

*Indiana Finance Authority*

*Concession and Lease Agreement for the Indiana Toll Road*

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**CONCESSION AND LEASE AGREEMENT  
FOR THE  
INDIANA TOLL ROAD**

**Volume III of III  
ENVIRONMENTAL MANAGEMENT MANUAL**



*Indiana Finance Authority*  
*Concession and Lease Agreement for the Indiana Toll Road*

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**TABLE OF CONTENTS**

**CHAPTER A: ORGANIZATION AND GENERAL INFORMATION .....4**

- A.1. PURPOSE OF MANUAL ..... 4
- A.2. STAFFING IDENTIFICATION ..... 4
  - A.2.1. *Essential Staff*..... 4
- A.3. PROTECTION OF NATURAL RESOURCES AND THE ENVIRONMENT ..... 4
  - A.3.1. *Noise Control* ..... 4
  - A.3.2. *Water Quality* ..... 5
  - A.3.3. *Air Quality*..... 5
  - A.3.4. *Dust Control*..... 5
  - A.3.5. *Threatened and Endangered Species*..... 5
- A.4. INTERAGENCY COORDINATION ..... 5
- A.5. INITIAL SUBMISSION OF PLAN..... 5

**CHAPTER B: ENVIRONMENTAL MANAGEMENT PLAN .....7**

- B.1. DEFINITIONS ..... 7
- B.2. REFERENCES ..... 8
- B.3. POLICY FOR ENVIRONMENTAL MANAGEMENT PLAN ..... 9
  - B.3.1. *Objective*..... 9
  - B.3.2. *Responsibility of Concessionaire*..... 9
  - B.3.3. *Performance Time Frames* ..... 9
  - B.3.4. *Acceptance Criteria*..... 10
- B.4. ENVIRONMENTAL MANAGEMENT PLAN PREPARATION REQUIREMENTS ..... 10
  - B.4.1. *Introduction* ..... 10
  - B.4.2. *General*..... 10
  - B.4.2. *Environmental Records* ..... 10
  - B.4.3. *Operator’s Consents*..... 10
  - B.4.4. *Environmental Facilities Consents* ..... 11
  - B.4.5. *Hazardous Materials Management/Response to Hazardous Substance Emergencies* ..... 11
  - B.4.6. *Underground Storage Tanks (USTs)* ..... 12
  - B.4.7. *Air Permitting*..... 16
  - B.4.8. *Herbicides and Pesticides* ..... 16
  - B.4.9. *Wastewater Treatment*..... 16
  - B.4.10. *Water Supply and Treatment* ..... 18
  - B.4.11. *Community and Private Water Supply* ..... 20
  - B.4.12. *Storm Water Management*..... 21
  - B.4.13. *Community Right to Know*..... 22
  - B.4.14. *Solid Waste Management Disposal* ..... 24
  - B.4.15. *Chemical Supply and Choice*..... 24
  - B.4.16. *Training*..... 24

ALL OTHER NON-PAVED AREAS ..... 29

**CHAPTER A: ORGANIZATION AND GENERAL INFORMATION**

**A.1. Purpose of Manual**

The purpose of this Volume III of the Operating Standards is to provide guidelines and criteria to the Concessionaire on the basic development and submission of the Environmental Management Plan for the ITR.

**A.2. Staffing Identification**

The Concessionaire shall be solely responsible for each employee and his/her actions while on the ITR. The number of employees required shall be determined by the needs of the Concessionaire to fulfill its maintenance, operation and contractual obligations.

The ITR is a 24 hour-per-day, 365 days-per-year operation. For this reason, the Concessionaire shall recognize the need to have variable work shifts, employees, supervisors and personnel so as to maintain constant operations.

**A.2.1. Essential Staff**

The Essential Staff Matrix developed for Volume II of III of the Operating Standards shall include staff essential to environmental management activities. The Essential Staff Matrix must include members of staff adequate to perform duties as outlined in this Volume III, including, but not limited to personnel with appropriate licenses, certifications and registrations.

**A.3. Protection of Natural Resources and the Environment**

The protection of natural resources and the environment is an essential and significant activity within the ITR. The Concessionaire shall comply with all Environmental Laws in protecting the natural resources of the region, the environment and any threatened or endangered species.

If a project or activity may affect natural resources, such as wetlands, flood plains, properties protected under 49 U.S.C. Section 303(c) of the Federal Department of Transportation Act, or threatened and endangered species, an evaluation of alternatives appropriately addressing avoidance, minimization, and mitigation options as required by Environmental Laws applicable to these resources shall be prepared. In addition, if the preferred alternative will affect such resources, adequate justification must be provided to explain why avoidance alternatives were not selected.

**A.3.1. Noise Control**

# ***Indiana Finance Authority***

## ***Concession and Lease Agreement for the Indiana Toll Road***

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The development of a project or activity shall comply with federal, state, and local Laws for noise control. The Commissionaire shall consult with appropriate officials to obtain the views of the affected communities regarding noise impacts and abatement measures; and to mitigate any highway-related or construction noise impacts.

Construction noise shall be controlled in accordance with the INDOT "Standard Specifications for Road and Bridge Construction", current edition.

### **A.3.2. Water Quality**

Water quality shall be maintained within and around the ITR in compliance with federal, state and local Environmental Laws. No construction improvement, maintenance activity, or daily activity may decrease the quality of surface waters, ground waters, or wetlands.

### **A.3.3 Air Quality**

Portions of the ITR are located in a non-attainment area of the State of Indiana, and as such, certain improvements within the ITR shall conform to federal, state and regional Air Implementation Plans and all Environmental Laws.

### **A.3.4 Dust Control**

Dust control is essential in maintaining clean air and the prevention of airborne pollutants. Dust shall be controlled within the ITR in compliance with all Environmental Laws including, but not limited to, implementing best management practices for all construction and daily activities including land disturbance, demolition, and material handling processes.

