



Minnesota Pollution Control Agency

JUN 28 2007

520 Lafayette Road North | St. Paul, MN 55155-4194 | 651-296-6300 | 800-675-3843 | 651-282-5332 TTY | www.pca.state.mn.us

June 25, 2007

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
Notice of Intent

Dear Mr. Swanson:

The purpose of this letter is to inform you that Minnesota Pollution Control Agency staff in the Voluntary Investigation and Cleanup Program intend to collect or contract the collection of verification samples of creosote impacted soil, originating from the University of Minnesota stadium construction site at the above referenced location, and transport it to the AB Environmental facility in Henderson, Minnesota for treatment. Specifically, the MPCA intends to collect pre-treatment and post-treatment samples of the soil once it is stockpiled at the AB Environmental facility. The purpose of the collection and analysis of pre-treatment and post-treatment samples is to verify the effectiveness of the soil treatment for this response action. Similar testing was conducted by the MPCA during the creosote soil 1994-5 thermal treatment at the current stadium construction site.

A Sampling and Analysis Plan will be prepared and available for comment prior to the sample collection. The MPCA will work with AB Environmental to coordinate the sampling event.

MPCA staff understands that the excavation and transport of the soil is scheduled to begin in early July 2007. The MPCA sampling will therefore occur in approximately 30 to 60 days from receipt of this letter. As always, if you have any questions or concerns please contact me at 651-296-7297 or Lynne Grigor at 651-296-8572.

Sincerely,

Wayne F. Sarappo
Project Manager
Voluntary Investigation and Cleanup Unit
Superfund and Emergency Response Section
Remediation Division

WFS/jmp

Attachment

cc: Joseph Otte, Wenck Associates
Rick Kubler, Gray, Plant, Mooty

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.