

**PHASE I ENVIRONMENTAL SITE ASSESSMENT
PENDLETON BUSINESS PARK
FOR THE
TOWN OF PENDLETON**

1 INTRODUCTION

1.1 Purpose

The purpose of this Phase I environmental site assessment was to evaluate a 213.22 acre parcel bounded, in part, by Fall Creek Road to the east and south and the Section line between Sections 19 and 20, Township 18 North, Range 7 East. The preliminary site assessment provides a historical information base for evaluation of recognized environmental conditions. The conclusions of this submittal are based upon reasonably ascertainable data obtained from federal, state and local government agencies and are intended to present a general description of recognized environmental conditions.

1.2 Scope of Services

Butler, Fairman and Seufert, Inc., conducted a Phase I environmental site assessment consisting of a site reconnaissance and a preliminary review of reasonably ascertainable information in connection with the Pendleton Business Park. No soil sample collection or soil borings were completed as part of this evaluation. No monitoring well installation, structural evaluation or analytical testing was undertaken in this assessment. The Phase I environmental site assessment included the following items in general conformance with ASTM E 1527-94 to the extent considered appropriate to apprise the Town of Pendleton of potential environmental impairment liability.

- Identify the property location and conduct a site reconnaissance.
- 2. Review past land management practices, as which can be determined from such available information as site land use history, aerial photographs and interviews with persons knowledgeable about the site.
- 3. Observe management practices of the property and adjoining properties, where easily accessible, for the use of hazardous waste/materials, solid wastes and other deleterious materials.
- 4. Evaluate information based on visual reconnaissance and information provided by regulatory agencies contacted regarding adjoining properties and associated potential environmental impairment of current and historical land uses. This included a review of databases associated with registered Underground Storage Tanks (UST), Leaking UST sites, RCRA facilities, CERCLIS sites, National Priorities List (NPL) sites, State Cleanup sites, Toxic Release Inventory sites, solid waste facilities, special waste facilities, commercial hazardous waste facilities and Incident Spill Reports.

5. Review existing information obtained from soil surveys, National Wetland Inventory Maps, Oil/Gas Well Maps and Quadrangle Maps.
6. Provide photographs of site conditions observed during the reconnaissance.
7. Provide a site plan of the site layout and areas of concern, if any.
8. Review historical ownership and past land management practices, as which can be determined from such available information as ownership or title search records, plat plans, site land use history, aerial photographs and interviews with persons knowledgeable about the site.

2. SITE INFORMATION

2.1 Site Location

The Pendleton Business Park is located at the southwest edge of the Town of Pendleton, Indiana, approximately 20 miles northeast of Indianapolis, Indiana. More specifically, the Pendleton Business Park property is located in Section 20, Township 18 North, Range 7 East on the U.S.G.S. Ingalls and Lapel, Indiana, Quadrangle maps. The property is approximately 213.22 acres in size.

2.2 Site History

Ownership

A telephone interview with Mr. Jack Weist, Pendleton Reformatory Official, revealed that the State of Indiana purchased the property around 1918 – 1920. The property was purchased by the Town of Pendleton on February 15, 1999.

Aerial Photographs

A review of aerial photographs obtained from the Indiana Department of Transportation Photolab, dated 1976 and 1988, and the Indiana State Archives, dated 1939, 1956, 1961 and 1969, revealed that the entire property has remained agricultural in nature with an orchard in the eastern portion of the site. The aerials also indicated the construction of I-69 between 1961 and 1969, and gradual development along State Road 38, north of the business park property.

Sanborn Maps

Sanborn Fire Insurance Maps were not available for the property.

2.2.4 Topographic Map

The U.S. Geological Survey produced 7 1/2-minute topographic maps for the Lapel Quadrangle, dated 1967 with minor revisions in 1994, and the Ingalls Quadrangle, dated 1962, photorevised in 1981. The maps were reviewed for alterations to the Pendleton Business Park property and the immediate surrounding area. State Road 38 is located approximately 1000 feet north of the north property line and I-69 is located approximately 2,200 feet west of the west property line. The I-69/State Road 38 interchange is located approximately 2,000 feet northwest of the site.

