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CERTIFIED MAIL
RETURN RECEIPT REQUESTED

DEC 21 1984

File _____

Page # _____ Reviewer _____

Lakehead Pipeline Company, Inc.
1103 Roosevelt Road
Bemidji, Minnesota 56601

Dear Gentlemen:

Re: Kummer Sanitary Landfill

The Minnesota Pollution Control Agency (MPCA) is investigating the release of hazardous substances and pollutants and contaminants into the ground water at the Kummer Sanitary Landfill. The MPCA staff has reviewed its records and files in order to identify potentially responsible parties. These files and records indicate that wastes generated by Lakehead Pipeline Company, Inc. were disposed of at the Kummer Sanitary Landfill at some time between 1971 and the present.

The Environmental Response and Liability Act of 1983, Minn. Stat. Ch. 115B, (ERLA), authorizes the MPCA to undertake remedial and removal action to eliminate or abate the release or threatened release of any hazardous substance from a facility or to request responsible parties to undertake such action. Minn. Stat. § 115B.17, subd. 3 (1983 Supp.) authorizes the MPCA to request potentially responsible persons to provide the MPCA with any information which it may have or may reasonably obtain which is relevant to the release or threatened release. Minn. Stat. § 115B.17, subd. 4(a) (1983 Supp.) authorizes the MPCA to examine and copy any books, papers, records, memoranda, or data of any person who has a duty to provide information to the MPCA under subdivision 3.

The MPCA has determined that Lakehead Pipeline Company, Inc. is a potential responsible party with respect to the Kummer Sanitary Landfill. Therefore, enclosed pursuant to the MPCA's authority under Minn. Stat. § 115B.17, please find a request for information on the facility. The Kummer Sanitary Landfill began operation in 1971. This is how far back in your Company's records that you will have search to answer the questions contained in the enclosed Request for Information. Please provide the requested information within 30 days of the date of this letter.

Lakehead Pipeline Company, Inc.
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If you have any questions, please contact me at 612/296-7779.

Sincerely,

RSL 12/18/84

R. Scott Lupin
Project Leader
Solid Waste Enforcement Unit
Regulatory Compliance Section
Solid and Hazardous Waste Division

RSL/pak

Enclosures

cc: William Patnaude, Solid Waste Officer, Beltrami County, Bemidji
Willis Mattison, MPCA Regional Director, Detroit Lakes

bcc: Larry Christensen
Bonnie Sims

LJZ 12/18/84

STATE OF MINNESOTA
POLLUTION CONTROL AGENCY

In the Matter of the
Kummer County Sanitary Landfill

INFORMATION REQUEST
PURSUANT TO THE
ENVIRONMENTAL RESPONSE
AND LIABILITY ACT

The Environmental Response and Liability Act of 1983, Minn. Stat. Ch. 115B,
provides that:

Any person who the [Minnesota Pollution Control] agency has reason to believe is responsible for a release or threatened release as provided in section 115B.03, or who is the owner of real property where the release or threatened release is located or where response actions are proposed to be taken, when requested by the agency, or any member, employee or agent thereof who is authorized by the agency, shall furnish to the agency any information which he may have or may reasonably obtain which is relevant to the release or threatened release.

Minn. Stat. § 115B.17, subd. 3 (1983 Supp.). Minn. Stat. § 115B.17, subd. 4(a) (1983 Supp.) authorizes the Minnesota Pollution Control Agency (MPCA) to examine and copy any books, records, memoranda or data of any person who has a duty to provide information under subdivision 3.

The MPCA has reason to believe that the Lakehead Pipeline Company, Inc. may be a responsible party for the release or threatened release of hazardous substances, pollutants and contaminants at the Kummer Sanitary Landfill (Landfill) since the company's name appears in the receipts maintained by the Landfill's owners and operators. Accordingly, the MPCA requests that you provide the information requested herein within thirty (30) days of the date of this request.

DEFINITIONS

For the purpose of your answers to this Request For Information, the following definitions shall apply:

1. DOCUMENT. "Document" means and includes all written, typewritten, drawn or printed materials whatsoever, and all information kept or recorded on magnetic or electronic media, however the same are produced or reproduced and wherever the same are located; including, but not limited to, correspondence, letters, agreements, contracts, memorandums of agreement, telegrams, inter-office communications, assignments, licenses, memoranda, reports, record books, manifests, logs, scrap-books, diaries, minutes, plans, drawings, photographs, photocopies, tapes, computer discs, invoices, checks, bills, vouchers, analyses, surveys, publications and all other written material whether or not privileged, of which you, your employees or agents have knowledge or information, whether in your possession or not, and includes, without limitation, originals, copies no matter how or by whom prepared, and all drafts prepared in connection with such writings or documents, whether used or not.

