

# **Phase I Environmental Site Assessment**

Upper Harbor Terminal  
Nine Parcels North of 33rd Avenue North, West of Mississippi River  
Minneapolis, Minnesota

*Prepared For*

**City of Minneapolis**

**and**

**Minneapolis Park and Recreation Board**

Project B1506758  
September 17, 2015

Braun Intertec Corporation

September 17, 2015

Project B1506758

Mr. Abdulkadir Jama  
City of Minneapolis  
105 5th Avenue S., Crown Roller Mill, Suite 200  
Minneapolis, Minnesota, 55401

Re: Phase I Environmental Site Assessment  
Upper Harbor Terminal  
Nine Parcels North of 33rd Avenue North, West of Mississippi River  
Minneapolis, Minnesota

Dear Mr. Jama:

In accordance with your written authorization, Braun Intertec Corporation conducted a Phase I environmental site assessment (ESA) of the above-referenced site (Site). The objective of the Phase I ESA was to evaluate the Site for indications of recognized environmental conditions and to assist in satisfying All Appropriate Inquiries (AAI) standards and practices. The Phase I ESA was conducted in general conformance with the scope and limitations of American Society for Testing and Materials (ASTM) Practice E1527-13 and 40 CFR Part 312.

The Phase I ESA was prepared on behalf of, and for use by the City of Minneapolis, and the Minneapolis Park and Recreation Board (MPRB). No other party has a right to rely on the contents of the Phase I ESA without written authorization by Braun Intertec. The Phase I ESA was prepared in association with the redevelopment of the Site. Please refer to the attached report for the scope, methods and conclusions of our assessment.

We appreciate the opportunity to provide our professional services for you for this project. If you have any questions regarding this letter or the attached report, please contact Matthew Erickson at 952.995.2618 or Bob Rykken at 952-697-0566.

Sincerely,

BRAUN INTERTEC CORPORATION

  
Matthew P. Erickson, PG, CHMM  
Senior Scientist

  
Robert J. Rykken, P.E.  
Principal

Attachment:  
Phase I Environmental Site Assessment Report

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## Executive Summary

Braun Intertec Corporation conducted a Phase I Environmental Site Assessment (ESA) of the Upper Harbor Terminal, which consists of nine City of Minneapolis owned parcels located in an area north of 33rd Avenue North and west of the Mississippi River in Minneapolis, Minnesota (Site), in general conformance with the scope and limitations of American Society for Testing and Materials (ASTM) Practice E1527-13 and 40 CFR Part 312.

At the time of the reconnaissance, the Site consisted of nine contiguous parcels totaling approximately 48.16 acres. A Site Location Map is included in Appendix A, parcel assignments are depicted on the Site Map in Appendix B. The Site topography was relatively flat with a gentle slope down to the river bank. The Site was used as a storage and transfer facility with Parcel 1 full of aggregate piles; the north part of Parcel 2 covered mostly by empty storage bins and silos (reportedly previously used for urea and grains); the south part of Parcel 2 covered by a large high bay warehouse full of pallets of steel coils and other building materials; Parcel 3 and Parcel 4 used for wood chip storage; Parcel 5 full of pallets of roofing shingles; Parcel 6a and Parcel 6b generally vacant except for vacant office building, truck scales, scale house, and a shed; and Parcel 7a and Parcel 7b vacant strips of land along U.S. Interstate Highway 94.

The Site has been used as a storage and transfer facility for commodities since the 1960s. The earliest existing Site structures were constructed in approximately 1968. Prior to the 1960s, the Site uses included residential, grazing, and cultivated farmland.

### Recognized Environmental Conditions

This assessment identified no recognized environmental conditions in connection with the Site, with the exception of the following:

- Historical information indicates that fill was placed on the Site in the 1960s. The origins of the fill are undocumented. Previous exploratory borings on Parcel 2 encountered wood with creosote odors, fuel oil type hydrocarbons, and cinders in the fill. Based on this information there is a potential for hazardous substance and/or petroleum contamination in the fill. We consider this potential a recognized environmental condition.
- Based on regulatory information there is petroleum contaminated soil and groundwater at the Site Parcel 6A, associated with Minnesota Pollution Control Agency (MPCA) Leak 12239. In addition, several petroleum spills have been reported for the Site. Although the leak and reported spills have been assigned a closed status by the MPCA, based on the planned

redevelopment of the Site, we consider the identified petroleum contamination to soil and groundwater as well as the potential for unknown petroleum spills a recognized environmental condition at this time.

- Former ASTs with associated pipelines were present on Parcels 5 and 6A. In addition, pipelines connected to the former above ground storage tanks (ASTs) on parcel 6A traversed Parcel 2. Although previous closure testing did not identify significant contamination, based on the past storage and transfer of bulk petroleum products, limitations of past testing (which indicate the potential for smaller localized and unknown past releases), and because of the potential for redevelopment, the past presence of petroleum ASTs and associated transfer pipelines on Parcels 2, 5, and 6a are considered recognized environmental conditions.

#### **Additional Considerations**

Historical information and interview information indicates the presence of underground heating pipelines, fuel pipelines, and conveyance tunnels. There is a potential for asbestos-containing materials on the buried pipes and/or pipes in tunnels.

## A. Introduction

### A.1. Purpose

Braun Intertec Corporation received authorization from Mr. Abdulkadir Jama of the City of Minneapolis Community Planning & Economic Development (CPED and Client) to conduct a Phase I Environmental Site Assessment (ESA) of the Upper Harbor Terminal, which consists of Nine Parcels (listed in Section A.2) and right-of ways located north of 33rd Avenue North and West of Mississippi River in Minneapolis, Minnesota (Site). The objective of the Phase I ESA was to evaluate the Site for indications of recognized environmental conditions and to assist in satisfying All Appropriate Inquiries (AAI) standards and practices. The Phase I ESA was conducted in general conformance with the scope and limitations of American Society for Testing and Materials (ASTM) Practice E1527-13 and 40 CFR Part 312. No intentional deviations from the ASTM Practice E1527-13 were made in conducting this Phase I ESA for the Site. The Phase I ESA was prepared on behalf of, and for the use by City of Minneapolis and the Minneapolis Park and Recreation Board (MPRB) (User) in accordance with the contract between City of Minneapolis and Braun Intertec, including the Braun Intertec General Conditions. No other party has a right to rely on the contents of the Phase I ESA without written authorization by Braun Intertec. All authorized parties are entitled to rely on the attached report according to our contract with Client, and under the same terms, conditions and circumstances. Please note that our contract with Client may contain a limitation of our total liability. If so, such limitation also applies to all those receiving this permission.

According to the User, the Phase I ESA was conducted in association with the redevelopment of the Site.

The purpose of this Phase I ESA was to evaluate the Site for indications of “recognized environmental conditions.” A recognized environmental condition is defined by ASTM Practice E1527-13 as: “the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: 1) due to any release to the environment, 2) under conditions indicative of a release to the environment: or 3) under conditions that pose a material threat of a future release to the environment. *De minimis* conditions are not recognized environmental conditions.”

In addition, a “controlled recognized environmental condition” is also a recognized environmental condition. A controlled recognized environmental condition is defined by ASTM Practice E1527-13 as “a recognized environmental condition resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority, with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls.”

