



Robert Moser, MD, Secretary

Department of Health & Environment

Sam Brownback, Governor

August 22, 2011

CERTIFIED LETTER—RETURN RECEIPT REQUESTED

BER SCANNED

Mr. Scott Cooper, Branch Manager
Farmers Coop Elevator Co.
202 South Santa Fe
Pretty Prairie, KS 67570

SEP 08 2011

**RE: NO FURTHER ACTION DETERMINATION FOR FARMERS COOPERATIVE ELEVATOR –
PRETTY PRAIRIE PROPERTY**

Name of Voluntary Party: Farmers Cooperative Elevator
Legal Description of Property: SE ¼, Section 18, T 26S, R 6W
Property Location: 102 North Santa Fe, Pretty Prairie, Reno County, Kansas

Voluntary Agreement No. 08VCP0026

Dear Mr. Cooper,


The Kansas Department of Health and Environment (KDHE) has completed its review of the available documents as of August 22, 2011 for the subject property. Based on the information presented in the documents, nitrates and ammonia, in soil and groundwater were identified at the subject property. The attached determination summary identifies the nature and status of the contamination detected.

KDHE's evaluation of the available documents for the subject property indicates that nitrate and ammonia contamination impacting the subject property is present at levels that do not exceed the KDHE approved risk-based cleanup levels. KDHE has determined that contamination at the subject property does not pose a significant risk to human health or the environment. Therefore, pursuant to Kansas Statutes Annotated 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 Farmers Cooperative Elevator and extends to successors and assigns of the subject property. This determination is conditioned upon Farmers Cooperative Elevator recording in the office of the Register of Deeds in and for Reno County, KDHE's determination summary describing the contamination remaining 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.**

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 August 22, 2011. 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 contamination.

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, Shari Feist-Albrecht at (785) 296-1607.

Sincerely,



Robert Moser, MD, Secretary
Kansas Department of Health and Environment

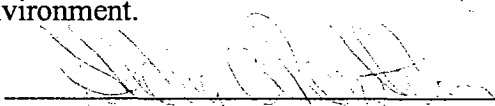
RM/ars

Attachments: KDHE No Further Action Determination Summary
Site map with legal description of boundaries
Affidavit form

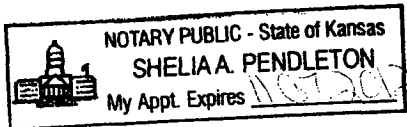
cc: Rick Bean > Deanna Ross > Andrea Schiller > File (C2-078-72296, 2.0)
Shari Feist-Albrecht, KDHE-Legal
Allison Herring > Kyle Parker, KDHE-SCDO

State of Kansas)
County of Shawnee)

This instrument was acknowledged before me on September 1, 2011 by
Robert Moser, MD as 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: August 22, 2011

PROPERTY NAME: Farmers Cooperative Elevator
102 North Santa Fe, Pretty Prairie, Kansas
SE ¼, Section 18, T 26S, R 6W, Reno County

PREPARED BY: Project Manger: Andrea Schiller Date: 8/22/11

REVIEWED BY: Unit Chief: *Deanna Ross* Date: 8/22/11

Section Chief: *Keith H. B.* Date: 8/23/11

CONTAMINANTS IDENTIFIED AT PROPERTY:

Soil: Nitrate and Nitrite, Nitrogen (none), Ammonium Nitrogen (none)

Groundwater: Nitrate Nitrogen (none), Ammonia Nitrogen (none)

CONTAMINANTS EVALUATED AT PROPERTY:

Soil: Nitrate and Nitrite, Nitrogen (EPA Method 353.2), Ammonium Nitrogen (EPA Method 350.1)

Groundwater: Nitrate Nitrogen (EPA Method 300.0 and EPA Method 353.2), Ammonia Nitrogen (EPA Method 350.1), Volatile Organic Compounds (VOC) (EPA Method 8260)

The Farmers Cooperative Elevator site (approximately 1.1 acres) is located at 102 North Santa Fe in Pretty Prairie, Reno County, Kansas. Currently, the site consists of a concrete grain elevator, grain bins, feed mill, and warehouses. Surrounding land use is commercial, including an indoor skating rink, rodeo arena, and convenience store. According to the KGS water well records, numerous monitoring wells and several domestic lawn and garden wells are located in the site's vicinity.

