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VROW-2014-0103

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RECORDED: 01/21/2015 2:53:31 PM

BILL NO. G-14-12-02

ANITA MATHER

ALLEN COUNTY RECORDER  
FORT WAYNE, IN

Deed Book: 5  
Page No: 68-69

GENERAL ORDINANCE NO. G- 1-15

**AN ORDINANCE amending the Thoroughfare  
Plan of the City Comprehensive ("Master")  
Plan by vacating public right-of-way.**

WHEREAS, a petition to vacate public right-of-way within the City of Fort Wayne, Indiana, (as more specifically described below) was duly filed with the City Clerk of the City of Fort Wayne, Indiana; and

WHEREAS, Common Council of the City of Fort Wayne, Indiana duly held a public hearing and approved said petition, as provided in I.C. 36-7-3-12.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the petition filed herein to partially vacate a public right-of-way within the City of Fort Wayne, Indiana, more specifically described as follows, to-wit:

All that part of the former Spy Run Avenue right-of-way lying Southerly of the median water mark of the St. Mary's River and North of the North right-of-way of Superior Street (66 feet wide), as situated in the City of Fort Wayne, Allen County, Indiana, by metes and bounds described as follows, to-wit:

Commence on the North right of way of Superior Street (66 feet wide) at a point situated 282.00 feet Easterly of the Southwest corner of Lot No. 1 in the Original Plat of the City of Fort Wayne, said point being on the former West right of way of Spy Run Avenue and the Southeast corner of that property conveyed to Hall's Gas House, LLC by Instrument recorded in Document Number 204016059; thence North 79 degrees 51 minutes 59 seconds East (assumed bearing and basis of bearings used in this description) along the North right of way line of Superior Street, a distance of 51.38 feet to the Southwest corner of Lot 1 in Barvas First Addition as recorded in Deed Record 539, pages 64-65; thence North 4 degrees 42 minutes 59 seconds East along the West line of said Lot 1 and the extension Northerly, as coincident with the Easterly 40 foot Right of Way of the former Spy Run Avenue, a distance of 120.69 feet to the median water mark of the St. Mary's River; thence along said median water line, North 77 degrees 04 minutes 32 seconds West, a distance of 1.59 feet; thence continuing along said median water line, North 85 degrees 07 minutes 22 seconds West, a distance of 38.43 feet to the West right of way of the former Spy Run Avenue and the Easterly line of the Hall's Gas House property; thence South 4 degrees 42 minutes 59 seconds West along the lines aforesaid, a distance of 107.60 feet; thence South 24 degrees 41 minutes 17 seconds West and continuing along the lines aforesaid, a distance of 28.30 feet to the point of beginning, containing 5,167 square feet, or 0.1186 Acres of land, more or less.

and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan

and is hereby approved in all respects.

Witness my hand and  
Duly entered for record. Subject  
to final acceptance for transfer

JAN 21 2015

*Jana K. Kelly*  
CLERK OF THE COMMON COUNCIL

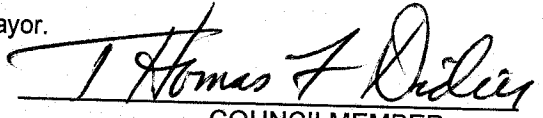
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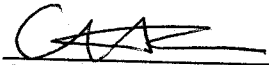
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SECTION 2. That this Ordinance shall be in full force and effect from and after its passage,  
any and all necessary approval by the Mayor.

  
COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:

  
\_\_\_\_\_  
Carol T. Helton, City Attorney

City of Fort Wayne Common Council  
**DIGEST SHEET**

---

**Department of Planning Services**

Title of Ordinance: Vacation of Public Right-of-way  
Case Number: VROW-2014-0103  
Bill Number: G-14-12-02  
Council District: 5 – Geoff Paddock

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Introduction Date: December 9, 2014  
Public Hearing Date: January 6, 2014 ~~5~~  
Next Council Action: Ordinance will return to Council after approvals from reviewing agencies.

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Synopsis of Ordinance: To vacate the portion of unimproved right-of-way for Spy Run Avenue located between East Superior Street and the St. Mary's River.

Location: Adjacent to 305 East Superior, and Hall's Gas House Restaurant.

Reason for Request: The applicant wishes to expand "The Deck" outdoor dining area at Hall's Gas House. If the right-of-way is vacated, there will be more room for the planned expansion.

Applicant: Hall's Gas House, LLC

Property Owner: Hall's Gas House, LLC

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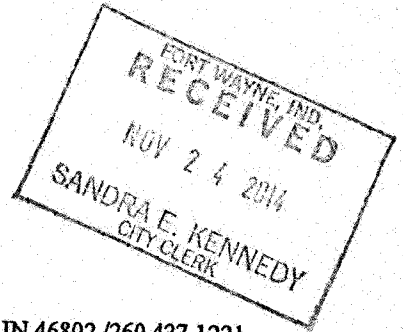
Related Petitions: A Development Plan will be submitted to Plan Commission for the deck expansion.

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Effect of Passage: Vacation of this portion of Spy Run Avenue, as requested, will allow the new construction to expand into the existing unimproved right-of-way.

Effect of Non-Passage: This portion of Spy Run Avenue will remain platted as public right-of-way and any new construction on the property must meet the standards of the ordinance within the existing property lines.

# CITY OF FORT WAYNE



## Vacation Petition

City Clerk / Suite 110 / Citizens Square Building / 200 East Berry Street / Fort Wayne IN 46802 / 260.427.1221

I/We do hereby petition to vacate the following:

         Easement       Public Right of Way (street or alley)

More particularly described as follows:

SEE SURVEY AND LEGAL DESCRIPTION  
ATTACHED

(Please Attach a Legal Description of the property requested to be vacated, along with a survey or other acceptable drawing showing the property.)

DEED BOOK NUMBER: 5 PAGE(S) NUMBER(S): 68-69 (This information can be obtained from the Allen County Recorder's Office on the 2<sup>nd</sup> Floor, City-County Building, One Main Street, Fort Wayne, IN).

The reasons for the proposed vacation are as follows:

TO POSSESS PROPERTY FOR TRANSFER FROM THE  
CITY TO THE ADJACENT PROPERTY OWNER

(If additional space is needed please attach separate page.)

The applicant on an attached sheet must also provide the names and addresses of all adjacent property owner(s). The information on that sheet must be as follows:

Property owner(s) Name(s); Street Address; City; State; Zip Code; Phone Number with Area Code.