### **A.3.5 Threatened and Endangered Species**

In the development of a project, an assessment shall be made of the likely impacts on species of plants or animals listed at the federal and/or state level as threatened or endangered, and on State-designated Natural Areas in accordance with Environmental Laws. Every effort must be made to minimize the likelihood of jeopardizing the continued existence of listed threatened or endangered species or the destruction or adverse modification of a Natural Area or an area of habitat which has been designated as critical habitat or essential habitat.

## **A.4. Interagency Coordination**

It shall be the Concessionaire's sole responsibility to coordinate with Governmental Authorities so that the ITR is in compliance with all federal, state and local Environmental Laws.

## **A.5. Initial Submission of Plan**

## *Indiana Finance Authority*

### *Concession and Lease Agreement for the Indiana Toll Road*

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Chapter B of this Volume III of the Operating Standards requires the submission of an annual Environmental Management Plan by the Concessionaire to the IFA for approval by the IFA. The Concessionaire shall submit the Environmental Management Plan to the IFA for Approval no later than 120 days after the Closing Date, as defined in the Concession and Lease Agreement, unless otherwise agreed to by the IFA and the Concessionaire.

The Concessionaire shall submit all plans required by other Governmental Authorities as required by each Governmental Authority.

**CHAPTER B: ENVIRONMENTAL MANAGEMENT PLAN**

**B.1. Definitions**

The definitions, acronyms and abbreviations contained in Appendix A to the Preamble are incorporated herein.

Emergency: An unforeseen occurrence or combination of circumstances which calls for immediate action or remedy.

Incident: An occurrence or event, natural or man-made, requiring a response to protect life or property.

**B.2. References**

All stated references shall be the most current version or the document known to have succeeded or replaced the original stated herein:

- ❖ Environmental Protection Agency (EPA) Guidelines and Publications
- ❖ Indiana Department of Environmental Management (IDEM) Guidelines and Guidance Documents
- ❖ Indiana Department of Natural Resources (IDNR) Guidelines and Guidance Documents
- ❖ Indiana Department of Transportation (INDOT) "Standard Specifications for Road and Bridge Construction"
- ❖ Federal Statutes and Regulations
- ❖ State Statutes and Regulations
- ❖ State of Indiana Executive Order 99-07, "Greening the Government."

**B.3. Policy for Environmental Management Plan**

**B.3.1. Objective**

The objective of the Environmental Management Plan is to ensure that the Concessionaire has considered, trained, addressed, and planned for situations that could be deemed as creating an endangerment to human health or the environment within or adjacent to the ITR.

**B.3.2. Responsibility of Concessionaire**

It shall be the Concessionaire's responsibility to establish, write and carry out a comprehensive Environmental Management Plan that addresses the protection of human health and the environment, and to ensure that its procedures are being implemented and enforced. This chapter and its contents have been provided as a preparation guideline that addresses the minimum required criteria, and is not intended to be all inclusive. The Environmental Management Plan shall be updated and submitted annually for the Approval of the IFA and, as required, submitted to all other Governmental Authorities.

All Concessionaire employees shall be trained on and made aware of the Environmental Management Plan and all of the requirements under the applicable federal, state, and local Environmental Laws.

This Chapter B includes a general outline of the proposed Environmental Management Plan. This outline is intended only to provide guidance in the preparation of the Environmental Management Plan. The Environmental Management Plan must be modified, revised or changed as appropriate to address specific issues, needs or concerns related to the ITR that develop over time or to incorporate any changes to the applicable federal, state and local Environmental Laws.

Except for those remediation activities identified on the Schedule to Section 3.2 of the Concessionaire and Lease Agreement, the Environmental Management Plan shall reflect that contamination discovered on or emanating from the ITR after the date of the lease shall be the responsibility of the Concessionaire.

**B.3.3. Performance Time Frames**

The following table establishes the minimum frequency that the Environmental Management Plan is to be written and updated by the Concessionaire, submitted to the IFA, and Approved by the IFA.

<b>Plan</b>	<b>Minimum Frequency of Occurrence</b>
Environmental Management Plan	Annually

**B.3.4. Acceptance Criteria**

The Environmental Management Plan will be considered acceptable for a particular year when the Plan has been written and updated by the Concessionaire, submitted to the IFA, and Approved by the IFA.

**B.4. Environmental Management Plan Preparation Requirements**

**B.4.1. Introduction**

The Introduction section of the Environmental Management Plan shall contain a short introduction and shall include a description of the persons or Governmental Authorities involved in the preparation of the Environmental Management Plan, a designated individual who is charged with the implementation and maintenance of the Environmental Management Plan and the overall goals and objectives of the Environmental Management Plan. At a minimum, this section shall contain the following sub-sections:

- ❖ Purpose
- ❖ Scope and applicability
- ❖ The methodology used to develop and implement the Environmental Management Plan

**B.4.2. General**

The General section of the Environmental Management Plan shall require the Concessionaire to be responsible for all environmental Consents. The Concessionaire shall be listed as the operator on all Consents and shall pay all environmental related fees, including permitting fees. The IFA will be identified as the owner on all Consents. The Environmental Management Plan shall include procedures and time tables for the Concessionaire to apply for all environmental Consents as stated above.

**B.4.2. Environmental Records**

The Environmental Records section of the Environmental Management Plan shall require the Concessionaire to maintain environmental records in accordance with Environmental Laws. The Environmental Management Plan shall detail the required retention time periods for all for environmental records and provide the location of the record storage.

**B.4.3. Operator's Consents**

The Operator's Consents section of the Environmental Management Plan shall require that the water treatment plants and wastewater treatment plants be operated by appropriately licensed and certified operators. These operators, whether they work for the Concessionaire or the Concessionaire's Contractor, must meet all current Consent requirements required by Environmental Laws for such facilities including, but not limited to, Backflow Technician, Wastewater Operator B, Wastewater Operator II, Drinking Water Operator DSM, Drinking Water Operator WT3, and CDL. The Environmental Management Plan shall include a list of Concessionaire's operators and their license and certification information.

