

### **B.1. | Applicant Identification**

The City of Albert Lea  
221 East Clark Street  
Albert Lea, MN 56007

### **B.2. | Website URL - <https://www.cityofalbertlea.org>**

### **B.3.a. | Grant Assistance Requested**

Assessment Grant Type: Single Site Cleanup  
Federal Funds Requested: \$1,700,000

### **B.4. | Location**

City of Albert Lea, Freeborn County, State of Minnesota

### **B.5. | Property Information**

Former Merrick's Facility, 620 Adams Avenue, Albert Lea, MN 56007;  
Attached is a map depicting the project site location within the City of Albert Lea.

### **B.6. | Project Contacts**

#### **a. Project Director**

Name: Steven Jahnke  
Ph: 507.377.4325  
E: sjahnke@ci.albertlea.mn.us  
Mailing Address: 221 East Clark Street, Albert Lea, MN 56007

#### **b. Chief Executive/Highest Ranking Elected Official**

Name: Rich Murray  
Ph: 507.383.1530  
E: rmurray@ci.albertlea.mn.us  
Mailing Address: 124 Ridge Road, Albert Lea, MN 56007

### **B.7. | Population**

18,492 people (2020 Census Population Estimates)

### **B.8. | Other Factors**

None of the Other Factors apply to the City of Albert Lea or the proposed cleanup and reuse of the Former Merrick's Facility.

**B.9. | Releasing Copies of Applications**

Not applicable.

## Cleanup Grant - Former Merrick's Properties

### C.1.a | Overview of Brownfield Challenges and Description of Target Area

The Former Merrick's Properties are located in an area of Albert Lea that have been developed since at least the 1890s, while the City of Albert Lea was established in the mid-1800s and officially designated a village in 1870. The Former Merrick's Properties are located at a nexus of Union Pacific Railroad Company, Canadian Pacific Railway, and Chicago Milwaukee Saint Paul and Pacific Railroad lines. Specifically, the latter two railroad lines makeup the south and west boundaries of the subject properties (i.e., the "Site"). The railroad infrastructure and proximity to agriculture producers contributed to the City of Albert Lea's strong economic ties to various parts of agricultural industries.

The Site was originally developed in the 1890s as the Albert Lea Mill Company and continued to produce food products until operations ceased in 2018 and Merrick's abandoned the property. Following tax foreclosure proceedings, the City of Albert Lea acquired the Site in 2021. Beginning in 2021 the City of Albert Lea ordered environmental investigations at the Site that identified contaminants that include: biological waste (in abandoned buildings), asbestos-containing building materials, miscellaneous hazardous waste, contaminated soil (both petroleum and hazardous substances), and contaminated groundwater.

The dilapidated condition of the existing buildings have created safety concerns due to ongoing trespassing and fire-related incidents, in addition to the potential public exposure risk incurred by those accessing the property without proper training or safety protection. Based on the City of Albert Lea's review, the three northern components of the building complex at the Site are salvageable.

The City of Albert Lea is seeking assistance in cleaning up the Former Merrick's properties.

### C.1.b | Description of the Proposed Brownfield Site(s)

The Former Merrick's Properties consist of Freeborn County parcels 344460020 and 340072981, totaling an approximate 1.74 acres. The Site is located approximately 0.6-miles west of Albert Lea Lake and 0.3-miles southwest of the historic downtown district of the City of Albert Lea. Properties north, south, and west of the Site have been similarly developed for manufacturing and light-industrial users, including, but not necessarily limited to, Standard Oil Company,

The Site building is composed of nine attached sub-building parts/components that were built between the mid-1890s and the 1950s. The buildings occupy approximately 21,000 square feet of the Site and have been vacant since 2018. Occupants of the Site buildings prior to 2018 included Albert Lea Mill Company, Albert Lea Food Products, American Culvert Company, Kraft-Phenix Cheese Corporation, Freeborn Foods, Consolidated Products Company, Kerry Ingredients Inc., and Merrick's of Minnesota. Site operations included underground storage tanks of various sizes used to store fuel oil and other petroleum products at the Site prior to 1991. Other food products and chemicals were stored at the Site in aboveground storage tanks and drums throughout the facility and Site buildings.