## A.2. Site Location

The approximate center of the Site is bisected by 36th Avenue North and is located between the Mississippi River and Interstate Highway 94 in Minneapolis, Hennepin County, Minnesota.

A Site Location Map and Site Map are included in Appendices A and B, respectively. Information obtained from the Hennepin County Property Information web page is included in Appendix C.

The Site consists of nine parcels. For consistency with the Upper Harbor Terminal Redevelopment Strategy dated December 2014, the nine parcels are described herein as UHTR Parcels 1, 2, 3, 4, 5, 6a, 6b, 7a, and 7b. Parcel assignments are depicted on the Site Map in Appendix B.

The following is a summary of Parcel information from the Hennepin County property information website:

UHTR Parcel	Address	Parcel Identification Number	Area (acres)
1	3800 1st Street North	03-029-24-31-0008	5.71
2	2 36th Avenue North	03-029-24-34-0026	12.47
3	5 36th Avenue North	03-029-24-21-0002	6.86
4	51 34th Avenue North	03-029-24-21-0048	6.23
5	3360 1st Street North	03-029-24-24-0065	8.82
6a	3700 Washington Avenue North	03-029-24-34-0007	4.25
6b	3648 Washington Avenue North	03-029-24-34-0028	0.54
7a	3701 Washington Avenue North	03-029-24-34-0029	2.15
7b	3639 Washington Avenue North	03-029-24-34-0031	1.13

The parcel information lists the City of Minneapolis as the owner of all nine parcels. The combined total area of the nine parcels is 48.16 acres.

## A.3. Scope of Services

Services provided for this project included:

- Preparing a description of the Site location, current use and improvements, and surrounding area.

- Preparing a general description of the topography, soils, geology, and groundwater flow direction at the Site.
- Reviewing reasonably ascertainable and practically reviewable regulatory information published by state and federal agencies, health, and/or environmental agencies.
- Reviewing the history of the Site, including aerial photographs, fire insurance maps, directories, and other readily available Site development data.
- Conducting a reconnaissance and environmental review of the Site, including observations of the Site for indications of hazardous materials, petroleum products, polychlorinated biphenyls (PCBs), wells, storage tanks, solid waste disposal, pits and sumps, and utilities.
- Conducting an area reconnaissance, including a brief review of adjoining property uses and pertinent environmental information noted in the Site vicinity.
- Interviewing current owners and/or occupants of the Site and accessible past Site owners, operators and/or occupants.
- Interviewing local government officials or agencies having jurisdiction over hazardous waste disposal or other environmental matters in the area of the Site.
- Reviewing previous environmental reports prepared for the Site, if provided.
- Preparing a written report of our methods, results, and conclusions.

The Standard Scope of the ASTM Practice E1527-13 is not intended to provide a universal analysis of potential environmental risks and hazards. This assessment included no analysis of non-standard scope environmental risks and hazards unless otherwise listed above. Analysis of other non-standard scope issues by Braun Intertec would require additional contractual arrangements.

This assessment does not include vapor encroachment screening as defined in ASTM Practice E2600-10, *Standard Guide for Vapor Encroachment Screening on Property Involved in Real Estate Transactions*. ASTM Practice E2600-10 is not a requirement or component of “all appropriate inquiry,” but a tool for evaluating vapor migration. Its results are not determinative of whether hazardous substances from a release are or may be present at the property for the sake of “all appropriate inquiry” or ASTM Practice E1527-13. An ASTM Practice E2600-10 vapor encroachment screen is not within the scope of this

Phase I ESA and will not be conducted unless specifically requested by the User. However, vapors present or likely present from hazardous substances or petroleum products are considered no differently than hazardous substances or petroleum products present or likely present as a result of a release to the environment. Therefore, while a vapor encroachment screening per the ASTM Practice E2600-10 standard is not part of this assessment, the potential for impacts to the property from vapor migration that is a result of a release of hazardous substances and/or petroleum products to the environment will be considered when assessing for the presence of a recognized environmental condition as defined by ASTM E1527-13.

#### **A.4. User-Provided Information**

The purpose of this section is to describe tasks to be performed by the “User.” The “User” as defined by ASTM Practice E1527-13, is “the party seeking to use ASTM Practice E1527-13 to complete an environmental site assessment of the property. A User may include, without limitation, a potential purchaser of property, a potential tenant of property, an owner of property, a lender, or a property manager.”

As stated in 40 CFR 312 (the rule), the Brownfields Amendments provide important liability protections for Users who qualify as contiguous property owners, bona fide prospective purchasers, or innocent landowners. To meet the statutory requirements for any of these Landowner Liability Protections (LLPs), a User must meet certain threshold requirements and satisfy certain continuing obligations. To qualify as one of the three LLPs, the User must perform “all appropriate inquiries” (AAI) on or before the date on which the User acquired the Site. The rule defines AAI, which includes inquiries and activities performed by the User and an environmental professional (EP).

The rule allows (but does not mandate) the User performing AAI to conduct inquiries or activities that may include searches for environmental liens, assessments of any specialized knowledge on the part of the User, an assessment of commonly known or reasonably ascertainable information about the Site, and an assessment of the relationship of the purchase price to fair market value. However, if the User performing AAI conducts one or more of these inquiries and/or activities, the rule allows (but does not mandate) that the User may communicate information gathered from these inquiries and/or activities to their EP to identify a possible recognized environmental condition.

Braun Intertec provided a User Questionnaire to the Client as a means to communicate information gathered from these inquiries and/or activities to the EP. The User may elect whether to communicate this information to the EP and/or to communicate this information to the EP by other means (e.g., through conversation or submission of documents). As indicated in our contract, if multiple Users are requesting reliance on the Phase I ESA, the Client was responsible for forwarding a copy of the questionnaire to all appropriate entities (collectively the User).

User-supplied information is discussed in applicable sections of this report. Sections A.4.a through A.4.f present any information communicated to us by the User that the EP has determined to indicate the possible presence or likely presence of a recognized environmental condition.

#### **A.4.a. Environmental Liens**

An environmental lien is a charge, security, or encumbrance, upon title to the Site to secure the payment of a cost, damage, debt, obligation, or duty arising out of response actions, cleanup, or other remediation of environmental issues at the Site.

We were provided no information indicating record or awareness of environmental liens recorded against the Site.

#### **A.4.b. Activity and Use Limitations**

Activity and Use Limitations (AULs) are legal or physical restrictions or limitations on the use of, or access to, a Site to reduce or eliminate potential exposure to hazardous substances or petroleum products in the soil, soil vapor, groundwater, and/or surface water on the Site or to prevent activities that could interfere with the effectiveness of a response action, in order to ensure maintenance of a condition of no significant risk to public health or the environment. AULs, which may include institutional and/or engineering controls, are intended to prevent adverse impacts to individuals or populations that may be exposed to hazardous substances and petroleum products in the soil, groundwater, and/or surface water on the Site.

We were provided no information indicating a record or awareness of AULs recorded for the Site.

#### **A.4.c. Specialized Environmental Knowledge**

Specialized environmental knowledge includes any information and/or experience related to the Site or adjoining properties including, but not limited to, any obvious indicators that point to the presence or likely presence of environmental issues at the Site.

The User provided previous environmental reports conducted at the Site. A summary of those reports are in Section B.6. The User was not aware of additional information regarding specialized environmental knowledge pertaining to the Site.