The area surrounding the Pendleton Business Park consists mainly of agricultural land uses with the Town of Pendleton, Indiana located northeast of the site, commercial and residential sites located between State Road 38 and the Pendleton Business Park, and the Pendleton Reformatory located south of Fall Creek Road (south of the site). Typical urban land uses are located within the Town of Pendleton, Indiana. The Pendleton Sewage Disposal Plant is located immediately northeast of the site on the east side of Fall Creek. Also, a single residence adjoins the southeast corner of the site.

According to the topographic maps, the Pendleton Business Park property is flat to gently rolling with approximate elevations of 870 feet throughout the majority of the site, to elevation 850 at the tributary to Fall Creek. The tributary severs the property in a north-south direction, between 800 and 1000 feet west of Fall Creek Road. The topographic maps also illustrate the presence of an orchard between Fall Creek Road and the tributary to Fall Creek with a riparian corridor along the tributary.

Notable features identified on the topographic map included:

- Interstate 69 about 2,200 feet west of the west property line with the I-69/State Road 38 interchange approximately 2,000 feet northwest of the site.

State Road 38 about 1000 feet north of the north property line

A tributary of Fall Creek severing the Pendleton Business Park property in a north-south direction.

An orchard located between the Fall Creek tributary and Fall Creek Road.

The Town of Pendleton located immediately northeast of the site.

The Pendleton Reformatory located immediately south of the site.

2.2.5 Soil Survey

The USDA Soil Conservation Service (now called the Natural Resources Conservation Service) has published a soil survey for Madison County. The survey was issued in March, 1967 and was based upon fieldwork conducted between 1959 and 1961 with soil names and descriptions approved in 1965.

Panel 67 identifies the following soil types within the Pendleton Business Park property:

Bs	Brookston silty clay loam
CrA	Crosby silt loam, 0 to 2 percent slopes
ES	Eel silt loam
FoA	Fox silt loam, 0 to 2 percent slope
MnB2	Miami silt loam, 2 to 6 percent slopes, moderately eroded
MnC2	Miami silt loam, 6 to 12 percent slopes, moderately eroded
MpC3	Miami soils, 6 to 12 percent slopes, severely eroded
MpE3	Miami soils, 18 to 25 percent slopes, severely eroded
RdE2	Rodman soils, 12 to 50 percent slopes, eroded
Ws	Westland silty clay loam, moderately deep

Soil characteristics of the above soils are as follows:

- Brookston – Deep, dark-colored, very poorly drained soils of the uplands. These soils occupy broad depressional flats, swales with many rounded projections, and narrow drainageways.
- Crosby – Light-colored to moderately dark colored, deep, somewhat poorly drained soils. These soils occur in nearly level to slightly undulating areas of the uplands.
- Eel - Deep, moderately dark colored, moderately well drained soils on bottom lands along most of the streams in the county.
- Fox - Moderately deep, light-colored to moderately dark colored, well-drained soils that are underlain by stratified sand and gravel or by limy till. These soils are normally on low terraces bordering the bottom lands but can be on higher gently sloping terraces.
- Miami – Deep, moderately dark colored, well-drained soils on nearly level to steep uplands. These soils occur along drainageways and streams and on knolls within areas of more poorly drained soils.
- Rodman – Moderately dark colored, shallow, well-drained soils that are underlain by stratified sand and gravel. These soils occur along the major streams of the county on the steep slopes of terraces.
- Westland - Deep, dark-colored, very poorly drained soils on terraces. These soils occupy broad depressional flats along Fall Creek.

The majority of the soils exhibit topsoil to a depth of 10-16 inches. Rodman soils are the exception with topsoil limited to 3-10 inches underlain by sand and gravel.

No designations of wetlands, oil and natural gas wells, or other site disturbances suggesting activities of environmental significance on the site were recorded in the soil survey.

