



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

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Eric J. Holcomb
Governor

Bruno L. Pigott
Commissioner

May 27, 2020

Northern Indiana Public Service Company
Attn: Jeffrey M. Loewe
Environmental Principal
801 East 86th Avenue
Merrillville, Indiana 46410

Dear Mr. Loewe:

Re: Solid Waste Land Disposal Facility
Permit Renewal
Schahfer Generating Station RWS I
SW Program ID 37-01
Jasper County

Northern Indiana Public Service Company's permit renewal for the R.M. Schahfer Generating Station Restricted Waste Site (RWS) Type I is approved. You, the permittee, must comply with Indiana's rules for solid waste land disposal facilities (329 IAC 10) and the terms of this permit. Your attention to the requirements for managing, containing, and disposing of waste and leachate protects public health and the environment in your community. Please feel free to contact us or your compliance inspector if you have any questions.

This permit will expire on **April 17, 2025**. To operate past this date, you must submit a renewal application on or before **December 17, 2024**.

The facility is a Restricted Waste Site (RWS) Type I landfill with approximately 169.3 acres approved for filling. It is located two miles northeast of the town of Wheatfield at 2723 East 1500 North, in Wheatfield, Jasper county.

Please note: Section I. Compliance Schedule Requirements contains deadlines for submitting documents to IDEM for approval.

Public records for your facility are available in IDEM's Virtual File Cabinet at www.in.gov/idem. Documents related to this approval include the application dated May 23, 2019 (VFC #82784135) and additional information dated June 14, 2019 (VFC #82796410) and January 31, 2020 (VFC #82905117).

You can review the Indiana Code (IC) and the Indiana Administrative Code (IAC) references in this document at iga.IN.gov. IC references are under the "Laws" link; IAC references are under the "Publications" link.

This permit does not: convey any property rights of any sort or any exclusive privileges; authorize any injury to any person or private property or invasion of other private rights or any infringement of federal, state, or local laws or regulations; or preempt any duty to comply with other state or local requirements (329 IAC 10-13-4(a)).

Please note, as the owner or operator of this facility, and owner of the land upon which it is located, you are liable for any environmental harm caused by the facility (329 IAC 10-13-4(b)).

If you do not comply with the requirements of this permit, IDEM may modify or revoke this permit (329 IAC 10-13-6) or initiate an enforcement action.

If you wish to appeal this decision, you must file a request for administrative review with the Office of Environmental Adjudication within 18 days after the postmark of this letter. The enclosed Notice of Decision and Guide to Appeals Process notifies you of additional important details regarding the appeal process and your rights and responsibilities for filing an adequate and timely appeal.

If you have any questions, please contact Alysa Hopkins, the Permit Manager assigned this facility, by dialing (317) 234-4596 directly, or by e-mail at AHopkins@idem.in.gov.

Sincerely,



Rebecca Eifert Joniskan, Chief
Solid Waste Permits Branch
Office of Land Quality

Enclosures: Permit Requirements
Notice of Decision
Guide to Appeals Process
Leachate Generation and Recirculation Report Form
Letter to the Rensselaer Republican
Letter to the Jasper County Library

cc with enclosures: Jasper County Health Department
Jasper County Commissioners
Northwest Indiana Solid Waste Management District
President, Wheatfield Town Council

PERMIT REQUIREMENTS

- A. General Permit Requirements**
- B. Construction Requirements**
- C. Pre-Operational Requirements**
- D. Operational Requirements**
- E. Groundwater Monitoring Requirements**
- F. Closure Requirements**
- G. Post-Closure Requirements**
- H. Financial Responsibility for Closure and Post-Closure**
- I. Compliance Schedule Requirements**

A. GENERAL PERMIT REQUIREMENTS

- A1. The permittee must comply with 329 IAC 10 except where alternative specifications or requirements are noted in approved plans or this permit.
- A2. The permittee must operate and maintain the solid waste land disposal facility (facility) as described in the approved plans and specifications. The permittee must request approval before modifying the facility or facility operating procedures. The permit modification application requirements are in 329 IAC 10-11. Application forms are available from the Solid Waste Permits Section at the address listed in Requirement A4.

Certain insignificant modifications defined in 329 IAC 10-2-97.1 are eligible for the streamlined notification or approval procedures described in 329 IAC 10-3-3.

- A3. The permittee must call **(888) 233-7745** (IDEM's emergency response line) as soon as possible after learning of any event that may cause an imminent and substantial endangerment to human health or the environment, such as a reportable spill (327 IAC 2-6.1) or a fire or explosion that requires the response of the local fire department.

The permittee must submit a written report to the Solid Waste Permits Section at the address given in Requirement A4 within five business days after the event. The report must describe the event, and actions taken or planned to correct the event and prevent its recurrence.

- A4. Unless otherwise noted, submittals must be sent to the permit manager assigned to your facility at the following address:

**Indiana Department of Environmental Management
Office of Land Quality
Solid Waste Permits
IGCN 1101
100 North Senate Avenue
Indianapolis, IN 46204-2251**

We greatly appreciate an electronic copy in Acrobat PDF format on CD or DVD, or emailed, to the permit manager.

- A5. The permittee must submit quarterly tonnage reports (329 IAC 10-14-1) through the Re-TRAC Connect website: <https://connect.re-trac.com/>. An account is already set up for you to submit this information. To obtain your login credentials, please e-mail olqregulatoryreporting@idem.IN.gov with your permit number and contact information. Each report must include the tonnage of waste received by and delivered to the facility during the period for which the report is being submitted. Reports must be submitted by the fifteenth day of the first month after the end of the period for which the report is being submitted.

- A6. The permittee must pay the following annual operation fee of \$35,000 and \$250 for each groundwater monitoring well identified by the commissioner if the facility is permitted on January 1 of the billing year (IC 13-20-21-4 and -8).

IDEM is required to invoice this fee by January 15 of each year (IC 13-20-21-8). Payments can be made as described on the invoice.

B. CONSTRUCTION REQUIREMENTS

- B1. The permittee must notify IDEM in writing at least 15 days before beginning construction of a new area.
- B2. The permittee must install boundary markers to identify the limits of construction of each new area as required by 329 IAC 10-27-2.
- B3. The permittee must construct the base grades for Phases VII and VIII of the landfill as shown on the drawing titled "C-0196, Phase VII & VIII Landfill Proposed Base Grade Plan," revised January 17, 2018 (VFC #80641029, Attachment 1, p. 13 of 123).
- B4. The permittee must test and install all liner and final cover components as specified in the Construction Quality Assurance (CQA) Plan dated August 19, 2014 (VFC #70371315, pp. 8-57 of 64) and the addendum dated May 1, 2018 (VFC #82535859).
- B5. Upon selecting the specific materials for the composite liner system, the permittee must test the materials to verify that the interface friction values meet or exceed the values in the approved design. If the tests show that the interface friction values do not achieve the minimum factor of safety assumed in the approved plans, the permittee must select and test alternate materials and rerun the slope stability analysis.
- B6. The permittee must construct a composite liner system for Phases VII and VIII of the landfill as approved in the minor modification dated May 23, 2018 (VFC #82552898) and as follows:
- a. As shown on the drawing titled "C-0201, Phase VII & VIII Landfill Details-1," revised January 9, 2018 (VFC #80641029, Attachment 1, p. 18 of 123), starting from the subgrade and extending upwards.
 - (1) A 60-mil thick high density polyethylene (HDPE) hydraulic barrier geomembrane
 - (2) A geocomposite pressure relief drainage layer
 - (3) A six-inch thick foundation layer