Applicant's name(s) if different from property owner(s):

Name: HALL'S GAS HOUSE, LLC

Street Address: 216 HWY. 930 W

City: NEW HAVEN State: IN Zip: 46774 Phone: 260 424-2530

I/We, your petitioners, file this petition pursuant to the authority granted in Indiana Code, and provisions of local ordinance. I/We agree to abide by all provisions of the For Wayne Zoning Ordinance and/or Subdivision Control Ordinance, as well as all procedures and policies of the Fort Wayne City Plan Commission as those provisions, and policies relate to the handling and disposition of this petition. I/We also certify that this information is true and accurate to the best of my/our knowledge.

Scott Hall  
Signature

Scott Hall, MEMBER  
Printed Name

11/24/14  
Date

810 S. CALHOUN ST., SUITE 100  
Address

FORT WAYNE, IN 46802  
City/State/Zip

cl shall@hallgooden.com

414-1316 cell

Signature

Printed Name

Date

Address

City/State/Zip

If additional space is needed for signatures please attach a separate page.

Agent's Name (Print Legibly): Jeff Hile

Street Address: 111 W. Berry Suite 200

City: FW State: IN Zip: 46802 Phone: 424-7200

433-9841 cell

**NOTICE:**

- Legal Description is to be the area to be vacated and must be complete and accurate. If necessary a licensed surveyor's legal description may be required.
- Applicant is hereby informed that in the case of a utility being located in a public way or easement, the applicant may be required to bear the cost of relocation, or of providing a replacement easement or easement's as needed.

**For Office Use Only:**

Receipt #: N/A

Date Filed: 11/25/14

Map #: Wayne 02 M10

Reference #: VROW-2014-0103

FW5 Groff Paddock



# HOFER AND DAVIS, INC.

LAND SURVEYORS  
203 W. WAYNE ST. #316  
FORT WAYNE, IN 46802  
(260) 422-9922  
FAX (260) 424-2157

MICHAEL W. DAVIS L.S.  
HANS C. HOFER L.S.  
WM. S. DAVIS L.S. (RET.)  
CARLA A. HOFER L.S. P.E. (RET.)  
A. K. HOFER L.S. P.E. (1968)

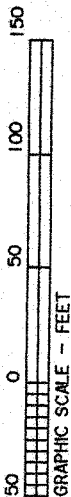
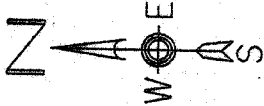
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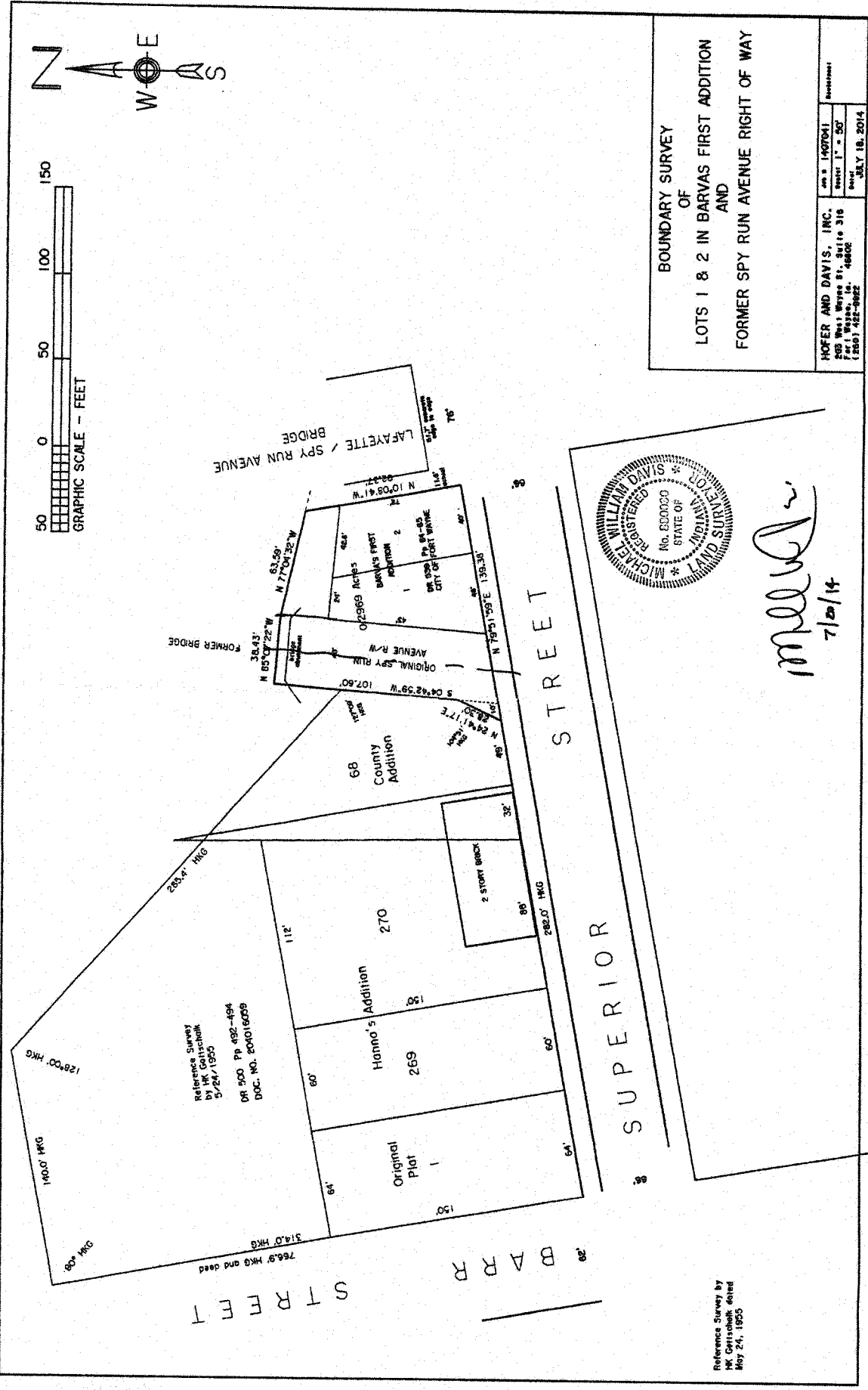
IN WITNESS WHEREOF, I Place my hand  
and seal this 29<sup>th</sup> day of July, 2014.

