



Sam Brownback, Governor
Robert Moser, MD, Acting Secretary

DEPARTMENT OF HEALTH
AND ENVIRONMENT

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FINAL AGENCY DECISION STATEMENT

BER SCANNED

JAN 27 2011

TITLE: Final Agency Decision Statement

DATE: January 12, 2011

PROJECT NAME: Shears Construction (APAC-Kansas, Inc.) Site, C2-078-70809

LOCATION: 819 W. 1st Street, Hutchinson, Reno County, Kansas
NW ¼ SW ¼ NE ¼ of Section 14, Township 23 South, Range 6 West

MEDIA

IMPACTED: Groundwater impacted with chlorinated hydrocarbons

LAND USE/

SETTING: Commercial, mixed residential/commercial setting, bounded to the north and west by mixed residential/commercial properties, to the south by two railroad lines, and to the east by the Harsha Canal

SITE BACKGROUND:

The Shears Construction Site began operation in 1930 and was acquired by APAC-Kansas, Inc. (APAC) in 2000. The facility has been used for equipment maintenance, steam cleaning, and laboratory testing. The onsite laboratory was used to test sand gradations and also briefly to test asphalt. Trichloroethene (TCE) reportedly was used in small amounts in the laboratory from 1987 through 1990. The APAC facility currently provides asphalt paving services, asphalt testing, equipment maintenance, and welding.

The following environmental investigations have been conducted in association with the site:

- a. Phase II Environmental Site Assessment (ESA) at 129 W. Avenue A, May-June 2000:
The site was originally identified in May-June 2000 during a Phase II ESA conducted by a private contractor at a former gasoline station located at 129 W. Avenue A, approximately 3,000 feet east-southeast from the APAC Site. Laboratory analysis of groundwater samples collected downgradient of the APAC Site during the ESA detected

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concentrations of 64 µg/L for perchloroethene (PCE) and 6.4 µg/L for TCE. EPA Maximum Contaminant Levels (MCLs) for PCE and TCE are 5 µg/L. The ESA report concluded the PCE and TCE contamination was migrating onto the property at 129 W. Avenue A from an off-site source.

- b. Site Reconnaissance and Evaluation (SRE), September 2000:
To evaluate the detected contamination, KDHE/BER performed a SRE at the site located at 129 W. Avenue A on September 2000. Groundwater samples were collected from probes around the perimeter. PCE, TCE, 1,1,1-trichloroethane (1,1,1-TCA), and 1,1-dichloroethane (1,1-DCA) were detected, but the source was not identified.
- c. Preliminary Assessment/Site Screening Inspection (PA/SSI), October 2001:
KDHE/BER conducted a PA/SSI in five phases in 2001 to further evaluate the source and extent of the detected contamination. Groundwater samples were collected from probes at approximately thirty locations between Adams Street and the APAC Site, including several around the APAC facility perimeter. Four groundwater samples collected along the Harsha Canal levee (P-25 through P-28), immediately east of the APAC facility, showed detections of PCE, TCE, and other volatile organic compounds (VOCs), two of which exceeded the MCL concentrations for PCE, TCE, and vinyl chloride. Based on an assumed east-southeast groundwater flow direction, the APAC facility was determined to be the source of the contamination.
- d. Limited Site Investigation (LSI), September 2003:
Terracon, on behalf of APAC, conducted a LSI at the APAC Site in 2003. Groundwater samples from ten shallow probe locations were collected to assess the possible offsite sources of VOC groundwater contamination north of the APAC facility. The primary contaminants of concern, PCE, TCE, and their degradation products, were not detected in groundwater samples obtained from the LSI groundwater probes located upgradient of the APAC Site.
- e. Comprehensive Investigation (CI), August 2007:
Based upon the information from the previous investigations, APAC entered into a Consent Order (Case No. 03-E-0197) with KDHE/BER to conduct a Comprehensive Investigation CI at the APAC facility in order to characterize the nature and extent of PCE contamination at the Site (excluding petroleum contamination associated with a separate Leaking Underground Storage Tank Investigation being conducted on the Site). The CI Work Plan included a Site Reconnaissance (February 2005), soil and groundwater probing (October 2005), monitoring well installation and surveying (January 2007), and monitoring well groundwater sampling (January 2007).

A total of ten monitoring wells (MWs) exist at the Site (MWs 1 through 7 associated with the LUST Investigation and MWs 8 through 10 drilled by Terracon on behalf of APAC).

MWs 1, 9, and 10 are located offsite, immediately down gradient from the APAC facility to the east; the remaining MWs are located onsite.