- (4) Two feet of compacted clay liner with a hydraulic conductivity less than or equal to 1×10^{-7} centimeter/second
or
One foot of compacted clay soil liner with a hydraulic conductivity less than or equal to 1×10^{-7} centimeter/second overlain by a Geosynthetic Clay Liner (GCL)
 - (5) A 60-mil HDPE geomembrane liner
 - (6) One foot of granular drainage layer with a hydraulic conductivity greater than or equal to 1×10^{-3} centimeter/second
 - (7) A minimum of 18 inches of protective cover
 - b. Grade the subgrade to have a smooth and uniform surface.
 - c. Remove any large rocks or vegetative materials from the subgrade materials.
- B7. The permittee must construct the leachate collection system for Phases VII and VIII as follows:
 - a. As shown on the drawing titled "C-0197, Phase VII & VIII Landfill Proposed Leachate Collection Plan," revised January 9, 2018 (VFC #80641029, Attachment 1, p. 14 of 123)
 - b. As detailed on the following drawings submitted with the document dated April 6, 2018 (VFC #80641029, Attachment 1, pp. 18 - 19 of 123, and pp. 23 - 24 of 123):
 - (1) Drawing titled "C-0201, Phase VII & VIII Landfill Details-1," revised January 9, 2018
 - (2) Drawing titled "C-0202, Phase VII & VIII Landfill Details-2," revised April 3, 2018
 - (3) Drawing titled "C-0206, Phase VII & VIII Landfill Details-6," revised January 9, 2018, and
 - (4) Drawing titled "C-0207, Phase VII & VIII Landfill Details-7," revised January 9, 2018
- B8. The permittee must construct the landfill storm water channels as shown on the drawing titled "C-0200, Phase VII & VIII Landfill Stormwater Management Plan," revised April 3, 2018 (VFC #80641029, Attachment 1, p. 17 of 123).

C. PRE-OPERATIONAL REQUIREMENTS

- C1. The permittee must submit a Construction Certification Report at least 21 days before placing waste in any newly constructed area. An Indiana registered professional engineer must certify that the area's construction complies with approved plans and specifications. The report must include the following:
- a. Boundaries of the certified area,
 - b. Results of all tests conducted during construction,
 - c. Results of the interface friction tests and any new slope stability analyses, if applicable,
 - d. Documentation that all leachate collection pipes and sumps are free of obstructions,
 - e. Daily summary and inspection reports during construction,
 - f. A Photo log,
 - g. A notation and an explanation of any deviation/change from the approved design, and
 - h. Verification that the subgrade is properly compacted and graded, and the surface is smooth, uniform, and suitable to support the liner system as specified in Requirement B6.

Unless notified otherwise by IDEM, the facility may begin to accept waste in a newly constructed area 21 days after IDEM receives the documents listed above.

D. OPERATIONAL REQUIREMENTS

- D1. The permittee must comply with 329 IAC 10-28 (Operational Requirements).
- D2. The permittee must accept only the following wastes generated by the R.M. Schahfer Generating Station or other Northern Indiana Public Service Company (NIPSCO) facilities for disposal at R.M. Schahfer Generating Station RWS I landfill:
- a. Coal combustion wastes that are exempt from the restricted waste classification process according to 329 IAC 10-9-4(d), including:
 - 1. Fly ash,
 - 2. Bottom ash, including boiler slag, and
 - 3. Wastes washed from transport vehicles.
 - b. Any Coal Combustion Residuals (CCR) originated from coal ash impoundments at NIPSCO facilities combined with amendments lime kiln dust (LKD), cement kiln dust [CKD], quick lime [Lime], or Portland Type I cement [Portland] as approved by IDEM upon submittal.

- c. Wastes that have a valid Type I through Type IV classification under 329 IAC 10-9-4.
- d. Wastes that are approved under 329 IAC 10-9-4(f) or (g).

The permittee must not dispose of any other wastes in this landfill.

This facility manages coal combustion wastes that are exempt from regulation as hazardous waste under the Bevill Amendment to RCRA (see 329 IAC 3.1-1-7 and 40 CFR 261.4(b)(4)). Bevill exempt wastes are excluded from the hazardous waste characterization process. The wastes listed in Requirement D2.a above are also exempt from the restricted waste classification process according to 329 IAC 10-9-4(d). Bevill wastes not listed in D2.a must have a valid Type I through Type IV waste classification under 329 IAC 10-9-4.

- D3. The permittee must maintain the site benchmark throughout the entire life and post-closure care period of the facility.
- D4. The permittee must maintain permanent, visible facility and solid waste boundary markers for the life of the facility.
- D5. The permittee must control public access to the facility and prevent unauthorized vehicular traffic and illegal dumping.
- D6. The permittee must limit solid waste disposal to the areas delineated by the solid waste boundary line shown on the drawing titled "C-0401, 2019 Permit Renewal, Topographic Plot Plan," revised January 31, 2020 (VFC #82905117, p. 10 of 12).
- D7. The permittee must do the following regarding leachate storage at the facility:
 - a. Maintain an adequate leachate storage capacity during the landfill operation and the post-closure period to ensure proper operation of the leachate collection system and compliance with 329 IAC 10-28-16 and 329 IAC 10-28-20. Leachate collection system and sump areas located within the waste disposal area do not count towards the leachate storage capacity.
 - b. Maintain the leachate level as follows:
 - 1. For Phases III through VI, at or below the depth necessary to remain no more than 12 inches above the elevation of the cell floor in the respective sump. Document the levels in the operating records. Maintaining the appropriate depth in the respective sumps during normal operating conditions is indicative of proper leachate management and verifies the leachate head in the landfill cell is being maintained at or below one foot above the lowest elevation of the cell floor or within the 12 inches of drainage layer.

2. For Phases VII through VIII, at or below the approved depth noted in the permit application. Document the levels in the operating records. Maintaining the approved depth during normal operating conditions is indicative of proper leachate management and verifies the leachate head in the landfill is being maintained at or below one foot above the lowest elevation of the cell floor or within the 12 inches of drainage layer, not including the cell sump.
 - c. Operate leachate storage in an environmentally safe manner.
- D8. The permittee must meet the following requirements regarding leachate sampling, analysis and reporting:
- a. Properly dispose of leachate in accordance with all applicable local, state and federal laws and rules (329 IAC 10-28-16).
 - b. Conduct leachate sampling and analysis as required by the wastewater treatment plant or other leachate disposal facility, as applicable, and maintain the results in the facility's operating record.
 - c. On or before March 1 of each year, submit to IDEM a report for the leachate generated the previous year using the enclosed "Leachate Generation and Recirculation Report" or a similar report developed by the permittee. The permittee must include volumes of leachate used for dust control and conditioning of ash in the pug mill.
- D9. The permittee must manage surface water as described in the approved plans and meet the following requirements:
- a. Divert surface water from the active fill area.
 - b. Maintain drainage ditches and the sedimentation basin to prevent off-site deposition of waste and sediment. Remove waste deposits from drainage ditches as necessary to properly convey storm water.
 - c. Construct temporary run-off structures in areas which are unable to drain to sedimentation basin.
- D10. The permittee must manage waste that generates fugitive dust or fugitive particulate matter in a way that does not violate the rule for fugitive dust (326 IAC 6-4) or fugitive particulate matter (326 IAC 6-5), including 326 IAC 6-5-4(g) for solid waste handling control measures (329 IAC 10-8.2-2). The permittee must implement dust control measures as described in the approved plans, as specified in Requirement D11, and this permit. The permittee must take any additional steps necessary to prevent violations of fugitive dust rules.
- D11. The permittee must control fugitive dust and waste migration as described in the documentation titled "Coal Combustion Residuals Fugitive Dust Control Plan,"

dated August 26, 2019 (VFC #82915729). If this plan is updated, the permittee must submit the revised plan(s) to IDEM for approval within 60 days after the revision. The permittee must keep a copy of the updated plan in the facility operating record.

