



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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**Eric J. Holcomb**  
Governor

**Brian C. Rockensuess**  
Commissioner

July 2, 2024

Mr. Chad Coy  
Paramount Global (f/k/a ViacomCBS Inc.)  
20 Stanwix Street, 10th Floor  
Pittsburgh, PA 15222-1353

\*Transmitted via Email\*

Mr. Scott Jagger  
Progress Rail Manufacturing Corporation  
1605 Progress Drive P.O. Box 1037  
Albertville, AL 35950

Mr. Arie de Jong  
Arizona Maricopa Associates, L.L.C.  
807 East Mission Road  
San Marcos, CA 92069

Mr. Donell Jackson  
ABB, Inc.  
45 Griffin Rd. South  
Bloomfield, CT 06002

Re: Partial Remediation Work Plan Approval  
Archery Field Area  
Progress Rail Facility  
3500 S. Cowan Road  
Muncie, IN 47302  
VRP #6210301

Dear Messrs. Coy, Jagger, de Jong, and Jackson:

Pursuant to Indiana Code 13-25-5-9, the Indiana Department of Environmental Management (IDEM) has reviewed the Partial Voluntary Remediation Work Plan (RWP) submitted for the Archery Field Area at the Progress Rail Facility to ensure the requirements for approval have been met. The Partial RWP was also placed on public notice, and public comments were provided to the IDEM Project Manager by Mundell & Associates, Inc. (MUNDELL) on behalf of the Delaware County Redevelopment Commission. A copy of MUNDELL's comments was uploaded to the IDEM Virtual File Cabinet (VFC) as document #83619157, and IDEM's response to MUNDELL was uploaded to the VFC as document #83653463. Additionally, copies of the public comments and IDEM's responses are attached to this letter. No requests for a public hearing were received.



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*We appreciate your input!*



In accordance with the authority granted by IC 13-25-5-9, staff has recommended that the Partial RWP be approved. Based on that recommendation, the Partial RWP is hereby approved. However, since the Partial RWP does not address the entire Progress Rail Facility, the proposed work plan will not receive a site-wide RWP approval under IC 13-25-5-8.5 and 10 at this time. Please note that in accordance with Indiana Code 13-25-5-14, if you intend to proceed with the implementation of the partial work plan you must notify IDEM in writing within sixty days from the date of this letter of this intent.

Furthermore, since polychlorinated biphenyls (PCBs) were present at concentrations exceeding 50 parts per million (ppm), authorization is also necessary pursuant to 329 IAC 4.1. Staff have also reviewed the Partial RWP and determined that its use should not pose an unreasonable risk of injury to human health or the environment, provided that the Approval Conditions outlined in the July 1, 2024, "TSCA 40 CFR 761.61(c) Risk-Based Disposal Approval" are also met. Therefore, IDEM also approves this Partial RWP in accordance with 329 IAC 4.1-4-1.

IDEM's approval of the Partial RWP is based on an agreement that the circumstances of this Voluntary Remediation Project make it reasonable to address the Archery Field Area separately from the rest of the Progress Rail Facility. Additionally, this approval is provided based upon the technical viability of the proposed plan. Approval by IDEM of a proposed plan does not authorize violation of any local ordinances, state, or federal laws or regulations.

In accordance with the Indiana Code 13-25-5-13, this notice is issued to comply with due process requirements under Indiana Code 4-21.5-3-5(b) and (c). Additionally, other people have been notified of this action pursuant to Indiana Code 4-21.5-3-5(b)5. They are identified at the end of this letter.

Pursuant to Indiana Code 13-25-5-13(3), you, as the Applicant, may appeal this action. Should you decide to appeal this action, Indiana Code 4-21.5-3-7(a)(2) requires that you do so within fifteen (15) days of receipt of this notice. A petition for appeal must be submitted in writing to the Office of Administrative Law Proceedings, IGCN, Room N802, 100 North Senate Avenue, Indianapolis, Indiana 46204. Interested parties who appeal this action are requested to submit a copy of the petition to the Voluntary Remediation Program, 100 North Senate Ave, N1101, Indianapolis, Indiana 46204-2251. Please consult Indiana Code 4-21.5 for requirements to appeal this decision.

If you have any questions, please contact your Project Manager, Mark A. Nance, at (317) 233-7089, (800) 451-6027 or at [MNance@idem.IN.gov](mailto:MNance@idem.IN.gov).