National Wetlands Inventory Maps

The U.S. Fish and Wildlife Service publishes wetlands maps on the same scale which correspond to the U.S.G.S. topographic maps. The National Wetlands Inventory is produced based on aerial photography and limited field verification of potential wetlands areas. Because the areas have not been field verified in most cases, the wetlands inventory is not definitive as to the presence of wetlands. The 1989 Lapel and Ingalls National Wetland Inventory maps do not indicate the presence of any wetlands on the proposed Pendleton Business Park property. Wetlands are illustrated along and adjacent to Fall Creek, east and south of the property.

Oil/Gas Well Maps

The Oil and Gas Division of the Indiana Department of Natural Resources have map records of existing, abandoned and dry hole oil and natural gas wells located in the State of Indiana. A review of the Madison County Oil and Gas Well map revealed no gas or oil wells on the business park property. However, three abandoned gas wells were illustrated along State Road 38.

2.3 Regulatory Document Review

CERCLIS

The Indiana Department of Environmental Management (IDEM) provides a database of potential hazardous waste sites known as the CERCLIS database. This database is a compiled listing of the USEPA and the State's potential uncontrolled waste sites that may pose a threat to human health and the environment. A review of the database revealed that no CERCLIS sites are found within 1 mile of the Pendleton Business Park.

RCRA

The IDEM also provides a record of facilities that have notified the State as being hazardous waste generators, transporters and/or storers. The database of archived and active RCRA facilities was reviewed. Our review revealed that two, small quantity, hazardous waste generators are located within 1 mile of the site. The database did not state the materials being generated. These facilities are as follows:

Department of Corrections/Indiana Reformatory
4490 West Reformatory Road
Pendleton, IN 46064 (Located just less than 1 mile south of the site)

Correctional Industrial Complex
5124 Reformatory Road
Pendleton, IN 46064 (located just less than 1 mile south of the site)

National Priority List

The National Priorities List, A USEPA produced database of CERCLA sites that have been assessed as sufficiently harmful to human health and/or the environment to warrant clean up under the Superfund program, did not reveal any National Priority sites within a one mile radius of the property.

Underground Storage Tanks/Leaking Underground Storage Tanks

The Indiana Department of Environmental Management, through its Emergency Response Branch, maintains a database filing system for Underground Storage Tanks (UST) and Leaking Underground Storage Tanks (LUST). No UST or LUST site notification form records were filed for the Pendleton Business Park property. This database covers all UST registrations and all LUST incidents from December 1986 through May 1999. A review of this database was conducted by researching the 46064 zip code. Three UST files were identified within 1 mile of the business park, none of which were identified as LUST sites.

1. Ricker Oil Company
5039 State Road 38 (I-69/SR 38 Southeast Corner)
Pendleton, IN 46064

Ricker Oil Company has three, 6,000 gallon and one, 2,000 gallon tanks containing petroleum products. This company is located slightly less than 0.25 mile northwest of the business park.

2. Department of Corrections
Indiana Reformatory
4490 West Reformatory Road
Pendleton, IN 46064

The Indiana Reformatory has one 20,000 gallon, unregulated tank. This tank contains a petroleum product. This site is located approximately 0.5 mile south of the business park.

3. Correctional Industrial Complex
5124 Reformatory Road
Pendleton, IN 46064

The Correctional Industrial Complex has four tanks with capacities of 1,000, 5,000, 8,000 and 10,000 gallons. Each tank contains a petroleum product. This site is located approximately 0.5 mile south of the business park.

The Indiana Underground Storage Tank/Leaking Underground Storage Tank (UST/LUST) list is a comprehensive listing of registered underground storage tanks in the State of Indiana and reported leaking incidents. The database was initially compiled by IDEM in December, 1986 when registration of USTs was first required.

2.3.5 Spills

A review of the Indiana Department of Environmental Management spill incidents on file with the Emergency Response Branch of IDEM did not indicate hazardous and/or toxic material spillage at the business park property or within 1 mile of the site.

