



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We Protect Hoosiers and Our Environment.*

100 N. Senate Avenue • Indianapolis, IN 46204  
(800) 451-6027 • (317) 232-8603 • www.idem.IN.gov

Eric J. Holcomb  
Governor

Bruno L. Pigott  
Commissioner

VIA ELECTRONIC MAIL:

SRobbins@NWShelbyschools.org

October 8, 2020

Mr. Chris Hoke, Superintendent  
Northwestern School Corporation  
4920 W 600 N  
Fairland, IN 46126

Dear Mr. Hoke:

Re: IDEM Approval of Termination of NPDES  
General Permit Coverage # ING080324  
LUST # 201202501  
Facility ID # 14093  
Northwestern School Corp. Bus Garage  
4758 CR 600 North  
Fairland, IN  
Shelby County

We have received a letter dated July 31, 2020, submitted by Capital Environmental Enterprises, Inc. on your behalf, requesting termination of permit coverage for the above-mentioned facility. The letter states that this request is being made pursuant to the IDEM Office of Land Quality's recommendation that the remediation system be shut down. The letter also states that the remediation system was in operation until June 2018. Since then, an Environmental Restrictive Covenant has been recorded and a No Further Action letter has been requested.

Following our recent discussions with staff of the IDEM Office of Land Quality (OLQ), we concur that it is appropriate to terminate permit coverage for this project. Therefore, National Pollutant Discharge Elimination System Permit # ING080324 is hereby **terminated, effective September 30, 2020.**

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.

Mr. Chris Hoke, Superintendent  
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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

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 or by an applicable NPDES general permit.

Questions regarding this matter may be directed to Ms. C. Anne Burget of my staff at (317) 234-8745 or via email at at [cburget@idem.IN.gov](mailto:cburget@idem.IN.gov).

Sincerely,

*Catherine Hess*

Catherine Hess, Chief  
Permits Administration Section  
Office of Water Quality

cc: Shelby County Health Dept.  
Stephen Onochie, IDEM OLQ ([SONochie@idem.IN.gov](mailto:SONochie@idem.IN.gov))

**STATE OF INDIANA  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

**PUBLIC NOTICE NO. 20201008 –ING080324 –F**

**DATE OF NOTICE: October 8, 2020**

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

**TERMINATION**

**Northwestern School Corporation Bus Garage**, General NPDES Permit No. ING080324, 4758 CR 600 North, Fairland, IN (SHELBY COUNTY). Representatives for this facility requested termination of NPDES general permit coverage under ING080000, which regulates discharges from groundwater petroleum remediation systems to surface waters of the state. There is no longer a discharge because the remediation project is completed. This general permit coverage is no longer needed. Therefore, this termination of coverage is deemed effective on September 30, 2020. For more information regarding this termination of General NPDES Permit coverage, please contact Ms. C. Anne Burget at (317) 234-8745 or via e-mail at [cburget@idem.IN.gov](mailto: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>.



**CAPITAL ENVIRONMENTAL ENTERPRISES, INC.**

1033 E. Freeland Rd., Suite B, Greensburg, Indiana 47240

812/651-0777 • Fax: 317/241-4180

July 31, 2020

Indiana Department of Environmental Management  
Office of Water Quality  
Permits Administration Section  
100 N. Senate Ave.  
Indianapolis, IN 46206

Re: NOI-NPDES Permit Termination  
NW Consolidated School Corp.  
4920 W 600 N  
Fairland, IN 46126  
FID # 14093

To whom it may concern:

Northwestern Consolidated School Corporation, 4920 W 600 N, Fairland, Indiana, is submitting this letter to request the termination of the National Pollutant Discharge Elimination System (NPDES) General Permit Number ING080324 for the site. Operation of the remediation system was suspended in June of 2018 under the direction of IDEM, and a No Further Action status for the site has been requested.

