

MINNESOTA POLLUTION CONTROL AGENCY
Division of Solid Waste
Enforcement Section

Status of Investigative Study Relating to an
Industrial Waste Dump in Oakdale, Minnesota

October 28, 1980

ISSUE STATEMENT

The Minnesota Pollution Control Agency's Industrial and Hazardous Waste Enforcement Section in the Division of Solid Waste (DSW) has been conducting an investigation of an abandoned dump site located in the south ½ of Section 18, Township 29 North, Range 21 West in Oakdale, Minnesota. The investigation began in May of 1978, however, not until recently did the investigation reveal that there are two separate disposal areas located in close proximity to one another. The investigation also revealed that both sites had allowed the dumping as well as the burying of industrial chemical wastes. A meeting was held on October 13, 1980, with all known parties associated with the Oakdale dump site and the Agency's staff updated them on the Agency's present investigation.

I. Background:

May 22, 1978 - Bill Hemmings, an Oakdale resident, issued a complaint about the Oakdale dump site and that a reddish-yellow leachate was surfacing on areas of the dump.

June 19, 1978 - The MPCA's Division of Water Quality refers the Oakdale dump site investigation over to the Division of Solid Waste.

June 21, 1978 - Two Agency staff investigated what appeared to be an abandoned municipal dump. The investigation report noted that there were many piles of plastic packaging material which they thought may have come from 3M.

July 7, 1978 - The Agency sent a letter to the Oakdale city administrator advising him of the presence of the Oakdale dump and requesting information from the city regarding the site.

July 17, 1978 - The Oakdale city administrator responded to the Agency's letter but provided little information.

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Trial Exhibit 284

**Exhibit
2598**

State of Minnesota v. 3M Co.,
Court File No. 27-CV-10-28862

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March 12, 1979 - The Agency contacted Bill Hemmings (complainant) to inform him that the Agency would be taking a "stand by" approach concerning the Oakdale site pending development of the site.

May 24, 1979 - An Agency staff member is again assigned to the Oakdale dump site to investigate the site and make recommendations.

June 28, 1979 - Minnesota Mining and Manufacturing (3M) response by letter to Agency's request concerning their involvement with the Oakdale dump site. 3M acknowledged their use of the site but only for disposal of tape, hardened resin and miscellaneous scrap.

September 4, 1979 - A member of the DSW Enforcement Section's staff conducted a field investigation of the Oakdale dump site as a part of an abandoned dump survey of the metropolitan area.

April 28, 1980 - Another field investigation was performed at the Oakdale dump site to investigate the possibility that the dump site may have accepted chemical wastes. It was determined that a more detailed investigation was in order.

May 13, 1980 - The Minnesota Department of Transportation submitted to the Agency a report of the soil borings that were dug prior to the construction of State Highway 212. The report indicated that borings were not done in the vicinity of the dump due to the potential hazards involved.

June 5, 1980 - 3M as well as one of the present property owners was contacted by letter to request more precise information concerning past disposal at the Oakdale dump site.

June 9, 1980 - The present property owner responded to the Agency letter of inquiry. He stated that the property in question was purchased in 1961 and that the dump site was already abandoned. His future plans for the site included possible commercial development.

July 11, 1980 - 3M responds to letter of inquiry and confirms that industrial chemical waste (heptane, toluene, methyl-ethyl ketone and acetone) were disposed at the Oakdale dump. 3M also provided information as to the history of the disposal site and possible contact persons.

August 6, 1980 - The Agency requests information by letter from a past property owner and operator of the disposal site concerning site disposal practices during the 1950s.

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August 13, 1980 - The past property owner and site operator responded to Agency's requests and indicated that he had contracted with several companies to haul their waste to the Oakdale dump, however, the majority of waste was generated by 3M. He also indicated that St. Paul Terminal Warehouse Company (now known as Space Center Transport, Inc.) used the site for disposal for approximately one month until they acquired their own site in Woodbury, Minnesota.

August 19, 1980 - A letter of inquiry went out to officials of Space Center Transport, Inc. requesting information about the company's involvement with the Oakdale dump.

September 12, 1980 - A general counsel for Space Center, Inc. responded to the Agency letter of request and indicated that St. Paul Terminal Warehouse Company did use the Oakdale dump for waste disposal for approximately one year in 1960. The letter also went on to state that the only party for which the company did disposal work was 3M Company.

