

Salina Amey  
283 Curtice St E  
St Paul, MN 55107

Kathy Larson  
339 Winifred St E  
St Paul, MN 55107

Re: Conditional Use Permit, Hawkins, Inc., file # 15-018-147

May 4, 2015

Dear Council Members Thao, Thune, Tolbert, Stark, Brendmoen, Bostrom and Finney,

We, the undersigned members of the West Side community, are appealing the CUP (conditional use permit file #15-018-147) which was granted to Hawkins, Inc. on the following grounds:

**Re: Zoning Committee Staff Report** dated 3/26/15, by Josh Williams (Exhibit A):

1. Erroneous finding: ZCSR H1. It is claimed that the proposed application is for an addition to an existing facility. This is false. The plans are actually for new construction on a newly leased parcel of land previously unused by Hawkins, Inc.
2. Erroneous finding: ZCSR H-3(a). It is claimed that the proposed application would not impair river valley views. This is false. Policy 5.1.3 of the river corridor chapter of the comprehensive plan prohibits additions that impair river valley views. An additional structure encompassing eight tanks would be an eyesore and would impair views.
3. Erroneous finding: ZCSR H-3(b). It is claimed that the proposed application would be a source of revenue for the City of St Paul. This is false. 701 Barge Channel Rd. is land owned by the St Paul Port Authority. Despite the fact that this land has been valued at \$284,300, it has been granted tax exempt status, and no taxes are paid to St Paul for its use (Exhibit B). Headquarters for Hawkins, Inc. are in Roseville. The presence of Hawkins Inc. does not contribute anything financially to St. Paul. Because of its damaging effects on property values in the vicinity, the presence of Hawkins Inc. with its unsightly hazardous waste and chemical tank farm and transport facility, results in a net financial loss in tax revenue for the City of St Paul. ("Survey, Undesirable Facilities and Property Values: A Summary of Empirical Studies", by Stephen Farber, Elsevier Ecological Economics 24 (1998) 1-14).
4. Erroneous finding: ZCSR H-3(f). It is claimed that it is necessary for Hawkins, Inc. to have a river site for a storage and transfer depot for HCL. This is false. Hawkins representatives at the hearing on April 16, 2015 stated that the barges were only used for transport of raw materials to be unloaded and transported for use to other Hawkins facilities in Minnesota. Therefore, a river-dependent location is not required for a new HCL storage and transfer station nor for the storage and transfer of any hazardous chemicals.
5. Erroneous finding: ZCSR H-4(b). It is claimed that an increase of approximately 20% in the amount of truck traffic to and from the site would not pose a problem. This is false. Truck ingress and egress is already a problem at the intersection of Concord and Barge Channel Road, at times creating a dangerous confluence of school buses, MTC buses, automobiles, tank trucks, tow trucks heading to and from the impound lot, trains,

pedestrians waiting for MTC buses at the stop, and bicyclists. At times traffic congestion backs up all the way to the Highway 52 exits, creating risks of serious accidents. There is a large community consisting of homes, a school, church, etc. of which the only road access is off of Barge Channel Road due to the barriers of the river, railroad tracks, and highway 52. The present level of truck traffic already causes significant difficulty for this community.

6. Erroneous finding: ZCSR H-4(c). It is claimed that the proposal would not be a detriment to the immediate neighbors. This is false. 701 Barge Channel Road is just two blocks away from homes. There is a school, day care, church, town homes and apartment buildings within three blocks of the site. If you go outward just six or seven blocks there are another two schools, a Boys and Girls Club, high rise apartment buildings, hundreds of homes and a thriving business corridor. This entire region of the West Side would be negatively impacted by the presence of an additional hazardous waste tank farm moving onto a presently unoccupied parcel of land.
7. Erroneous finding: ZCSR H-4(c). It is claimed that the proposed use will not endanger public health, safety, and general welfare. This is false. Eight tanks of HCL would endanger public health. Hazardous chemicals by definition pose a health, safety, and general welfare risk, and HCL does in fact pose both chronic and acute health effect risks (Exhibit C). Despite any and all precautions taken, risks would be involved.

**Re: Errors in Administration of Zoning Law By Zoning Committee and Planning Comm.**

8. The entire Southport District is zoned I-2. Hazardous chemical tank farms and transport stations are by definition heavy industry and, as thus are only permitted in heavy industrial zones according to St Paul's Zoning Code (Exhibit D). Heavy industry is defined, in part, by the size of a company. Hawkins, Inc. is a massive company with 34 different sites spanning the central U.S. and southeastern U.S (Exhibit E). According to Forbes, they are a specialty chemical company, and their 2012 total in sales topped \$345 million. By no stretch of the imagination does their hazardous chemical and storage transfer facility meet the criteria for I2 (general industrial) use.
9. "Under the Federal and State constitution, zoning authority must be used in a manner that is reasonable and free from discrimination." *Mendota Golf, LLP v. City of Mendota Heights*, 708 N.W.2d 162 (Minn. 2006). *State v. Northwestern Preparatory School*, 37 N.W.2d 370 (Minn. 1949). *County of Morrison v. Wheeler*, 722 N.W.2d (Minn. Ct. App. 2006). See Section V-C, Standards for reviewing zoning applications: limits on city discretion. The neighborhood surrounding Barge Channel Road has a high percentage of racial minority and immigrant status residents of socioeconomic disadvantage. Further burdening this community with heavy industrial uses, particularly since the area is not even zoned for such usage, can be construed as environmental racism, especially when compared to the amenities in other riverside neighborhoods in St Paul.

**Re: Errors in Process by Zoning Committee and Planning Commission**

10. At the Zoning Committee meeting on April 16, 2015, Salina Amey presented some of the results of the "Minnesota Pollution Control Agency Community Air Monitoring Project Summary Report – St. Paul West Side Neighborhood" (Exhibit H). The MPCA placed the monitor at Our Lady of Guadalupe Church which is located less than three blocks from Hawkins, Inc. In her statement, Ms. Amey verbally relayed that the following data from the

report “St Paul's West Side had the highest level of fine particle pollution of 17 sites monitored from around the state, the highest level of formaldehyde of seven sites in the Twin Cities, and by far the highest levels of arsenic of six sites monitored in the Twin Cities. In addition, St Paul's West Side had higher levels of Barium, Chromium, Iron, Lead, Manganese, Zinc, and trichlorofluoromethane than other monitoring sites.”. Ms. Amey also relayed the fact that the MPCA staff members who participated in the monitoring speculated that the pollutants found were likely carried on wind borne soil particles.

Although the zoning committee was alerted to this importance of this information, they chose to disregard the report on the basis that it had not been officially submitted to them prior to the hearing. Ms. Amey did not know that this was a procedural requirement or she would have submitted it. The pollutants that the monitor picked up closely match the profile of pollutants that exist in HFSA as a byproduct of the phosphorus fertilizer industry. Since this is a hazardous waste chemical byproduct which Hawkins, Inc. had on their property for a long period of time, it is likely that the soils at their site and in the vicinity of their site are contaminated. The levels of arsenic were as much as five times the long-term health benchmark value on seven of the dates (Figure 6; Table3).

11. Again, Ms. Amey testified at the April 16<sup>th</sup> hearing that construction activities in contaminated soil could result in contaminated soil particles becoming air-borne, posing a health risk to the surrounding community. “A city may deny a CUP if the proposed use endangers or is not compatible with the health, safety, and welfare of the public.” Hubbard Broadcasting, Inc. v. City of Afton, 323 N.W.2d 757 (Minn. 1982)., See Section I-C Role of comprehensive planning in zoning ordinance adoption. SuperAmerica Group, Inc. v. City of Little Canada, 539 N.W.2d 264 (Minn. Ct. App. 1995). Due to the significance of these concerns, and the implications for the well being of the adjacent community, the CUP should not have been granted.

#### **Re: Errors in Fact by Zoning Committee and Planning Commission**

12. At the April 16<sup>th</sup> hearing, a member of the Zoning Committee asked the Hawkins representatives whether hazardous waste has been stored at their site on Barge Channel Road. A Hawkins representative responded by saying “no.” He then went on to say that Hydrafluorosilicic acid (HFSA) had been stored in the tank that was being dismantled. HFSA as a by-product of the phosphorus fertilizer industry is hazardous waste. The Zoning Committee granted the permit based upon erroneous information. The contaminants in the grade of hazardous waste (HFSA) handled by Hawkins closely matches the specific contaminants found in the aforementioned air monitor report (Exhibit F). Due to the storage and transport of HFSA it is possible that the Hawkins site, and surrounding areas may be significantly contaminated with arsenic and heavy metals. Hazardous waste grade HFSA contains the heavy metals arsenic, mercury, and lead and radionuclides, which are unstable radioactive isotopes (Exhibit G).

Minnesota has adopted a comprehensive environmental review process to determine the effects of private and governmental actions. The state-mandated environmental review process is necessary given the recent MPCA report and the fact that Hawkins, Inc. has a history of using their site at 701 Barge Channel Rd. as a storage and transfer facility for a

highly toxic and contaminated hazardous waste product (HFSC). The 60-Day Rule allows an extension for these purposes. Minn. Stat. §15.99, subd. 3(d), (e). Minn. Stat. §116D., Minn R. ch. 4410 (See Section V-A the 60-Day Rule).

St Paul citizens in the vicinity of Barge Channel Road have long borne a disproportionate burden of health effects due to the zoning decisions and a historical failure on the part of the City of St Paul to ensure the safety of the of industrial uses permitted by the Zoning Committee and Planning Commission. According to the EPA, on Barge Channel Road there is one site which is listed as a potential EPA Superfund cleanup site, and fifteen other sites which are classified "EPA Facility of Interest", including Hawkins, Inc. (Exhibit H).

Therefore, for all of the above reasons, we ask the St. Paul City Council to overturn the decision of the Planning Commission to grant a CUP to Hawkins, Inc. We further ask the City Council to take all actions possible to protect the health and welfare of residents of the West Side in light of the serious pollution concerns that have been raised.

