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May 2, 2006

Mr. Wayne Sarappo, Project Manager
Minnesota Pollution Control Agency
VIC Program
520 Lafayette Road
St. Paul, Minnesota 55155-4194

Ms. Lynne Grigor, Hydrogeologist
Minnesota Pollution Control Agency
VIC Program
520 Lafayette Road
St. Paul, Minnesota 55155-4194

RE: Proposed Actions Letter
TCF Bank Stadium Site
University of Minnesota East Bank Campus
VIC Program Project Number VP20200
Wenck Project Number 0179-12-7

Dear Mr. Sarappo and Ms. Grigor:

As you are aware, the preparation for the construction of the TCF Bank Football Stadium ("the Stadium") is proceeding. Site redevelopment activities will include reconfiguration of roadways and construction of new utility infrastructure in the vicinity of the Stadium. Some of this activity will be on the property that was subject to investigation under our Investigation Report, dated October 2005, and some of the activity will be under adjacent roadways not specifically investigated as part of Wenck's investigation. Finally, some portions of the redevelopment activity will take place on adjacent or nearby properties, many of which have been investigated by other environmental consultants working on behalf of the University of Minnesota. These adjacent and nearby properties include the following Voluntary Investigation and Cleanup ("VIC") Program projects:

VP11350	Reichhold
VP14060	Kempf Paper Building
VP16720	Center for Magnetic Resonance Research
VP17340	Translational Lab Site
VP17670	Union Pacific Railroad Property
VP18960	Translational Research Steam Line
VP21820	ConAgra - 23 rd Avenue
VP21570	University Technology Center East

The MPCA has issued or is in the process of issuing no action and no association determinations with respect to the above-referenced VIC projects. A listing of these assurance letters is attached to this Proposed Actions letter. These assurance letters typically require that the University notify the MPCA of any anticipated significant

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construction or excavation projects planned for the property, and to submit and obtain MPCA approval of the proposed actions. Where there is a potential that hazardous substances, pollutants or contaminants may be encountered during the construction activities, the University is required to also submit and obtain MPCA approval of a contingency plan providing procedures for identifying, characterizing and properly disposing of waste generated by the project.

The University seeks to facilitate construction, and avoid any inconsistencies or confusion that could result from having multiple contingency plans in effect during implementation of Bid Packages let for these construction projects. To achieve these goals, we propose to use the enclosed Site Redevelopment and Construction Contingency Plan ("Contingency Plan") prepared by Wenck, and dated April 2006 during all phases of the Stadium construction process.

The University hereby requests approval from the MPCA of the Contingency Plan. The University also requests that the MPCA determine that by taking the proposed actions detailed below and in the attached Bid Packages, the University will not associate itself with the identified releases at the Stadium site or at the above-referenced adjacent or nearby VIC project sites.

The proposed actions associated with construction of the Stadium for which this request is being made are as follows:

Construction activities pursuant to Bid Pack #1 (included as an attachment to this letter). These proposed actions include:

- re-construction of 23rd Avenue SE between University Avenue SE and the proposed new 6th Street SE extension (this action may require excavation of creosote contaminated soils associated with the former Republic Creosoting facility – see attached plan view and cross-sections),
- re-construction of existing 6th Street SE between 23rd Avenue SE and Oak Street including bio-swale areas needed for stormwater management. (This action may require excavation of creosote contaminated soils associated with the former Republic Creosoting facility – see attached plan view and cross-sections),
- construction of a "waste management road" between 23rd Avenue SE and 25th Avenue SE,
- construction of lot C-77 including new ramp beneath the 2221 building (this proposed action will require de-watering activities lasting approximately two weeks and lowering groundwater in an area of approximately 2,550 square feet by an elevation of four feet),
- expansion of the Wildcat Lot, construction of a parking lot on Block 12 of Baker's Addition,

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- expansion of the Mast Lab West parking lot.

The proposed actions associated with Bid Pack #1 are presently scheduled for June 2006 through June 2007.

Construction activities pursuant to Bid Pack #4. These proposed actions include:

- the roadway construction of Oak Street between Beacon Street SE to 4th Street SE (including potential de-watering for a reconstructed steam vault),
- re-construction of University Avenue SE between Oak Street and 25th Avenue SE,
- roadway construction of Huron Boulevard between University Avenue SE and Delaware Street SE,
- construction of the plaza area southeast of Williams Arena, roadway construction of 6th Street SE from 23rd to 25th Avenues SE,
- construction of the Gopher 2 Parking Lot.

These proposed actions are presently scheduled for February 2007 through December 2007.

Construction activities pursuant to Bid Pack #5. These proposed actions include:

- the construction of the Gopher 1 Parking Lot,
- construction of the Wolverine Parking Lot with associated bio-swale area,
- the construction of University Avenue & 23rd Street Parking Lot.

These activities are presently scheduled for July 2007 through July 2009.

Construction of the Stadium and associated structures. The foundation system for the Stadium has not yet been designed. The foundation may be on driven piles, or another type of footing system. Depending on the type of foundation system that is necessary, the foundation system may require dewatering activities during construction.

Wenck will supplement this Proposed Actions letter when subsequent bid packages are available detailing specific design plans.

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Thank you for your attention to this request. We look forward to your comments and approval of the enclosed Contingency Plan. Should you have any questions during the review process, please contact me at (651) 294-4587.

Sincerely,

WENCK ASSOCIATES, INC.



J. Joseph Otte, Team Leader
Real Estate Sector

Enclosure

C: Mr. Rick Kubler, Gray Plant Mooty
Mr. Brian Swanson, University of Minnesota
Mr. Mike Monahan, SRF Consulting Group
Mr. David Spillman, Hines

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