Spills is a State database system that is used to store information on the sudden and/or accidental release of hazardous substances, including petroleum, into the environment. The Spills reporting system contains preliminary information on specific releases which were directly reported to the Indiana Department of Environmental Management, including the spill location, the substance released and the suspected responsible party.

2.3.6 Toxic Release Inventory

The Indiana Department of Environmental Management has a Toxic Release Inventory database relating to the amount of chemicals stored and estimated quantities emitted to the environment. This database includes information obtained through SARA Title III (Community Right to Know) and NPDES (surface water discharges) permitting programs. The following two facilities, located within 1 mile of the business park property, were listed on the TRI database:

- 1 Department of Corrections
Indiana Reformatory
4490 West Reformatory Road
Pendleton, IN 46064

2. Ricker Oil Company
5039 State Road 38
Pendleton, IN 46064

The Toxic Release Inventory (TRI) database contains information on the industrial release and/or transfer of toxic chemicals as reportable under Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA Title III).

Solid Waste

The Indiana Department of Environmental Management provides a database of permitted solid waste landfills and processing facilities in the State. The database did not reveal a solid waste facility within 1 mile of the business park property.

Special Waste Disposal

A review of the Special Waste Disposal database did not reveal a special waste disposal facility within 1 mile of the business park property. The Indiana Department of Environmental Management maintains this database through the IDEM Department of Hazardous Waste Management.

The Indiana Special Waste Disposal Facility report is a comprehensive listing of all landfills which are permitted to accept special wastes, properly packaged asbestos, contaminated soils

and cleanup debris from a spill, or the leaking of diesel fuel, fuel oil, asphalt, oils not containing polychlorinated biphenyls (PCBs), hydraulic fluid, jet fuel, kerosene or gasoline.

Commercial Hazardous Waste Landfill

The Indiana Department of Environmental Management provides a database of facilities that have permits or interim status under the Indiana Hazardous Waste Management Rules. The database did not reveal a solid waste facility within 1 mile of the business park property.

2.4 Site Description

Site Reconnaissance

The subject property was visited by a representative of our office on May 25, 1999 for this evaluation. The reconnaissance was conducted by walking the site and observing the conditions located therein. The general area is bounded by Fall Creek Road to the east and south, adjacent pasture and agricultural fields and woods to the west and north. The site is basically flat to rolling and features a tributary of Fall Creek flowing in a north to south direction along the eastern 1/3 of the property. The site is generally old field except along the tributary. A riparian corridor exists on both sides of the waterway throughout the business park property.

The south and east perimeters are fenced. Additional fences exist within the business park property. Access gates from Fall Creek Road to the business park property are located along the east and south perimeters of the property. The southern access point is pasture. The east access point is old field.

An area of gravel and very limited vegetation exists approximately 200 to 250 feet west of the east access drive. This area is approximately 400 square feet in size and contains numerous 1.5 inch x 1.5 inch pieces of metal and two, empty, 55-gallon drums. A metal ladder and wooden feeding station was observed along the east edge of the riparian corridor along the tributary to Fall Creek. A farm field fence was also observed along this eastern riparian corridor edge. Utility poles were observed along the east portion of the site, adjacent to Fall Creek Road.

A private residence exists at the southeast portion of the property but is not located within the site owned by the Town of Pendleton.

Interviews

Mr. Jack Weist, Pendleton Reformatory Official, was interviewed, via the telephone, on Wednesday, May 26, 1999. Mr. Weist indicated that the northeast portion of the site is used for riot control practice for the Reformatory Guards. Tear gas grenades and scat shells are used at this location. Scat shells are shot from a tear gas gun and are approximately 1.5 inch x 1.5 inch shiny metal canisters. Tear gas grenades are cylinder cans.

Mr. Weist indicated that the National Guard also uses the site for communications practice and camping.

Mr. Weist indicated that he has lived on the State property for approximately 20 years. He stated that no buildings were ever built on the business park property and that no hazardous materials were ever spilled or stored on the site (except for the tear gas canisters). Mr Weist did confirm that an orchard existed on the northeast portion of the site and that the site has always been used for pasture or agricultural land uses.