Thank you for your participation in the Voluntary Remediation Program, and I look forward to the successful completion of this project.

Sincerely,

A handwritten signature in black ink, appearing to read "William Holland". The signature is fluid and cursive, with a long horizontal stroke at the end.

William Holland, Section Chief  
Voluntary Remediation Program  
Office of Land Quality

MN:tt

ec: Mayor Dan Ridenour, City of Muncie, Indiana  
Ms. Donna Wilkins, Health Officer, Delaware County Health Department  
Mr. Michael O'Connell, PSARA Technologies, Inc.  
Mr. Michael Hessling, PSARA Technologies, Inc.  
Mr. David Gillay, Barnes & Thornburg LLP  
Mr. Peter Ramanauskas, U.S. EPA, Region 5  
Mr. John Steketee, U.S. EPA, Region 5  
Mr. Tyler Jacobs, U.S. EPA, Region 5  
Ms. Julie Lang, IDEM, Office of Legal Counsel  
Mr. George Ritchotte, IDEM, Office of Land Quality  
Mr. Don Stiliz, IDEM, Hazardous Waste Permit Section  
Mr. Chris Myer, IDEM, Hazardous Waste Permit Section  
Mr. John A. Mundell, P.E., L.P.G., P.G., Mundell & Associates, Inc.

Enclosures: Public Comment from Mundell & Associates, Inc. on behalf of the Delaware County Redevelopment Commission and IDEM's Response



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110 South Downey Avenue, Indianapolis, Indiana 46219-6406  
Telephone 317-630-9060, Facsimile 317-630-9065  
[www.MundellAssociates.com](http://www.MundellAssociates.com)

March 29, 2021

Mr. Chad Coy  
Paramount Global  
20 Stanwix Street, 10th Floor  
Pittsburgh, PA 15522-1353

Mr. Mike Hessling, P.E.  
PSARA Technologies, Inc.  
10925 Reed Hartman Highway, Ste 220  
Cincinnati, OH, 45242

CC: Mr. Mark A. Nance, IDEM Voluntary Remediation Program

Re: **Comments on the Partial Remediation Work Plan - Archery Field Area  
Progress Rail Facility  
VRP Site # 6210301  
Public Comment**  
3500 South Cowan Road  
Muncie, IN, 47302  
MUNDELL Project No. M21013

Dear Mr. Coy and Mr. Hessling:

On behalf of the Delaware County Redevelopment Commission (Delaware County), Mundell & Associates, Inc. (MUNDELL) is submitting comments regarding the *Remediation Work Plan Archery Field Area*, Indiana Department of Environmental Management (IDEM) Virtual File Cabinet (VFC) Document #83583010. Below is a list of comments, concerns, and requests for further clarification regarding the Remediation Work Plan (RWP).

### ***Project Description***

MUNDELL understands that the Archery Field Area RWP is limited to impacted soils and sediment within the Archery Field Area of the Progress Rail Facility at 3500 South Cowan Road, Muncie, Indiana, and that further activities such as groundwater investigation, remediation, and investigation of Buck Creek and further downstream areas will be addressed in separate work plan(s). Ongoing work in other areas of concern (AOCs) of the Progress Rail Facility have proceeded under separate Voluntary Remediation

Program project numbers (i.e., #6000407 and #6000408). Documents related to other AOCs at the Progress Rail Facility have not been reviewed by MUNDELL and are not addressed in these comments except where directly relevant to the Archery Field Area RWP.

### **MUNDELL Comment No. 1**

The term ‘archive’ is used in results Tables 1, 2 & 3 and in Figures 8, 9, 10 and 11. No indication of what this term is referring to is provided with either the tables or the figures. Defining a term used in a table or figure is important when an RWP is provided for public review and comment. As such, defining this term used in the report appears to require further clarification.

### **MUNDELL Comment No. 2**

The RWP states on page 12:

*“No samples were taken further west of A2 and B2, which drops off over 8 feet from the ground surface being sampled around PZ-17, as these soils had been excavated during construction of the new test railroad tracks. Despite the grid layout cutting off at the edge of the railroad tracks, this area had already been delineated by PSARA as part of the 1991 investigation and by LP Environmental as part of the 2011-2012 Phase II ESA.”*

As is noted in the RWP, the earlier soil delineations were not done using the grid approach employed in the final 2012-2013 investigation. According to the site use timeline provided, the test track construction around the Archery Field Area occurred in 2011. Although the RWP notes that this area was ‘delineated’ in the earlier, non-grid-based approach, it is possible, given the spacing between the older data points, and the presence of higher PCB concentrations at points A2 and B2 (see Figure 8), that the excavation for the test track disrupted PCB-impacted soils in the area. The RWP does not provide any information or description regarding the ultimate disposition of those excavated soils.