Very truly yours,



Salina Amey, WSCO Board Member  
Kathy Larson, WSCO Board President  
Amelia Holcomb, WSCO Board Secretary  
Gilbert Delao, West Side Community Member  
John Kerr, West Side Community Member  
Grit Youngquist, West Side Community Member



## ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Hawkins Inc. (Barge Channel Rd) **FILE #** 15-018-147
2. **APPLICANT:** Hawkins Chemical **HEARING DATE:** April 2, 2015
3. **TYPE OF APPLICATION:** Conditional Use Permit
4. **LOCATION:** 701 Barge Channel Road
5. **PIN & LEGAL DESCRIPTION:** 092822310010, Registered Land Survey 446 Tract G Of R.I.s. 446 & Part Of Blk 56 Of W St P Real Est & Imp Syn Add No 4 Desc As Fol; In Sw 1/4 Sec 9, T28, R 22. All Incl In A 94, 773 Sq Ft Tract Having 200 Ft Front On Sw Line Of Barge Channel & 97.28 Ft Front On Barge Cha
6. **PLANNING DISTRICT:** 3 **PRESENT ZONING:** I2, FF, RC2
7. **ZONING CODE REFERENCE:** §72.73; §72.74, §61.501
8. **STAFF REPORT DATE:** March 26, 2015 **BY:** Josh Williams
9. **DATE RECEIVED:** March 16, 2015 **60-DAY DEADLINE FOR ACTION:** May 15, 2015

- 
- A. **PURPOSE:** Conditional use permit for construction of 8 new tanks and tank containment area, truck containment area and rail containment area structures not elevated on fill in the Flood Fringe District.
  - B. **PARCEL SIZE:** 94,773 sq. ft. (approx. 2.18 acres)
  - C. **EXISTING LAND USE:** Industrial (I2, FF, RC2)
  - D. **SURROUNDING LAND USE:**
    - North: The Barge Channel, Industrial (I2, FF, RC2)
    - East: Industrial (I2, FF, RC2)
    - South: Barge Channel Road, Industrial (I2, FF, RC2)
    - West: Industrial (I2, FF, RC2)
  - E. **ZONING CODE CITATION:** §72.73 states that any structure in the FF flood fringe district not elevated on fill requires a conditional use permit; §72.74 lists standards for conditional uses in the FF flood fringe district; §61.501 lists general conditions that must be met by all conditional uses.
  - F. **HISTORY/DISCUSSION:** A site plan and conditional use permit for the site were approved in 1995.
  - G. **DISTRICT COUNCIL RECOMMENDATION:** The West Side Citizens Organization (District 3 Council) has not made a recommendation on this application.
  - H. **FINDINGS:**
    1. The applicant is proposing additions to an existing facility located in the Southport Industrial area in the FF flood fringe district. The applicant proposes construction of 8 new tanks, secondary tank containment walls, and rail and train loading and unloading areas with in-ground containment and pipe rack support structures not elevated on fill to the Regulatory Flood Protection Elevation (RFPE).
    2. §72.74 lists standards for conditional uses in the FF flood fringe district. Subsections (a) through (d) are applicable to the proposed project:
      - (a) *Alternative elevation methods other than the use of fill may be utilized to elevate a structure's lowest floor above the regulatory flood protection elevation. These alternative methods may include the use of stilts, pilings, parallel walls or above grade, enclosed areas such as crawl spaces or tuck-under garages. The base or floor of an enclosed area shall be considered above grade and not a structure's basement or lowest floor if: 1) the enclosed area is above grade on at least one (1) side of the structure; 2) is designed to internally flood and is constructed with flood-resistant materials; and 3) is used solely for parking of vehicles, building access or storage. The above-noted alternative elevation methods are subject to the following additional standards:*
        - (1) *Design and certification. The structure's design and as-built condition must be certified by a registered professional engineer or architect as being in compliance with the general design standards of the Minnesota State Building Code and, specifically, that all*

Exhibit A Page 2 of 5



*electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities must be at or above the regulatory flood protection elevation or be designed to prevent floodwater from entering or accumulating within these components during times of flooding.*

- (2) *Specific standards for above grade, enclosed areas. Above grade, fully enclosed areas such as crawl spaces or tuck-under garages must be designed to internally flood and the design plans must stipulate:*
  - a. *A minimum area of "automatic" openings in the walls where internal flooding is to be used as a floodproofing technique. There shall be a minimum of two (2) openings on at least two (2) sides of the structure and the bottom of all openings shall be no higher than one (1) foot above grade. The automatic openings shall have a minimum net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding unless a registered professional engineer or architect certifies that a smaller net area would suffice. The automatic openings may be equipped with screens, louvers, valves or other coverings or devices, provided that they permit the automatic entry and exit of floodwaters without any form of intervention.*
  - b. *That the enclosed area will be designed of flood-resistant materials in accordance with the FP-3 or FP-4 classifications in the Minnesota State Building Code and shall be used solely for building access, parking of vehicles or storage.*
- (b) *Basements, as defined in §72.14, shall be subject to the following:*
  - (1) *Residential basement construction shall not be allowed below the regulatory flood protection elevation except as authorized in subsection (e) of this section.*
  - (2) *Nonresidential basements may be allowed below the regulatory flood-protection elevation, provided the basement is protected in accordance with subsection (c) or (e) of this section.*
- (c) *All areas of nonresidential structures including basements to be placed below the regulatory flood protection elevation shall be structurally dry-floodproofed in accordance with the FP-1 or FP-2 floodproofing classifications in the Minnesota State Building Code. This shall require making the structure watertight, with the walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. Structures floodproofed to the FP-3 or FP-4 classification shall not be permitted.*
- (d) *The storage or processing of materials that are, in times of flooding, flammable, explosive or potentially injurious to human, animal or plant life is prohibited. Storage of other materials or equipment may be allowed if readily removable from the area within the time available after a flood warning and in accordance with a plan approved by the planning commission, or if elevated above the regulatory flood protection elevation by alternative methods which meet the requirements of subsection (a) above. Storage of bulk materials may be allowed provided an erosion/sedimentation control plan is submitted which clearly specifies methods to be used to stabilize the materials on site for a regional flood event. The plan must be prepared and certified by a registered professional engineer or other qualified individual acceptable to the planning commission.*
- (e) *When the Federal Emergency Management Agency has issued a letter of map revision-fill (LOMR-F) for vacant parcels of land elevated by fill to the one (1) percent chance flood elevation, the area elevated by fill remains subject to the provisions of this chapter. A structure may be placed on the area elevated by fill with the lowest floor below the regulatory flood protection elevation provided the structure meets the following provisions:*
  - (1) *No floor level or portion of a structure that is below the regulatory flood protection elevation shall be used as habitable space or for storage of any property, materials, or equipment that might constitute a safety hazard when contacted by floodwaters. Habitable space shall be defined as any space in a structure used for living, sleeping, eating or cooking. Bathrooms, toilet compartments, closets, halls, storage rooms, laundry*

*Ex A, P2 of 5*



or utility space, and similar areas are not considered habitable space.

- (2) For residential and nonresidential structures, the basement floor may be placed below the regulatory flood protection elevation subject to the following standards:
- a. The top of the immediate floor above any basement area shall be placed at or above the regulatory flood protection elevation..
  - b. Any area of the structure placed below the regulatory flood protection elevation shall meet the "reasonably safe from flooding" standards in the Federal Emergency Management Agency (FEMA) publication entitled "Ensuring that Structures Built on Fill In or Near Special Flood Hazard Areas Are Reasonably Safe From Flooding," Technical Bulletin 10-01, a copy of which is hereby adopted by reference and made part of this chapter. In accordance with the provisions of this chapter, and specifically section 72.33(g), the applicant shall submit documentation that the structure is designed and built in accordance with either the "Simplified Approach" or "Engineered Basement Option" found in FEMA Technical Bulletin 10-01.
  - c. If the ground surrounding the lowest adjacent grade to the structure is not at or above the regulatory flood protection elevation, then any portion of the structure that is below the regulatory flood protection elevation must be floodproofed consistent with any of the FP-1 through FP-4 floodproofing classifications found in the Minnesota State Building Code.

These standards can be met. The applicant is proposing construction of 8 new storage tanks with secondary containment, and new rail and truck loading and unloading facilities with in-ground containment. Secondary tank containment and an Industrial Stormwater Permit are required by the Minnesota Pollution Control Agency (MPCA). Tank containment walls are proposed to be built to Regulatory Flood Protection Elevation (708.4 feet) and constructed to FP-1 or FP-2 floodproofing standards. Tanks and concrete tank pads are also proposed to be constructed to FP-1 or FP-2 floodproofing standards. Rail and truck area containment is in-ground, and proposed to be constructed to FP-1 or FP-2 floodproofing standards. Piping and associated loading and unloading equipment are proposed to be elevated on open structures constructed to FP-1 or FP-2 floodproofing standards. In times of flooding, tanks will be filled with either product or water sufficient to offset buoyancy and sealed, and any electrical equipment below the RFPE removed and utility connections capped. As a condition of approval, the applicant should provide tank, structure, and foundation/pad/pier plans and records of as-built condition signed by a registered professional engineer or architect and verifying consistency with the general design standards of the Minnesota Building Code as referenced in §72.74(a)(1) and construction to FP-1 or FP-2 floodproofing standards. Compliance with the flood response plan on file with the Department of Safety and Inspections should also be a condition of approval.

3. §72.32 lists thirteen (13) factors to be considered in evaluating applications for conditional use permits in the FF flood fringe district:
- (a) *The relationship of the proposed use to the comprehensive plan and floodplain management program for the city.* Subject to meeting the standards listed in §72.74, this proposed use is in compliance with the Saint Paul Comprehensive Plan and the city's floodplain management program. Policy 5.1.3 of the river corridor chapter of the comprehensive plan supports continuation of and additions to industrial uses in the Southport industrial area if said additions will not have significant adverse impacts on air or water quality nor impair river valley views. The proposed additions are in an existing industrial area, and will not significantly alter river valley views. The project will not significantly impact air quality, and subject to compliance with the flood response plan, storm water pollution prevention plan (SWPPP) required as part of site plan approval and on file with the Department of Safety and Inspections, and MPCA Industrial Stormwater Permit, the project will not have a significant adverse impact on water quality. Compliance with the flood response plan, SWPPP, and MPCA Industrial Stormwater Permit should be a condition of approval.
  - (b) *The importance of the services provided by the proposed facility to the community.* The

— Ex A, P 3 of 5 —



proposed facilities will put vacant industrial land to use. The primary importance of the facility to the community is economic activity and tax base.