- D12. The permittee is approved to use alternative procedures to the daily cover requirements of 329 IAC 10-28-12(a)(2) and use alternate cover (AC) products such as polymer-based material Soil-Sement^(R) as an alternative to the 12" soil intermediate cover requirements of 329 IAC 10-28-12(a)(3) as specified in the letter dated March 18, 1994 (VFC #70412086).

The permittee must follow these additional requirements when using alternative procedures:

- a. Place waste, AC, and/or intermediate cover to promote surface water drainage and prevent ponding of water.
 - b. Minimize the working face of the landfill as follows:
 1. Install final cover as specified in Requirement F3 on all areas of the landfill filled to the approved elevations.
 2. Cover with AC or 12 inches of clay type soil as an intermediate cover on all other areas that have not received additional waste for 90 days.
 - c. If fugitive dust or conditions that may lead to fugitive dust is observed, the permittee must take additional steps to stop and prevent fugitive dust such as applying alternate cover, six inches of soil cover, or leachate as specified in Requirement D16.
- D13. The permittee must do the following when using commercially available dust control products:
- a. Apply according to the manufacturer's specifications.
 - b. Cease applications during periods of high wind or anticipated moderate to heavy precipitation.
- D14. The permittee must grade and maintain areas with alternative or soil intermediate cover to promote surface water drainage, and prevent ponding, erosion, and sedimentation run-off. The erosion/sedimentation control measures may include establishing vegetation, using alternative/synthetic covers or liners, and/or other applicable erosion/sedimentation control measures.
- D15. If the permittee notices changes to the physical appearance of the cover soil, or uses borrow sites other than those specified in the application, the permittee must at a minimum conduct gradation and Atterberg Limits tests on three samples of the soil. The permittee must submit the results to IDEM no later than

15 days after such testing, and before using the material as cover at the landfill. The permittee must submit a permit modification application for new borrow source locations according to 329 IAC 10 and receive approval before using the source(s).

- D16. The permittee may spray leachate on the waste or the protective cover soil placed above the leachate collection system only in areas constructed with a composite liner system to control dust in compliance with the following requirements:
- a. Spray leachate directly and uniformly to prevent ponding and/or runoff of leachate, or waste handling problems.
 - b. Must not spray leachate over final cover or alternative cover.
 - c. Must not spray leachate if it contains volatile organic compounds or has a noticeable odor.
 - d. Apply leachate only when the ambient temperature is greater than 32°F.
 - e. Apply no more than 2,200 gallons of leachate per composite- lined acre per day.
 - f. Do not apply leachate when:
 - (1) It is raining,
 - (2) The National Weather Service forecast for rain is above 50 percent, or
 - (3) Wind conditions would cause leachate to blow onto personnel.
 - g. If the application of leachate creates nuisance or pollution conditions, the permittee must immediately cease the application of leachate and initiate corrective measures.
 - h. The landfill area receiving leachate must be free of any ponded water or leachate before the next application of leachate.
 - i. If the leachate application for dust control fails to control odors, creates run-off contamination, or damage to vegetation, application of leachate must immediately cease.
 - j. Maintain a daily log of the volume of leachate used for dust control in the facility operating record.
- D17. The permittee must inspect the site monthly for compliance with 329 IAC 10 and this permit. The inspections must evaluate the following: landfill cover, run-off control structures, erosion control structures, drainage ditches, monitoring wells and sumps, dust controls, and the leachate collection system. The permittee

must keep the inspection records at the facility office for at least three years.

- D18. The permittee is approved to use leachate as a conditioning agent to prepare fly ash for disposal at the landfill as specified in document dated October 23, 2017 (VFC #80551928).
- D19. The permittee must accurately calibrate and maintain the analytical instruments and measurement devices according to the manufacturer's specifications, and maintain records of this on-site for at least three years (329 IAC 10-1-4(c)). These include analytical instruments and measurement devices used for evaluating landfill performance, and compliance with this permit and applicable rules such as, leachate level monitoring and pumping equipment, etc.

E. GROUNDWATER MONITORING REQUIREMENTS

- E1. The permittee must comply with 329 IAC 10-29 (Groundwater Monitoring and Corrective Action).
- E2. The permittee must conduct groundwater and surface water monitoring throughout the active life and the post-closure care period of the facility (329 IAC 10-29-3). IDEM may extend the post-closure care period if groundwater or surface water monitoring results show that the facility has not stabilized (329 IAC 10-31-4).

MONITORING DEVICES

- E3. The permittee's groundwater monitoring system (System) includes the following wells: MW-1S, MW-1D, MW-2S, MW-2D, MW-3S, MW-3D, MW-4S, MW-4D, MW-5S, MW-5D, MW-6S, MW-6D, MW-7S, MW-7D, MW-8S, MW-8D, MW-9S, MW-9D, MW-10S, MW-10D, MW-11S, MW-11D, MW-12S, MW-12D, MW-13S, MW-13D, MW-14S, and MW-14D. Wells MW-1S, MW-1D, MW-10S, and MW-10D are upgradient.

The permittee's surface water monitoring system includes surface water sampling locations SW-4 and SW-10. Location SW-10 is upstream.

At least 60 days before installing new monitoring devices, the permittee must submit a device-installation plan for IDEM approval. The plan must provide the following:

- a. A map showing the location of each device with respect to the facility's entire System and a current potentiometric surface.
- b. A demonstration that each device yields representative groundwater samples at an appropriate location and depth within the same aquifer or aquifers as the facility's existing System.
- c. Drilling methods and procedures that follow 329 IAC 10-21-4; well construction materials and details, including protocol for collecting, describing, and analyzing consolidated or unconsolidated materials (329 IAC 10-24-3(3)).
- d. An example of a borehole log that includes information specified under 329 IAC 10-24-3(2).
- e. A map showing the surface water sampling locations.
- f. Environmental qualifications of all field personnel.

The permittee must submit all field documentation to IDEM within 60 days after completing all related field work.

- E4. The permittee must label all groundwater monitoring wells with a permanent and unique identification. When reporting well information, the permittee must include the identification for each well.

