



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

Michael R. Pence
Governor

Carol S. Comer
Commissioner

February 9, 2016

Mr. Todd Bachand
Duke Energy
139 East Fourth Street, EM740
Cincinnati, OH 45202

Re: **No Further Action**
Shelbyville MGP #2
300 North Tompkins Street
Shelbyville, Shelby County
State Cleanup #000000225

Dear Mr. Bachand:

The Indiana Department of Environmental Management (IDEM) reviewed the file pertaining to a release of hazardous substances at Shelbyville Manufactured Gas Plant #2 located at River Road and North Tomkins St, Shelbyville, Indiana (Site) in accordance with IDEM's Remediation Closure Guidance (RCG), March 2012. A copy of the public file for the Site will be maintained on IDEM's Virtual File Cabinet, which can be accessed online at: <http://12.186.81.89/Pages/Public/Search.aspx>.

Matt Griles, on behalf of Amec Consulting, has requested that "No Further Action" status be granted for State Cleanup Site #000000225.

This site was operating as a manufactured gas plant since at least 1886 to 1928. The plant was dismantled sometime around 1948. Duke Energy acquired the property in 2006. Residential units that had subsequently been built on the property were demolished in 2007. The property currently has a regularly maintained grass covering, with a few areas of gravel or asphalt.

An environmental restrictive covenant (ERC), as approved by the Commissioner and/or her designee, was recorded with the Shelby County Recorder's office on June 12, 2014 as Instrument #2014002743 by the property managing member, Mr. Todd Bachand. Based on the technical reports reviewed by IDEM, current use of the Site and the restrictions of the ERC, IDEM concludes that no further response actions are required provided that current and successive owners of the Site comply with the requirements and restrictions contained in the ERC. If additional information is subsequently obtained by IDEM indicating that the Site poses a risk to human health or the environment, including information about a land use inconsistent with the conditions of the ERC, IDEM reserves the right to modify or change the no further action determination as the situation may warrant.



Please Reduce, Reuse, Recycle

Monitoring wells and/or piezometers are no longer necessary to monitor the ground water quality or ground water levels and must be permanently abandoned by a licensed Indiana water well driller in accordance with 312 Indiana Administrative Code (IAC) 13-10-2.

This is a determination of status that is an agency action described in I.C. 4-21.5-3-5. This determination is subject to review under IC 4-21.5 and takes effect 15 days after it is issued (18 days if you receive this notice by U.S. Mail) unless review of this Order is requested before the 15th day (18th day if you receive this notice by U.S. Mail), by filing a written request for review with the Office of Environmental Adjudication, and serving a copy of the request for review upon the Commissioner of the Indiana Department of Environmental Management. You may request that the Office of Environmental Adjudication conduct a hearing to review this determination under IC 4-21.5, in its entirety, or you may limit your request for review to specific findings of fact and/or determinations. You may also petition the Office of Environmental Adjudication under 4-21.5-3-5(h) to stay the effectiveness of this determination of status. Petitions for Administrative Review and/ or for a Stay of Effectiveness must be submitted separately to the Office of Environmental Adjudication and the Commissioner of the Indiana Department of Environmental Management at the following addresses:

Director
Office of Environmental Adjudication
Indiana Government Center North
100 North Senate Avenue, Room 501
Indianapolis, Indiana 46204

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

Failure to properly submit a request for review to the Office of Environmental Adjudication, before the 15th day following issuance of this determination (18th day if you receive this notice by U.S. Mail), waives your right to administrative review of this determination and your right to judicial review of the determination. The petition for administrative review must contain the following information:

1. Name, address, and telephone number of each person filing the petition.
2. Identification of the interest of each petitioner in the subject of the petition.
3. Statement of facts demonstrating that the petitioner is:
 - a. a person to whom the order is directed;
 - b. aggrieved or adversely affected by the determination; or
 - c. entitled to review under any law.
4. Statement with particularity the legal issues proposed for consideration in the proceedings.

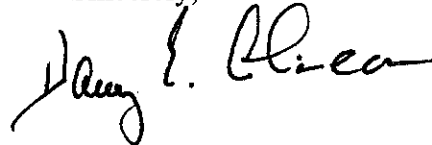
The petition for administrative review should also contain the following information:

1. Identification of any persons represented by the person making the request.
2. Statement identifying the person against whom administrative review is sought.
3. A copy of IDEM's determination that is the basis of the petition for administrative review.
4. Statement indicating the identification of petitioner's attorney or other representative.

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If you have procedural or scheduling questions regarding your petition for administrative review you may contact the Office of Environmental Adjudication at (317) 232-8591 or see OEA's website at <http://www.in.gov/oea>. Should you have questions, or to notify IDEM of a change in Site conditions, please contact Jerry O'Callaghan at (317) 233-1522 or gocallag@idem.in.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Harry E. Atkinson". The signature is fluid and cursive, with the first name "Harry" being more prominent.

Harry E. Atkinson, Chief
State Cleanup Section
Office of Land Quality

HEA:GO:sb
cc: State Cleanup File #000000225
Matt Griles, amec
Mike Devir, amec

Number of hauls	<i>P. setiferus</i> (%)	<i>P. setiferus</i> + <i>P. setiferus</i> + <i>P. setiferus</i> (%)	<i>P. setiferus</i> + <i>P. setiferus</i> + <i>P. setiferus</i> (%)
1	~10	~20	~70
2	~15	~25	~60
3	~20	~30	~50
4	~25	~35	~40
5	~30	~40	~30
6	~35	~45	~20
7	~40	~50	~10
8	~45	~55	~5
9	~50	~60	~2
10	~55	~65	~1