off-site wells is attributable to historic releases at the Site. As with the surficial aquifer, the full horizontal and vertical extent of ground water contamination within the bedrock aquifers has also not been determined.

Indoor air and utility corridor/conduit sampling confirmed that PCE and other VOC vapor migration from contaminated soil into the sanitary sewer, storm sewer, and three residential buildings adjacent the Site has occurred. Figure 9 provides PCE concentrations detected in the sanitary sewer, storm sewer and indoor air during the initial sampling events performed at various locations near the Site. In the three residences, PCE, TCE and benzene concentrations consistently exceeded MDH Health Risk Values (HRVs), EPA reference concentrations (RfCs) for non-carcinogens, or MDH Interim Screening Criteria (ISC) that have been developed by the MDH for carcinogenic compounds for which there are no chronic HRVs. It is noted that some compounds detected (e.g., benzene) are not contaminants of concern at the Site. Detection of these

Figure 7: PCE Concentrations in Non-Source Area Soil and Shallow Soil Across the Site

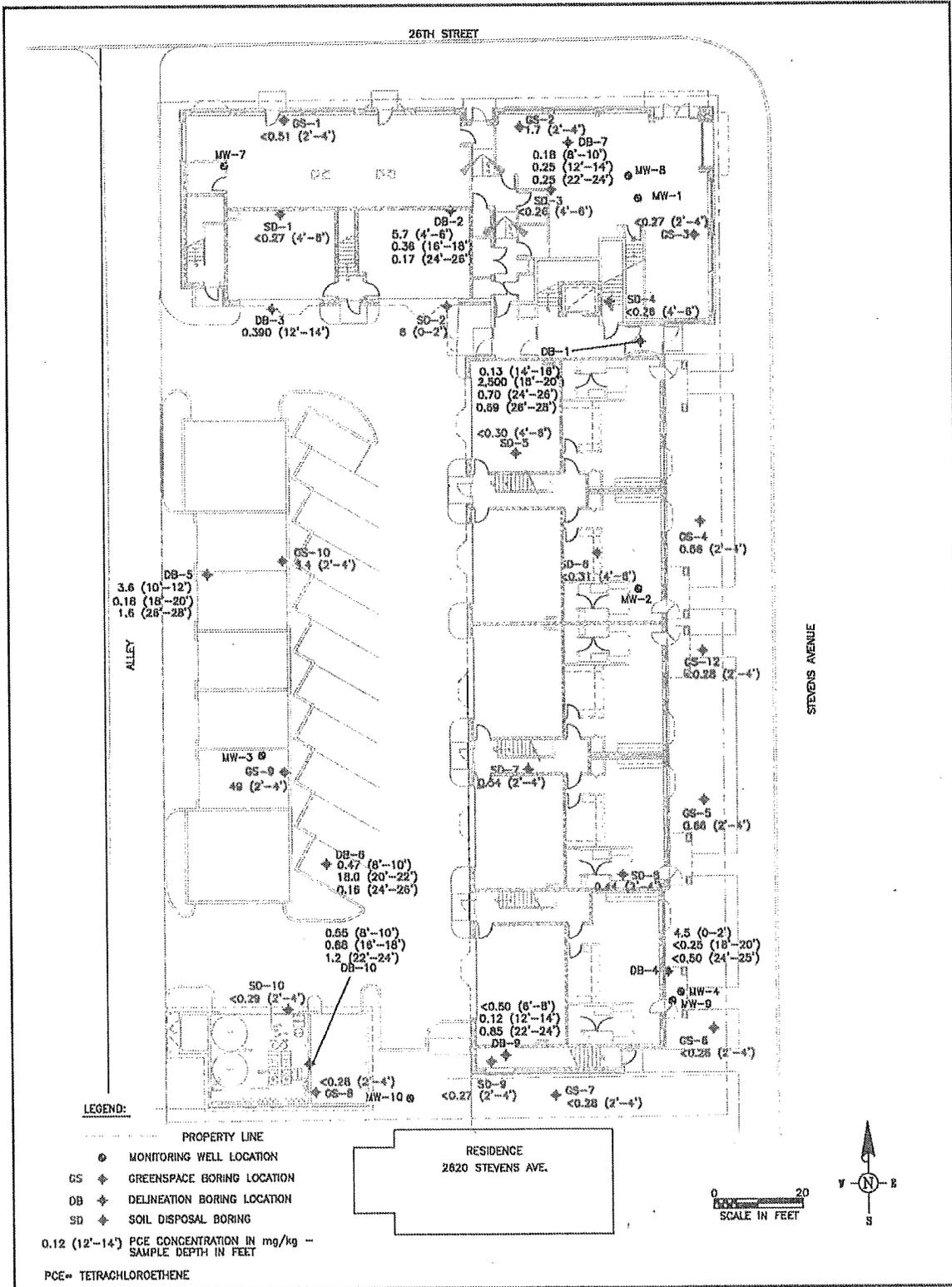


Figure 8: PCE Concentrations in Ground Water- September/October 2004

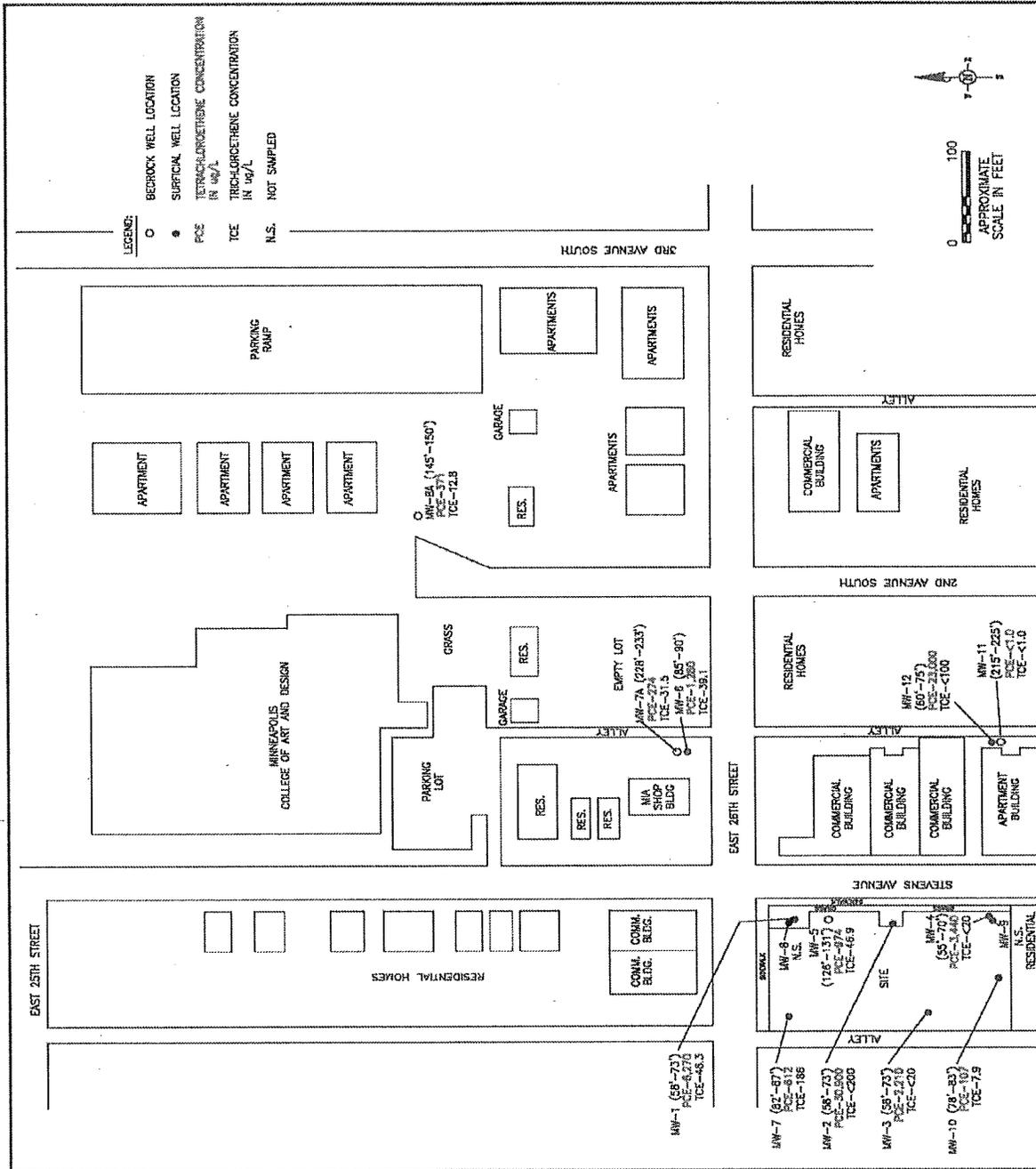
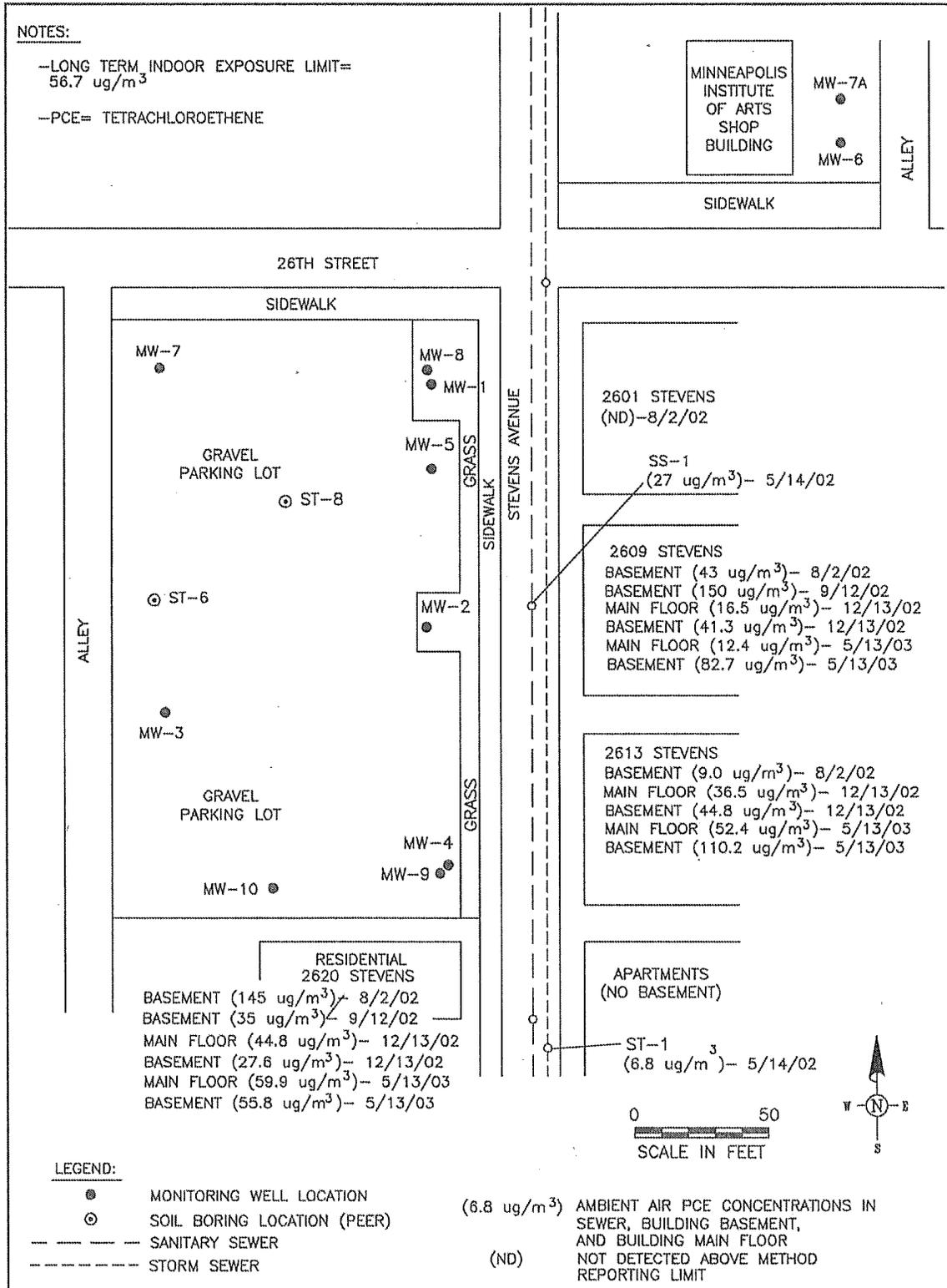


Figure 9: PCE Concentrations in Indoor Air, Sanitary Sewer Vapor and Storm Sewer Vapor



compounds is likely attributable to their presence in various household products and/or other sources not associated with the Site. Building owners and residents were notified of the vapor concentrations detected during indoor air sampling and potential health risks via correspondence that was provided in the spring of 2003. Residents continue to be notified of vapor concentrations when additional indoor air sampling work is performed.

Criteria for determining HRVs, RfCs and ISC are conservative by intention. Based upon the VOC concentrations detected during the Site investigation; the conservative nature of the criteria used for determining HRVs, RfCs and ISC; and the current use of off-site residential buildings, the potential risk to building occupants may be overstated. Consequently, the MDH classified the Site as posing no apparent public health hazard. However, the MDH also stated the Site could pose a health hazard in the future, especially if the exposure becomes more frequent and/or contaminant concentrations rise.

Based upon the investigation data compiled, potential health risks associated with the Site were determined to be:

1. The continued migration of vapors to indoor air of existing off-site or planned on-site buildings, with the potential for VOC concentrations and/or exposure frequencies to increase.
2. Direct contact with contaminated soil and inhalation of VOC vapors during any subsurface construction work completed on, or adjacent to (e.g., utility work), the Site.

DOCUMENTS REVIEWED

The MPCA staff has based its decision primarily on the following documents describing the Site as well as the effectiveness and cost analysis of response action alternatives for the Site.