#### **A.4.d. Valuation Reduction for Environmental Issues**

Valuation reduction for environmental issues includes the relationship of the purchase price to the fair market value of the property.

No information was provided to use by the User indicating any reduction in purchase price or fair market value of the Site due to environmental issues.

#### **A.4.e. Commonly Known or Reasonably Ascertainable Information**

Commonly known or reasonable ascertainable information includes information about the Site that generally is known to the public within the community where the Site is located and can be easily sought and found from individuals familiar with the Site or from easily attainable public sources of information.

The User provided previous environmental reports conducted at the Site. A summary of those reports are in Section B.6.

#### **A.4.f. Degree of Obviousness**

The User must consider the degree of obviousness of the presence or likely presence of releases or threatened releases at the Site and the ability to detect releases or threatened releases by appropriate investigation.

The User provided previous environmental reports conducted at the Site. A summary of those reports are in Section B.6.

## **B. Records Review**

The purpose of the records review is to obtain and review records that will help identify recognized environmental conditions in connection with the Site. We consulted only those regulatory and historical sources that were readily available, practically reviewable, and likely to be useful to develop a history of previous uses of the Site and surrounding area within the time and cost constraints of this Phase I ESA.

### **B.1. Physical Setting Information**

#### **B.1.a. Topography**

According to the United States Geological Survey (U.S.G.S) 7.5-minute topographic map series, Minneapolis North, Minnesota quadrangle, the Site is located at an elevation that ranges from approximately 810 feet on the east side, near the Mississippi River, and 850 feet on the western most portion of the Site. The terrain of the Site and surrounding area slopes down to the east.

### **B.1.b. Geology**

The unconsolidated sediment in the Site vicinity are postglacial lower terrace deposits, which consist of sand gravel. The deposit may contain zones of cobbles (Meyer and Hobbs, 1989). The information discussed in Section B.6 indicates that previous geotechnical and environmental investigations have encountered a variety of fill soils (silt, sand, and gravel) at depths ranging from 1 foot to 15 feet. The uppermost bedrock unit in the western Site vicinity is the Middle Ordovician, St. Peter Sandstone (Olsen and Bloomgren, 1989). The St. Peter Sandstone is described as a fine- to medium-grained, friable quartz sandstone in the upper half to two thirds of the unit. The lower part of the St. Peter Sandstone contains multicolored beds of mudstone, siltstone and shale with interbedded, very coarse sandstone. The uppermost bedrock unit in the eastern Site vicinity is the Lower Ordovician, Prairie du Chien Group (Olsen and Bloomgren, 1989). The Prairie du Chien Group is described as Dolostone that varies greatly in thickness because its top is a major erosional surface. The formation is sandy with minor amounts of shale in the upper third to half of the section. The lower part of the section is less sandy except within 10 to 15 feet of the base. The depth to bedrock in the Site vicinity is 100 feet to 200 feet below land surface (Bloomgren, Cleland and Olsen, 1989).

### **B.1.c. Hydrogeology**

The reported depth to groundwater in the Site vicinity ranges from approximately 10 feet to 30 feet below land surface (Kanivetsky, 1989). According to published geologic information, the regional groundwater flow direction within the unconsolidated deposits in the Site vicinity is generally easterly (Kanivetsky, 1989). However, nearby streams, lakes, wells, and/or wetlands may locally affect the flow direction of groundwater.

The Site-specific groundwater depth and flow direction was not determined through direct measurement during this Phase I ESA. Additional field investigation, beyond the Scope of Services of this Phase I ESA, would be required to determine this information.

## **B.2. Regulatory Report**

We obtained regulatory database information pertaining to the Site and surrounding area from GeoSearch. The GeoSearch report is a compilation of records of facilities that are included on current federal and state environmental regulatory databases. The databases were searched based on the specified minimum search distances from the Site as established by ASTM Practice E1527-13.

The GeoSearch report also includes a description, source reference, date of acquisition, and the specified approximate minimum search distance criteria for each database and list. A copy of the GeoSearch report is attached in Appendix D.

We reviewed the GeoSearch report to identify records that indicate known or potential recognized environmental conditions on the Site and/or surrounding area and to evaluate the likelihood for those recognized environmental conditions to impact the Site based on the information obtained in this Phase I ESA.

### **B.2.a. Site**

#### Parcels 1, 2, 3, 4, 7A, and 7B

The GeoSearch report does not identify any database listings for facilities with addresses indicating a location on Parcels 1, 2, 3, 4, 7A or 7B.

#### Parcel 5

The GeoSearch report identified the address 50 33rd Avenue North (which indicates a possible location on Parcel 5) on the storm water permit database and the Minnesota Pollution Control Agency (MPCA) under and above ground storage tank (UAST) database. The GeoSearch report indicates removal of all registered ASTs associated with this address. The GeoSearch report associates no hazardous substances and/or petroleum product releases with this address.

#### Parcels 6A and 6B

The GeoSearch report identified the address 3700 Washington Avenue North (Parcel 6A) on the MPCA UAST database. The GeoSearch report indicates removal of all registered ASTs associated with this address. The GeoSearch report associates no hazardous substances and/or petroleum product releases with this address.

The GeoSearch report identifies the address 3750 Washington Avenue North (which is within Parcel 6A at 3700 Washington Avenue North) on the MPCA Leaking Underground/Aboveground Storage Tank (LUAST) database; the MPCA spills (Spills) database; the MPCA Emergency Response Notification System (ERNS) database; the Minnesota Department of Agriculture (MDA) spills (Ag-Spills) database; and the U.S. Environmental Protection Agency (EPA) Docket database.

The GeoSearch report indicates that a release of Number 4 and Number 6 fuel oil was reported from an above ground storage tank (MPCA Leak 12239). The GeoSearch report indicates that the MPCA assigned a closed status to Leak 12239 on December 19, 2001. The GeoSearch report indicates the presence of contaminated groundwater associated with this petroleum release.

The GeoSearch report indicates that six spills ranging from 20 to 300 gallons of heavy oil or asphalt were reported for 3750 Washington Avenue North between 1995 and 1999. (Some of the spills incidents are listed on both the Spills database and the ERNS database). The GeoSearch report indicates that response

actions were completed for the six heavy oil/asphalt spills. The GeoSearch report indicates that a three gallon spill of diesel fuel occurred on May 29, 1998 and that the response actions were completed. The GeoSearch report indicates that a spill was reported on November 25, 1995 that was an undetermined amount of an undetermined agricultural chemical. The GeoSearch report indicates no follow up actions. The GeoSearch report indicates that a spill was reported on May 28, 2000 that consisted of air emissions from a coal pile that caught on fire.

The GeoSearch report indicates that 3750 Washington Avenue North is listed on the Industrial Storm Water Permit database and Water Discharge Permit database. The GeoSearch report indicates that 3750 Washington Avenue North is listed on the EPA Docket database for an air permit violation in 1982.

The GeoSearch report indicates that Packer River Terminal at 3750 Washington Avenue North is listed on the Resource Conservation and Recovery Act (RCRA) Small Quantity Hazardous Waste Generator, No Longer Generating (NLRRCRAG) database. Identification of the facility on the RCRA generator database indicates that the facility was required to register their hazardous waste activity under RCRA and does not imply that a release has occurred at the facility.