NO FURTHER ACTION DETERMINATION SUMMARY
Scott Cooper – 102 North Santa Fe property
August 22, 2011

In August and September 2007, KDHE Site Assessment Unit completed several borings (GP4-GP7, GP12-GP14) at the Farmers Cooperative Elevator site, as part of a Site Reconnaissance and Evaluation (SRE) investigating the area for ethylene dibromide (EDB). EDB had previously been detected by the KDHE Storage Tank Section in underground storage tank (UST) monitoring wells associated with the nearby McCubbin Oil site. Although EDB was not detected at the Farmers Cooperative Elevator site, nitrate was detected at GP7 at a maximum concentration of 65 mg/l. As a result of the elevated nitrate level, Farmers Cooperative Elevator was encouraged to enter the Voluntary Cleanup and Property Redevelopment Program (VCPRP) to address the contamination.

Farmers Cooperative Elevator Company submitted an application to the VCPRP in October 2008 and Voluntary Agreement 08VCP0026 was subsequently executed on December 15, 2008.

In December 2009, Voluntary Cleanup Investigation (VCI) activities commenced. Twelve borings (GP204-GP207, GP214, GP217, GP224-GP227) were completed on the site. Soil samples were collected from each boring at 0-1 foot, 5-6 feet, and 14-15 feet intervals. Groundwater samples were collected from each boring at 36-40 feet (shallow). An additional groundwater sample was also collected from 58-60 feet (deep) at five of the borings. Analytical results of the soil sampling indicated total nitrate (nitrate and ammonia) concentrations ranging from 3.1 mg/kg (GP224 14-15 feet) to 141 mg/kg (GP207 5-6 feet). Shallow groundwater samples indicated nitrate concentrations from 9.7 mg/l (GP206) to 30 mg/l (GP205). Deep groundwater samples indicated nitrate concentrations from 19 mg/l (GP217) to 28.3 mg/l (GP224).

Although the impact noted during the SRE could not be duplicated during the first phase of VCI activities, nitrate concentrations in groundwater did exceed the maximum contaminant level (MCL) of 10 mg/l; however, neither the contaminant distribution in groundwater, nor the soil sampling results appeared to indicate an active onsite source. Distribution of the nitrate in groundwater was fairly uniform throughout the site, in both the shallow and deep samples, and appeared to be more indicative of background conditions. Also, only one soil sample, GP207 at 5-6 feet, significantly exceeded the risk-based cleanup standard (RSK) for total nitrate. This boring was located in the center of the site and the soil samples collected at the 0-1 foot and 14-15 feet intervals in GP207 indicated total nitrate at 33 mg/kg and 4 mg/kg, respectively. A search of available groundwater information for the area revealed a history of elevated nitrate concentrations in groundwater for the city of Pretty Prairie and the surrounding area. Documents published by the Kansas Geological Survey (KGS) in 1995 and 1999 indicated background nitrate concentrations ranging from 10 mg/l to 20 mg/l and attributed the elevated background concentrations to nonpoint source contamination from agricultural practices in the area.

In order to further evaluate if the elevated nitrate impacts in groundwater at the Farmers Cooperative site were attributable to an onsite source or background, three monitoring wells (MW1-MW3) were installed in April 2010. MW-1 was located in the northwest corner of the site, MW2 was located in the east-central portion of the site, and MW3 was located in the southeast corner of the site.