- Bay West, 2006, *Response Action Plan Construction Completion Report & SVE System Performance, Former Whiteway Cleaners Site, Minneapolis, Minnesota*, September.
- Bay West, 2006, *Monitoring Well Sampling Analytical Results, Former Whiteway Cleaners Site, Minneapolis, Minnesota*, March.
- Bay West, 2005, *Response to MPCA Questions Dated August 26, 2005, Removal of Basement Excavation from Fill Reconditioning Work and Schedule for Upcoming Site Work, Former Whiteway Cleaners/Despatch Industries Site, 113 East 26th Street, Minneapolis, Minnesota*, November.
- Bay West, 2005, *Monitoring Well Sampling Analytical Results, Whiteway Cleaners/Despatch Laundry Site, Minneapolis, Minnesota*, October.
- Bay West, 2005, *Soil and Ground Water Chemical Oxidant Results, Former Whiteway Cleaners Site, Minneapolis, Minnesota*, October.
- MPCA 2005, *Whiteway Cleaners #3, 113 26th Street East, Minneapolis, Minnesota, MPCA VIC Project Number VP2052, RAP Addendum #3 Approval Letter*, August.
- MPCA 2005, *Whiteway Cleaners #3, 113 26th Street East, Minneapolis, Minnesota, MPCA VIC Project Number VP2052, RAP Addendum #2 Approval Letter*, August.

- Bay West, Inc. (Bay West), 2005, *RAP Addendum #3, Former Whiteway Cleaners/Despatch Industries Site, 113 East 26th Street, Minneapolis, Minnesota*, August.
- Bay West, 2005, *Proposed Monitoring Well Abandonment and Replacement, Former Whiteway Cleaners/Despatch Industries Site, 113 East 26th Street, Minneapolis, Minnesota*, July.
- Bay West, 2005, *RAP Addendum #2, Former Whiteway Cleaners/Despatch Industries Site, 113 East 26th Street, Minneapolis, Minnesota*, July.
- Bay West, 2005, *Summary Report for the 2005 Geoprobe Investigation, Former Whiteway Cleaners Site – Minneapolis, Minnesota*, May.
- Bay West, 2005, *Work Plan for the 2005 Geoprobe Investigation, Former Whiteway Cleaners/Despatch Industries Site, 113 East 26th Street, Minneapolis, Minnesota*, March.
- MDH 2004, *Health Consultation, Whiteway Cleaners Site (a/k/a White Way Cleaners), Minneapolis, Hennepin County, Minnesota, EPA Facility ID: MND981094485*, March.
- MPCA 2004, *Whiteway Cleaners, 113 26th Street East, Minneapolis, Minnesota, MPCA Project Number VP2052, RAP Addendum Approval Letter*, March.
- MPCA 2004, *Addendum Approval of Voluntary Response Actions for Petroleum Contamination, Former Laundry/Whiteway Cleaners, 113 26th Street East, Minneapolis, Site ID#: LEAK00006806*, March.
- Bay West, 2004, *RAP Addendum #1, Former Whiteway Cleaners/Despatch Industries Site, 113 East 26th Street, Minneapolis, Minnesota*, February.
- MPCA, 2003, *Cleanup and Redevelopment Activities at former Despatch Laundry and Whiteway Cleaners Site*, September.
- Bay West, 2003, *Well Receptor/Well Sampling Activities, November 2002 – May 2003, Former Whiteway Cleaners Site, Minneapolis, Minnesota*, September.
- Bay West, 2003, *Summary Report for the 2003 Geoprobe Investigation, Former Whiteway Cleaners Site – Minneapolis, Minnesota*, July.
- Bay West, 2003, *Ambient Air Sampling Activities, Former Whiteway Cleaners Site, Minneapolis, Minnesota*, July.
- Bay West, 2003, *Soil Vapor Extraction Pilot Study Report, Whiteway Cleaners, Minneapolis, Minnesota*, June.
- MPCA, 2003, *Approval of Voluntary Response Actions for Petroleum Contamination, Site: Former Laundry/Whiteway Cleaners, 113 26th Street East, Minneapolis, Site ID#: LEAK00006806*, May.
- MPCA, 2003 *Whiteway Cleaners #3, 113 26th Street East, Minneapolis, Minnesota, MPCA Project Number VP2052*, April.
- Bay West, 2003, *Construction Contingency Plan, Whiteway Cleaners, Minneapolis, Minnesota*, March.
- Bay West, 2003, *Response Action Plan, Whiteway Cleaners, Minneapolis, Minnesota*, March.
- Bay West, 2003, *Focused Feasibility Study, Whiteway Cleaners, Minneapolis, Minnesota*, January.
- Peer Environmental & Engineering Resources, Inc. (Peer), 2001, *Phase II Investigation, Former Despatch Laundry/Whiteway Cleaners Site, 113-115 26th Street East & 2600-2614 Stevens Avenue, Minneapolis, Minnesota*, October.
- MPCA, 2001, *Permanent List of Priorities*, June.

- Peer 2000, *Phase I Environmental Site Assessment, 113-115 26th Street East and 2600-2614 Stevens Avenue, Minneapolis, Minnesota*, June.
- Braun Intertec Corporation (Braun), 1999, *Supplemental Environmental and Geotechnical Assessment, Former Despatch Laundry/Whiteway Cleaners, 113-115 26th Street East and 2600-2614 Stevens Avenue, Minneapolis, Minnesota*, September.
- Braun, 1997, *Phase II Environmental Site Assessment, Former Despatch Laundry/Whiteway Cleaners, 113-115 26th Street East and 2600-2614 Stevens Avenue, Minneapolis, Minnesota*, September.
- Aptus, 1990, *Site Investigation Summary and Additional Investigation/Cleanup Work Plan*, January.

DESCRIPTION OF RESPONSE ACTIONS PREVIOUSLY COMPLETED

Response actions already completed at the Site were generally performed over two discreet time periods. Some response actions were completed in the early to mid-1990s, shortly after the dry cleaner closed and all business operations ceased. These response actions addressed issues that were of immediate concern to human health and safety. Additional interim response actions were performed in the mid-2000s, after Site investigation activities had been completed, in preparation of future Site redevelopment. Additional long-term response actions will be implemented as Site development proceeds.

The following response actions were completed at the Site in the early to mid 1990s:

1. In February 1991, one deep aquifer water well located on-site was sealed.
2. In 1992, 32 drums of waste materials were removed from the building. Sixteen of the drums contained PCE-contaminated wood flooring from the basement beneath the “perc” room. The remaining 16 drums contained a combination of waste materials including PCE, soda ash, ink, hydraulic and other oils, paints, stains, wood preservatives, lubricants, an unknown fuel and various other chemicals and items.
3. In 1993, six USTs were removed from the Site. One additional UST had previously been removed in 1988.
4. In 1994, the dry cleaning facility was demolished. A residential home and garage previously owned by the dry cleaning facility and located on the southern portion of the property was also demolished at this time. Demolition work was limited to above ground structures. Footings and foundation walls, as well as basement walls and floors, were left in place. After the above ground portions of the buildings were demolished, fill from an off-site location was placed in the exposed basement areas to bring these areas to grade.

The following interim response actions were completed at the Site from late 2004 through mid 2006:

1. In the fall of 2004, a temporary SVE system was installed on-site to mitigate PCE concentrations in shallow soil (i.e., less than 15 feet below ground surface). The purpose of the system was to remove a sufficient mass of PCE to allow excavation activities associated with Site redevelopment to proceed in a manner protective of worker health and the environment.

The temporary SVE system consisted of four SVE points installed in locations where the highest PCE concentrations were detected at depths within 15 feet of ground surface. One additional SVE point, installed during a previous phase of work when a SVE pilot test was performed, was also incorporated into the temporary SVE system. This point was installed in an area of elevated PCE concentrations below the sandy clay layer (i.e., greater than 25 feet below ground surface). Temporary SVE point locations are shown on Figure 10.

The temporary SVE system operated for approximately one year. During this time, approximately 3,100 pounds of PCE were removed from the subsurface. SVE system exhaust was routed through a two-stage granular activated carbon (GAC) system to remove PCE from the exhaust stream. Spent GAC was replaced with new carbon and shipped off-site for disposal.

While the temporary SVE system was only operated for a relatively brief amount of time, environmental monitoring completed during the twelve months of system operation demonstrated the beneficial effects of this treatment approach. For example, a reduction in indoor air PCE concentrations in buildings adjacent the Site was observed after operation of the temporary SVE system began. Indoor air PCE concentrations for the sampling events immediately before and immediately after start-up of the temporary SVE system are provided in Figure 11.

As another example, the removal of 3,100 pounds of PCE had a positive effect on ground water quality at the water table. Figure 12 provides ground water analytical results for ground water monitoring work performed in September and October, 2005, and February 2006. The PCE concentrations in four of the five monitoring wells that intersect the water table (MW-1, MW-2, MW-3, MW-4 and MW-12) decreased by one to two orders of magnitude, as compared to the October 2004 ground water concentrations (illustrated in Figure 8).

2. In preparation of Site redevelopment work, Hennepin County requested and received authorization from the MPCA to abandon all monitoring wells located on-site. A ground water monitoring event was completed in September and October 2005, prior to well abandonment. The monitoring wells were abandoned in accordance with MDH Well Code later in October 2005. The abandoned wells will be replaced by Hennepin County as Site redevelopment proceeds. The replacement wells will be installed at locations approved by the MPCA.
3. As previously described, at the time former structures were demolished and removed from the Site, footings, foundation walls, and basement walls and floors were left in place. Non-native borrow material was brought on-site to use as backfill. Additionally, some of the debris generated during Site demolition became mixed with the backfill material and was left on-site in the backfill. Finally, the backfill was not compacted to construction standards as it was used.

Figure 10: SVE Point Location Map – Temporary SVE System

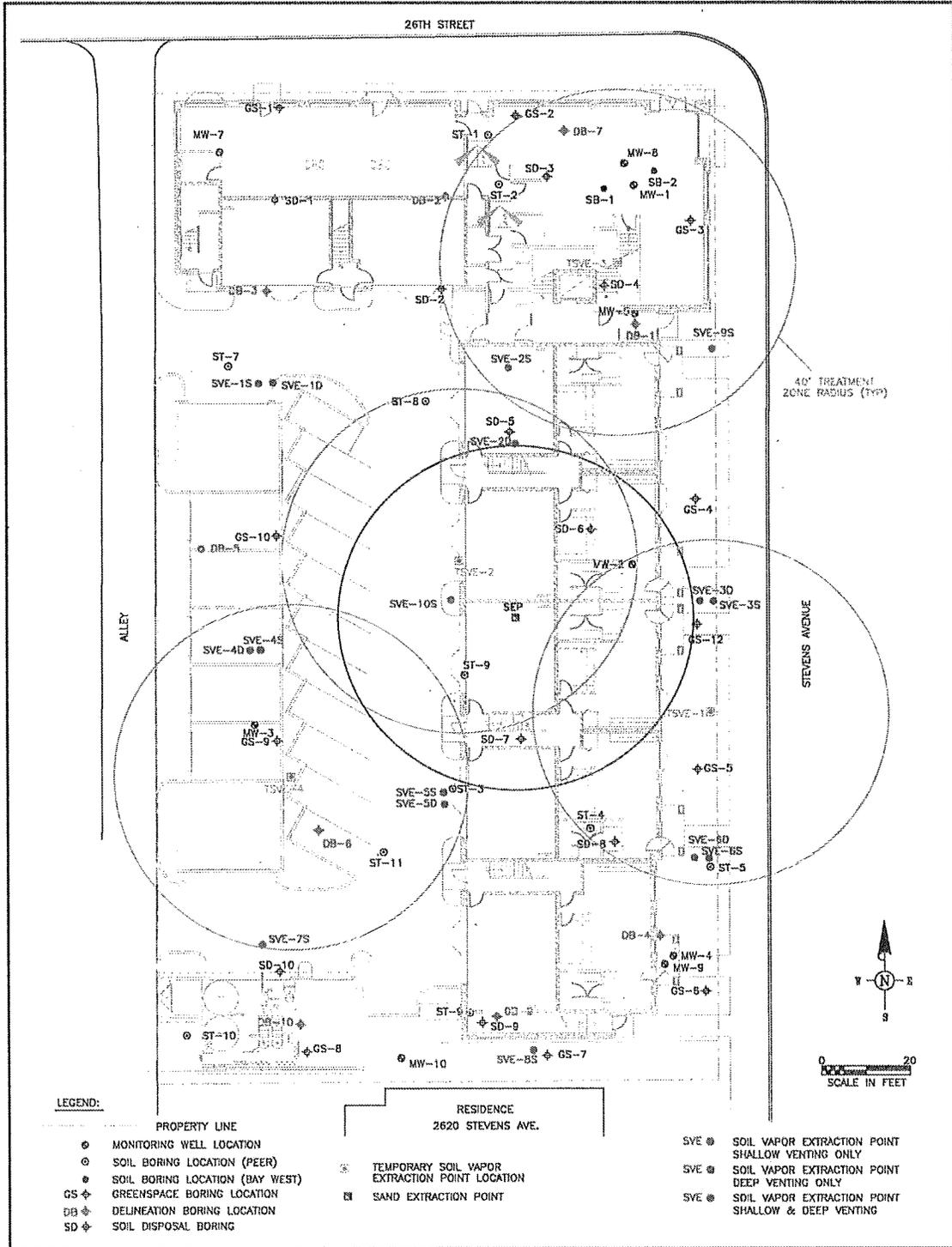


Figure 11: PCE Concentrations in Indoor Air – Immediately Before and Immediately After Temporary SVE System

