

December 2, 1999

Gary L. Krueger
Regular Facilities and Site Remediation Section
Policy and Planning Division
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, Minnesota 55155-4194

SUBJECT: RESPONSE TO MINNESOTA POLLUTION CONTROL AGENCY'S PROPOSED ACTION TO REMOVE 3M KERRICK SITE FROM THE PERMANENT LIST OF PRIORITIES

Dear Mr. Krueger:

We have received notice of the Minnesota Pollution Control Agency's proposed action to remove the 3M Kerrick site from Minnesota's Permanent List of Priorities. We have considered this action and have no objections. However, please be informed that the Nuclear Regulatory Commission (NRC) has a continued interest in the 3M site and will continue to work with 3M to determine if remediation of the site is necessary. NRC will also oversee any required decommissioning activities.

If you have any questions regarding this letter, please contact me at (301) 415-7234.

Sincerely,

Original signed by:
Larry W. Camper, Chief
Decommissioning Branch
Division of Waste Management
Office of Nuclear Material Safety
and Safeguards

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TICKET: DCB-0031

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

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A handwritten signature in black ink, appearing to read "Larry W. Camper".

Larry W. Camper, Chief
Decommissioning Branch
Division of Waste Management
Office of Nuclear Material Safety
and Safeguards

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DATE	12/1/99	12/1/99	12/ /99	12/ /99	

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12/1/99



Minnesota Pollution Control Agency

November 22, 1999

RE: Public Comment Period for Permanent List of Priorities

Dear Interested Party:

Pursuant to the Minnesota Environment Response and Liability Act, Minn. Stat. § 115B.17 (1998), and Minn. R. ch. 7044 (1997), the Minnesota Pollution Control Agency (MPCA) and the Minnesota Department of Agriculture (MDA) is publishing for public comment the proposed update of the Permanent List of Priorities (PLP) for releases or threatened releases of hazardous substances, pollutants, or contaminants. Prior to updating the PLP, the MPCA and MDA must solicit public comment on the proposed update for thirty (30) days. The public comment period ends on December 23, 1999.

According to MPCA or MDA records, you may have an interest in one or more of the sites proposed for deletion from the PLP. Therefore, please find enclosed a copy of the November 22, 1999, State Register notice on this matter. If you have any comments, please submit them as directed in the enclosed Public Notice. Should you know of additional interested parties concerning this update of the PLP, please advise them of the Public Notice and public comment period.

Sincerely,

Mark D. Schmitt
Supervisor, Site Remediation Unit
Regular Facilities and Site Remediation Section
Policy and Planning Division

MDS:ej

Enclosure

Minnesota Pollution Control Agency

Policy and Planning Division

Minnesota Department of Agriculture

Agronomy & Plant Protection Division

Notice of Proposed Update of the Permanent List of Priorities Among Releases or Threatened Releases of Hazardous Substances or Pollutants or Contaminants

NOTICE IS HEREBY GIVEN that the Minnesota Pollution Control Agency (MPCA), and the Minnesota Department of Agriculture (MDA), are publishing for public comment proposed deletions from the Permanent List of Priorities (PLP) which lists releases or threatened releases of hazardous substances, pollutants, or contaminants for which the MPCA or MDA may take removal or remedial actions under the Minnesota Environmental Response and Liability Act (MERLA), Minn. Stat. ch. 115B.

Pursuant to Minn. Stat. § 115B.17 (1998) and Minn. R. 7044.0950 (1997), the MPCA is proposing the following changes to the PLP.

The MPCA is proposing to delete the following three sites from the PLP: Ashland Oil Co. - Cottage Grove Site, Washington County; 3M Kerrick Disposal Site, Pine County; and Windom Dump, Cottonwood County. The MPCA has determined that either all MERLA Response Actions have been completed at these sites or that the sites do not pose a threat to public health or the environment. Institutional controls in place at each of these sites will ensure that the selected remedies remain protective of public health and the environment.

The MPCA is also proposing to delete the Koochiching County Sanitary Landfill, Koochiching County, from the PLP. This landfill is a "qualified facility" under the Landfill Cleanup Act of 1994 (Act) and has been issued a Notice of Compliance (NOC) by the Commissioner of the MPCA. Under authority of the Act, the state of Minnesota, through the MPCA, has now assumed responsibility for any necessary response actions at this site, and will be responsible for long-term maintenance of the facility. Therefore, MERLA funded response actions will no longer be necessary at this site, and deletion of this site from the PLP is appropriate.

In addition, it is anticipated that the following three closed landfill "qualified facilities" under the Act will receive a NOC prior to December 27, 1999, the date that the MPCA Commissioner anticipates making a decision in this matter. Therefore, the MPCA is also proposing to delete the following landfills from the PLP: Ironwood Sanitary Landfill, Fillmore County; Lindala Sanitary Landfill, Wright County; and Woodlake Sanitary Landfill, Hennepin County. Should a NOC not be issued to any of these facilities prior to December 27, 1999, the deletion of that facility from the PLP will be postponed until after issuance of a NOC.

The MDA is proposing to delete the Lewiston Ground Water Contamination Site, Winona County, from the PLP. The MDA has determined that all MERLA Response Actions have been completed at this site and the site does not pose a threat to public health or the environment.

The MPCA and MDA invite members of the public to submit written comments on these proposed changes to the PLP. All written comments with regard to these proposed deletions must be received no later than 4:30 p.m., December 23, 1999.

Written comments regarding these proposed MPCA deletions should be submitted to:

Gary L. Krueger, Regular Facilities and Site Remediation Section, Policy and Planning Division, Minnesota Pollution Control Agency, 520 Lafayette Road North, St. Paul, Minnesota 55155-4194.

Written comments regarding the proposed MDA deletion should be submitted to Terry McDill, Incident Response Unit, Agronomy & Plant Protection Division, Minnesota Department of Agriculture, 90 West Plato Boulevard, St. Paul, Minnesota 55107-2094.

An interested person may submit a petition to the Commissioner of the MPCA requesting that the MPCA Citizens' Board make the decision on whether to adopt the deletions from the PLP that have been proposed by the MPCA. To be considered timely, the petition must be received by the MPCA contact person, Gary L. Krueger, by 4:30 p.m. on December 23, 1999. The decision whether to adopt the proposed deletions from the PLP will be made by the MPCA Citizens' Board if: (1) the Commissioner grants the petition requesting the matter to be presented to the MPCA Citizens' Board; or (2) a MPCA Citizens' Board member requests to hear the matter prior to the time the Commissioner makes a final decision on the proposed deletions from the PLP.

Requests for a complete updated PLP or information on a specific site currently listed on the PLP can be directed to the MPCA's Public Information Office at the above address, or by telephoning

(651) 296-6300 or toll free at (800) 657-3864.

All written comments received by the above deadline will be considered by the MPCA and the MDA in establishing the updated PLP.

Karen A. Studders

Commissioner

Minnesota Pollution Control Agency

Gene Hugoson

Commissioner

Minnesota Department of Agriculture