

Statement of Basis Released: Public Comment Period Open

NIPSCO Bailly Generating Facility

Chesterton, Indiana

July 2020

Public Meeting

EPA encourages you to view and comment on a pre-recorded presentation regarding this site from July 6 to August 19, available online at:

<https://go.usa.gov/xvuqx>.

Please also see our FAQ document.

For More Information

If you have questions or comments on the Statement of Basis, contact:

For technical questions:

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312-886-4253

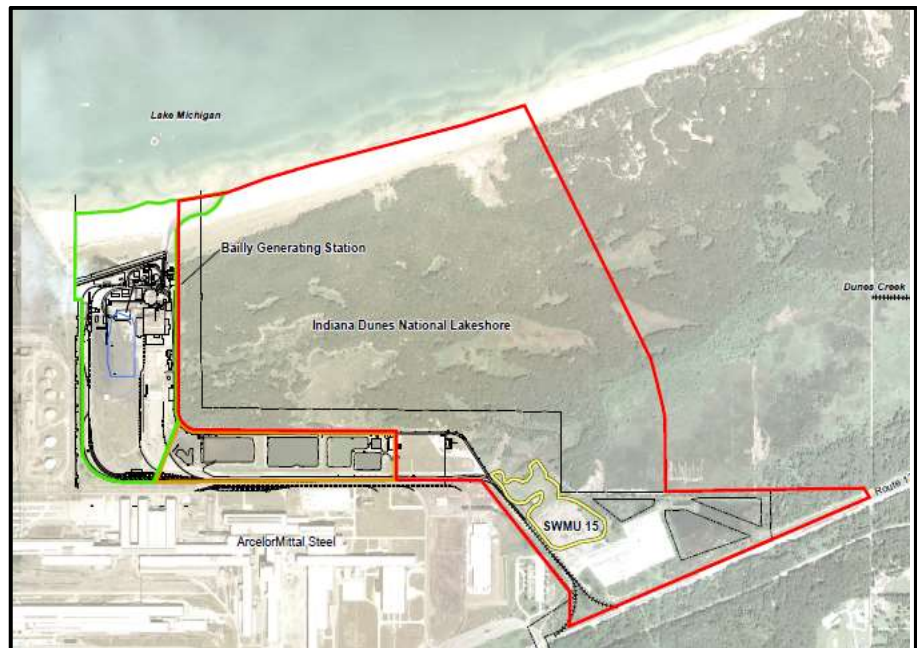
For general questions:

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Involvement Coordinator
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The U.S. Environmental Protection Agency (EPA) is seeking public comment on the proposed cleanup for a portion (Area C) of the NIPSCO Bailly Generating Facility in Chesterton, Indiana. Area C includes on-site and off-site areas that were investigated. NIPSCO's historic coal ash disposal areas have impacted a portion of the adjacent Indiana Dunes National Park (IDNP). The facility area within Area C that has impacted the National Park is called Solid Waste Management Unit 15, or SWMU 15.

In the 1960s, SWMU 15 was an area where NIPSCO disposed of ash created from burning coal. The coal would be burned in Area A and the ash would be taken to SWMU 15. The ash was placed in SWMU 15 for several years before NIPSCO started recycling and disposing of it off-site. Current law does not allow this type of disposal, but it was not illegal at the time.

The ash is buried beneath soil and sits underground to a depth of about 25 feet. Coal ash contains various metals; the primary contaminant of concern in the park is called boron. Underground water, or groundwater, is in contact with the ash and is carrying the underground contamination into the park. Boron, in excess, is toxic to plants. Studies show the boron is harming plants, but the levels are too low to harm people.



Area C is outlined in red with the primary disposal area outlined in yellow and labeled "SWMU 15". Area A is outlined in green and Area B is outlined in orange. The only area subject to this proposed cleanup is Area C.

EPA's Role

In 2005, EPA and NIPSCO entered an Administrative Order on Consent (Order) requiring that NIPSCO investigate and clean up contamination released at its property and establishing EPA oversight of the remedial process. The Order was issued under the authority of Section 3008(h) of the Solid Waste Disposal Act (commonly referred to as the Resource Conservation and Recovery Act of 1976, "RCRA"), as amended by the Hazardous and Solid Waste Amendments of 1984, 42 U.S.C. § 6928(h).

Public Review and Comment

EPA will make available a pre-recorded presentation where people can learn more about the proposed Statement of Basis, as well as a frequently asked questions (FAQ) document. A 45-day public comment period on the proposed remedy begins July 6 and runs through Aug. 19.

