



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

Eric J. Holcomb
Governor

Bruno L. Pigott
Commissioner

October 17, 2018

VIA E-MAIL

Mr. Patrick Kennedy
Tanners Creek Development, LLC.
1650 Besteres Rd., Suite 303
St Louis, MO 63131

Dear Mr. Kennedy:

Re: Inspection Summary Letter
Tanners Creek Development, LLC.
EPA ID # IND000815878
Solid Waste Program ID 15-12
Lawrenceburg, Dearborn County

On October 10, 2018, representatives of the Indiana Department of Environmental Management, Office of Land Quality, conducted a complaint inspection of the Tanners Creek Development, LLC, Fly Ash Pond located at 800 AEP Drive, Lawrenceburg, IN. This inspection was conducted pursuant to IC 13-14-2-2. For your information, and in accordance with IC 13-14-5, a summary of the inspection is provided below:

Type of Inspection: Complaint (RM Incident #83067)

Results of Inspection: **No violations were observed.**

Please direct any response to this letter and any questions to me at (317) 753-9631 or pguntle@idem.IN.gov.

Sincerely,

Phil Guntle, Environmental Manager
Industrial Waste Compliance Section
Compliance Branch
Office of Land Quality

Enclosure

cc: Dearborn County Health Department

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF LAND QUALITY**

Complaint Inspection Report

EPA ID NUMBER: IND000815878
NAME: Tanners Creek Development, LLC
Fly Ash Pond
ADDRESS: 800 AEP Drive
CITY & COUNTY: Lawrenceburg, Dearborn County
INSPECTION DATE: October 10, 2018
INSPECTOR(S): Phil Guntle, Alan Minne and George Ritchotte (Industrial Waste Compliance Section), Chad Pitman (Solid Waste Compliance)

PERSONS INTERVIEWED

TITLE

TELEPHONE

Russell Becker

President,
EnviroAnalytics Group

(314) 686-5611

PRE-INSPECTION INFORMATION

A complaint was filed on August 31, 2018 with IDEM (RM Incident # 83067), alleged that the property owners were allowing the fly ash pond to sit uncovered and that drains were being built so that water run-off was flowing off the property.

INSPECTION FINDINGS

On October 10, 2018, staff conducted a complaint inspection. Mr. Russel Becker, EnviroAnalytics Group, represented the facility during the inspection. Staff informed Mr. Becker that this complaint was in regards to the ash pond referred to as the Fly Ash Pond and not the Main Ash Pond. Mr. Becker indicated that the entire Fly Ash Pond was lined, all the way out to the edge of the drainage ditches. The Fly Ash Pond is in the process of closing and re-grading. Engineering plans for the closure have been submitted to IDEM and are currently under review. The facility wants to wait to finalize closure of the pond until final plans for the redevelopment of the site have been settled.

IDEM staff began the inspection by walking from the east side of the pond to the far west side. At the time of the inspection, no standing water was present in the former pond. There was some evidence of previous water flow that created some erosion channels in the ash pond. Ash was noted outside the inner bermed area of the pond, but it appeared as though all the waste

had been contained within outermost berm and within the pond liner. It did not appear as though any construction of any drains to exit the lined pond system had been begun.

The far west end of the pond included an area known as the Clear Water Pond. Waters from the Fly Ash Pond are directed to this Clear Water Pond. Excess water in the Clear Water Pond is then pumped over to the Main Ash Pond and discharged through an NPDES permit issued by the IDEM, Office of Water Quality.

CONCLUSIONS AND RECOMMENDATIONS

No specific issues were noted at the Fly Ash Pond during this inspection. Ash was observed outside the inner bermed area of the pond, but the ash was contained within the footprint of the lined area. Observation made during this inspection will be forwarded to the Office of Land Quality Permit Branch, who are currently reviewing the plans submitted by Tanners Creek Development LLC for the closure of this pond.

