

Table 4

Significant Wipe Sample Results

Metals	Arsenic	Cadmium	Lead
Benchmark (mg/swipe)	0.00227	0.289	0.0218
Sample Number			
S2110	0.0041		0.47
S2111	0.013		2.5
S2112	0.0046		0.43
S2113	0.0061		1.4
S2114	0.005		4.5
S2115			1.2
S2116	0.013	0.3	2.2
S2117			0.046
S2118			0.049
S2119			0.15
S2120			0.1
S2121			0.048
S2122			
S2123	0.0041		0.34
S2124	0.0028		0.59
S2125			0.14
S2126	0.024		0.16

MEMORANDUM REGARDING SITE STATUS LETTER DATED JUNE 30, 1999

RE: B & B Metal Plating
203 Washington Street
Rushville, Indiana 46173

EVELYN LACY 2P
RUSH COUNTY RECORDER
RECORDING FEE: 11.00
EL Rec. Date 07/12/02 Time 11:57
I 2022504 MI 64/ 914

Property described as follows, to-wit:

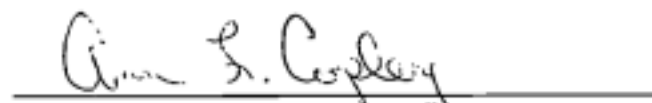
Lots Number Forty-three (43), Forty-four (44) and Forty-five (45) in Smith & Carr's Addition to the City of Rushville, Indiana.

The City of Rushville and clean up administrator of the hereinabove described property is recording this memorandum in fulfillment of the requirements of the Site Status Letter issued by the Indiana Department of Environmental Management on June 30, 1999, a copy of which is hereto attached. In further fulfillment of the requirements, the City of Rushville states that the above mentioned property is intended to be redeveloped for non-residential use and that such redevelopment will be conducted in compliance with all applicable environmental laws.



Robert M. Bridges
Mayor
City of Rushville, Indiana

ATTEST:

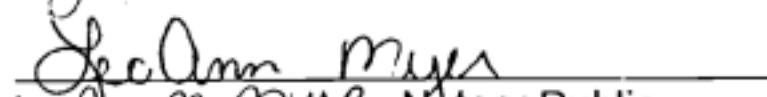

Ann L. Copley
Clerk-Treasurer

Dept. of Environmental Mgmt.
Commissioner's Office

JUL 16 2002

STATE OF INDIANA)
)SS:
COUNTY OF RUSH)

Before me, a notary public, in and for said county and state, personally appeared Robert M. Bridges, Mayor, City of Rushville, and acknowledged the execution of the above and foregoing document, this 28th day of June, 2002.


Leo Ann Miller Notary Public
Residing in Rush County, Indiana
Shelby

prepared by: Newhouse & Newhouse

MEMORANDUM

Page Two

My Commission Expires: Oct 17, 2006

STATE OF INDIANA)
)SS:
COUNTY OF RUSH)

Before me, a notary public, in and for said county and state, personally appeared Ann L. Copley, Clerk Treasurer of the City of Rushville, and acknowledged the execution of the above and foregoing document, this 28th day of June, 2002.

Marcia E. Fish

Notary Public

Residing in Rush County, Indiana

MARCIA E. FISH

My Commission Expires: 7-31-2009

STATE OF INDIANA, Rush COUNTY, SS:

I, Evelyn Lacy Recorder of Rush County

within and for said County and State, do hereby certify that the above and foregoing is a true

and correct, full and complete copy misc. instrument # 2022504

B 64 P 914-15 recorded on 7-12-02 @ 11:57.

as the same appears by the original and the record thereof now on file in my office and in my custody.

WITNESS, my hand and the Seal

at 12:15 p.m.

this 12th day of July

A. D. 20 02

Evelyn Lacy
Sally Presidential, Deputy

Rush County Recorder



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live.