- E5. The permittee must secure the access ways to all groundwater monitoring wells to prevent unauthorized access and maintain the access ways so they are passable year round. Further, access to surface water sampling locations shall be secured as best practical.
- E6. The permittee must maintain all groundwater monitoring wells as follows:
- a. Complete necessary repairs, other than replacement (see Requirement E8), within 10 days after discovery or other time frame approved by IDEM.
 - b. Keep the wells securely capped and locked when not in use.
 - c. Repair all cracks in and around the casings.
 - d. Repair cracks in concrete pads.
 - e. Control vegetation height.
 - f. Redevelop the monitoring wells as needed.
- E7. When abandoning a groundwater monitoring well that is part of the facility's approved System listed in Requirement E3, the permittee must:
- a. Submit a written proposal for approval explaining the reasons for and detailing the method of abandonment.
 - b. Use methods that comply with Indiana Department of Natural Resources (IDNR) regulation 312 IAC 13-10-2.
 - c. Notify the IDEM Geology Section by phone, e-mail, or letter at least 10 days before the date the abandonment work will occur.
 - d. Provide written notification of abandonment to IDEM and IDNR within 30 days after plugging is complete. (IDNR (312 IAC 13-10-2(f)) requires written notice.)
 - e. Include the abandonment records in the facility operating record.
- E8. The permittee must notify IDEM by phone, e-mail, or letter within 10 days after discovering that a groundwater monitoring well has been destroyed or is not functioning properly. The permittee must repair the well if possible. If the well cannot be repaired, then within 30 days after discovery, the permittee must submit a proposal for abandonment or replacement.

PLANS

- E9. The permittee must follow the Sampling and Analysis Plan (SAP) dated March 1, 2006 (VFC #[69202395](#)). (see Requirement I2)
- E10. The permittee must follow the Quality Assurance Project Plan ((QAPjP) (Appendix C of the SAP)). (see Requirement I3)
- E11. The permittee must follow the Statistical Evaluation Plan (StEP) dated March 1, 2006 (VFC #[69202700](#)). (see Requirement I4)
- E12. If IDEM requests a revision to a SAP, QAPjP, or StEP, the permittee must submit the revised plan(s) for approval. The permittee must submit the plan(s) within 60

days after receiving the request. This submittal must include one original paper copy and one PDF electronic file of each plan. The permittee must not implement the revised plan(s) before receiving approval.

- E13. If the permittee makes design changes to the existing System listed in Requirement E3, the permittee must submit a revised SAP, and if applicable, a revised QAPjP or StEP for approval. The permittee must submit the plans within 60 days after completing all field activities associated with the design changes. This submittal must include one original paper copy and one PDF electronic file of each plan. The permittee must not implement the revised plans before receiving approval.

MONITORING PROGRAMS

- E14. The permittee must sample the facility's Systems listed in Requirement E3 semiannually during March and September of each year. Each sample must be analyzed for the following Phase I parameters:

- a. Field pH
- b. Field specific conductance
- c. Total Boron
- d. Total Calcium
- e. Chloride
- f. Fluoride
- g. Sulfate
- h. Total Dissolved Solids

The Phase II parameters are as follows:

- i. Total Antimony
- j. Total Arsenic
- k. Total Barium
- l. Total Beryllium
- m. Total Boron
- n. Total Cadmium
- o. Total Chromium
- p. Total Cobalt
- q. Fluoride
- r. Total Lead
- s. Total Lithium
- t. Total Mercury
- u. Total Molybdenum
- v. Total Selenium
- w. Total Thallium
- x. Radium 226 and 228 combined

For specific metallic parameters, if the permittee demonstrates with the approval of IDEM that the results for a filtered (dissolved) metal are no greater than 20%

of the relative percent difference of an unfiltered (total recoverable) metal, then the permittee may incorporate historic filtered results into the background data set instead of collecting a minimum of four additional samples for the unfiltered metal results. The permittee may submit an alternative method for incorporating historic results of dissolved metals into the background data set for review and approval.

Whenever results of total chromium occur at or above its background concentration or maximum contaminant level, whichever is the higher concentration, the permittee must speciate and report both trivalent and hexavalent chromium.

- E15. The permittee must use the results of the static water level measurements from the System listed in Requirement E3 to prepare potentiometric surface maps or groundwater flow maps that include the following information:
- a. Location and identification of each groundwater monitoring well.
 - b. Groundwater elevations for each well. The permittee must measure all static water levels on the same day and as close in time as possible before the purging and sampling event.
 - c. Date and time of static water level measurement for each well.
 - d. Ground-surface elevation at each well.
 - e. Facility property boundaries.
 - f. Identification of the aquifer represented, either by a name or elevation.
 - g. Solid waste fill boundaries.
 - h. Facility name and county.
 - i. Map scale, north arrow, groundwater flow direction arrows, and potentiometric-surface contour intervals.
 - j. Indications of which monitoring wells are considered background, upgradient, downgradient, or intrawell.
 - k. Locations and elevations of all site benchmarks.
- E16. If a groundwater flow map indicates that the groundwater flow direction, including flow reversals, is other than anticipated in the design of the System listed in Requirement E3, the permittee must notify IDEM of the difference in the groundwater monitoring report submitted for Requirement E22. The notification must include either of the following: information demonstrating that the System still complies with 329 IAC 10-29-1(b); or a proposal to revise the System design for IDEM approval.

The permittee must determine if the System currently complies with 329 IAC 10-29-1(b) before collecting samples for the scheduled semiannual sampling event. If a flow reversal occurs, then the permittee may postpone the scheduled semiannual sampling event, with IDEM approval, in 30-day extension increments if they determine that the System does not comply with 329 IAC 10-29-1(b).

If the permittee determines a groundwater flow reversal occurred during a scheduled semiannual sampling event, then data from that sampling event must

not be utilized in statistical evaluations specified in the StEP or incorporated into background groundwater quality and groundwater protection standard calculations, unless the permittee adequately demonstrates to IDEM that the data accurately represents established groundwater quality conditions when a flow reversal did not occur. Additionally, the permittee must immediately schedule a replacement sampling event in order to complete the required semiannual evaluation for groundwater releases from the facility. Within seven days of scheduling the replacement sampling event, the permittee must notify IDEM of the schedule.

If design changes to the existing System listed in Requirement E3 are necessary, the permittee must make the changes within 30 days after receiving IDEM approval of the revised design or other time frame approved by IDEM.

- E17. The permittee must determine the background groundwater quality (see Requirement I1) for any background well added to the facility's System by sampling each new well for four consecutive quarters within one year after their installation. The permittee must establish background ground water quality for the following:
- a. Phase I and Phase II parameters listed in Requirement E14.
 - b. Secondary standards in 329 IAC 10-29-7(c). All metals listed must be analyzed from unfiltered samples.
 - c. Groundwater protection standard in 329 IAC 10-29-10. All metals listed must be analyzed from unfiltered samples.
- E18. The permittee must apply the StEP identified in Requirement E11 to determine whether there is a statistically significant increase (increase or decrease for pH) over the background for each Phase I or Phase II parameter. The statistical determination must include a comparison of the groundwater quality at each monitoring well and surface water location (see Requirement E3). The permittee must include the outcome of each statistical determination in a statistical evaluation report (see Requirement E22.d).
- E19. If the permittee determines there is a statistically significant increase (increase or decrease for pH) over background for two or more of the Phase I parameters at any of the downgradient monitoring wells or the downstream monitoring location (SW-4), the permittee must comply with the following requirements:
- a. Notify IDEM in writing within 14 days after the finding. The notification must state which Phase I parameters showed statistically significant increases (increase or decrease for pH) over background levels and which downgradient monitoring well(s) and/or SW-4, showed the elevated concentrations.
 - b. Collect and analyze the groundwater from all monitoring wells and surface

water monitoring locations for the parameters determined from Requirement E14 (Phase II parameters). The permittee must submit the results to IDEM within 60 days after determining the statistically significant increases.