#### Additional Potential Listings for the Site

The GeoSearch report indicates that petroleum spills reported at the intersections of 2nd Street North and Washington Avenue North and Washington Avenue North and Dowling Avenue North. The spills were reported June 25, 1995 and June 2nd 1989. The type of petroleum was not specified. The amount for the 1995 spill was reported as 80 gallons from a mechanical seal fail. The amount and cause for the 1989 spill was not specified. No response actions are reported.

#### **B.2.b. Adjoining Properties**

The GeoSearch report listed the following facilities on adjoining properties:

- Camden Truck Station, 3636 Washington Avenue North, located on adjoining property south of Parcel 6B and west of Parcel 2. The GeoSearch report lists this facility on the registered UAST and LUST databases. The GeoSearch report indicates that a leak of diesel fuel was discovered and reported on September 4, 1991 (Leak 4477). The GeoSearch report indicates that no groundwater contamination was identified in connection with Leak 4477. The GeoSearch report indicates that the MPCA assigned a closed status to Leak 4477 on May 15, 1996. The GeoSearch report indicates that the facility is listed on the RCRA-GEN database. Identification of a facility on the RCRA-GEN database indicates that the facility was required to register their hazardous waste activity under RCRA and does not imply that a release has occurred.

- Holcim, Inc./Dundee Cement, 3939 1st Street North, located on adjoining property to the north of Parcel 1. The GeoSearch report lists this facility on the registered UAST and LUST databases. The GeoSearch report indicates that a leak of fuel oil was discovered and reported on April 27, 1989 (Leak 1059). The GeoSearch report indicates that no off-site contamination was identified in connection with Leak 1059. The GeoSearch report indicates that the MPCA assigned a closed status to Leak 1059 on July 16, 1991.
- International Paper, Inc. 3558 2nd Street North, located on adjoining property west of Parcel 3. The GeoSearch report indicates that the facility is listed on the RCRA-GEN database and waste/storm water permit database. Identification of a facility on the RCRA-GEN and waste and storm water permit databases indicates that the Site was required to register their hazardous waste activity under RCRA and their waste water and/or storm water discharges under the Clean Water Act and does not imply that a release has occurred.
- Meritex/Coghlan/Space Center, 3310 2nd Street North, located on adjoining property to the west of Parcels 4 and 5. The GeoSearch report lists this facility on the UAST and MPCA Voluntary Investigation and Cleanup (VIC) databases. The GeoSearch report indicates that the facility entered into the MPCA VIC program in 2007. The reason for entry into VIC was not reported. The GeoSearch report indicates that the VIC file is not active. The GeoSearch report indicates that there is one active 10,000-gallon fuel oil UST at this facility. No leaks are reported.
- Precision Associates/PAI Properties, 3800 Washington Avenue North, located on adjoining property north of Parcel 6A. The GeoSearch report lists this facility on the UAST, LUST, waste water/storm water permits, and MPCA VIC databases. The GeoSearch report indicates that two petroleum USTs were closed in place at this facility. The GeoSearch report indicates that the facility VIC program is not active. The GeoSearch report indicates that a petroleum leak from a UST was reported June 2, 2011 and subsequently assigned a closed status by the MPCA on October 20, 2011. No groundwater contamination is reported in connection with the leak.
- Dexon, 3842 Washington Avenue North, located on adjoining property west of Parcel 1. The GeoSearch report lists this facility on the UAST and LUST databases. The GeoSearch report indicates that one petroleum UST was removed at this facility. The GeoSearch report indicates that a petroleum leak from a UST was reported January 29, 1991 and subsequently assigned a closed status by the MPCA on August 15, 1991. No groundwater contamination is reported in connection with the leak.

### **B.2.c. Surrounding Area**

We reviewed the GeoSearch report for facilities located beyond adjoining properties that may indicate a release or likely release of hazardous substances and/or petroleum products that may impact the Site. Based on factors that include regulatory status, distance from the Site, and/or location relative to the regional groundwater flow direction, as referenced in Section B.1., no facilities are identified in the GeoSearch report that warrant further consideration as potential recognized environmental conditions.

### **B.2.d. Unmapped Sites**

The GeoSearch report identified five “Unlocatable” sites, which, because of poor or inadequate address information could not be mapped by GeoSearch. Based on available information all five sites were identified outside the appropriate minimum search distances for the Site, could not be located based on the information provided, or do not warrant further consideration as potential recognized environmental conditions.

## **B.3. Regulatory Agency File and Records Review**

The purpose of the regulatory file review is to obtain sufficient information to assist in determining if a recognized environmental condition, historical recognized environmental condition, controlled recognized environmental condition, or a *de minimis* condition exists at the Site in connection with a regulatory report listing.

Based on our review of the regulatory report, and available information discussed in Section B.6, it is our opinion that a regulatory agency file and records review is not warranted due to factors that include regulatory status, distance from the Site, and/or location relative to the regional groundwater flow direction, as referenced in Section B.1.

## **B.4. Additional Federal, State, and Local Environmental Records**

To enhance and supplement the regulatory database report, we obtained or reviewed practically reviewable or reasonably ascertainable local city and/or county records and/or additional state records to identify records that indicate known or potential recognized environmental conditions at the Site.

### **B.4.a. Well Databases**

Our review of the Minnesota Department of Health County Well Index database map revealed no documentation of water wells located on the Site.

#### **B.4.b. State Regulatory Web Pages**

We did not identify facilities on the state regulatory web pages we accessed that were not already listed in the GeoSearch report discussed in Section B.2 above.

#### **B.5. Historical-Use Information**

The objective of the historical-use information review was to develop a history of the previous uses of the Site and surrounding area, to help evaluate the likelihood of past uses having led to recognized environmental conditions in connection with the Site.

##### **B.5.a. Historical Topographic Maps**

The USGS topographic map used for the figure in Appendix A is dated 1967 with revisions made in 1993. The map depicts The Site consists of agricultural land based on aerial photographs of the corresponding time period.

The map depicts the existing warehouse and domes on Parcel 2 and former ASTs on Parcel 6a. The shading of the depicted Site features indicates that those features were added after the original 1967 map.

##### **B.5.b. Aerial Photographs**

We retained Historical Information Gatherers Inc. (HIG) to obtain aerial photographs of the Site and surrounding area. HIG provided aerial photographs for the years 1938, 1956, 1961, 1966, 1974, 1978, 1988, 1997, 2000, 2004, 2009, and 2012. Copies of selected aerial photographs are attached in Appendix E.

##### **1938 - 1956**

The Site appears to be cultivated agricultural land or grass covered and undeveloped except for the following: a dock and apparent storage on the south side of Parcel 3; what appears to be a farmstead with a house and barn and two smaller structures on 34th Avenue North (south end of Parcel 2 and north end of Parcel 3); and several residential dwellings on Parcels 7a and 7b. The areas to the west appear to be grass covered or residential except for what appears to be a farmstead or produce grower west of Parcel 4. The present day alignments of the railroad tracks, 2nd Street North, and Washington Avenue North are apparent in the aerial photographs.

**1961**

Land filling is apparent on Parcel 1 and the north side of Parcel 2. No other significant changes are noted at the Site or surrounding area with the exception of warehouse type buildings west of Parcel 1 and Parcel 5.

**1966**

Significant filling is apparent on Parcels 1, 2, south side of 5, 6a, and 6b. A warehouse building is apparent west of Parcel 3. No other significant changes are noted.