Once EPA has reviewed the public comments, the Agency will address them in the Final Decision/Response to Comments document that will present the selected cleanup.

Background

Construction of the coal-fired power plant began in 1959 and became operational in 1962. The facility generated electricity for distribution to industrial, commercial and residential customers from two coal-fired, high-pressure steam boilers, each connected to a steam turbine generator. Coal was burned daily in the two boilers. Beginning in 1962, coal ash was disposed on-site at SWMU 15 and another unit known as SWMU 14, but by 1979 the units were no longer being used. At that point, heavier ash was sent off-site for beneficial recycling and lighter ash was sent off-site for disposal in a regulated landfill. Although both SWMU 15 and SWMU 14 were used as disposal units, SWMU 14 has less ash and all of it remains above groundwater. Since ash is dry in that area, it does not contaminate groundwater like in SWMU 15 and, therefore, does not require a remedy. Contamination was not found downgradient of SWMU 14 at levels above protective levels.

In 2017, NIPSCO announced it would be closing the generation facility and ceased operations in 2018. The facility's closure was part of NIPSCO's plan to reduce carbon emissions by more than 90% by 2028. For many years, studies have been conducted to best understand the complicated nature of the facility's interaction with the bordering National Park. Studies have included risk assessments on soil, sediment, surface water, groundwater, amphibians, plants and people.

Proposed Cleanup

Based on extensive studies, EPA is proposing a cleanup for Area C of the facility. The cleanup is designed to eliminate the source of contamination to the National Park and ensure groundwater in the park no longer poses a risk to plants and wildlife. All EPA cleanups are designed to protect human health and the environment, so it should be noted that these studies showed that this area does not pose a risk to people. Samples also showed that contamination is not getting into Lake Michigan.

EPA is proposing the following:

- Eliminate the source of contamination at SWMU 15 by digging up coal ash that is below the ground but sitting above the groundwater (dry ash) and using In-Situ Solidification and Stabilization ("ISS") for ash below the groundwater (wet ash). Any dry ash would be disposed of off-site at a permitted landfill;
- Dig up a small area of coal ash just outside SWMU 15 and dispose of it off-site at a permitted landfill;
- Utilize Monitored Natural Attenuation ("MNA") to ensure the groundwater in the park no longer poses a risk to plants and wildlife; and
- Enforce institutional controls and long-term stewardship to ensure the property remains safe in the future.

EPA has issued the Statement of Basis document to share with the public details of the facility's history, the studies that have been completed, and a detailed description of the cleanup items proposed above. That document, along with the facility's Administrative Record, is available online at <https://go.usa.gov/xvuqx> and at the Portage Public Library, at 2665 Irving St. in Portage. A frequently asked questions (FAQ) document will also be available online at the same link.

How to Comment

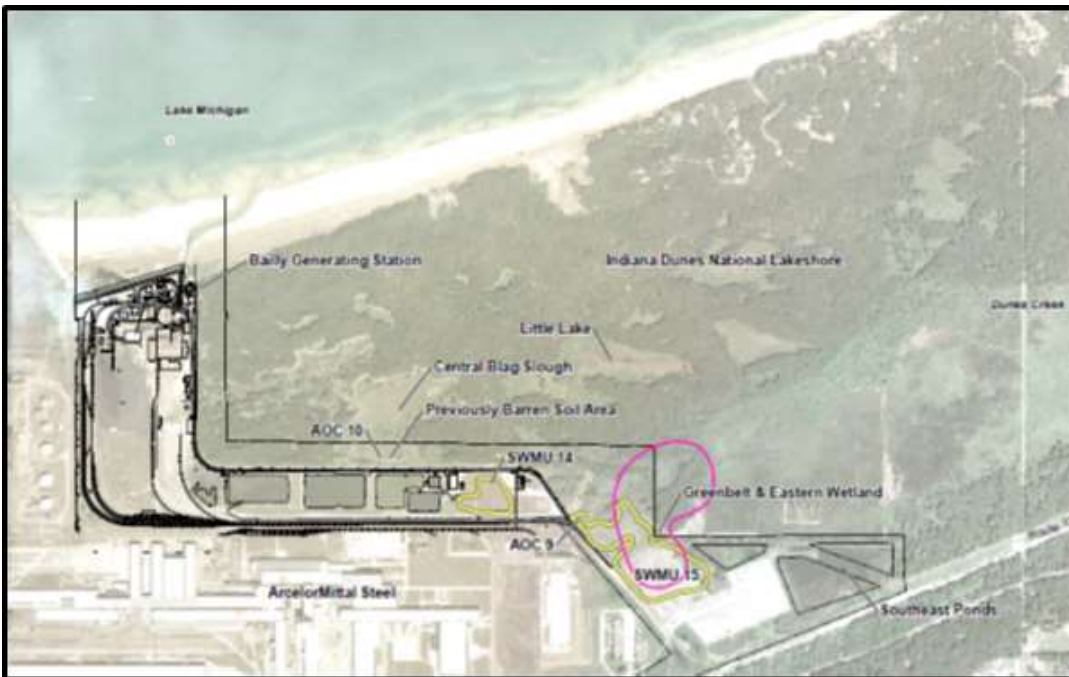
EPA will receive and document all comments sent between July 6 and Aug. 19, 2020.