Frank O'Bannon
Governor

Lori F. Kaplan
Commissioner

100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015
(317) 232-8603
(800) 451-6027
www.in.gov/idem

June 26, 2002

Julie Newhouse
Newhouse & Newhouse
301 N. Main St.
P.O. Box 128
Rushville, Indiana 46173

EVELYN LACY 1P
RUSH COUNTY RECORDER
RECORDING FEE: 9.00
EL Rec. Date 07/12/02 Time 11:59
I 2022505 MI 64/ 916

Dear Ms. Newhouse:

Re: Comfort Letter
B & B Metal Plating
203 Washington Street
Rushville, Rush County
#BFD49960006

Please find enclosed a duplicate copy of the Comfort Letter that was issued by IDEM to Ms. Sharon Bostick, Mayor of Rushville, on June 30, 1999. Per our phone conversation on June 24, you informed me that the city was unable to locate the copy of the letter with the original signature. Rather than reissue the letter with an original signature, please use this cover letter, along with the enclosed copy of the Comfort Letter, as verification of the letter's authenticity. If you have any further questions please contact me at 317-232-4402.

Sincerely,

Dan Chesterson
Brownfield Program
Office of Land Quality

Enclosure
DC/sb





INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live

Frank O'Bannon
Governor

Lori F. Kaplan
Commissioner

100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015
(317) 232-8603
(800) 451-6027
www.state.in.us/idem

June 30, 1999

The Honorable Sharon Bostick, Mayor
Rushville City Hall
133 W. 1st Street
Rushville, IN 46173

EVELYN LACY
RUSH COUNTY RECORDER
RECORDING FEE: 19.00
EL Rec. Date 07/12/02 Time 11:59
I 2022506 MI 64/ 917

Re: Comfort Letter
B & B Metal Plating
203 Washington Street
Rushville, Rush County

Dear Mayor Bostick:

In response to your request for assistance concerning the former B & B Metal Plating property located at 203 Washington Street in Rushville, Indiana, the Indiana Department of Environmental Management (IDEM) has agreed to provide this brownfields comfort letter to clarify IDEM's position on the necessity of an environmental response action at this site. Though not a legal release from liability, this letter will help to establish whether environmental conditions at the site should be a barrier to redevelopment or transfer.

As part of your request for assistance in determining the existing environmental impacts and potential liability at the subject property, IDEM's Brownfields Program staff have reviewed the IDEM Brownfields Environmental Assessment finalized by our office in January 1997. This assessment revealed that analyses of soil samples taken in June 1996 indicated levels of lead at or above the IDEM Voluntary Remediation Program's Tier II Cleanup Goal of 1000 mg/kg (see enclosure "Soil Sample Analyses"). Sample S2132 had a lead level of 1000mg/kg, sample S2136 had a lead level of 1800 mg/kg, and sample S2138 had a lead level of 5500 mg/kg. However, the IDEM Immediate Removal Section performed a soil removal action at the site on September 24, 1996. This action consisted of removing soil from the areas that contained high levels of lead. Sixty cubic yards of soil were removed from the Site, and confirmatory samples were taken in the bottom of each excavation to verify that lead levels were below the Voluntary Remediation Program's cleanup standard of 1000 mg/kg. The soil cleanup standards used for the Brownfields Environmental Assessment are intended for a non-residential scenario. These standards are not as conservative as standards for a residential scenario. Therefore, future land use should be restricted to non-residential use, unless further study, and possibly remediation, is performed.

Additionally, the on-site building is not in good condition. Wipe sample analyses performed for the assessment indicate that the floor is heavily contaminated with heavy metals that exceed the risk-based benchmarks for interior surfaces. These benchmarks were obtained from the New Jersey Department of Environmental Protection and Energy who conducted a study to determine cleanup standards for interior building surfaces. Since IDEM does not have an official policy on interior surfaces cleanup levels, the benchmarks established in the New Jersey report were used for guidance. When the 17 wipe sample results were compared to the benchmarks from the New Jersey report, cadmium was above the benchmark in one sample, arsenic was above in nine samples, and lead was above in 16 samples (see enclosure "Significant Wipe Sample Results"). Based on the poor building structure and the floor contamination, IDEM suggests that the building be taken down using appropriate health and safety precautions and disposing of the debris properly.