Photo Log



Photo 1

Facility Name: Tanners Creek Development, LLC. Fly Ash Pond

Photographer: Phil Guntle

Date: October 10, 2018

Others Present: Alan Minne (IDEM), George Ritchotte (IDEM), Chad Pittman (IDEM), Russell Becker (Facility)

Location & Description: Fly Ash Pond, facing west. c



Photo 2

Facility Name: Tanners Creek Development, LLC. Fly Ash Pond

Photographer: Phil Guntle

Date: October 10, 2018

Others Present: Alan Minne (IDEM), George Ritchotte (IDEM), Chad Pittman (IDEM), Russell Becker (Facility)

Location & Description: Fly Ash Pond.



Photo 3

Facility Name: Tanners Creek Development, LLC. Fly Ash Pond

Photographer: Phil Guntle

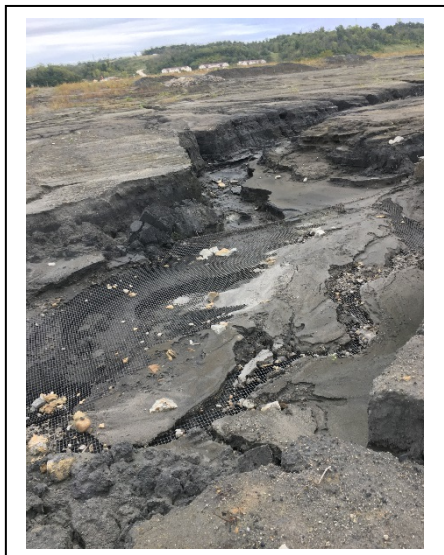
Date: October 10, 2018

Others Present: Alan Minne (IDEM), George Ritchotte (IDEM), Chad Pittman (IDEM), Russell Becker (Facility)

Location & Description: Fly Ash Pond.

Photo Log

Photo 4



Facility Name: Tanners Creek Development, LLC. Fly Ash Pond

Photographer: Phil Guntle

Date: October 10, 2018

Others Present: Alan Minne (IDEM), George Ritchotte (IDEM), Chad Pittman (IDEM), Russell Becker (Facility)

Location & Description: Erosion in the fly ash.

Photo 5



Facility Name: Tanners Creek Development, LLC. Fly Ash Pond

Photographer: Phil Guntle

Date: October 10, 2018

Others Present: Alan Minne (IDEM), George Ritchotte (IDEM), Chad Pittman (IDEM), Russell Becker (Facility)

Location & Description: Erosion in the fly ash.

Photo 6



Facility Name: Tanners Creek Development, LLC. Fly Ash Pond

Photographer: Phil Guntle

Date: October 10, 2018

Others Present: Alan Minne (IDEM), George Ritchotte (IDEM), Chad Pittman (IDEM), Russell Becker (Facility)

Location & Description: Clear Water Pond at the far west end of Fly Ash Pond.

**NOTICE OF INSPECTION**

State Form 50890 (R3 / 11-05)

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

100 N. Senate Avenue
Indianapolis, IN 46204-2251

Telephone: (800) 451-6027 or (317) 232-8603

This is to notify you that on 10/10/18 an inspection of Tannock Creek Property was conducted by the undersigned representative of the Indiana Department of Environmental Management (IDEM), Office of Low Quality.

Type of Inspection (may include more than one):

- RCS

 Gibbs 314
- Complaint
 Multi-Media Screening Evaluation
 Other Old factory site

Preliminary Inspection/Screening Findings:

These findings are considered preliminary and identify specific compliance issues discovered during the above-noted inspection that the designated agent of IDEM believes may be a violation of a statute(s), rule(s) or permit(s) issued by IDEM.

Single Media Inspection:

- No violations were discovered with respect to the particular items observed during the inspection.
 Violations were discovered but corrected during the inspection.
 Violations were discovered and require a submittal from you and/or follow-up inspection by IDEM.
 Violations were discovered and may subject you to an appropriate enforcement response.
 Additional information/review is required to evaluate overall compliance.
 Other / Comments (attachment may be included) _____

Multi-Media Screening (Please note that a multi-media screening is not a comprehensive evaluation of the compliance status of the facility):

- Multi-media screening not conducted.
 No violations were discovered with respect to the limited multi-media screening conducted by IDEM.
 Potential violations were discovered but corrected during the inspection.
 Potential violations were discovered and may be further investigated.