**1974**

The warehouse building on Parcel 2 is apparent. A spur or side track is apparent from the main railroad tracks to the warehouse. One large above ground tank and a loading dock are apparent on Parcel 5. The Parcels 3, 4, 6a, and 6b appear to be undergoing grading and/or filling. The Highway I-94 corridor appears to be in the process of removal of residential dwellings.

**1978**

No significant changes are noted at the Site except for several additional railroad spurs into the Site, an additional tank on Parcel 5, two tanks on Parcel 6a, and removal of all dwellings from Parcels 7a and 7b.

**1988**

The existing Site buildings and structures are apparent including the storage domes and silos on Parcels 2, and support building on Parcel 6a. In addition, piles of dark (appearance of coal) and light materials (appearance of salt and/or light colored sand) are apparent over the Site. Highway I-94 is apparent to the west.

**1997**

No significant changes are noted for the Site or surrounding area with the exception of the absence of the tanks on Parcel 5.

**2000 - 2009**

No significant changes are noted for the Site or surrounding area with the exception of the expanding use of Parcel 5 for outdoor pallet storage.

**2012**

No significant changes are noted for the Site or surrounding area with the exception of the absence of tanks on Parcel 6a.

## B.6. Previous Reports and Documents

We were provided the following previous reports and documents:

- Environmental Assessment/Evaluation at Upper Harbor River Terminal Facility in Minneapolis, Minnesota, prepared by STS Consultants Ltd., dated April 1993 (April 1993 ESA).

The April 1993 ESA included the entire Site (all parcels). The April 1993 ESA did not identify a significant release or likely significant release of hazardous substances or petroleum products to the soil or groundwater at the Site. The April 1993 ESA identified the reported leak at the Camden Truck Station on adjoining property to the northwest (MPCA Leak 4477) as a potential source of petroleum impacts to groundwater at the Site. However, the GeoSearch report indicates that no groundwater contamination was identified in connection with Leak 4477 and the MPCA has assigned a closed status to Leak 4477.

- Environmental Assessment of Anderson Brothers Construction of Brainerd Minnesota Site, in Minneapolis, Minnesota, prepared by STS Consultants Ltd., dated May 19, 1993 (May 1993 ESA).

The May 1993 ESA was limited to Parcel 5. At that time, Anderson Brothers reportedly operated on Parcel 5 of the Site to transfer and store asphalt cement. The May 1993 ESA included advancing six soil borings, screening soils with a PID, and submitting selected soil samples for laboratory analysis for PAHs. The May 1993 ESA reported no indication of a significant release based on PID screening and PAH analysis.

- MPCA Closure Letter (Leak 12239), dated December 19, 2001.

As discussed in Section B.2.a, the GeoSearch report indicates that the MPCA assigned a closed status to Leak 12239 on December 19, 2001. The GeoSearch report indicates the presence of contaminated groundwater associated with this petroleum release. Detailed information regarding Leak 12239 was not readily available.

- Results of AST Closure Sampling, 3750 North Washington, Minneapolis, Minnesota, prepared by Pinnacle Engineering, dated June 10, 2013 (closure sampling report) .

The closure sampling report was related to the removal of two 4,000,000 gallon asphalt ASTs on Parcel 6a in 2011. The closure sampling report indicates that underground piping between Parcel 6a and the river loading terminal still exists in the ground. The closure sampling report indicates that four soil

borings were advanced to a depth of eight feet on May 2, 2013 and samples were collected, screened with a photoionization detector (PID), and subsequently laboratory analyzed for volatile organic compounds (VOCs), diesel range organics (DRO), polyaromatic hydrocarbons (PAHs), and total petroleum hydrocarbons (TPH). The closure sampling report indicates that no elevated PID readings were noted in the field screening of the samples. The closure sampling report indicates that no significant concentrations of DRO, PAHs, VOCs, or TPH were reported in any of the samples with the exception of a reported concentration of DRO at 340 milligrams per kilogram (mg/kg) in soil boring number 4 at a sample interval depth of 0 to 2.5 feet.

- *Upper Harbor Terminal Redevelopment Strategy*, prepared by Minneapolis Community Planning and Economic Development, dated December 2014. (redevelopment strategy).

The redevelopment strategy provides some background history and concept option plans for future redevelopment of the Site.

The following is an excerpt from the historical background discussion portion of the redevelopment strategy:

*The Upper Harbor Terminal (UHT) is a 48-acre industrial property located approximately 2 miles from downtown Minneapolis along the west bank of the Mississippi River, between Lowry Avenue N. and the Camden Bridge in North Minneapolis. The linear site stretches almost one mile long along the Upper Mississippi, located between the shoreline on the east and Interstate 94 on the west. The site enjoys convenient access to Interstate 94 at Dowling Avenue N. and a direct connection to downtown Minneapolis south along Washington Avenue N. Access to the site is currently provided at Dowling Avenue N. and 33rd Avenue N., along 2nd Street N./Washington Avenue N.*

*The Upper Harbor Terminal site is equipped for intermodal transfer of a variety of bulk commodities including grain, aggregate, coal, fertilizer, and metal products, and comprises a number of buildings and structures for storing and handling these materials, including concrete domes, loading and conveyance structures, a large concrete warehouse building, outdoor storage areas, a seawall, barge mooring cells, and an open area for storage of dredging materials.*

*The CP Rail Line runs parallel to the river and I-94 and continues to provide rail shipping service to customers south of the Upper Harbor Terminal site and is anticipated to continue to do so into the future. Overhead electrical transmission lines and lattice pole structures are located on the site, between the rail line and the river. The transmission lines originate across the river at an Xcel power plant that has been in operation for over 100 years. The rail and power lines possess easements that limit development of structures within them and carve the terminal site into long narrow development parcels between the*

*river and the rail line. The Upper Harbor Terminal was constructed by the City of Minneapolis beginning in 1968 and took over two decades to reach its present form.*

- Geotechnical Services, Minneapolis Upper Harbor Terminal, 3750 Washington Avenue North, Minneapolis, Minnesota, prepared by Braun Intertec, dated January 27, 2015 (2015 Geotech).

The 2015 Geotech report indicates that 6 borings were advanced along the bank of the Mississippi River on Parcel 2. The borings were advanced to depth from 41 to 61 feet below ground surface (bgs). The borings encountered fill from the surface (or just below asphalt pavement) to depths ranging from 5 to 15 feet below ground surface. The fill generally consisted of sand and silt. Two borings encountered wood with creosote odors in the fill and one encountered cinders in the fill. Alluvium was encountered beneath the fill followed by lean clay.

- Limited Subsurface Investigation, Former Organic Technologies, 3750 Washington Avenue North, Minneapolis, Minnesota, prepared by Wenck Associates, dated May 27, 2015 (LSI).

The LSI was limited to Parcel 6a of the Site. According to the LSI report, the investigation was conducted to compare the LSI results to the results of AST closure sampling conducted by Pinnacle in 2013 (closure sampling report). The LSI indicates that that four soil borings were advanced to a depth of eight feet on May 20, 2015 and samples were collected, screened with a photoionization detector (PID), and subsequently laboratory analyzed for VOCs, DRO, PAHs, TPH, and eight RCRA metals.

