VIA ELECTRONIC MAIL   December 20, 2019

Mr. Michael Joseph, Environmental Representative
Speedway, LLC
PO Box 1500
Springfield, OH  45501

Dear Mr. Joseph:

Re: Approval of Request to Terminate NPDES General Permit Coverage # ING080274
LUST # 199405540 & 199801053
Facility ID # 5689
Speedway, LLC Store #8310
12908 US Hwy 6
LaPaz, IN - Marshall County

We have received correspondence dated November 7, 2019, requesting termination of NPDES general permit coverage for Speedway, LLC Store # 8310. The request states that you have received a “No Further Action” (NFA) Determination Approval for the LUST incidents mentioned above from IDEM’s Office of Land Quality.

We have reviewed the above-mentioned document and have conferred with OLQ staff regarding your request to terminate coverage. The consensus is that no further discharges are anticipated from this system, and a determination has been made that the NPDES general permit coverage for the site is no longer necessary. Therefore, National Pollutant Discharge Elimination System Permit # ING080274, issued May 25, 2017, is hereby terminated effective November 30, 2019.

Please note that IDEM shall serve notice of its decision to terminate your facility’s coverage under the general permit in accordance with the requirements of 327 IAC 5-3-14. It should also be noted that any appeal must be filed under procedures outlined in IC 13-15-6, IC 4-21.5, and the enclosed Public Notice. The appeal must be initiated by filing a petition for administrative review with the Office of Environmental Adjudication (OEA) within fifteen (15) days of the emailing of an electronic copy of this letter or within eighteen (18) days of the mailing of this letter. A copy must also be served upon IDEM.

Addresses are as follows:

Director
Office of Environmental Adjudication
Indiana Government Center North
Room 103
100 North Senate Ave.
Indianapolis, IN  46204

Commissioner
Indiana Department of Environmental Management
Indiana Government Center North
Room 1301
100 North Senate Ave.
Indianapolis, IN  46204
Mr. Michael Joseph, Environmental Representative
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You are reminded that submission of monitoring data via NetDMR is required for all months up to the termination date of this general permit coverage. Also future discharge to waters of the state must be preceded by the submission of an NPDES application at least 180 days prior to the commencement of such discharge, unless a later date is allowed by rule.

Questions may be directed to Ms. C. Anne Burget of our staff at (317) 234-8745 or via email at cburget@idem.IN.gov.

Sincerely,

Catherine Hess
Catherine Hess, Chief
Permits Administration Section
Office of Water Quality

cc: Marshall County Health Dept.
Jeff Turley, IDEM UST Branch, LUST Section
Michael Cox, ATC Group
STATE OF INDIANA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

PUBLIC NOTICE NO. 2019–12D–GP

DATE OF NOTICE: December 20, 2019

The Office of Water Quality approves the following NPDES GENERAL PERMIT coverage:

TERMINATION

SPEEDWAY LLC, STORE #8310, Permit Coverage No. ING080274. The project location is at 12906 US Hwy 6, LaPaz, IN in MARSHALL COUNTY. The permittee requested termination of NPDES general permit coverage under ING080000 (for Wastewater Discharges from Groundwater Petroleum Remediation Systems), because the groundwater petroleum remediation project at this site has been completed and there is no longer a discharge to surface waters of the state. This termination of coverage shall be deemed effective on November 30, 2019. For more information regarding this termination of coverage please contact Ms. C. Anne Burget at (317) 234-8745 or via email at cburget@idem.IN.gov.

Notice of Right to Administrative Review

If you wish to challenge this permit, you must file a Petition for Administrative Review with the Office of Environmental Adjudication (OEA), and serve a copy of the petition upon IDEM. The requirements for filing a Petition for Administrative Review are found in IC 4-21.5-3-7, IC 13-15-6-1 and 315 IAC 1-3-2. A summary of the requirements of these laws is provided below.