**B.4.4. Environmental Facilities Consents**

The Environmental Facilities Consents section of the Environmental Management Plan shall require the Concessionaire to meet all current federal, state and local environmental Consent requirements for all facilities and operations including, but not limited to, the water treatment plants, non-transient water supplies, wastewater treatment plants, and underground storage tanks (USTs). The Environmental Management Plan shall include a list of each Consent required for operating and maintaining the ITR.

**B.4.5. Hazardous Materials Management/Response to Hazardous Substance Emergencies**

The Hazardous Materials Management/Response to Hazardous Substance Emergencies section of the Environmental Management Plan shall identify all materials and substances that are or could potentially be hazardous and shall specify the appropriate management of these materials and substances in order to prevent an impact to the environment. The Environmental Management Plan shall incorporate Volume II, Chapter E.4.8. of the Operating Standards.

The Environmental Management Plan shall include the steps required to respond to and report releases of hazardous materials to appropriate federal, state, and/or local Governmental Authorities. There are generally two (2) different types of hazardous material surface spills that may occur on the ITR. Hazardous materials Incidents can be caused by vehicles on the ITR or by spillage of materials used by the ITR. Incidents on the ITR could be due to vehicle fuel spills or spills of bulk or containerized materials that are being transported by over-the-road vehicles.

The Environmental Management Plan shall also include the decontamination procedures provided for in Volume II, Chapter B.4.8. of the Operating Standards. Example response/remediation policies are included in Exhibit III-A.

The Concessionaire shall implement and maintain (i.e., have reviewed and certified by a Professional Engineer licensed in the State of Indiana every five (5) years) the Spill Prevention Countermeasures and Control (SPCC) Plans as part of the Environmental Management Plan. The Environmental Management Plan must address how these SPCC plans will be updated, implemented and maintained.

# *Indiana Finance Authority*

## *Concession and Lease Agreement for the Indiana Toll Road*

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A list of current SPCC Plans as of October 24, 2005, is provided on Table B.4.5.1.

**Table B.4.5.1.**  
**SPCC Plans**

<b>Facility Location</b>	<b>Date of Certification</b>
Elkhart Maintenance	April 16, 2003
LaPorte Maintenance	April 16, 2003
Lagrange Maintenance	April 16, 2003
Lake Maintenance	April 16, 2003
Porter Maintenance	April 16, 2003
Steuben Maintenance	April 16, 2003

### **B.4.6. Underground Storage Tanks (USTs)**

The Underground Storage Tanks section of the Environmental Management Plan shall require the Concessionaire to be responsible for the operation, maintenance and replacement of any and all USTs necessary for operation of the ITR in accordance with federal, state and local statutes and regulations. For example, LaPorte County collects fees when UST tank testing or other UST related work is performed.

A list of USTs as of October 24, 2005, is provided on Table B.4.6.1.

# Indiana Finance Authority

## Concession and Lease Agreement for the Indiana Toll Road

Table B.4.6.1  
List of Underground Storage Tanks  
IDEM UST Owner ID#6167

Mile Post	Location	IDEM Facility ID #	Operator	Tank Use	Size (gallons)	Contents	Ta
1.1 E	Westpoint	16138	Toll Road	generator	600	diesel	fiberglas
4.6 W	M1 Extension	3794	Toll Road	motor fuel	10,000	diesel	fiberglas
4.6 W	M1 Extension	3794	Toll Road	motor fuel	10,000	gasoline	fiberglas
4.7 W	Calumet Exit	3797	Toll Road	generator	550	diesel	fiberglas
13.5 E	Indiana State Police Subpost	3799	Toll Road	generator	600	diesel	fiberglas
16.7 W	Indiana State Police Subpost	3800	Toll Road	generator	600	diesel	fiberglas
20.8 E	Lake Station	3803	Toll Road	generator	600	diesel	fiberglas
21.7W	Travel Plaza 1	3804	Concessionaire/Restaurant	generator	550	diesel	fiberglas
21.7W	Travel Plaza 1	3804	Concessionaire/Service Station	motor fuel	20,000	diesel	fiberglas
21.7W	Travel Plaza 1	3804	Concessionaire/Service Station	motor fuel	20,000	diesel	fiberglas
21.7W	Travel Plaza 1	3804	Concessionaire/Service Station	motor fuel	20,000	diesel	fiberglas
21.7W	Travel Plaza 1	3804	Concessionaire/Service Station	motor fuel	20,000	diesel	fiberglas
21.7E	Travel Plaza 1	3805	Concessionaire/Service Station	motor fuel	20,000	diesel	fiberglas
21.7E	Travel Plaza 1	3805	Concessionaire/Service Station	motor fuel	20,000	diesel	fiberglas
21.7E	Travel Plaza 1	3805	Concessionaire/Service Station	motor fuel	20,000	gasoline	fiberglas
21.7E	Travel Plaza 1	3805	Concessionaire/Service Station	motor fuel	20,000	gasoline	fiberglas
23.5 W	Porter Maintenance	3806	Toll Road	motor fuel	10,000	diesel	fiberglas
23.5 W	Porter Maintenance	3806	Toll Road	motor fuel	10,000	gasoline	fiberglas
23.8 W	Willow Creek	3807	Toll Road	generator	600	diesel	fiberglas
24.1 E	Portage	3808	Toll Road	generator	600	diesel	fiberglas
30.9 W	Valparaiso	3809	Toll Road	generator	550	diesel	fiberglas
37.5 E	Salt Storage	3813	Toll Road	motor fuel	10,000	diesel	fiberglas
38.9 W	Michigan City	3812	Toll Road	generator	550	diesel	fiberglas
41.6 E	Relay A	16279	Toll Road	generator	550	diesel	fiberglas
49.2 W	La Porte	3814	Toll Road	generator	550	diesel	fiberglas
51.9 E	La Porte Maintenance	3815	Toll Road	motor fuel	550	diesel	fiberglas
51.9 E	La Porte Maintenance	3815	Toll Road	motor fuel	10,000	diesel	fiberglas
51.9 E	La Porte Maintenance	3815	Toll Road	motor fuel	10,000	gasoline	fiberglas
55.9E	Travel Plaza 3	3816	Concessionaire/Service Station	motor fuel	15,000	diesel	fiberglas
55.9E	Travel Plaza 3	3816	Concessionaire/Service Station	motor fuel	20,000	gasoline	fiberglas
55.9E	Travel Plaza 3	3816	Concessionaire/Service Station	motor fuel	10,000	gasoline	fiberglas
55.9W	Travel Plaza 3	3818	Concessionaire/Service Station	motor fuel	15,000	diesel	fiberglas

