

April 29, 2022

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Document No.: JAL-101216291

Monte Hilleman
Saint Paul Port Authority
380 Saint Peter Street #850
Saint Paul, Minnesota 55102

**SUBJECT: APPROVAL OF AGRICULTURAL CHEMICAL REMEDIAL INVESTIGATION
AND RESPONSE ACTION PLAN**

RE: SITE NAME: FORMER HILLCREST GOLF COURSE, SAINT PAUL
MDA PROJECT NO: JAL101091523

Dear Mr. Hilleman:

Minnesota Department of Agriculture (MDA) Incident Response Unit staff has reviewed the Braun Intertec Remedial Investigation Report (RI) and Response Action Plan (RAP), dated March 2, 2022, for your company's facility in Saint Paul, Minnesota. The MDA hereby approves the RI and RAP with the incorporation of the following comments and qualifications:

- **Residential Mercury SRV:** Between March 2, 2022, when the RI and RAP were submitted and the present day, the Minnesota Pollution Control Agency (MPCA) updated the residential Soil Reference Value (SRV) for mercury from 3.1 milligrams per kilogram (mg/kg) to 2.7 mg/kg. The industrial and commercial SRV for mercury remains 3.1 mg/kg. While the MDA finds the overall approach to the RAP to be satisfactory, the updated residential mercury SRV of 2.7 mg/kg will require updates to proposed excavation areas, tables, and figures. Given this change, please provide the MDA with a Supplemental RAP, to be reviewed and approved by MDA before corrective action site work begins, which makes the necessary changes required to conform with the recent update to the residential mercury SRV. Please consider the other comments and qualification listed below when compiling the Supplemental RAP.

Additional Corrective Action Excavation Areas: The MDA requests that excavation be conducted in the following areas:

- 7th Fairway Decision Unit 2 and Decision Unit 3, 1ft depth, composite confirmation samples should be conducted as described in G.4.b.
- 10th Fairway Decision Unit 3, 1ft depth, composite confirmation samples should be conducted as described in G.4.b.
- 11th Fairway Decision Unit 3, 1ft depth, composite confirmation samples should be conducted as described in G.4.b.
- Sample locations SS-22F and SS-22G, 1ft depth between SS-22E and SS-22H, discrete confirmation samples should be collected on the north and south excavation sidewalls.
- Test trench location TT-6, 10ft depth, discrete confirmation samples collected on north, south, east, and west sidewalls, and bottom of excavation.
- Sample location SS-5J, 1ft depth, extend the 6th Hole Tee Box excavation to SS-5H.

- Sample location PW-1B, 1ft depth, extend the 9th Hole Green excavation to PW-1A.

In the Supplemental RAP, please provide estimates of volumes, in cubic yards, of Type 3 Soils that will be excavated and disposed of off-site. In addition, please provide the name and location of the landfill that will be receiving this soil. Finally, please provide an estimate of the volume of Type 2 soils that are present at the Site, and an estimate of the volume of Type 2 soils that will be moved and use as fill on site. The Corrective Action Report should include detailed information on the location of Type 2 soils that have either been left in place or moved to different locations at the site.

- **Type 2 Soil Placement:** The MDA maintains that unregulated fill is most suitable for use at industrial or commercial properties. Therefore, the MDA does not approve the placement of Type 2 Soils within the planned wetlands or park. Additionally, Type 2 Soils should not be placed within 10 feet of the water table, perched or otherwise, in accordance with the Minnesota Pollution Control Agency guidance “Best Management Practices for the Off-Site Reuse of Unregulated Fill”. Additional temporary monitoring wells may be required in areas where Type 2 soils will be placed but depth to groundwater is unknown.
- **Water Table:** The RI and RAP maintain that the water table at the Site is between 100 and 200 feet below the ground surface and that water encountered near the surface in temporary and permanent monitoring wells is part of a perched water table. Based on site soil boring logs and the presence of surface water in the form of ponds and wetlands both on and adjacent to the Site, the MDA believes that the near-surface water table is the main water table, as opposed to the potentially deeper groundwater unit which is estimated to exist between 100 to 200 feet below ground surface (bgs). Temporary wells completed on-site during the 2019 Phase II ESA indicate that a shallow water table exists between 5 and 13 feet bgs. In order to prevent mercury and other contaminants from leaching into the water table and surrounding surface water bodies, Type 2 soils should not be placed within 10 feet of the shallow water table.
- **Site Work Schedule:** Per MDA Guidance Document 10, please provide a schedule of the construction and implementation of the corrective action.
- **Contamination Impacts Survey:** Per MDA Guidance Document 9, MDA Guidance Document 10, and the MDA RI-Work Plan Comment Letter, sent May 6, 2020, please provide a Contamination Impacts Survey (CIS) for the Site for review and approval by MDA before corrective action site work begins.
- **Well Tables:** Per MDA Guidance Document 10, please provide a Water Level Measurement table, with depth to water measurement presented in feet above mean sea level. Additionally, please provide a Well Construction table.
- **Fugitive Dust Control:** Please provide the Nuisance Dust Monitoring Plan/Specification to the MDA for review and approval before corrective action site work begins. Additionally, please clarify the following:
 - Whether dust measurements will be of Total Particulate, PM10, or PM2.5;
 - The basis for and frequency of dust measurements conducted;