- Soil sample analytical results revealed the presence of diesel range organics (DRO) exceeding regulatory criteria at 5 soil boring locations in the 0 to 4-foot direct contact zone. DRO was detected exceeding regulatory criteria at depth between 6 to 12 feet below ground surface (bgs) at 6 borings. The direct contact zone DRO detections may be related to former above-ground storage tanks in the now vacant northern portion of the site. The detections at in the direct contact zone may be related to historical surface spills. The Site has a history of now-closed petroleum releases and these at depth detections may be related to the presence of residual historical soil and groundwater contamination. Polycyclic

aromatic hydrocarbons (PAHs) exceeding soil reference values (SRVs) were identified in the direct contact zone (0 to 4 feet bgs) at 8 borings. The elevated PAH concentrations were all detected in the upper 4-feet except for one location. These results are likely associated with the Site's industrial past and proximity to railroad tracks. Most notably, PAHs were detected in the direct contact zone exceeding industrial SRVs in the vacant northern portion of the Site. Arsenic concentrations exceeding the unrestricted and industrial SRV of 9 mg/kg were noted to be present in the direct contact zone in one boring on the north part of the Site. Arsenic was also present exceeding 9 mg/kg at depth (10-12 feet bgs) on the central part of the Site. Barium and cadmium were detected exceeding unrestricted SRVs at 4 boring locations. Select petroleum-related volatile organic compounds (VOCs) were detected at concentrations exceeding laboratory reporting limits, but below established SRVs.

- DRO was detected in two groundwater samples suggesting the presence of residual petroleum contamination in groundwater. Similarly, PAHs were detected in 2 locations at concentrations exceeding the Minnesota Department of Health (MDH) Health Risk Limit (HRL) and/or United States Environmental Protection Agency (USEPA) Maximum Contaminant Level (MCL)(acenaphthene and naphthalene). Benzene was detected in one location exceeding the MDH HRL and USEPA MCL.
- Soil gas sample analytical results indicated the presence of n-heptane and n-hexane at concentrations exceeding thirty-three times (33X) expedited intrusion screening values (EISVs). These two compounds were present at these very high concentrations in one sample, on the northern vacant part of the Site. These compounds are commonly associated with petroleum contamination and may be associated with historical petroleum releases on and near the Site. The remaining vapor samples did not detect soil gas concentrations at or above 33X Intrusion Screening Values.
- Surface wipe samples in the building where significant oil staining or other indication of concern was present identified PCB concentrations. The detected PCB concentrations are likely due to historical leaks or spills from PCB-containing oils and lubricants.
- Various asbestos-containing building materials were identified throughout the existing buildings, including: thermal systems pipewrap insulation, caulking (window and pipe penetrations through walls/ceilings), boiler insulation, acoustic sink undercoating, and tank/pipe gasket.

### **C.1.c | Reuse Strategy and Alignment with Revitalization Plans**

The City of Albert Lea's 2040 Comprehensive plan includes the Site within an area of "Key Redevelopment" and planned mixed use, likely to include both commercial and public recreational users. The City has committed internal and external resources, including public meetings, to develop this long-term plan for growth and redevelopment for the City of Albert Lea.

Removal of the potential hazards will abate ongoing public safety concerns, will facilitate construction of a local bike trail, referred to as the Songbird Trail, on the south part of the Site which is planned to connect existing park infrastructure in the City of Albert Lea to State bike trails (e.g., Blazing Star Trail), and put the north portion of the Site back into the tax base by renovating the salvageable building elements of the complex and securing a new tenant from among the existing local businesses.

The completed remediation will provide a barrier between deeper remnant contamination and the public, will revitalize the neighborhood by providing a new green space area for recreation, and will further the City's goal of creating opportunity for local businesses through reuse and stabilization of a portion of the existing buildings.

### C.1.d | Outcomes and Benefits of Reuse Strategy

The revitalization of the Former Merrick's Properties will provide economic and social-cultural benefits to the community.