# Indiana Finance Authority

## Concession and Lease Agreement for the Indiana Toll Road

Table B.4.6.1  
List of Underground Storage Tanks  
IDEM UST Owner ID#6167

Mile Post	Location	IDEM Facility ID #	Operator	Tank Use	Size (gallons)	Contents	Ta
55.9W	Travel Plaza 3	3818	Concessionaire/Service Station	motor fuel	20,000	gasoline	fiberglas
55.9W	Travel Plaza 3	3818	Concessionaire/Service Station	motor fuel	10,000	gasoline	fiberglas
71.6 W	Relay B	3817	Toll Road	generator	550	diesel	fiberglas
72.4 E	South Bend West	3819	Toll Road	generator	600	diesel	fiberglas
72.9E	Indiana State Police- Dist. 21	3821	Toll Road	motor fuel	10,000	gasoline	fiberglas
72.9W	Salt Storage	3820	Toll Road	motor fuel	10,000	diesel	fiberglas
76.6 E	South Bend N.D.	3822	Toll Road	generator	550	diesel	fiberglas
82.9 W	Mishawaka	16139	Toll Road	generator	600	diesel	fiberglas
87 E	Administration Building	3825	Toll Road	motor fuel	10,000	gasoline	fiberglas
87.1 W	Elkhart Maintenance	3824	Toll Road	motor fuel	10,000	diesel	fiberglas
87.1 W	Elkhart Maintenance	3824	Toll Road	motor fuel	10,000	gasoline	fiberglas
90E	Travel Plaza 5	3826	Concessionaire/Service Station	motor fuel	15,000	diesel	fiberglas
90E	Travel Plaza 5	3826	Concessionaire/Service Station	motor fuel	15,000	gasoline	fiberglas
90E	Travel Plaza 5	3826	Concessionaire/Service Station	motor fuel	10,000	gasoline	fiberglas
90W	Travel Plaza 5	3827	Concessionaire/Service Station	motor fuel	15,000	diesel	fiberglas
90W	Travel Plaza 5	3827	Concessionaire/Service Station	motor fuel	15,000	gasoline	fiberglas
90W	Travel Plaza 5	3827	Concessionaire/Service Station	motor fuel	10,000	gasoline	fiberglas
91.8 W	Elkhart West	3828	Toll Road	generator	550	diesel	fiberglas
99.0 W	Salt Storage	3829	Toll Road	motor fuel	4,000	diesel	fiberglas
101.2 W	Bristol	16140	Toll Road	generator	600	diesel	fiberglas
107.1 W	Middlebury	3831	Toll Road	generator	550	diesel	fiberglas
114.1 E	Closed Lagrange Maintenance	3834	Toll Road	generator	550	diesel	fiberglas
114.1 E	Closed Lagrange Maintenance	3834	Toll Road	motor fuel	10,000	diesel	fiberglas
114.1 E	Closed Lagrange Maintenance	3834	Toll Road	motor fuel	10,000	gasoline	fiberglas
120.5 W	Howe/Lagrange	16141	Toll Road	generator	550	diesel	fiberglas
125.8E	Travel Plaza 7	3837	Concessionaire/Service Station	motor fuel	20,000	diesel	fiberglas
125.8E	Travel Plaza 7	3837	Concessionaire/Service Station	motor fuel	20,000	diesel	fiberglas
125.8E	Travel Plaza 7	3837	Concessionaire/Service Station	motor fuel	20,000	gasoline	fiberglas
125.8E	Travel Plaza 7	3837	Concessionaire/Service Station	motor fuel	20,000	gasoline	fiberglas
125.8E	Travel Plaza 7	3837	Concessionaire/Restaurant	motor fuel	550	diesel	fiberglas
125.8W	Travel Plaza 7	3836	Concessionaire/Service Station	motor fuel	20,000	diesel	fiberglas
125.8W	Travel Plaza 7	3836	Concessionaire/Service Station	motor fuel	20,000	gasoline	fiberglas
125.8W	Travel Plaza 7	3836	Concessionaire/Service Station	motor fuel	20,000	gasoline	fiberglas
125.8W	Travel Plaza 7	3836	Concessionaire/Service Station	motor fuel	20,000	gasoline	fiberglas
137.5 E	Steuben Maintenance	3838	Toll Road	generator	550	diesel	fiberglas