Sincerely,

Chris Hoke  
NW Consolidated School Corp.  
Superintendent

CH/awo



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**Eric J. Holcomb**  
Governor

**Bruno L. Pigott**  
Commissioner

August 27, 2020

Mr. Steven Miller  
NW Consolidation School Corp.  
4920 W 600 N  
Fairland, IN 46126

Dear Mr. Miller:

**Re: No Further Action Approval  
Pursuant to Remediation  
Closure Guide.**  
Northwestern Con. School  
District  
4920 W 600 N  
Fairland, Indiana 46126  
FID# 14093  
LUST# 201202501

The Indiana Department of Environmental Management (IDEM) has reviewed documentations submitted for the Northwestern Consolidation School District located at 4920 W 600 N in Fairland, Indiana. The following documents were reviewed.

:

- No Further Action Request Report, prepared by Capital Environmental Enterprises Inc, dated January 31, 2020. Virtual File Cabinet (VFC) number 82906324
- Recorded Environmental Restrictive Covenant. Recorded on June 17, 2020 (VFC # 82994289)

The following is a summary of the current conditions at the site for the subject release.

1. Soil –Subsurface soil investigations were conducted at the site to assess the soil contamination from the release. During the investigations, soil samples were analyzed for Benzene, Toluene, Ethylbenzene, Xylene (BTEX)/Methyl Tertiary Butyl Ether (MTBE), Naphthalene, and Total Petroleum Hydrocarbons. All soil sample results were below screening levels. A remedy is not necessary for the soil direct contact exposure scenario.
- Groundwater –During the last groundwater sampling on December 13, 2019, ground water samples were analyzed for Volatile Organic Compounds (VOCs). Groundwater analytical results show contaminant concentrations are below Residential Groundwater Screening Levels (RGWSLs) at all wells except wells MW-14, MW-15 and OW-2. Benzene exceeded the ground water screening

levels of 5 µg/L at on-site MW-14 at 49 µg/L, MW-15 at 76 µg/L, and OW-2 at 3,910 µg/L during the December 2019 sampling event. No potable wells exist within at least 700 feet of contamination from OW-2. An Environmental Restrictive Covenant (ERC) is recorded and is used to limit exposure to groundwater contamination from the release.

- Vapor Intrusion– Based on the investigation results, the nature of the on-site building (large bus garage with no basement) and 5 feet of separation distance between it and residual petroleum contamination, no Vapor Intrusion (V.I) evaluation appears warranted on-site at this time. However, should the site (affected area) use change, the V.I risk will need to be re-evaluated. An ERC is used to manage the further V.I restriction.

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 lessee 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 IDEM obtains additional information 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 system of Closure non-rule policy document (NPD) guidelines and conditions.

- Unconditional closure for soil exposure
- Conditional closure for ground water exposure
- Conditional closure for vapor intrusion exposure
- Recorded Environmental Restrictive Covenant (VFC # 82994289)

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. Liaison

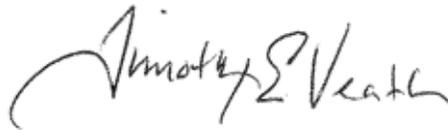
If you are eligible and will be seeking reimbursement from the Excess Liability Trust Fund (ELTF) for well abandonment activities, completed "Record of Water Well" (State Form 35680) for all wells (monitoring and treatment) should be signed by the licensed Well Driller and submitted as documentation in your ELTF Claim, in addition to other required backup 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 **August 27, 2021** 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 Stephen Onochie at (317) 234-3306, or toll free from within Indiana at (800) 451-6027. He may also be reached at: [sonochie@idem.IN.gov](mailto:sonochie@idem.IN.gov).

Sincerely,



Timothy E. Veatch, Chief  
Petroleum Remediation Section  
Petroleum Branch  
Office of Land Quality  
(317) 234-0980  
[tveatch@idem.IN.gov](mailto:tveatch@idem.IN.gov)E-copy:

E-copy:  
IDEM File  
James Carr. Capital Environmental