



# Minnesota Pollution Control Agency

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800-657-3864 | 651-282-5332 TTY | [www.pca.state.mn.us](http://www.pca.state.mn.us) | Equal Opportunity Employer

*Received*

NOV 23 2015

November 18, 2015

Mr. Terry Anderson  
Park Point Inn & Suites LLC  
5910 Fremont Street  
Duluth, MN 55807

RE: Park Point Hotel, 1033 Minnesota Ave, Duluth  
MPCA Project Number: VP29060  
PINs: 010-4390-02090, 010-4390-02110, 010-4390-02130, 010-4390-02140, 010-4390-02150,  
010-4390-02160, 010-4390-02170, 010-4390-02180, 010-4390-02190, 010-4400-00750,  
010-4400-00820, and 010-4400-01980  
No Further Action Determination

Dear Mr. Anderson:

The Minnesota Pollution Control Agency (MPCA) staff in the Voluntary Investigation and Cleanup (VIC) Program has been requested to provide a No Further Action Determination for releases identified at the Park Point Hotel, located at the address referenced above (the Site).

The MPCA staff has reviewed the information submitted for the Site. Historical use of the Site included placement of unknown fill materials to create the Site from the early 1900s into the 1960s. In more recent years, the Site has been used for boat storage/parking, other storage, green space and boat repair.

Soil, groundwater and soil gas investigations conducted at the Site in August 2012 through January 2013 indicate that the fill material is contaminated with bromoform below MPCA's residential soil reference values (SRVs), with lead and mercury above the MPCA's residential SRVs, and with polycyclic aromatic hydrocarbons (PAHs) above the industrial SRV as measured by benzo(a)pyrene (BaP) equivalents. The groundwater is contaminated with PAHs at levels above the Minnesota Department of Health established health risk limit. Soil vapor sampling detections were at levels below 10x industrial intrusive screening values. For the purpose of this letter, the identified release at the Site is defined as lead, mercury, and PAHs, and bromoform in soil, and PAHs in groundwater (Identified Release).

In 2014, the Site was developed into a hotel/inn with a swimming pool and parking area. Approximately 1,526 tons of soil excavated from the building footings and lower sub-surface areas was hauled to a permitted landfill for disposal. Although not required by response actions, a 20-mil vapor barrier was placed beneath the building slab during construction. On September 11, 2014, an Affidavit Concerning Real Property Contaminated with Hazardous Substances was recorded with the St. Louis County Recorder's Office to disclose that soil contaminated with PAHs remains on site beneath pavement. The Affidavit also discloses that the groundwater beneath the Site is impacted by PAHs.

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Based on a review of the information provided to the MPCA, the MPCA staff will not request any further investigation or remediation of the Identified Release at the Site. Furthermore, the MPCA is issuing a determination to take no action under Minn. Stat. §§ 115B.01-115B.18, with respect to the Identified Release. Specifically, the MPCA staff will not refer the Identified Release to the U.S. Environmental Protection Agency for inclusion on the Comprehensive Environmental Response, Compensation and Liability Information System list, to the State Site Assessment staff for preparation of a Hazard Ranking System score, or to the MPCA Commissioner for the placement of the Site on the Permanent List of Priorities.

Please be advised that the determination made in this letter is subject to the disclaimers found in Attachment A. If you have any questions about the contents of this letter, please contact David Knight, Project Manager, at 651-757-2857.

Sincerely,



Gary L. Krueger

Supervisor

Site Remediation and Redevelopment Section

Remediation Division

GLK/DK:mcb

Attachment

cc: Heidi Timm-Bijold, City of Duluth [REDACTED]

Mark St. Lawrence, St. Louis County Environmental Services Department

Michael Kohn, P.E., Icencor

Bob Maki, Maki and Overom

ATTACHMENT A  
DISCLAIMERS  
Park Point Hotel  
MPCA Project Number VP29060

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.

6. This approval does not supplant any applicable state or local stormwater permits, ordinances, or other regulatory documents.