# Indiana Finance Authority

## Concession and Lease Agreement for the Indiana Toll Road

Table B.4.6.1  
List of Underground Storage Tanks  
IDEM UST Owner ID#6167

Mile Post	Location	IDEM Facility ID #	Operator	Tank Use	Size (gallons)	Contents	Ta
137.5 E	Steuben Maintenance	3838	Toll Road	motor fuel	10,000	diesel	fiberglas
137.5 E	Steuben Maintenance	3838	Toll Road	motor fuel	10,000	gasoline	fiberglas
143.9	Angola	16142	Toll Road	generator	550	diesel	fiberglas
145.7E	Travel Plaza 8	3840	Concessionaire/Restaurant	generator	550	diesel	fiberglas
145.7E	Travel Plaza 8	3840	Concessionaire/Service Station	motor fuel	20,000	diesel	fiberglas
145.7E	Travel Plaza 8	3840	Concessionaire/Service Station	motor fuel	20,000	gasoline	fiberglas
145.7E	Travel Plaza 8	3840	Concessionaire/Service Station	motor fuel	20,000	gasoline	fiberglas
145.7E	Travel Plaza 8	3840	Concessionaire/Service Station	motor fuel	20,000	gasoline	fiberglas
145.7W	Travel Plaza 8	3841	Concessionaire/Service Station	motor fuel	20,000	diesel	fiberglas
145.7W	Travel Plaza 8	3841	Concessionaire/Service Station	motor fuel	20,000	gasoline	fiberglas
145.7W	Travel Plaza 8	3841	Concessionaire/Service Station	motor fuel	20,000	gasoline	fiberglas
145.7W	Travel Plaza 8	3841	Concessionaire/Service Station	motor fuel	20,000	gasoline	fiberglas
153.0 E	East Point	3842	Toll Road	generator	550	diesel	fiberglas
156.4 E	Salt Storage	3843	Toll Road	motor fuel	2,500	diesel	fiberglas

**B.4.7. Air Permitting**

The Air Permitting section of the Environmental Management Plan shall include procedures to ensure that the Concessionaire's ITR operational activities either remain under air permitting thresholds or the required air Consents are obtained for operation or maintenance activities. Portions of the ITR are located in non-attainment areas of the State of Indiana. Operation of the ITR may require air Consents although the current activities arising out of operation of the ITR are exempt because the calculated emissions do not trigger a Consent to be obtained. The Environmental Management Plan shall specify the procedures that will be taken to ensure that projects or operations meet all applicable Environmental Laws.

**B.4.8. Herbicides and Pesticides**

The Herbicides and Pesticides section of the Environmental Management Plan shall specify, and require the Concessionaire to follow, the proper storage and application of all herbicides and pesticides in accordance with the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and in accordance with manufacturer's instructions.

**B.4.9. Wastewater Treatment**

The Wastewater Treatment section of the Environmental Management Plan shall identify all Consents applicable to wastewater treatment activities. This section shall require the Concessionaire to comply with all conditions and limitations contained in all Consents issued by IDEM pertaining to wastewater activities and to obtain, maintain and replace, if necessary, any and all Consents required by any Governmental Authority.

The Concessionaire shall meet all wastewater treatment plant operational Consent conditions. The monthly reports of operation (MRO) shall be submitted to IDEM by the Concessionaire. The Environmental Management Plan shall indicate the procedures that will be taken by the Concessionaire should an exceedence of the discharge Consent occur. The Environmental Management Plan shall require the solids generated from wastewater treatment plants be land applied in accordance with Consents issued by IDEM or other applicable Governmental Authority unless alternative means of disposal are approved by the Governmental Authority.

Table B.4.9.1 is a list of the wastewater treatment plant permits as of October 24, 2005.

**Table B.4.9.1  
ITR  
Wastewater Treatment Plant Related Permits**

MP	Location	Type of Facility	Permit Number	Expiration Date
52	M.P. 52	Land Application for Sludge generated at Travel Plaza #3	IN LA 000380	January 31, 2015
55.9	Travel Plaza #3	Wastewater Treatment Plant	IN 0020931	December 31, 2005
125.8	Travel Plaza #7	Wastewater Treatment Plant	IN 0050300	June 30, 2007
136	M.P. 136	Land Application	IN LA 000381	January 31, 2015

The Environmental Management Plan shall also require the Concessionaire to operate, maintain, and replace if necessary the twenty-four septic tanks currently in operation and any other septic tanks required by the operation of the ITR. In addition to the lift stations at the wastewater treatment plants, the Concessionaire shall operate, maintain and replace if necessary the additional ten (10) lift stations and any other lift stations required by the operation of the ITR. These lift stations are either in combination with a septic system or a connection to a municipal wastewater collection system.

The Concessionaire shall require in the Environmental Management Plan that if a septic system can be replaced with a connection to a municipal wastewater collection system, the connection will be made.

Table B.4.9.2 is a list of the septic systems and non-wastewater treatment plant related lift stations.

**Table B.4.9.2  
ITR  
Septic Systems and Non-wastewater Treatment Plant Related Lift Stations**

MP	Location	Number of Septic Systems	Number of Lift Stations
1.1	Westpoint Toll Plaza	N/A connection to collection system	1
4.7 E	Calument Toll Plaza	N/A connection to collection system	1
4.7 W	Calument Toll Plaza	N/A connection to	1

## Indiana Finance Authority

### Concession and Lease Agreement for the Indiana Toll Road

		collection system	
13.5	Indiana State Police Subpost	1	N/A gravity fed
16.7	Gary East Toll Plaza	2	N/A gravity fed
23.5	Porter Maintenance	N/A connection to collection system	1
30.9	Valparaiso Toll Plaza	1	N/A gravity fed
37.5	West Facility	1	N/A gravity fed
38.9	Michigan City Toll Plaza	1	N/A gravity fed
49.2	LaPorte Toll Plaza	N/A connection to collection system	1
51.9	LaPorte Maintenance	1	1
72.4	South Bend West Toll Plaza	1	N/A gravity fed
82.9	Mishawaka Toll Plaza	1	N/A gravity fed
87	Administrations Building	2	1-L.S.
87.1	Building Maintenance Central Facility	1	N/A gravity fed
87.1	Toll Maintenance Shop	1	1-L.S.
87.1	Sign Shop	1	N/A gravity fed
87.1	Elkhart Maintenance	1	1-L.S.
91.8	Elkhart West Toll Plaza	1	N/A gravity fed
96	Elkhart East Toll Plaza	1	1
101.2	Bristol Toll Plaza	1	N/A gravity fed
107.1	Middlebury Toll Plaza	1	N/A gravity fed
114.4	Closed Lagrange Maintenance	1	N/A gravity fed
120.5	Howe/Lagrange Toll Plaza	1	N/A gravity fed
137.5	Steuben Maintenance	1	N/A gravity fed
143.9	Angola Toll Plaza	1	N/A gravity fed
153	Eastpoint Toll Plaza	1	1

#### B.4.10. Water Supply and Treatment

The Water Supply and Treatment section of the Environmental Management Plan shall require the Concessionaire to operate and maintain public water supplies as necessary for the operation of the ITR. At a minimum, Concessionaire shall operation and maintain eight (8) public water supplies, three (3) of which are co-located with water treatment plants. The Environmental Management Plan shall require the public water supplies to be operated within regulatory limitations and standards and shall specify those regulatory limitations and standards. The analysis required by the Standardized Monitoring Framework (SMF) shall be conducted and submitted to IDEM by the Concessionaire. The Environmental Management Plan shall indicate the procedures that will be taken should results from the SMF analysis be outside regulatory limits. Table B.4.10.1 is a list of the ITR Public Water Supply Permits as of October 24, 2005.