- (c) *The ability of the existing topography, soils, and geology to support and accommodate the proposed use.* The topography, soils, and geology of the site are similar to those of the general Southport industrial area, and are sufficient to support and accommodate the proposed use.
- (d) *The compatibility of the proposed use with existing characteristics of biologic and other natural communities.* The area of the proposed use is industrial in character, and does not contain significant biological communities; impacts of the proposed use will not extend beyond the immediate area.
- (e) *The proposed water supply and sanitation systems and the ability of those to prevent disease, contamination, and unsanitary conditions.* The area is already served by adequate water supply and sanitation systems. The proposed addition will not create significant additional demand for water supply or sanitation capability.
- (f) *The requirements of the facility for a river-dependent location, if applicable.* The purpose of the facility is for transfer of materials from barges, and is therefore dependent on a river location.
- (g) *The safety of access to the property for ordinary vehicles.* Safe access to the site is available by private road accessed via Barge Channel Road.
- (h) *The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.* All structures, including tanks, will be constructed to FP-1 or FP-2 floodproofing standards, and any electrical equipment will be removed in times of flooding. Tanks will be filled with product or water in times of flooding to neutralize any buoyancy forces.
- (i) *The dangers to life and property due to increased flood heights or velocities caused by encroachments.* The proposed encroachments are of limited footprint and located in the flood fringe where impacts on flood flows are negligible.
- (j) *The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters expected at the site.* The proposed facility is located in the flood fringe, where the velocity of flood flow and sediment transport is generally minimal. The 100-year flood height elevation for the site is 706.4 feet.
- (k) *The danger that materials may be swept onto other lands or downstream to the injury of others.* The proposed facility will be located in the flood fringe, where water velocities are generally minimal. All structures will be constructed to FP-1 or FP-2 floodproofing standards. Secondary containment around the tanks would minimize drift in the unlikely event of tank detachment from pads.
- (l) *The availability of alternative locations or configurations for the proposed use.* Operations at the subject site involve transfer from barges to trains and trucks. Elevation on fill of the entire site would not be feasible, and would result in practical difficulties for intermodal transfer operations.
- (m) *Such other factors as are relevant to the purposes of this chapter.* The factors and findings enumerated and described herein adequately evaluate the proposed use for the purposes of this chapter.

4. §61.501 lists five standards that all conditional uses must satisfy:

- (a) *The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council.* This condition is met. Subject to meeting the standards listed in §72.74, this proposed use is in compliance with the Saint Paul Comprehensive Plan. Policy 5.1.3 of the river corridor chapter of the comprehensive plan supports continuation of and additions to industrial uses in the Southport industrial area if said additions will not have significant adverse impacts on air or water quality nor impair river valley views. The proposed additions are in an existing

— Ex A, P4 of 5 —



industrial area, and will not significantly alter river valley views. The project will not significantly impact air quality, and subject to the requirements of the flood response plan, SWPPP, and terms of the MPCA Industrial Stormwater Permit, the project will not have a significant adverse impact on water quality. Compliance with the flood response plan, SWPPP, and MPCA Industrial Stormwater Permit should be a condition of approval.

- (b) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. The proposed facility will be served by a private road accessed via Barge Channel Road. During site plan review, Saint Paul Public Works staff did not identify any adverse impacts associated with increased truck traffic on Barge Channel Road.
- (c) *The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.* This condition is met. The proposed facility is consistent with the existing industrial character of the immediate neighborhood.
- (d) *The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.* This condition is met. The use is industrial in nature, and will not impede improvement of surrounding properties for allowed uses.
- (e) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* This condition can be met. Subject to compliance with the flood response plan, SWPPP and MPCA Industrial Stormwater Permit, the use conforms to all applicable regulations of the I2 general industrial district, RC2 river corridor district, and the FF flood fringe district. Compliance with the flood response plan, SWPPP, and MPCA Industrial Stormwater Permit should be a condition of approval.

- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the conditional use permit for equipment pits below the regulatory flood protection elevation and motor control center elevated using an alternative to fill, subject to the following additional condition(s):
1. The applicant shall provide plans and record of as-built condition for all structures signed by a registered professional engineer or architect and verifying consistency with the general design standards of the Minnesota State Building Code and construction to FP-1 or FP-2 floodproofing standards.
  2. The applicant shall adhere to all provisions of the flood response plan and SWPPP on file with the Department of Safety and Inspections.
  3. The applicant shall be in compliance with the terms of the MPCA Industrial Stormwater Permit for the site.

- Ex A, P5 of 5 -

<b>Property Identification Number (PIN)</b>	09.28.22.31.0010	
<b>Property Address</b>	701 Barge Channel Rd	
<b>Municipality</b>	St. Paul	
<b>Watershed</b>		
<b>School District Number</b>	625	
<b>Assessment Date</b>	<b>01-02-2014</b>	<b>01-02-2015</b>
<b>Tax Payable Year</b>	<b>2015</b>	<b>2016</b>
<b>Total Estimated Market Value</b>	\$1,484,300	\$2,524,400
<b>Total Taxable Market Value</b>		
<b>Total Estimated Land Value</b>	\$284,300	\$284,300
<b>Total Estimated Building Value</b>	\$1,200,000	\$2,240,100
<b>Property Tax</b>	\$0.00	
<b>Special Assessments</b>	\$0.00	
<b>Total Property Tax + Special Assessments</b>	\$0.00	
<b>Property Class Description</b>	Exempt	Exempt

*Exhibit B*



## Technology Transfer Network - Air Toxics Web Site

# Hydrochloric Acid (Hydrogen Chloride)

7647-01-0

### Hazard Summary-Created in April 1992; Revised in January 2000

Hydrochloric acid has many uses. It is used in the production of chlorides, fertilizers, and dyes, in electroplating, and in the photographic, textile, and rubber industries. Hydrochloric acid is corrosive to the eyes, skin, and mucous membranes. Acute (short-term) inhalation exposure may cause eye, nose, and respiratory tract irritation and inflammation and pulmonary edema in humans. Acute oral exposure may cause corrosion of the mucous membranes, esophagus, and stomach and dermal contact may produce severe burns, ulceration, and scarring in humans. Chronic (long-term) occupational exposure to hydrochloric acid has been reported to cause gastritis, chronic bronchitis, dermatitis, and photosensitization in workers. Prolonged exposure to low concentrations may also cause dental discoloration and erosion. EPA has not classified hydrochloric acid for carcinogenicity.

Please Note: The main source of information for this fact sheet is EPA's [Integrated Risk Information System \(IRIS\)](#), which contains information on inhalation chronic toxicity of hydrochloric acid and the Reference Concentration (RfC). Other secondary sources include the [Hazardous Substances Data Bank \(HSDB\)](#), a database of summaries of peer-reviewed literature, and the [Registry of Toxic Effects of Chemical Substances \(RTECS\)](#), a database of toxic effects that are not peer reviewed.

### Uses

- Hydrochloric acid is used in the production of chlorides, for refining ore in the production of tin and tantalum, for pickling and cleaning of metal products, in electroplating, in removing scale from boilers, for the neutralization of basic systems, as a laboratory reagent, as a catalyst and solvent in organic syntheses, in the manufacture of fertilizers and dyes, for hydrolyzing starch and proteins in the preparation of various food products, and in the photographic, textile, and rubber industries. (1-4,6)

### Sources and Potential Exposure

- Occupational exposure to hydrochloric acid may occur via inhalation or dermal contact during its production and use. (1,2)

### Assessing Personal Exposure

- No information was located regarding the measurement of personal exposure to hydrochloric acid.

### Health Hazard Information

#### Acute Effects:

- Hydrochloric acid is corrosive to the eyes, skin, and mucous membranes. Acute inhalation exposure may cause coughing, hoarseness, inflammation and ulceration of the respiratory tract, chest pain, and pulmonary edema in humans. (1-4)
- Acute oral exposure may cause corrosion of the mucous membranes, esophagus, and stomach, with nausea, vomiting, and diarrhea reported in humans. Dermal contact may produce severe burns, ulceration, and scarring. (1-4)
- Pulmonary irritation, lesions of the upper respiratory tract, and laryngeal and pulmonary edema have been reported in rodents acutely exposed by inhalation. (1,4)
- Acute animal tests in rats, mice, and rabbits, have demonstrated hydrochloric acid to have moderate to high acute toxicity from inhalation and moderate acute toxicity from oral exposure. (3)

#### Chronic Effects (Noncancer):

- Chronic occupational exposure to hydrochloric acid has been reported to cause gastritis, chronic bronchitis, dermatitis, and photosensitization in workers. Prolonged exposure to low concentrations may also cause dental discoloration and erosion. (1-3,6)
- Chronic inhalation exposure caused hyperplasia of the nasal mucosa, larynx, and trachea and lesions in the nasal cavity in rats. (4,6)
- The Reference Concentration (RfC) for hydrochloric acid is 0.02 milligrams per cubic meter (mg/m<sup>3</sup>) based on hyperplasia of the nasal mucosa, larynx, and trachea in rats. The RfC is an estimate (with uncertainty spanning perhaps an order of magnitude) of a continuous inhalation exposure to the human population (including sensitive subgroups) that is likely to be without appreciable risk of deleterious noncancer effects during a lifetime. It is not a direct estimator of risk but rather a reference point to gauge the potential effects. At exposures increasingly greater than the RfC, the potential for adverse health effects increases. Lifetime exposure above the RfC does not imply that an adverse health effect would necessarily occur. (4)
- EPA has low confidence in the study on which the RfC was based since it used only one dose and had limited toxicological measurements; low confidence in the database because the database does not provide any additional chronic or reproductive studies; and, consequently, low confidence in the RfC. (4)
- EPA has not established a Reference Dose (RfD) for hydrochloric acid. (4)

#### Reproductive/Developmental Effects:

- No information is available on the reproductive or developmental effects of hydrochloric acid in humans.
- In rats exposed to hydrochloric acid by inhalation, severe dyspnea, cyanosis, and altered estrus cycles have been reported in dams, and increased fetal mortality and decreased fetal weight have been reported in the offspring. (4,6)

#### Cancer Risk:

- No information is available on the carcinogenic effects of hydrochloric acid in humans.
- In one study, no carcinogenic response was observed in rats exposed via inhalation. (4)
- EPA has not classified hydrochloric acid with respect to potential carcinogenicity. (4)

Exhibit C



## COMMERCIAL DISTRICTS

### **OS Office-Service**

Multiple-family dwelling, home occupation  
Mixed residential and commercial use  
Community residential facility, human service  
Day care, school, library, park, church  
College, university, trade school, arts school  
Noncommercial recreation  
Utility/public service building\*  
Artist and photography studio  
Business office, bank, insurance, real estate office  
Professional office, medical clinic  
Drive-through sales and services\*  
Service businesses, e.g. shoe repair, tailor, barber

### **B1 Local Business**

Most OS uses (not multiple-family dwelling)  
General retail, grocery store, bakery, liquor store  
Laundromat, dry cleaning (retail outlet)  
Post office  
Coffee shop/tea house\*, carry-out restaurant  
Bed and breakfast

### **B2 Community Business**

All B1 uses  
Community residential facility\*  
Veterinary clinic  
Service businesses with a showroom or workshop,  
e.g. contractor, painter, appliance repair  
Tattoo shop, tobacco products shop  
Restaurant, catering, coffee kiosk  
Private hall, club, health club, indoor recreation\*  
Theater, bingo hall\*, assembly hall  
Auto convenience market, service station\*  
Mail order house\*, printing/publishing\*

### **B3 General Business**

All B2 uses  
Hospital  
Business sales/services, package delivery service  
Alternative financial establishment\*, pawn shop\*  
Dry cleaning, commercial laundry  
Greenhouse\*, outdoor commercial use\*  
Mortuary, funeral home  
Hotel, inn, motel  
Adult use\*  
Auto repair\*, auto sales (outdoor\* indoor) car wash\*  
Bus/railroad passenger station, helistop\*  
Finishing shop, limited production and processing  
Wholesaling (no outside storage, <15,000 sq. ft.)