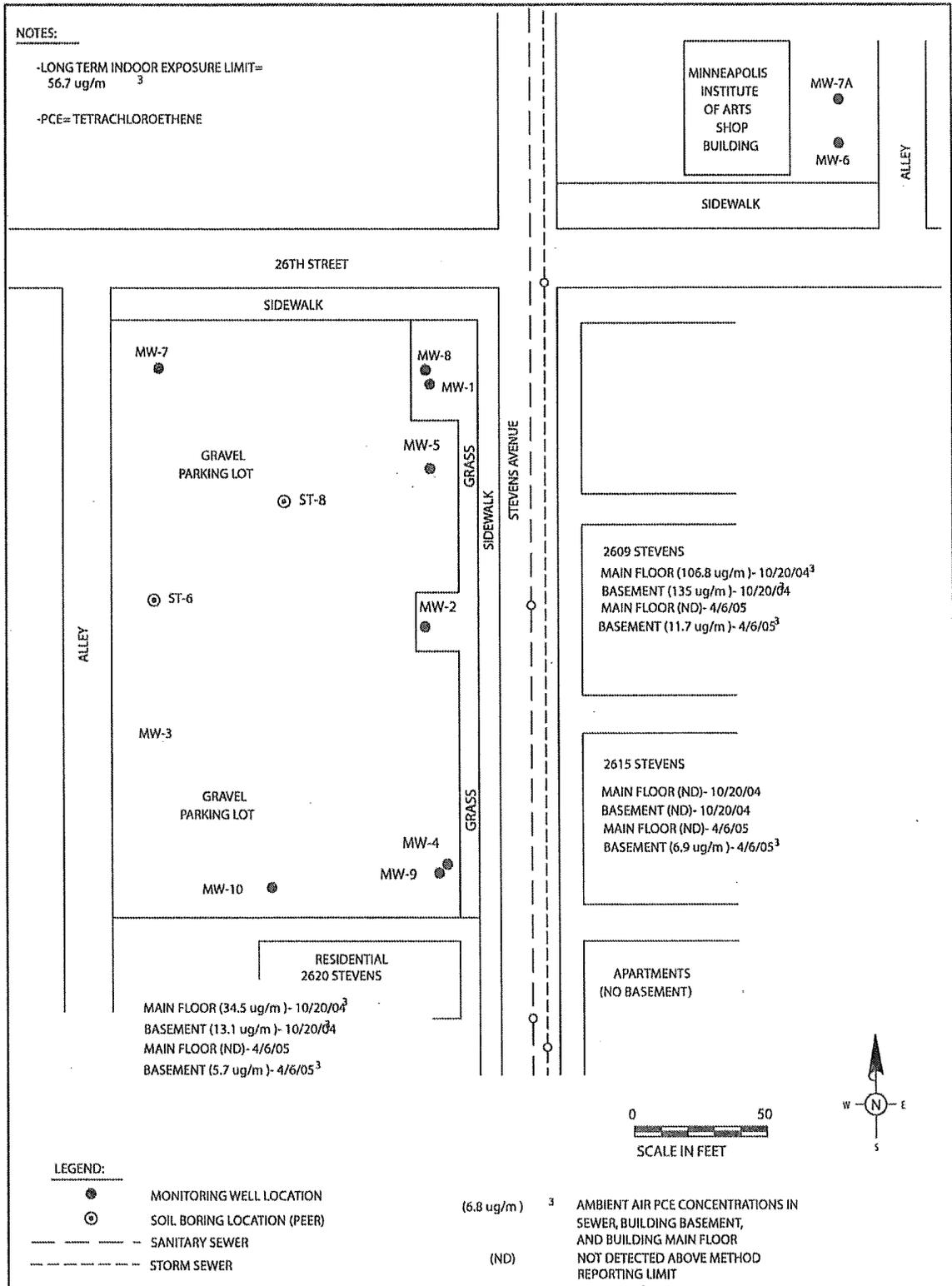
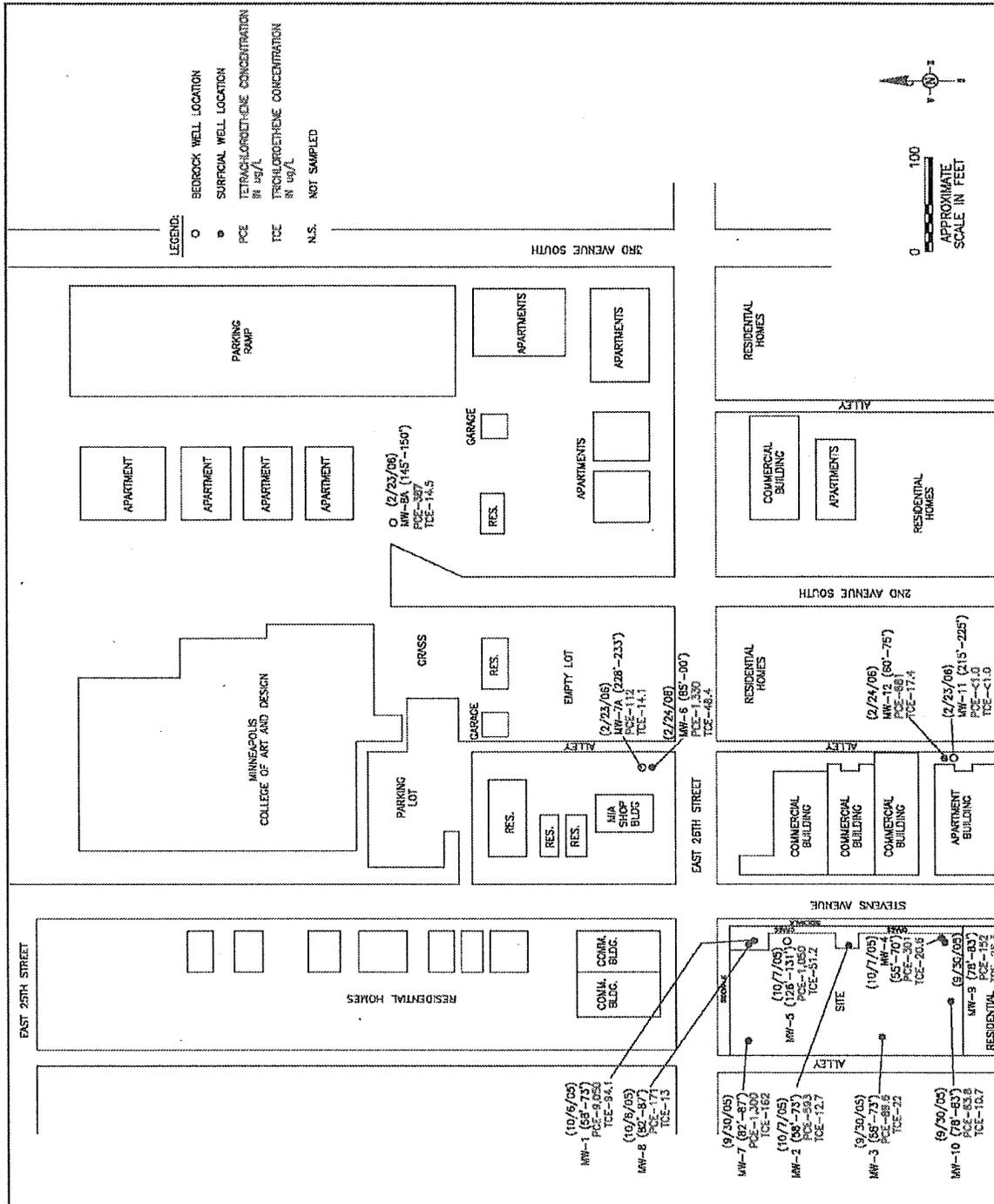


Figure 12: PCE Concentrations in Ground Water – September/October 2005 and February, 2006



The presence of footings, foundation walls, basement walls and floors, and un-compacted backfill created Site conditions that were less favorable for re-development, as traditional footings could not be used for new buildings. Under these conditions, future development required much more costly helical screw anchors for structural support. In order to use traditional footings, the buried footings, foundation walls, basement walls and floors, and un-compacted backfill required removal and replacement with an engineered backfill material compacted to construction specifications.

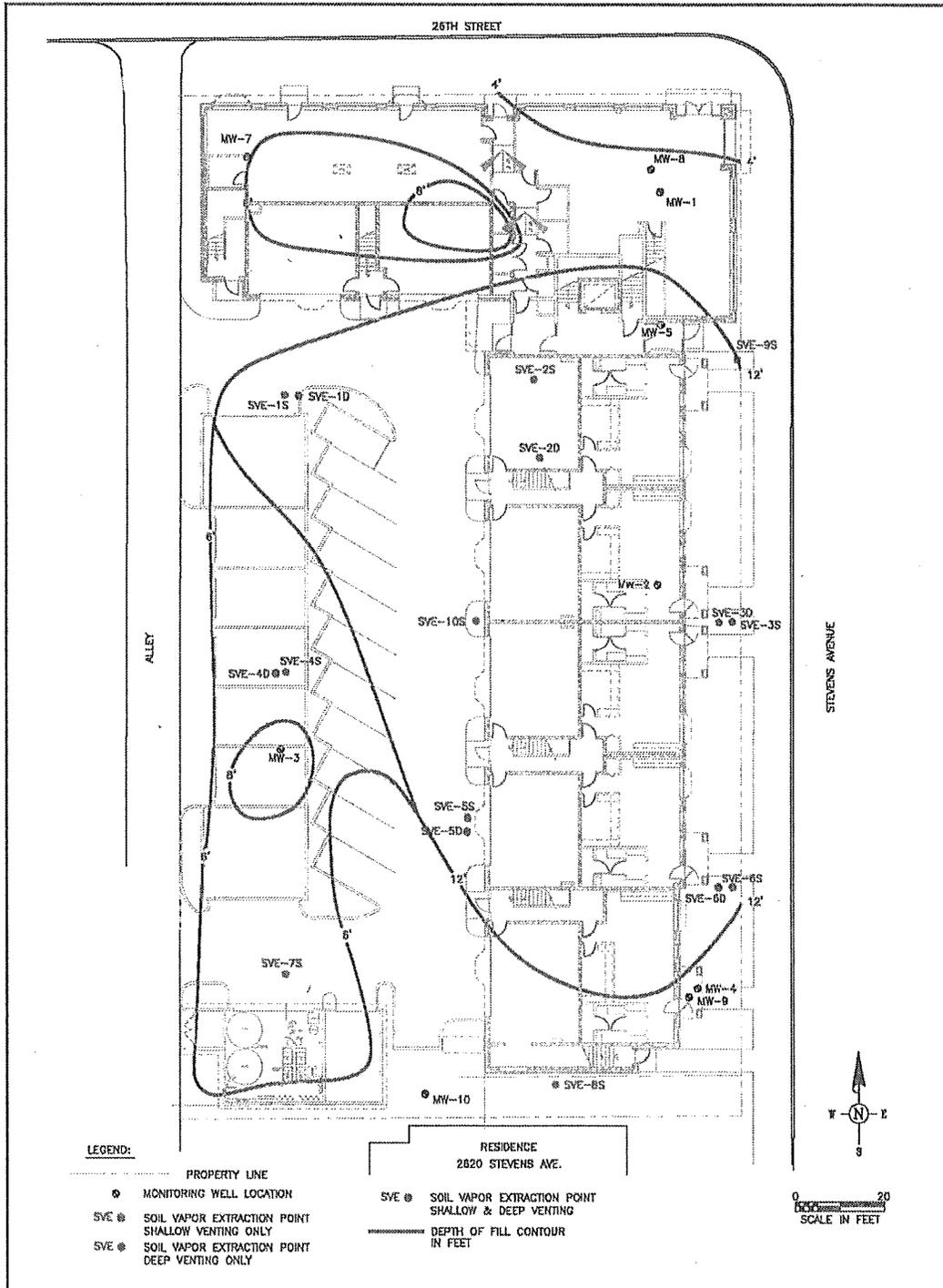
Through geotechnical testing, it was determined that the non-native backfill material used during Site demolition was suitable for construction purposes; provided it was excavated, screened to remove demolition debris and residual materials that exceeded a specified dimension, and compacted to construction standards as it was returned to the excavation. Hennepin County proposed implementing this fill reconditioning plan as the most cost effective means for constructing new buildings planned for the Site. The fill reconditioning plan also included the removal of footings, foundation walls and basement walls and floors, once the non-native backfill material had been removed. An estimated depth to fill contour map was developed in preparation of fill reconditioning work. This map is provided as Figure 13.

In the winter of 2005/2006, fill reconditioning was completed on-site. Excavated backfill material was field screened to assess the possible presence/absence of VOCs in accordance with the Construction Contingency Plan (CCP) prepared for the Site. Samples were also sent to an independent laboratory to determine VOC concentrations analytically. Fill that met field screening/analytical requirements for reuse and geotechnical requirements for construction was segregated from unsuitable fill and contaminated fill/soil, and stockpiled on-site. Footings, foundation walls, and basement walls and floors that were left in place at the time the dry cleaning facility was demolished were also removed and disposed.

Materials processed during the performance of fill reconditioning work can be summarized as follows:

- a. Approximately 5,500 cubic yards of material was excavated from the Site. Of this total, approximately 1,600 cubic yards were concrete. The remainder was a combination of non-native backfill and native soil.
- b. Approximately 2,200 cubic yards of screened fill and soil was returned to the excavation and properly compacted.
- c. Approximately 5,700 tons of materials were disposed at a subtitle D landfill. This includes approximately 3,400 tons of concrete, 1,800 tons of fill which did not meet geotechnical requirements for new construction and 500 tons of non hazardous soil that contained PCE, GRO and/or DRO concentrations greater than allowed in the RAP and/or CCP for reuse on-site.

Figure 13: Depth to Fill Contour Map



During the completion of fill reconditioning work, a number of previously unknown conditions were encountered at the Site. The unknown conditions, and response actions implemented, were:

- a. One bedrock aquifer water well was discovered near the west central portion of the property. The top of the well was completed at the approximate elevation of the former basement. The well was sealed in accordance with MDH well code.
- b. A pocket of soil containing elevated PCE concentrations was encountered during the performance of excavation work. It is believed footings, foundation walls, basement walls and/or basement floors prevented the temporary SVE system from effectively removing PCE from this soil. Based on toxicity characteristic leachate procedure (TCLP) test results, approximately 380 tons of impacted soil were disposed as a characteristic (D039) hazardous waste.
- c. One collapsed barrel, one hydraulic lift, and five tanks were encountered during the performance of excavation work. The hydraulic lift still contained hydraulic fluid. Four of the tanks were either empty or contained contaminated water. One tank, believed to be a heat exchanger, contained a sludge material and liquid. A sludge-like material, as well as stained soil and concrete, were also present beneath the tank. All of the tanks were small volume tanks, with the capacity of the largest tank approximately 600 gallons.

Based on field observations and analytical results from soil adjacent the largest tank, the historic use of one tank appears to have been for fuel oil storage. Based on the size, shape (conical bottom), installation position (vertical), and installation location (within concrete structures), the historic use of the other four tanks appears to have been as process vessels, not as USTs.

Liquids and the sludge were removed from the tanks, tested for hazardous constituents, and disposed in accordance with analytical results and pertinent regulations. The tanks themselves were decontaminated, cut open and disposed or recycled. Each tube inside the heat exchanger was removed from the heat exchanger and decontaminated prior to disposal/recycling. The sludge, stained soil, and stained concrete beneath the heat exchanger were excavated, stockpiled on-site, tested for hazardous constituents, and disposed in accordance with analytical results and pertinent regulations. This includes approximately 70 tons of soil and concrete contaminated with sludge (F001, F002, D039 and D040 waste codes); two drums of sludge (D039 waste code); and 40 drums containing the liquids removed from process vessels and decontamination water (D039 waste code).