Removal of the hazardous materials and contaminants at the property will facilitate:

- Redevelopment of the south portion of the Site for construction of a portion of a local bike trail that connects City of Albert Lea neighborhoods and parks to regional and State parks, including the Myre-Big Island State Park.
- Reuse of the existing buildings for a new tenant and expansion of local businesses with direct outcomes resulting an increase in tax base, and potential for additional job opportunities for local residents. Several potential tenants have shown interest during the City's initial research and analysis of reuse alternatives.

### C.1.e | Resources Needed for Site Characterization

No additional funding resources are being sought for further Site characterization.

### C.1.f | Resources Needed for Site Remediation

#### Resources Needed for Remediation

Name of Resource	Is the Resource Secured or Unsecured?	Additional Details or Information About the Resources
EPA Cleanup Grant	Unsecured	Requesting \$1,700,000 in cleanup funding assistance to facilitate contaminated soil removal and landfill disposal, abatement of asbestos-containing materials, removal of hazardous and regulated waste, and demolition of buildings not to be salvaged. Remedial actions to be completed under a Minnesota Pollution Control Agency approved Response Action Plan by experienced contractors.
<i>City of Albert Lea Blight Fund</i>	Secured	\$220,000 earmarked for assisting in bringing this and similarly blighted properties in the City of Albert Lea back into a productive condition. The Blight Fund can be accessed to assist in expenditures/costs not covered by the EPA Cleanup Grant.

The City is committing an estimated \$9.7 million for the construction of the extensive Songbird Multiuser Bike Trail upon anticipated approval. As the trail will traverse over a portion of this site, there will be ample funding to accomplish trail build, associated components, and landscaping. The remaining \$57,057 of the estimated cleanup is anticipated to be funded through Songbird Multiuser Bike Trail funds.

### C.1.g | Resources Needed for Site Reuse

The City of Albert Lea is anticipating up to \$152,000 in costs to attract a tenant to the to be salvaged buildings for warehouse reuse. Those costs include:

- Engineering Review - \$12,000
- Electrical and Lighting - \$35,000

- Doors and Windows - \$30,000
- Structural Repair and Shoring (to facilitate demo and salvage of select structures) - \$65,000
- Post-Remediation Landscaping and Reseeding - \$10,000

It is anticipated that the City of Albert Lea's Blight Fund would primarily cover the above listed costs, in absence of investment from any potential private partners.

#### **C.1.h. | Use of Existing Infrastructure**

The salvage and reuse of a portion of the existing buildings will leverage existing infrastructure to facilitate continued local business use, provide job opportunity, and reinvigorate tax base.

In addition, salvage of the existing 7,610 square foot print of structures at a basic one level value of \$86.03 psf for single level new construction (based on August 2025 International Code Council Valuations for "moderate hazard storage" building costs) equates to a potential replacement cost of \$654,688 (based on August 2025 International Code Council Valuations for "moderate hazard storage" building costs). Potential value of the salvaged building, based on 50% of new value, is \$325,000 after rehabilitation.

#### **C.2.a. | The Community's Need for Funding**

The Site is located in an area of Minnesota more than 35 percent of households have income at or below 200 percent of the federal poverty level, with decreasing business activity that limit the City's use of tools such as tax increment financing. The expense of the cleanup for this once tax-forfeited property is beyond the means for a municipality the size of Albert Lea to take on unassisted.

#### **C.2.b | Health or Welfare of Sensitive Populations**

The City of Albert Lea has significant sensitive populations, several of which are concentrated near or adjacent to the Site, including people of color, low-income residents, older adults, and children with a total vulnerable population of 2,249 people living near the Site (inside Census Tract 18.08). With respect to Air Quality Environmental Indicators Ozone and Diesel Particulate Matter, the City of Albert Lea ranks in the 64th and <50th percentiles, respectively.

Removal of the existing hazards and bringing the to be salvaged building to modern standards to facilitate reuse will reduce the risks of potential multiplicative risk factors associated with exposure to Site contaminants, in addition to other factors like Air Quality in the area.