### **B4 Central Business**

Most B3 uses except auto and outdoor uses  
Multiple-family dwelling  
Indoor auto sales  
Commercial parking facility

### **B5 Central Business-Service**

All B4 uses  
Overnight shelter  
Public utility heating or cooling plant  
Auto convenience market, service station, repair  
Finishing shop, limited production and processing  
Warehousing, wholesaling

## INDUSTRIAL DISTRICTS

### **IT Transitional Industrial**

Most B3 uses except outdoor commercial uses  
Television/radio/public utility/microwave antennas\*  
Auto body shop\*  
Commercial parking facility\*  
Warehousing, wholesaling, storage facilities  
Manufacturing from previously prepared materials  
Brewery, micro and regional  
Lumber and contractor's yards  
Research, development and testing laboratory

### **I1 Light Industrial**

All B3 and IT uses  
Overnight shelter  
Public utility heating or cooling plant  
Gun shop\*, shooting gallery\*  
Airport\*, heliport\*, bus garage  
Railroad yard\*/freight facility  
Taxi dispatching, maintenance and storage

### **I2 General Industrial**

All I1 uses  
Public services and utilities, transportation facilities\*  
Intermodal freight yard\*, motor freight terminal\*  
General industrial, general outdoor processing\*  
Brewery, national  
Hazardous and infectious waste processing\*  
Mining of sand, gravel, other raw materials\*  
Salvage yard\*

### **I3 Heavy Industrial**

Public services and utilities, transportation facilities\*  
Intermodal freight yard\*, motor freight terminal\*  
General industrial, general outdoor processing\*  
Hazardous/infectious waste processing\*  
Mining\*, rock crushing\*  
Petroleum/gasoline tank farm  
Salvage yard\*, auto body shop

\* **Conditional uses** - May require a Conditional Use Permit (CUP) granted by the Planning Commission.

Note: THIS IS NOT A COMPLETE LIST OR LEGAL DOCUMENT. For simplicity and readability, it departs from legal and technical language of the Saint Paul Zoning Code and other applicable regulations

Exhibit D

# Hawkins, Inc.

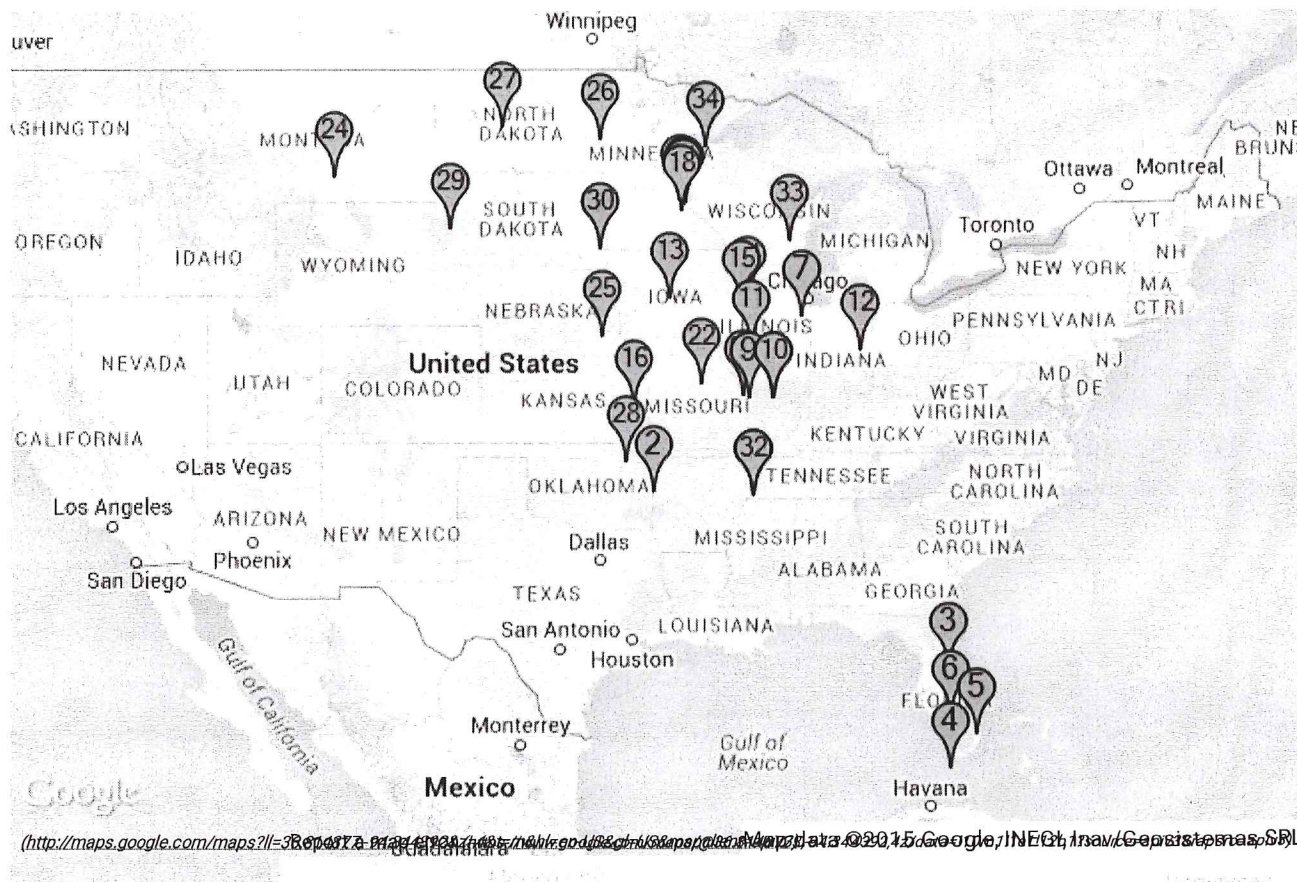
## Our Locations

### General Inquiries

Please use this form to contact a sales representative, request more information about products and services, explore opportunities, learn more about our commitments or just tell us how we are doing.

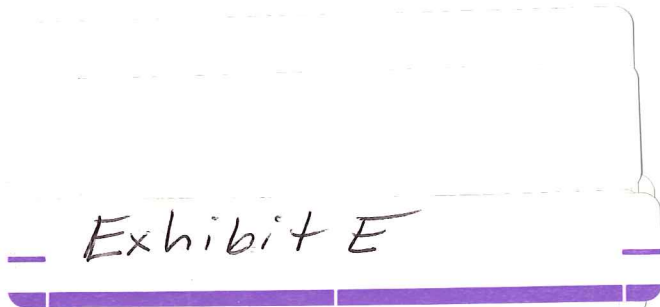
It has come to our attention that certain on-line venues are using our logo and name in a false and misleading manner. It appears that our company has been mistaken for the La-Van Hawkins Food Group LLC. We are in no way affiliated with the La-Van Hawkins Food Group or its activities.

### Locations



### Minnesota (Corporate)

2381 Rosegate  
 Roseville, MN 55113  
 Phone: (612) 331-6910  
 Toll Free: (800) 328-5460

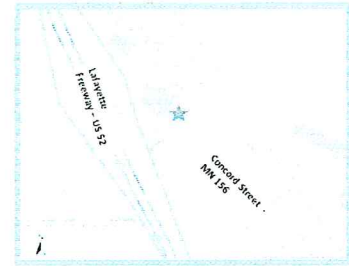






# Community Air Monitoring Project

## Summary Report – St. Paul West Side Neighborhood



St Paul West Side  
Air Monitoring Site

### Project overview

In 2013, the Minnesota Legislature funded a two-year air monitoring study to measure air quality in Minnesota communities where low income or communities of color might be disproportionately impacted by pollution from highway traffic, air traffic, and industrial sources. This legislation funds one monitor to be moved to seven locations in a two-year period.

The project began on October 1, 2013, with monitoring in the East Phillips neighborhood of Minneapolis. The monitor moved to the Thomas-Dale neighborhood, then the St. Paul West Side neighborhood. This area is a mix of residential and business interlaced with heavily used roadways. Monitoring ran from April 1-June 30, 2014.

### What we monitored

Air was monitored for specific chemicals that are associated with adverse public health effects (Attachment A). These chemicals are classified as fine particles (PM<sub>2.5</sub>) or air toxic pollutants (carbonyls, metals or volatile organic compounds [VOCs]). Although only a three-month study, for comparison purposes, we compared the average daily PM<sub>2.5</sub> monitored data to the daily fine particle standard and the air toxic pollutants to the available long-term health benchmarks. These comparisons are used for informational purposes only and should not be used to determine compliance with standards or health risks. The data were also compared with other data collected in the same time period at other monitors in Minnesota.

#### Findings at a glance:

- All average daily PM<sub>2.5</sub> values were below the daily PM<sub>2.5</sub> standard of 35 micrograms per cubic meter ( $\mu\text{g}/\text{m}^3$ ) but were generally higher than the values seen at other sites for a majority of the monitoring days.
- Of the 74 air toxic pollutants measured for this project, 46 pollutants were so low that they were not detected by the monitor.
- All average VOC and carbonyl values were below health benchmarks except for formaldehyde. The average values of formaldehyde at most monitoring sites in the Twin Cities metro were slightly above health benchmarks. Higher formaldehyde values are expected in warmer months and are lower in winter months.
- Of the detected metals, average metal values were higher at this site than the other Twin Cities metro sites, but all were below health benchmarks except for arsenic. The Minnesota Pollution Control Agency (MPCA) is working to better understand these results.

# Summary of results

## Fine Particles (PM<sub>2.5</sub>)

Fine particles are a complex mixture of extremely small particles and liquid droplets that are created during combustion when coal, gasoline, diesel, wood and other fuels are burned, and are also created in the air by chemical reactions among other pollutants. Because of their small size, PM<sub>2.5</sub> can be inhaled deeply into the lungs and can enter the blood stream. Exposure to fine particle pollution can contribute to respiratory and cardiovascular health effects.