The chemicals of concern (COCs) at the Site are: PCE, TCE, 1,1,1-TCA, and their degradation products 1,1-dichloroethene (1,1-DCE), cis and trans-1,2-DCE, vinyl chloride, 1,1-DCA and chloroethane.

The main conclusions of the CI Report were the following:

- Groundwater impacted by the COCs from the APAC facility does not appear to extend east of the Harsha Canal.
- The source of contamination is not located up gradient of the APAC Site, and the sanitary sewer located along/adjacent to the APAC east property line does not appear to be a source of COCs to the subsurface.
- The former laboratory location on the APAC Site appears to be a potential source of non-petroleum, COC contamination. Former underground storage tanks are the likely source of fuel-related contamination.
- Soil samples did not report COC contamination above KDHE Tier-2 Risk-Based Standards for Kansas.

Due to the limited extent of soil and groundwater contamination, Terracon recommended Site Monitoring through semiannual groundwater sampling as the corrective action for the Site.

REMEDIAL ALTERNATIVES:

The preferred remedial alternative is site monitoring through semiannual groundwater monitoring with the goal of meeting the criteria for Site Reclassification to Resolved status. According to KDHE/BER Policy #BER-RS-024, Status Reclassification may be granted after monitoring demonstrates cleanup goals have been achieved and maintained for four (4) consecutive, equally time-sequenced sampling episodes conducted under KDHE oversight over a period of no less than two (2) years.

Ten monitoring wells have been sampled semiannually since September 2008 (see Exhibit 2). Only PCE has been detected above the MCL (5 µg/L): two monitoring well samples at concentrations of 6.1 µg/L and 11.1 µg/L in September 2008, and one monitoring well sample with a concentration of 5.3 µg/L in April 2009. PCE as well as other COCs were below the MCLs during the November 2009, April 2010, and November 2010 sampling events.

KDHE/BER RECOMMENDATION:

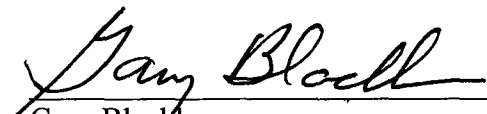
KDHE approves the preferred remedial alternative of site monitoring through semiannual groundwater monitoring following KDHE/BER Policy #BER-RS-036 *Scope of Work for Site Monitoring* and KDHE/BER Policy #BER-RS-024 *Reclassification Plan*. In the event that site monitoring data demonstrate that KDHE-established corrective action goals are not likely to be attained, a contingency action such as an Environmental Use Control Agreement will be implemented.

COMMUNITY INVOLVEMENT:

KDHE encouraged public input and comment on the preferred remedy presented in the draft Agency Decision Statement. Public notice of the availability of the draft Agency Decision Statement was published in *The Hutchinson News*. The public comment period was held December 15 to 30, 2010. Written comments were required to be sent via electronic mail or postmarked by December 30, 2010, and mailed to the name and address specified below:

Kansas Department of Health and Environment
Bureau of Environmental Remediation
CONTACT: Pamela Green, Project Manager
1000 SW Jackson St., Suite 410
Topeka, Kansas 66612-1367
pgreen@kdheks.gov

