



Memorandum

To: Charlie Yunker, City Manager
City of St. Anthony Village
3301 Silver Lake Road
St. Anthony, MN 55418

From: Ryan Spencer, WSB
Justin Messner, WSB

Date: August 3, 2022

Re: BF0002266 - Kenzie Terrace - (Billing ID 252302)

The environmental investigation performed by WSB discovered a petroleum leak at the site. The leak was reported to the MPCA by the site owner (Interstate Development) in June 2022 and issued MPCA leak #21760. The MPCA is currently going through the process of identifying the responsible party (RP) for the leak. The RP is presumed to be the former gas station (Kenzie Company Gas Station) that occupied the site. The MPCA will determine if the gas station is still a viable business entity to pursue corrective actions against for the required follow-up leak investigation, referred to as a limited site investigation (LSI). The goal of the LSI is to define the extent/magnitude of the leak. The MPCA has 60 days to perform their RP search, which will likely determine the former gas station entity no longer exists. Once complete, the MPCA will issue a corrective actions letter to the owner stating an LSI is needed. The costs to perform the LSI (up to 90%) are eligible for reimbursement via the MN Petrofund Program.

Interstate Development plans to voluntarily perform the LSI and pursue Petrofund reimbursement. However, they would like to wait for the MPCA to issue the corrective action letter to start the LSI work to ensure sure the work will be eligible for Petrofund reimbursement. The MPCA's corrective action letter is anticipated in August 2022. Therefore, extension of the due diligence period to October 2022 is needed to obtain the corrective action letter, solicit bids for the LSI, and possibly perform the LSI.

Subsequently, the city enrolled the site into the into the MPCA Brownfield Program to obtain eligible contamination liability assurances. The site was issued Brownfields #BF0002266. The MPCA will issue a General Liability Letter (GLL) related to the discovered petroleum impacts. However, the GLL cannot be issued until after the RP search has been completed. Therefore, extension of the due diligence period to October will also allow time for the GLL to be issued/obtained prior to site purchase.