



Mark Parkinson, Governor
Roderick L. Bremby, Secretary

DEPARTMENT OF HEALTH
AND ENVIRONMENT

www.kdheks.gov

Division of Environment

October 4, 2010

CERTIFIED LETTER—RETURN RECEIPT REQUESTED

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

**RE: NO FURTHER ACTION DETERMINATION FOR THE ANR ENTERPRISE
COMPRESSOR STATION, DICKINSON COUNTY, KANSAS**

Name of Voluntary Party: ANR Pipeline Company
Legal Description of Property: SE ¼, Section 16, T 14S, R 3E
Property Location: 1615 Nail Road, Enterprise, Dickinson County, Kansas

Voluntary Agreement No. 07VCP0023

Dear Ms. Fleming,

The Kansas Department of Health and Environment (KDHE) has completed its review of the available documents as of October 4, 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 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 Dickinson 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

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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 4, 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,

Roderick L. Brenby

Roderick L. Brenby
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 (C5-021-72254, 2)
Paul Marx, KDHE-Legal
Jennifer Nichols > Scott Lang, KDHE-NCDO

State of Kansas)
County of Shawnee)

This instrument was acknowledged before me on October 28, 2010 by
Roderick L. Brenby as Secretary of the
Kansas Department of Health and Environment.

Shelia A. Pendleton

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 4, 2010

PROPERTY NAME: ANR Enterprise Compressor Station
1615 Nail Road, Enterprise
SE ¼, Section 16, T 14S, R 3E, Dickinson County, Kansas

PREPARED BY: Project Manager: Andrea Schiller Date: 10/4/10

REVIEWED BY: Unit Chief: Jung A. Luebeck Date: 10-7-10

Section Chief: Kesh I. B... Date: 10-7-10

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 Enterprise Compressor Station (approximately 19 acres) is located at 1615 Nail Road, Enterprise, Dickinson County, Kansas. The site has been used as a natural gas compressor station since 1950. Land use prior to 1950 was agricultural. The site consists of an office/warehouse, compressor building, a meter station, an auxiliary building, and equipment garage. Surrounding land use is agricultural. According to the KGS Water Well database, two domestic wells are located east and southwest of the site.

As the Enterprise Compressor Station has been in use since 1950, the potential existed for mercury impacts due to the historical onsite use of mercury-containing meters. In June and July 2007, ANR conducted a due-diligence investigation to evaluate the possible presence of onsite mercury impacts. 278 soil borings (S001-S278) 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

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Dorothy Fleming – ANR Enterprise Compressor Station property
October 4, 2010

were submitted to a laboratory for mercury analysis. Mercury concentrations ranged from non-detect to 197.0 mg/kg (S011 1.0-1.5 feet). Elevated mercury concentrations were noted around the meter station, office, auxillary building, and compressor building. Mercury vapor analysis, conducted throughout the site, did not indicate any vapor impacts.

As a result of the due-diligence investigation, ANR submitted an application to the Voluntary Cleanup and Property Redevelopment Program (VCPRP) in February 2007 prior to continuing the evaluation of the onsite mercury contamination. The contamination was classified as Class II and Voluntary Agreement 07VCP0023 was executed by the Secretary on May 23, 2007.

The first phase of voluntary cleanup investigation (VCI) activities began in June 2009. Because the 2007 investigation was conducted prior to participation in the VCPRP, replicate borings (S207R, S101R, S125R, S032R, S039R, S043R, S059R, S158R, S159R, and S176R) were completed to verify the previous data. Twenty-six borings (S500-S525) were also located randomly throughout the site to provide adequate geographic coverage. Soil samples at these random locations were collected at 0-0.5 feet from each boring, with deeper additional samples (1.5-2.0 feet) collected from thirteen of the twenty-six borings. Furthermore, to delineate the horizontal and vertical extents of the mercury impacts detected during the previous investigation, an additional 215 soil samples were collected. All soil samples collected during the June 2009 VCI activities were submitted to a laboratory for analysis of mercury.

Analytical results of the replicate samples appeared to verify the previous data and mercury was not detected in the random samples; however, horizontal and vertical delineation of mercury impacts was not completed for the areas around the onsite buildings, following the first phase of VCI activities. To achieve delineation in these areas, further characterization of the onsite mercury impacts was conducted through the excavation of the impacted soil, which occurred in November/December 2009. Approximately 201.39 tons of impacted soil were removed from the site and disposed of as special waste at the Rolling Meadows Landfill in Shawnee County, Kansas. Confirmation and verification samples collected from the excavated areas indicated no mercury impacts remained exceeding the residential Kansas Risk-based Standard (RSK).

In summary, mercury impacts at the Enterprise Compressor Station have been adequately defined and addressed and no longer present a risk to human health and the environment. Mercury contamination detected during the 2007 due-diligence investigation was verified and delineated during the VCI. In the process of delineation, the impacted soil was removed and properly disposed of. Remaining mercury impacts are below the residential soil RSK. Also, as outlined in BER Policy BER-RS-034 *Mercury Contamination Characterization at Gas Pipeline Sites*, groundwater was not encountered during the soil sampling or excavation; therefore, 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.

SCALE

1IN. = 1000 FT.



(APPROXIMATE)

QUADRANGLE
LOCATION



KANSAS

NAVARRE, KANSAS
SOURCE: GOOGLE EARTH



SITE MAP

ENTERPRISE COMPRESSOR STATION

1615 NAIL ROAD

TOWNSHIP: 14S, RANGE: 3E, SECTION 16

QUARTERS: E 1/2, SE 1/4, SE 1/4

DICKINSON COUNTY, KANSAS

FOR

 **TransCanada**
ANR Pipeline Company

PROJECT MANAGER

AJW

DRAWN BY

MS/NAM

DATE

6-24-2010

PROJECT NO.

71410.15

BY

 **GZA**
GeoEnvironmental, Inc.

FIGURE

1

GZA-J:\07.xx TransCanada\PROGRAM\MERCURY\STATE\KS\MANAGE\NFA\MAPS\ENTERPRISE\ENTERPRISE.DWG [SITE] June 24, 2010 -- 11:41am nancy.mcpherson

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.

AFFIDAVIT

STATE OF KANSAS)
) SS:
COUNTY OF DICKINSON)

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:

19 acres
ANR Enterprise Compressor Station
1615 Nail Road, Enterprise, Kansas 67441
A Portion of SE ¼, Section 16, T 14S, R 3E, Dickinson 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: _____, _____