



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

Brian C. Rockensuess
Commissioner

April 1, 2022

VIA ELECTRONIC MAIL

Mr. Shane Neal
G & G Oil Company Indiana
220 E. Centennial Ave
PO Box 71
Muncie, Indiana 47303
Shane.neal@ggoil.com

Dear Mr. Neal:

Re: **No Further Action Approval
Determination Pursuant to
Remediation Closure Guide**
Village Pantry #468
3300 S. Madison Street
Muncie, IN 47302
Delaware County
Facility ID #2244
Incident #202104500

IDEM staff received your No Further Action (NFA) request for the Village Pantry #468 facility located at 3300 S Madison Street in Muncie, Indiana for Incident #202104500 (the Site).

IDEM reviewed the following document:

- Initial Site Characterization Report, prepared by Terra Environmental Corp, dated July 21, 2021 (Virtual File Cabinet Document #83188682)

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

- Soil – All chemicals of concern (COCs) remaining in the soil are below the Remediation Closure Guide (RCG) residential direct contact screening levels.
- Groundwater – Several COCs remain in the groundwater above the RCG tap water screening level and are listed in the table below. All other COCs are below

the RCG tap water screening level. Concentrations are presented in micrograms per liter (µg/L).

Chemical of Concern	Highest Groundwater Concentration	RCG residential tap water screening level
Benzene	141.0 µg/L	5.0 µg/L
1-Methylnaphthalene	92.2 µg/L	11.0 µg/L
2-Methylnaphthalene	141.0 µg/L	36.0 µg/L
Naphthalene	65.6 µg/L	1.2 µg/L
Lead	26.0 µg/L	15.0 µg/L

- Vapor Intrusion – Benzene remains in the groundwater at 141 µg/L which is above the RCG residential vapor intrusion screening level of 28 µg/L.

Based on the technical reports reviewed by IDEM, IDEM concludes that no further response actions are required as long as the owner abandons the monitoring wells in accordance with 312 IAC 13-10-2 and complies with the conditions of this decision. 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 Remediation Closure Guide non-rule policy document (NPD) guidelines and conditions:

- Unconditional closure for soil exposure
- Conditional closure for groundwater exposure
- Conditional closure for vapor intrusion exposure
- Recorded Environmental Restrictive Covenant (Virtual File Cabinet Document #83274329)

All wells installed associated with the release at the site must be permanently abandoned in accordance with the Indiana Department of Natural Resources (IDNR) regulation 312 IAC 13-10-2 (Permanent Abandonment of Wells) and IDEM's "Drilling Procedures and Monitoring Well Guidelines Non-rule Policy Document (Waste-0053)". Additionally, IDNR regulations require that Well Abandonment Forms be submitted to IDNR.

If you are eligible and will be seeking reimbursement from the Excess Liability Trust Fund (ELTF) for well abandonment activities, completed "Record of Water Well" (State Form 35680) for all wells (monitoring and treatment) should be signed by the licensed Well Driller and submitted as documentation in your ELTF Claim, in addition to other required backup for reimbursement. **Submittal under separate cover is not required for technical approval.**

Please note that as required by 328 IAC 1-3-3(a)(2) you must submit all claims for payment of reimbursable costs related to the ISC conducted under 329 IAC 9-5-5.1

within three hundred sixty-five (365) days after submittal of all reports required under 329 IAC 9. Additionally, any remaining claims for payment of reimbursable costs must be submitted within three hundred sixty-five (365) days after the date those costs were incurred. In addition, all re-submittals associated with any disallowed cost must be received by the department within three hundred sixty-five (365) days after the denial of the claim.

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, 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 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 Office of Environmental Adjudication, 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.

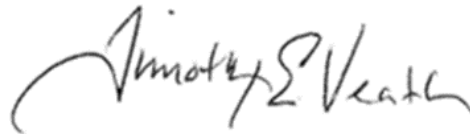
The petition for administrative review should also contain the following information:

- 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 Office of Environmental Adjudication 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 Roxann Klika Sanders at (317) 234-0977 or toll free from within Indiana at (800) 451-6027. She may also be reached at: rsanders@idem.IN.gov.

Sincerely,



Timothy E. Veatch, Chief
Petroleum Remediation Section
Petroleum Branch
Office of Land Quality
(317) 234-0980
tveatch@idem.IN.gov

ecopy:IDEM File

Mark Basch, IDNR Division of Water
Delaware County Health Department
Jason Stephens, Terra Environmental Corp,
Harpreet Singh, Spirit2Go, LLC punjabi3616@gmail.com

Ellis, Roberta

From: Shane Neal <shane.neal@ggoil.com>
Sent: Sunday, April 03, 2022 7:20 PM
To: Ellis, Roberta
Subject: Re: IDEM PRS CORRESPONDENCE FID 2244 NFA
Attachments: image001.png; image008.png; image004.png; image005.png; image006.png; image007.png; NFA 2244.pdf

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

Good evening Bobbi,

I have received & read the attached email.

Thank you,

Shane Neal
President
G&G Oil Company of Indiana, Inc.
220 E Centennial Ave
Muncie, IN 47303
(765) 288-7795

On Apr 1, 2022, at 12:42 PM, Ellis, Roberta <REllis@idem.in.gov> wrote:

RETURN E-MAIL RECEIPT REQUESTED

The IDEM Petroleum Remediation Branch is now sending formal communication (signed letters) via electronic mail (e-mail). IDEM has provided electronic copies of our letters to consultants for several years and are now also providing our correspondence via e-mail to the Registered UST Owner/Operator or Responsible Party. The UST Branch will only utilize the US Postal Service if e-mail is not available. We believe that this approach is not only more economically responsible, but will also allow us to reach our customers in a more timely manner.

In that regard, IDEM is requesting a return receipt via email indicating that the correspondence has been received for our records. Please review and respond appropriately to the attached IDEM correspondence per IDEM document submittal guidelines. We hope to continue working with you to improve our customer service. Please notify IDEM if you have a preferred email address for this correspondence or regarding any e-mail address changes. If you have any questions please feel free to contact me at 317/232-8900 or Tim Veatch at 317/234-0980.

Bobbi Ellis

Secretary | Petroleum Remediation Section
Petroleum Branch | Office of Land Quality
Indiana Department of Environmental Management

(317) 232-8900 | rellis@idem.IN.gov

Coping with COVID-19:

- **Indiana State Dept. of Health (ISDH) COVID-19 Call Center:** Call 877-826-0011 (open 24/7)
- **Anthem NurseLine:** Call 800-337-4770 or visit the Anthem NurseLine online for a FREE symptom screening. Available to anyone with an Anthem health plan (this includes State of IN employees)
- **Anthem Employee Assistance Program (EAP):** Available to ALL state employees and adults in household regardless of health plan participation. Call 800-223-7723 or visit anthemeap.com (enter State of Indiana) for crisis counseling, help finding child/elder care, legal/financial consultation and much mor