*Michael W. Davis*





GRAPHIC SCALE - FEET



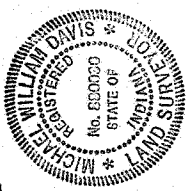
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HK Gattisohk  
5/24/1955  
DR 500 Pp 492-494  
DOC. NO. 204016059

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283.4' HKS

BOUNDARY SURVEY  
OF  
LOTS 1 & 2 IN BARYAS FIRST ADDITION  
AND  
FORMER SPY RUN AVENUE RIGHT OF WAY

HOFFER AND DAVIS, INC.  
208 West Wayne St., Suite 316  
Fairfax, Va. 22031  
(703) 422-9822

Job # 1407041  
Sheet 1 of 50  
Date JULY 18, 2014

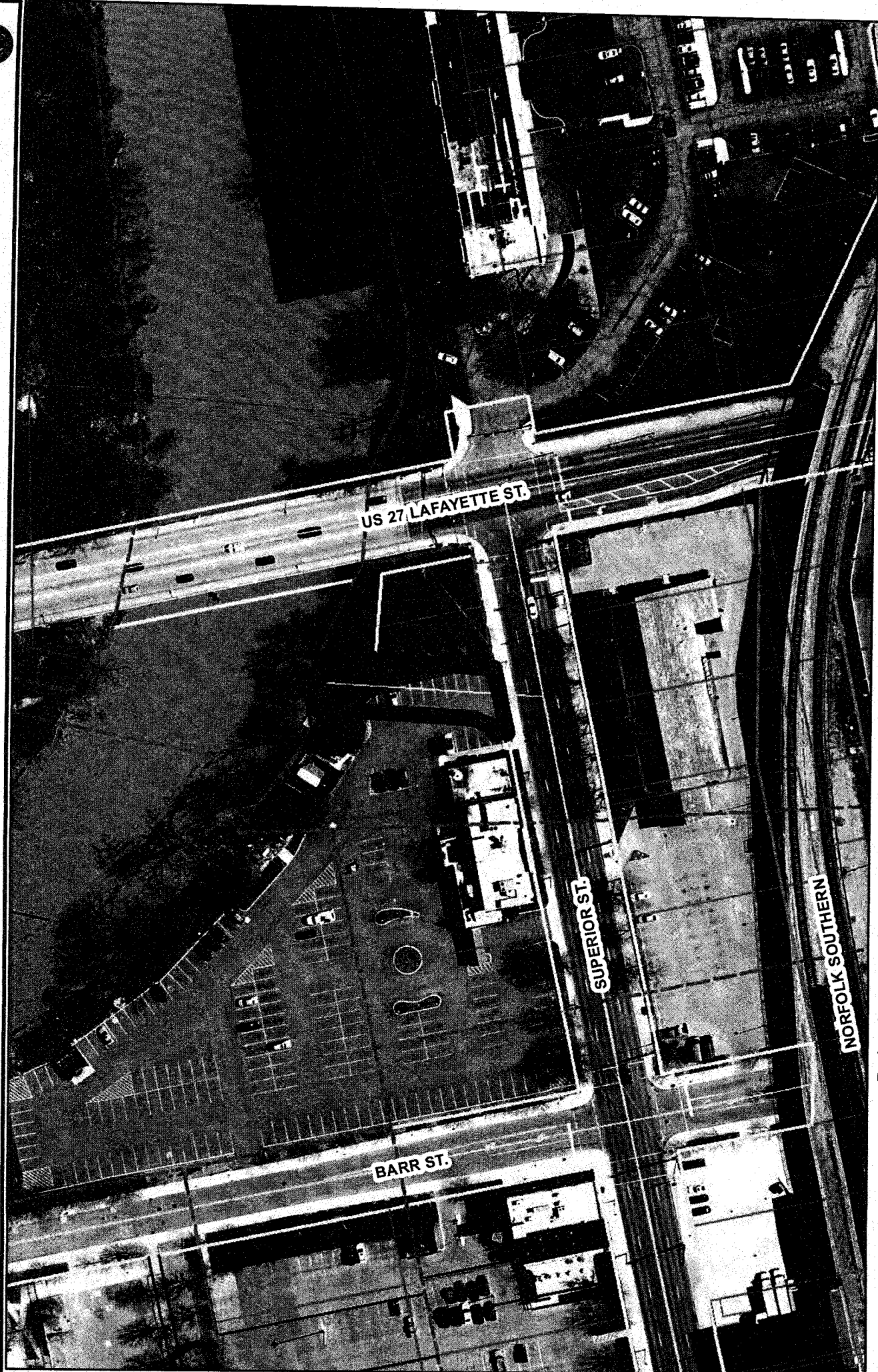


*Michael Davis*  
7/15/14

Reference Survey by  
HK Gattisohk dated  
May 24, 1955



Vacation Petition VROW-2014-0103

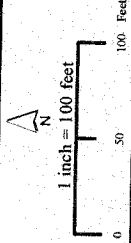


Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

© 2004 Board of Commissioners of the County of Allen  
Use of American Datum 1983  
State Plane Coordinate System, Zone 16 East  
Photos and Contours: Spring, 2009

Date: 11/25/2014

Project boundaries represented by bold colored lines are for representational purposes only.



# The Journal Gazette

Account # 1060008 - 1162328

**FW Common Council**

Allen County, Indiana

## PUBLISHER'S CLAIM

ATTACH COPY OF ADVERTISEMENT HERE

### LINE COUNT

Display Master (Must not exceed two actual lines, neither of which shall  
total more than four solid lines of the type in which the body of the  
advertisement is set) -- number of equivalent lines \_\_\_\_\_

Head -- number of lines \_\_\_\_\_

Body -- number of lines \_\_\_\_\_

Tail -- number of lines \_\_\_\_\_

Total number of lines in notice 65

### COMPUTATION OF CHARGES

65 lines, 1 column(s) wide equals  
65 equivalent lines at \$ 0.413 cents per line \$ 26.85

Additional charges for notices containing rule or tabular work  
(50 per cent of above amount) -

Charge for extra proofs of publication  
(\$2.00 for each proof in excess of two) -

\$ 26.85

**TOTAL AMOUNT OF CLAIM**

### DATA FOR COMPUTING COST

Width of single column in picas . . . . 9.8    Size of type . . . . 7point.  
Number of Insertions . . . . 1

Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

I also certify that the printed matter attached hereto is a true copy, of the same column width and type size, which was duly published in said paper 1 times.

The dates of publication being as follows:

<u>12/26/2015</u>	-	-	-
-	-	-	-
-	-	-	-

Additionally, Newspaper has a Web site and this public notice was posted on the same day as it was published in The Journal Gazette.

*T. Brown-Smith*

T. Brown-Smith  
Legal Clerk

Date: December 26, 2015

**NOTICE OF PUBLIC HEARING  
FORT WAYNE COMMON COUNCIL**

BILL NO. G-14-12-02

The Common Council of the City of Fort Wayne, Indiana will hold a public hearing Tuesday, January 6, 2014 at 5:30 p.m. The Council will hold the hearing in Room 030 on the Garden Level (basement) of Citizens Square at 200 East Berry Street. The agenda for the hearing includes the following request.

