

# Memorandum

## City of Lawrence

### Public Works Department

**TO: Chuck Soules**

**FROM: Mark Thiel**

**Date: November 19, 2013**

**RE: License Agreement for Right-of-Way Use – Presto Convenience Stores #25 Remedial System (829 Ohio Street)**

Please include the following item on the consent agenda for the November 19, 2013 City Commission meeting. *Deferred from 11/5/2013 agenda*

**Enter into a License Agreement with Presto Convenience Stores #25, LLC to allow for the installation and maintenance of ground water collection equipment within the right of way in the 800 block of Ohio Street.**

**Project Description:** Installation of ground water monitoring wells and collection equipment to monitor and collect contaminated ground water from the old Presto gas station tanks. SCS Aquaterra in conjunction with KDHE will monitor this project. (See attached KDHE / SCS Aquaterra report)

**Project History:** In April 2006, a leak was discovered at the Presto #25 station on the northwest corner of the intersection of 9th Street and Louisiana, following a fire that destroyed the house at 838 Louisiana Street, located east of the station.

At that time the KDHE Petroleum Storage Tank Release Trust Fund paid for installation of a cutoff trench located along the west and north side of the Law Firm building, and across the rear property of the destroyed house.

During the first two years of system operation, over 1,100 gallons of gasoline was recovered. The recovered gasoline was recycled by using the gasoline to operate farm equipment. (See Map)

In August 2012, the groundwater monitoring system used to monitor the impacted groundwater around the site detected rising levels of dissolved petroleum hydrocarbons in a well (MW-21) located in front of the home at 824 Ohio Street (east side of Ohio St).

In April 2013, following the discovery of gasoline in MW-21, KDHE immediately ordered an emergency investigation of the area between the cutoff trench and the homes on the

east side of Ohio Street. The results of the investigation activities and historical data indicated the probable presence of gasoline.

This project is an expansion of an existing monitoring and collection system installed. Current monitoring has indicated that the ground water at the existing monitoring wells has shown some contamination and there exist a need to expand the collection area.

**800 Block of Ohio Street Current Condition:** The 800 block of Ohio St. currently has a PCI (Pavement Condition Index) of 48 and is considered a residential street. Ohio St. is constructed of two courses of brick with and asphalt overlay. (See Photo) All bricks removed during construction will be reclaimed for future brick street maintenance.