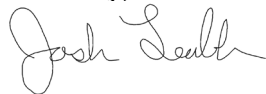
- Whether dust monitoring will be conducted in the reoccurring locations, such as a monitoring station, or if monitoring location will be variable and based off of site work and wind direction;
 - Whether fugitive dust control will be employed based on visual observation of dust leaving the site;
 - Whether site work will cease until fugitive dust controls can be deployed;
 - Please elaborate on what dust control agents may be used.
- **Interim Cover:** Please note, while the MDA agrees with the practice of minimizing open soil areas while working in areas with impacted soil, we do not support the use of clean soils as an interim cover, given the process of removing the interim cover may mix clean soils with impacted soils, ultimately generating more impacted soil. This is of particular concern for the 30,000 square foot Decision Units located in the fairways, which will need to remain accessible following the collection of confirmation samples in case further vertical excavation of soil impacts is required.
 - **I.4. Plan Modification:** Please communicate any proposed modification to the Response Action Plan to the MDA as well as the Minnesota Pollution Control Agency.

MDA staff should be notified at least one week in advance of the date site work is scheduled to begin. In addition, please submit a Corrective Action Report within sixty (60) days after the approved corrective action is completed. If subsequently obtained information indicates that the approved corrective actions are inappropriate or insufficient, MDA staff may require additional work or modifications to the approved work.

Please be advised this letter is subject to the disclaimers listed in Attachment A. In addition, you are responsible for ensuring that the approved corrective action complies with all applicable building, electrical and fire codes and health department rules, and that all necessary state and local approvals are obtained.

If you have any questions about this project, please contact me at josh.leable@state.mn.us or MDA technical staff person Stuart Orłowski at stuart.n.orłowski@state.mn.us.

Sincerely,



Josh Leable, Project Manager
Incident Response Unit
Pesticide & Fertilizer Management Division

cc: Kathryn Sarnecki, SPPA (e)
Ken Larsen, Braun Intertec (e)
Andrew Nichols, MPCA (e)
Mark Koplitz, MPCA (e)
Aaron Irber, MDA (e)
Stuart Orłowski, MDA (e)

ATTACHMENT A
DISCLAIMERS
FORMER HILLCREST GOLF COURSE, SAINT PAUL, RAMSEY COUNTY, MINNESOTA
MDA PROJECT NO: JAL101091523

1. Reservation of Authorities

The MDA Commissioner reserves the authority to take any appropriate actions with respect to any release, threatened release, or other conditions at the Site. The MDA 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 or the environment.

2. No MDA Assumption of Liability

The MDA, 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. The voluntary party is responsible for ensuring that the approved corrective action complies with all applicable building, electrical and fire codes and Health Department rules, and that all necessary state and local approvals are obtained.

3. Letter Based on Current Information

All statements, conclusions and representations in this letter are based upon information known to the MDA Commissioner and staff at the time this letter was issued. The MDA 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 MDA Commissioner or staff acquires information after issuance of this letter that provides a basis for such modification or action.

4. Disclaimer Regarding Non-Agricultural Contamination

Approval of this investigation is based on its environmental merits for addressing the agricultural chemical contamination only. This letter does not apply to other types of contamination that may be present on the subject property.

5. Disclaimer Regarding Use or Development of the Property

The MDA, its Commissioner and staff do not warrant that the Site is suitable or appropriate for any particular use.