#### **C.2.c | Greater Than Normal Incidence of Disease and Adverse Health Conditions**

As identified above, Brownfields and/or contaminated properties are a source of potential direct exposure for the public, which can result in increased risk of disease and poor health. The removal of existing Site contamination will remediate the potential risk of public exposure through dermal contact, ingestion, and inhalation.

#### **C.2.e | Project Involvement**

Planning cleanup and reuse of the Site was undertaken to improve the community and those that reside near the Site. Specifically, the City of Albert Lea conducted public outreach through:

- Surveys to nearby residents, seeking input from residents whether they were in support of a cleanup of the Site and if it should be repurposed for public park, mixed use (i.e., bike trail and private commercial business), or full bike trailhead with a shelter and amenities.
- Newspaper posting to spread awareness and solicit feedback regarding the proposed cleanup and reuse project.
- An open house on October 21, 2025, presenting the proposed cleanup and reuse concepts at the City of Albert Lea City Hall.

Documentation of the public outreach is included as part of Appendix H.

### **C.2.f. | Project Roles**

The City of Albert Lea, including its City Council, is the sole organization responsible for decision-making with respect to cleanup and future reuse. Relevant staff members include:

- Steve Jahnke, City of Albert Lea Public Works Director, City Engineer
- Kristi Brutlag, City of Albert Lea Finance Director
- Megan Boeck, City of Albert Lea Community Development Director, City Planner
- Wayne Sorensen, City of Albert Lea Building and Zoning Official
- Robert Rice, City of Albert Lea Senior Commercial Building Inspector

### **C.2.g. | Incorporating Community Input**

Project updates will be communicated to the public through a dedicated webpage for the project on the City's website and via social media postings on the City of Albert Lea's accounts when milestones are achieved, including when project is completed and benefits are secured.

### **C.3.a | Proposed Cleanup Plan**

As summarized in the Analysis of Brownfield Cleanup Alternatives, included as Attachment F, the City of Albert Lea considered three remedial options for the Site:

- Abate and remove all contaminants and/or regulated waste in the existing buildings, demolish the existing buildings, and construct an engineered cap of at least 4 feet of clean soil to facilitate development of a park or trailhead. This option was discarded as construction of a clean cap across the Site did not align with the needs of the considered reuse scenarios.
- Abate and remove all contaminants and/or regulated waste in the existing buildings, demolish the existing buildings, and removal of contaminated soil in the accessible zone (referenced as the upper 12 feet of the soil profile) across the Site to facilitate. This option was discarded as the cost to remove all soil contamination in the upper 12 feet would have resulted in more than a 200% increase in cleanup costs and did not provide meaningful benefit to the contemplated reuse scenarios.
- Abate and remove all contaminants and/or regulated waste in the existing buildings, demolish all but 3 of the existing buildings, and removal identified soil contaminants in the upper 4 feet at the Site.

The proposed volume of soil to be excavated under the preferred method is estimated at 3,650 cubic yards, or approximately 5,840 tons using a density conversion factor of 1.6. The

contaminated soil will be disposed of at a permitted Subtitle D landfill under the MPCA-approved Response Action Plan.