ESTABLISHMENT OF RESPONSE ACTION OBJECTIVES AND SOURCE AREA CLEAN-UP CONCENTRATIONS

Response action objectives and source area clean-up criteria have been developed by the MPCA to specify remedial objectives for the Site. Additionally, the MPCA and MDH have specified both construction requirements (i.e., engineering controls) and indoor air monitoring requirements for future buildings constructed on-site that are necessary to ensure the protection of human health and the environment. The response action clean-up objectives and clean-up criteria for the source area have been developed using Applicable or Relevant and Appropriate Requirements (ARARs), and are based on soil and ground water contaminant data present in MPCA Site files. The ARAR and To-Be-Considered Criteria for the Site are listed below:

ARAR

1. The MDH establishes long-term indoor exposure limits for volatile COCs.
2. Minn. R. ch. 5205. Standards for worker health, safety and training.
3. Minn. R. ch. 7035 and 7045. Solid waste disposal rules, including rules applicable to solid wastes generated as a result of response action implementation activities.
4. Minn. Stat. 116.061 and Minn. R. 7001, 7005, 7007, 7009, 7011, 7017, 7019. Air pollution standards, emissions, abatement and permitting, as applicable to air quality during response action remedy implementation.
5. Minn. R. ch. 7030. Noise pollution standards, as applicable to the response action implemented.
6. Minn. Stat. 103I and Minn. R. ch. 4725. Standards and permit requirements for well installation and abandonment.
7. Minn. Stat. 115B.16, subd. 2. Real property contamination disclosure.
8. Minn. Stat. 115B.17. Allows a right to enter and/or use a property or portion of a property owned by another. May be used for monitoring or maintenance activities.

To-Be-Considered Criteria

1. Minn. Stat. 103H.201. Authorizes the Commissioner of Health to promulgate health risk limits (HRLs) for substances which degrade ground water.
2. Minn. R. ch. 7060. Managing ground water contamination.
3. Minn. R. pts. 4717.7100 to 4717.7800. Establishes HRLs for drinking water contaminants.
4. The MDH determines Minneapolis/St. Paul metropolitan area background concentrations for VOCs.
5. MPCA SRVs.
6. MPCA Soil Leaching Values (SLVs).
7. MPCA Screening Emission Rates (SERs).
8. MDH HRVs
9. MDH ISC
10. EPA RfCs

A. Response Action Objectives

The objectives for source area soil response actions at the Site are:

1. Remediate VOCs in source area soil to the Site-specific clean-up criteria.
2. Minimize cross-media transfer of contaminants (e.g., soil to ground water, soil to ambient air, and soil to sewers/utility corridors and indoor air).
3. Establish a long-term soil and ground water monitoring plan to evaluate response action effectiveness.
4. Restrict or control access to possible receptors on, or adjacent to, the Site.
5. Establish construction criteria and techniques (also known as engineering controls) for new structures that will be built on-site which will ensure workers completing below ground construction and occupants of new buildings will not be exposed to COCs at concentrations exceeding permissible exposure limits (PELs).
6. Stabilize ground water plumes that continue to migrate through aquifers at concentrations exceeding the HRLs. Remediation of source area soil will eliminate the source of ground water impacts. As source area soils are remediated, the ground water plume should stabilize and begin to shrink via natural attenuation.

B. Soil Clean-Up Criteria

As described previously, stratigraphy of the native unconsolidated material beneath the Site consists predominantly of well-sorted to poorly-sorted sand deposits, with inter-bedded lenses of less permeable material. Some of the lenses are contiguous, such as the 5- to 10-foot-thick layer of sandy clay between 14 and 25 feet below ground surface. Other lenses are discontinuous, such as the silt layer encountered in some boring locations at a depth between 28 and 38 feet below ground surface.

It has been predicted that PCE and other VOCs can be removed from the sand in a relatively short time period (i.e., one to two years) using SVE technology. It has also been predicted that, based upon technology limitations associated with removing PCE and other VOCs from the less permeable silt and clay materials present beneath the Site, the removal of PCE and other VOCs from these materials will likely take a longer period of time. Data collected during temporary SVE system operation supports these predictions. A limited direct push investigation was performed in the spring of 2005 within the area affected by the temporary SVE system to evaluate PCE and other VOC concentrations in soil after several months of system operation. Analytical results indicated that little PCE or other VOCs remained in the soil and fill material located above the sandy clay lens that begins at a depth ranging from 14 to 20 feet below ground surface. Within the sandy clay lens, PCE concentrations were similar to the concentrations prior to temporary SVE system start-up.

Therefore, based on the lower permeability and higher organic content, and as supported by preliminary direct push investigation results, the final PCE and VOC concentrations in the silts and clays are likely to be greater than in the sand. Given the limitations associated with removing VOCs from silts and clays, the MPCA has determined that performance-based remedial objectives are appropriate for the Site. Performance-based criteria, together with engineering controls for new structures built on-site, will be protective of human health from exposure to PCE and other VOCs at concentrations exceeding the corresponding PELs.

Based on results from the temporary SVE system, and the successful use of this technology at many sites with similar soil characteristics, SVE is the response action selected to mitigate PCE and other VOCs in soil beneath the Site. Details concerning SVE system design are provided in the Section that follows. Performance-based monitoring will be used to assess the duration of SVE system operation on-site. Performance-based monitoring will include cycling the SVE system once VOC concentrations in SVE system exhaust are near or below the method detection limits. Cycling the SVE system will allow an evaluation of whether PCE and other VOCs are volatilizing from the silts and clays, and then migrating (e.g., diffusion) into the more permeable sands. Performance-based monitoring may also include the advancement of soil borings on-site to determine PCE and other VOC concentrations remaining in the various sand, clay and silt units. After receipt of performance-based monitoring data, the MPCA will make a determination regarding whether it is appropriate to discontinue SVE system operations.

DESCRIPTION OF RESPONSE ACTIONS

A. Soil Vapor Extraction System

Response actions have been developed to address soil contamination and vapor migration. A long-term SVE system, with an increased number of vapor extraction points, was installed at the Site in the spring of 2006 to target soil containing PCE concentrations greater than 1 mg/kg above the sandy clay layer and greater than 5 mg/kg below this layer. Both these concentrations are more than one order of magnitude below the PCE SRV of 72 mg/kg. As such, the long-term SVE system will mitigate PCE and other VOCs in a much larger area than is required to address SRV exceedances. This will result in greater PCE and VOC mass removal at the Site.

The long-term SVE system eliminates contaminated soils as a source of sub-surface vapor migration towards utility corridors, off-site structures and future on-site structures. Rather than migrating to these locations, VOCs will be recovered by the long-term SVE system. Operation of the long-term SVE system will also ensure the protection of human health and safety for construction workers that will be on-site during the completion of property redevelopment activities and occupants of new buildings constructed on-site. Finally, by removing the source of ground water impacts, the long-term SVE system will also have a beneficial effect on ground water quality beneath the Site.

Data collected from the Site during the relatively brief period of time that the temporary SVE system was operational supports the statements made in the previous paragraphs. The data demonstrates that the SVE will improve indoor air quality at adjacent properties. The data further demonstrates that the removal of source material resulted in improvements in ground water quality. Finally, monitoring conducted during fill reconditioning work demonstrated SVE technology creates conditions that are protective of human health and safety during the performance of below grade construction work associated with Site redevelopment.

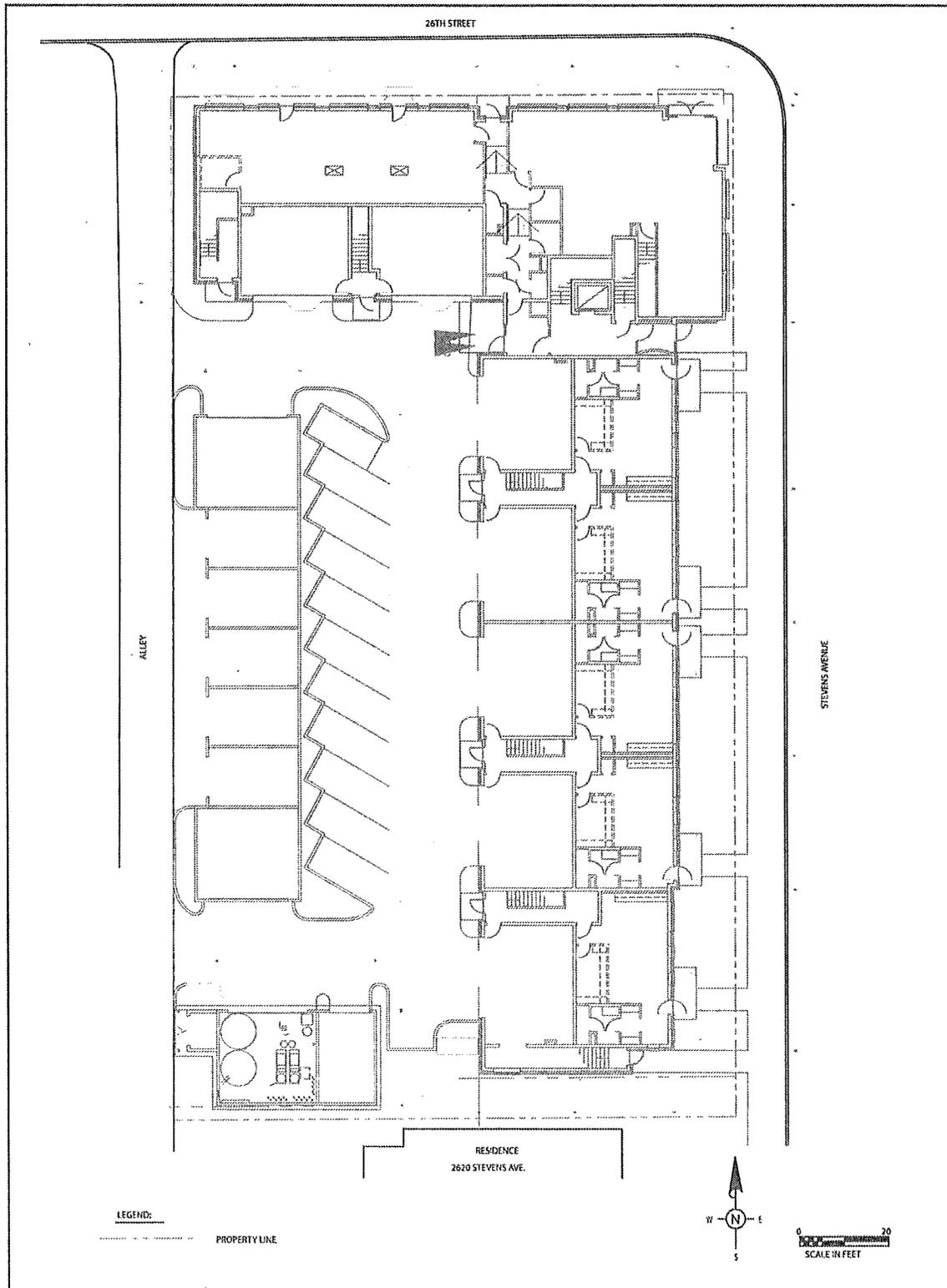
B. Engineering Controls

Hennepin County and the Whittier Neighborhood Group have expressed an interest in redeveloping the Site prior to the cessation of long-term SVE system operations and the completion of soil clean-up activities to regulatory performance criteria. Corson's Corner, LLP (Corson's) is the developer Hennepin County is working with to develop the Site. Corson's intends to purchase the property from Hennepin County in the near future to begin construction of a residential and light commercial facility that has been approved by the Whittier Neighborhood Group and the City of Minneapolis. In preparation for this construction effort, Hennepin County and Corson's are working with the Voluntary Investigation and Cleanup (VIC) group and the Petroleum Brownfields Program at the MPCA on environmental issues related to property redevelopment.

In order to allow property redevelopment to occur, several engineering controls will be incorporated into structures constructed on-site prior to the completion of environmental restoration work associated with the impacted soil beneath the Site. Engineering controls for future structures include:

1. Only slab at grade construction will be allowed for residential units constructed at the Site. As such, there will be no structures (e.g., basements, parking, etc.) below residential units constructed at grade. The construction of a basement is allowed beneath the commercial portion of the development in the northeast corner of the Site. The VIC group at the MPCA has approved the development plan illustrated in Figure 14.
2. An engineered vapor barrier will be installed beneath the floor slabs for any new residential or commercial slab at grade structures to prevent VOCs from migrating from the soil into indoor air inside the new structures. An engineered vapor barrier will also be installed beneath the basement floor and adjacent the below grade portion of all basement walls for any basements included in the redevelopment plan. Any void space between the vapor barrier and basement floors or slabs at grade will be backfilled with clean borrow material from an off-site source. The VIC group at the MPCA has approved detailed engineering drawings of a vapor barrier for the development plan illustrated in Figure 14.

Figure 14: Proposed Redevelopment Plan



3. An auxiliary SVE system will be installed beneath the floor slabs for any new residential or commercial slab at grade structures. The auxiliary SVE system will consist of installing slotted horizontal pipe beneath floor slabs and connecting this pipe to an auxiliary SVE blower. The auxiliary SVE blower will be a dedicated blower, used solely for the auxiliary SVE system. As such, blowers installed for the long-term SVE system will not be used for the auxiliary SVE system. In the unlikely event VOCs accumulate beneath new structures, the auxiliary SVE system can be activated to remove the VOCs. The VIC group at the MPCA has approved detailed engineering drawings of an auxiliary SVE system for the development plan illustrated in Figure 14.
4. A mechanical ventilation system will be installed in the basement constructed beneath the commercial portion of the building. The mechanical ventilation system shall ensure clean air is brought into the basement, thereby minimizing the potential for PCE and other VOCs to accumulate.

The engineering controls described above will be included in future buildings, regardless of whether the proposed redevelopment plan (Figure 14) or an alternate redevelopment plan is ultimately constructed on-site.

C. Ground Water Response Actions

Presently, there are no receptors for the contaminated ground water associated with the Site. Additionally, as described previously, analytical testing has demonstrated that operation of the temporary SVE system for a relatively brief period of time had a beneficial effect on ground water quality beneath the Site. Therefore, response actions have not been developed to specifically address ground water contamination. Ground water quality is expected to continue to improve as long-term source area soil remediation progresses. If ground water quality does not improve, or if new receptors are identified at a future date, ground water response actions may become necessary. If ground water response actions do become necessary at a future date, they will be presented in a separate MDD or as an addendum to this MDD.