The LSI indicates that laboratory results were compared to the Minnesota Pollution Control Agency's (MPCA) Tier 1 Residential and Tier 2 Industrial Soil Reference Values (SRVs). Additionally, MPCA Tier 1 Soil Leaching Values (SLVs) were referenced to evaluate the potential risk to groundwater at the Subject Property from the soil-to-groundwater leaching pathway. The LSI indicates that no elevated PID readings were noted. The LSI indicates that laboratory results report no contaminants exceeding the respective MPCA Tier 1 or Tier 2 SRV or SLV. The LSI indicates that no significant detections of DRO (with the highest concentration reported at 32.7 mg/kg). The LSI included sampling and analysis of surface water (assumed to be a rainwater puddle). The LSI indicates that no elevated concentrations of DRO, VOCs, TPH and PAHs were detected above laboratory method detections limits. The LSI indicates that arsenic was reported at a concentration just above the threshold of 10 micrograms per liter (ug/L) at 10.3 ug/L and that dissolved lead was reported just above the threshold of 15 ug/L at 15.2 ug/L.

- *Existing Conditions Inspection Re-Use Report, Upper Harbor Terminal, City of Minneapolis, Minnesota*, prepared by Short-Elliott Hendrickson, Inc. (SEH), dated June 30, 2015 (SEH report).

The following are excerpts from the SEH report:

**Regarding underground piping:**

*There is a system of underground asphalt piping which apparently served the tanks previously located west of the rail corridor, running to the Boiler Shed; and another system running between tanks previously located on the south end of the site and the Petroleum Dock on the river. We do not possess a map of this system, and did not inspect or locate it. Since this piping no longer serves a purpose, it should ultimately be removed. The Petroleum Dock is a low rock riprap pier jutting into the river at the south end of the site. It was apparently used to transfer petroleum and asphalt products between barges and the tanks previously located on the southern end of the site. It is low enough to the water that it probably inundates during floods. It is only marginally useful to boaters due to its rough walking surface, and probably poses more of a hazard to boaters than any purpose it may currently serve. For both of these elements, we do not consider the Do Nothing option to be feasible, due to potential environmental liability.*

**Regarding Underground Conveyors and Tunnels:**

*There is a system of underground conveyors serving the Grain Bins, Elevator Tower, and possibly other structures. There are numerous access hatches covered with steel or concrete covers which serve this underground system, in addition to concrete stairs down into it located between the Control Building and the Elevator Tower. We do not possess a map of this system. The access hatches and stair access, which are visible from the ground, appear to be in good condition; but we did not inspect the tunnels themselves as confined space entry was not included in our scope of work.*

**Regarding State Historic Preservation Structure Inventory and History:**

*Within the terminal, the following buildings, structures, objects, and sites were inventoried in the survey. The retaining wall between the North and South Docks, and the storm sewer outfall wall at Dowling Avenue North were not inventoried.*

<b>SHPO Inventory No.</b>	<b>Description</b>	<b>Date</b>
HE-MPC-9244	Office Building	1968
HE-MPC-9245	Scale House	1968
HE-MPC-9246	Truck Scale	1968
HE-MPC-9247	Scale House	1983
HE-MPC-9248	Truck Scale	1983
HE-MPC-9249	North Mooring Cell	1982
HE-MPC-9250	North Dock (Dock #1)	1968
HE-MPC-9251	Loading Area Mooring Cells (3)	1974
HE-MPC-9252	South Dock (Dock #2)	1971
HE-MPC-9253	Petroleum Dock	1974
HE-MPC-9254	Warehouse / Loading Docks	1971
HE-MPC-9255	Shipping/Receiving Building ca	1985
HE-MPC-9256	Load-Out Tower	1975
HE-MPC-9257	Conveyor	1975, 1984
HE-MPC-9258	Rail Dump	1976

HE-MPC-9259	4 Bins, Elevator Tower	1978
HE-MPC-9260	Truck Dump / Hoist	1978
HE-MPC-9261	Control Building	1978
HE-MPC-9262	4 Dust Tanks	1978
HE-MPC-9263	Small dome (1,800 ton capacity)	1982
HE-MPC-9264	Dome (12,000 ton capacity)	1987
HE-MPC-9265	Dome (8,000 ton capacity)	1984
HE-MPC-9266	Dome (16,000 ton capacity)	1984
HE-MPC-9267	Load-out Shelter (adj. to 9264)	1987
HE-MPC-9268	Load-out Shelter (adj. to 9265/9266)	1984
HE-MPC-9269	Truck / Rail Dump	1978
HE-MPC-9270	Asphalt Tanks (2)	1975
HE-MPC-9271	Dyke Wall	1975
HE-MPC-9272	Boiler Shed	1975
HE-MPC-9273	Petroleum Pumping Spout	1975
HE-MPC-9274	Petroleum Pumping Spout	1975
HE-MPC-9275	Truck Staging Area	1985
HE-MPC-9276	Rail and Roadway System	1968-1991
HE-MPC-9277	Rail and Roadway System	1968-1991
HE-MPC-9278	Rail Scale Shed	1991
HE-MPC-9279	Open Commodity Storage Area	1968-1986
HE-MPC-9280	Open Commodity Storage Area	1968-1986
HE-MPC-9281	Open Commodity Storage Area	1968-1986
HE-MPC-9282	Open Commodity Storage Area	1968-1986
HE-MPC-9283	Open Commodity Storage Area	1968-1986

*Since the survey report was completed in 2007, the asphalt tanks (HE-MPC-9270), dyke wall (HE-MPC-9271), and petroleum pumping spouts (HE-MPC-9273, HE-MPC-9274) have been removed*

Reference should be made to the respective reports or documents for specific detailed information.

## C. Interviews

We contacted the following individual to obtain knowledge or historical and current land-use information regarding the Site:

**Mr. Jerry Christensen (612) 588-8141 (Site Manager – River Services, Inc.)**

According to Mr. Christensen, abandoned underground pipes and tunnels exist at the Site. However, Mr. Christensen indicated that he is not aware of any environmental concerns in connection with

the pipes and tunnels. Mr. Christensen indicated that he is not aware of any spills or leaks of hazardous substances and/or petroleum products or other environmental concerns at the Site. Mr. Christensen stated that in his tenure the terminal was generally used to store and transport urea fertilizer (no pesticides) and construction materials (asphalt, concrete, aggregate, shingles, steel, wood) and sometimes salt and coal.

## **D. Site Reconnaissance**

The objective of the Site reconnaissance is to obtain information indicating the likelihood of identifying recognized environmental conditions in connection with the Site.

A Braun Intertec environmental professional, Matt Erickson, conducted a Site reconnaissance on August 12, 2015. In addition, Mr. Erickson conducted a survey for asbestos containing materials (ACM) and other hazardous building materials on August 25 and 26, 2015. (The hazardous materials survey is presented under separate cover). We were unaccompanied during the Site visits.

At the time of the Site visits, the weather was sunny to partly cloudy with a slight breeze and temperatures ranging from about 70 to 85 degrees Fahrenheit.

