

Hoppportunity Knocks, Again: More Brownfields, Beer and the Law

Vapor Intrusion Update



ATTORNEYS AND COUNSELORS AT LAW



Como Neighborhood Investigation

Soil Vapor: Como Neighborhood – Minneapolis Building Mitigation Status



Photo Credit: Minnesota Pollution Control Agency

Saint Louis Park Investigation

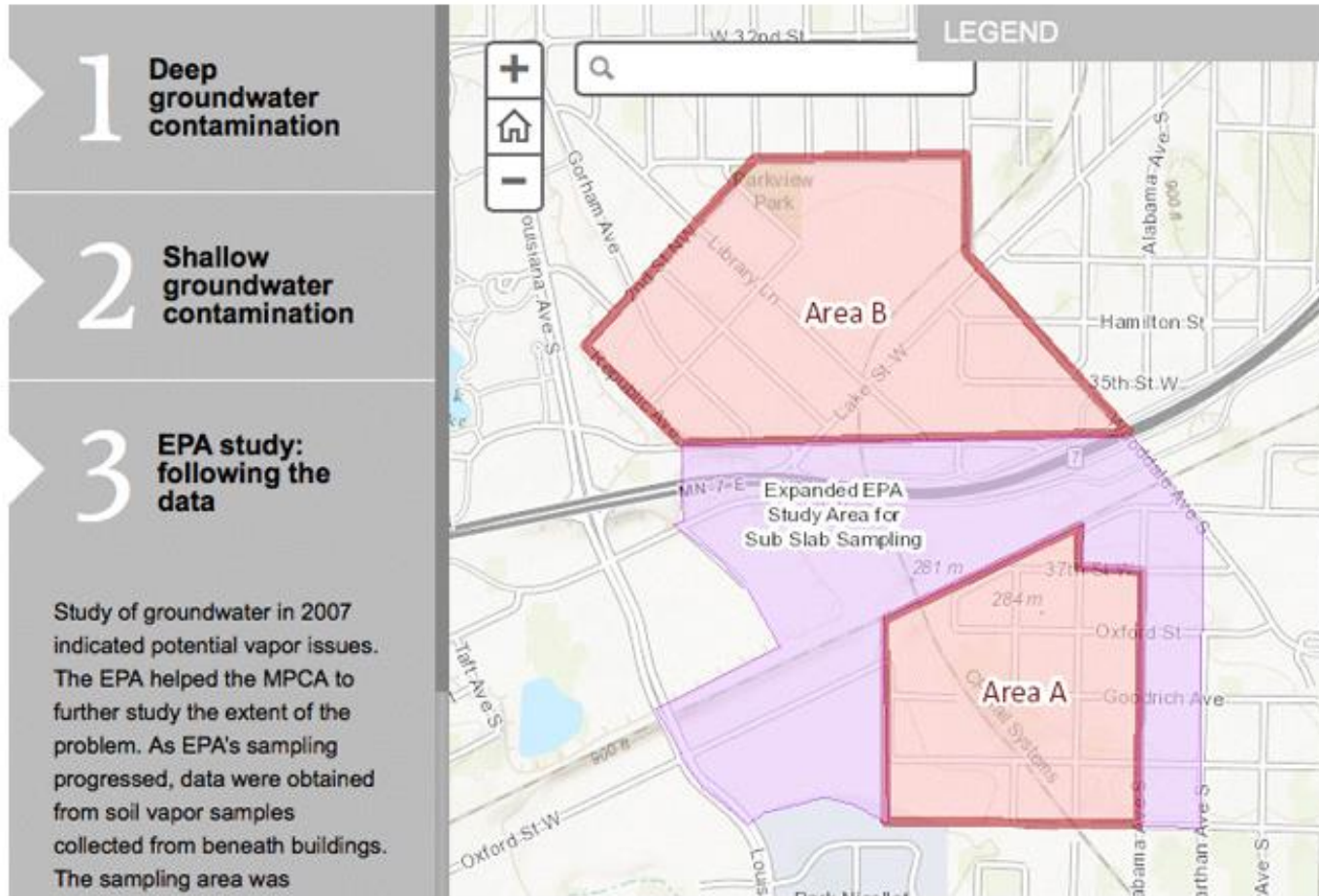


Photo Credit: Minnesota Pollution Control Agency

MPCA Investigation Status

Sites identified as potential vapor risks (as of Jan. 2017)