A Petition for Administrative Review must be filed with the Office of Environmental Adjudication (OEA) within fifteen (15) days of the issuance of this notice (eighteen (18) days if you received this notice by U.S. Mail), and a copy must be served upon IDEM. Addresses are:

Director
Office of Environmental Adjudication
Indiana Government Center North
Room N103
100 North Senate Avenue
Indianapolis, Indiana 46204

Commissioner
Indiana Department of Environmental Management
Indiana Government Center North
Room 1301
100 North Senate Avenue
Indianapolis, Indiana 46204

The petition must contain the following information:

1. The name, address and telephone number of each petitioner.
2. A description of each petitioner’s interest in the permit.
3. A statement of facts demonstrating that each petitioner is:
   a. a person to whom the order is directed;
   b. aggrieved or adversely affected by the permit; or
   c. entitled to administrative review under any law.
4. The reasons for the request for administrative review.
5. The particular legal issues proposed for review.
6. The alleged environmental concerns or technical deficiencies of the permit.
7. The permit terms and conditions that the petitioner believes would be appropriate and would comply with the law.
8. The identity of any persons represented by the petitioner.
9. The identity of the person against whom administrative review is sought.
10. A copy of the permit that is the basis of the petition.
11. A statement identifying petitioner’s attorney or other representative, if any.
Failure to meet the requirements of the law with respect to a Petition for Administrative Review may result in a waiver of your right to seek administrative review of the permit. Examples are:

1. Failure to file a Petition by the applicable deadline;
2. Failure to serve a copy of the Petition upon IDEM when it is filed; or
3. Failure to include the information required by law.

If you seek to have a permit stayed during the administrative review, you may need to file a Petition for a Stay of Effectiveness. The specific requirements for such a Petition can be found in 315 IAC 1-3-2 and 315 IAC 1-3-2.1.

Pursuant to IC 4-21.5-3-17, OEA will provide all parties with notice of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders disposing of the review of this action. If you are entitled to notice under IC 4-21.5-3-5(b) and would like to obtain notices of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders disposing of the review of this action without intervening in the proceeding you must submit a written request to OEA at the address above.

If you have procedural or scheduling questions regarding your Petition for Administrative Review please refer to OEA's website at http://www.in.gov/oea.
November 7, 2019

Via Priority Mail

Indiana Department of Environmental Management
Office of Water Quality
NPDES General Permits
100 North Senate Avenue, ICGB 1255
Indianapolis, IN 46204-2251
Attention: Ms. Catherine Hess

Re: Notice of Termination of Discharge
  NPDES Permit #ING080274
  Speedway LLC #8310
  12908 US Hwy 6
  LaPaz, Indiana 49563
  Lake County
  Facility ID #: 5699
  LUST Incidents #: 199405540 (nfa) and #199801053 (nfa)

Dear Ms. Hess:

Speedway LLC (Speedway) has received No Further Action Determination Approval for the LUST Incidents at the above referenced site from the Indiana Department of Environmental Management (IDEM). Therefore, Speedway has completed all remediation activities and kindly requests that IDEM terminate the NPDES permit for this facility.

If you have any questions or comments regarding this matter, please do not hesitate to contact me at (937) 863-6272, or via electronic mail at mjoseph@speedway.com.

Sincerely,

SPEEDWAY LLC

[Signature]

Michael Joseph
Environmental Representative

Attachment: November 7, 2019 IDEM No Further Action Approval Determination letter

Copy: Remediation File, Store No. 8310
Reimbursement File, Store No. 8310
Mike Cox (ATC)
VIA ELECTRONIC MAIL

Mr. Mike Joseph
Speedway, LLC
PO Box 1500
Springfield, Ohio 45501
MJOSEPH@speedway.com

Dear Mr. Joseph:

Re: No Further Action Approval
Determination Pursuant to
Remediation Closure Guide
Speedway #8310
12908 US Highway 6
LaPaz, Indiana 46537
Marshall County
FID #5689
Incidents #199405540 & 199801053

IDEM staff received your No Further Action (NFA) request for the Speedway #8310 facility located at 12908 US Highway 6 in LaPaz, Indiana for Incidents #199405540 and #199801053 (the Site).