DESCRIPTION OF LONG-TERM SVE SYSTEM

A. Technology Description

SVE is a commonly used remedial technology for soil impacted with VOCs. The process involves the introduction of a vacuum in subsurface soils via a vapor recovery well or wells (dry wells). Initially, soil vapor saturated with VOCs is removed by the application of a vacuum. Within a relatively short period of time, the applied vacuum draws VOC free soil vapor from outside the contaminated area towards the vapor recovery wells. As this VOC free soil vapor passes over contaminated soil, VOCs sorbed to the soil matrix volatilize and move into the vapor phase for removal at the vapor recovery wells. Over time, the mass of VOCs sorbed to soil is removed.

As documented by temporary SVE system operation and a SVE pilot test completed during previous phases of work on-site, SVE is an effective technology for reducing VOC concentrations in heavily impacted soils, thereby preventing (and likely reversing) the migration of VOC vapors towards buildings located on adjacent properties and improving the quality of ground water impacted by VOCs in source area soil.

B. Basis for Long-Term SVE System Design

A pilot study was performed at the Site to determine the feasibility of remediating soil contamination with a SVE system. The pilot study was further conducted to determine the treatment zone radius for individual SVE points, obtain design parameters for equipment associated with such a system, and estimate emission rates from a full-scale system. The pilot study concluded that SVE is a viable alternative for remediating VOC-impacted soil. Pilot study results were used as the basis for the temporary SVE system design. Operational results from the temporary SVE system confirmed the effectiveness of SVE technology at the Site.

Estimating the treatment zone radius for the temporary SVE system was based on the direct measurement of field parameters during the pilot study and the utilization of mathematical models developed by the United States Army Corps of Engineers (USACE). Field measurements collected during the operation of the temporary SVE system confirmed the validity of the design. Consequently, the same design parameters were used for the long-term SVE system. A treatment zone radius of 40 feet was calculated for both the temporary and long-term SVE systems. At this radius, soil pore space is flushed approximately 5,000 times over a two-year time period. According to the USACE SVE design document, this is the maximum number of soil pore space flushes most experts believe is required to effectively remediate soil at most sites.

The long-term SVE system was designed with vapor recovery wells installed on approximate 60-foot centers, to provide overlap of the 40-foot treatment zone radii of adjacent points. The layout of ten SVE points installed to treat soil within and above the sandy clay (PCE concentration greater than 1.0 mg/kg) is illustrated in Figure 15. The layout of six SVE points installed to treat soil below the sandy clay (PCE concentration greater than 5.0 mg/kg) is illustrated in Figure 16.

The sixteen SVE points were connected to two manifolds. The two manifolds were piped to two identical blowers in a manner that allows either blower to remove soil vapor from either (or both) manifolds. Two blowers were installed to provide redundancy. In the event one blower is off-line for repairs, the remaining blower will continue to provide negative pressure beneath structures built on-site and remove soil vapors from the subsurface. Flow control valves were installed between the manifolds and each SVE point, to allow specific areas of the Site to be targeted more heavily than others as Site remediation progresses.

Pilot study results demonstrated the need for an emission control system to prevent the discharge of PCE to the atmosphere at concentrations exceeding the SER. A two-stage vapor phase GAC system capable of handling both the flow rate required to effectively remediate the Site and the VOC concentrations anticipated in SVE exhaust was designed. The GAC system was installed prior to

Figure 15: Shallow SVE Point Location Map – Long-Term SVE System

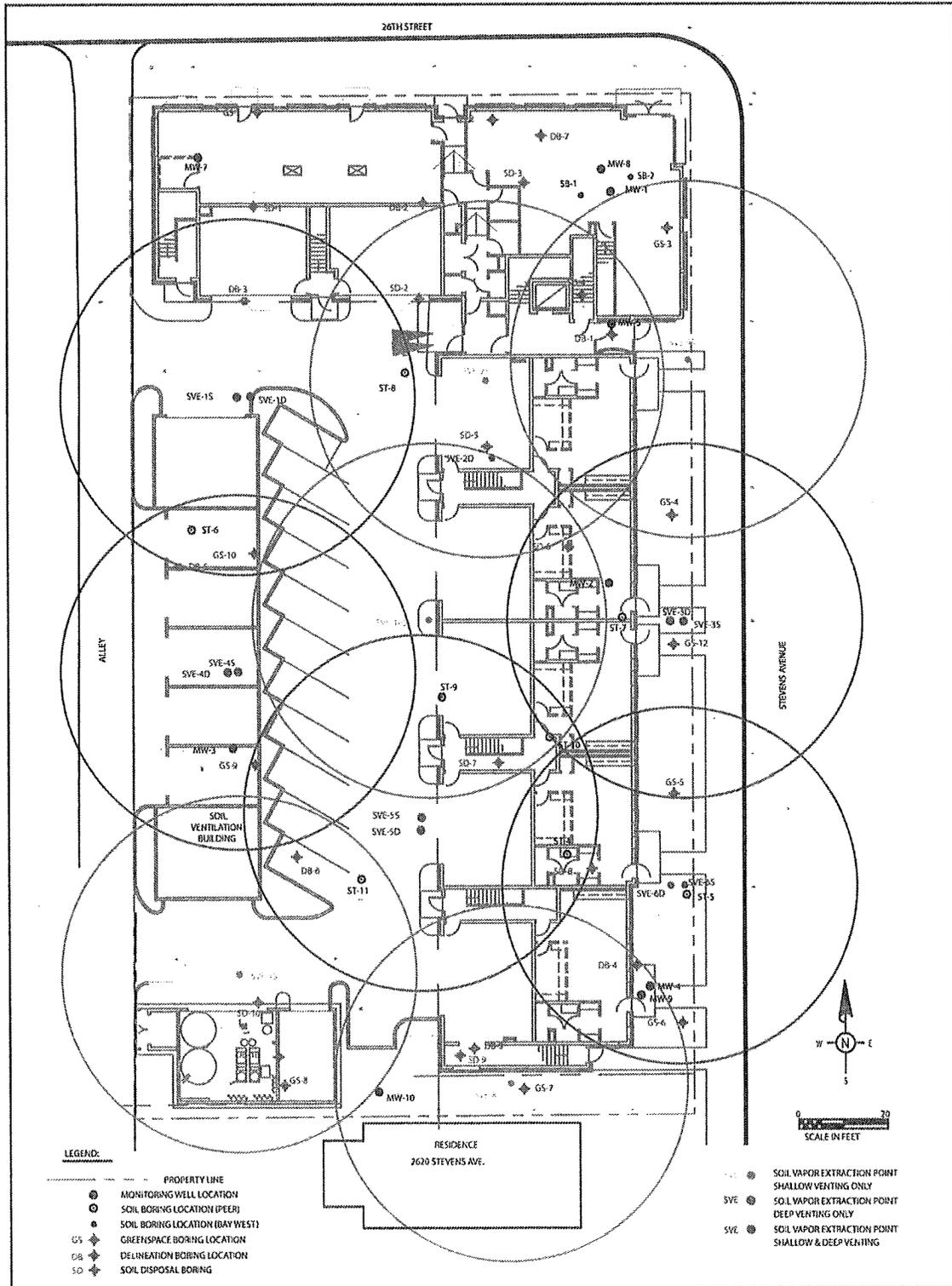
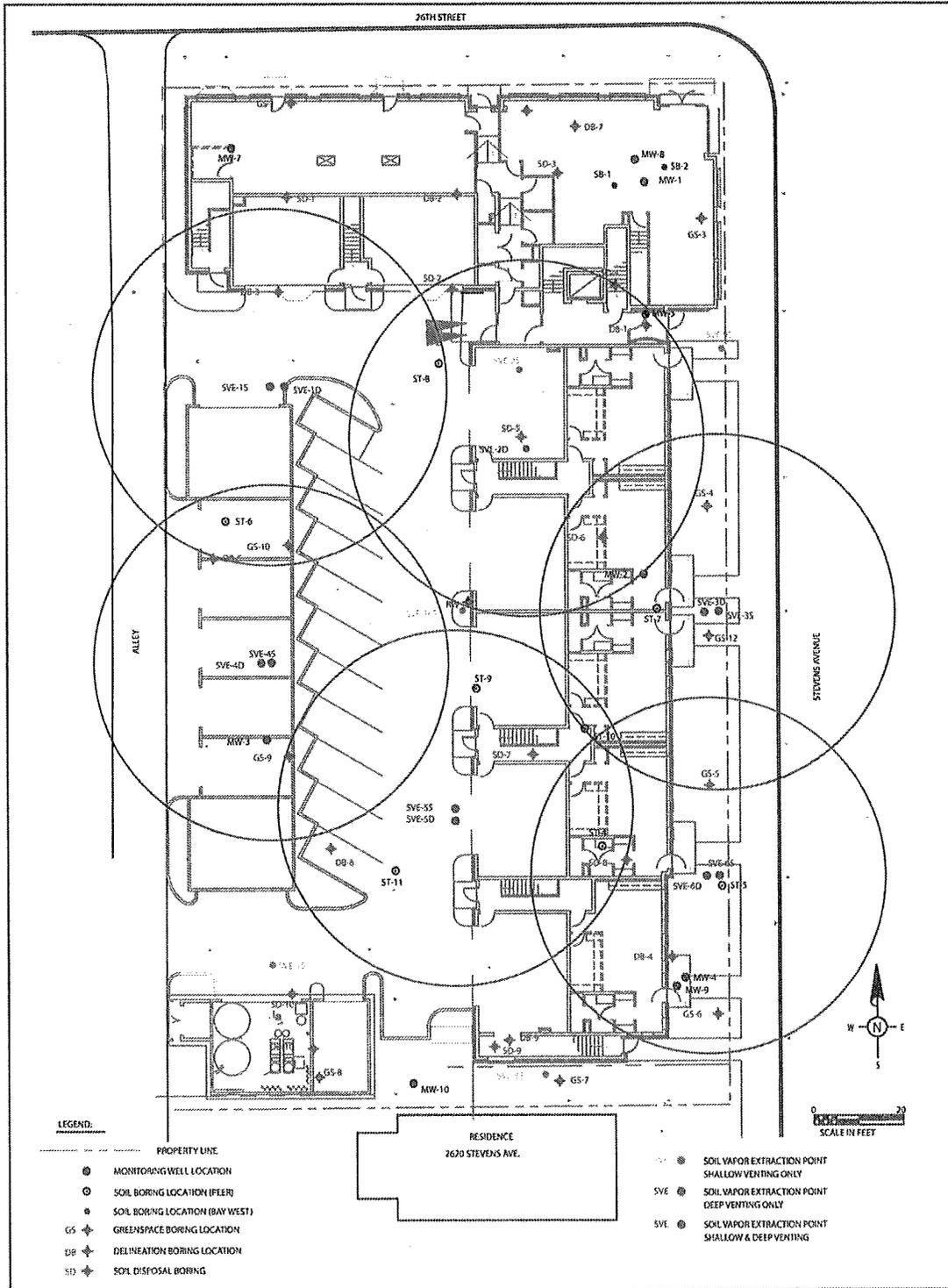


Figure 16: Deep SVE Point Location Map – Long-Term SVE System



start-up of the temporary SVE system. Due to the large VOC loading anticipated at start-up of both the temporary and long-term SVE systems, the GAC system contained extra carbon to provide longer periods of operation between carbon change-out events.

C. Long-Term SVE System Performance

Operation of the long-term SVE system began on June 22, 2006. The system removes approximately 800 cubic feet per minute (cfm) of soil vapor (400 cfm per blower), at a vacuum of approximately 20 inches of water column. During the first four months of operation, approximately 900 pounds of PCE were removed by the long-term SVE system.

The exhaust from each SVE blower and the effluent from each vapor phase GAC vessel are monitored with field instruments to estimate emission concentrations and carbon vessel breakthrough. Additionally, SVE exhaust samples and effluent samples from each GAC vessel are collected in accordance with regulatory criteria for laboratory analysis of VOCs. Analytical results from the second GAC vessel exhaust stream are used to document that SERs are not exceeded. Carbon replacement in the first carbon vessel is scheduled based on laboratory analytical results. After each carbon replacement event, the flow through the two carbon vessels is reversed, such that the vessel with the new carbon becomes the last vessel in the two vessel treatment train.

Indoor Air and Ground Water Monitoring

The MPCA will continue to monitor indoor air quality in existing buildings located proximal to the Site, until a sufficient quantity of data has been collected to demonstrate the SVE system has effectively addressed indoor air concerns and, as such, indoor air monitoring is no longer required. Once Site redevelopment is complete, indoor air samples will be collected from new residential and commercial buildings in accordance with MDH requirements.

The MPCA will continue to monitor and evaluate ground water quality in monitoring wells located off-site. Hennepin County will replace the monitoring wells abandoned in preparation for Site redevelopment and the MPCA will monitor ground water quality in these wells.

Required Plans and Notifications

Remediation of contaminated soil at the Site prior to property redevelopment (and residual contaminated soil during property redevelopment) will be conducted in accordance with a comprehensive Site Health and Safety Plan, as well as the MPCA-approved Response Action Plan (including Addendums) and Construction Contingency Plan, as appropriate, for the work phase being performed. Local residents and workers will be informed of the remediation and redevelopment schedules in advance of the work and any precautions that need to be taken on their part while these activities are being performed. Potential occupants of new buildings on-site shall be given information on the clean-up of the Site before purchase and on a regular basis, until the remediation goals have been achieved.

PARTY RESPONSIBLE FOR IMPLEMENTING APPROVED RESPONSE ACTIONS

Multiple investigations have been performed at the Site by various parties (i.e., previous owner of the dry cleaning facility, city of Minneapolis, Hennepin County, and the MPCA). Recent investigations have been directed by the Superfund group within the MPCA. Presently, Hennepin County is working with a neighborhood group (Whittier Neighborhood Group) and a property developer (Corson's Corner, LLP) to construct combined residential and light commercial structures on-site. As part of this process, Hennepin County has applied for, and received, grants for environmental restoration of the Site. As such, Hennepin County has taken the lead with respect to implementing approved soil response actions. This includes both the response actions necessary for Site remediation (i.e., SVE system installation, operation and maintenance) and the response actions required for any new buildings that will be constructed on-site.

Both solvent- and petroleum-based contamination are present beneath the Site. As such, within the MPCA, regulatory oversight of soil response actions performed at the Site will be overseen by staff affiliated with both the Voluntary Investigation and Clean-up (VIC) Program and the Petroleum Brownfields Program.

Long-term ground water monitoring and data evaluation will be performed by the MPCA. The Superfund group within the MPCA is responsible for managing this work.