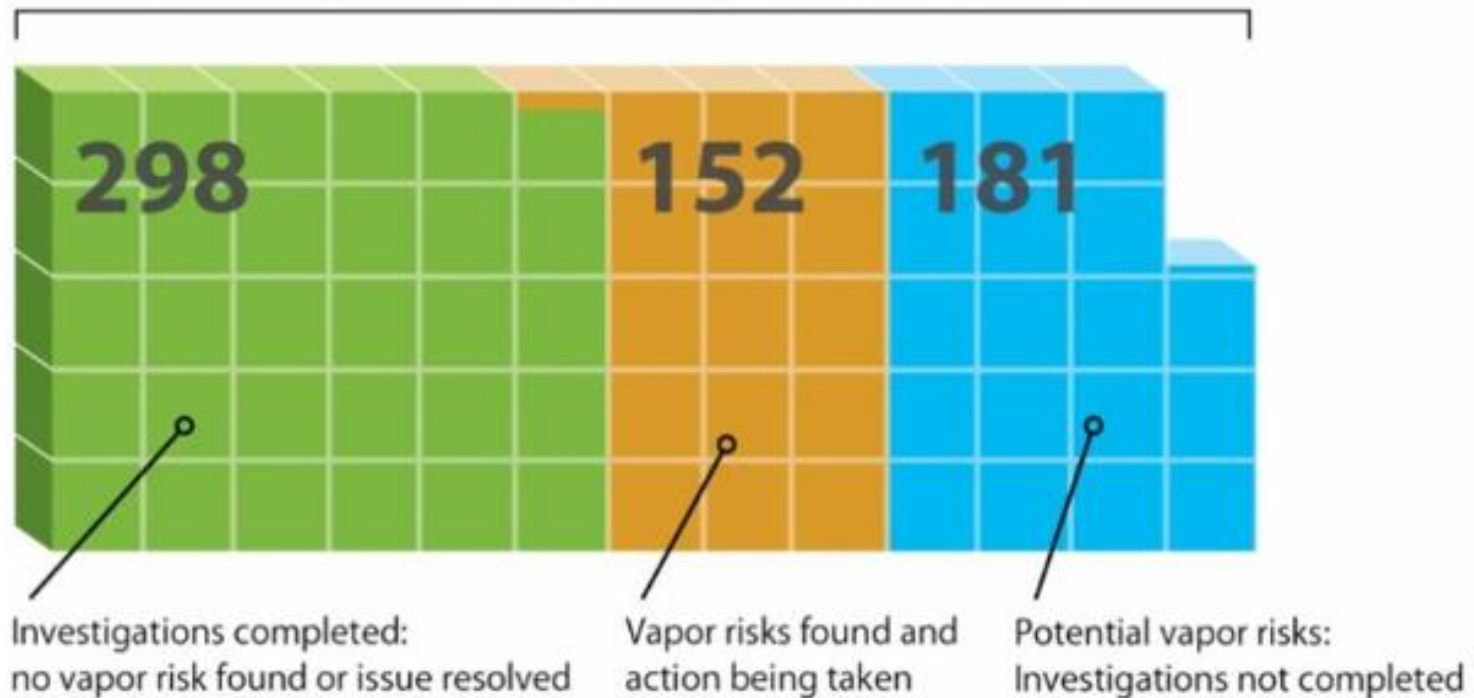


Photo Credit: Minnesota Pollution Control Agency

MPCA VI Guiding Principles (abridged)

- Vapor Intrusion can lead to **health concerns**
- **Occupiable building** and soil vapor contamination
- **Two seasonal sampling events — during heating and non-heating seasons** are required
- **To be protective and account for uncertainties**, mitigation decisions are based on the possibility of **health risks**.
- **Public communication** is necessary.
- **Documenting** vapor investigation and mitigation decisions on **consistently-formatted maps**.

MPCA Guiding Principles Cont.

- **Confirmation testing** verifies mitigation systems.
- **Expedited action** is needed in certain cases.
- Assure **continued operation of mitigation systems.**
- **Future property owners need to be notified.**
- When there is a source creating vapor contamination, the **source** should be addressed with **remediation**, if feasible.

New BMPs: Partial Building Investigation

- Building > 30,000 ft²
- All known vapor sources and RECs must be investigated
- No preferential vapor migration pathways



New BMPs: Partial Building Mitigation

- Building > 30,000 ft²
- No preferential vapor migration pathways
- VI ACO has been adequately defined with two sub-slab sampling events, one heating, one non-heating.



Issues to watch

- Two sample requirement
- Environmental covenants
- Perimeter issues
- Letters



Questions?



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