NO FURTHER ACTION DETERMINATION SUMMARY

Scott Cooper – 102 North Santa Fe property

August 22, 2011

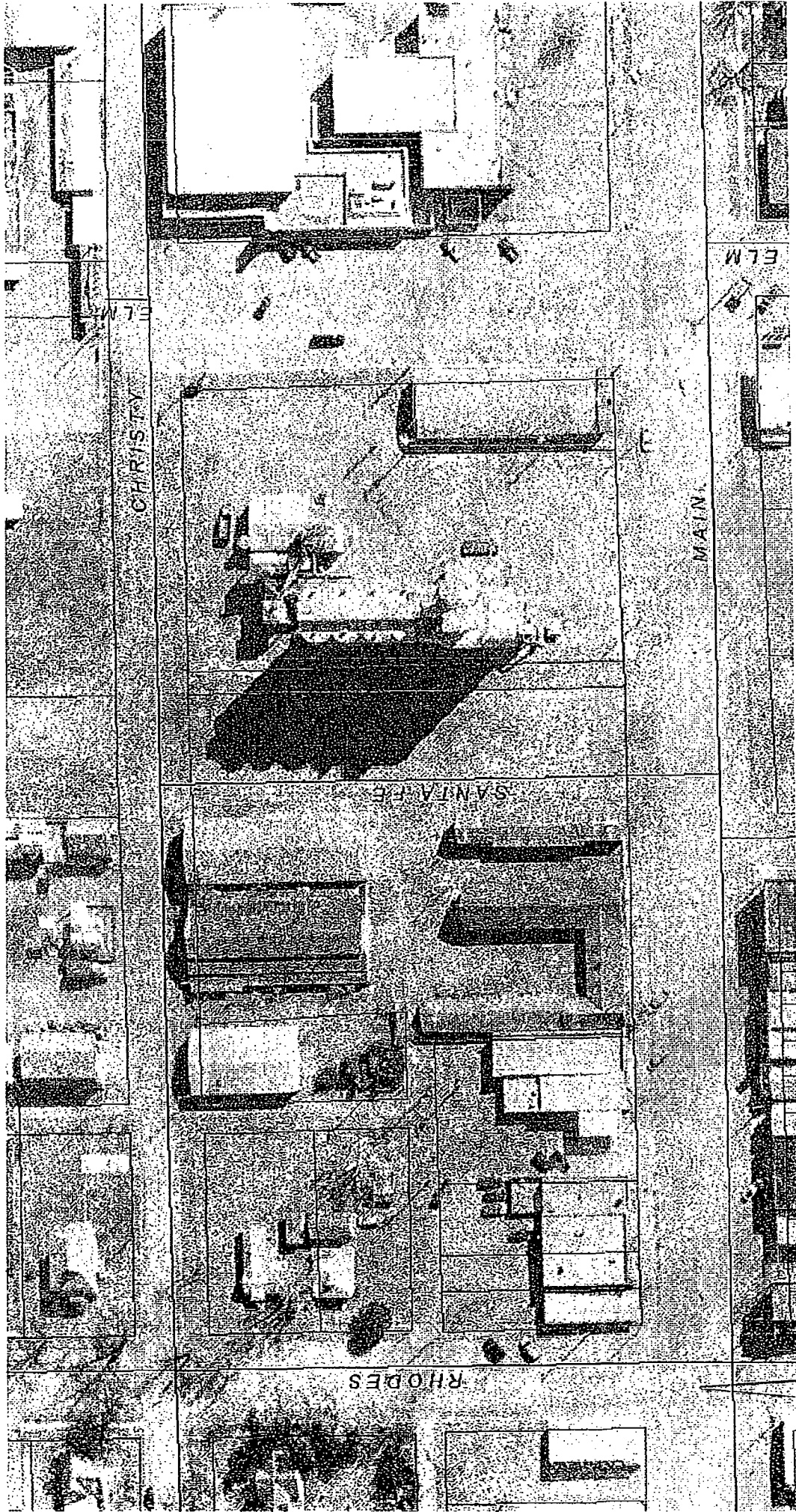
Following installation, the wells were sampled quarterly for one year. Groundwater flow was noted to be southeasterly during each sampling event. In July 2010, nitrate ranged from 12.9 mg/l (MW2) to 29.6 mg/l (MW3). In October 2010, nitrate ranged from 12.7 mg/l (MW1) to 13.2 mg/l (MW3). In January 2011, nitrate ranged from 10.7 mg/l (MW2) to 13.6 mg/l (MW3). In April 2011, nitrate ranged from 10.3 mg/l (MW3) to 14.7 mg/l (MW1).

The monitoring well results were observed to exceed the MCL for every quarterly event; however, the contaminant distribution remained similar to the distribution noted during the first phase of VCI activities. Also, the quarterly sampling results were consistent with the historic background information detailed in the KGS studies. Furthermore, the total nitrate concentrations in soil appear to be insignificant for this site, as groundwater does not appear to be impacted beyond background conditions and there is no exposure risk at the surface. No other nitrate sources were noted onsite during the VCI. Given this information, all requirements of the VCPRP have been met and KDHE issues a No Further Action determination for insignificant contamination for the Farmers Cooperative Elevator site.

**FARMERS COOPERATIVE ELEVATOR – 102 NORTH SANTA FE, PRETTY
PRAIRIE**

LEGAL DESCRIPTION OF PROPERTY

Pretty Prairie City, A part of Section Eighteen (18), Township Twenty-six (26) South,
Range Six (06) West of the 6th P.M., described as follows: Beginning at Northeast
intersection of the Railroad and Main Street, thence East 147.66 feet, thence North 140
feet, thence East 47.33 feet, thence North 160 feet, thence West 195 feet, thence South
300 feet to the Point of Beginning.



Approx. Scale
1 in = 100 ft

Farmers Cooperative Elevator Company
102 North Santa Fe, Pretty Prairie, Ks

Property Boundaries