On December 21, 2016, the Indiana Department of Environmental Management (IDEM) received an application for a closure/post-closure plan for CCR surface impoundment from Duke Energy Indiana, LLC concerning the Duke Gallagher Generating Station Primary Pond (SW ID 22-UP-01) at 30 Jackson Street, New Albany. IDEM has determined the application is now complete, including the closure and post-closure plan application date December 21, 2016 (VFC #80398571), and additional information received on August 15, 2018 (VFC #82600863), September 27, 2018 (VFC #82626852), February 15, 2019 (VFC #82698641), November 6, 2019 (VFC #82859876), February 28, 2020 (VFC #82925817), and June 5, 2020 (VFC #82982447). Information is available online via IDEM’s Virtual File Cabinet (VFC). Please go to: http://vfc.idem.in.gov. You can view the documents there by going to “Alternate Field,” selecting “Document ID,” then entering one of the VFC numbers above in the “ID #” field. You may also select “Solid Waste (SW) Program ID” and enter the plans’ SW Program ID number, 22-UP-01, which will bring up a list of all related documents. The application will also be available for review at: New Albany - Floyd County Public Library, 180 West Spring Street, New Albany, 47150

However, due to the COVID-19 pandemic, the library may be closed or have limited access, or the application could not be placed there. If you need assistance accessing the documents regarding, please contact the Solid Waste Permits Section at (317) 234-9536 or toll free within Indiana at (800) 451-6027 or send an e-mail to OLQ@idem.IN.gov with the permit information in the subject line.

IDEM’s determination of completeness triggers the following public process requirements of 329 IAC 10-12-1:

1. A public meeting held by the applicant to address the closure/post-closure plan and the review process.
2. A public comment period during which IDEM will accept comments from the public regarding the closure/post-closure plan.

Duke Energy Indiana, LLC has also scheduled a virtual public meeting regarding the closure/post-closure plan. The meeting will be held:

June 10, 2021 at 6PM (local) through WebEx
There are three ways to attend the meeting. Go to: https://duketownhall.webex.com/duketownhall/onstage/g.php?MTID=e37ebec50f7a6b87b4713d5fe4f223fe1 Click "Join Now";
Website: webex.com, meeting ID 132 901 9045, password: “duke”; or
By phone: call 1-408-418-9388 and enter meeting ID 132 901 9045

Please contact Lindsey Hummel at 317-232-7833 or LHummel@idem.IN.gov for further information.

With this notice, IDEM initiates a period during which the public may submit comments regarding the closure/post-closure plans. This public comment period ends on July 10, 2021 (30 days after the public meeting date).

Following the end of the public comment period, IDEM will issue a Notice of Decision (NOD) stating whether the approval has been issued or denied. If comments are received during the public comment period, the final decision will include a document that summarizes the comments and IDEM’s response to those comments. If you have submitted comments or have asked to be added to the mailing list, you will receive the NOD. The notice will provide details on how you may appeal IDEM’s decision, if you disagree with that decision. The final decision will also be available online via the Virtual File Cabinet, and at the New Albany - Floyd County Public Library, subject to the possible limitations noted above due to the COVID-19 pandemic.

You may also request that IDEM hold a public hearing. If the Commissioner determines a public hearing is necessary, the hearing may be held at the same date and time as the public meeting or it may be scheduled at a different time. If it will be held at a different time, IDEM will make a separate announcement of the date, time, and location of that hearing.

Public comments and supporting documentation, or a request for a public hearing should be sent in writing to IDEM at the address below. Email is preferred. If you do not want to comment at this time, but would like to receive notice of future action related to this permit application, please contact IDEM at the address below. Please refer to SW Program ID 22-UP-01 in all correspondence. Comments should be sent to:
Lindsey Hummel, IDEM, Office of Land Quality, 100 North Senate Ave., IGCN 1154, Indianapolis, IN 46204-2251
Fax: (317) 232-3403 attn: Lindsey Hummel
E-mail: LHummel@idem.IN.gov

For additional information please call (800) 451-6027 and ask for Lindsey Hummel, or call directly at (317) 232-7833, or see the application.