### **MUNDELL Comment No. 3**

Although groundwater is generally not anticipated to be encountered, rain events may occur during excavation which may require management of flooded excavation pits. Section 5.4 of the RWP provides water management options for the excavation work. Water that is removed from excavations will be stored in on-site tanks and tested for PCBs. It was not indicated what screening level(s) would be used for assessing collected waters for disposal (e.g.: individual Aroclor levels or total PCBs?), nor was it described what potential ‘onsite treatment’ options may be performed on these collected waters. Further clarification regarding screening levels and potential onsite treatment methods for these collected waters would be beneficial.



### **MUNDELL Comment No. 4**

Section 5.0 of the RWP (“Remediation Technical Approach”) includes procedures for covering and protecting soil stockpile areas from the elements prior to transport and disposal offsite. The RWP notes that:

*“The stockpiles will be placed on and covered by a 30-mil impermeable synthetic liner to protect the underlying soils, prevent rainfall from mixing with the stockpiled soils, and prevent dispersal of the material by wind.”*


However, no dust monitoring or suppression plans are provided for the excavation work areas themselves. Given that the excavation work is planned for the dry summer months, dust control measures should be utilized for the excavation work areas to prevent particulates from impacting site workers and to limit dust from leaving the site through wind action.

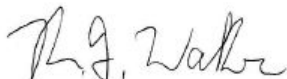
### **Summary and Conclusions**

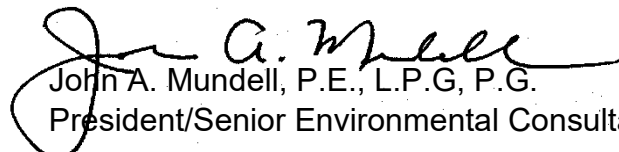
On behalf of Delaware County and in response to the 30-day period on the RWP for the Archery Field Area, MUNDELL respectfully submits the aforementioned comments. We appreciate the opportunity to provide these comments. If you should have any questions regarding the attached, please do not hesitate to contact the undersigned at 317-630-9060, [ljohnstone@MundellAssociates.com](mailto:ljohnstone@MundellAssociates.com) or [walker@MundellAssociates.com](mailto:walker@MundellAssociates.com).

Sincerely,  
**MUNDELL & ASSOCIATES, INC.**

  
Shannon Lisa  
Environmental Scientist

  
Luke J. Johnstone, P.E.  
Project Environmental Engineer

  
Rachel Walker, PhD, L.P.G.  
Principal Geologist

  
John A. Mundell, P.E., L.P.G., P.G.  
President/Senior Environmental Consultant

/rw





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**Eric J. Holcomb**  
Governor

**Brian C. Rockensuess**  
Commissioner

June 13, 2024

Mr. John A. Mundell, P.E., L.P.G., P.G.  
President/Senior Environmental Consultant  
Mundell & Associates, Inc.  
110 South Downey Avenue  
Indianapolis, IN 46219-6406

\*Transmitted via Email\*

Re: Comments on the Partial Remediation Work Plan - Archery Field Area  
Progress Rail Facility  
3500 South Cowan Road  
Muncie, IN 47302  
VRP #6210301

Dear Mr. Mundell:

The Indiana Department of Environmental Management (IDEM) is pleased to provide responses to your public comments submitted on behalf of the Delaware County Redevelopment Commission on March 29, 2024 regarding the Partial Remediation Work Plan (RWP) - Archery Field Area for the Progress Rail Facility. Your comments, followed by IDEM's responses, are presented below.

## Public Comment #1

*The term 'archive' is used in results Tables 1, 2 & 3 and in Figures 8, 9, 10 and 11. No indication of what this term is referring to is provided with either the tables or the figures. Defining a term used in a table or figure is important when an RWP is provided for public review and comment. As such, defining this term used in the report appears to require further clarification.*

## IDEM Response to Public Comment #1

The site consultant, PSARA Technologies, Inc. (PSARA), has stated that the term 'archive' initially referred to samples that were collected and stored for potential future analysis by the laboratory. Since none of the samples marked as 'archive' were analyzed, then the term 'not analyzed' should have been used, rather than 'archive'.