PROPOSAL: VROW-2014-0103  
BILL NO: G-14-12-02  
APPLICANT: Hall's Gas House, LLC  
REQUEST: To vacate a portion of the platted Spy Run Avenue right-of-way between East Superior Street and the St. Mary's River, adjacent to 305 East Superior Street. (Section 2 Wayne Township)  
LAND AREA: Approximately 5,720 square feet proposed to be vacated.

This hearing is your choice to offer input you may have regarding the request. If you are unable to attend the hearing but want to be heard, or are planning to attend and want to submit information for the Council to review, have 11 copies of your written comments to the Department of Planning Services before 12:00 p.m. January 6, 2015. You may also email comments to michelle.wood@allencounty.us.

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED GENERAL ORDINANCE SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY, JANUARY 6, 2015.

ALL INTERESTED PERSONS ARE INVITED TO ATTEND AND BE HEARD AT THE PUBLIC HEARING.

"REASONABLE ACCOMMODATIONS" FOR PERSONS WITH A KNOWN DISABLING CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH STATE AND FEDERAL LAW. ANY PERSON NEEDING A "REASONABLE ACCOMMODATION" SHOULD NOTIFY THE PUBLIC INFORMATION OFFICE (260) 427-1120 TTY (260) 1200, AT LEAST SEVENTY-TWO HOURS PRIOR TO THE MEETING.

12--26

SANDRA E. KENNEDY  
CITY CLERK  
1162328 hspaxlp

# The News-Sentinel

Account # 1060008 - 1162328  
**FW Common Council**

Allen County, Indiana

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Charge for extra proofs of publication (\$2.00 for each proof in excess of two)	-
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SANDRA E. KENNEDY  
CITY CLERK  
1162328 hspaxlp

12-26

Public Hearing Date, if applicable 1-6-15

Read the first time in full and on motion by Councilman Thomas Didier,  
Read the second time by title and referred to the Regulations Committee  
Committee. Read the third time in full and on motion by Councilman  
Thomas Didier, placed on passage by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____
BENDER	<u>✓</u>	_____	_____	_____
CRAWFORD	<u>✓</u>	_____	_____	_____
DIDIER	<u>✓</u>	_____	_____	_____
HARPER	<u>✓</u>	_____	_____	_____
HINES	<u>✓</u>	_____	_____	_____
JEHL	<u>✓</u>	_____	_____	_____
PADDOCK	<u>✓</u>	_____	_____	_____
SHOAFF	<u>✓</u>	_____	_____	_____
SMITH	<u>✓</u>	_____	_____	_____

DATED: 1-13-15 Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as  
(ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE  
(RESOLUTION) NO. B-1-15 on the 13<sup>th</sup> day of  
January, 2015

ATTEST:  
Sandra E. Kennedy SANDRA E. KENNEDY, CITY CLERK  
John N. Crawford PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14<sup>th</sup> day  
of January, 2015, at the hour of 3:00 O'clock PM. E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 15<sup>th</sup> day of January  
2015, at the hour of 9:30 O'clock AM. E.S.T.  
Thomas C. Henry  
THOMAS C. HENRY, MAYOR

**BILL NO. G-14-12-02**

**REPORT OF COMMITTEE ON REGULATIONS**

**JANUARY 13, 2015**

*Mitch Harper, Chair  
Glynn Hines, Co-Chair  
All Council Members*

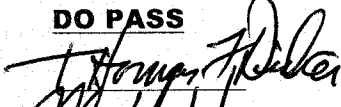
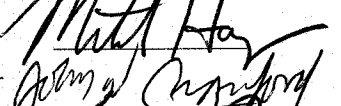
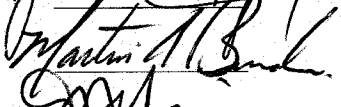
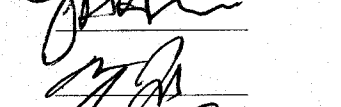
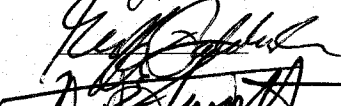
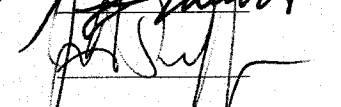

**AN ORDINANCE** amending the Thoroughfare Plan of the City Comprehensive ("Master") Plan by vacating public right-of-way. The location is adjacent to 305 East Superior, and Hall's Gas House Restaurant. **COMMITTEE ON REGULATIONS HAVE HAD SAID** Ordinance under consideration and beg leave to report back to the Common Council that said ordinance

DO PASS

DO NOT PASS

ABSTAIN

NO REC

	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____

**SANDRA E. KENNEDY  
CITY CLERK**



# WAYNE TOWNSHIP TRUSTEE OFFICE

ALLEN COUNTY

320 E. Superior Street

Fort Wayne, Indiana 46802

Phone: (260) 449-7000 Fax: (260) 422-8460

RICHARD A. STEVENSON, SR.  
TRUSTEE

December 22, 2014

Department of Planning Services  
Suite 150, Citizens Square  
200 East Berry  
Fort Wayne, IN 46802

Dear Planning Commission:

Please be advised that I strongly suggest that the proposal of the Don Hall Gas House expansion be denied.

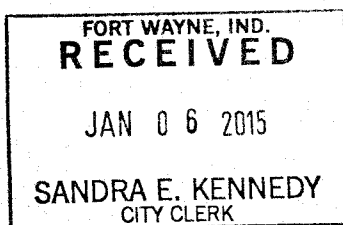
For the past several years this parcel has been a part of an investigation which has identified to be part of a site previously occupied by a manufacturing gas plant. Resulting from that operation, investigations have been conducted revealing contaminated soil. Some remediation has taken place; however, contaminated soil remains. In fact, documenting studies suggest that the flow is toward the proposed expansion.

Attached is empirical proof relative to my assertion. Please review the findings and judge yourselves accordingly.

Sincerely,

Richard A. Stevenson, Sr.

*Councilman Harper -  
Was submitted for  
the Development Plan  
proposal for the Deck  
expansion - but since these  
are related - here is a copy  
for the vacation file (mw.)*





# AGES

Applied Geology And Environmental Science, Inc.

2402 Hookstown Grade Road, Suite 200

Clinton, PA 15026

www.appliedgeology.net

P 412. 264. 6453 F 412. 264. 6567

December 3, 2014

[REDACTED]

**Subject: Second Quarter 2014: Groundwater Monitoring Report  
Old Fort Wayne Former Manufactured Gas Plant (MGP)  
Fort Wayne, Indiana**

[REDACTED]:

On behalf of Applied Geology and Environmental Science (AGES), Inc., we would like to thank you for the opportunity to submit this letter-report for the above-referenced project.