**C.3.b. | Description of Project Tasks, Implementation, Schedule, and Outputs**

<b>Task/Activity: Site Cleanup and Reuse Stabilization</b>
<p><b>a. Project Implementation</b></p> <p>: This task will include biweekly meetings and regular correspondence with project members (e.g., cleanup contractors, consultant, community members, etc.), abatement of the existing buildings of hazardous and regulated materials and wastes, demolish of the buildings not to be salvaged, excavation and disposal of contaminated soil, replacement grading, reseeding, and stabilization of salvaged buildings.</p>
<p><b>b. Anticipated Project Schedule</b></p> <p>: Cleanup field work to be completed within the first 9 months of Year 1 of the grant period.</p>
<p><b>c. Task/Activity Lead</b></p> <p>: City of Albert Lea will coordinate with the prime cleanup contractor and the consultant to coordinate the cleanup, including abatement of hazardous building materials, regulated waste, and contaminated soil.</p>
<p><b>d. Outputs</b></p> <p>: d.1) Site Specific Health and Safety Plan; d.2) 5,840 tons of contaminated soil disposed off-Site; d.3) clean soil buffer across at least the upper 4 feet of the Site; d.4) cleaned and stabilized buildings on the north-northwest part of the Site.</p>
<b>Task/Activity: Cleanup Oversight and Grant Management</b>
<p><b>a. Project Implementation</b></p> <p>: This task will include quarterly progress reporting; annual disadvantaged business enterprise (DBE) reporting; financial reporting; Property Profile Form submission and updates in the EPA Assessment, Cleanup and Redevelopment Exchange System (ACRES); and preparation of a final cleanup documentation report.</p>
<p><b>b. Anticipated Project Schedule</b></p> <p>: Quarterly reports and financial reports will be submitted within 30 days following the close of each quarter, generally coinciding with April 30, July 30, October 30, and January 30 for quarters 1, 2, 3, and 4, respectively. Annual DBE reports will be submitted by July 30th each year. ACRES will be updated upon completion of key outputs or other milestones (e.g., completion of building abatement, demolition, soil cleanup, building stabilization, new tenants secured, and construction of bike trail).</p>
<p><b>c. Task/Activity Lead</b></p> <p>: The City of Albert Lea will be responsible to oversee and coordinate with City staff and/or outside consultants to maintain compliance with the reporting requirements.</p>
<p><b>d. Outputs</b></p> <p>: 12 Quarterly Progress Reports and Financial Reports (each); 3 DBE reports; ACRES updates; and 1 final cleanup documentation report.</p>

### C.3.c. | Cost Estimates

Budget Categories	Project Tasks (\$)		
	Task 1 - Site Cleanup and Reuse Stabilization	Task 2 - Cleanup Oversight and Grant Management	Total
Personnel	\$ 0.00	\$ 10,057.00	\$ 10,057.00
Fringe Benefits	\$ 0.00	\$ 0.00	\$ 0.00
Travel*	\$ 0.00	\$ 0.00	\$ 0.00
Equipment**	\$ 0.00	\$ 0.00	\$ 0.00
Supplies	\$ 0.00	\$ 0.00	\$ 0.00
Contractual	\$ 1,650,000	\$ 165,000	\$ 1,815,000.00
Construction***	\$ 152,000	\$ 0.00	\$ 152,000.00
Total Direct Costs****	\$ 1,802,000.00	\$ 175,057.00	\$ 1,977,057.00
Indirect Costs*****	\$ 0.00	\$ 0.00	\$ 0.00
Total Budget	\$ 1,802,000.00	\$ 175,057.00	\$ 1,977,057.00

What follows is detail on how the above costs were derived.

Task 1: The following subtasks are anticipated as part of the Cleanup and Reuse Stabilization of the Site:

- Abate, remove, and dispose of hazardous substances (e.g., asbestos and PCB containing materials) – **\$432,900**
- Abate, remove, and dispose of regulated wastes (including biological/pigeon waste) from the existing building – **\$217,000**
- Demolish select buildings (preserve to be salvaged buildings) to facilitate soil cleanup and reuse – **\$505,300**
- Excavate, load, haul, and dispose of 5,840 tons of contaminated soil at a rate of \$45 per ton - **\$262,800**
- Import, place and compact 6,600 tons of structural sand, topsoil, & re-seed – **\$232,000**
- Existing building stabilization - **\$152,000**

Task 2: The following subtasks are anticipated as part of the Cleanup Oversight and Grant Management for the project:

- City of Albert Lea personnel time to conduct and coordinate regular meetings, prepare quarterly progress reports, ACRES updates, etc; budgeted at 150 hours at a rate of \$67.05 per hour – **\$10,057.50**
- Environmental monitoring and testing during abatement and regulated waste removal, budgeted 35 days at \$2,000 per day – **\$70,000**
- Environmental monitoring and testing during demolition and soil cleanup, budgeted 40 days at \$2,000 per day – **\$80,000**
- Prepare final cleanup closeout report – **\$15,000**

### **C.3.g. | Plan to Measure and Evaluate Environmental Progress and Results**

The activities to be funded under this grant will further EPA's Strategic Plan through cleanup of land for productive uses and promoting healthy communities, and will help safeguard the public by removing hazards that have caused public safety issues for the City of Albert Lea. Remediating petroleum- and metal-impacted soil at the site will create a cleaner, healthier environment, and will also revitalize a brownfield site by putting it back into productive use as a new commercial business and as a part trail connection.