- c. Establish a Phase II monitoring program based on the results obtained from Requirement E19.b and consult with the IDEM Geology Section within 30 days after completing Requirement E19.b.

The permittee must continue the scheduled Phase I monitoring as described in Requirement E14 and 329 IAC 10-29 throughout the establishment and implementation of a Phase II monitoring program.

If the permittee determines there is a statistically significant increase at the downstream surface water location (SW-4), the permittee must notify IDEM within 14 days after the finding. The notification must state which Phase I parameters showed statistically significant increases (increase or decrease for pH) over background levels and a proposal for steps to address the significant statistical change.

- E20. In lieu of Requirements E19.b and E19.c, the permittee may attempt to demonstrate that a source other than the solid waste facility caused the increase (increase or decrease for pH) or that the increase (increase or decrease for pH) resulted from error in sampling, analysis, or evaluation. For IDEM to approve the demonstration, the permittee must comply with the following requirements:

- a. Notify IDEM in writing of the intent to make a demonstration. The permittee must submit the notification within 7 days after determining a statistically significant increase (increase or decrease for pH).
- b. Submit a report to IDEM within 90 days after determining a statistically significant increase (increase or decrease for pH). The report must demonstrate that a source other than the solid waste facility caused the increase (increase or decrease for pH), or that the increase (increase or decrease for pH) resulted from error in sampling, analysis, or evaluation. The report must state what efforts the permittee will take to prevent these errors from recurring.
- c. Continue to monitor groundwater at all monitoring wells and surface water monitoring locations according to the scheduled Phase I monitoring established under 329 IAC 10-29-6.

If a demonstration is not acceptable to IDEM, the permittee must continue with Requirements E19.b and E19.c.

- E21. If necessary, the permittee must implement a corrective action program as required under 329 IAC 10-29-9. The corrective action program is complete when

groundwater protection standards have been met at all points of the plume beyond the monitoring boundary for a period of three consecutive years using the statistical procedures outlined in 329 IAC 10-29-5 and procedures approved through this permit.

REPORTING

- E22. No later than 60 days, except for radium-specific information which will be allowed no later than 90 days, after each groundwater monitoring and surface water monitoring event completed for Requirement E14, the permittee must submit the information in a groundwater monitoring report to the IDEM Solid Waste Permits Section in one unbound paper copy and in one electronic PDF file. The report must include the following:
- a. One original unbound laboratory-certified report with analytical and field parameters results, field sheets, and chain-of-custody forms. The laboratory-certified report must include the following: detection limit for each chemical parameter, date samples collected, date the laboratory received the samples, date the laboratory analyzed the samples, date the laboratory prepared the report, method of analysis the laboratory used for each parameter, sample identification number for each sample, and results of all sample analyses.
 - b. All information specified in Requirement E15 and a table summarizing the static water level and groundwater elevation for each well.
 - c. Comments regarding groundwater and surface water quality, recent notifications of any compliance issues related to a problematic well (see Requirement E8), special field observations and procedures, and deviations from the SAP.
 - d. One original unbound copy of the statistical evaluation report (see Requirement E18).

The permittee may mail the PDF copy and electronic data file specified in Requirement E23 on a CD-ROM or DVD. The permittee must clearly label the PDF copy and electronic data file with the facility name and a brief description of the file. Alternatively, the permittee may e-mail the PDF copy and electronic data file to the IDEM Solid Waste Permits Section at the address listed in Requirement A4 and carbon copy olqdata@idem.IN.gov. The e-mail must include the facility name and a brief description typed in the e-mail's subject heading.

- E23. The permittee must submit one electronic data file of the analytical and field parameters results from the System listed in Requirement E3 formatted as an ASCII, tab-delimited text file. The electronic data file must contain the facility's name, permit number, and the name of the analytical laboratory. Additionally, the file must include the fields listed below for the analytical results and the following field parameters: pH, specific conductance, temperature, well depth, depth to

water, and static water elevation.

- a. SamplingDate: Month, day, and year (mm/dd/yyyy). Value should be formatted as a date if possible.
- b. SamplePointName: Names of monitoring wells, piezometers, leachate wells, surface water collection points, etc.
- c. LaboratorySample ID: ID assigned to the sample by the laboratory.
- d. SampleType: Regular, duplicate(s), trip blank(s), equipment blank(s), field blank(s), verification re-sample(s), and replicate(s).
- e. SpeciesName: Chloride, sodium, ammonia, field pH, etc. The order of parameters is not critical. However, it is best to reflect the order that is on the laboratory-data sheets and keep all field data grouped together. Metals should indicate "dissolved" phase or "total" phase. Associated static water levels do not have their own header, but must be entered as "GW WaterLevel" under the header "SpeciesName." The actual elevations must be entered under the header "Concentration."
- f. Concentration (results): The entry must be a number. Please do not enter text, such as "NA," "ND," or "<."
- g. ConcentrationUnits: mg/l, µg/l, standard units for pH, degrees Celsius (°C) or degrees Fahrenheit (°F) for temperature, and umhos/cm for specific conductance.
- h. Detected: Yes or no.
- i. DetectionLimit.
- j. AnalyticalMethods.
- k. EstimatedValue: Indicate "Yes" if the reported concentration is an estimated value. If a value recorded was not estimated, enter "No." If a concentration is estimated, use the "Comment" field to explain why the concentration was estimated.
- l. Comment: Analytical laboratory and/or field personnel comments regarding the reported results.
- m. SampleMedium: Ground water, leachate, surface water, etc.
- n. ProgramArea: Solid Waste.

Additional guidance on electronic data file submittals is available on IDEM's website at www.in.gov/idem/landquality/2369.htm or by e-mailing questions to olqdata@idem.IN.gov.

- E24. The permittee must retain laboratory quality assurance/quality control (QA/QC) documentation from valid analyses of groundwater and surface water samples for at least three years.

Upon IDEM request, the permittee must submit the laboratory QA/QC for a specified groundwater and surface water monitoring data package, in one paper copy and one electronic copy in PDF format, within 60 days after receiving the request. The "Solid & Hazardous Waste Programs, Analytical Data Deliverable Requirements: Supplemental Guidance" provides additional information about laboratory QA/QC. The guidance is available on IDEM's website at www.in.gov/idem/landquality/files/sw_resource_data_deliverable_reqs.pdf.

