



Mark Parkinson, Governor
Roderick L. Bremby, Secretary

DEPARTMENT OF HEALTH
AND ENVIRONMENT

www.kdheks.gov

Division of Environment

October 26, 2010

CERTIFIED LETTER—RETURN RECEIPT REQUESTED

BER SCANNED

NOV 05 2010

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

**RE: NO FURTHER ACTION DETERMINATION FOR THE ANR HAVENSVILLE
COMPRESSOR STATION, POTTAWATOMIE COUNTY, KANSAS**

Name of Voluntary Party: ANR Pipeline Company
Legal Description of Property: NE ¼, Section 35, T 6S, R 12E
Property Location: 19955 English Ridge Road, Havensville, Pottawatomie
County, Kansas

Voluntary Agreement No. 07VCP0030

Dear Ms. Fleming,

The Kansas Department of Health and Environment (KDHE) has completed its review of the available documents as of October 26, 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 Pottawatomie 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 26, 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 26, 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

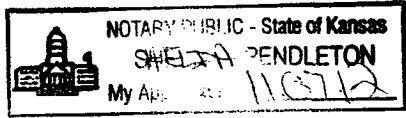
Attachments: KDHE No Further Action Determination Summary
Legal map showing property boundaries
Affidavit form

cc: Rick Bean > Jerry Lineback > Andrea Schiller > File (C4-075-72252, 2)
Paul Marx, KDHE-Legal
Julie Coleman > Tom Winn, KDHE-NEDO

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.



Sheela 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 26, 2010

PROPERTY NAME: ANR Havensville Compressor Station
19955 English Ridge Road, Havensville
NE ¼, Section 35, T 6S, R 12E, Pottawatomie County, Kansas

PREPARED BY: Project Manager: Andrea Schiller Date: 10/26/10

REVIEWED BY: Unit Chief: *Jeff. Linbach* Date: 10-26-10

Section Chief: *[Signature]* Date: 10-26-10

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 Havensville Compressor Station (approximately 28 acres) is located at 19955 English Ridge Road, Havensville, Pottawatomie 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, compressor buildings, garage, shop/warehouse, meter buildings, and an auxiliary building. Surrounding land use is agricultural. According to the KGS Water Well database, two domestic wells are located south of the facility.

The Havensville 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 07VCP0030 was executed by the Secretary on May 29, 2007.

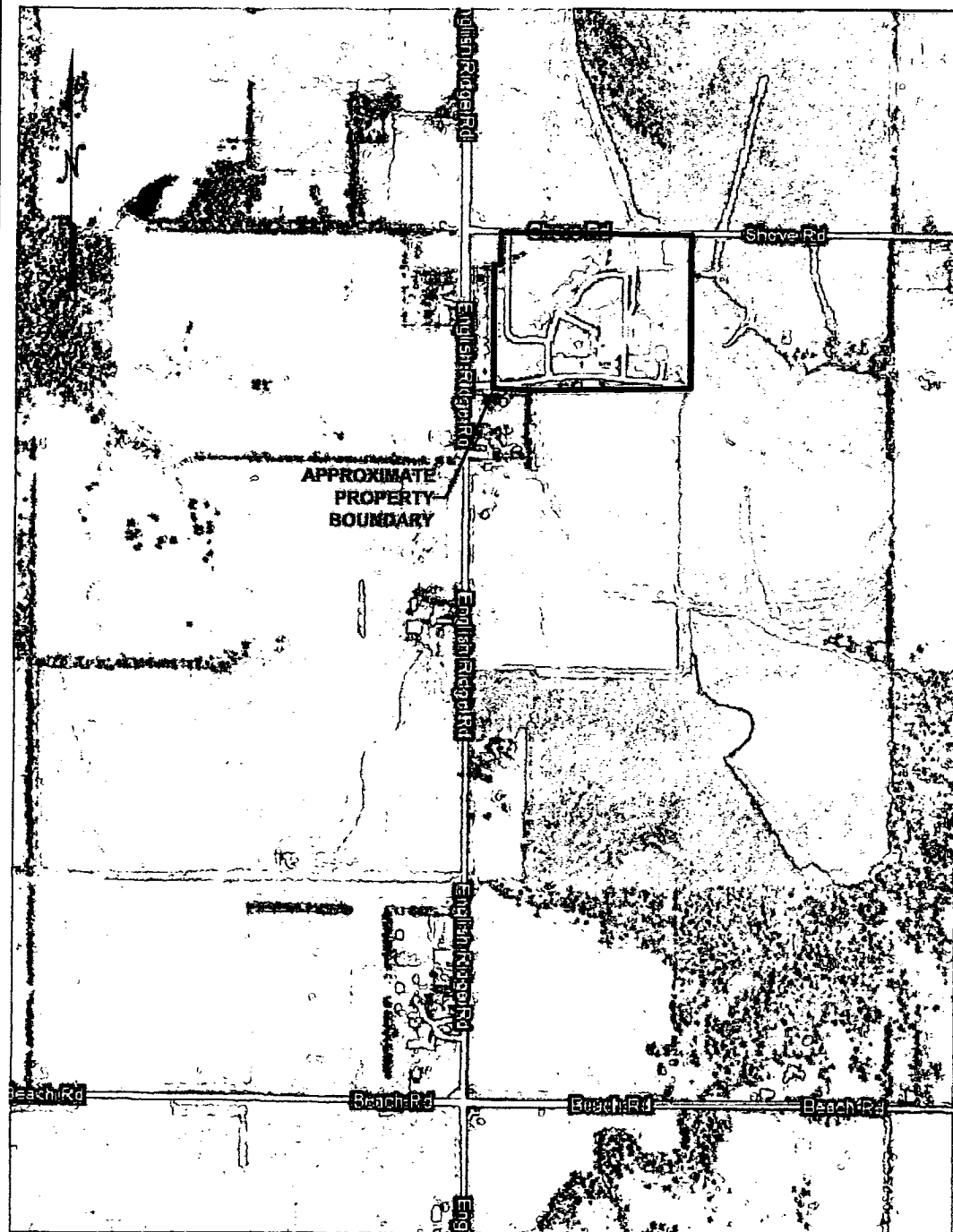
NO FURTHER ACTION DETERMINATION SUMMARY
Dorothy Fleming – ANR Enterprise Compressor Station property
October 26, 2010