2. FACILITY. "Facility" has the meaning set forth in Minn. Stat. § 115B.02, subd. 5 (1983 Supp.).

3. HAZARDOUS SUBSTANCE. "Hazardous substance" has the meaning set forth in Minn. Stat. § 115B.02, subd. 8. (1983 Supp.).

4. HAZARDOUS WASTE. "Hazardous waste" has the meaning set forth in Minn. Stat. § 115B.02, subd. 9 (1983 Supp.).

5. IDENTIFY. "Identify" when used in reference to a natural person, shall mean to state his or her full name, address, telephone number, present or last known position and business affiliation, and the nature and description of the duties and responsibilities of each such person. When used in reference to a document, the term shall mean to state its date, its subject matter and substance, its author and addressee and copyee, the type of document (e.g. letter, memorandum, tape recording, etc.) or if the above is unavailable, some other

means of identifying it, its present location and the name(s) of its present custodian(s). If any such document was, but no longer is, in existence state whether it is (a) missing or lost, (b) has been destroyed, (c) has been transferred, voluntarily or unvoluntarily, to others, or (d) otherwise disposed of, and in each instance, explain the circumstances surrounding and authorization for such disposition thereof and the approximate date thereof.

6. KUMMER SANITARY LANDFILL. "Kummer Sanitary Landfill" or the "Site" means the property located in Section 32, T147N, R33W, Northern Township, Beltrami County, Minnesota.

7. LAKEHEAD PIPELINE COMPANY, INC. "Lakehead Pipeline Company, Inc." or "the Company" includes any agent, contractor, subcontractor, or other person who conducted or did business on behalf of Lakehead Pipeline Company, Inc.

8. PERSON. "Person" has the meaning set forth in Minn. Stat. § 115B.02, subd. 12 (1983 Supp.).

9. POLLUTANT OR CONTAMINANT. "Pollutant or contaminant" has the meaning set forth in Minn. Stat. § 115B.02, subd. 13 (1983 Supp.).

10. RELEASE. "Release" has the meaning set forth in Minn. Stat. § 115B.02, subd. 15 (1983 Supp.).

11. RESPONSIBLE PERSON. "Responsible person" has the meaning set forth in Minn. Stat. § 115B.03, subd. 9 (1983 Supp.).

12. SOLID WASTE. "Solid waste" means garbage, refuse, and other discarded solid materials, except animal waste used as fertilizer, including solid waste material resulting from industrial, commercial, and agricultural operations, and from community activities. Solid waste does not include earthen fill, boulders, rock, and other materials normally handled in construction operations,

solids, or dissolved material in domestic sewage or other significant pollutants in water resources, such as silt, dissolved or suspended solids in industrial waste water effluents, dissolved materials in irrigation return flows, or other common water pollutants.

REQUEST FOR INFORMATION AND THE PRODUCTION OF DOCUMENTS

1. Indicate whether the Lakehead Pipeline Company, Inc. ever disposed of solid or hazardous wastes at the Kummer Sanitary Landfill or whether any solid or hazardous wastes generated by the Lakehead Pipeline Company, Inc. were disposed of at the Kummer Sanitary Landfill.

2. If the answer to item 1. is yes, who transported the wastes to the Kummer Sanitary Landfill for the Company.

3. If the answer to item 1. above is yes, identify the person(s) responsible for selecting the Kummer Sanitary Landfill as the disposal site for Lakehead Pipeline Company, Inc.'s solid or hazardous wastes.

4. If the answer to item 1. above is no, indicate where Lakehead Pipeline Company, Inc. disposed of their solid and hazardous wastes.

5. With respect to each solid or hazardous waste generated by the Lakehead Pipeline Company, Inc. which was disposed of at the Kummer Sanitary Landfill, state the following:


- (a) The chemical composition of each waste disposed and the test or evaluation procedure utilized in making this determination;
- (b) The total amount (by volume and weight) of each type of waste disposed in each calendar month (if monthly totals are not available, provide the amounts disposed in each calendar year);
- (c) Whether the waste is a hazardous waste;
- (d) The disposal method utilized for each type of waste.

Identify and either produce for inspection and copying or provide copies of all documents relating to the information requested herein.

Dated: DEC 21 1984

Minnesota Pollution Control Agency

By


Rodney E. Massey, P.E.
Chief, Regulatory Compliance Section
Solid and Hazardous Waste Division