



Mark Parkinson, Governor
Roderick L. Bremby, Secretary

DEPARTMENT OF HEALTH
AND ENVIRONMENT

www.kdheks.gov

Division of Environment

October 20, 2010

CERTIFIED LETTER—RETURN RECEIPT REQUESTED

BER SCANNED

Ms. Dorothy Fleming
ANR Pipeline Company
717 Texas Street
Houston, Texas 77002

NOV 05 2010

**RE: NO FURTHER ACTION DETERMINATION FOR THE ANR ALDEN COMPRESSOR
STATION, RICE COUNTY, KANSAS**

Name of Voluntary Party: ANR Pipeline Company
Legal Description of Property: NE ¼, Section 15, T 21S, R 9W
Property Location: 2135 11th Road, Alden, Rice County, Kansas

Voluntary Agreement No. 07VCP0027

Dear Ms. Fleming,

The Kansas Department of Health and Environment (KDHE) has completed its review of the available documents as of October 20, 2010 for the subject property. Based on the information presented in the documents, mercury in soil was tested for at the subject property. The attached determination summary identifies the nature and status of the contamination detected.

KDHE has evaluated the available documents for the subject property and has determined that mercury-impacted soil was removed from the subject property and properly disposed of in a licensed landfill during the investigation. Remaining mercury impacting the subject property is present at levels that do not exceed the KDHE-approved risk-based cleanup levels and KDHE has determined that the contamination at the subject property does not pose a significant risk to human health or the environment. Therefore, pursuant to Kansas Statutes Annotated, K.S.A. 65-34-161 *et seq.*, KDHE declares that No Further Action is necessary at the subject property. This No Further Action determination is issued to ANR Pipeline Company and extends to its successors and assigns of the subject property. This determination is conditioned upon ANR Pipeline Company recording in the office of the Register of Deeds in and for Rice County, KDHE's determination summary presenting investigation results and subsequent conclusions regarding potential contaminant impact at the subject property, the enclosed legal map showing property boundaries and this letter containing KDHE's No Further Action determination. **An affidavit (form enclosed) indicating that the enclosures have been attached to the property deed must be returned to KDHE prior to termination of the voluntary agreement.**

NO FURTHER ACTION DETERMINATION LETTER

October 20, 2010

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KDHE's No Further Action determination applies only to the subject property as identified on the attached map and is based exclusively on information provided to KDHE through October 20, 2010. This determination pertains only to the identified known conditions on the subject property and does not account for activities that may be conducted at the subject property which could cause future releases of contaminants.

If you have any questions concerning KDHE's determination for no further action, please contact Project Manager, Andrea Schiller at (785) 296-0489 or legal counsel, Paul Marx at (785) 296-5334.

Sincerely,

John W. Mitchell
Acting Secretary

RLB/as

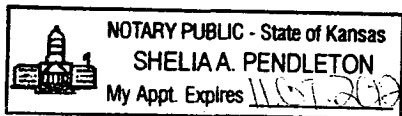
Attachments: KDHE No Further Action Determination Summary
Legal map showing property boundaries
Affidavit form

cc: Rick Bean > Jerry Lineback > Andrea Schiller > File (C5-080-72256, 2)
Paul Marx, KDHE-Legal
Jennifer Nichols > Scott Lang, KDHE-NCDO

State of Kansas)
County of Shawnee)

This instrument was acknowledged before me on November 4, 2010 by
John W. Mitchell as Acting Secretary of the
Kansas Department of Health and Environment.