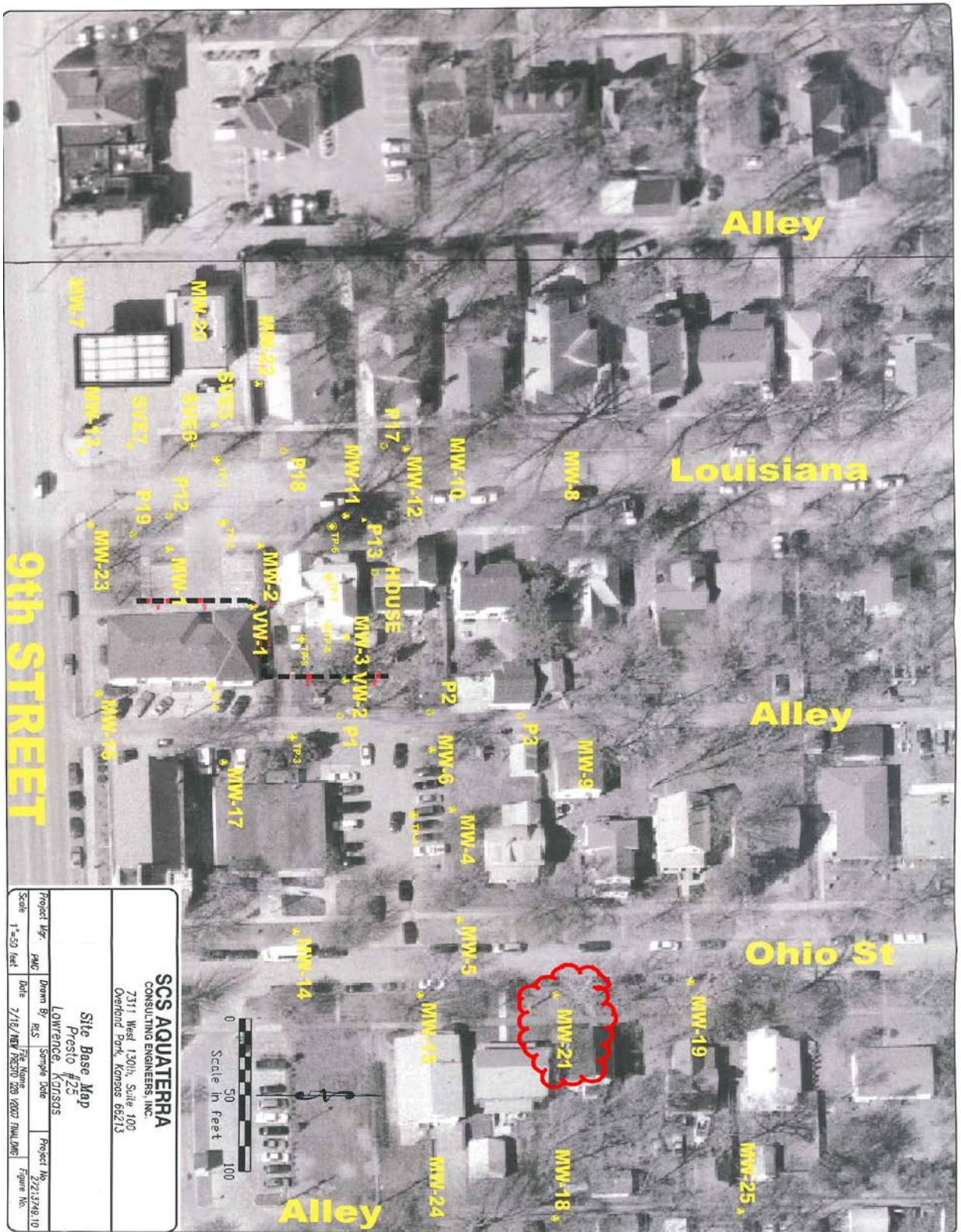
Generally this street is in fair condition.

**Project Description:** This collection system installed with this project will almost entirely be installed below the ground. The only items that will be visible on the surface are two 36" man-holes (see photo) and three 8"-6" clean-outs. (See map)

Restoration of the area including the roadway will be done in accordance with City of Lawrence standard specification. City inspection, SCS Aquaterra and KDHE staff will monitor the work for compliance. The repairs to Ohio St. will be similar to how other streets are repaired during water line, sanitary sewer or other underground utility construction.