**Table B.4.10.1  
ITR  
Public Water Supply Permits**

<b>MP</b>	<b>Location</b>	<b>Type of Facility</b>	<b>Number of Wells</b>	<b>Permit Number</b>
51.9	LaPorte Maintenance	Public Water Supply	1	PWSID # 2460886
55.9	Travel Plaza #3	Water Treatment Plant/ Public Water Supply	4	PWSID # 2460162
87.0	Administration Building	Public Water Supply	2	PWSID # 2710827
87.1	Elkhart Maintenance	Public Water Supply	2	PWSID # 2200063
125.8	Travel Plaza #7	Water Treatment Plant/ Public Water Supply	2	PWSID # 2440876
137.5	Steuben Maintenance	Public Water Supply	1	PWSID # 2760990
145.7	Travel Plaza #8	Water Treatment Plant/ Public Water Supply	3	PWSID # 2760832
153.1	Eastpoint Toll Plaza	Public Water Supply	1	PWSID # 2760989

The Concessionaire shall operate, maintain, and replace if necessary the seventeen drinking and irrigation water wells not co-located with a public water supply and any and all additional drinking wells necessary for the operation of the ITR. A list of these wells, locations, and current use as of October 24, 2005, is included as Table B.4.10.2.

The Concessionaire shall require in the Environmental Management Plan that if a connection to a public water supply can be made to replace a non-PWS well, the replacement will be made.

**Table B.4.10.2  
ITR  
Drinking and Irrigation Water Wells**

# Indiana Finance Authority

## Concession and Lease Agreement for the Indiana Toll Road

MP	Location	Number of Private Wells	Use
1.1	Westpoint Toll Plaza	1	Irrigation
30.9	Valparaiso Toll Plaza	1	Drinking water
37.5	West Facility	1	Drinking water
38.9	Michigan City Toll Plaza	1	Drinking water
72.4	South Bend West Toll Plaza	1	Drinking water
82.9	Mishawaka Toll Plaza	1	Drinking water
87.1	Building Maintenance Central Facility	2	Drinking water
87.1	Toll Maintenance Shop	1	Drinking water
88	Lake Albert	1	Drinking water
91.8	Elkhart West Toll Plaza	1	Drinking water
96	Elkhart East Toll Plaza	1	Drinking water
101.2	Bristol Toll Plaza	1	Drinking water
107.1	Middlebury Toll Plaza	1	Drinking water
114.4	Closed Lagrange Maintenance	1	Drinking water
120.5	Howe/Lagrange Toll Plaza	1	Drinking water
143.9	Angola Toll Plaza	1	Drinking water

### B.4.11. Community and Private Water Supply

The Community and Private Water Supply section of the Environmental Management Plan shall provide for the procedures for addressing potential groundwater quality issues. A Community Public Water Supply System (CPWSS) is required by 327 IAC 8-4.1-8(4)(B)(vii) to notify property owners of record that they are located within a Well Head Protection Area (WHPA). In addition, the CPWSS must provide owners and operators of identified potential sources of contamination access to a copy of the Wellhead Protection Plan (WHPP).

The ITR has been notified by the City of Elkhart and St. Joseph County that the ITR is within their respective WHPAs. St. Joseph County requires a Consent for fueling operations within the WHPA. These Consents may or may not have associated fees. Table B.4.11.1 is a list of the Wellhead Protection Operating Permits currently held by the ITR.

**Table B.4.11.1.  
ITR  
Wellhead Protection Operating Permits**

MP	Location	Type of Facility	Permit Number
72.9	Salt Storage	Fueling operations	02-03-0116

72.9	Indiana State Police Post, District 21	Fueling operations	02-03-0117
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Private citizens or public water supply representatives may contact the Concessionaire regarding ground water quality, specifically groundwater potentially impacted by de-icing chemicals. The Environmental Management Plan shall require the Concessionaire to inform IDEM and IFA upon notification of potential groundwater quality issues.

The Environmental Management Plan shall specify, and require implementation of, the steps that will be taken by the Concessionaire in general order of implementation in response to the contact or question about ground water quality adjacent to the ITR. Suggested steps are as follows:

- ❖ Determine, if possible, regional (background) concentration of the constituent(s) of concern for salty drinking water including sodium, chloride, and bromide;
- ❖ Establish from existing sources, general ground water flow direction;
- ❖ Locate and evaluate the well log(s) for the well(s) in question and those within one-half (½) mile of the well(s) in question;
- ❖ Determine geology in general area as shown by located well logs;
- ❖ Determine general drainage pathways based on United States Geological Survey (USGS) seven and one-half (7.5) minute series maps; and
- ❖ Review the United States Department of Agriculture, Soil Conservation Service Soil Survey for the County(ies); and
- ❖ Determine if any oil or gas wells are or have been in operation within two (2) miles of the well(s) in question (operation of these type wells may include introducing brine water into the subsurface).

After careful review of the information gathered, the Concessionaire shall make a recommendation to the IFA as to whether to continue in the investigation of the complaint. If the decision to close the investigation is made by the IFA, the person originating the complaint will be notified in writing. If the decision is made to continue the investigation, the Concessionaire and the IFA shall perform a cooperative effort to outline additional steps.