F. CLOSURE REQUIREMENTS

- F1. The permittee must comply with 329 IAC 10-30 (Closure Requirements for Type I Landfill) and follow the facility's approved closure plan dated June 14, 2019 (VFC #[82796410](#), pp. 4 -14 of 44).
- F2. The permittee must notify IDEM in writing at least 60 days before the intended date to begin closure of each area.
- F3. The permittee must construct the final cover as follows:
- a. Within 180 days after:
 - (i) Any area of the landfill is filled to its approved elevation, less the thickness of the cover system, or
 - (ii) Receiving its final waste volume.
 - b. As specified in the approved final grading plan:
 - (i) For Phases I through V: As shown on Exhibit 1 titled "Legend, Abbreviations, and Site Plan," Exhibit 2 titled "Landfill Site Plan," and Exhibit 3 titled "Landfill Sections," dated September 23, 2013 (VFC #[69871408](#)).
 - (ii) For Phases VI through VIII: As shown on the drawing titled "C-0199, Phase VII & VIII Landfill Proposed Final Cover Plan," revised April 3, 2018 (VFC #[80641029](#), Attachment 1, p. 16 of 123).
 - c. The final cover details "Overliner Final Cover Tie In Detail" and "Final Cover Transition Detail" as shown on the drawing titled "C-0203, Phase VII & VIII Landfill Details-3," revised April 3, 2018 (VFC #[80641029](#), Attachment 1, p. 20 of 123).
 - d. Grade and stabilize final cover as specified in 329 IAC 10-28-14.
- F4. The permittee must construct the final cover for Phases VI through VIII as shown on the drawing titled "C-0204, Phase VII & VIII Landfill Details-4," revised April 3, 2018 (VFC #[80641029](#), Attachment 1, p. 21 of 123) consisting of the following components extending upwards from the waste:
- a. 12 inches of compacted clay layer with a hydraulic conductivity less than or equal to 1×10^{-7} centimeter/second or a GCL.
 - b. A 40-mil textured linear low density polyethylene (LLDPE) geomembrane liner.

- c. 12 inches of sand drainage layer with a hydraulic conductivity greater than or equal to 1×10^{-2} centimeter/second.
 - d. 18 inches of soil protective layer
 - e. Six inches of topsoil
- F5. This facility closure contains approximately 170 acres of composite cover system. As of the date of this permit, approximately 146 acres have been constructed and certified to receive waste, of which approximately 95.2 acres are certified closed. The 30-year post-closure care period for any certified closed portion of the landfill will not begin until the entire facility is certified closed.

G. POST-CLOSURE REQUIREMENTS

- G1. The permittee must perform post-closure monitoring and maintenance as specified in the applicable requirements of 329 IAC 10-31 and follow the facility's approved post-closure plan dated June 14, 2019 (VFC #[82796410](#), pp. 16 - 26 of 44).

H. FINANCIAL RESPONSIBILITY FOR CLOSURE AND POST-CLOSURE

- H1. The permittee must update and maintain a financial assurance mechanism in an amount not less than the estimated costs of closure and post-closure as required in 329 IAC 10-39. The permittee must submit signed originals of the financial assurance mechanism and/or updates used to meet this requirement.
- H2. The permittee must annually review and submit an update by June 15 addressing the following items as detailed in 329 IAC 10-39-2(c) and (d) and 329 IAC 10-39-3(c):
- a. The permittee must adjust the closure and post-closure cost estimates for inflation.
 - b. The permittee must revise the cost estimates to account for changes which increase the cost of closure or post-closure.
 - c. The permittee may revise the cost estimates to account for changes which reduce the cost of closure or post-closure. The permittee must provide documentation supporting reduced cost-estimates, for example: letters and maps documenting areas certified as closed.
 - d. The permittee must submit an existing contour map showing the approved solid waste land disposal facility that delineates the boundaries of all areas into which waste has been placed and the boundaries of areas certified as closed. The map must be certified by a professional engineer or a registered land surveyor.

- e. The permittee must submit documentation showing that the financial assurance mechanism is adequate to cover the estimated costs of closure and post-closure. The permittee must submit signed originals of the financial assurance mechanism and/or updates used to meet this requirement

I. COMPLIANCE SCHEDULE REQUIREMENTS

- 11. Within 60 days after receiving this permit, the permittee must submit a plan proposing to establish background groundwater quality for the System listed in Requirement E3 for IDEM review and approval. This plan must include well location(s) for obtaining background groundwater quality samples that represent historical conditions unaffected by a CCR unit or facility activities that may contribute parameters of concern (at a minimum, the Phase I and Phase II parameters listed in Requirement E14 against which background comparisons occur.
- 12. Within 60 days after receiving this permit, the permittee must submit a new Sampling and Analysis Plan (SAP) that describes sampling protocol, equipment, and methods for collecting groundwater and surface water samples to be analyzed for parameters listed in Requirements E14 and E17. The new SAP will replace the current SAP (see Requirement E9). The permittee must implement the new SAP upon IDEM's written approval. The submittal must include one original paper copy and one PDF electronic file.
- 13. Within 60 days after receiving this permit, the permittee must submit a Quality Assurance Project Plan (QAPjP) for the parameters listed Requirements E14 and E17. The new QAPjP will replace the current QAPjP (see Requirement E10). The permittee must implement the QAPjP upon IDEM's written approval. The submittal must include one original paper copy and one PDF electronic file.
- 14. Within 60 days after the permittee establishes background groundwater quality (see Requirement I1), the permittee must submit a Statistical Evaluation Plan (StEP) following 329 IAC 10-29-5. The StEP is effective upon IDEM's written approval. The submittal must include one original paper copy and one PDF electronic file.

In the StEP, the permittee must present the data distribution assumptions. The statistical procedures must be appropriate for the data distribution and provide a balance between the probability of falsely identifying a significant difference and the probability of failing to identify a significant difference. To achieve the balance, the permittee should consider the background sample sizes, the number of individual statistical tests performed, and the specific verification resampling method.

Leachate Generation and Recirculation Report

Facility: _____

Year: _____

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total	Area Open ¹ Acres	Area Closed ² Acres	GPAD ³
Total Gallons Generated																
*Gallons Disposed off-site																
*Gallons Evaporated in LES ⁴																
*Gallons Recirculated Vertical Injection Method																
*Gallons Per Ton of Waste for Vertical Injection Method																
*Gallons Recirculated Horizontal Injection Method																
*Gallons Per Ton of Waste for Horizontal Injection Method																
*Gallons Recirculated Working Face Spray Method																
*Gallons Per Ton of Waste for Working Face Spray Method																
*Gallons Treated at On-site Wastewater Facility																
*Gallons used in Pug Mill for Ash Conditioning Method																
*Gallons Used for Dust Control																
Rainfall in inches ⁵																

Locations of off-site disposal:

1. _____
2. _____
3. _____

Additional notes: At a minimum, the permittee must also submit the following information when the vertical and horizontal well injection methods are used; it does not apply when the direct/working face application method is used.

Notes: *

Only applicable to those facilities that are approved for leachate recirculation or approved for leachate evaporation at an approved Leachate Evaporation System or other approved leachate use such as, dust control and ash conditioning.

1. Area of landfill under operation, but not closed according to the approved closure plan. Please provide the breakdown of the area under operation in terms of composite liner vs. clay liner with a leachate collection system.
2. Area of landfill that is closed with final cover. Please provide the breakdown of the final cover in terms of clay soil vs. composite cover.
3. Gallons Per Acre Per Day
4. Leachate Evaporation System
5. Please use the available rainfall data from the city nearest your facility.

- a. Location of the leachate recirculation in terms of the cell #, the phase #, and the area of the cell/phase in acres.
- b. Approximate volume of the in place waste in tons, where the leachate recirculation took place.
- c. Total amount of leachate being recirculated in a specific cell/phase in gallons at the time of this report. If multiple cells/phases are receiving recirculation, please specify.