Please note that the project's contacts will be available for an open Q&A session, from 5-7pm CT on Monday, Aug. 3 to answer your questions. Dial into our conference line at 312-667-5632, conference code 1344648, to speak with an EPA staff member about the NIPSCO Bailly Generating Facility.

There are several different ways to submit comments on the proposed Statement of Basis:

- **By confidential voicemail** at 312-886-6015
- **By fax** to 312-697-2568
- **By website**, directly at: <https://go.usa.gov/xvuqx>
- **By email** to safakas.kirstin@epa.gov
- **By mail** to Kirstin Safakas

U.S. EPA Region 5
External Communications Office
77 W. Jackson Blvd. EC-19J
Chicago, IL 60604-3590



The figure to the left shows the locations of the areas included in the proposed cleanup. SWMU 15 can be seen outlined in yellow and the purple line represents where the underground water is contaminated with boron.

Summary of Cleanup Methods

Partial Excavation and Off-Site Disposal of Coal Combustion Residuals (“CCR”) with In-Situ Solidification

Using this method, NIPSCO will dig up 100,000 cubic yards of ash located above the water table and dispose of it off-site. The remaining 85,000 cubic yards of ash located below the water table will be stabilized and contained through the process of ISS, a common method of containment involving the mixture of additives with waste to reduce its mobility and toxicity. ISS forms a solid material while chemical reactions between the additives and waste further bind the contamination up into a solid mass.

Excavation and Off-Site Disposal

A small area of ash was discovered off-site adjacent to the Indiana Dunes National Park, which is unacceptable. NIPSCO will excavate the ash for off-site disposal. Ash will be replaced with clean dune sand from an approved source and native plantings.

Source Control and Monitored Natural Attenuation

Groundwater contaminated by SWMU 15 has migrated to the IDNP property with the primary risk driver being boron, a heavy metal. The monitored natural attenuation, or MNA, approach is only possible after eliminating the source at SWMU 15. Post-elimination, MNA is being proposed as the least disruptive option to the National Park. This cleanup method will require regular monitoring of the groundwater, with the expectation that remedial objectives will be met within 15 years. A contingency plan will be evaluated in the event source control and natural attenuation do not achieve remedial endpoints.

Monitored Natural Attenuation

The source here was the previously unlined ash settling ponds, later lined in 1980. Trends indicate the area returning to a healthy state while desirable native plant communities are becoming established. This cleanup requires monitoring with a contingency plan and is proposed as the least disruptive option to the National Park. This method will continue to be monitored to ensure historic contamination from the settling ponds is resolved.

Land Use Institutional Control and Long-Term Stewardship

To limit exposure to remaining contaminants, EPA will require NIPSCO to establish an environmental restrictive covenant, approved by IDEM and EPA, to restrict the land use of the NIPSCO property to industrial or commercial use only. EPA will also require NIPSCO to establish a long-term stewardship plan, including monitoring and reporting, for the duration of time that the contamination remains above unrestricted use levels.

You're invited to view an online presentation about ...

EPA's Proposed Statement of Basis for the NIPSCO Bailly Generating Facility Public Comments Accepted from July 6 to August 19

The Statement of Basis documents describe the process EPA uses under RCRA to select measures for containing or cleaning up a hazardous waste management facility. Specific information in the documents include description and environmental setting of the facility, names and concentrations of contaminants detected at the facility, associated exposure pathways, selected remedy, and innovative technologies considered in determining the remedy, and public involvement requirements under the corrective action.

The presentation is pre-recorded and posted online at:

<https://go.usa.gov/xvuqx>

Please note that the project's contacts will be available from 5-7pm CT on Monday, August 3 to answer your questions live. Dial into our conference line at 312-667-5632, conf. code 1344648 to speak with an EPA staff member about the NIPSCO Bailly Generating Facility.

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