As indicated earlier, Mr. Weist stated that the State of Indiana purchased the property around 1918 to 1920.

2.5 Surrounding Land Use

The surrounding land use is urban in the Town of Pendleton and agricultural in nature in the remaining areas. The Pendleton Reformatory is located south of the business park property. A water tower was observed northwest of the property. Wooded areas exist along the north property line of the business park with residences between the north property line and State Road 38. Aerial photographs confirm these observations.

3. SITE ASSESSMENT

3.1 Evaluation

Based on reasonably ascertainable information, site review and data collected on the site as noted herein, we present the following evaluation for the property designated as the Pendleton Business Park in Pendleton, Indiana.

The Pendleton Business Park is located within 1 mile of hazardous waste handlers, Indiana Reformatory and the Correctional Industrial Complex. Three sites have reported underground tanks within 1 mile including the Department of Corrections – Indiana Reformatory, the Correctional Industrial Complex at the Reformatory and Ricker Oil Company at the southeast corner of the I-69/State Road 38 interchange. No leaking underground storage tanks have been reported at these sites.

The State of Indiana and USEPA databases recognizes two sites within a 1 mile radius of the business park as TRI sites. These sites include the Indiana Reformatory and the Ricker Oil Company. In the event that a release would occur from sites identified from the databases, it is likely that it would be confined with the facility of origin. There were no RCRA, LUST or CERCLIS sites listed within 1 mile of the business park property.

A tributary of Fall Creek traverses the business park property in a north to south direction. Available data and interviews did not reveal any problems associated with the waterway on this property.

There were no wetlands associated with the Pendleton Business Park property.

The pieces of metal, observed at the eastern portion of the site, are remnants of tear gas canisters. This was confirmed in a telephone interview with Mr. Jack Weist, Pendleton Reformatory official. An approximate 400 square foot area of gravel and sparse vegetation is

used as riot control practice by the Reformatory guards. This site also contains two 55-gallon drums.

Historical aerial photographs and available quadrangle maps of the area confirm the land uses, indicated by Mr. Jack Weist during a May 26, 1999, telephone interview.

3.2 Conclusions and Recommendations

A Phase I Environmental Site Assessment was performed in general conformance with the scope and limitations of ASTM Practice E 1527-94 for the Pendleton Business Park, in Pendleton, Indiana. Neither historical land use records, site reconnaissance, personal interviews, nor regulatory database information suggest recognized environmental conditions in connection with the property, except as discussed below:

Recommendation – 55-gallon drums

Two 55-gallon drums are located within an area used by the Pendleton Reformatory guards as riot control practice. One of the drums is identified with the following label – CF – Crystal Flash, Indianapolis, Indiana 317-872-4163. The second drum is imprinted with the following – 20/18-55-93A-DOT 17 EST C, CALIG, U (next marked obscured by a scratch) A1/Y18/800/93USA/CALIG.

The drums appear to be empty, based upon visual inspection of holes in the container. The 55-gallon drums should be properly disposed of.

The Indiana Responsible Property Transfer Law requires sellers of real properties involved in real estate transactions to provide an environmental disclosure document of activities which have occurred at the site, when one of the following criteria have been met for the property:

- a) Contains a facility required to annually submit an Emergency and Hazardous Chemical Inventory Form under SARA Title III,
- b) Contains an underground storage tank subject to notification as required under Subtitle I of RCRA, or
- c) Is listed on the CERCLIS list.

Based on the information obtained for this report, a property transfer would not require submission of a disclosure document as required by the Indiana Responsible Property Transfer Law.

3.3 Limitations of the Study

The conclusions of this report are based solely upon observations made during the site reconnaissance and data obtained from federal, state and local government agencies. This report is intended to present a general description as to the suitability of the present use of the property, which is not to be construed as relating to health and safety issues. This report should not be construed as verification of compliance by the present owners or operators of the site with federal, state or local laws and regulations.