Notary Public



My appointment expires: 11/07/2012

KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT
BUREAU OF ENVIRONMENTAL REMEDIATION
1000 SW Jackson, Suite 410
Phone: (785) 296-1673 Fax: (785) 296-7030

VOLUNTARY CLEANUP AND PROPERTY REDEVELOPMENT PROGRAM

NO FURTHER ACTION DETERMINATION SUMMARY

SUMMARY DATE: October 20, 2010

PROPERTY NAME: ANR Alden Compressor Station
2135 11th Road, Alden
NE ¼, Section 15, T 21S, R 9W, Rice County, Kansas

PREPARED BY: Project Manager: Andrea Schiller Date: 10/20/10

REVIEWED BY: Unit Chief: Jeremy Linsbach Date: 10-21-10

Section Chief: [Signature] Date: 10-24-10

CONTAMINANTS IDENTIFIED AT PROPERTY:

Soil: Mercury (CAS # 7439-97-6)

Groundwater: None

CONTAMINANTS EVALUATED AT PROPERTY:

Soil: Total Mercury (by EPA method 7471A)

Groundwater: None

The ANR Alden Compressor Station (approximately 38 acres) is located at 2135 11th Road, Alden, Rice County, Kansas. The site has been used as a natural gas compressor station since 1951. Land use prior to 1951 was agricultural. The site consists of an office, shop/warehouse, compressor buildings, meter building, and an auxiliary building. Surrounding land use is agricultural. According to the KGS Water Well database, several oil field supply, irrigation, industrial, and monitoring wells are located within a mile of the facility.

The Alden Compressor Station was identified by ANR as having the potential for mercury impacts due to the historical use of mercury-containing manometers at the facility. In February 2007, ANR enrolled the facility in the Voluntary Cleanup and Property Redevelopment Program (VCPRP). Voluntary Agreement 07VCP0027 was executed by the Secretary on May 23, 2007.

NO FURTHER ACTION DETERMINATION SUMMARY
Dorothy Fleming – ANR Alden Compressor Station property
October 20, 2010

In May and June 2007, ANR conducted an investigation to evaluate the possible presence of onsite mercury impacts. 328 soil borings (S001-S328) were completed around and within the onsite buildings. Soil samples were collected from the borings from depths of 0-0.5, 0.5-1.0, 1.0-1.5, and 1.5-2.0 feet. All samples were submitted to a laboratory for mercury analysis. Mercury concentrations ranged from non-detect to 171.0 mg/kg (S302 0.5-1.0 feet). Elevated mercury concentrations were noted around the shop/warehouse, compressor building, meter building, and the auxiliary building. Mercury vapor analysis, conducted throughout the site, did not indicate any vapor impacts.

Although the facility was enrolled in the VCPRP at the time, the May/June 2007 assessment was conducted without KDHE's prior knowledge and a KDHE-approved work plan; therefore, additional investigation was necessary in order to verify the data collected without KDHE oversight. Replicate samples (S014R, S026R, S074R, S079R, S092R, S114R, S129R, S140R, and S150R) were collected in June 2009, along with additional delineation samples (S600-S631) near the buildings and random, non-biased (S650-S674) samples throughout the property.

Analytical results of the replicate samples appeared to verify the May/June 2007 data. Also, mercury was not detected in the random, non-biased samples; however, the horizontal and vertical extent of the mercury impacts around the onsite buildings was not delineated during the June 2009 investigation. To achieve delineation in these areas, further characterization of the onsite mercury impacts was conducted through the excavation of the impacted soil. From December 2009 to January 2010, approximately 263.4 cubic yards of impacted soil were removed from the site and disposed of as special waste at the Seward County Landfill in Seward County, Kansas. Confirmation and verification samples collected from the excavated areas indicated no mercury impacts remained onsite exceeding the residential Kansas Risk-based Standard (RSK).

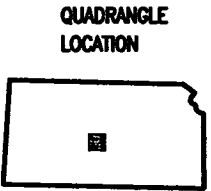
In summary, mercury impacts at the Alden Compressor Station have been adequately defined and addressed and no longer present a risk to human health and the environment. Mercury impacts detected in the soil during the investigations were delineated through excavation of the impacted soil. Remaining mercury impacts at the facility are below the residential soil RSK. Also, as outlined in BER Policy BER-RS-034 *Mercury Contamination Characterization at Gas Pipeline Sites*, because groundwater was not encountered during the soil sampling or excavation, groundwater samples were not collected during the VCI. Furthermore, ANR has reportedly discontinued use of mercury-containing meters and currently, no mercury-containing meters are utilized onsite. Therefore, all requirements of the VCPRP have been met and a No Further Action has been issued for the site.