**B.4.12. Storm Water Management**

The Storm Water Management section of the Environmental Management Plan shall address storm water management issues and Laws and the Concessionaire shall obtain and comply with any Consents necessary to operate the ITR including, but not limited to, a municipal separate storm sewer (MS4) NPDES Phase II permit. The NPDES Phase II permit is currently under negotiations with IDEM. The Concessionaire shall continue to negotiate the issuance of this NPDES Phase II permit and shall comply with all Consent terms and conditions. The Environmental Management Plan shall require the Concessionaire to maintain the existing six (6) installed Best Management Practices (BMPs) and install additional BMPs as required by

# *Indiana Finance Authority*

## *Concession and Lease Agreement for the Indiana Toll Road*

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Environmental Laws.

### **B.4.13. Community Right to Know**

The Community Right to Know section of the Environmental Management Plan shall require the Concessionaire to prepare and submit Community Right to Know documentation on an annual basis. Tier II forms shall be submitted in all cases in lieu of Tier I forms. In 2005 Tier II forms were submitted for the locations listed in Table B.4.13.1.

**Table B.4.13.1  
Tier Two Emergency and Hazardous Chemical Inventory Forms Submitted in 2005**

Location
Westpoint Barrier
Lake Maintenance Facility
Calumet Exit Toll Plaza
Calumet Entry Toll Plaza
Cline Avenue Toll Plaza
Gary West Toll Plaza
Gary East Toll Plaza
Lake Station Toll Plaza
Travel Plaza 1 North
Travel Plaza 1 South
Porter Maintenance Facility
Willow Creek Toll Plaza
Portage Barrier
Valparaiso Toll Plaza
Salt Storage at 37.5
Michigan City Toll Plaza
Relay A Radio Tower
La Porte Toll Plaza
La Porte Maintenance Facility
Travel Plaza 3 North
Travel Plaza 3 South
Relay B Radio Tower
South Bend West Toll Plaza
Salt Storage at 72.5
Indiana State Police Post, District 21
South Bend Notre Dame Toll Plaza
Mishawaka Toll Plaza
Administration Building
Elkhart Maintenance
Travel Plaza 5 North

# *Indiana Finance Authority*

## *Concession and Lease Agreement for the Indiana Toll Road*

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Table B.4.13.1  
Tier Two Emergency and Hazardous Chemical Inventory Forms Submitted in 2005

Location
Travel Plaza 5 South
Elkhart West Toll Plaza
Elkhart East Toll Plaza
Salt Storage at 99.0
Bristol Toll Plaza
Middlebury Toll Plaza
Closed Lagrange Maintenance Facility
Howe/Lagrange Toll Plaza
Travel Plaza 7 North
Travel Plaza 7 South
Steuben Maintenance Facility
Angola Toll Plaza
Travel Plaza 8 North
Travel Plaza 8 South
East Point Barrier
Salt Storage at 156

**B.4.14. Solid Waste Management Disposal**

The Solid Waste Management Disposal section of the Environmental Management Plan shall specify procedures for proper disposal of solid waste in compliance with Environmental Laws. Procedures shall include, but not be limited to, the procedures for proper hazardous wastestream determination in accordance with Resource Conservation and Recovery Act (RCRA). The EPA ID number for the ITR is IND078918000. The ITR currently operates as a Conditionally Exempt Small Quantity Generator (CESQG). As such there are special exemptions. The Environmental Management Plan shall indicate that generator status will be reviewed on a monthly basis. All appropriate notifications and documents shall be prepared and submitted to the appropriate Governmental Authorities by the Concessionaire. The Plan shall indicate how potential disposal facilities will be evaluated prior to shipment of any solid waste, whether non-industrial, industrial, or hazardous. The Environmental Management Plan shall include procedures to manage road kill wastes. Currently road kill wastes are composted.

**B.4.15. Chemical Supply and Choice**

The Chemical Supply and Choice section of the Environmental Management Plan shall include a section regarding the responsible choice of chemicals purchased for use to minimize hazardous waste generation.

**B.4.16. Training**

The Training section of the Environmental Management Plan shall include the training requirements and certifications for all personnel, whether they are personnel of the Concessionaire or its Contractors. In addition, this section shall require that the personnel have completed the most current training, possess the proper and current license or certification and qualifications to operate the particular equipment.

The types of training required include, but are not limited to:

- Contingency Plan/SPCC Plan;
- RCRA Hazardous Waste Training;
- Updates and training on new or revised regulations;
- Continuing education as required by personal certifications and licensing; and
- UST Training.

*Indiana Finance Authority*  
*Concession and Lease Agreement for the Indiana Toll Road*

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Exhibit III-A

HAZARDOUS SUBSTANCE SPILLS  
DIESEL FUEL SPILLS

PROCESS FOR REMEDIATION  
PAVED AREAS

In the event a spill occurs on the ITR that affects paved areas or other non-paved surfaces, the company or party responsible for that spill shall do the following:

**SPILL RESPONSE PROCEDURE FOR PAVED AREAS**

The Concessionaire shall require the remediation of any spill, of any quantity, be conducted by the company or person responsible for the spill. Upon the occurrence of a spill, the responsible party shall immediately perform the following:

- Contact all applicable local, state and federal Governmental Authorities in order to report the spill and also immediately notify the Concessionaire;
- Assess the situation to identify the material spilled and determine whether an immediate health or safety threat is present;
- Take all precautionary measures to eliminate any health or safety risks and notify the Concessionaire personnel or Indiana State Police of a need to secure the area if necessary; and
- Take steps to immediately contain the spill and prevent it from migrating further.