RESPONSIVENESS SUMMARY

A copy of the Final Minnesota Decision Document will be sent to the City of Minneapolis, Hennepin County, the Minnesota Department of Health, the Whittier Neighborhood Group, and the mailing list of interested parties for the White Way Cleaners Superfund Site.

STATUTORY DETERMINATIONS

The selected response actions are consistent with the Minnesota Environment Response and Liability Act of 1983 and are not inconsistent with the Federal Comprehensive Environmental Response, Compensation and Liability Act (October 1988 Interim Final) and the National Contingency Plan, 40 CFR pt. 300. The selected response actions are protective of public health and welfare and the environment.

Kathryn Sather
Kathryn Sather
Division Director
Remediation Division

11/30/07
Date

Attachment 2



Legend

 Property Boundary

Phase II Investigation Location

-  Soil Boring Sample Locatin
-  Soil Vapor Sample Location

road_cityIn3

0 30 60 120 Feet

1 inch = 50 feet



FIGURE 2

**PROPERTY LAYOUT &
PHASE II INVESTIGATION
LOCATIONS**
113 - 26th Street East
Minneapolis, Minnesota

LANDMARK ENVIRONMENTAL, LLC

Table 1
CPM-Corson's Corner
113 26th Street East
Minneapolis, MN

SB-1

Depth	Headspace	Odor/Sheen	Moisture	ASTM	Description	Sample ID/Depth and Analytical Parameters
0"-2'	0.0	N/N	Moist	SM/SP	Dark brown sandy silty fill with gravel.	Field screening
2-3.5'	0.0	N/N	Moist	SP/SM	Brown sandy silty fill with gravel.	Field screening
4.5-6'	0.0	N/N	Wet	SP	Brown sandy fill with some gravel and cobble.	Field screening. Soil samples submitted for PAHs, RCRA metals, and DRO.
7-8.5"	0.0	N/N	Moist	CL/SC	Brown grayish sandy lean clay with a little gravel-native.	Field screening
9.5-11'	0.0	N/N	Moist	CL/SC	Brown grayish sandy lean clay with a little gravel.	Field screening
12-13.5'	0.0	N/N	Moist	SC	Brown clayey sand.	Field screening
14.5-16'	0.0	N/N	Moist	SC	Brown clayey sand.	Field screening
19.5-21'	0.0	N/N	Moist	SP	Light brown fine sand with a little gravel.	Field screening
24.5-26	0.0	N/N	Moist	SP	Light brown sand (f-m) with gravel and possible cobbles.	Field screening
29.5-31	0.0	N/N	Dry	SP	Brown sand with some cobbles mixed in.	Field screening
34.5-36	0.0	N/N	Dry	SP	Brown coarse sand with gravel.	Field screening
39.5-41	0.0	N/N	Moist	SP	Brown sand (m) with some gravel.	Field screening

Table 1
CPM-Corson's Corner
113 26th Street East
Minneapolis, MN

SB-2

Depth	Headspace	Odor/ Sheen	Moisture	ASTM	Description	Sample ID/Depth and Analytical Parameters
0"-2'	3.5	N/N	Moist	SP/SM	Dark brown silty sandy fill with some gravel and roots.	Field screening
2-3.5'	0.0	N/N	Moist	SP	Brown sand (f-m) fill with little gravel.	Field screening
4.5-6'	1.5	N/N	Moist	SP	Brown sand (f-m) fill with little gravel.	Field screening. Soil samples submitted for PAHs, RCRA metals, and DRO.
7-8.5"	0.0	N/N	Moist	SP	Brown sand (f-m) fill with little gravel.	Field screening
9.5-11'	0.0	N/N	Moist	SP	Brown sand (f-m) fill with little gravel. Little recovery due to rock.	Field screening
12-13.5'	0.0	N/N	Moist	CL	Light brown to grayish sandy lean clay with gravel. Native.	Field screening
14.5-16'	0.0	N/N	Moist	CL/SC	Light brown lean sandy clay with a little gravel.	Field screening
19.5-21'	0.0	N/N	Moist	SP	Light brown fine sand.	Field screening
24.5-26	0.0	N/N	Moist	SP	Light brown sand (f-m).	Field screening
29.5-31	0.0	N/N	Dry	SP	Brown sand (f-m) with gravel and cobbles.	Field screening
34.5-36	0.0	N/N	Dry	SP	Brown sand (f-m) with some gravel.	Field screening
39.5-41	0.0	N/N	Moist	SP	Brown sand (f-m).	Field screening

Table 1
CPM-Corson's Corner
113 26th Street East
Minneapolis, MN

SB-3

Depth	Headspace	Odor/ Sheen	Moisture	ASTM	Description	Sample ID/Depth and Analytical Parameters
0"-2'	0.0	N/N	Dry	SP	Dark brown sandy fill with some gravel.	Field screening
2-3.5'	0.0	N/N	Dry	SP	Brown sandy fill with some gravel.	Field screening
4.5-6'	0.0	N/N	Moist	SP/SM	Brown sandy silty fill.	Field screening. Soil samples submitted for PAHs, RCRA metals, and DRO.
7-8.5"	0.0	N/N	Moist	SP	Brown sandy fill with some gravel.	Field screening
9.5-11'	0.0	N/N	Moist	SP	Brown sandy fill with some gravel and little asphalt.	Field screening
12-13.5'	1400	Strong PCE odor/N	Moist	CL/SC	Brown sandy lean clay. Native. Strong PCE odor.	Field screening. Soil sample submitted for VOCs.
14.5-16'	300	Strong PCE odor/N	Moist	CL/SC	Brown sandy lean clay. Strong PCE odor.	Field screening
19.5-21'	56.3	N/N	Wet	SP	Brown sand (f-m) with some gravel.	Field screening
24.5-26	12.5	N/N	Dry	SP	Light brown sand.	Field screening
29.5-31	2.4	N/N	Moist	SP	Brown sand with some gravel. Possible cobbles.	Field screening
34.5-36	0.0	N/N	Moist	SP	Brown sand with some gravel. Possible cobbles.	Field screening
39.5-41	0.0	N/N	Moist	SP	Brown sand with some gravel. Possible cobbles.	Field screening

Table 1
CPM-Corson's Corner
113 26th Street East
Minneapolis, MN

SB-4

Depth	Headspace	Odor/Sheen	Moisture	ASTM	Description	Sample ID/Depth and Analytical Parameters
0"-2'	0.0	N/N	Dry	SP/SM	Brown silty sand fill with some gravel and roots.	Field screening
2-3.5'	0.0	N/N	Moist	SP/SM	Brown silty sand fill with some gravel. Hit slab at 3 feet.	Field screening
4.5-6'	0.0	N/N	Moist	SP/SM	Brown silty sand fill.	Field screening. Soil samples submitted for PAHs, RCRA metals, and DRO.
7-8.5"	0.0	N/N	Moist	SP	Brown sand (f-m) fill with some gravel.	Field screening
9.5-11'	0.0	N/N	Moist	SP	Brown sand (f-m) fill with some gravel.	Field screening
12-13.5'	0.0	N/N	Moist	CL	Grayish brown sandy lean clay. Native.	Field screening
14.5-16'	1.3	N/N	Moist	CL	Grayish brown sandy lean clay.	Field screening. Soil sample submitted for VOCs.
19.5-21'	0.0	N/N	Wet	SC	Brown clayey sand.	Field screening
24.5-26	0.0	N/N	Moist	ML/SM	Brown 8 inch silt layer. Brown sand (f-m) above it.	Field screening
29.5-31	0.0	N/N	Moist	SP	Brown sand (f-m) with gravel and cobbles.	Field screening
34.5-36	0.0	N/N	Dry	SP	Brown sand (f-m) with some gravel.	Field screening
39.5-41	0.0	N/N	Moist	SP	Brown sand (f-m) with some gravel.	Field screening

CLIENT

CMP Development

ARCHITECT/ENGINEER

DJR Architecture Inc.

SITE

113 26th Street East
Minneapolis, Minnesota

PROJECT

Mixed Use Development-Corson's Corner-26th and Stevens

18'S & 18'E of NW Property Corner.

Surface Elev.: 867.4 ft. Datum: MSL

SAMPLES

TESTS

GRAPHIC LOG

GEOLOGY

DEPTH (FT.)

BLOWS/12"
N-VALUE
ROD

NUMBER

TYPE

IN. RECOVERED
IN. DRIVEN

MOISTURE, %

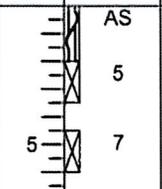
DRY DENSITY
PCF

ADDITIONAL
DATA/
REMARKS

FILL, 5" of topsoil underlain by a mixture of silty sand and sand with silt, with a little gravel, dark brown to reddish brown, moist to wet



FILL



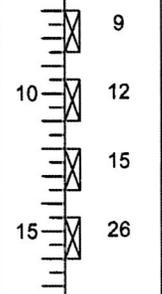
AS	1	AUGER	24		
5	2	SS	18	5	
7	3	SS	18		

p200=22.5%

SANDY LEAN CLAY, with a little gravel, lenses of fine grained sand, brown, moist, firm (CL)



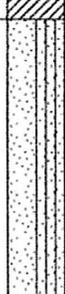
GLACIAL TILL



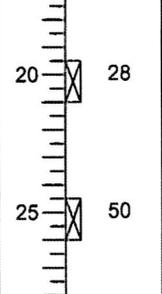
9	4	SS	18		
12	5	SS	18	14	
15	6	SS	18	16	
26	7	SS	18		

Qu=2.5 TSF
Qu=3.5 TSF

SAND with SILT, with a little gravel, fine grained, brown, moist, medium dense to dense (SP-SM)



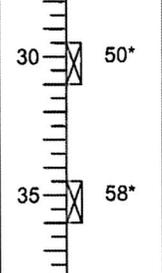
GLACIAL OUTWASH



28	8	SS	18		
50	9	SS	18		

Possible Cobble @ 22.5'

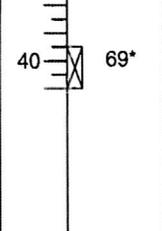
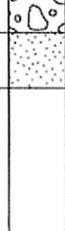
GRAVEL, with a little sand and a trace of silt, cobbles, coarse grained, brown, moist, dense to very dense (GP)



50*	10	SS	18		
58*	11	SS	18		

Cobbles encountered 30'-39'.
*N-value influenced by cobbles.

SAND, with gravel and cobbles, mostly medium grained, brown, moist, very dense (SP-SM)
END OF BORING.



69*	12	SS	18		
-----	----	----	----	--	--

Cobbles encountered 40'.

WATER LEVEL OBSERVATIONS

None



element
materials technology
662 Cromwell Ave.
St. Paul, MN 55114
Telephone: 651-645-3601

STARTED 7/9/15 FINISHED 7/9/15

DRILL CO. Element DRILL RIG ATV

DRILLER Dunleavy ASS'T DRILLER CA

LOGGED BY DMT APPROVED MAS

ELEMENT LOG ESP020105P CPM.GPJ LOG A.GNNO8.GDT 9/21/15

CLIENT

CMP Development

ARCHITECT/ENGINEER

DJR Architecture Inc.

SITE

113 26th Street East
Minneapolis, Minnesota

PROJECT

Mixed Use Development-Corson's Corner-26th and Stevens

20'S & 15'W of NE Property Corner.

Surface Elev.: 867.8 ft. Datum: MSL

SAMPLES TESTS

DEPTH (FT.)	BLOWS/12" N-VALUE RQD	NUMBER	TYPE	IN. RECOVERED IN. DRIVEN	MOISTURE, %	DRY DENSITY PCF	ADDITIONAL DATA/REMARKS
0	AS	1	AUGER	24			
5	28	2	SS	18	6		
5	32*	3	SS	18	6		*N-values influenced by cobbles. Cobbles @ 7', possible construction debris. NR 9.5'- 11'
10	34*	4	SS	18			
10	13	5	SS	18			
15	6	6	SS	18	14		
15	10	7	SS	18	15		
20	20	8	SS	18			
25	27	9	SS	18			
30	93*	10	SS	18			
35	50	11	SS	18			
40	56	12	SS	18			
7.0							
11.5							
18.0							
27.0							
35.0							
41.0							

WATER LEVEL OBSERVATIONS

None



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STARTED	7/9/15	FINISHED	7/9/15
DRILL CO.	Element	DRILL RIG	ATV
DRILLER	Dunleavy	ASS'T DRILLER	CA
LOGGED BY	DMT	APPROVED	MAS

ELEMENT LOG ESP020105P CPM GPJ LOG A GNN08 GDT 9/21/15

Project No. ESP020105P

LOG OF BORING NO. B3

Sheet 1 of 1

CLIENT

CMP Development

ARCHITECT/ENGINEER

DJR Architecture Inc.

SITE

**113 26th Street East
Minneapolis, Minnesota**

PROJECT

Mixed Use Development-Corson's Corner-26th and Stevens

65'N & 16'E of SW Property Corner.