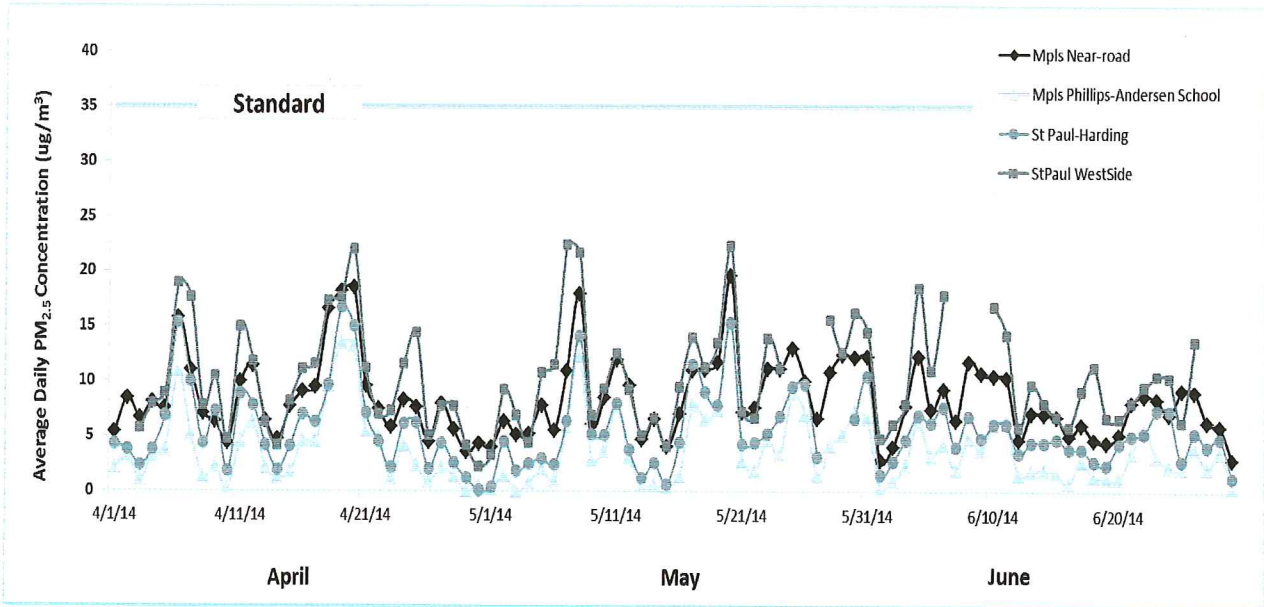
Fine particles are regulated on an annual and daily basis to guard against long-term and short-term health effects linked to fine particle exposure. To test compliance with these standards, a minimum of three-years of monitoring data is required. The monitoring period for this project is too short to determine whether the project sites meet the fine particle standards. However, as an informal comparison, we have compared daily fine particle results to the short term fine particle standards of 35 micrograms per cubic meter (µg/m<sup>3</sup>).



U.S. Environmental Protection Agency (EPA) regulations state that a monitored site meets daily PM<sub>2.5</sub> regulatory requirements if the 98<sup>th</sup> percentile of the 24-hour PM<sub>2.5</sub> concentrations in a year, averaged over 3 years, is less than or equal to 35 µg/m<sup>3</sup>. For more information: [http://www.epa.gov/ttn/naaqs/standards/pm/s\\_pm\\_index.html](http://www.epa.gov/ttn/naaqs/standards/pm/s_pm_index.html)

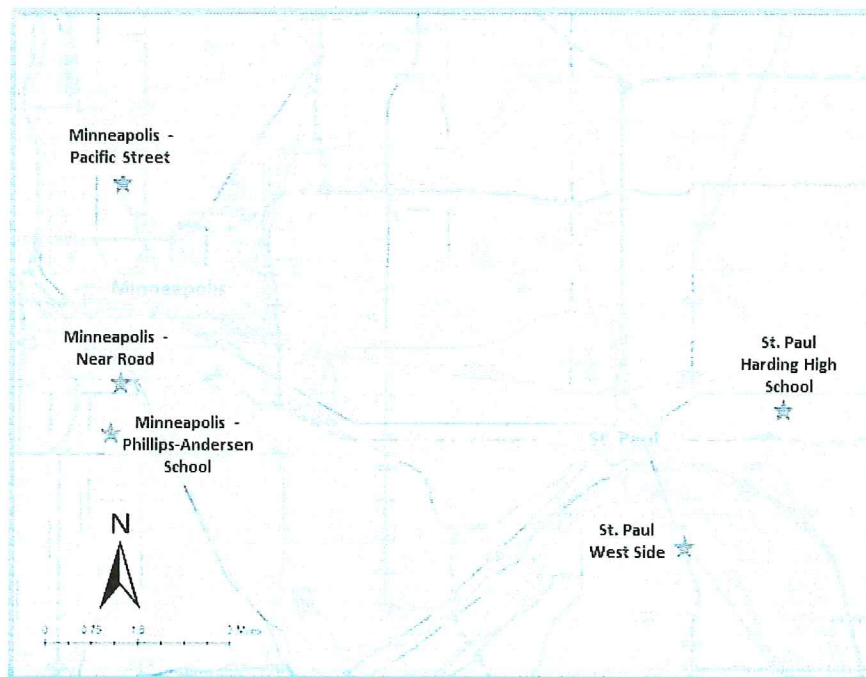
The average daily trends (Figure 1) over the three month period were similar between the St. Paul West Side monitor and other Twin Cities monitoring sites (locations shown in Figure 2). While all average daily PM<sub>2.5</sub> values were below the daily PM<sub>2.5</sub> standard of 35 µg/m<sup>3</sup>, average daily values measured at the St. Paul West Side monitor were generally higher than those seen at most other sites for a majority of the monitoring days (Table 1) but followed a similar daily trend as other metro sites.

Figure 1. Average daily PM<sub>2.5</sub> values at several St. Paul-Minneapolis sites from April 1-June 30, 2014.



Ex. F, 2 of 9

**Figure 2.** Location of the St. Paul West Side community air monitor in relation to other PM<sub>2.5</sub> air monitors in the St. Paul-Minneapolis metro area. For more information about the individual sites, please visit the MPCA Air Monitoring Network Plan website ([www.pca.state.mn.us/pyrifa3](http://www.pca.state.mn.us/pyrifa3)).



**Table 1.** Summary information describing average daily PM<sub>2.5</sub> values found at MPCA monitors during the monitoring period of April 1-June 30, 2014.

Site	Min µg/m <sup>3</sup>	Max µg/m <sup>3</sup>	Mean <sup>1</sup> µg/m <sup>3</sup>	Median <sup>2</sup> µg/m <sup>3</sup>	Standard Deviation* µg/m <sup>3</sup>	Number of days that concentration values at St. Paul-West Side were		Total Number of Comparison Days <sup>†</sup>
						higher	lower	
St. Paul-West Side	2.2	22.4	10.4	9.5	4.8			
Mpls Near Road	2.8	19.6	8.3	7.6	3.6	63	16	79
Mpls Pacific Street	0.0	16.5	5.0	4.2	3.9	75	4	79
Mpls Phillips	0.0	15.4	3.7	2.7	3.2	79	0	79
St. Paul-Harding H.S.	0.1	16.7	5.4	4.5	3.5	77	0	77
Anoka Airport	0.4	15.5	4.5	3.9	2.9	70	0	70
Apple Valley	0.3	18.0	4.7	4.1	3.3	79	0	79
Virginia	5.2	15.6	8.5	7.9	2.1	49	30	79
Rochester	0.7	13.1	5.2	4.6	3.2	73	2	75
Talahi School	0.8	16.8	5.0	4.5	2.8	79	0	79
St Michael	0.2	21.0	5.3	4.5	4.0	74	1	75
Detroit Lakes	2.3	13.5	6.5	6.1	2.1	64	11	75
Marshall	1.8	14.5	5.3	4.8	2.6	68	8	76
Duluth	0.6	16.5	5.0	4.6	3.1	75	4	79
Ely	0.7	9.2	2.8	2.5	1.5	71	0	71
Brainerd Airport	0.0	7.6	1.7	1.0	1.7	79	0	79
Winona	1.0	15.7	6.1	5.3	3.2	72	4	76

<sup>1</sup>Mean value is the arithmetic average value of all of the average daily PM<sub>2.5</sub> measurements

<sup>2</sup>Median value is the middle value of the set of average daily PM<sub>2.5</sub> measurements

\*Standard Deviation of the average daily PM<sub>2.5</sub> measurements

<sup>†</sup>St. Paul West Side monitor had only 79 days of complete data available for comparisons. Other sites had fewer days.

Ex F, 3 of 9



## Summary of results (cont'd)

### Air toxics

Air toxic pollutants are those chemicals known or suspected to cause serious human health effects or adverse environmental effects. Example pollutants include *methylene chloride*, used as a solvent and paint stripper, *perchloroethylene*, emitted by some dry cleaning facilities and *benzene*, which is found in gasoline. Some air toxic pollutants are metals such as *cadmium*, *chromium*, or *lead* compounds.

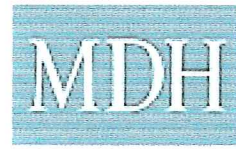
### Air toxics health benchmarks

Existing air quality standards and health benchmarks come from a variety of sources. However, these are not available for all chemicals. For air toxics, the MPCA uses available published health benchmarks. Specific information about standards and health benchmarks can be found at: <http://www.pca.state.mn.us/bkzq4b0>.

Of the 74 air toxic pollutants measured (**Attachment A**), there were 28 pollutants detected at the St. Paul West Side monitor. Compared to values at other fixed monitoring sites (sites shown in **Figure 3**), the majority of these chemicals did not significantly\* differ in measured values (**Figure 4**).

