



MPCA and <insert RP name> intend that <insert RP name> complete full investigation of and response actions for the releases at and from the site according to the timeframe set out in this MOA and without the full formal procedures under Minn.Stat. ch. 115B.

This MOA is intended to outline specific goals and response actions to be completed by <insert RP name> for the purposes of successfully investigating and remediating the <insert site name> releases on the site and leaving the site. When the MPCA determines <insert RP name> has taken all reasonable and necessary actions to protect the public health or welfare or the environment the MPCA intends to complete the appropriate closure documents such as a No Further Action letter, and/or affidavits or environmental covenants which may contain conditions for ongoing monitoring or remedy operation and maintenance and may contain site use conditions and restrictions.

NOW, THEREFORE, in accordance with the stipulations below, the MPCA and <insert RP name>, commit as follows:

### III. Site Remediation Goals or Requirements

<MPCA Project Manager drafts a summary of progress to date, and descriptions of the goals and requirements that the RP will need to commit to. Aim for phrases and sentences rather than full technical description. This draft is then provided to RP Project Manager for tweaking.>

	Summary of progress to date	Description of on site and off site goals or requirements to reach site closure and allow issuance of the "no further action required" document
<b>Soils</b>		Description should include the goal for soils, exposure controls, depths, etc. and other exposure and risk management strategies for soil.
<b>Groundwater</b>		Description should include the goal for groundwater on and off of the site, including receptor survey, controls or treatment, and other exposure and risk management strategies for groundwater
<b>Soil vapor</b>		Description should include the goal for soil vapor on and off of the site, including receptor survey, controls or treatment, and other exposure and risk management strategies for soil vapor.
<b>Surface water</b>		Description should include the goal for surface water on and off the site including receptor survey, controls or treatment, and other exposure and risk management strategies for surface water and runoff
<b>Land use</b>		Description should include the targeted land use
<b>Institutional controls</b>		Description should include the anticipated institutional controls
<b>Other</b>		

The <insert RP name> acknowledges that newly identified releases and newly identified effects of those releases may require additional investigation and response at the Site.

#### IV. Timeline for Actions

<MPCA Project Manager should customize a timeline that includes the parts that pertain to this site. For a new site the normal flow of site work should be outlined. For ongoing sites the remaining work should be outlined. Each must include on and off site extent and magnitude and risk determination and mitigation for groundwater and vapor issues. MPCA Project Manager should include a projected end date for the project in the first draft, but can leave intermediate dates for the RP Project Manager to suggest. Project Managers should negotiate reasonable timeframes for the final document.>

<Example text for a new site:>

A. Remedial Investigation Work Plan. By <insert timeframe>, <insert RP name> will <prepare a Remedial Investigation Work Plan, including a Quality Assurance Project Plan for the Site> or <prepare an Additional Remedial Investigation Work Plan for the Site> to complete the full investigation of contamination on and off of the Site. The Plan must comport with MPCA guidance. MPCA will review and approve the work plan providing it comports with the MPCA guidance and provided it will lead to adequate investigation of the full extent and magnitude of the releases from the Site

B. Remedial Investigation. <insert RP name> will conduct the Remedial Investigation or Additional Remedial Investigation according to the approved plan and submit the results of the Remedial Investigation to the MPCA by <insert date>. MPCA will review and comment on or approve the Remedial Investigation. The parties understand that the Remedial Investigation may lead to a proposal for additional investigation and/or response action.

C. Response Action Plan. <insert RP name> will prepare a Response Action Plan within <insert timeframe> of MPCA approval of a Remedial Investigation Report. The Response Action Plan will comport with MPCA guidance and will provide a detailed design and schedules for implementation of actions to remedy the releases of hazardous substances at and from the site. MPCA will review and comment on or approve the Response Action Plan within <insert timeframes> days of submittal. The parties understand that there may have to be several Response Action Plans prepared as contamination is identified in different areas of the site for the release.

D. Response Actions. <insert RP name> will implement and complete response actions according to and by the schedules within an approved Response Action Plan. <insert RP name> will complete any monitoring or operation and maintenance required for the response action.

E. Institutional Controls. Before the MPCA will issue a no further response needed document <insert RP name> will implement any institutional controls required by law or to maintain the response action.

F. <Other.>

## V. Amendment, Termination, Period of Agreement

The parties intend that amendment of dates and any disputes under this Cooperative Cleanup Memorandum will be negotiated and settled between the MPCA project team and the company point of contact. If amendments or disputes cannot be settled at that level or the level of the first supervisor above the project team and company point of contact the parties intend that this Cooperative Cleanup Memorandum be terminated and formal MERLA processes be resumed. Any such termination by either party must be in writing between the MPCA and company project managers.

This MOA becomes effective on the date of signature of the MPCA and continues until modified by mutual consent or unless terminated. The MPCA and company project manager should review this MOA periodically, and may amend or revise it as changing needs, conditions, or technology warrants.

If the MOA is terminated for any reason, the MPCA will resume oversight of the <insert name of site> under Minn. Stat. ch. 115B authorities, including listing the site on the Permanent List of Priorities, executing Consent Orders, referring the Site to the United States Environmental Protection Agency (U.S. EPA), undertaking the response action using state funds, and initiating court proceedings under state law.

## VI. Points of Contact

The following individuals have been identified as project managers and points of contact:

<insert MPCA project manager>  
Minnesota Pollution Control Agency  
<insert MPCA contact information>

<insert RP project manager(s)>  
<insert RP name>  
<insert RP contact information>

## VII. Payment of MPCA Oversight Costs

The costs for MPCA oversight of this site will be charged to the company at the rate charged to Voluntary Parties under Minn. Stat. ch. 115B. <insert RP name> does not waive any rights regarding dispute of MPCA invoices, and MPCA does not waive any rights regarding follow-up actions including termination of this MOA if invoices are not paid.

## XIII. Approvals

\_\_\_\_\_  
<RP Company name>

\_\_\_\_\_  
Date

\_\_\_\_\_  
Kathryn Sather  
MPCA Remediation Division Director

\_\_\_\_\_  
Date