### **D.1. Site Characteristics**

At the time of the reconnaissance, the Site consisted of a nine contiguous parcels totaling approximately 48.16 acres. The Site topography was relatively flat with a gentle slope down to the river bank. The Site was used as a storage and transfer facility with Parcel 1 full of aggregate piles; the north part of Parcel 2 covered mostly by storage bins and silos (used for urea pellets); the south part of Parcel 2 covered by a large high bay warehouse full of pallets of powdered brucite (Magnesium Hydroxide), some steel coils, and other building materials; Parcel 3 and Parcel 4 used for wood chip storage; Parcel 5 full of pallets of roofing shingles; Parcel 6A and Parcel 6B generally vacant except for vacant office building, truck scales, scale house, and a shed former boiler house; and Parcel 7A and Parcel 7B vacant strips of land along U.S. Interstate Highway 94.

### **D.2. Adjoining Property Use and Characteristics**

The Site was bordered on the north by Precision Associates Inc., offices, a truck yard, and industrial properties with commercial properties located beyond; on the east by the Mississippi River; on the south

by a roofing and construction materials storage yard (GAF Corporation) with commercial properties located beyond; and on the west by office warehouse buildings occupied by International Paper, Fabric Supply, and Libra Inc. with commercial and residential properties and the Washington Avenue North/Interstate Highway 94 corridor located beyond. The Site was located in a historically industrial area within the city of Minneapolis. No observations of environmental concern were noted on adjoining properties to the Site at the time of the reconnaissance.

### **D.3. Site Improvements and Layout**

The Upper Harbor Terminal site is an intermodal storage and transfer facility for bulk commodities including grain, aggregate, coal, fertilizer, and metal products, and includes several buildings and many structures associated with the temporary storage and transfer of these materials. The buildings and structures include a large concrete warehouse building, concrete domes, metal grain elevator complex, loading and conveyance structures, outdoor storage areas, a river seawall, and barge moorings. A Site Sketch and Site Photographs are attached in Appendices B and F, respectively.

### **D.4. Pits, Ponds, or Lagoons**

No indications of pools of liquids, standing water, cisterns, cesspools, or other surface-water features were observed at the Site or on adjoining properties at the time of our reconnaissance.

### **D.5. Stained Soil, Pavement, or Corroded Surfaces**

Stained and/or discolored soil surfaces were observed throughout the Site. In general, the stains appeared to be surface residue from previous storage of coal or recycled asphalt and did not appear to be indicative of significant releases of hazardous substances and/or petroleum products.

It is our opinion that the staining is considered a *de minimis* condition for the Site.

### **D.6. Solid Waste Disposal**

Based on aerial photographs and observations, much of the Site was graded and filled. There is a potential for solid waste in the fill.

Parcel 3 and 4 of the Site appears to be an operational transfer facility for waste wood chips. The presence of the waste wood chips does not appear to represent a significant environmental concern.

## **D.7. Stressed Vegetation**

No areas of stressed, discolored, stained or dead vegetation were observed at the time of the Site reconnaissance. However, no vegetation was observed growing on many areas of bare soil where previous structures and tanks (Parcels 4, 5, 6A, and 6B) existed and/or where continued terminal traffic and storage use inhibits regeneration of vegetation. Therefore, it appears that the absence of healthy vegetation is not necessarily indicative of a significant release of hazardous substances and/or petroleum products.

## **D.8. Hazardous Substances**

Various cleaners, solvents, heat transfer oils and liquids, and lead acid batteries were observed in the maintenance shops and storage areas in the warehouse building, the warehouse, control building, and boiler shed. No indications of a significant release or threat of release of hazardous substances were observed at the Site at the time of the reconnaissance.

## **D.9. Petroleum Products**

As discussed in Section B.6, petroleum products including asphalt and diesel fuel were previously stored on the Site. In addition, we observed several pint size to five-gallon size containers as well as several 55-gallon drums of various oils (motor oil, hydraulic oil, cutting oil, etc.) were observed in the maintenance shops and storage areas in the warehouse building, the warehouse, control building, and boiler shed. No indication of a significant release was observed around the petroleum storage areas at the Site at the time of the reconnaissance. In addition, operating and abandoned equipment on Parcel 2 and Parcel 6a may contain oil and/or auxiliary fuel tanks. Although staining and drippings were observed at many locations, no stain appeared to be indicative of a significant release.

## **D.10. Storage Tanks**

An empty 500-gallon above ground storage tank (AST) for diesel fuel was observed on Parcel 6A. Based on information discussed in Section B.6, testing was conducted around this tank and there are no reported releases from this tank. As discussed in Section B.6, petroleum products including asphalt and diesel fuel were previously stored on the Site in large ASTs. As discussed in Section D.9, oil reservoirs and auxiliary fuel tanks associated with operating and abandoned equipment are present throughout the Site. No other aboveground storage tanks or indications of underground storage tanks (USTs) were noted at the Site at the time of the reconnaissance.

### **D.11. Unidentified Drums and Containers**

No drums containing unidentified substances suspected of being a hazardous substance or petroleum product were observed at the Site at the time of our reconnaissance.

### **D.12. Odors**

No indications of strong, pungent, or noxious odors were observed at the time of the Site reconnaissance.

### **D.13. Potential PCB-Containing Electrical and Hydraulic Equipment**

The terminal equipment on the Site used for transferring commodities includes equipment that may contain oil (such compressors, hoists, and/or transformers). No obvious leaks or spills of oil were observed in connection with any electrical or hydraulic equipment at the facility at the time of our reconnaissance.

### **D.14. Wastewater Discharges**

No indications of wastewater discharging into a drain, ditch, underground injection system, or stream on or adjacent to the Site were observed at the Site at the time of the reconnaissance.

### **D.15. Sewage Disposal System**

Based on manhole covers on the Site that state "City of Minneapolis Sanitary Sewer", the Site is apparently connected to municipal sewer services.

### **D.16. Wells**

No indications of wells such as monitoring wells, dry wells, irrigation wells, injection wells, abandoned wells, or other non-potable wells were observed at the Site at the time of the reconnaissance.

### **D.17. Potable Water Supply**

The Site is connected to municipal water services.

## **E. Summary of Land-Use Activities**

The Site has been used as a storage and transfer facility for commodities since the 1960s. The earliest existing Site structures were constructed in approximately 1968. Prior to the 1960s, the Site uses included residential, grazing, and cultivated farmland.

## **F. Limiting Conditions and Data Gaps**

The findings and conclusions presented in this report are based on procedures described in ASTM Practice E1527-13, inquiries with public officials, available literature cited in this report, conditions noted at the time of our Phase I ESA, and our interpretation of the information obtained as part of this Phase I ESA. Our findings and conclusions are limited to the specific project and properties described in this report and by the accuracy and completeness of information provided by others.

An environmental site assessment cannot wholly eliminate uncertainty regarding the potential for recognized environmental conditions in connection with a property. Performance of this practice is intended to reduce, but not eliminate, uncertainty regarding the potential for recognized environmental conditions in connection with a property within reasonable limits of time and cost.

In performing its services, Braun Intertec used that degree of care and skill ordinarily exercised under similar circumstances by reputable members of its profession currently practicing in the same locality. No warranty, express or implied, is made.

The following limiting condition was encountered:

- Observation of the Site was limited due to on-going operations (truck traffic) and stored materials covering interior and exterior areas.

The identified limiting condition did not affect the environmental professional's ability to render opinions regarding conditions indicative of a release or threatened release.

No data gaps were identified during the Phase I ESA process, with the exception of the following:

- Historical resources were not readily available for 5-year-or-less intervals from the time of the first developed use.
- Direct access to all interior and exterior areas of the Site was not readily available.