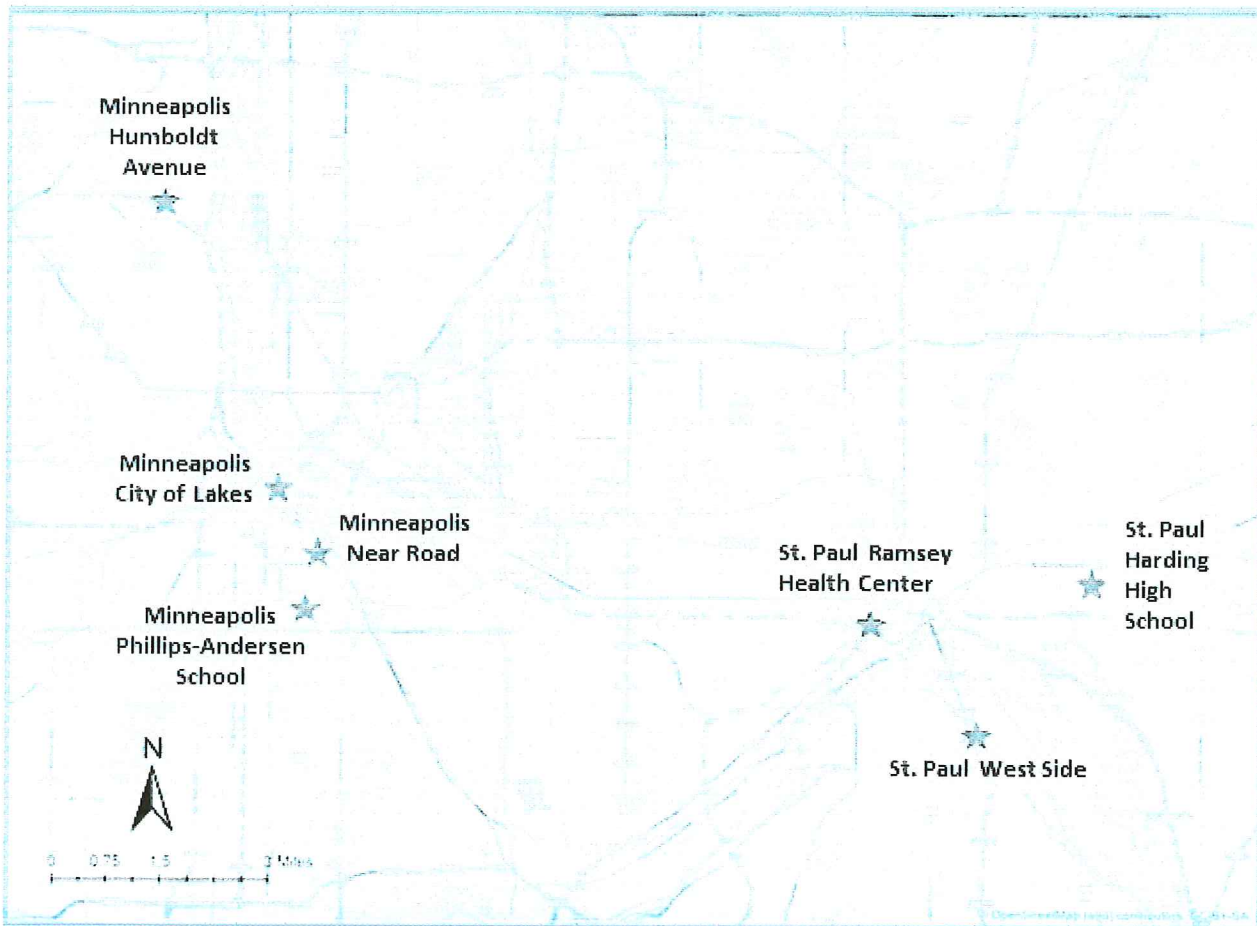
\* Kaplan-Meier non-parametric non-detects data analysis

**Figure 3.** Location of the community air monitor in relation to other fixed site air toxics monitors in the St. Paul-Minneapolis metropolitan area.

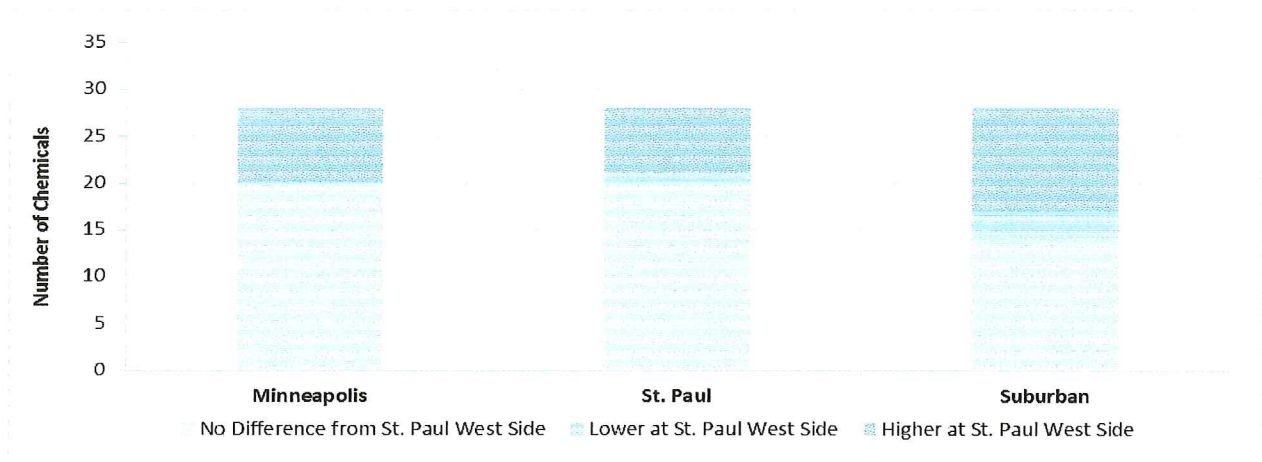


Minnesota  
Public Health Data  
can be found at  
<https://apps.health.state.mn.us/mndata/home>

This data can be  
searched by county  
to help you find  
public health  
information  
relevant to your  
local area.



**Figure 4.** The number of air toxic pollutants that differed from other monitors around the Twin Cities.



Compared to measurements in Minneapolis and St. Paul, most of the pollutants that were higher at the community monitor were metals (**Attachment A**). Of the detected metals, average\* metal values were higher at this site than the other Twin Cities metro sites, but all were below health benchmarks except for arsenic.

Compared to measurements from suburban Twin Cities monitors, most of the pollutants that were higher at the community monitor were VOCs (**Attachment A**). Of all of the carbonyls and VOCs monitored, only formaldehyde was found to be above health benchmark.

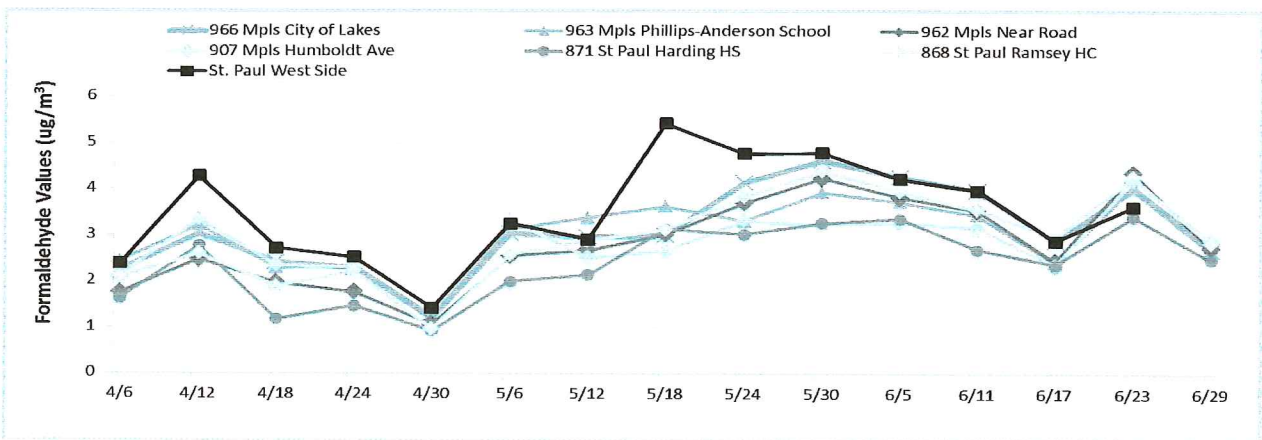
\* Kaplan-Meier non-parametric non-detects data analysis

### Formaldehyde

Formaldehyde is produced from human-made and natural sources. A variety of VOCs also react in the atmosphere to indirectly form formaldehyde. Direct emissions of formaldehyde in Minnesota come primarily from wildfires, prescribed burning, gasoline and diesel burning, highway and off-highway vehicles, residential fuel combustion and industrial processes.

As temperatures increase in the spring and summer, the production of formaldehyde increases and average values of formaldehyde typically go up. The St. Paul West Side community monitor operated from April 1 to June 30, which coincides with the elevated formaldehyde season. This increase in formaldehyde was seen at this community monitor as well as other Twin Cities monitoring sites (**Figure 5**). The three month formaldehyde average ( $3.5 \mu\text{g}/\text{m}^3$ ) was over the long-term health benchmark of  $2 \mu\text{g}/\text{m}^3$  for the three month monitoring period at most metro sites (**Table 2**). The MPCA is working to better understand the sources of formaldehyde in Twin Cities air.

**Figure 5.** Formaldehyde values measured during the three month monitoring period.



Ex F, 5 of 9



**Table 2.** Formaldehyde values ( $\mu\text{g}/\text{m}^3$ ) measured at the St. Paul West Side community monitor and metro area fixed air monitors during the monitoring period of April 1–June 30, 2014.

	St. Paul			Minneapolis			
	St. Paul West Side	Ramsey County Health Center	Harding High School	Humboldt Avenue	Near Road	Phillips-Anderson School	City of Lakes
4/5/2014	2.4	2.1	1.6	2.1	1.7	2.4	2.2
4/11/2014	4.3	2.6	2.8	3.3	2.5	3.2	3.0
4/17/2014	2.7	1.9	1.2	2.3	2.0	2.3	2.4
4/23/2014	2.5	2.2	1.5	2.3	1.8	2.3	2.3
4/29/2014	1.4	1.0	0.9	*	1.0	1.3	1.2
5/5/2014	3.2	2.6	2.0	3.3	2.5	3.1	3.0
5/11/2014	2.9	2.9	2.1	2.5	2.7	3.4	3.0
5/17/2014	5.4	3.1	3.1	2.7	3.0	3.6	3.0
5/23/2014	4.8	3.8	3.0	3.3	3.7	3.3	4.1
5/29/2014	4.8	4.4	3.3	3.2	4.2	3.9	4.6
6/4/2014	4.2	3.9	3.4	3.3	3.8	3.7	4.3
6/10/2014	4.0	3.5	2.7	3.2	3.5	3.4	4.0
6/16/2014	2.9	3.0	2.4	2.4	2.4	2.4	2.9
6/22/2014	3.6	4.3	3.4	4.2	4.4	4.1	4.0
6/28/2014	*	2.8	2.5	2.9	2.7	2.8	2.7

Mean <sup>+</sup>	3.5	2.9	2.4	2.9	2.8	3.0	3.1
-------------------	-----	-----	-----	-----	-----	-----	-----

\*Data not collected these days

<sup>+</sup>The mean value is the arithmetic average value of all of the values in the respective column

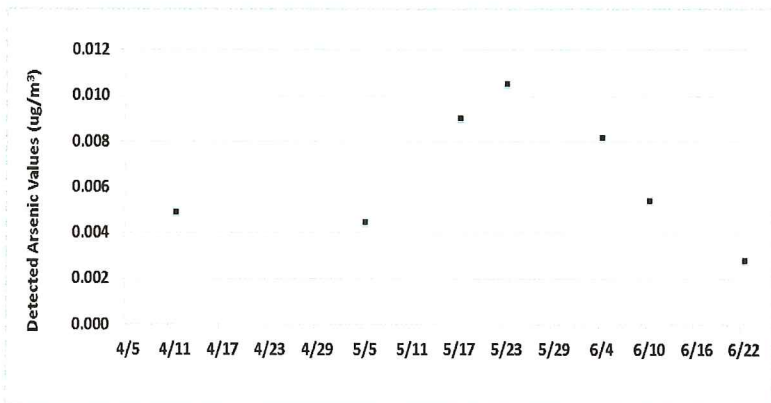
— Ex F, 6 of 9 —


**Arsenic**

Arsenic has no discernable odor or taste. It can be present in the physical environment in air, rocks, soil and groundwater, and is known to occur in different areas of Minnesota, most commonly in groundwater.