## INTRODUCTION

In 2008, Northern Indiana Public Service Company (NIPSCO) contracted with AGES to continue an ongoing quarterly groundwater monitoring program at a Former Manufactured Gas Plant in Fort Wayne, Indiana (Old Fort Wayne MGP). This letter presents the results of the second quarter 2014 monitoring event, which was performed at the site in April 2014.

NIPSCO has entered the Old Fort Wayne MGP into the Indiana Department of Environmental Management (IDEM) Voluntary Remedial Program (VRP). The purpose of quarterly groundwater monitoring at this site is to monitor groundwater conditions beneath the properties formerly occupied by the MGP and beneath adjacent properties, to establish a Perimeter of Control (POC) for the site. To achieve closure in the VRP, NIPSCO must establish that the groundwater plume is either stable or shrinking, and that the IDEM Remediation Closure Guide Residential Tap Screening Levels are met for those areas where NIPSCO does not have control of the site.

## BACKGROUND

The Old Fort Wayne MGP is located on property currently owned by Don Hall's Old Gas House Restaurant and the government office of Wayne Township Trustees. The Old Gas House property lies north of Superior Street, east of Barr Street, south and west of the St. Mary's River and west of Spy Run Avenue (Figure 1). The Wayne Township Trustees property lies south of Superior Street, east of Barr Street, west of Lafayette Street and Spy Run and north of a railroad right-of-way.

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Other affected properties include a parcel owned by the City of Fort Wayne located west of Barr Street and the former MGP, on which a restaurant and bar (Club Soda) and a city-operated parking lot are currently located; a portion of Headwaters Park, an independently operated park with walking trails and a skating rink; and the St. Mary's River located immediately east of the Old Gas House property.

The former MGP facility produced gas between approximately 1850 and 1930. According to historical documentation, the buildings and units associated with the MGP were demolished after plant operation ceased and eventually the properties were sold to private owners.

In 1992, investigations began at the site after a black substance was observed when the level of the St. Mary's River was lowered to work on a downstream dam. Since that time, several investigations were performed to characterize the nature and extent of the MGP residuals in the area. In addition to these investigations, several interim removal efforts were also completed, including the removal of coal-tar and tar-impacted soils from former holder foundations.

From 1997 through 2001, NIPSCO conducted a Remedial Investigation and Feasibility Study (RI/FS) at the site. The RI/FS recommended the implementation of a remedy consisting of the installation of a slurry wall to contain MGP residuals, a dense non-aqueous phase liquid (DNAPL) recovery system, and a groundwater treatment system. Since this remedy would have prevented the Old Gas House Restaurant from operating for a long period of time, an agreement on implementation could not be reached between NIPSCO and the property owner and no remedial action was performed.

In June 2004, NIPSCO entered the site into the IDEM VRP and began to prepare a Focused Feasibility Study (FFS) to re-evaluate remedial alternatives for the site. As part of the FFS, NIPSCO initiated a quarterly groundwater monitoring program that is currently ongoing, and conducted a Data Gap Investigation to further delineate the extent of MGP impacts in the area. The results of this investigation and a summary of the results of previous investigations were provided in a Phase II Investigation Report submitted to IDEM in 2005. This report divided the affected area into five (5) Areas of Interest (AOIs) and recommended that in-situ stabilization (ISS) be conducted at the most heavily impacted AOIs.

In 2006, a Basis of Design Report summarizing remedial goals, methods, and overall concept for the ISS remedy was submitted to IDEM. After receipt of comments from IDEM on this report, a Remedial Work Plan (RWP) for the ISS remedy was prepared and submitted to IDEM in early 2007. IDEM requested additional design details and asked that background information be provided in the RWP. A revised RWP was prepared and provided to IDEM, who subsequently issued a Conditional Approval Letter requesting monitoring and sampling plans and a few other items.

In 2008, NIPSCO released a set of Technical Specifications for the ISS project to pre-qualified contractors with ISS experience to bid on the project. In the fall of 2008, the contract was awarded to WRSCoast. In December 2008, WRSCoast began mobilizing equipment to the site. Significant site remediation work was conducted from January through June 2009, during which time groundwater monitoring at the site was suspended.

Remediation efforts during this time consisted of three (3) components:

- Removal of the contents of a subsurface gas holder foundation;
- ISS and solidification of approximately 30,000 cubic yards of site soils; and
- Installation of a DNAPL collection system.

A summary of the work conducted and potential implications for the groundwater monitoring program are summarized below.

During remediation, approximately 4,850 tons of tarry soil was removed from a former subsurface gas holder foundation located northwest of the Old Gas House Restaurant (Figure 1). Once removed, clean, off-site borrow soils were used to backfill the brick foundation, which is approximately sixty-five (65) feet in diameter and nineteen (19) feet below ground surface (bgs) and left in place. Since the holder foundation was present before this work, its continued presence is not expected to affect groundwater flow patterns.

The ISS remediation consisted of in-situ mixing of water, cement and other additives with MGP impacted soils to create a solid, low permeability monolith to a depth of approximately twenty-five (25) to thirty-two (32) feet beneath the parking lot located at 305 Superior Street and a small strip of land in the adjacent Headwaters Park. The limits of the ISS monolith are shown on Figure 1. Based on quality assurance/quality control (QA/QC) sample testing by an independent laboratory, the permeability of the treated soil is between  $3 \times 10^{-7}$  cm/sec and  $1 \times 10^{-8}$  cm/sec. The arithmetic mean QA/QC sample permeability is  $3.4 \times 10^{-8}$  cm/sec.

A DNAPL Collection System was also installed and is intended to capture residual tars and oils migrating from source areas toward the St. Mary's River. The system consists of a DNAPL collection trench located along the St. Mary's River and two (2) DNAPL collection wells installed along the sewer alignment (opposite Duck Street). The three (3) collection trench sumps (DCT-1, DCT-2 and DCT-3) the two (2) collection wells (RW-1 and RW-2) are shown on Figure 1.

Groundwater monitoring wells located within the excavation area for the ISS and DNAPL collection trench were removed during the remedial construction. Three (3) monitoring wells (MW09-01, MW09-02 and MW09-03) were installed to augment the monitoring network and an

additional piezometer (PZ09-01) was installed to collect groundwater level information at the southwestern corner of the ISS monolith (Figure 1). Some additional monitoring wells have also been installed since this time including the two (2) most recent monitoring wells, MW12-01 and MW12-02.

## **SITE GEOLOGY**

The former MGP properties and the surrounding properties are generally flat to gently sloping to the north (Figure 1). The majority of these areas are covered with asphalt, concrete, buildings, gravel or grass. Across the entire area, elevations range from approximately 753 to 762 feet above mean sea level (MSL). During investigative work, the site geology was determined to be relatively complex including a layered system consisting of fill, alluvium (likely mixed with glacial outwash) and glacial till. The fill material is deepest along the St. Mary's River and lessens in thickness in the western portion of the site. The surface of the glacial till material generally dips toward the northwest which is in the opposite direction of flow in the St. Mary's River. Overall, the glacial till consists of relatively dense, blocky silt with some gravel and sand, which exhibits a relatively low permeability. The permeability increases in those areas where irregular sand lenses have been observed.

