



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:

JRicker@Rickers.net

October 8, 2020

Mr. Jay Ricker, Chairman
Ricker's
30 W. 11th St.
Anderson, IN 46016

Dear Mr. Rickers:

Re: IDEM Approval of Request to Terminate
NPDES General Permit Coverage
ING080330
LUST # 199308557, 201111505, 201612512
Facility ID # 2505
Former Village Food Mart
3505 Nichol Ave.
Edgewood, IN
Madison County

We have received a letter dated August 14, 2020, submitted by Mr. Adam Lenz of Creek Run LLC, on your behalf, requesting termination of permit coverage for the Former Village Food Mart. The letter states that this request is being made pursuant to the IDEM Office of Land Quality's recommendation that the ground water remediation system be shut down. Mr. Lenz states that the DPE system was deactivated on June 27, 2018 for contaminant rebound monitoring and that no discharge has been completed since. A No Further Action Request with a draft environmental restrictive covenant (ERC) was submitted to IDEM on February 21, 2020 and is currently in review.

Following our recent discussions with the staff of IDEM's Office of Land Quality (OLQ) and our review of correspondence between OLQ and Creek Run LLC, we concur it is appropriate to terminate the NPDES general permit coverage for this project. Therefore, National Pollutant Discharge Elimination System Permit # ING080330 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. Jay Ricker, Chairman
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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 either 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 cburget@idem.IN.gov.

Sincerely,

Catherine Hess

Catherine Hess, Chief
Permits Administration Section
Office of Water Quality

cc: Madison County Health Dept.
Ms. Shay Hartley, IDEM OLQ (SLHartle@idem.IN.gov)
Mr. Adam Lenz, Creek Run, LLC (Alenz@CreekRun.com)

**STATE OF INDIANA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

PUBLIC NOTICE NO. 20201008 –ING080330 –GP

DATE OF NOTICE: October 8, 2020

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

TERMINATION

FORMER VILLAGE FOOD MART, NPDES General Permit No. ING080330, 3505 Nichol Ave, Edgewood, IN (MADISON 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 NPDES General Permit coverage, please contact Ms. C. Anne Burget at (317) 234-8745 or via e-mail 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>.



- PO Box 114, Montpelier, IN 47359
- 5775 Park Plaza Ct, Indianapolis, IN 46220
- 2328 N. US Hwy 35, Unit A, Laporte, IN 46350



August 14, 2020

Indiana Department of Environmental Management
Office of Water Quality
Permitting Branch
100 North Senate Avenue
IGCN 1255
Indianapolis, Indiana 46204-2251

Re: NPDES Permit Notice of Termination
Permit #ING080330
Former Village Food Mart
3505 Nichol Avenue
Edgewood, Indiana
Incident #199308557, #201111505,
& #201612512 (deactivated)
FID #2505

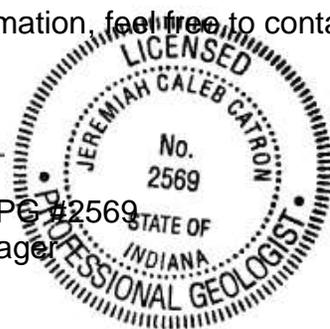
Dear Permitting Branch:

On behalf of Ricker Holdings, Inc. (Ricker), Creek Run L.L.C. Environmental Engineering (Creek Run) is providing this *NPDES Permit Notice of Termination* for Permit #ING080330 associated with a groundwater remediation system at the facility located at 3535 Nichol Avenue in Edgewood, Indiana. As proposed in the First Quarter 2018 QMR and agreed upon in an IDEM email, dated June 7, 2018, the DPE System was deactivated on June 27, 2018 for contaminant rebound monitoring and no discharge has been completed since. Quarterly groundwater monitoring was completed through Fourth Quarter 2019. As stated in the attached IDEM letter entitled Remediation System Shutdown and Rebound Monitoring Request and dated December 26, 2018, IDEM had determined that a closure request should be submitted for site. A No Further Action Request with a draft environmental restrictive covenant (ERC) was submitted to IDEM on February 21, 2020 and is currently in review.