The City of Albert Lea is committed to measuring the outputs and outcomes of brownfield redevelopment projects and their impact on the City. The grant output categories listed earlier will be tracked and measured on an ongoing basis. Program outcomes will also be tracked and measured, including number of jobs created, square-footage of park/park trail space created, and funding leveraged. Both outputs and outcomes will be regularly communicated to the project's EPA Project Officer via ACRES and routine phone and email communication. The Project Manager, Steve Jahnke, will compare progress periodically against the workplan and take corrective actions if needed.

### **C.4.a. | Organizational Structure**

Responsible staff for Grant administration and tracking:

- Steve Jahnke, City of Albert Lea Public Works Director, City Engineer
- Kristi Brutlag, City of Albert Lea Finance Director
- Megan Boeck, City of Albert Lea Community Development Director, City Planner
- Wayne Sorensen, City of Albert Lea Building and Zoning Official
- Robert Rice, City of Albert Lea Senior Commercial Building Inspector

Past and ongoing projects involving public grant funds administered by the City of Albert Lea:

- Blazing Star Landing - \$189,205 in MN Department of Employment and Economic Development (DEED) Redevelopment Grant Funds, \$1,126,153 in MN DEED Contamination Cleanup Funds
- Family Housing Development - \$267,487 in MN DEED Contamination Cleanup Funds.

### **C.4.b. | Description of Key Staff**

Mr. Steve Jahnke is the Public Works Director and City Engineer for the City of Albert Lea and has been intensely involved in the past cleanup and redevelopment projects that the City of Albert Lea has participated (e.g., Blazing Star Landing). Mr. Jahnke and the other responsible staff have experience managing cleanup grant funds awarded by the State of Minnesota and overseeing the associated work and/or cleanup contractors.

### **C.4.c. | Acquiring Additional Resources**

The City of Albert Lea has the following resources to assist in contracting and managing the cleanup work and associated grant funds, if awarded:

The City of Albert Lea currently uses Permitworks and Springbrook accounting and permitting software for all of its project and finance tracking.

The city will comply with all applicable federal and state laws to ensure that the cleanup project protects human health, safety and welfare. In addition, the City will hire a qualified environmental contractor prior to implementing remediation activities. The contractor hired will provide technical expertise required to conduct, manage, report and oversee the cleanup. Lastly, the city will comply with competitive bidding requirement.

#### **C.4.d.1 | Accomplishments**

The City of Albert Lea has been awarded and administered the following state grants:

\$456,345 MN Deed Contamination Clean Up and Investigation Grant in 2022

\$130,527 Contamination Clean Up and Investigation Grant in 2023

\$189,205 MN Deed Redevelopment Grant in 2024.

#### **C.4.d.2. | Compliance with Grant Requirements**

The City of Albert Lea has had recent success managing grant awards through MN DEED including a \$1,443,100 Contamination Clean Up and Investigation Grant in 2021 of which resulted in the development of a 48-unit multifamily structure located on 4.85 acres of a vacant and blighted sight. Grant reporting required detailed financial records for all expenditures along with project documentation to determine accurate eligible costs.

#### **C.4.f. | Never Received Any Type of Federal or Non-Federal Assistance Agreements**

The City of Albert Lea has not received any type of federal assistance agreement; however, the City of Albert Lea has received \$1,443,640 in non-Federal financial assistance agreements from the State of Minnesota for Contamination Cleanup of the Blazing Start Project (Apartments, Phases 2 and 3, and Convenience Store) and the Family Housing Development. The City has not yet been able to demonstrate compliance with all of the award requirements, as the projects are still in process and outcomes are still being achieved; however, the projects are still on track relative to the schedules provided to the agency granting the funds.