To evaluate the hydrogeology of this layered system, monitoring wells installed at the site and adjacent properties were installed in three (3) different zones; shallow, intermediate and deep. Shallow wells were screened in the fill or upper alluvium from depths between 6.5 to 32 feet bgs. Intermediate wells were screened in the lower alluvium and glacial till from depths between 9.4 to 36.4 feet bgs and deep wells are screened between to 48 and 61 feet bgs in the glacial till unit.

## **FIELD WORK**

The second quarter 2014 sampling event was conducted from 21 through 24 April 2014. Prior to sampling, AGES collected water level measurements from thirty-six (36) monitoring wells (MW-series), one (1) piezometer (PZ09-01), three (3) collection trench sumps (DCT-1 through DCT-3) and two (2) collection wells (RW-1 and RW-2) and gauged these points for the presence of DNAPL (Table 1). A surface water elevation from the St. Mary's River was also collected from a location along the Spy Run Avenue Bridge.

Before sample collection, each well was purged with a bladder pump using a low-flow methodology. A flow-through cell and YSI multi-parameter probe were used to monitor field parameters (Specific Conductivity, Dissolved Oxygen, Oxidation Reduction Potential, pH, temperature, and turbidity) prior to sampling. Ferrous Iron, Total Alkalinity and CO<sub>2</sub> concentrations were also measured in certain wells prior to sampling. Purging was conducted until

field parameters stabilized. Field measurements collected during the second quarter 2014 and historical field measurements are presented on Table 2.

After purging was complete, groundwater samples were collected for Benzene, Toluene, Ethylbenzene, and Xylenes (BTEX), Polycyclic Aromatic Hydrocarbons (PAHs) and Weak Acid Dissociable (WAD) Cyanide. Samples for Ammonia-Nitrogen were also collected from select wells. Upon collection, the samples were placed in coolers with ice and submitted, under appropriate chain-of-custody, to TestAmerica Laboratories, Inc. in Amherst, New York for analysis.

## **GROUNDWATER FLOW**

Groundwater elevations were calculated from measurements collected on 21 April 2014 (Table 1). Based on these measurements, shallow groundwater, in the fill or upper alluvium, appears to flow to the north/northeast, around the monoliths and toward the St. Mary's River (Figure 2). The groundwater elevation for monitoring well MW10-03 was not used to construct the shallow groundwater contour figure since this well is located within the former relief holder foundation and is therefore disconnected from the hydrologic system. A portion of the groundwater flowing immediately beneath the upper most zone (intermediate zone), in the lower alluvium and glacial till, flows in a northeast direction, around the monoliths and towards the St. Mary's River (Figure 3).

Based on data from the three (3) wells (MW94-9, MW94-12 and MW94-16) that monitor the deep till unit, groundwater appears to flow to the north/northwest and not towards the St. Mary's River in the immediate vicinity of the site (Figure 4).

In addition to groundwater flow maps, vertical hydraulic gradients between hydrogeologic units beneath the former MGP site were determined for a total of five (5) well pairs using the fluid level measurements collected on 21 April 2014. The well pairs and vertical hydraulic gradient results are presented on Table 3.

## **DNAPL/LNAPL GAUGING**

DNAPL was detected in eight (8) of the monitoring wells (MW92-1, MW93-5, MW93-9, MW04-07, MW09-02, MW09-03, MW10-01 and MW10-02), one (1) piezometer (PZ09-01), three (3) DNAPL collection trench wells (DCT-1, DCT-2 and DCT-3), and two (2) collection wells (RW-1 and RW-2) during this sampling event (Table 1). No LNAPL was observed in any of the wells during this monitoring event. However, due to the presence of DNAPL in the wells mentioned above, no groundwater samples or field parameter measurements were collected from any of these wells.

Where applicable, DNAPL was removed from each of these wells and placed in an appropriate container for disposal. The following table indicates the thickness of product and the approximate amount of product that was removed from each of these wells.

Monitoring Wells	DNAPL Thickness (feet)	Volume Removed (gallons)
MW92-1	Blebs	0
MW93-5	0.41	0
MW93-9	0.33	0
MW04-07	Blebs	0
MW09-02	0.16	0
MW09-03	0.16	0
MW10-01	Heavy Sheen	0
MW10-02	2.01	0.92
<b>Piezometers</b>		
PZ09-01	Blebs	0
<b>DNAPL Collection Trench Wells</b>		
DCT-1	Blebs	0
DCT-2	Sheen	0
DCT-3	3.00	7.62
<b>Collection Wells</b>		
RW-1	0.50	0
RW-2	3.00	7.62

## RESULTS & CONCLUSIONS

Groundwater samples were analyzed following IDEM protocol for BTEX by Method 8270D, PAHs by Method 8270D and WAD Cyanide by Method SM 4500. For certain wells, groundwater samples were also analyzed for Ammonia-nitrogen using Method 350.1. BTEX, PAHs, Cyanide, and potentially Ammonia are considered Constituents of Interest (COI) for the site. Groundwater analytical results for the samples collected during the 2<sup>nd</sup> quarter 2014 event are summarized in Table 4 and the complete laboratory report for these samples is included in Attachment A.

To evaluate the need for further action, the results were compared to the IDEM Remediation Closure Guide Residential Tap Screening Levels, as available. In Table 4, results exceeding IDEM Remediation Closure Guide Residential Tap Screening Levels are shaded in yellow.

On Figure 5, shallow monitoring wells where BTEX, PAH, and WAD Cyanide concentrations exceed the IDEM Remediation Closure Guide Residential Tap Screening Levels are highlighted.

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represent the extent of site-related impacts. As presented on the figure, impacts are observed immediately to the west of the site, across Barr Street in wells MW04-06 and MW99-3. Benzene levels in MW04-06 (2,400 ug/l) and MW99-3 (110 J ug/l) exceeded the IDEM Remediation Closure Guide Residential Tap Screening Level of 5 ug/l. Naphthalene was also detected in MW04-06 at 50 ug/l and in MW99-3 at 470 ug/l. Impacts were also observed immediately to the south of Superior Street in MW10-03 and MW11-01. In addition to this, wells MW10-01 and MW10-02 and piezometer PZ09-01 contained DNAPL. Due to the presence of DNAPL, these wells were not sampled.

