



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

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Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

June 25, 2024

VIA ELECTRONIC MAIL

Mr. Greg York
FBY
1201 South County Road 125 West
New Castle, Indiana 47362
greg-york@cityofnewcastle.net

Re: **No Further Action Approval Determination Pursuant to
Risk-based Closure Guide**
Henry County Flooring
432 North Memorial Drive
New Castle, Indiana 47362
Henry County
Incident #0001055

Dear Mr. York:

IDEM staff received your No Further Action (NFA) request for the Henry County Flooring facility located at 432 North Memorial Drive in New Castle, Indiana for Incident #0001055 (the Site).

IDEM reviewed the following documents:

- Underground Storage Tank Closure / Phase II Environmental Site Assessment (Virtual File Cabinet (VFC) Document # 83273722)
- Petroleum Remediation Section Independent Closure Process (ICP) Completion Form (VFC Document # 83325240)
- Recorded Environmental Restrictive Covenant (ERC) (VFC Document # 83536169)
- Notice of Contamination within a Wellhead Protection Area (VFC Document # 83631646)

The following is a summary of the current conditions at the Site for the subject release:

- Soil - Soil sample results collected in March 2021 were below the Risk-based Closure Guide (R2) residential long term exposure published levels.



Visit on.IN.gov/survey or scan the QR code to provide feedback.

We appreciate your input!



- Groundwater - Groundwater sample results collected in January 2021 exhibited concentrations for naphthalene at 31.8 micrograms per Liter (ug/L), 1,2,4-trimethylbenzene at 106 ug/L, 1,3,5-trimethylbenzene at 28.3 ug/L, 1-methylnaphthalene ranging from 16.6 to 57.6 ug/L, 2-methylnaphthalene at 104 ug/L, arsenic (unfiltered) ranging from 134 to 688 ug/L, arsenic (filtered) at 11.3 ug/L, barium at 2,500 ug/L and lead (unfiltered) ranging from 134 to 688 ug/L. These exceed their R2 residential long term published levels of 31.8 ug/L, 60 ug/L, 60 ug/L, 10 ug/L, 40 ug/L, 10 ug/L, 10 ug/L, 2,000 ug/L and 15 ug/L, respectively. Groundwater sample results for lead (filtered) were below laboratory screening levels.
- Vapor Intrusion - This site screens out for current and future vapor intrusion exposure risks because soil and groundwater impacts do not exceed IDEM R2 published levels related to potential vapor intrusion.

The following are additional lines of evidence regarding current conditions at the Site for the subject release:

- All of the source was removed.
- An ERC with groundwater restrictions has been recorded for this property.
- Current land use is commercial and is not expected to change in the next five years.
- Current drinking water is provided by municipal water utility.

Based on the technical reports reviewed by IDEM and the additional lines of evidence, IDEM concludes that no further response actions are required. This NFA determination is based on information known to IDEM at the time of issuance of this letter. If additional information is subsequently obtained by IDEM 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 R2 non-rule policy document (NPD) guidelines and conditions:

- Unconditional closure for soil exposure
- Conditional closure for groundwater exposure
- Unconditional for vapor intrusion exposure
- Recorded ERC (VFC Document # 83536169)

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 fifteen (15) days after it is issued (eighteen (18) days if you receive this notice by U.S. Mail) unless review of this Order is requested before the fifteenth day (eighteenth day if you receive this notice by U.S. Mail), by filing a written request for review with the Office of Environmental Adjudication (OEA), and serving a copy of the request for review upon the Commissioner of the IDEM. You may request that the OEA 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

OEA 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 OEA and the Commissioner of the IDEM at the following addresses:

Director
Office of Environmental Adjudication
Indiana Government Center North
100 North Senate Avenue, Room N103
Indianapolis, Indiana 46204

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

Failure to properly submit a request for review to the OEA, before the fifteenth day following issuance of this determination (eighteenth 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:

- a. Name, address, and telephone number of each person filing the petition.
- b. Identification of the interest of each petitioner in the subject of the petition.
- c. 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.
- d. Statement with particularity the legal issues proposed for consideration in the proceedings.

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

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

If you have procedural or scheduling questions regarding your petition for administrative review, you may contact the OEA at (317) 232-8591 or see OEA's website at <http://www.in.gov/oea>.

This determination is based upon review of the documentation presented to IDEM as well as documents previously submitted and made available to the Petroleum Remediation Section. If additional information or documentation is subsequently provided, IDEM reserves the right to modify this determination as the situation may warrant. If you have any questions, please contact Nawal Hopkins at (317) 234-6645 or toll free at (800) 451-6027. She may also be reached at: nhopkins@idem.IN.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Shay Hartley', enclosed within a thin black rectangular border.

Shay Hartley, Chief
Petroleum Remediation Section
Petroleum Branch
Office of Land Quality
(317) 234-5160
slhartle@idem.IN.gov

ecopy: IDEM File

Henry County Health Department

Christopher Shaw, SME, chris.shaw@sme-usa.com

Mark Stacy, Well Head Protection Area, New Castle Utilities,
ncumanager@gmail.com