



Minnesota Pollution Control Agency

December 28, 2005

Mr. Brian Swanson
University of Minnesota Project Coordinator
335 Morrill Hall
100 Church Street SE
Minneapolis, MN 55455

RE: Gopher Football Stadium
NE corner of University Avenue SE and Oak Street SE, Minneapolis
MPCA Project Number VP20200
Phase I and Phase II Investigation Approval and Comments

Dear Mr. Swanson:

The MPCA staff in the Voluntary Investigation and Cleanup Unit (VIC Program) has reviewed the information submitted for the Gopher Football Stadium site, at the location referenced above (Site).

The historical information in the submitted Phase I Reports meets the VIC Program requirements for Phase I Investigations. Therefore the MPCA considers the Phase I Investigation complete.

The MPCA has determined that a reasonable investigation necessary for identifying major releases at the Site and their general extent and magnitude has been completed. Therefore, for the purpose of obtaining a No Further Action Determination, the Phase II investigation has been completed; however, the MPCA does have some comments on the content of the Phase II Investigation Report and requests that those comments, included in Attachment B, be addressed by the University prior to the next step in the MPCA review of the environmental work. The next step is the submittal of a Focused Feasibility Study and Contingency Plan (or Response Action Plan with contingency strategies). For MPCA approval of a Contingency Plan, the MPCA will need to review the plans for the stadium, including the location of the proposed stadium, the depth of all proposed excavation work, areas to be graded, and areas where soil from the excavation work may be used for fill.

The results of the Phase II Investigation Report indicate there are some localized areas of contaminated soil and debris in the proposed areas of construction, demolition and grading. In general, the ground water contamination from these small volumes of impacted soil is low level and the MPCA will not require remedial actions unless dewatering is proposed. Debris inappropriate for reburial (such as railroad ties, significant amounts of demolition debris, and materials containing asbestos) will need to be stockpiled, removed, tested where appropriate, and disposed of properly in accordance with state and local regulations. At a minimum, soil contaminated above the MPCA Soil Reference Values (SRVs) for recreational properties and soil that needs to be removed for geotechnical purposes will need to be tested in accordance with MPCA risk-based guidelines for characterization and disposed of properly. Please note that if the soil is not cleaned up to MPCA SRVs for residential properties, a notice will need to be placed on the deed, restricting land use to non-residential and non-child care facility uses. Soil with volatile contaminants may not be reused within a minimum radius of 200 feet for buildings that do not have engineered vapor control systems. The Contingency Plan needs to address response measures for expected and unexpected soil contamination and debris and confirmation sampling in accordance with MPCA risk-based guidelines to document the removal of contamination.

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The Phase II Investigation documented that the past soil cleanups of the creosote release at the northeast corner of the Site have been sufficient to significantly reduce the area and magnitude of the ground water contamination. It is the MPCA staff's understanding that the creosote impacted area will remain covered by an asphalt covered parking lot. For the purpose of the construction of the stadium, the MPCA is not requiring ground water or additional soil cleanup measures if the stadium is constructed outside the area of the creosote contamination and no dewatering is planned. However, some significant creosote impacted soil and ground water still remains. If the creosote impacted soil and ground water are not cleaned up to MPCA criteria, the MPCA will require a restrictive covenant be placed on the deed for the areas impacted by the creosote, restricting future land use until the creosote release is remediated. The strong odors produced by the creosote are of concern, so buildings constructed within a minimum radius of 200 feet of the release will need specially engineered vapor control systems. Dewatering for construction or other purposes will not be approved if the creosote remains, because dewatering may increase the extent of the contamination plume. Any creosote impacted soil encountered during excavation or grading activities will need to be removed, tested and disposed of as a hazardous waste.

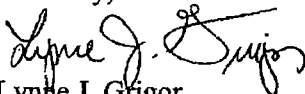
The MPCA strongly recommends that the remaining soil impacted by creosote be removed to reduce the need for restrictions on future property use. The Phase II Investigation results indicate that a cleanup of the creosote impacted soil produces a very effective reduction in the ground water contamination plume.

Please note, as mentioned in Attachment B, that the deep production water wells in the southwest corner of the Site need to be permanently abandoned in accordance with Minnesota Department of Health water well regulations as soon as is reasonable.

This letter does not cover the release of petroleum compounds documented at the Site, because the VIC Program does not address petroleum compounds from identified petroleum sources.

Please feel free to contact me at (651) 296-8572 or Wayne Sarappo at (651) 296-7297 if you have any questions concerning the content of this letter.

Sincerely,



Lynne J. Grigor
Senior Environmental Geologist
Voluntary Investigation and Cleanup Unit
Remediation Division

LJG:ais

Attachment

cc: Joseph Otte, Wenck Associates
Rick Kubler, Gray, Plant, Mooty
Daniel Pena, Minnesota Department of Health
David Jaeger, Hennepin County

UMR-5555

ATTACHMENT A
DISCLAIMERS
Gopher Football Stadium
MPCA Project Number VP20200

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.

ATTACHMENT B
GENERAL COMMENTS

1. The vastly different concentrations of naphthalene detected in water samples from PMW-4 indicate there may be differences in the accuracy of the two analytical methods used. Please check with the analytical lab and the field technician to determine why the differences may have occurred.
2. Some soil samples contained elevated concentrations of lead, arsenic, cadmium and other metals. For areas where ash and other metal impacted soils have been identified, soil analytical testing will be necessary for reuse or proper disposal of the soil.
3. Soil that contained elevated polynuclear aromatic hydrocarbons (PAHs) in the area of the proposed stadium and shallow soil that may be graded, will need testing and proper disposal.
4. The ground water flow direction maps contain some errors and need to be redrafted. The contours indicate a possible cone of depression in the shallow ground water in the vicinity of the two deep water wells in the southwest corner of the Site. The well casings may have deteriorated to the point where they are allowing shallow ground water to flow into the deeper aquifers which are used locally for food processing and park drinking water. The wells need to be permanently abandoned in accordance with Minnesota Department of Health regulations.
5. Analysis of another set of ground water samples will be necessary to design the Contingency Plan.