September 26, 1980 - A letter was sent out to one of the property owners requesting that he propose a ground water monitoring program for the disposal site and submit it to the Agency by October 31, 1980. A copy of the letter sent to the property owner was also addressed to 3M along with a cover letter which indicated that the Agency's request to the property owner does not absolve 3M from any responsibility relating to the Oakdale dump site.

October 1, 1980 - An interview was conducted with a former employee of the Oakdale dump operator who worked at the site during the 1950s. The employee told of past disposal practices that occurred at the site which included the burying of 55-gallon drums of chemical wastes that originated from 3M.

October 1, 1980 - Bill Henning (the original complainant) again contacted Agency staff to discuss the Oakdale dump site and provided some additional information concerning the dump site.

October 3, 1980 - The Minnesota Geological Survey was contacted to obtain information concerning the wells that have been logged near the Oakdale dump site.

October 6, 1980 - A member of the Agency's staff met with a Washington County official and a former 3M employee who worked for 3M for 21 years. The 3M employee also has lived near the Oakdale dump site for the past 40 years and was involved in the containerizing of the waste that went to the Oakdale

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dump. The 3M employee was the first to reveal that there were two separate disposal sites located in close proximity to one another (confirmation of this report was obtained during the site inspection). 3M's wastes also were disposed of at this site.

October 6, 1980 - Water samples from Oakdale city well numbers 3 and 4 were taken. Also three private residential wells were sampled. (Samples now in custody of Minnesota Health Department.)

October 9, 1980 - Three additional water samples were taken from private residential wells just south of Oakdale dump. (Samples now in custody of Minnesota Health Department.)

October 9-10, 1980 - Located MDOT construction engineer and inspector who worked on the Highway 212 project. Inspector recalled uncovering numerous 55-gallon drums containing liquid waste. He contacted 3M for information pertaining to contents of drums but received no response. Drums were put off along Highway right-of-way and covered over again.

October 13, 1980 - The DSW requested technical assistance from the Ground Water Section in the Division of Water Quality concerning the potential ground water problem that may occur as the result of chemical waste being disposed of at the Oakdale dump site.

October 13, 1980 - A meeting was held with all known parties involved in the Oakdale dump site, including representatives of local government, major waste generators, transporters and private land owners. The meeting was held to set in motion action that will be essential in evaluating and correcting problems that may exist at the Oakdale dump site.

October 21, 1980 - A member of the Agency staff met with members of the Oakdale City Council to update them on the Agency investigation concerning the Oakdale dump site. The Oakdale council was also informed of the future formation of the task force who will be responsible in establishing guidelines for the major soil, surface and ground water study for the Oakdale dump site.

II. Discussion:

At the present time, the staff of the Minnesota Pollution Control Agency (MPCA) has no definition of the scope of the problem that exists as a result of the Oakdale dump site. There is an uncertainty as to how the contents of the subject disposal site have changed with time. Therefore, the Agency staff

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is in the process of establishing guidelines for a major soil, surface and ground water study for the Oakdale dump site. In the meeting of October 13, 1980, it was generally agreed by all involved parties that the study was necessary and that a task force would be set up to work out the preliminary guidelines of the study. The participation of most of the potentially responsible parties in this committee is, however, in question at this time.

The Agency will be sending out a formal request to all concerned parties asking them to provide individuals that will be able to provide technical assistance in proposing the ground water study.

During the time of the study the Agency's investigation will continue and the Agency will be asking 3M to further identify the wastes that were disposed of at the site.

The Attorney General's staff will be researching the issue of liability during the time the task force works out the conditions for the soil and ground water study. This type of research by the Attorney General's staff is necessary because the waste generator never owned, operated or directly hauled to the Oakdale site and present property owners did not own the property at the time disposal took place.

The Minnesota Department of Public Health is now developing a well water sampling program which will include sampling and analyzing both municipal and residential wells surrounding the subject disposal site. The information that will be obtained from this sampling program will aid Agency staff in determining the magnitude of the potential problem that the Oakdale disposal site generates. The Minnesota Health Department is also taking responsibility for health related problems that may arise in the municipal water supply as the result of the Oakdale dump site.

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