## Public Comment #2

*The RWP states on page 12:*

*"No samples were taken further west of A2 and B2, which drops off over 8 feet from the ground surface being sampled around PZ-17, as these soils had been excavated during construction of the new test railroad tracks. Despite the grid layout cutting off at the edge of the railroad tracks, this area had already been delineated by PSARA as part of the 1991 investigation and by LP Environmental as part of the 2011-2012 Phase II ESA."*



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*We appreciate your input!*



*As is noted in the RWP, the earlier soil delineations were not done using the grid approach employed in the final 2012-2013 investigation. According to the site use timeline provided, the test track construction around the Archery Field Area occurred in 2011. Although the RWP notes that this area was ‘delineated’ in the earlier, non-grid-based approach, it is possible, given the spacing between the older data points, and the presence of higher PCB [polychlorinated biphenyl] concentrations at points A2 and B2 (see Figure 8), that the excavation for the test track disrupted PCB-impacted soils in the area. The RWP does not provide any information or description regarding the ultimate disposition of those excavated soils.*

#### IDEM Response to Public Comment #2

PSARA has stated that the soil previously present west of the PZ-17 area was excavated to an unknown terminus by Progress Rail Manufacturing Corporation (Progress Rail). Several samples were collected prior to the excavation that did not exhibit PCB detections. The excavation and sampling activities were completed as part of the locomotive test track construction project undertaken by Progress Rail. These activities were not within the scope of the Archery Field Area Partial RWP.

#### Public Comment #3

*Although groundwater is generally not anticipated to be encountered, rain events may occur during excavation which may require management of flooded excavation pits. Section 5.4 of the RWP provides water management options for the excavation work. Water that is removed from excavations will be stored in on-site tanks and tested for PCBs. It was not indicated what screening level(s) would be used for assessing collected waters for disposal (e.g.: individual Aroclor levels or total PCBs?), nor was it described what potential ‘onsite treatment’ options may be performed on these collected waters. Further clarification regarding screening levels and potential onsite treatment methods for these collected waters would be beneficial.*

#### IDEM Response to Public Comment #3

PSARA plans to dispose of any potentially impacted water at an off-site commercial facility. The water management plan calls for blocking and diverting water around exposed areas during excavation activities. This will minimize any contamination of stormwater as well as reduce the need for water disposal. PSARA also has stated that they will expend significant effort to ensure that the water management plan is followed during any rain events. Any collected water will be sampled for total PCBs prior to disposal.

#### Public Comment #4

*Section 5.0 of the RWP (“Remediation Technical Approach”) includes procedures for covering and protecting soil stockpile areas from the elements prior to transport and disposal offsite. The RWP notes that:*

*“The stockpiles will be placed on and covered by a 30-mil impermeable synthetic liner to protect the underlying soils, prevent rainfall from mixing with the stockpiled soils, and prevent dispersal of the material by wind.”*



*However, no dust monitoring or suppression plans are provided for the excavation work areas themselves. Given that the excavation work is planned for the dry summer months, dust control measures should be utilized for the excavation work areas to prevent particulates from impacting site workers and to limit dust from leaving the site through wind action.*

IDEM Response to Public Comment #4

According to PSARA, dust control measures were assessed prior to developing the Archery Field Area Partial RWP. Additionally, based on the PCB concentrations in affected soils and the location of potential public receptors in relation to the project area, it was determined by PSARA that airborne PCB exposure would not be a concern. As a result, dust control provisions were not included in the Partial RWP. PSARA expects that the Toxic Substances Control Act (TSCA) phase of the excavation activities should be complete within one day. However, dust mitigation and other controls (work stoppage, engineering assessment, etc.) will be implemented if fugitive dust appears to be a potential concern during excavation activities.

If you have any questions regarding IDEM's responses or the Archery Field Area Partial RWP, please contact me at (317) 233-7089, (800) 451-6027, or at [MNance@idem.IN.gov](mailto:MNance@idem.IN.gov).

Sincerely,



Mark A. Nance,  
Senior Environmental Manager  
Voluntary Remediation Program  
Office of Land Quality

cc: Luke J. Johnstone, P.E., Mundell & Associates, Inc.  
Rachel Walker, Ph.D., L.P.G., Mundell & Associates, Inc.