On Figure 6, BTEX, PAH and WAD Cyanide concentrations did not exceed any of the IDEM Remediation Closure Guide Residential Tap Screening Levels in any of the intermediate or deep monitoring wells. However, wells MW09-02, MW09-03, MW93-5, and MW93-9 contained DNAPL and were not sampled.

IDEM has not established Residential Tap Screening Levels for Ammonia. However, IDEM has requested that Ammonia concentrations be monitored due to the concern that site groundwater discharge could elevate Ammonia levels in the St. Mary's River and pose a risk to aquatic species. Ammonia was reported in groundwater at concentrations ranging from <0.009 mg/l in shallow monitoring well MW94-2 (located to the far west of Barr Street) to 28.6 mg/l in intermediate monitoring well MW98-1 (located west of Barr Street). Ammonia concentrations in monitoring wells located along the St. Mary's River ranged from 1.8 mg/l at MW94-16 to 19.2 mg/l at MW09-01.

## DATA QUALITY ASSESSMENT

Data verification was performed on all the analytical results by AGESDATA, a proprietary software. A Quality Control Summary providing information regarding all QA/QC samples collected for this sampling event is included in Attachment B. Attachment B also includes a list of those sample results that AGESDATA added a qualifier or the sample result was changed and the reasons why that qualifier was applied to that particular laboratory result.

Quality control samples for this sampling event included one (1) field blank (OFW-PMW30-60001), five (5) trip blanks (OFW-PMW94-2-63001, OFW-PMW94-14-63001, OFW-PMW94-16-63001, OFW-PMW94-19-63001, and OFW-PMW98-4-63001), two (2) equipment rinse blanks (OFW-PMW94-7-62001 and OFW-PMW04-06-62001), one (1) field duplicate (OFW-PMW99-3-61001), and one (1) Matrix Spike/Matrix Spike Duplicate (MS/MSD) collected from monitoring well MW10-03. Analytical results for the field duplicate sample and the original sample collected from monitoring well MW-99-3 are provided on Table 5. All other analytical results for the QA/QC samples collected during the 2<sup>nd</sup> quarter 2014 sampling event are provided on Table 6.

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## HISTORICAL GROUNDWATER RESULTS

Tables providing the quarterly groundwater results for samples collected from the Old Fort Wayne MGP site since 2008 have been prepared and are provided in Attachment C. Based on these tables, concentration versus time graphs have been prepared for monitoring wells MW-99-3, MW04-06, MW04-08, MW10-01, MW10-03, and MW11-01 which have consistently had Benzene and or Naphthalene concentrations exceeding the applicable screening levels. These graphs compare concentrations of Benzene and Naphthalene over time and are provided in Attachment D.

## CLOSING

If you have any questions concerning this letter report, please feel free to contact us at (412) 264-6453. Thank you again for the opportunity to be of service.

Sincerely,

Applied Geology and Environmental Science, Inc.

*Stephen C. Menosky*

Stephen C. Menosky  
Senior Program Manager I

*Robert W. King*

Robert W. King, L.P.G. #1237  
President/Senior Consultant I

Enclosures

cc: Sean Carroll



7428 Rockville Road, Indianapolis, IN 46214

December 1, 2014

Wayne Township Trustees

[REDACTED]

RE: Environmental File Review Summary  
Old Fort Wayne MGP Site  
AOI-2 (Wayne Township Trustees Office)  
320 East Superior Street  
Fort Wayne, Allen County, IN  
IDEM VRP No. 6040704

Dear [REDACTED]

Industrial Waste Management Consulting Group, LLC (IWM Consulting), on behalf of the Wayne Township Trustees Office (WTTO), has conducted an environmental file review for the property located at 320 East Superior Street, Fort Wayne, Indiana (Site). The Site is currently occupied by the WTTO but was historically occupied by a manufactured gas plant (MGP) between approximately 1850 and the early to mid 1900's (the exact date the MGP operations ceased is unknown). The historical MGP operations have adversely impacted the subsurface of the Site with coal tar, including the presence of light non-aqueous phase liquid (LNAPL), dense non-aqueous phase liquid (DNAPL), poly-aromatic hydrocarbons (PAHs), and benzene, toluene, ethylbenzene, and xylenes (BTEX). Environmental assessment and limited remediation activities have sporadically occurred at the Site since 1993. The environmental assessment and remediation activities have been conducted on behalf of Northern Indiana Public Service Company (NIPSCO). NIPSCO entered the Site into the Voluntary Remediation Program section of the Indiana Department of Environmental Management (IDEM) in June 2004. The documents reviewed as part of the evaluation include the *Supplemental Phase II Investigation Report* prepared by Haley and Aldrich, Inc. (H & A) on February 17, 2014, including Appendix A, which contained a copy of the *Remediation Completion Report* prepared by Remediation Technologies, Inc. (RETEC) in July 1995 and Appendix G, which contained a copy of the *Human Health Risk Assessment* prepared by H & A.

Impacts relating to the historical MGP operations have affected numerous parcels around the intersection of Superior Avenue and Barr Street in Fort Wayne, Indiana and the parcels are owned by various entities. Consequently, NIPSCO and their consultant divided the impacted parcels into five distinct areas of interest (AOI-1 through AOI-5) and the Site itself is identified as AOI-2. According to the H & A reports, the Site was formerly occupied, at a minimum, by a large tar well (Gas Relief Holder), purifiers, coke storage area(s), and a railroad spur servicing the historical MGP operations.

### Historical Environmental Investigation and Interim Remediation Activities

The initial subsurface investigations were completed at the Site in 1993 by RETEC and the interim Site remediation activities were completed in late 1994/early 1995. Specifically, the interim remediation activities consisted of removing approximately 8,800 tons of blended holder material from within the historical Gas Relief Holder and excavating 2,120 tons of impacted soil from an area immediately east of the Gas Relief Holder. The voids were subsequently backfilled with clean, imported backfill and new landscaping along with a new asphalt surface were installed as part of the Site restoration activities.

The underground piping encountered during the remediation activities were removed if it was within the disturbed area, but the piping which extended beyond the disturbed area was reportedly left in place. According to the RETEC report, water and tar were observed in some of the pipes encountered during the excavation activities. Consequently, it is assumed that the piping that extended beyond the excavation limits and were subsequently left in place also contained water and/or tar. The exact location of the piping that was left in place is not known at this time. Residual adsorbed BTEX and PAH constituents were still present along the base and sidewalls of the excavation area and along the outside walls of the Gas Relief Holder, which was left in place.