Out of 14 measurement dates, arsenic values above the long-term health benchmark value (0.00233  $\mu\text{g}/\text{m}^3$ ) were detected on seven of those dates (Figure 6; Table 3). The MPCA is working to better understand these results.

**Figure 6.** Arsenic measurements at the community air monitor.





**HEALTH BENCHMARKS**

A long-term health benchmark – also called a chronic health risk value or chronic HRV – is a level of a pollutant in the air that is unlikely to result in a health effect if sensitive populations are exposed at that level for a lifetime.

Since chronic HRVs reflect a lifetime exposure, they are compared to air measurement summaries from long term studies (generally a year or more). The CAMP project resulted in three-months of measurements; however, we compared the monitored data with these health benchmarks for informational purposes.

For arsenic, the HRV is 0.00233  $\mu\text{g}/\text{m}^3$ .

HRV values are set by the Minnesota Department of Health (MDH).

**Table 3.** Arsenic values ( $\mu\text{g}/\text{m}^3$ ) measured at the St. Paul West Side monitor and other metro area fixed air monitors during the three month monitoring period.

	St. Paul <sup>+</sup>		Minneapolis			
	St Paul West Side	Harding High School	Humboldt Avenue	Near-Road	Phillips-Anderson School	City of Lakes
4/5/2014	*	*	*	*	*	*
4/11/2014	0.0049	*	*	*	*	*
4/17/2014	*	*	*	*	*	*
4/23/2014	*	*	*	*	*	*
4/29/2014	*	*	*	*	*	*
5/5/2014	0.0044	*	*	*	*	*
5/11/2014	*	0.0026	*	*	*	*
5/17/2014	0.0090	0.0054	0.0022	*	0.0021	*
5/23/2014	0.0105	0.0061	*	*	*	*
5/29/2014	*	*	*	*	*	*
6/4/2014	0.0081	0.0028	0.0019	0.0024	0.0019	0.0019
6/10/2014	0.0054	*	0.0022	0.0021	0.0018	*
6/16/2014	*	*	*	*	*	*
6/22/2014	0.0028	0.0025	0.0020	*	0.0020	0.0020
6/28/2014	*	*	*	*	*	*

<sup>+</sup>Metals are not measured at the St. Paul Ramsey County Health Center  
 \*Value below detection limit (0.00181  $\mu\text{g}/\text{m}^3$ )

Ex F, 7 of 9

## What you can do to reduce your exposure to air pollutants

To reduce your risk of developing bad health from exposures to air pollution:

- Avoid exposure to tobacco smoke, wood smoke, vehicle exhaust, and other sources of airborne particles.
- Avoid prolonged outdoor exertion near high-traffic areas.
- Stay informed about air pollution alerts and advisories in your area by visiting the MPCA Air Quality Index website ([www.pca.state.mn.us/d&dcwpp](http://www.pca.state.mn.us/d&dcwpp)), calling the AQI Information Line (651-297-1630) or subscribing to the MPCA Air Quality Forecast Alert system (<http://mn.enviroflash.info/>).
- If you experience respiratory or cardiovascular symptoms (e.g., persistent cough, burning eyes, wheezing, shortness of breath, tightness of chest, or chest pain) on air quality alert days, consult with a health care professional, as needed. Pay particular attention if you are an athlete, or if you or your children have a respiratory or cardiovascular condition.
- Work together with others in your community to improve air quality (see website links below for more information).

## Links to other information

Information about other environmental hazards, health outcomes, and socioeconomic indicators is available from the U.S. EPA at <http://epamap14.epa.gov/ejmap/entry.html>. You can search for information by address at this website.

For tips on how to reduce air pollution, please visit [http://epa.gov/oaqps001/peg\\_caa/reduce.html](http://epa.gov/oaqps001/peg_caa/reduce.html).

For more information about commonly found air pollutants and their sources, please visit [http://epa.gov/airquality/peg\\_caa/cleanup.html](http://epa.gov/airquality/peg_caa/cleanup.html).

For more information on the air monitoring results from the Thomas-Dale monitoring site or other air quality monitoring studies, please call 651-296-6300 or 1-800-657-3864 and ask for air data analysis staff. For more information and to view updates about the Community Air Monitoring Project, please visit [www.pca.state.mn.us/9xc4ahc](http://www.pca.state.mn.us/9xc4ahc).

More information about the MPCA's air monitoring program is available on the website: <http://www.pca.state.mn.us/ruu6fhw>.

For more information about arsenic and related health issues, visit the Minnesota Health Department website: <http://www.health.state.mn.us/divs/eh/hazardous/topics/arsenic.html>.

**Attachment A. Community Air Monitoring Project - Monitored Air Quality Pollutants**

**Carbonyls**

Acetaldehyde<sup>U</sup>  
 Benzaldehyde  
 Butyraldehyde  
 Formaldehyde<sup>A,C</sup>  
 Propionaldehyde  
 Trans-Crotonaldehyde<sup>2</sup>

**Metals**

Antimony  
 Arsenic  
 Barium<sup>A,B,U</sup>  
 Beryllium<sup>1</sup>  
 Cadmium<sup>1</sup>  
 Chromium<sup>B</sup>  
 Cobalt<sup>1</sup>  
 Iron<sup>A,B,C</sup>  
 Lead<sup>A,B,C</sup>  
 Manganese<sup>A,B,C</sup>  
 Nickel<sup>B</sup>  
 Selenium<sup>1</sup>  
 Zinc<sup>A,B,C</sup>

**PM<sub>2.5</sub> Continuous  
 PM<sub>2.5</sub> Concentration**

**Volatile Organic Compounds**

1,1,2,2-Tetrachloroethane<sup>1</sup>  
 1,1,2-Trichloroethane<sup>1</sup>  
 1,1-Dichloroethane<sup>1</sup>  
 1,1-Dichloroethylene<sup>1</sup>  
 1,2,4-Trichlorobenzene<sup>1</sup>  
 1,2,4-Trimethylbenzene<sup>2</sup>  
 1,2-Dichlorobenzene<sup>1</sup>  
 1,2-Dichloropropane<sup>1</sup>  
 1,3,5-Trimethylbenzene<sup>1</sup>  
 1,3-Butadiene  
 1,3-Dichlorobenzene<sup>1</sup>  
 1,4-Dichlorobenzene<sup>1</sup>  
 Benzene<sup>C</sup>  
 Benzene, 1-Ethenyl-4-Methyl<sup>1</sup>  
 Benzyl Chloride<sup>1</sup>  
 Bromodichloromethane<sup>1</sup>  
 Bromoform<sup>1</sup>  
 Bromomethane<sup>1</sup>  
 Carbon Disulfide<sup>2</sup>  
 Carbon Tetrachloride  
 Chlorobenzene<sup>1</sup>  
 Chloroethane<sup>1</sup>  
 Chloroform<sup>1</sup>  
 Chloromethane  
 Cis-1,2-Dichloroethene<sup>1</sup>  
 Cis-1,3-Dichloropropene<sup>1</sup>  
 Cyclohexane<sup>2</sup>  
 Dibromochloromethane<sup>1</sup>

Dichlorodifluoromethane<sup>U</sup>  
 Dichloromethane  
 Ethylbenzene<sup>2</sup>  
 Ethylene Dibromide<sup>1</sup>  
 Ethylene Dichloride<sup>1</sup>  
 Freon 113<sup>T</sup>  
 Freon 114<sup>2</sup>  
 Furan, Tetrahydro-<sup>1</sup>  
 Hexachlorobutadiene<sup>1</sup>  
 M/P Xylene<sup>C</sup>  
 Methyl Butyl Ketone<sup>1</sup>  
 Methyl Chloroform<sup>1</sup>  
 Methyl Ethyl Ketone<sup>2</sup>  
 Methyl Tert-Butyl Ether<sup>1</sup>  
 N-Heptane  
 N-Hexane<sup>C</sup>  
 O-Xylene  
 Propylene<sup>C</sup>  
 Styrene<sup>1</sup>  
 Tetrachloroethylene<sup>1</sup>  
 Toluene<sup>C</sup>  
 Trans-1,2-Dichloroethylene<sup>1</sup>  
 Trans-1,3-Dichloropropene<sup>1</sup>  
 Trichloroethylene<sup>1</sup>  
 Trichlorofluoromethane<sup>A,B,C</sup>  
 Vinyl Acetate<sup>2</sup>  
 Vinyl Chloride<sup>1</sup>

<sup>1</sup>Indicates chemicals that were below detection limits at all monitors in Minnesota, including the St. Paul West Side monitor, for this three month monitoring time.

<sup>2</sup>Indicates chemicals that were below detection limits at the St. Paul West Side monitor, but were detected at one or more monitoring sites in Minnesota.

<sup>A</sup>Indicates chemicals that were higher\* at the St. Paul West Side monitor than at St. Paul fixed monitors.  
 (7 chemicals higher: 5 metals, 1 carbonyl, 1 VOC)

<sup>B</sup>Indicates chemicals that were higher\* at the St. Paul West Side monitor than at Minneapolis fixed monitors.  
 (8 chemicals higher: 7 metals, 1 VOC)

<sup>C</sup>Indicates chemicals that were higher\* at the St. Paul West Side monitor than at suburban Twin Cities fixed monitors.  
 (11 chemicals higher: 4 metals, 6 VOCs, 1 carbonyls)

<sup>T</sup>Indicates chemicals that were lower\* at the St. Paul West Side monitor than at St. Paul fixed monitors.  
 (1 chemical lower: 1 metal)

<sup>U</sup>Indicates chemicals that were lower\* at the St. Paul West Side monitor than at suburban Twin Cities fixed monitors.  
 (3 chemicals lower: 1 metal, 1 VOC, 1 carbonyl)

\*Kaplan-Meier non-parametric NADA averaged values

Ex. F, 9 of 9





## Drinking Water... Piped Versus Bottled... & Fluoridation

Those opposing bottled water tackle issues of energy savings, water wasting, plastic waste, environmental stewardship, and industry water-taking. They also raise awareness to resist water commodities and inform us of health concerns such as bisphenol A. Social inequities about who can versus can't afford bottled water are hotly debated, and we are even reminded some schools and municipal buildings are without a single water fountain. All is all about achieving a greater common good. All is about best water practice, fairness and availability of healthy water. For completeness, municipal water fluoridation should also be considered before deciding what is best for the public and our children... bottled versus piped.

