

90-Day Short-Term Response Update

Indiana Transportation Museum
825 Forest Park Drive
Noblesville, IN 46060

Prepared By

Pat Likins

Reviewed By

James P. Hogan, LPG
August 28, 2017





Table of Contents

| | |
|--|----------|
| 1 Introduction | 2 |
| 2 Points of Contact | 3 |
| 2.1 ITM Points of Contact | 3 |
| 2.2 Legal Point of Contact | 3 |
| 2.3 Environmental Consultant Point of Contact | 4 |
| 3 Response Procedures & Timeline | 5 |
| 3.1 Contractor Selection (July-August 2017) | 5 |
| 3.2 Surveying Schedule (August-September 2017) | 5 |
| 3.3 Characterization and Waste Profiling (August-September 2017) | 5 |
| 3.4 Removal (September-October 2017) | 6 |
| 3.5 Regulatory Reporting to IDEM (August-November 2017) | 6 |
| 4 Summary | 7 |



1 Introduction

The Indiana Transportation Museum, Inc. (“ITM”) provides the below *90-Day Short-Term Response Update* (“STR”) per the City of Noblesville’s (“City’s”) demand of 5/30/17. The STR is effectively a progress report and schedule of activities necessary to rectify potential violations and regulatory compliance initiatives since our *60-day Response Update* report, dated 7/29/17.¹

The City issued its letter to the ITM on 5/30/17² that explained how the WRTV-6 news media outlet informed the City that it observed several chemicals and petroleum products that appeared to be improperly stored and sealed when it visited the ITM during the week of 5/15/17. Additionally, WRTV-6 observed chemical staining on the grounds of the maintenance area. In response, the City inspected the property it leases to the ITM (“Property”)³ on 5/17/17, reported its observations to the Indiana Department of Environmental Management (“IDEM”), who in turn inspected the Property on 5/31/17.

4

¹ ELAM, 2017, *60-Day Short-Term Response Update*, 7/29/17.

² City, 2017, *Hazardous Spills at the Site of the Indiana Transportation Museum*, TO: Craig Presler, Indiana Transportation Museum, Inc., David Wilcox, Indiana Transportation Museum Foundation, LLC, Craig Presler, ITM Railroad Operations, LLC, and Michelle Yerkson, ITM Assets, LLC, FROM: Mayor John Ditslear, City of Noblesville and Scott Noel, President, Noblesville Parks and Recreation Board, 5/30/17.

³ The legal description of the Property is under review by a licensed surveyor to determine the perimeter of the leasehold.

⁴ IDEM, 2017, *Notice of Liability and Information Request*, TO: Mayor John Ditslear, City of Noblesville, Craig Presler, Registered Agent, Indiana Transportation Museum, Inc., FROM: Harry Atkinson, State Cleanup Section Chief, IDEM Office of Land Quality, 6/9/17.



2 Points of Contact

The ITM takes this matter very seriously. As a result, the ITM has retained several points of contact to handle communications associated with this matter as outlined below.

2.1 ITM Points of Contact

Mr. John McNichols
Chair
Indiana Transportation Museum Inc.
P.O. Box 83
Noblesville, IN 46061

Mr. Les McConnell
Vice Chair
Indiana Transportation Museum Inc.
P.O. Box 83
Noblesville, IN 46061

2.2 Legal Point of Contact

The ITM may be reached through Barnes & Thornburg LLP as its legal counsel in this matter. The ITM's point of contact at Barnes & Thornburg is:

Mr. David Gillay, Esq.
Barnes & Thornburg LLP
11 South Meridian Street
Indianapolis, IN 46204-3535

david.gillay@BTLaw.com
(317) 231-7474



2.3 Environmental Consultant Point of Contact

The ITM retained The Environmental Liability and Asset Management Group, LLC (dba The ELAM Group) as its environmental consultant. The point-of-contact and Licensed Professional overseeing this matter is:

James P. Hogan, LPG #2166
President & CEO
The ELAM Group
176 W. Logan Street, Suite 147
Noblesville, IN 46060

james.hogan@elamusa.com
(888) 510-3526 x102



3 Response Procedures & Timeline

Since the ITM received the City's letter on 6/1/17, it conducted several actions over the first 60 days as outlined in the *30-Day Response Update* report, dated 6/29/17, and the *60-Day Response Update*, dated 7/29/17. This update contains remaining actions and a schedule for the ITM's work to inventory, characterize, containerize, transport and dispose of waste identified within the Property.

3.1 Contractor Selection (July-August 2017)

The materials inventory and locality of wastes within the rail yard was necessary to properly identify qualified contractors who could handle the waste removal work. This bidding and selection process was conducted during July and early August. Time was necessary to vet the qualified contractors, allow each to visit the site and provide qualified bids for the scope of work. Liquid Waste Removal, Inc. ("LWR") was selected to assist with these activities.

3.2 Surveying Schedule (August-September 2017)

The Property will be surveyed by a licensed surveyor. The work will include a legal description of the Property to go along with a survey of the Property's perimeter, topography and geographic points of reference. Maps developed during this survey will be included in the regulatory reporting outlined below.

3.3 Characterization and Waste Profiling (August-September 2017)

With the materials inventory complete and a qualified waste contractor selected, The ITM is now prepared to characterize the waste. This work is scheduled to begin on 8/29/17. During the fieldwork, The ELAM Group will collect samples of the wastes as necessary to properly characterize each waste stream. Thereafter, waste profiles will be generated and processed with the properly licensed disposal facilities. If hazardous waste profiles are necessary, the waste profile approval process could take 30 days or more after submittal to the disposal facility.



3.4 Removal (September-October 2017)

After waste profiles have been accepted by each applicable disposal facility, the wastes will be removed from the site. We anticipate that the non-hazardous waste will be loaded, transported and disposed at a licensed facility in early October and that any hazardous waste will be loaded, transported and disposed in late October.

3.5 Regulatory Reporting to IDEM (August-November 2017)

Throughout the course of the the above waste characterization and removal schedule, The ELAM Group will prepare 60-Day and 90-Day Progress Reports for the Indiana Department of Environmental Management's ("IDEM") Compliance & Response Branch ("CRB") by 9/22/17 and 10/22/17, respectively. Upon receipt of the final fully-executed waste manifests, The ELAM Group will prepare a comprehensive summary of the removal actions in a report that documents the ITM's compliance with the IDEM CRB's violations, as required. A copy of each of these letters and report will be furnished to the City.



4 Summary

The ITM is dedicating adequate resources to the tasks necessary to comply with the demands of the City as well as the laws of the State of Indiana. Because Progress Reports will be sent to IDEM's CRB going forward, the ITM will discontinue with these STRs to the City and will substitute the STRs going forward with copies of our regulatory reporting to IDEM as outlined in Section 3.1.4. Should the City have any questions relating to this report, please reach out to the proper points of contact outlined in Section 2.0.