IDEM reviewed the following document:

- Copy of Recorded Environmental Restrictive Covenant. (Virtual File Cabinet Document #82849461)

The following is a summary of the current conditions at the Site for the subject release:

- Soil - There were no detections above the Remediation Closure Guide (RCG) residential screening levels (SLs)
- Groundwater – Benzene was detected above the RCG groundwater tap SL in samples collected from monitoring wells MW-01 at a concentration of 185 parts per billion (ppb), MW-02 at a concentration of 91 ppb, MW-05 at a concentration of 79 ppb, and MW-10R at a concentration of 298 ppb.
- Vapor Intrusion - Benzene was detected above the RCG groundwater vapor intrusion SL in samples collected from monitoring wells MW-01 at a
concentration of 165 parts per billion (ppb), MW-02 at a concentration of 91 ppb, MW-05 at a concentration of 79 ppb, and MW-10R at a concentration of 298 ppb.

The following are additional lines of evidence regarding current conditions at the Site for the subject release:

- Current land use is commercial and is not expected to change in the next five years.
- Current drinking water is provided by municipal water utility.
- The facility is an operating UST site.

Based on the technical reports reviewed by IDEM and the additional lines of evidence, IDEM concludes that no further response actions are required as long as the owner abandons the monitoring wells in accordance with 312 IAC 13-10-2 and complies with the conditions of this decision. This NFA determination is based on information known to IDEM at the time of issuance of this letter. If additional information is subsequently obtained by IDEM indicating that the Site poses a risk to human health or the environment, IDEM reserves the right to modify or revoke this NFA determination as the situation may warrant.

This NFA determination is based on the Remediation Closure Guide non-rule policy document (NPD) guidelines and conditions:

- Unconditional closure for soil exposure. A remedy for the Soil Direct Contact exposure scenario is not warranted and therefore the residential use restriction in the recorded ERC (restriction a) was not necessary to achieve closure.
- Conditional closure for groundwater exposure
- Conditional closure for vapor intrusion exposure
- Recorded Environmental Restrictive Covenant (Virtual File Cabinet Document # 82849461)
- Notice of Contamination within right-of-way sent to the Indiana Department of Transportation and the Town of LaPaz (Virtual File Cabinet Document # 82838741)
- Notice of Contamination within Wellhead Protection Area sent to the Gatewood Estates Mobile Home Park (Virtual File Cabinet Document #82838741)

All wells installed associated with the release at the site must be permanently abandoned in accordance with the Indiana Department of Natural Resources (IDNR) regulation 312 IAC 13-10-2 (Permanent Abandonment of Wells) and IDEM's "Drilling Procedures and Monitoring Well Guidelines Non-rule Policy Document (Waste-0053)". Additionally, IDNR regulations require that Well Abandonment Forms be submitted to IDNR.

If you are eligible and will be seeking reimbursement from the Excess Liability Trust Fund (ELTF) for well abandonment activities, completed "Record of Water Well" (State Form 35680) for all wells (monitoring and treatment) should be signed by the
licensed Well Driller and submitted as documentation in your ELTF Claim, in addition to other required back up for reimbursement. **Submittal under separate cover is not required for technical approval.**

Please note that as required by 328 IAC 1-3-3(a)(4) you have three hundred sixty-five (365) days to submit all claims for reimbursement of costs from the Excess Liability Trust Fund after the eligible release is granted a status of NFA by the administrator. You therefore have until November 7, 2020 to submit claims for reimbursement of eligible costs associated with this release. In addition, all re-submittals associated with any disallowed cost must be received by the department within three hundred sixty-five (365) days after the denial of the claim.

If you have any questions, please contact Jeff Turley at (317) 234-5063 or toll free from within Indiana at (800) 451-6027. He may also be reached at: jturley@idem.in.gov.

Sincerely,

[Signature]

Timothy E. Veatch, Chief
Leaking Underground Storage Tank Section
Underground Storage Tank Branch
Office of Land Quality
(317) 234-0980
tveatch@idem.in.gov

copy: IDEM File
Mark Basch, IDNR Division of Water
Marshall County Health Department
Michael Cox, ATC Group