NOTICE OF DECISION

The Indiana Department of Environmental Management (IDEM) issued a decision regarding a renewal for the R.M. Schahfer Generating Station Restricted Waste Site (RWS) Type I (SW Program ID 37-01) two miles northeast of the town of Wheatfield at 2723 East 1500 North in Wheatfield, Jasper County. This solid waste land disposal facility permit allows the permittee, Northern Indiana Public Service Company, to renew a permit for their existing facility for another five years. The final decision is available online via IDEM's Virtual File Cabinet (VFC). Please go to: <http://vfc.idem.in.gov/>. You can search there for approval documents using a variety of criteria. A copy of the permit decision has also been mailed to the Jasper County Library, 208 West Susan Street, Rensselaer, 47978-2699, however, due to the COVID-19 incident, the library may be closed or have limited access. If you need assistance accessing the permit, please contact the Solid Waste Permits Section at (317) 234-9536 or toll free within Indiana at (800) 451-6027, or send an e-mail to OLQ@idem.IN.gov with the permit information in the subject line.

APPEAL PROCEDURES

If you wish to challenge this decision, IC 13-15-6-1 and IC 4-21.5-3-7 require that you file a Petition for Administrative Review. If you seek to have the effectiveness of the permit stayed during the Administrative Review, you must also file a Petition for Stay. The Petition(s) must be submitted to the Office of Environmental Adjudication (OEA) at the following address within 15 days of the date of newspaper publication of this Notice:

Office of Environmental Adjudication
Indiana Government Center North, Room N103
100 North Senate Avenue
Indianapolis, IN 46204

The Petition(s) must include facts demonstrating that you are either the applicant, a person aggrieved or adversely affected by the decision, or otherwise entitled to review by law. Identifying the permit, decision, or other order for which you seek review by permit number, name of the applicant, location, or date of this notice will expedite review of the petition. Additionally, IC 13-15-6-2 and 315 IAC 1-3-2 require that your Petition include:

1. the name, address, and telephone number of the person making the request;
2. the interest of the person making the request;
3. identification of any persons represented by the person making the request;
4. the reasons, with particularity, for the request;
5. the issues, with particularity, for the request;
6. identification of the terms and conditions which, in the judgment of the person making the request, would be appropriate in the case in question to satisfy the requirements of the law governing documents of the type granted or denied by the Commissioner's action; and
7. a copy of the pertinent portions of the permit, decision, or other order for which you seek review, at a minimum, the portion of the Commissioner's action that identifies the person to whom the action is directed and the identification number of the action.

Pursuant to IC 4-21.5-3-1(f), any document serving as a petition for review or stay must be filed with the OEA. Filing of such a document is complete on the earliest of the following dates:

1. the date on which the petition is delivered to the OEA;
2. the date of the postmark on the envelope containing the petition, if the petition is mailed to the OEA by United States mail; or
3. the date on which the petition is deposited with a private carrier, as shown by a receipt issued by the carrier, if the petition is sent to the OEA by private carrier.

In order to assist permit staff in tracking any appeals of the decision, please provide a copy of your petition to Alysa Hopkins, IDEM, Solid Waste Permits, IGCN 1154, 100 North Senate Ave., Indianapolis, IN 46204-2251.

The OEA will provide you with notice of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders regarding this decision if you submit a written request to the OEA. If you do not provide a written request to the OEA, you will no longer be notified of any proceedings pertaining to this decision.

More information on the review process is available at the website for the Office of Environmental Adjudication at <http://www.in.gov/oea>.



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

What if you are not satisfied with this decision and you want to file an appeal?

Who may file an appeal?

The decision described in the accompanying Notice of Decision may be administratively appealed. Filing an appeal is formally known as filing a "Petition for Administrative Review" to request an "administrative hearing".

If you object to this decision issued by the Indiana Department of Environmental Management (IDEM) and are: 1) the person to whom the decision was directed, 2) a party specified by law as being eligible to appeal, or 3) aggrieved or adversely affected by the decision, you are entitled to file an appeal. (An aggrieved and adversely affected person is one who would be considered by the court to be negatively impacted by the decision. If you file an appeal because you feel that you are aggrieved, it will be up to you to demonstrate in your appeal how you are directly impacted in a negative way by the decision).

The Indiana Office of Environmental Adjudication (OEA) was established by state law – see Indiana Code (IC) 4-21.5-7 – and is a separate state agency independent of IDEM. The jurisdiction of the OEA is limited to the review of environmental pollution concerns or any alleged technical or legal deficiencies associated with the IDEM decision making process. Once your request has been received by OEA, your appeal may be considered by an Environmental Law Judge.

What is required of persons filing an appeal?

Filing an appeal is a legal proceeding, so it is suggested that you consult with an attorney. Your request for an appeal must include your name and address and identify your interest in the decision (or, if you are representing someone else, his or her name and address and their interest in the decision). In addition, please include a photocopy of the accompanying Notice of Decision or list the permit number and name of the applicant, or responsible party, in your letter.

Before a hearing is granted, you must identify the reason for the appeal request and the issues proposed for consideration at the hearing. You also must identify the permit terms and conditions that, in your judgment, would appropriately satisfy the requirements of law with respect to the IDEM decision being appealed. That is, you must suggest an alternative to the language in the permit (or other order, or decision) being appealed, and your suggested changes must be consistent with all applicable laws (See Indiana Code 13-15-6-2) and rules (See Title 315 of the Indiana Administrative Code, or 315 IAC).



A State that Works

The effective date of this agency action is stated on the accompanying Notice of Decision (or other IDEM decision notice). If you file a "Petition for Administrative Review" (appeal), you may wish to specifically request that the action be "stayed" (temporarily halted) because most appeals do not allow for an automatic "stay". If, after an evidentiary hearing, a "stay" is granted, the IDEM-approved action may be halted altogether, or only allowed to continue in part, until a final decision has been made regarding the appeal. However, if the action is not "stayed" the IDEM-approved activity will be allowed to continue during the appeal process.

Where can you file an appeal?

If you wish to file an appeal, you must do so in writing. There are no standard forms to fill out and submit, so you must state your case in a letter (called a petition for administrative review) to the Indiana Office of Environmental Adjudication (OEA). Do not send the original copy of your appeal request to IDEM. Instead, send or deliver your letter to:

**The Indiana Office of Environmental Adjudication
100 North Senate Avenue, Room N103
Indianapolis, IN 46204**

If you file an appeal, also please send a copy of your appeal letter to the IDEM contact person identified in the Notice of Decision, and to the applicant (person receiving an IDEM permit, or other approval).

Your appeal (petition for administrative review) must be received by the Office of Environmental Adjudication in a timely manner. The due date for filing an appeal may be given, or the method for calculating it explained, on the accompanying Notice of Decision (NOD). Generally appeals must be filed within 18 days of the mailing date of the NOD. To ensure that you meet this filing requirement, your appeal request must be:

- 1) Delivered in person to OEA, by the close-of-business on the eighteenth day (if the 18th day falls on a day when the Office of Environmental Adjudication (OEA) is closed for the weekend or for a state holiday, then your petition will be accepted on the next business day on which OEA is open), or
- 2) Given to a private carrier who will deliver it to the OEA on your behalf, (and from whom you must obtain a receipt dated on or before the 18th day), or
- 3) For those appeal requests sent by U.S. Mail, your letter must be postmarked by no later than midnight of the 18th day, or
- 4) Faxed to the OEA at (317) 233-9372 before the close-of-business on the 18th day, provided that the original signed "Petition for Administrative Review" is also sent, or delivered, to the OEA in a timely manner.