G:\2010\107.dwg TransCanada\PROGRAM\MERCURY\STATE\KS\MANAGE\NFA\MAPS\ALDEN\ALDEN_CS.DWG [SITE] June 24, 2010 - 11:11am nancy.mcpherson



SCALE
1IN. = 1000 FT.

(APPROXIMATE)



KANSAS

ALDEN, KANSAS
SOURCE: GOOGLE EARTH

PROJECT MANAGER
AJW

DRAWN BY
MS/NAM

DATE
6-24-2010

PROJECT NO.
71410.15

FIGURE
1

SITE MAP
ALDEN COMPRESSOR STATION
2135 11TH ROAD
TOWNSHIP: 21S, RANGE: 9W, SECTION 15
QUARTERS: SE 1/4, NE 1/4
RICE COUNTY, KANSAS

FOR

TransCanada
ANR Pipeline Company

BY

GZA
GeoEnvironmental, Inc.

This drawing and the information contained therein was prepared by and is the property of GZA GeoEnvironmental, Inc. It was prepared solely for the use on the specific project referenced. It was not intended or represented to be suitable or adequate for any other purpose or reused by the owner or others on any other project or facility. The drawing shall not be used except for the purpose which it was supplied and is subject to return on demand. All rights of invention are reserved.

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WARRANTY DEED

593387

KNOW ALL MEN BY THESE PRESENTS:

That ^{Douglas} ~~Rice~~ ELMER F. ENGEL and CORA E. ENGEL, his wife, of ~~Rice~~ Douglas County, State of Kansas, parties of the first part, in consideration of the sum of Five Thousand Forty and no/100 (\$5040.00) Dollars in hand paid, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto MICHIGAN-WISCONSIN PIPE LINE COMPANY, of Wayne County, State of Michigan, party of the second part, the following real property and premises, situated in the County of Rice, State of Kansas, to wit:

The Southeast Quarter of the Northeast Quarter (SE/4 NE/4) of Section 15, Township 21 South, Range 9 West of the 6th Principal Meridian, being 40 acres, more or less,

together with all the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same.

TO HAVE AND TO HOLD said described premises unto the said party of the second part, its heirs and assigns, forever free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages, and other liens and encumbrances of whatsoever nature.

SIGNED AND DELIVERED this 21st day of March, 1950.



Elmer F. Engel
Elmer F. Engel

Cora E. Engel
Cora E. Engel, ~~aka~~ (Essie Engel)

ACKNOWLEDGMENT

STATE OF KANSAS)
^{Douglas}) SS
COUNTY OF ~~RICE~~)

BE IT REMEMBERED, that on this 21st day of March, A. D., 1950, before me, a Notary Public in and for the County and State hereinabove recited, personally appeared ELMER F. ENGEL and CORA E. ENGEL, his wife, who are personally known to me, and known to me to be the same persons who executed the foregoing instrument and such persons duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

Mary C. Morgan
Notary Public

My Commission Expires:
January 15, 1954

AFFIDAVIT

STATE OF KANSAS)
) SS:
COUNTY OF RICE)

COMES NOW, _____, an adult and after being duly sworn, state:

1. I am the person who made application to place the following property into the Voluntary Cleanup and Property Redevelopment Program:

38 acres
ANR Alden Compressor Station
2135 11th Road, Alden, Kansas 67512
A Portion of NE ¼, Section 15, T 21S, R 9W, Rice County

2. I received a No Further Action Determination Letter and a No Further Action Determination Summary from the Kansas Department of Health and Environment (KDHE) regarding the above described property within the context of the Voluntary Cleanup and Property Redevelopment Program.

3. I had a map prepared of the above described property by *GZA GeoEnvironmental* and submitted the map to KDHE for approval.

4. On _____, _____, I filed the original No Further Action Determination Letter and No Further Action Determination Summary issued by KDHE and the KDHE approved property map with the Register of Deeds for the County in which the property is located.

Affiant

Subscribed and sworn to before me, a Notary Public for the above county and state on the _____ day of _____, _____.

Notary Public
My appointment expires on: _____, _____