Spill reports shall be made to the following:

- IDEM Emergency Response (888)233-7745
- National Response Center (800)424-8802
- The Local Emergency Response Center

Other contacts may include, but not be limited to:

- State Emergency Management Agency (800)669-7362
- Indiana State Fire Marshall (800)669-7362
- Indiana Department of Natural Resources (765)473-9722
- Chemtrec (800)424-9300

**REMEDATION ACTIVITIES FOR PAVED AREAS**

In conducting remediation activities, the remediation company selected by the responsible party shall follow

## *Indiana Finance Authority*

### *Concession and Lease Agreement for the Indiana Toll Road*

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the set of guidelines set forth below:

- The remediation company will contact the Concessionaire prior to entering the ITR to start clean-up, even if there will be no lane blockage. If a lane needs to be closed, Concessionaire personnel will setup and maintain the lane closure.
- Based upon the material involved, the remediation company shall identify any specific precautions that must be taken in performing a remediation.
- Remediation contractor to contact Concessionaire personnel if there is a question as to whether a pavement needs to be removed.
- Pavement areas that have been impacted by the spill will be evaluated by competent Concessionaire personnel to determine if the pavement needs to be removed. Concessionaire personnel may request the assistance from the remediation contractor in making the evaluation.
- If pavement needs to be removed competent Concessionaire personnel will determine the length, width and depth of such removal as well as the type of asphaltic material to use.
- It will be the responsibility of the remediation contractor to secure the assistance of a milling and paving contractor to perform the pavement replacement operations.
- Remediation contractor and sub-contractors to schedule the repairs in a timely manner and to notify Concessionaire personnel when such repairs are scheduled so that lane closures can be scheduled.
- All contaminated material to be removed from ITR property at the time of cleanup, unless other arrangements have been made acceptable to Concessionaire personnel.

In the event that there is not an Indiana State Police unit on scene, it shall be the duty of the Concessionaire to contact the Indiana State Police when there is a spill of any quantity. In the event of State Police presence, they will be in charge of all accidents/incidents and will contact the company or persons responsible for the spill and inform them that they are to contact a remediation company. State Police may notify all applicable federal, state and/or local Governmental Authorities of the spill, however, it is the responsibility of the person or entity that caused the spill to make the required reports to the appropriate Governmental Authorities. In the event a State Police unit is not on the scene, Concessionaire personnel will notify the company or persons responsible for the spill and inform them that they are to contact a remediation company and to notify all applicable federal, state and/or local Governmental Authorities of the spill.

The remediation contractor shall provide a full report to the Concessionaire for each Incident and the Concessionaire shall provide a full report to the IFA within seven (7) Business Days following each Incident.

HAZARDOUS SUBSTANCE SPILLS  
DIESEL FUEL SPILLS

PROCESS FOR REMEDIATION  
GRASS MAINTAINED AREAS

In the event a spill occurs on the ITR that affects grass maintained areas or other non-paved surfaces, the company or party responsible for that spill shall do the following:

**SPILL RESPONSE PROCEDURE FOR GRASS MAINTAINED AREAS**

The Concessionaire shall require the remediation of any spill, of any quantity, be conducted by the company or person responsible for the spill. Upon the occurrence of a spill, the responsible party shall immediately perform the following:

- Contact all applicable local, state and federal Governmental Authorities in order to report the spill and shall also immediately contact the Concessionaire;
- Assess the situation to identify the material spilled and determine whether an immediate health or safety threat is present;
- Take all precautionary measures to eliminate any health or safety risks and notify the Concessionaire personnel or Indiana State Police of a need to secure the area if necessary; and
- Take steps to immediately contain the spill and prevent it from migrating further.

Spill reports shall be made to the following:

- IDEM Emergency Response (888)233-7745
- National Response Center (800)424-8802
- The Local Emergency Response Center

Other contacts may include, but not be limited to:

- State Emergency Management Agency (800)669-7362
- Indiana State Fire Marshall (800)669-7362
- Indiana Department of Natural Resources (765)473-9722
- Chemtrec (800)424-9300

**REMEDIATION ACTIVITIES FOR GRASS MAINTAINED AREAS**

In conducting remediation activities, the remediation company selected by the responsible party shall follow the set of guidelines set forth below:

# *Indiana Finance Authority*

## *Concession and Lease Agreement for the Indiana Toll Road*

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- The remediation company will contact the Concessionaire prior to entering the ITR to start clean-up, even if there will be no lane blockage. If a lane needs to be closed, Concessionaire personnel will setup and maintain the lane closure.
- Based upon the material involved, the remediation company shall identify any specific precautions that must be taken in performing a remediation.
- All contaminated soil shall be removed from the site.
- All soil removed shall be replaced with black dirt or topsoil that will grow grass.
- The area shall be restored to the original grade so that a low spot or hollow area is not created.
- An INDOT seed mixture shall be used for seeding the affected area.
- The topsoil shall be covered with an erosion control mat after seeding to control erosion and to promote the growing of the grass.
- All contaminated soil and material shall be removed from ITR property and properly disposed of at the time of cleanup, unless other arrangements have been made acceptable to Concessionaire personnel.
- The remediation company and the responsible party shall at all times cooperate with all local, state and federal officials involved in the spill response and remediation.

In the event that there is not an Indiana State Police unit on scene, it shall be the duty of the Concessionaire to contact the Indiana State Police when there is a spill of any quantity. In the event of State Police presence, they will be in charge of all accidents/incidents and will contact the company or persons responsible for the spill and inform them that they are to contact a remediation company. State Police may notify all applicable federal, state and/or local Governmental Authorities of the spill, however, it is the responsibility of the person or entity that caused the spill to make the required reports to the appropriate Governmental Authorities. In the event a State Police unit is not on the scene, Concessionaire personnel will notify the company or persons responsible for the spill and inform them that they are to contact a remediation company and to notify all applicable federal, state and/or local Governmental Authorities of the spill.

### **ALL OTHER NON-PAVED AREAS**

In the event that a spill affects an area that is not grass maintained but is non-paved, the remediation process will be the same as for Grass Maintained Areas except that all of the contaminated material will be removed and clean like material replaced to the original grade. Topsoil, seed and erosion control mats will not be required.

The remediation contractor shall provide a full report to Concessionaire for each Incident, and the Concessionaire in turn will provide a full report to the IFA within seven (7) Business Days following each Incident.

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