The identified data gaps did not affect the environmental professional's ability to render opinions regarding conditions indicative of a release or threatened release.

## G. Findings

The findings include identified known or suspect recognized environmental conditions, controlled recognized environmental conditions, historical recognized conditions, *de minimis* conditions and additional issues in connection with the Site.

The following findings are based on the results of our assessment:

- The Site has been used as a storage and transfer facility for commodities since the 1960s. The earliest existing Site structures were constructed in approximately 1968. Prior to the 1960s, the Site uses included residential, grazing, and cultivated farmland.
- The government records review report indicates that a release of Number 4 and Number 6 fuel oil was reported from an above ground storage tank (MPCA Leak 12239) on Parcel 6A. The report indicates that the MPCA assigned a closed status to Leak 12239 on December 19, 2001. The regulatory information indicates the presence of contaminated groundwater associated with this petroleum release.
- The government records review report indicates that six spills ranging from 20 to 300 gallons of heavy oil or asphalt were reported for 3750 Washington Avenue North between 1995 and 1999. In addition two other spills at 2nd Street North and Washington Avenue North were identified.
- The government records review identified the Site on several other databases that do not imply that a release has occurred at the facility.
- Historical information indicates that fill was placed on the Site in the 1960s. The origins of the fill are undocumented. Two previous exploratory borings on Parcel 2 encountered wood with creosote odors in the fill and one encountered cinders in the fill.
- Historical information and interview information indicates the presence of underground heating pipelines, fuel pipelines, and conveyance tunnels.
- Government records identified former above ground storage tanks at the Site at 50 33rd Avenue North (Parcel 5) and 3700 Washington Avenue North (Parcel 6A).

- Fuel oil and asphalt was transferred at the Site, mostly on Parcel 5 and Parcel 6A.
- The government database records review identified several regulated facilities within the vicinity of the Site.

## H. Opinions

According to the User, the Phase I ESA was conducted in association with the redevelopment of the Site. Opinions expressed herein are influenced by the stated reason for conducting the Phase I ESA. Furthermore, the expressed opinions might not be applicable to alternate reasons for reliance on the content of the Phase I ESA.

### H.1. Recognized Environmental Conditions

A recognized environmental condition is defined by ASTM Practice E1527-13 as: “the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: 1) due to any release to the environment, 2) under conditions indicative of a release to the environment: or 3) under conditions that pose a material threat of a future release to the environment. *De minimis* conditions are not recognized environmental conditions.”

This assessment identified no recognized environmental conditions in connection with the Site, with the exception of the following:

- Historical information indicates that fill was placed on the Site in the 1960s. The origins of the fill are undocumented. Two previous exploratory borings on Parcel 2 encountered wood with creosote odors in the fill and one encountered cinders in the fill. Based on this information there is a potential for hazardous substance and/or petroleum contamination in the fill. We consider this potential a recognized environmental condition.
- Based on regulatory information there is petroleum contaminated soil and groundwater at the Site Parcel 6A associated with Leak 12239. In addition, several petroleum spills have been reported for the Site. Although the leak and reported spills have been assigned a closed status by the MPCA, based on the planned redevelopment of the Site, we consider the identified petroleum contamination to soil and groundwater as well as the potential for unknown petroleum spills a recognized environmental condition at this time.
- Former ASTs with associated pipelines were present on Parcels 5 and 6A. In addition, pipelines connected to the tanks on parcel 6A traversed Parcel 2. Although previous closure

testing was completed that identified no significant widespread contamination, based on the past storage and transfer of bulk petroleum products, limitations of past testing (which indicate the potential for smaller localized and unknown past releases), and because of the potential for redevelopment, the past presence of petroleum ASTs and associated transfer pipelines on Parcels 2, 5, and 6A are considered recognized environmental conditions.

## **H.2. Controlled Recognized Environmental Conditions**

A controlled recognized environmental condition is defined by ASTM Practice E1527-13 as “a recognized environmental condition resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority, with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls.”

This assessment identified no controlled recognized environmental conditions in connection with the Site.

## **H.3. Historical Recognized Environmental Conditions**

A historical recognized environmental condition is defined by ASTM Practice E1527-13 as “a past release of any hazardous substances or petroleum products that has occurred in connection with the Site and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the Site to any required controls.”

This assessment identified no historical recognized environmental conditions in connection with the Site.

## **H.4. *De Minimis* Conditions**

A *de minimis* condition is defined by ASTM Practice E1527-13 as “a condition that generally does not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies.”

The following findings are considered *de minimis* conditions:

- Prior to the 1960s, the Site uses included residential, grazing, and cultivated farmland. It is our opinion that the use of the Site for agricultural and residential purposes is considered a *de minimis* condition for the Site.

- The government database records review identified the Site on several database listings that do not indicate a release. Based on available information, it is our opinion that these database listings for the Site are considered *de minimis* conditions.
- The government database records review identified several regulated facilities in the vicinity of the Site. Based on mitigating factors that affect the apparent significance of the identified facilities on the Site, such as regulatory status, distance from the Site, location of the facility in relation to the groundwater flow direction, and/or the database(s) the identified regulated facilities are listed on, it is our opinion that the identified regulated facilities are considered *de minimis* conditions.

## H.5. Additional Considerations

An additional consideration is a condition that does not meet the definition of a recognized environmental condition, controlled recognized environmental condition, or historical recognized environmental condition but, in our opinion, should be brought to the attention of the User. The following additional considerations was identified during the Phase I ESA.

Historical information and interview information indicates the presence of underground heating pipelines, fuel pipelines, and conveyance tunnels. There is a potential for asbestos-containing materials on the buried pipes and/or on pipes in tunnels.

## I. Conclusions

We have conducted this Phase I ESA of the Site in general conformance with the scope and limitations of ASTM Practice E1527-13. Any exceptions to, or deletions from, this practice are described in Section F of this report.

This assessment identified no recognized environmental conditions in connection with the Site, with the exception of the following:

This assessment identified no recognized environmental conditions in connection with the Site, with the exception of the following:

- There is a potential for hazardous substance and/or petroleum contamination in the fill on the Site. We consider this potential a recognized environmental condition.

- Identified petroleum contamination and associated releases (including closed Leak 12239 and several reported closed/inactive petroleum spills) are considered recognized environmental conditions at this time based on the planned redevelopment of the Site.
- Based on the past storage and transfer of bulk petroleum products, limitations of past testing (which indicate the potential for smaller localized and unknown past releases), and because of the potential for redevelopment, the past presence of petroleum ASTs and associated transfer pipelines on Parcels 2, 5, and 6a are considered recognized environmental conditions.

This assessment identified no controlled recognized environmental conditions in connection with the Site.

## **J. References**

References are listed in Appendix G.

## **K. Environmental Professional Statement and Qualifications**

We have the specific qualifications based on education, training, and experience to assess a property of the nature, history and setting of the subject property. We have developed and performed the all-appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

Qualifications of the environmental professional and the qualifications of the personnel conducting the site reconnaissance and interviews, if conducted by someone other than an environmental professional, are attached in Appendix H.

We declare that, to the best of our professional knowledge and belief, we meet the definition of Environmental Professional as defined in §312.10 of 40 CFR 312.

BRAUN INTERTEC CORPORATION



Matthew P. Erickson, PG, CHMM  
Senior Scientist



James E. Stephan  
Senior Scientist