## **Cleanup Grant – Former Merrick’s Properties**

### **III.B Threshold Criteria for Cleanup Grants**

#### **1 | Applicant Eligibility**

The City of Albert Lea affirms that it is a city and therefore, eligible to apply for this cleanup grant.

#### **2 | Previously Awarded Cleanup Grants**

The proposed Site has not received funding from a previously awarded EPA Brownfields Cleanup Grant.

#### **3 | Expenditure of Existing Multipurpose Grant Funds**

The applicant, i.e. the City of Albert Lea, does not have an ongoing EPA Brownfields Multipurpose Grant.

#### **4 | Site Ownership**

The Site is currently owned by the City of Albert Lea.

#### **5 | Basic Site Information**

Former Merrick's Properties; 620 Adams Avenue, Albert Lea, MN 56007

#### **6 | Status and History of Contamination at the Site**

Environmental investigations have identified petroleum and hazardous substances in soil and/or groundwater at the Site. The impacts at the Site appear to be related to the past food products manufacturing operations on-Site and railroad line activities adjacent to the Site. No single point-source is attributed to the contamination identified at the Site, while impacts appear likely related to numerous releases over 100 years of industrial operations for food manufacturing, including the storage and use of various hazardous substances and petroleum products. The Site has been vacant since 2018.

Soil below the majority of the Site consists of up to 20 feet of clay, silty clay, and silt underlain by fat to lean clay. Petroleum like odors within the soil was noted throughout a majority of investigation locations. Similarly, soil analytical results detected concentrations of various contaminants including benzo(a)pyrene (BaP) equivalent concentrations, eight resource conservation and recovery act (RCRA) metals, DRO, and polychlorinated biphenyls (PCBs) at or above regulatory criteria

within the soils from just below ground surface to depths ranging between 4 and 8 feet below existing grades.

Groundwater was encountered at the Site at depths ranging from 5.5 to 13 feet bgs. Groundwater analytical results detected elevated DRO, volatile organic compounds (VOCs), BaP, and RCRA metals compounds. While there were elevated contaminant/regulated constituent concentrations in groundwater at the Site, there is no current or proposed development of groundwater resources at the Site for potable water uses; however, the available information indicates that groundwater, if encountered during construction, would require special handling and/or treatment prior to discharge or off-site disposal.

Analytical testing of soil vapors during one seasonal event at the Site identified VOCs above established Intrusion Screening Values.

## **7 | Brownfield Site Definition**

The Site is not listed or proposed for listing on the National Priorities List; is not subject to unilateral administrative orders, court orders, administrative orders on consent, or judicial consent decrees issued to or entered into by parties under CERCLA; and c) not subject to the jurisdiction, custody, or control of the U.S. government.

## **8 | Environmental Assessment Required for Cleanup Applications**

Phase I and Phase II Environmental Site Assessments (ESAs) were completed for the Site. The Phase II ESA report prepared for the Site by Bay West LLC is dated June 2023.

## **9 | Site Characterization**

Prior to entering into a funding agreement a letter from the Minnesota Pollution Control Agency (MPCA) concerning approval of a voluntary Response Action Plan from the MPCA's Voluntary Investigation and Cleanup and Petroleum Brownfields programs will be provided. The Response Action Plan was submitted to the MPCA for review and approval on January 27, 2026.

## **10 | Enforcement or Other Actions**

The City of Albert Lea affirms that there are no known or ongoing environmental enforcement or other actions related to the Site for which the Brownfields Grant funding is being sought.

## **11 | Sites Requiring a Property-Specific Determination**

The City of Albert Lea affirms that no property specific determination is required for either of the two sites for which Brownfields Grant funding is sought.

