



Minnesota Pollution Control Agency

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January 28, 2010

The Honorable Michelle Fischbach
145 State Office Building
100 Rev. Drive Martin Luther King Jr. Boulevard
St. Paul, MN 55155-1206

JAN 29 2010

RE: Former Midtown Service Station Paynesville Leak #131

Dear Senator Fischbach:

Thank you for meeting with Minnesota Pollution Control Agency (MPCA) and Commerce on January 14, 2010 to discuss this site. This letter will hopefully provide a clear understanding of the current status of the MPCA's work at this site and a timetable of future work to address remaining risks associated with petroleum contamination at this site. This site has been and continues to be a very difficult site for us to complete.

The MPCA has provided the City of Paynesville two replacement wells, City Well 7 and City Well 8 (CW-7 and CW-8). MPCA had also removed the former CW-4 from providing drinking water to the City. We are continuing to pump CW-4 as a corrective action to protect CW-5 and CW-6 which are potentially at risk. We have investigated potential vapor impacts from the remaining petroleum contamination and determined that so far no significant vapor issues exist at this site.

The MPCA had intended to complete a large excavation to try and remove as much remaining petroleum contamination as possible. However due to initial cost estimates of around \$2 million and complications regarding purchasing structures, property access and utility relocations, the MPCA has decided to evaluate other options to remediate the existing petroleum contamination. The MPCA is currently exploring the potential effectiveness of using in-situ remediation technologies as well as still evaluating soil excavation to address remaining contamination. Below is a proposed timetable that the MPCA intends to follow for this site:

Draft Timetable

February 2010: Pilot Test Workplan developed by Terracon

June 2010: Pilot Test Completed

September 2010: Terracon Pilot Test Report with Alternatives Analysis

November 2010: MPCA Determination of Corrective Action

I know this timetable is different than we discussed on January 14, 2010. My staff has reminded me that the evaluation of the effectiveness of the in-situ techniques requires a pilot test to actually document that a system would prove effective in remediating the petroleum contamination remaining at this site. This information is critical for us to make a decision on what direction we will go on this site. We have already spent about \$1.3 million on this site putting it in the top 10 of all 17,000 plus sites we have worked on in this program over the last 23 years. Before hundreds of thousands of additional dollars are spent, we need to make sure that the most appropriate and cost-effective corrective action has been identified.

The Honorable Michelle Fischbach

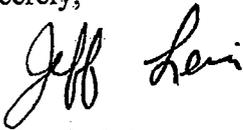
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As part of that evaluation, Joel Fischer and I will discuss what options we currently have for dealing with the properties that could be impacted by further remediation work. Joel and I will have these discussions in the next week. If there is a need for any changes to our authorities to purchase land, we will get back to you before the beginning of the legislative session on February 4, 2010.

I hope this letter and our discussion on January 14, 2010 have been helpful in clearing up any confusion caused by our actions on this site. We will keep your office informed on progress we make on this site. If you have any questions at any time, please feel free to contact me at jeff.lewis@state.mn.us or by phone at 651-757-2529.

Sincerely,



Jeff Lewis, Manager
Petroleum and Closed Landfill Section
Remediation Division

JL:csa

cc: Joel Fischer, Commerce Petrofund
Ron Mergen, City of Paynesville
Paul Wiese, Terracon