Surface water and groundwater were not sampled and are not considered to be threatened by the site. The site is relatively flat with no apparent drainage patterns that would threaten any nearby surface water bodies. Groundwater contamination is not suspected due to the small amounts of hazardous materials at the site, the short time of operation, and the fact that contaminants found in the surface soil are not easily transported through the soil to the groundwater.

Based on the information contained in the assessment, current conditions do not warrant a response action at this time, and IDEM does not plan to take any action at this time. Furthermore, should the City of Rushville acquire this property or conduct remedial activities, IDEM will utilize its enforcement discretion to forego pursuit of the City or any successor owners or operators for response costs relating to the past release of contaminants at the site.

If IDEM later discovers that the investigations or other information submitted to IDEM were inaccurate, or if any activities undertaken by an owner or operator of the site exacerbate the existing contamination, IDEM reserves the right to revoke this decision and pursue any responsible parties. Additionally, this letter does not apply to past or present contamination that is not described in this comfort letter, future releases, or closure requirements under the Resource Conservation and Recovery Act, 42 U.S.C. §6901.

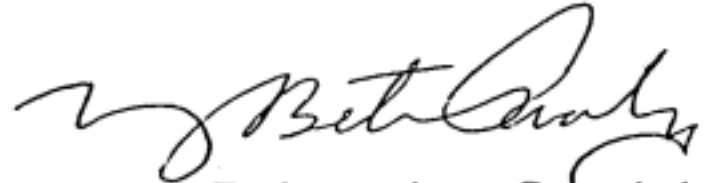
IDEM encourages the redevelopment of this site. Please be advised that any work performed at the subject property must be done in accordance with all applicable environmental laws. Redevelopment of this site in a manner consistent with these standards will lessen the possibility that environmental conditions at the property could deteriorate in the future.

Mayor Bostick
Page 3

In order for this letter to be given effect by IDEM, you must record a memorandum describing the actions taken together with this letter in the Rush County Recorder's Office. Please return a certified copy of the filed notice to Dana Reed Wise, Brownfields Coordinator, IDEM, Office of Environmental Response, 100 North Senate Avenue, P.O. Box 6015, Indianapolis, IN, 46206-6015.

IDEM is pleased to assist the City of Rushville with the redevelopment of the former B & B Metal Plating property. Should you have any questions or comments, please contact Dan Chesterson at 317/308-3050.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mary Beth Tuohy".

Mary Beth Tuohy, Assistant Commissioner
Office of Environmental Response

MBT/dpc

Enclosures

cc: D. W. Ellis, M.D., Rush County Health Department

I 2022506

MI 64/ 919

B & B Metal PlatingTable 5
Soil Sample Analyses

Sample Number	S2127	S2128	S2129	S2130	S2131	S2132	S2133	Health- Based Criteria
Sample Information	Yard Southwest Corner	South Edge of Yard (Bare Spot)	Yard Northwest Corner	North End of Yard Front of Double Doors	Center of Yard Area of Soil Removal	North Side of Yard Near Single Door	Yard Southeast Corner	
Matrix	Soil	Soil	Soil	Soil	Soil	Soil	Soil	
Metals								
Concentrations are in mg/kg for soil samples								
Arsenic	35	11	37	8.2	9.8	40	19	612
Barium	140	63	370	120	150	510	100	10,000
Cadmium	1.6	1.3	1.6	1.5	1.1	270	3.7	1,020
Chromium, Total	20	85	18	140	200	350	250	10,000
Lead	120	130	310	850	270	1000	520	1,000
Mercury				0.11	0.32	0.61	0.34	122.4
Nickel	20	13	18	12	26	97	23	10,000
Selenium	3.5	1.8		1.2	4.6	1.4	1.4	10,000
Silver								10,000
Aluminum	9400	5700	19000	1700	6800	7300	6300	816
Antimony								
Cobalt	7.8	4.2	7.9	5.6	9.6	15	8.2	
Copper	130	20	51	25	30	220	54	
Vanadium	26	16	40	7.8	43	24	20	10,000
Zinc	260	120	250	120	170	1500	280	10,000
Calcium	14000	70000	16000	110000	12000	34000	62000	
Iron	33000	18000	10000	9100	19000	43000	25000	
Magnesium	6700	25000	3500	43000	4600	12000	31000	
Manganese	700	340	130	990	590	2300	580	
Potassium	1400	860	650	260	780	1000	730	
Sodium	110	90	820	140	220	190	130	
Cyanide	0.52	1.8	0.7	2.6	0.94	28	0.68	1,000
Titanium	130	79	400	92	120	270	130	
Tin				14		16	18	
Strontium	32	56	630	120	89	76	93	
Lithium	6.1	4	28		10	6.5	5	
Molybdenum						3.5		