Hydrofluorosilicic acid (HFSA) which contains 'silicofluoride' is what is typically used now to fluoridate municipal drinking water. HFSA also contains known trace co-contaminants lead, arsenic, mercury and radionuclides. These contaminants do not improve the quality of municipal drinking water, and certainly do not make this water safer to drink. Chlorine and ammonia disinfectants, while not entirely favourable, do turn otherwise non-potable water into drinkable water. If we are going to evaluate why many people prefer more expensive bottled water over piped water, we must recognize that certain bottled water, such as distilled or reverse osmosis, contain virtually no such toxins (chlorine, ammonia, fluoride, lead, arsenic, mercury, radionuclides and so forth). Such bottled water can be obtained in large and small refillable containers, and will not generate the throw away waste that single-use glass and plastic containers do. This water can be produced and sold locally, thereby eliminating many environmental as well as other concerns raised about taking/shipping water from afar. This appears reasonable and satisfies those who want or need something other than municipally treated water. This option, however, is not a total solution.

The American Water Works Association (AWWA) standards for municipal drinking water, also followed in Ontario, permit up to 0.02% heavy metals (such as lead) in a tanker truck which holds up to 40,000 pounds of HFSA per load. That means up to 8 pounds of lead per load may be dumped into our municipal drinking water. The Ontario Ministry of the Environment, via the Safe Drinking Water Act, permits maximum allowable concentrations (MAC's) of such contaminants (fluoride, lead, arsenic, mercury, radionuclides, chlorine, ammonia, sodium etc.) in our municipal drinking water – not because they are good or healthy for us, but because of difficulty to completely eliminate them, high cost to removing or avoiding them, industry or political pressures to disregard them, and ignorance. As well, we should remain mindful that public health policy sets such health and safety standards for the benefit of total populations, not individuals. Therefore, these standards are decidedly established within 'acceptable' individual health/safety risks and casualties, so long as the population stands to 'benefit' as a whole. Cost is often a factor.

HFSA is highly corrosive and eats through stainless steel as well as glass containment. It is also known to accelerate corrosion of metallic as well as cement lined water distribution pipes, even when diluted. This highly corrosive nature of HFSA, even at concentrations in Ontario's drinking water, is seen to leach out lead content from lead pipes, leaded solder, and leaded brass fittings, all contained within many water distribution and supply systems, thereby adding more lead content to the water we drink and use daily, beyond the trace levels of lead found within the HFSA itself. Maas et. al. 2007 published research in the Journal of NeuroToxicology indicating that over the first test week with chlorine flushing alone, lead concentrations nearly doubled (from 100 ppb to nearly 200 ppb), and when (hydro)fluorosilicic acid was added to the water, lead concentrations spiked by a factor of nine. Coplan et. al. 2007 published research in the Journal of NeuroToxicology to confirm and explain elevated blood lead levels and other disorders in children exposed to water disinfection and fluoridation chemicals. This research identified that living in communities with silicofluoride treated (HFSA treated) water is associated with neurotoxic effects. Silicofluoride, lead, and mercury are all scientifically recognized neurotoxins, which build up in our bodies over a lifetime of exposure and consumption.

— Exhibit G1 of 2 —



The Canadian Environmental Protection Act classifies hydrofluorosilicic acid (HFSA) as "persistent," "bio-accumulative" and "toxic." Environment Canada classifies HFSA as a "hazardous substance." Transport Canada classifies it as a "dangerous good." The U.S. Environmental Protection Agency classifies it as a "class one hazardous waste."

For the first time in Ontario's history, municipal lead testing of tap water became mandatory on May 23rd, 2007. Mandatory annual lead testing of tap water in Ontario public schools, whose plumbing was installed after 1989 soon followed, requiring a water sample for lead content both before and following line flushing of the water distribution system. Of the Ontario schools submitting a standing sample (before line flushing), 28% had lead levels in school drinking water above acceptable levels. After line flushing, 9% of the Ontario schools submitting samples still had lead levels in school drinking water above acceptable lead limits (Source: O. Reg 243/07: 2007 Lead Data Results Release Public School 2007 Lead Testing Results). Yet, these schools are built after 1989 – around the same time the use of lead-based solder became prohibited in Ontario. Lead water pipes were used up and until approximately the mid 1950's. Brass fittings containing varying amounts of lead are found in schools before and after 1989. Why are we only testing schools in Ontario built after 1989, when it seems likely lead levels found in school drinking water will be even higher in schools built before 1989? Our children will still be drinking from those school fountains too, won't they?

Perhaps, ask yourself these questions: Should we ban all bottled water, or just specific instances of bottled water? Is our alternative to bottled water a healthier one? Why are we pouring industrial hazardous waste in our municipal drinking water when it is illegal to pour it into our environment? When do we catch up with the science and warnings pertaining to municipal water treatment and distribution? Given that science shows fluoride, lead, arsenic, and mercury are all toxic, persistent and bio-accumulative, why allow these toxins into our babies and children, when we know they build-up in their body tissues, organs and brains? Since hydrofluorosilicic acid's silicofluoride, lead, arsenic, mercury and radionuclides pose a threat when diluted in the environment, how do they not pose a threat when diluted in our drinking water? Does diluting a bio-accumulative toxin necessarily mean it will have no negative effect on you, or does it mean it will eventually have a negative affect you? Are we honestly interested in the health and well-being of our children when we take the cheapest industrial toxic waste fluoride we can find, and dump it into our children's drinking water? Aren't we premature removing bottled water from our schools and municipal buildings when we do not provide our children a healthier choice? Are daily flushings to remove lead from our school water systems the best we can offer our children, or will we fix the source of this problem? Shouldn't we allow and provide opportunity for individuals to better care for themselves, when they need or wish to do so?

Pure water and pure air are all we have to cleanse ourselves in an ever more polluted world. Presently, we are luckier than most in other parts of the world, however, clean water and clean air become scarcer everywhere, every day.

Together... we can eliminate environmental harm supplying water and toxic harm in our water.

[action@WaterlooWatch.com](mailto:action@WaterlooWatch.com)

[www.WaterlooWatch.com](http://www.WaterlooWatch.com)

— Exhibit G 2 of 2 —

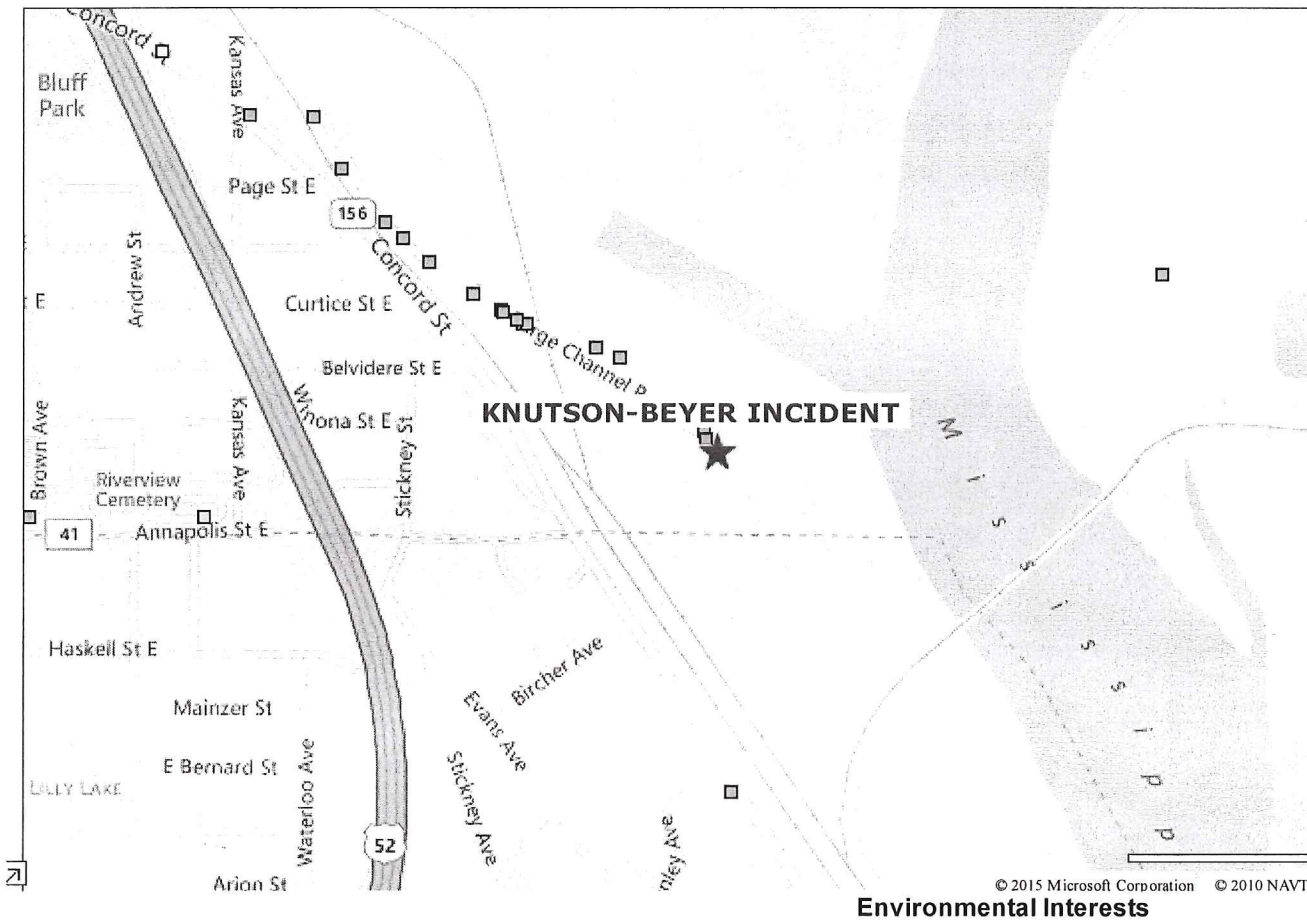


# Envirofacts FRS Facility Detail Report



## KNUTSON-BEYER INCIDENT

830 BARGE CHANNEL RD, ST. PAUL AND  
ST. PAUL, MN 55107  
EPA Registry Id: 110014404509



Information System	System Facility Name	Information System Id/Report Link	Envir Type
COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION AND LIABILITY INFORMATION SYSTEM	KNUTSON-BEYER INCIDENT	MNN000508758	S

Additional EPA Reports: [MyEnvironment](#) [Site Demographics](#) [Facility Coordinates Viewer](#) [Environmental](#)

### Standard Industrial Classification Codes (SIC)

National Inc

No SIC Codes returned.  
Facility Codes and Flags

*Exhibit H*

EPA Region:	05
Duns Number:	