What are the costs associated with filing an appeal?

The OEA does not charge a fee for filing documents for an administrative review or for the use of its hearing facilities. However, OEA does charge a fifteen cent (\$.15) per page fee for copies of any documents you may request. Another cost that could be associated with Your appeal would be for attorney's fees. Although you have the option to act as your own

Attorney, the administrative review and associated hearing are complex legal proceedings; therefore, you should consider whether your interests would be better represented by an experienced attorney.

What can you expect from the Office of Environmental Adjudication (OEA) after you file for an appeal?

The OEA will provide you with notice of any prehearing conference, preliminary hearings, hearings, "stays," or orders disposing of the review of this decision. In addition, you may contact the OEA by phone at (317) 233-0850 with any scheduling questions. However, technical questions should be directed to the IDEM contact person listed on the Notice of Decision.

Do not expect to discuss details of your case with OEA other than in a formal setting such as a prehearing conference, a formal hearing, or a settlement conference. The OEA is not allowed to discuss a case without all side being present. All parties to the proceeding are expected to appear at the initial prehearing conference.

Leachate Generation and Recirculation Report

Facility: _____

Year: _____

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total	Area Open ¹ Acres	Area Closed ² Acres	GPAD ³
Total Gallons Generated																
*Gallons Disposed off-site																
*Gallons Evaporated in LES ⁴																
*Gallons Recirculated Vertical Injection Method																
*Gallons Per Ton of Waste for Vertical Injection Method																
*Gallons Recirculated Horizontal Injection Method																
*Gallons Per Ton of Waste for Horizontal Injection Method																
*Gallons Recirculated Working Face Spray Method																
*Gallons Per Ton of Waste for Working Face Spray Method																
*Gallons Treated at On-site Wastewater Facility																
*Gallons used in Pug Mill for Ash Conditioning Method																
*Gallons Used for Dust Control																
Rainfall in inches ⁵																

Locations of off-site disposal:

1. _____
2. _____
3. _____

Additional notes: At a minimum, the permittee must also submit the following information when the vertical and horizontal well injection methods are used; it does not apply when the direct/working face application method is used.

Notes: *

Only applicable to those facilities that are approved for leachate recirculation or approved for leachate evaporation at an approved Leachate Evaporation System or other approved leachate use such as, dust control and ash conditioning.

1. Area of landfill under operation, but not closed according to the approved closure plan. Please provide the breakdown of the area under operation in terms of composite liner vs. clay liner with a leachate collection system.
2. Area of landfill that is closed with final cover. Please provide the breakdown of the final cover in terms of clay soil vs. composite cover.
3. Gallons Per Acre Per Day
4. Leachate Evaporation System
5. Please use the available rainfall data from the city nearest your facility.

- a. Location of the leachate recirculation in terms of the cell #, the phase #, and the area of the cell/phase in acres.
- b. Approximate volume of the in place waste in tons, where the leachate recirculation took place.
- c. Total amount of leachate being recirculated in a specific cell/phase in gallons at the time of this report. If multiple cells/phases are receiving recirculation, please specify.

Poe, Diane L

From: Poe, Diane L
Sent: Wednesday, May 27, 2020 10:29 AM
To: 'ncelegals@centurylink.net'
Subject: FW: Schahfer Generating Station RWS I Permit Renewal Approval
Attachments: 052720 37-01 NOD Only.docx

One minor correction – just in the text of the email. I neglected to change the contact information of the permit manager. The attachment is correct.

I apologize for the error.

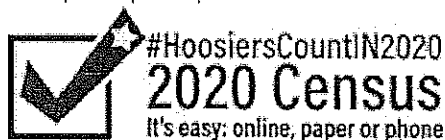
Coping with COVID-19:

- **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 more.



Diane Poe, Administrative Assistant
Permits Branch | Office of Land Quality
Indiana Department of Environmental Management

(317) 232-4473 | dpoe@idem.IN.gov



From: Poe, Diane L
Sent: Wednesday, May 27, 2020 10:18 AM
To: 'ncelegals@centurylink.net' <ncelegals@centurylink.net>
Subject: Schahfer Generating Station RWS I Permit Renewal Approval

To Whom It May Concern:

Please insert for one time only the enclosed legal notice, in The Rensselaer Republican on Friday, May 29, 2020 (or earliest possible date).

If there is an additional charge to post this notice on your web site, please DO NOT post.

Starting January 2019, we are asking all newspapers to provide us an estimated invoice prior to publishing this notice. You may email it to my attention. Please include **Account Number S11204050** on all billing correspondence.

As we understand it, you will provide us with a notarized form (publishers claim) and clippings showing the date on which the advertisement appeared in your paper. This information should be mailed to Diane Poe at the following address:

dpoe@idem.IN.gov or

Indiana Department of Environmental Management
Office of Land Quality
Permits Branch
IGCN Room 1101
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

Please contact Diane Poe at (317) 232-4473 or dpoe@idem.IN.gov or Alysa Hopkins at (317) 234-4596 or ahopkins@idem.in.gov if you have any questions. Thank you for your cooperation.



Diane Poe, Administrative Assistant
Permits Branch | Office of Land Quality
Indiana Department of Environmental Management

(317) 232-4473 | dpoe@idem.IN.gov





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Eric J. Holcomb
Governor

Bruno L. Pigott
Commissioner

May 27, 2020

Jasper County Library
208 West Susan Street
Rensselaer, Indiana 47978-2699

Re: Documents for Public View

Dear Sir/Madam:

A copy of a permit decision for the Schahfer Generating Station RWS I is enclosed. Also enclosed is a copy of the public notice announcing this permit decision and indicating the documents' availability at your library. This public notice will appear in a local newspaper soon. Please make these documents available to the public for the next 20 days since this permit can be appealed.

Please date and sign the enclosed verification of receipt form and mail it to our office in the envelope provided.

If you have any questions or comments about the permit notice, please contact me by dialing (317) 234-4596 or by e-mail at AHopkins@idem.in.gov.

Sincerely,

Alysa Hopkins
Solid Waste Permits Section
Office of Land Quality

Enclosures: Notice of Decision
Permit Letter
Verification of Receipt Form
Agency Addressed Envelope

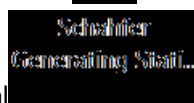
cc with enclosures: Jasper County Health Department
Jasper County Commissioners
Northwest Indiana Solid Waste Management District
President, Wheatfield Town Council

Poe, Diane L

From: Microsoft Outlook
To: 'jloewe@nsource.com'
Sent: Wednesday, May 27, 2020 10:45 AM
Subject: Relayed: Schahfer Generating Station RWS I Permit Renewal Approval

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

jloewe@nsource.com (jloewe@nsource.com)



Subject: Schahfer Generating Station RWS I Permit Renewal Approval

From: jloewe@nisource.com
Sent: Wednesday, May 27, 2020 10:56 AM
To: Poe, Diane L
Subject: Schahfer Generating Station RWS I Permit Renewal Approval

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

Return Receipt

Your Schahfer Generating Station RWS I Permit Renewal Approval document:

was jloewe@nisource.com
received
by:

at: 05/27/2020 09:56:12 AM