Surface Elev.: **869.2** ft. Datum: **MSL**

GRAPHIC LOG	GEOLOGY	DEPTH (FT.)	SAMPLES				TESTS		
			BLOWS/12" N-VALUE RCD	NUMBER	TYPE	IN. RECOVERED IN. DRIVEN	MOISTURE, %	DRY DENSITY PCF	ADDITIONAL DATA/REMARKS
<p>FILL, 2" of topsoil underlain by silty sand with a little gravel, trace brick fragments, clay and topsoil inclusions, dark brown, moist</p> <p>6.0 ----- 863.2</p> <p>FILL, silty sand with gravel, construction debris including pieces of bituminous, brown, moist</p> <p>11.0 ----- 858.2</p> <p>SANDY LEAN CLAY, with a little gravel, lenses of fine grained sand, product odor detected, brown, moist, firm, (CL)</p> <p>19.0 ----- 850.2</p> <p>SAND with SILT and gravel, fine to medium grained, product odor detected from 19' to 25', brown to light brown, moist, medium dense to dense (SP-SM)</p> <p>27.0 ----- 842.2</p> <p>GRAVEL, with a little sand and a trace of silt, cobbles, coarse grained, brown, moist, very dense (GP)</p> <p>35.0 ----- 834.2</p> <p>SAND with SILT, with gravel and cobbles, fine to medium grained, brown, moist, very dense (SP-SM)</p> <p>41.0 ----- 828.2</p> <p>END OF BORING.</p>	FILL	5	1	AUGER	24			Construction debris encountered within the fill profile. Debris included concrete, bituminous, bricks.	
			17	2	SS	18			
			14	3	SS	18			
			15	4	SS	18			
			19	5	SS	18			Pieces of bituminous encountered from 10' to 11'. Strong product odor of petroleum based solvent detected during drilling from 11' to 19'.
		GLACIAL TILL	16	6	SS	18			
			13	7	SS	18			
		GLACIAL OUTWASH	20	8	SS	18			Light product odor detected from 19' to 25'.
			25	9	SS	18			Cobbles @ 27', 30', and 35'.
			30	10	SS	18			*N-values influenced by cobbles.
			35	11	SS	18			
			40	12	SS	18			

WATER LEVEL OBSERVATIONS

None



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materials technology
662 Cromwell Ave.
St. Paul, MN 55114
Telephone: 651-645-3601

STARTED	7/9/15	FINISHED	7/9/15
DRILL CO.	Element	DRILL RIG	ATV
DRILLER	Dunleavy	ASS'T DRILLER	CA
LOGGED BY	DMT	APPROVED	MAS

ELEMENT LOG ESP020105P CPM.GPJ LOG.A.GNND08.GDT 9/21/15

CLIENT CMP Development	ARCHITECT/ENGINEER DJR Architecture Inc.
SITE 113 26th Street East Minneapolis, Minnesota	PROJECT Mixed Use Development-Corson's Corner-26th and Stevens

75'N & 17'W of SE Property Corner.		GRAPHIC LOG	GEOLOGY	DEPTH (FT.)	SAMPLES				TESTS			
					BLOWS/12" N-VALUE ROD	NUMBER	TYPE	IN. RECOVERED IN. DRIVEN	MOISTURE, %	DRY DENSITY PCF	ADDITIONAL DATA/REMARKS	
Surface Elev.: 868.4 ft. Datum: MSL												
2.5	FILL, 4" of topsoil underlain by silty sand with a little gravel, rootlets, dark brown to reddish brown, moist		FILL	0-4	AS	1	AUGER	24			p200=10.7%	
	FILL, a mixture of sand with silt and silty sand with gravel and cobbles, construction debris encountered including bricks and concrete, brown, moist				4-5	72*	2	SS	18	5		Obstruction at 2.5' possibly old building debris, no sample recovered. Concrete/bricks encountered. *N-value influenced by construction debris.
					5-6	10	3	SS	18	7		
					6-7	23	4	SS	18			
					7-10	28	5	SS	18			
11.5	SANDY LEAN CLAY, with a little gravel, lenses of fine grained sand, brown, moist, firm (CL)		GLACIAL TILL	10-13	13	6	SS	18			Qu=3.75 TSF	
					13-15	13	7	SS	18			Qu=3.5 TSF
					15-20	17	8	SS	18			*N-values influenced by cobbles.
20.5	SILTY SAND, with a trace of gravel, cobbles at 25', lenses of silt, brown, moist, medium dense to dense (SM)		GLACIAL OUTWASH	20-25	73*	9	SS	18			Cobbles encountered at 25'.	
					25-30	55 / 0.5**	10	SS	18			Cobble at 27'. No sample recovered.
					30-35	60*	11	SS	18			
37.0	GRAVEL, with a little sand and trace of silt, coarse grained, brown to light brown, moist, very dense (GM)			35-40	88*	12	SS	18				
41.0	SAND, with gravel and cobbles, brown, fine to medium grained, very dense (SP)											
	END OF BORING.											

WATER LEVEL OBSERVATIONS

	None



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materials technology
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St. Paul, MN 55114
Telephone: 651-645-3601

STARTED	7/9/15	FINISHED	7/9/15
DRILL CO.	Element	DRILL RIG	ATV
DRILLER	Dunleavy	ASS'T DRILLER	CA
LOGGED BY	DMT	APPROVED	MAS

ELEMENT LOG ESP020105P.CPM.GPJ LOG A GNN08.GDT 9/21/15

Attachment 3

October 14, 2015

Minnesota Pollution Control Agency
Voluntary Remediation Program
520 Lafayette Road N
Saint Paul, MN 55155

RE: Whiteway Cleaners – Enrollment Application
113 26th Street East, Minneapolis, MN 55403
MPCA Site ID: SR1293, MND981094485, VP2360, Tanks 12631

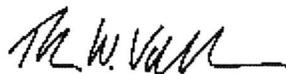
Enclosed you will find an MPCA Volunteer Remediation Program Application prepared by Bay West and submitted on behalf of our client Corsons Corner LLC (Corsons) and their development partner CPM Development LLC (CPM).

Corsons and CPM are partnering to implement Response Actions and redevelop the former Whiteway Cleaners site located at 113 26th Street East in Minneapolis. Corsons, as the current property owner, will be seeking liability protection under a retroactive No Association Determination. CPM, with no current ownership interest in the property, will be seeking a No Association Determination. The required documentation to receive these liability assurances will be submitted under separate cover by each entity once an MPCA project manager has been assigned to the site and a new Remediation Program ID number has been issued.

Also enclosed is a CD with the current Phase I Environmental Site Assessment, prepared on behalf of CPM and Corsons.

If you have questions regarding this submittal, please contact me at 651-291-3441. Thank you for your time and assistance.

Best Regards,



Rick Van Allen, PG
Senior Project Manager
Bay West LLC

Enclosures

cc: Ken Haberman, Landmark Environmental LLC (letter and application only)
Ed Bell, Corsons Corner LLC (letter and application only)
Nicole Daly, CPM Development LLC (letter and application only)



**Minnesota Pollution
Control Agency**

520 Lafayette Road North
St. Paul, MN 55155-4194

Voluntary Remediation Program Enrollment Application

Voluntary Brownfield Program

Doc Type: Voluntary Remediation Application

Instructions: Please complete this form to enroll in one of the Minnesota Pollution Control Agency (MPCA) services listed below:

MPCA Use Only	
Project ID:	

- 1) MPCA assistance for voluntary parties requesting technical review, investigation, and oversight under Minn. Stat. §§ 115B.17, subd. 14; 115B.175, except subdivision 6a; 115B.177; and 115B.178.
- 2) MPCA review of sites with petroleum contamination under Minn. Stat. §115C.03, subd. 9 (e.g., storage tank release site or a petroleum non-tank source).
- 3) MPCA review of investigation and response actions by Responsible Parties under Minn. Stat. §115B.175, subd. 6a.

For further information:

- **Voluntary Party Brownfield Program:** Contact Stacey Hendry-Van Patten at 651-757-2425, Andrew Nichols at 651-757-2612.
- **Voluntary Responsible Party Investigation and Remediation Program:** Contact Doug Beckwith at 1-218-302-6611, or Hans Neve at 651-757-2608.
- The MPCA can also be reached toll free at 1-800-657-3864.
Minnesota Duty Officer 1-800-422-0798 or 651-649-5451 (24 hours a day - for notification of releases).

Scan and email the completed form to: Brownfields.PCA@state.mn.us

Note: The subject line of your Email *must* include the **Preferred Site Name** first, followed by the **report/document name** (example: *Smith Facility – Enrollment Application*). Failure to follow this protocol will result in a delay in processing your application.

*Fields/sections with an asterisk are mandatory and the application will not be processed if incomplete.

*** Subject property information**

Preferred site name (≤ 4 words): Whiteway Cleaners

Previous MPCA site name (if known): Despatch/Whiteway Cleaners

Previous MPCA site ID number (if known) SR1293, MND981094485, VP2360, Tanks 12631

Address: 113 26th Street East

City (or Township): Minneapolis County: Hennepin Zip: 55403

Property Identification Number (PIN)
(if more than one, please list all): 34-029-24-42-0484

Approximate property size: 29,000 sq ft (3/4 acre)

*** Applicant information**

Point of contact: Ed Bell Title: Property Owner

Organization: Corsons Corner LLC Phone: 612-925-8280

Address: 3033 Excelsior Email: ebell@cbburnet.com

City: Minneapolis State: MN Zip: 55416

Applicant's consultant (List the name of your current environmental consultant, if applicable.)

Name: Rick Van Allen

Organization: Bay West LLC Phone: 651-291-3441

Address: 5 Empire Drive Email: rickv@baywest.com

City: Saint Paul State: MN Zip: 55103

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

Name: _____ Title: _____

Organization: _____ Phone: _____

Address: _____ Email: _____

City: _____ State: _____ Zip: _____

Parties to be listed on assistance and/or assurance letter(s)

Name: Nicole Daly Title: Real Estate Development Coordinator
Organization: CPM Development LLC Phone: 612-843-4879
Address: 2919 Knox Avenue South Email (optional): nicole@cpmcos.com
City: Minneapolis State: MN Zip: 55408
Relationship of party to subject property: Development partner with Applicant

*** Spatial data information requirement**

Site location point description (select one): Center of site Main/Front door Front gate/Main entrance
Latitude (decimalized): 44.955121
Longitude (decimalized): -93.275647

*** Known or suspected contaminant type**

- Petroleum *only*
- Hazardous Substance or Pollutant or Contaminant *only*
- Petroleum *and* Hazardous Substance or Pollutant or Contaminant

Section A - Assistance requested

Description of applicant's request (select all that apply). Refer to the *Brownfield Program Services* guidance document (c-brwnfld4-01) for detailed descriptions of available services on the MPCA Brownfields webpage at <http://www.pca.state.mn.us/lupg7f9>.

Assistance for petroleum releases

- Review of a petroleum release investigation (tank and non-tank source) (Minn. Stat. §115C.03, subd. 9)
- Technical review of a Response Action Plan (RAP) for a petroleum impacted property
- Liability assurance letters (Minn. Stat. § 115C.03, subd. 9C)
 - General liability Letter. MPCA ID#: _____
 - Tank removal verification letter. MPCA ID#: _____
 - Off-site tank release determination letter. Suspected source MPCA ID#: _____
 - File closure confirmation letter. MPCA ID#: _____

Assistance for releases of hazardous substances or pollutants or contaminants

- Technical review or third-party only review. (Minn. Stat. §115B.17, subd. 14)
- Lender Letter or Lender No Association Determination. (Minn. Stat. §115B.178)
- No Association Determination. (Minn. Stat. §115B.178, subd. 1(a))
 - For a No Association Determination request, please submit to the MPCA a letter that describes any association the applicant has with the property or releases at the property, and a list of the actions the party intends to take at the site.
- Retroactive No Association Determination. (Minn. Stat. §115B.178, subd. 1(b))
 - For a Retroactive No Association Determination request, please submit to the MPCA an Affidavit that describes any past association the applicant has with the property or releases at the property, a list of the actions the applicant took at the site, a statement that the applicant did not contribute or associate itself in any manner with the releases to be named in the determination, and a statement of the signing individual's relation to the applicant.
- No Action or No Further Action Letter.
- Off-Site Source Determination. (Minn. Stat. §115B.177).
- Certificate of Completion. (Minn. Stat. §115B.175).

Assistance for Environmental Grant(s) application deadline

Is MPCA review required for an Environmental Grant(s) application deadline? (e.g., Minnesota Department of Employment and Economic Development (DEED), Metropolitan Council, or County cleanup grants) For a list of grant sources, please see the *Brownfield Resource Guide* located on the MPCA Brownfields webpage at <http://www.pca.state.mn.us/lupg7f9>.

- Yes
- No or unknown at this time.

Section B - Responsible party status for a non-petroleum release

Overview. A person who is responsible for a release or threatened release of hazardous substances or pollutants or contaminants may undertake response actions under a voluntary response action plan (RAP) approved by the Agency. Minn. Stat. §115B.175, subd. 6a allows a responsible person to obtain assurances for persons who acquire real property after approval of the voluntary RAP, provide financing for response actions or development at the real property after approval of the RAP, and successors or assigns of such persons. The responsible person is eligible to obtain for itself a formal letter from the MPCA indicating that no action or no further cleanup action is required if the RAP fully addresses releases or threatened releases at or originating from the real property.

Reservation of Rights. A person seeking to address contamination under this provision is not required to waive defenses that the person may have to their designation as a responsible person. However, if the MPCA obtains evidence (through the RAP or other means) that indicates that additional actions are necessary to address contamination at or originating from the property, the MPCA reserves the right to require the responsible person to complete remediation of the site, including actions necessary to address all contamination at or originating from the real property.

Remedial Investigation (check at least one for each media)

To be eligible to receive a No Further Action Letter, the responsible person must submit a Remedial Investigation supporting its responses to the questions below unless such documentation is submitted in conjunction with the required Phase I ESA document (see Part C below). If the information is not known, check the box indicating when the work plan will be submitted.

Soil contamination

- There is no soil contamination above MPCA's risk-based screening values
- The extent and magnitude of soil contamination has been defined
- A work plan to define the extent and magnitude of soil contamination will be submitted before: _____
(mm/dd/yyyy)
- A Remedial Investigation Report defining extent and magnitude will be submitted before: _____
(mm/dd/yyyy)

Groundwater contamination

- There is no groundwater contamination above the MPCA or MDH risk-based screening values.
- The extent and magnitude of groundwater contamination has been defined.
- A work plan to define the extent and magnitude of groundwater contamination will be submitted before: _____
(mm/dd/yyyy)
- A Remedial Investigation Report defining extent and magnitude will be submitted before: _____
(mm/dd/yyyy)

Soil gas contamination

- There is no soil gas contamination above the MPCA screening criteria.
- The extent and magnitude of soil gas contamination has been defined.
- A work plan to define the extent and magnitude of soil gas contamination will be submitted before: _____
(mm/dd/yyyy)
- A Remedial Investigation Report defining extent and magnitude will be submitted before: _____
(mm/dd/yyyy)

Surface water and sediment contamination (check yes or no for each question below)

- Is there potential for surface water contamination? Yes No
- Is there potential for sediment contamination? Yes No

Response actions

Response Action Plan. If the MPCA determines that response actions are necessary to manage risk to human health or the environment posed by the identified releases, the applicant must prepare a Response Action Plan (RAP) within 90 days of MPCA approval of a Remedial Investigation Report. The RAP must provide a detailed design and schedules for implementation of actions to remedy the releases of hazardous substances at and from the site. The MPCA will review and comment on or approve the RAP within 60 days of submittal. The MPCA may require amendments to the RAP as new information becomes available during the investigation and response process. If the applicant fails to complete the RAP according to the approved schedule or submit amendments to the RAP as necessary to address contamination, the MPCA reserves the right to terminate the voluntary remediation. The MPCA reserves the right, following procedures established in Minn. Stat. ch. 115B, to require the responsible person to complete the RAP.