## **12 | Threshold Criteria Related to CERCLA/Petroleum Liability**

### **12.a | Property Ownership Eligibility - Hazardous Substance Sites**

(i) (3) (a,b) The City of Albert Lea foreclosed on the Site due to tax delinquency on August 9, 2021. (c) All disposal of hazardous substances at the Site occurred before the City of Albert Lea acquired the Site. (d) The City of Albert Lea has not caused or contributed to the identified release of hazardous substances at the Site. (e.) The City of Albert Lea has not, at any time, arranged for the disposal of hazardous substances at the Site or transported hazardous substances to the Site.

(iv) There is no identified release or reasonable threat of a release of hazardous substances from building materials into the outdoor or subsurface environment based on investigations completed to date.

### **12.b | Information Required for a Petroleum Site Eligibility Determination**

**Immediate Past Owners - Merricks of Minnesota, L.L.C.**

#### **12.b.i.2 | Acquisition of Site**

(i) (3) (a,b) The City of Albert Lea foreclosed on the Site due to tax delinquency on August 9<sup>th</sup>, 2021.

#### **12.b.i.3 | No Responsible Party for the Cleanup of the Site**

Merrick's of Minnesota, L.L.C. owned and operated one registered UST that was removed in January 1990. During tank removal, Merrick's of Minnesota identified a petroleum release. In response, Merrick's of Minnesota excavated and disposed off-Site of 33 cubic yards of petroleum contaminated soil and completed post-excavation sampling and reporting to the Minnesota Pollution Control Agency (MPCA). The MPCA issued a Petroleum Tank Release Site Closure Letter in October 1993; however, it appears that not all petroleum contamination was removed in connection with the former on-Site UST.

#### **12.b.i.4 | Cleaned Up by a Person Not Potentially Liable**

The City of Albert Lea has not, at any time, dispensed or disposed of petroleum or petroleum products, or exacerbated the existing petroleum contamination at the site, and whether you took reasonable steps with regard to the contamination at the Site.

#### **12.b.i.5 | Judgments, Orders, or Third Party Suits**

No responsible party is identified as potentially liable for cleanup of the Site through any of the following:

- (a) a judgment rendered in a court of law or an administrative order that would require any person to assess, investigate, or clean up the site; or
- (b) an enforcement action by federal or State authorities against any party that would require any person to assess, investigate, or clean up the site; or
- (c) a citizen suit, contribution action, or other third-party claim brought against the current or immediate past owner of the site (or where a UST(s) is involved, the current or immediate past owner of the UST(s)), that would, if successful, require the assessment, investigation, or cleanup of the site.

#### **12.b.i.6 | Subject to RCRA**

Not applicable.

#### **12.b.i.7 | Financial Viability of Responsible Parties**

Merrick's of Minnesota, L.L.C. do not have the financial capability to satisfy obligations under federal or State law to assess, investigate, or cleanup the Site.

### **13 | Cleanup Authority and Oversight Structure**

The City of Albert Lea will managed the Site cleanup, while the MPCA will provide regulatory agency oversight of the remediation activities and ensure that the cleanup is completed in accordance with applicable federal and State laws and that the cleanup protects human health and the environment.

#### **13.b | Access to Adjacent Properties**

Access to neighboring properties will not be needed to conduct the cleanup or reuse.

### **14 | Community Notification**

The City of Albert Lea prepared a draft ABCA, i.e. Response Action Plan, that summarized the Site and contamination issues, cleanup standards, and applicable laws; the cleanup alternatives considered, and the proposed cleanup. The Draft ABCA/RAP is included as Attachment F.

#### **14.a | Draft Analysis of Brownfields Cleanup Alternatives**

A public notice was published on October 7, 2025 informing the public of the proposed cleanup and reuse of the Site as well as outline the proposed cleanup alternatives. Following the public notice, an open house was conducted by the City of Albert Lea on October 21 at City Hall.

Meeting notes and community input are included in Attachment H to this application.

## **15 | Contractors and Named Subrecipients**

Not applicable. Contractors have not been procured at the time of application submission; however, the City of Albert Lea will solicit and contract consultants and/or cleanup contractors in accordance with federal procurement regulations as needed.