Several additional subsurface investigations were completed at the Site by H & A, with the most recent subsurface investigations being completed between 2010 and 2012. A Tar-specific Green Optical Screening Tool (TarGOST®) was utilized in November 2010 in order to further characterize the vertical and horizontal extent of MGP residuals, including separate phase coal tar. The TarGOST® investigation consisted of installing nineteen (19) TarGOST® borings and documented the presence of MGP residuals within the subsurface in sixteen (16) of the nineteen (19) borings. TarGOST® readings greater than a 200% reference emitter (RE) response indicate the presence of significant MGP residuals, including separate phase coal tar. Thirteen (13) of the nineteen (19) TarGOST® borings exhibited RE readings greater than 200%. The majority of the MGP residuals were located at depths greater than 10 feet below land surface (BLS).

Numerous soil borings, monitoring wells, and soil gas sampling points were installed at the Site after the TarGOST® investigation in order to confirm the results of the investigation and to provide additional site assessment data. The data obtained during the subsequent investigations confirmed the presence of residual MGP contamination throughout the Site, including the presence of LNAPL and DNAPL. In fact, monitoring well MW-10-02 had the presence of 3 feet of DNAPL, 8.67 feet of DNAPL, and 5 feet of DNAPL during the April 2011, July 2011, and August 2012 groundwater gauging and sampling events, respectively. LNAPL was also detected within MW-10-02 in July 2011 (1.70 feet) and October 2011 (2.58 feet). The groundwater beneath the Site has also been adversely impacted with dissolved BTEX and/or PAHs at concentrations in excess of the current Remediation Closure Guide (RCG) Residential Tap Groundwater Screening Levels.

The analytical results of the soil gas sampling points suggest that the MGP residuals are not posing an immediate threat of vapor intrusion within the existing WTTO building, although a sampling data gap currently exists west of the central portion of the building. However, any buildings constructed west of the WTTO building may have a vapor intrusion issue since higher concentrations of MGP residuals, including the presence of LNAPL and high dissolved VOCs, are located in this area of the Site.

A series of surface soil samples (0-0.5 feet BLS) were also obtained in 2010 and H & A contend that although PAHs were detected at concentrations in excess of the corresponding RCG Screening Levels,

the PAHs originated from a source other than the historical MGP operations and thus should be excluded from future remediation activities. The surface soil samples were obtained from the landscaped areas around the edges of the Site. Although the PAHs may have originated from a source other than the historical MGP operations, it is possible that this imported fill material may have been deposited on the Site by RETEC as part of the interim remedial measure site restoration activities completed in late 1994/early 1995.

The H & A report, including the Human Health Risk Assessment, recommends leaving the MGP residuals in place through utilization of a site specific Environmental Restrictive Covenant (ERC). The ERC will incorporate the following restrictions:

1. Restrict future land use of the Site to non-residential purposes
2. Prohibit extraction of groundwater beneath the Site for any purpose
3. Management of soil greater than 2 feet BLS as to prevent direct contact with the soil by anyone other than excavation workers
4. If subsurface soil is disturbed at depths greater than 15 feet BLS, the excavation activities must be conducted under the oversight of an environmental professional, certain health and safety protocols must be developed and followed, and the soil must be characterized and disposed of properly if it is not able to remain onsite
5. The vapor intrusion exposure pathway must be further evaluated if any structures are constructed west of the existing WTTO building

### Conclusions

Based upon the data summarized in the reports review, the following conclusions have been developed:

- Historical MGP operations have impacted the subsurface beneath the western portion of the Site and the impacts include adsorbed MGP contaminants, dissolved MGP contaminants, and separate phase coal tar.
- The analytical results of the soil gas sampling points suggest that the MGP residuals are not posing an immediate threat of vapor intrusion within the existing WTTO building, although a sampling data gap currently exists west of the central portion of the building. Additionally, the vapor intrusion exposure pathway must be evaluated in the future if any structures are constructed west of the existing WTTO building.
- Potential environmental data gaps exist relating to the area immediately west of the central portion of the WTTO building and along the historical railroad spur. Information should also be provided which confirms or negates the possibility that the piping left in place is not continuing to act as a source of MGP contamination.
- Additional information should also be supplied regarding the landscaping restoration activities completed by RETEC in late 1994/1995 to further evaluate this interim remedial activity as a potential source for the PAH contaminants detected in the surface soil of the landscaped areas in 2010. If RETEC imported soil to complete the landscaping activities, then the contaminants detected in the surface soil is also a direct result of the historical MGP operations and thus should be included as part of any future remediation activities conducted on behalf of NIPSCO.

- The area impacted with the MGP residuals is primarily located west of the WTTO building, in an area approximately 180 feet wide (west to east) and 120 feet long (north to south). According to the H & A reports and investigation data, the MGP residuals are primarily present between 10-25 feet BLS. In the area of the historical Gas Relief Holder, the MGP residuals are present immediately beneath Gas Relief Holder (~17 feet BLS) and extend to a depth approximating 40 feet BLS. Consequently, this information indicates that the minimum thickness of MGP residuals is 15 feet.
- Based upon the investigations completed between 2010 and 2012, the estimated volume of soil adversely impacted with MGP residuals (including the presence of separate phase coal tar) is 12,000 cubic yards (180' x 120' x 15').
- The presence of LNAPL along the north central portion of the Site potentially creates both a short term and long term liability since LNAPL is more mobile than DNAPL. The LNAPL detected at the Site is located on the hydraulically down gradient edge of the Site and since it is more mobile than DNAPL, the LNAPL is likely migrating offsite to the north (same direction as the groundwater flow) and could be adversely impacting offsite receptors (subsurface utilities or offsite properties).
- Future remediation activities through the use of a site specific ERC will create an undue burden to the WTTO. Given the extensive amount of MGP residuals present in the subsurface of the Site, including the presence of DNAPL and LNAPL, future redevelopment activities associated with the Site will be difficult and may create an undue financial or administrative burden to WTTO or a future developer if the contaminants are allowed to remain in-situ. Allowing this amount of residual MGP contamination to remain in the subsurface of the Site may also make it difficult to sale the property in the future, if the WTTO wishes to relocate the WTTO to another location.
- IWM Consulting recommends that the WTTO work with representatives from the IDEM and NIPSCO regarding developing and implementing a site specific remediation work plan that reduces that the amount of MGP residuals in the subsurface of the Site as opposed to controlling potential exposure to the contaminants solely through the use of an ERC. These remedial activities will also help reduce the amount of MGP residuals migrating north of the Site, into the right-of-way of Superior Avenue and onto the properties north of Superior Avenue (AOI-1 and AOI-2).

IWM Consulting appreciates the opportunity to assist the WTTO with this project. Please contact the undersigned at (317) 347-1111 if you have any questions or comments regarding this submittal.

Sincerely,  
IWM CONSULTING GROUP, LLC

~~Brad Gentry, ERC~~  
Vice President, Brownfield Coordinator

~~Greg Seaman, ERC~~  
Vice President Environmental Services



DRAFT