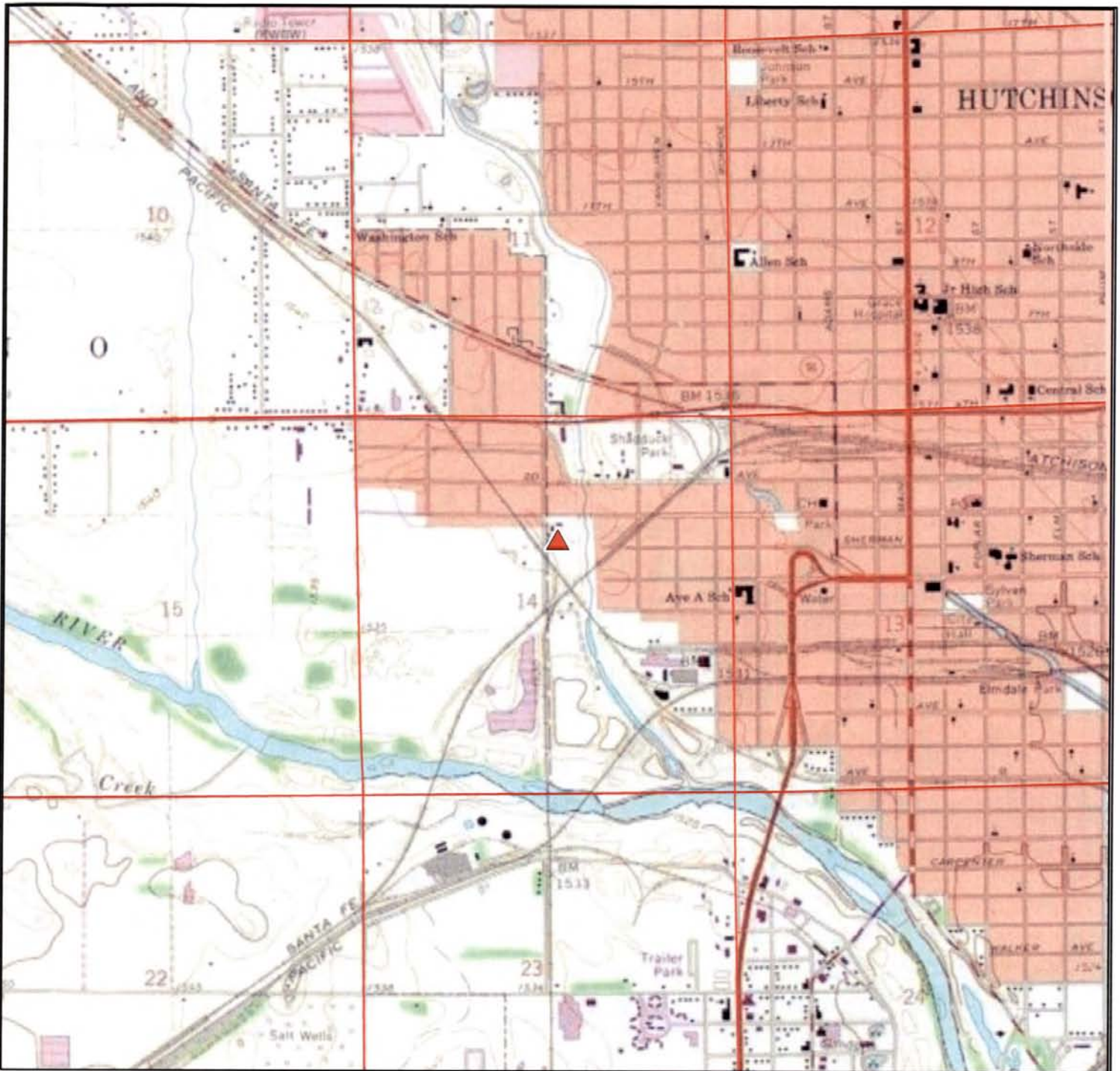
No comments were received.



Gary Blackburn
KDHE-BER Bureau Director

1/25/11

Date



23S

06W

0 1,250 2,500 Feet



Scale of 1:24,000
when printed at 8.5 x 11



Reno County

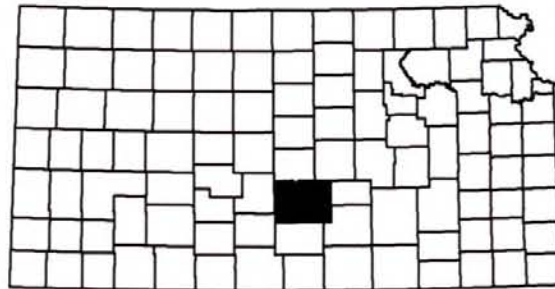


Figure 1

Site Location Map
Shears Construction (APAC) Site
819 W. 1st Avenue
Hutchinson, KS

 Site Location



0 100 200 Feet



Scale of 1:24,000
when printed at 8.5 x 11



-  Monitoring Wells
-  Railroads

Figure 2

Groundwater Monitoring Network
Shears Construction (APAC) Site
819 W. 1st Avenue
Hutchinson, KS



CONCURRENCE SHEET

BUREAU OF ENVIRONMENTAL REMEDIATION

January 12, 2011

This concurrence form is for your review and comments on the attached document.

Subject Matter: Final Agency Decision Statement
Shears Construction (APAC-Kansas, Inc.) Site, Hutchinson, Kansas

Description of Action Requested: For your review: Final Agency Decision Statement
signature

	Name	Date	Comments
Project Manager	<i>Pamela Green</i>	<i>1/12/2011</i>	
Unit Chief	<i>Deanna Ross</i>	<i>1/24/2011</i>	
Section Chief	<i>[Signature]</i>	<i>1/24/11</i>	
Bureau Manager	<i>Gary Bloch</i>	<i>1/25/11</i>	

PLEASE RETURN TO THE
 BUREAU OF ENVIRONMENTAL REMEDIATION
 PROJECT MANAGER – Pamela Green