Pollution Prevention:

Pollution prevention is the preferred means of environmental protection in Indiana. The goal of pollution prevention is to promote changes in business and commercial operation, especially manufacturing processes, so that Indiana businesses increase productivity, generate less environmental wastes, reduce their regulatory responsibilities and become more profitable. Your participation in Indiana's pollution prevention program is entirely voluntary. If you have any pollution prevention questions, you may contact our Office of Pollution Prevention and Technical Assistance (OPPTA) at (317) 232-8172 or (800) 988-7901, or visit OPPTA's Web site at www.idem.IN.gov/oppta/p2/. Would your company like to be contacted by IDEM's Office of Pollution Prevention and Technical Assistance? Yes No

Compliance Assistance:

In addition to the compliance assistance offered by IDEM's individual programs, IDEM's Compliance and Technical Assistance Program (CTAP) offers free, confidential compliance assistance to regulated entities, including small businesses and municipalities, throughout Indiana. In the future, if you would like to request free, confidential compliance assistance, call (317) 232-8172 or (800) 988-7901, or visit CTAP's Web site at www.idem.IN.gov/ctap.

A summary of violations and concerns noted during the inspection was verbally communicated to the undersigned representative during the inspection. The facility should correct any violations noted as soon as possible. Violations identified and corrected during the inspection may still be cited as violations.

A written inspection summary will be provided within 45 days. In accordance with IC 13-14-5-4, matters not evident to IDEM at the time of the inspection might not be included in either the verbal or written inspection summary.

IDEM Representative:

Printed Name	Signature	Phone Number	Date	Time
Alan Miano	<i>Alan Miano</i>	317-691-6532	10/10/18	In: Out:

Owner/Agent Representative:

Printed Name	Signature	Title	Phone Number	Date
Russ Becker	<i>Russ Becker</i>	PRESIDENT	317-698-5611	10/10/18

DISTRIBUTION: White – IDEM Public File; Canary – Office of Pollution Prevention and Technical Assistance [if OPPTA assistance is requested] or IDEM Representative (i.e., inspector) [if OPPTA assistance is not requested]; Pink – Owner/Agent Representative

Christie, Kae

From: Patrick Kennedy <pkennedy@enviroanalyticsgroup.com>
Sent: Wednesday, October 17, 2018 3:29 PM
To: Christie, Kae
Cc: Guntle, Phillip; Finkelstein, Rebecca; RITCHOTTE, GEORGE; AL-SALEEM, ZAIDOOON;
Amick, Mark; HALE, JOHN; Dan Dunn
Subject: RE: Tanners Creek Development , LLC

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Hi Kae,

I have received the inspection report for the Fly Ash Pond for Tanners Creek LLC.

Thanks,

Patrick Kennedy, PE



PLEASE NOTE THE CHANGE IN ADDRESS

1515 Des Peres Road, Suite 300
Saint Louis, Missouri 63131
(314) 479-8397 Cell
(314) 835-2822 Office
pkennedy@enviroanalyticsgroup.com
<http://www.enviroanalyticsgroup.com>

From: Christie, Kae <KChristie@idem.IN.gov>
Sent: Wednesday, October 17, 2018 1:57 PM
To: Patrick Kennedy <pkennedy@enviroanalyticsgroup.com>
Cc: Guntle, Phillip <pguntle@idem.IN.gov>; Finkelstein, Rebecca <RFinkels@idem.IN.gov>; RITCHOTTE, GEORGE <GRITCHOT@idem.IN.gov>; AL-SALEEM, ZAIDOOON <ZALSALIEE@idem.IN.gov>; Amick, Mark <MAMICK@idem.IN.gov>; HALE, JOHN <JHALE@idem.IN.gov>; Dan Dunn <ddunn@enviroanalyticsgroup.com>
Subject: Tanners Creek Development , LLC

Dear Mr. Patrick Kennedy

Please find the attached documents based on an inspection the Indiana Department of Environmental Management, Office of Land Quality, conducted on October 10, 2018, **please confirm you received the documents via-email.**

Thank you

Kae Christie
Administrative Assistant

Department of Environmental Management
Office of Land Quality
IGCN, Rm 1101
317-234-6951
kchristie@idem.in.gov