Creek Run respectfully requests termination of NPDES permit #ING080330 associated with the remediation system location at the Former Village Food Mart in Edgewood Indiana. Should your office have any questions regarding this correspondence or require any additional information, feel free to contact the undersigned.

Sincerely,

Jeremiah Catron, LPG #2569
Senior Project Manager



Adam Lenz, WWO #021282
Senior Project Manager / Operations VP



Attachment A





July 25, 2016

Creek Run L.L.C. Environmental Engineering
1 Creek Run Drive
P.O. Box 114
Montpelier, Indiana 47359

To Whom It May Concern:

We authorize Senior Staff Members, Assistant Directors, and Directors of the Technical Services and Operations Groups of Creek Run LLC Environmental Engineering to act as the agent of Ricker Oil Company and to further sign, on our behalf, the Monthly Monitoring Reports (MMR) and Discharge Monitoring Reports (DMR) required for NPDES General Permit No. ING080330.

Sincerely,

RICKER OIL COMPANY


Jay Ricker
Chairman



30 West 11th Street
Anderson, IN 46016
T (765) 643-3016
F (765) 642-7323

RickersRewards.com



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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(800) 451-6027 • (317) 232-8603 • www.idem.IN.gov

Eric J. Holcomb
Governor

Bruno L. Pigott
Commissioner

December 26, 2018

VIA ELECTRONIC MAIL

Mr. Terry Matthews
Ricker Oil Company
30 West 11th Street,
Anderson, Indiana 46016
tmatthews@rickers.net

Dear Mr. Matthews:

Re: **Remediation System Shutdown and
Rebound Monitoring Request**
Former Milk Barn/ Village Food Mart
3505 Nichol Avenue
Edgewood, Indiana 46011
Madison County
FID #2505
Incidents #199308557 and #201111505

Indiana Department of Environmental Management (IDEM) staff has reviewed information related to the petroleum releases at the former Milk Barn/ Village Food Mart located at 3505 Nichol Avenue in Edgewood, Indiana. The following documents were reviewed:

- *Quarterly Monitoring Report Second Quarter 2018*, prepared by Creek Run L.L.C, dated July 23, 2018
- *Quarterly Monitoring Report Third Quarter 2018*, prepared by Creek Run L.L.C, dated October 9, 2018

In email correspondence dated June 30, 2018, IDEM approved of the shutdown of the Dual Phase Extraction (DPE) remediation system. Based on the current review of site conditions, additional monitoring events through Fourth Quarter 2019 must be performed and the data be used to assess long term post-remediation groundwater conditions. If the plume remains stable or decreasing through Fourth Quarter 2019, a closure request must be submitted to IDEM **by February 21, 2020** and include full QA/QC documentation to allow for data validation. The elements of full QA/QC documentation can be found on the IDEM website at www.in.gov/idem/tanks/2329.htm. If applicable, a draft Environmental Restrictive Covenant (ERC) should be included with the closure request.

You must continue to submit Quarterly Monitoring Reports (QMRs) in accordance with the approved Corrective Action Plan (CAP). All QMRs must be

submitted in the QMR Format and include a QMR Cover Sheet for IDEM to complete its review. The QMR Cover Sheet and Report Format is State Form #56087 and is available at: <http://www.in.gov/idem/5157.htm>.

The requested information should be submitted following the OLQ Document Submittal Guidelines found at www.in.gov/idem/landquality/2368.htm. For more information regarding document and data submittal guidelines, sampling and analysis requirements or technical information, visit the LUST Home Page at <http://www.in.gov/idem/landquality/2342.htm>. Please submit all items to the following address:

Indiana Department of Environmental Management
Underground Storage Tank Branch
Leaking Underground Storage Tank Section
IGCN 1101
100 North Senate Avenue
Indianapolis, IN 46204-2251

If you have any questions, please contact me at 317-234-5160 or toll free from within Indiana at 800-451-6027. I can also be reached at slhartle@idem.in.gov.

Sincerely,



Shay Hartley
Environmental Project Manager
Leaking Underground Storage Tank Section
Underground Storage Tank Branch
Office of Land Quality

ecopy: Creek Run, L.L.C.—Jeremiah Catron
Sumeet, Inc.—Jaswant Banawait
IDEM File