Environmental covenant

If residual contamination at the site warrants activity/land use restrictions or affirmative obligations (e.g., continued monitoring or operation/maintenance of a remedial system), the MPCA may require the applicant to file an environmental covenant. The MPCA will not issue a No Action or No Further Action letter until the environmental covenant is filed with the appropriate Office of the County Recorder or County Assessor.

Affidavit of hazardous substances

Before any transfer of property that was used as the site of a hazardous waste disposal facility or is subject to extensive contamination by release of a hazardous substance, the owner must record an Affidavit of Hazardous Substances. The MPCA will not issue a No Action or No Further Action letter until the Affidavit of Hazardous Substances is filed with the appropriate Office of the County Recorder or County Assessor.

Section C - Phase I and review information

Brownfield Program Review Timeframe

Program applicants should budget 30 working days in project schedules for MPCA to respond to submittals. **The 30 working-day review timeframe begins when everything that is needed for MPCA review has been submitted.** The MPCA will endeavor to provide a response to submittals within 30 working days.

Phase I Environmental Assessment Reports

A Phase I Environmental Site Assessment (Phase I ESA) prepared in accordance with the All Appropriate Inquiry (AAI) standard as per 40 C.F.R. Part 312 must be provided with this application unless the application is only for technical assistance or one of the following services/letters: Expedited review of a petroleum tank release site; Lender Letter; Tank Removal Verification and/or General Liability Letter.

The MPCA will not accept Phase I ESAs older than one year from the date of submittal of this application. In some cases Phase I ESAs older than one year can be submitted with a Phase I ESA update. MPCA staff may request information beyond the minimum requirements when needed to support review and approvals requested by the applicant.

Section D - Submittal requirements

List all reports submitted with this application (report title, author, and date):

Landmark Environmental LLC, 2015. Phase I Environmental Site Assessment, 113 - 26th Street East, Minneapolis, Minnesota, prepared for CPM Development, LLC. June.

Note: Submit one electronic copy of each report or supporting document. The preferred electronic file format is Adobe Acrobat portable document format (PDF). Each report or document should be submitted as a separate PDF file (i.e., separate PDFs must be first combined in the correct order as one file for each report/document submitted). **All email subject lines** must adhere to the following protocol: the Preferred Site Name must be listed **first** followed by the report/document name. The application and accompanying document(s)/report(s) **must** be submitted to: Brownfields.PCA@state.mn.us. Documents submitted not following these guidelines will result in a delay in processing your application. Documents submitted to the MPCA are considered public unless otherwise classified by the Minnesota Data Practices Act. Requests to classify documents as non-public must be submitted to the MPCA in writing following the procedures established in Minn. R. 7000.1300.

Section E - Reservation of rights

The protection from liability provided by MPCA documents issued as provided under this application does not apply to:

- (1) A person who aggravates or contributes to a release or threatened release that was not remedied under an approved voluntary response action plan;
- (2) A person who was responsible under sections 115B.01 to 115B.18 for a release or threatened release identified in the approved voluntary response action plan before taking an action that would have made the person subject to the protection under subdivision 6 or 6a; or
- (3) A person who obtains approval of a voluntary response action plan for purposes of this section by fraud or misrepresentation, or by knowingly failing to disclose material information, or who knows that approval was so obtained before taking an action that would have made the person subject to the protection under subdivision 6 or 6a.

Nothing in this section affects the authority of the agency or commissioner to exercise any powers or duties under Minn. Stat. ch. 115B or other law with respect to any release or threatened release, or the right of the agency, the commissioner, or any other person to seek any relief available under this chapter against any party who is not subject to the liability protection provided under this section.

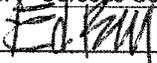
Section F - Agreement for reimbursement of MPCA costs

By submitting this application, the applicant agrees to pay the MPCA for the MPCA's costs for providing assistance under this Application pursuant to Minn. Stat. §115B.17, subd. 14 and/or Minn. Stat. §115C.03, subd. 9, including review of MPCA records and files, investigation plans, reports and RAPs, and activities associated with development of requested assurances or no action documents. The current fee is \$125.00 per hour. The applicant agrees that the applicant will pay the MPCA's costs within 30 days of receipt of an invoice for the costs. The applicant must notify the MPCA within 20 days of receipt of the invoice if any costs are disputed. The applicant agrees that failure to dispute costs by this time constitutes waiver of its right to dispute the costs, and the applicant agrees to pay all undisputed costs promptly. The MPCA will send invoices to a voluntary party applicant on a monthly basis and to a responsible party applicant on an annual basis. The applicant agrees that failure to pay the MPCA's costs in a timely manner may result in the MPCA terminating its review, declining to issue requested documents or assurances, and taking appropriate administrative or legal action to recover unpaid invoices from the applicant, which may include costs and legal fees associated with collection of the debt.

Certification

The **applicant** or other **authorized person** signing below on behalf of applicant (Agent):

- certifies that the **applicant** and/or **authorized person** has read and is familiar with the information on this form and all attached documents, and that the submitted information is true, accurate, and complete to the best of the **applicant's** and/or **authorized person's** knowledge; and
- certifies that the undersigned has the authority to bind the party represented, their agents, successors, and assigns.

Name (print): Ed Bell Title: Property Owner
Organization name: Corsops Corner LLC
Signature:  Date (mm/dd/yyyy): 10/2/2015

Attachment 4



Minnesota Pollution Control Agency

September 8, 2005

RECEIVED
HENNEPIN COUNTY
SEP 10 2005
Department Of
Environmental Services

Mr. Jeff Strand
Hennepin County Taxpayer Services
A-600 Government Center
300 South 6th Street
Minneapolis, MN 55487-0060

Mr. Alan Chazin
Corson's Corner LLC Suite 602
5353 Wayzata Boulevard
Minneapolis, MN 55416

Mr. Robert P. Platzer
Cherokee State Bank
607 South Smith Avenue
St. Paul, MN 55107

RE: Whiteway Cleaners #3
113 26th Street East
Minneapolis, Minnesota
MPCA Project Number VP2052
No Association Determination Letter

Dear Mr. Strand, Mr. Chazin, and Mr. Platzer:

This letter is in response to the request from Hennepin County for a determination under Minn. Stat. § 115B.178 that certain actions proposed to be taken by Hennepin County, Mr. Ed Bell and Mr. Alan Chazin of Corson's Corner LLC, and Cherokee State Bank (hereinafter, the Parties) at the Whiteway Cleaners Site # 3 located at the address referenced above (the Site), will not constitute conduct associating the Parties with the release or threatened release of hazardous substances, pollutants, or contaminants at the Site for the purpose of Minn. Stat § 115B.03, subd. 3(4) (2004).

The Site is a former commercial laundry and dry cleaning business that operated in a mixed commercial and residential area of the Whittier Neighborhood of Minneapolis from the early 1900's until 1986. In 1994 the Site became tax-forfeited property and is currently managed by Hennepin County Taxpayer Services.

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Environmental investigations conducted at the Site beginning in the late 1980s have identified high concentrations of the dry cleaning solvent perchloroethylene (PCE) in soil and ground water as well as lower concentrations of other solvents and petroleum-related compounds. Because of this contamination, the Site was added to the Minnesota Permanent List of Priorities (Minnesota Superfund List) in 1998 and subsequently, several investigations of soil, ground water and vapor phase contamination were conducted under the direction of the MPCA Superfund Program.

In 2002, the MPCA Superfund Program transferred management of soil remediation at the Site to Hennepin County. Hennepin County subsequently enrolled the Site in the MPCA Voluntary Investigation and Cleanup (VIC) program and the MPCA Voluntary Petroleum Investigation and Cleanup (VPIC) program on behalf of Mr. Ed Bell and Mr. Alan Chazin, the Site developers, doing business as Corson's Corner LLC. The redevelopment plan consists of a three-story, mostly slab-on-grade building containing 14 for-sale residential units and approximately 4,500 square feet of commercial space on the ground floor. Corson's Corner LLC has proposed constructing a 2,200 square foot basement under the commercial portion of the building. Separate slab-on-grade garage buildings also will be constructed as part of the development.

A Response Action Plan (RAP) and subsequent RAP Addendums #1, #2 and #3 (these documents will collectively be referred to as the RAP) were prepared for the Site by Hennepin County to address the site contamination. The RAP has been approved by the MPCA VIC and Petroleum Brownfields Programs. The RAP proposes using Soil Vapor Extraction (SVE) technology to remove the PCE and other VOCs in soil beneath the Site. The RAP includes the use of supplemental engineering controls for the proposed buildings and requires that the developers and eventual owners of the redeveloped Site agree to cooperate with implementation of the MPCA-approved response actions and any potential future remedial operation and maintenance activities that are needed.

As detailed in the MPCA's RAP approval letters, several additional documents must be prepared and submitted to the MPCA VIC Program to provide technical details of the proposed health and safety measures, remedial system operation, supplemental engineering controls and new building construction; these documents will require MPCA VIC program approval prior to implementation. In addition, a Declaration of Restrictions and Covenants must be recorded with the Hennepin County Recorders office. For the purpose of this letter, the identified release at the Site consists of PCE and associated volatile organic compounds (VOCs) detected in soil and ground water, as detailed in the documents submitted to the MPCA VIC program (Site Documents). Based upon a review of the information provided to the MPCA VIC Program, and subject to the conditions set forth in this letter and in the

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Mr. Alan Chazin
Mr. Robert P. Platzer
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MPCA's RAP approval letters a determination is hereby made pursuant to Minn. Stat. § 115B.178, subd. 1 that the proposed actions (Proposed Actions) as described in a letter from Mr. John Evans, representing Hennepin County Taxpayer Services, to Ms. Cathy O'Dell and Mr. Gerald Stahnke of the MPCA, dated July 25, 2005 (the Letter), will not associate the Parties with the Identified Release for the purpose of Minn. Stat. § 115B.03, subd. 3(4) (2004). The Proposed Actions for which this determination applies are:

For Hennepin County:

- Sealing of on-site ground water monitoring wells and SVE points and replacement of the wells at MPCA-approved locations by Hennepin County;

For Corson's Corner LLC:

- Acquisition and ownership of the Site;
- Installation and operation of a SVE system at the Site and completion of soil correction activities and all other MPCA-approved response actions by Corson's Corner LLC;
- Grading activities and the excavation and construction of building footings and related subsurface structures (based on engineering designs, approximately five feet of soil will be removed to construct the footings beneath the slab-on-grade areas and approximately 12 feet of soil will be removed to construct the basement);
- Installation of buried utilities, including sanitary sewer, storm sewer and water piping to estimated depths of approximately eight feet below the existing Site land surface;
- Importation of clean granular fill material and topsoil relating to the proposed development;
- Construction and management of a mixed-use commercial and residential building and garage buildings at the Site;
- Installation of a bituminous-paved parking lot; and
- Routine Site maintenance.

For Cherokee State Bank:

- Providing a loan to Corson's Corner LLC and holding a mortgage lien on the Site.

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Mr. Alan Chazin
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This determination is made in accordance with Minn. Stat. § 115B.178, subd. 1, and is subject to the following conditions:

1. The Proposed Actions shall be carried out as described in the Site Documents;
2. The Parties shall cooperate with the MPCA, its employees, contractors, and others acting at the MPCA's direction, in the event that the MPCA takes, or directs others to take, response actions at the Site to address the Identified Release or any other as yet unidentified release or threatened release of a hazardous substance, pollutant, or contaminant, including, but not limited to, granting access to the Site so that response actions can be taken;
3. The Parties shall avoid actions that contribute to the Identified Release or that interfere with response actions required under any MPCA-approved response action plan to address the Identified Release; and
4. The Modified RAP shall be implemented as approved by the MPCA VIC Program and the additional submittals required as part of these approvals shall be provided to the MPCA staff at least 30 days prior to implementation for review and approval. Please note that after review of the submittals, the MPCA may issue a conditional approval letter with additional requirements which must be met.

Pursuant to Minn. Stat. § 115B.178, subd.1, when the Parties take the Proposed Actions in accordance with the determination in this letter, subject to the conditions stated herein, the Proposed Actions will not associate the Parties with the Identified Release for the purpose of Minn. Stat. § 115B.03, subd. 3(4) (2004).

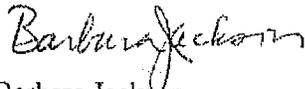
The determination made in this letter applies to the Parties' successors and assigns if the successors and assigns: 1) are not otherwise responsible for the Identified Release at the Site; 2) do not engage in activities with respect to the Identified Release which are substantially different from the activities which the Parties proposes to take, as described in the Letter; and 3) comply with the conditions set forth in this letter.

Please be advised that the determination made in this letter is subject to the disclaimers found in Attachment A and is contingent on compliance with the terms and conditions set forth herein.

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Mr. Alan Chazin
Mr. Robert P. Platzer
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If you have any questions about the contents of this letter, please contact Catherine O'Dell at (651) 282-2381 or Jerry Stahnke at (651) 297-1459.

Sincerely,



Barbara Jackson
Supervisor
Voluntary Investigation and Cleanup Unit
Superfund Section
Majors and Remediation Division

BJ/jmp

Enclosure

cc: John Evans, Hennepin Co. Environmental Services
Steve Schoff, MPCA Superfund
Paul Walz, Bay West
Jim Kelly, MDH

ATTACHMENT A
STANDARD DISCLAIMERS
Whiteway Cleaners #3 Site
MPCA Project Number VP2052

1. Reservation of Authorities

The MPCA Commissioner reserves the authority to take any appropriate actions with respect to any release, threatened release, or other conditions at the Site. The MPCA Commissioner also reserves the authority to take such actions if the voluntary party does not proceed in the manner described in this letter or if actions taken or omitted by the voluntary party with respect to the Site contribute to any release or threatened release, or create an imminent and substantial danger to public health and welfare.

2. No MPCA Assumption of Liability

The MPCA, its Commissioner and staff do not assume any liability for any release, threatened release or other conditions at the Site or for any actions taken or omitted by the voluntary party with regard to the release, threatened release, or other conditions at the Site, whether the actions taken or omitted are in accordance with this letter or otherwise.

3. Letter Based on Current Information

All statements, conclusions and representations in this letter are based upon information known to the MPCA Commissioner and staff at the time this letter was issued. The MPCA Commissioner and staff reserve the authority to modify or rescind any such statement, conclusion or representation and to take any appropriate action under his authority if the MPCA Commissioner or staff acquires information after issuance of this letter that provides a basis for such modification or action.

4. Disclaimer Regarding Use or Development of the Property

The MPCA, its Commissioner and staff do not warrant that the Site is suitable or appropriate for any particular use.

5. Disclaimer Regarding Investigative or Response Action at the Property

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