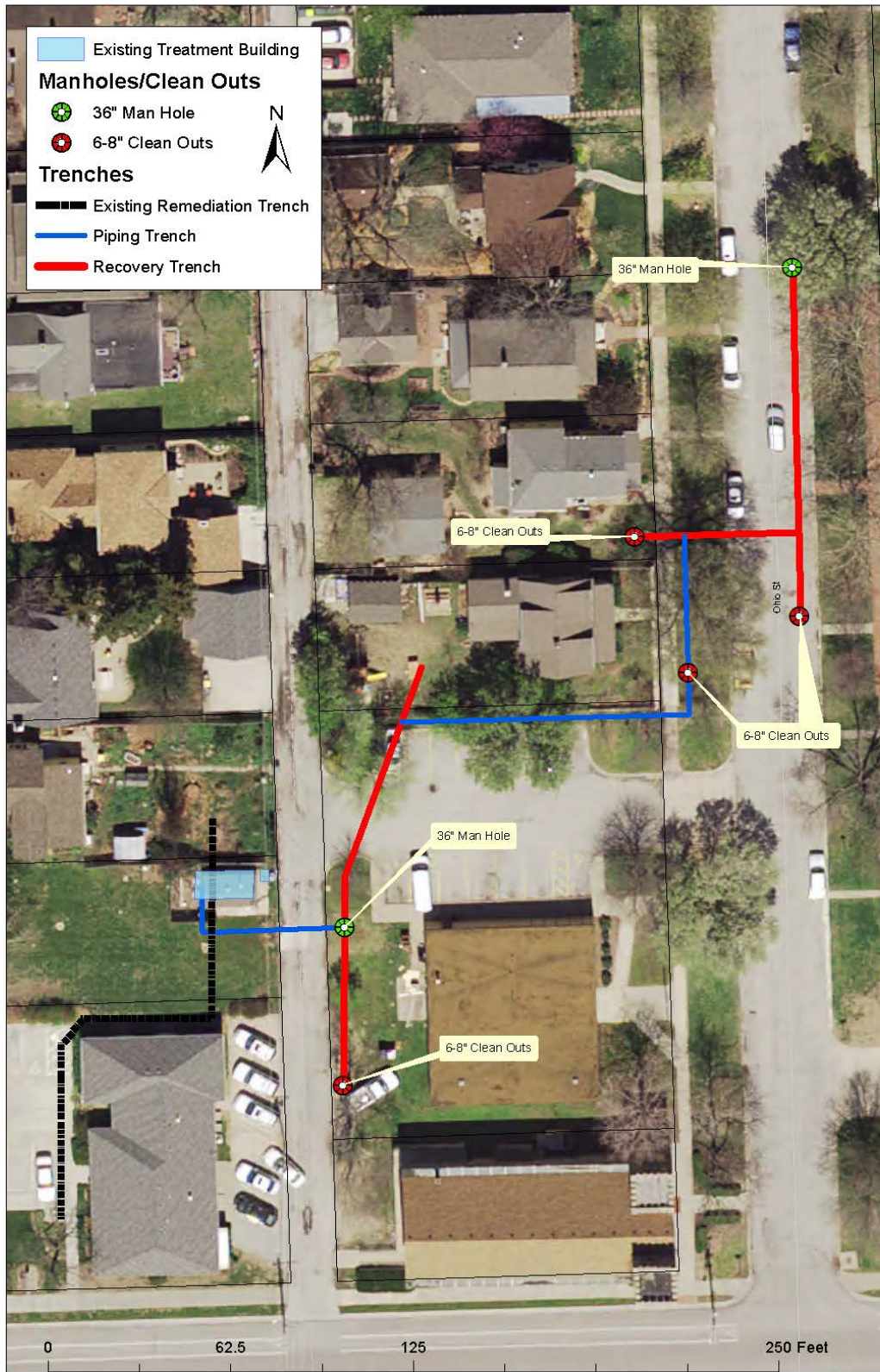
**Project Funding:** All installation and maintenance costs for the improvements will be funded by the property owner; Presto #25 LLC.

**Action Request:** Authorize the City Manager to enter into a License Agreement with Presto Convenience Stores, LLC to allow for the installation and maintenance of ground water collection equipment within the right of way in the 800 block of Ohio Street.



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|---|--------------------------------|
| <p><b>SCS AQUATERRA</b><br/>CONSULTING ENGINEERS, INC.<br/>7311 West 130th, Suite 100<br/>Overland Park, Kansas 66213</p> |                                |
| <p><b>Site Base Map</b><br/>Pestis #25<br/>Lawrence, Kansas</p>   |                                |
| Project Mgr. <b>PMC</b>   | Drawn By <b>RS</b>             |
| Scale <b>1"=50 feet</b>   | Date <b>7/16/09</b>            |
| File Name <b>MPS01_003_10001_RMW.DWG</b>  | Project No. <b>22713748.10</b> |
| Figure No.  |                                |

Locations of KDHE Monitor Wells and Original Recovery Trench



Project Overview



800 Block of Ohio Street



Typical Man-Hole Installation