



**Walter Wright, Jr.**  
wwright@mwlaw.com  
(501) 688.8839

# Petroleum Release/Storage Tank Enforcement: Minnesota Pollution Control Agency Judicial Action Addressing Elgin Retail Motor Fuel Facility

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The Minnesota Pollution Control Agency (“MPCA”) filed in early May a Complaint in the County of Olmsted Third Judicial District Court against Gurek Inc. (“GI”) alleging violation of MPCA rules and Minnesota statutes regulating the storage of petroleum in underground storage tanks (“USTs”).

The Complaint alleges that GI’s and an individual’s alleged violations resulted in the release of petroleum posing a significant risk to both the environment and health and safety of nearby residents.

GI is described as the owner and operator of a retail motor fuel facility (“Facility”) in Elgin, Minnesota.

MPCA alleges that it has investigated and continues to remediate a petroleum release from a UST at the Facility involving 10,000 gallons of gasoline which entered city water supply lines.

The Minnesota agency states that additional actions include:

- Removal of 3,127 tons of soil
- Recovery of more than 4,500 gallons of gasoline

The Complaint alleges that GI knowingly bypassed safety equipment that would have prevented the release.

The Complaint requests that GI:

- Reimburse the State of Minnesota for:
- Cost of investigation
- Emergency response
- Corrective actions
- Pay a penalty for UST violations

A copy of the Complaint can be downloaded [here](#).