Blank cells indicate below detection limit.

Sample Number	S2134	S2135	S2136	S2137	S2138	S2139	Health- Based Criteria
Sample Information	Yard Southeast Corner	Yard East Side	Yard Northeast Corner	Grassy Open Area (Background)	Open Trench Drum Storage Room	Under Ramp Drum Storage Room	
Matrix	Soil	Soil	Soil	Soil	Soil	Soil	
Metals							
All concentrations are in mg/kg							
Arsenic	10	4.4	31	21	59	1.3	612
Barium	130	20	340	83	520	14	10,000
Cadmium	1.4		5.8	1.4	160	16	1,020
Chromium, Total	27.00	5.6	46	26	4800	27	10,000
Lead	33	58	1800	49	5500	59	1,000
Mercury			0.62	0.84	1.7		122.4
Nickel	18	3.9	31	12	1600	17	10,000
Selenium	1.6		3.1	1.2			10,000
Silver					3.8		10,000
Aluminum	9500	1100	4600	7200	5600	410	816
Antimony			15		59		
Cobalt	6.8		8.6	4.8	190		
Copper	39	6.7	380	67	830	36	
Vanadium	22	6.5	31	17	26		10,000
Zinc	69	110	1500	140	8400	140	10,000
Calcium	34000	150000	60000	85000	43000	2700	
Iron	19000	3500	28000	16000	71000	5000	
Magnesium	16000	78000	22000	42000	9400	560	
Manganese	590	220	420	490	750	60	
Potassium	1000	170	460	650	3500	120	
Sodium	79	170	200	170	6800	88	
Cyanide					940	1.4	1,000
Titanium	140	40	120	110	200	14	
Tin			54		190		
Strontium	39	63	69	73	560	11	
Lithium	6			6	8		
Molybdenum							

Blank cells indicate below detection limit.

Table 4

Significant Wipe Sample Results

Metals	Arsenic	Cadmium	Lead
Benchmark (mg/swipe)	0.00227	0.289	0.0218
Sample Number			
S2110	0.0041		0.47
S2111	0.013		2.5
S2112	0.0046		0.43
S2113	0.0061		1.4
S2114	0.005		4.5
S2115			1.2
S2116	0.013	0.3	2.2
S2117			0.046
S2118			0.049
S2119			0.15
S2120			0.1
S2121			0.048
S2122			
S2123	0.0041		0.34
S2124	0.0028		0.59
S2125			0.14
S2126	0.024		0.16

STATE OF INDIANA, Rush COUNTY, SS:

I, Evelyn Lacy Recorder of Rush County

within and for said County and State, do hereby certify that the above and foregoing is a true

and correct, full and complete copy misc instrument # 2022506,

B 64 P 917-922 recorded on 7-12-02 @ 11:59.

as the same appears by the original and the record thereof now on file in my office and in my custody.

WITNESS, my hand and the Seal

at 12:18 p.m.

this 12th day of July

A. D. 2002.

Evelyn Lacy
Sally Reedentuf Deputy

Rush County Recorder