In June and July 2007, ANR conducted an investigation to evaluate the possible presence of onsite mercury impacts. 207 soil borings (S001-S207) 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, and 1.5-2.0 feet. All samples were submitted to a laboratory for mercury analysis. Mercury concentrations ranged from non-detect to 17.1 mg/kg (S193 0-0.5 feet). Elevated mercury concentrations were noted around the 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 June/July 2007 assessment was conducted without KDHE's prior knowledge and a KDHE-approved work plan; therefore, replicate sampling was necessary to verify the data collected without KDHE oversight. Also, as delineation was not achieved during the previous phase of investigation, additional samples were needed. Replicate samples (S023R, S030R, S138R, and SK2-SK10) were collected in July 2009, along with additional delineation samples (S500-S508) near the buildings. Random, non-biased (S600-S626) samples were also completed throughout the property to provide adequate geographic coverage of the site.

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. Therefore, to achieve delineation in these areas, further characterization of the onsite mercury impacts was conducted through the excavation of the impacted soil. Approximately 91.3 cubic yards of impacted soil were removed from the site in November/December 2009 and April 2010 and were 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 Havensville Compressor Station have been adequately defined and addressed and no longer present a risk to human health and the environment. Detected mercury contamination exceeding the RSK was removed and properly disposed of during delineation. 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

HAVENSVILLE, KANSAS
SOURCE: GOOGLE EARTH

PROJECT MANAGER
AJW

DRAWN BY
MS/NAM

DATE
6-24-2010

PROJECT NO.
71410.15

FIGURE
1

SITE MAP
HAVENSVILLE COMPRESSOR STATION
19955 ENGLISH RIDGE ROAD
TOWNSHIP: 6S, RANGE: 12E, SECTION 35
QUARTERS: NE 1/4, NW 1/4
POTTAWATOMIE COUNTY, KANSAS

FOR
 TransCanada
ANR Pipeline Company

BY
 GZA
GeoEnvironmental, Inc.

GZA-J:\07.xx\TransCanada\PROGRAM\MERCURY\STATE\KS\MANAGE\NFA\MAPS\HAVENSVILLE\HAVENSVILLE.DWG [SITE] June 24, 2010 - 11:55am 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.

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WARRANTY DEED

593320

KNOW ALL MEN BY THESE PRESENTS:

That, Fred G. Venneberg and Margaret Pearle Venneberg, his wife, of Pottawatomie County, State of Kansas, parties of the first part, in consideration of the sum of Six Thousand One Hundred

Twenty (\$6,120.00) and no/100ths (\$) Dollars, the receipt of which is hereby acknowledged, hereby convey unto Michigan-Wisconsin Pipe Line Company, party of the second part, the following described real property and premises situated in the County of Pottawatomie, State of Kansas, to wit:

A part of the North Half of the Northeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$) of Section 35, Township 6 South, Range 12 East of the Sixth Principal Meridian, Pottawatomie County, Kansas, more particularly described as follows:

30.6 acres cut of the Northwest Corner of the North Half of the Northeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$) of Section 35, Township 6 South, Range 12 East of the Sixth Principal Meridian, described as follows: Starting at the one-quarter corner between sections 26 and 35, in said Township and Range, and running thence East along the North Section line of said Section 35, 1390 feet to corner; thence South 990 feet to corner; thence West 1390 feet to corner; thence North 990 feet to the point of beginning, containing 31.6 acres, more or less, excepting therefrom a tract containing 1 acre out of the Northwest corner, heretofore sold for school purposes, all situate in Pottawatomie County, Kansas,

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, forever free, clear, and discharge of and from all former grants, charges, taxes, judgments, mortgages, and other liens and encumbrances of whatsoever nature.

SIGNED AND DELIVERED this the 20th day of December, 1948.

*And
MW #220
12/20/48*

Fred G. Venneberg
Fred G. Venneberg

Margaret Pearle Venneberg
Margaret Pearle Venneberg



AFFIDAVIT

STATE OF KANSAS)
) SS:
COUNTY OF POTTAWATOMIE)

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:

28 acres
ANR Havensville Compressor Station
19955 English Ridge Road, Havensville, Kansas 66432
A Portion of NE ¼, Section 35, T 6S, R 12E, Pottawatomie 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: _____, _____