

MEMORANDUM

CITY OF BLOOMINGTON
economic & sustainable development

To: City of Bloomington Redevelopment Commission
From: Danise Alano-Martin, Director
Date: July 16, 2015
Re: Certified Technology Park Update

West of Rogers. HAND, Planning & Transportation, Legal and ESD staff met today to continue coordination of tasks related to redevelopment of the properties west of Rogers.

- *ROW vacation:* We're seeking placement on the Council agenda for their first cycle after recess and budget hearings. The Board of Public Works has recommended approval on these alley vacations just south of 11th Street.
- *Preparations for proposals, bids and sales:* As per project approval on July 13, we're working with the Controller's office to procure engineering services to survey, prepare legal descriptions and plats to subdivide the lot to serve affordable housing and the workforce housing developments. These plats will need Plan Commission and Board of Public Works approvals. Because it will take several weeks to complete the subdivision approvals and subsequent appraisals (required for the Notices of Offering), issuing a targeted RFP in advance may be the sensible approach to engage with developers earlier rather than later. We're working with Gordon Hendry on these details.

December 2014 RFP. We still in discussions and in pursuit of an outcome that satisfies the Master Plan vision (or portions relevant to the respondents), provides a satisfactory ROI for a developer, and does not hinder the City's capacity to support and incentivize other desired projects in the CTP, including planned infrastructure improvements.

10th Street Realignment/CTP Infrastructure Project. The next monthly coordination/technical review team is scheduled for August 12.

Service Garage Roof Repair. Facilities staff are working to obtain quotes and have details for the 8/3 meeting. ESD will coordinate the best path forward on this with any bidders responding the Notice of Offering (due 8/14).

EPA Brownfield Assessment Grant.

- *Closeout:* Final invoices were received this week for the assessments and initial remediation planning for the CTP (as well as with Park's Black Lumber Spur). Once these claims are processed and I have submitted for reimbursement from the EPA, all funds from the grant will have been expended. We have requested instructions from our EPA project manager regarding initiating grant closeout procedures.
- *Outcomes:* Attached are five letters prepared by our consultant, designed to inform future buyers of recommended remediation steps, based upon the Phase II and supplemental investigations findings/reports and our consultant's experience with IDEM standards. Each corresponds to a particular geographic area within the 12 acres.



Bruce Carter Associates, L.L.C.
ENVIRONMENTAL CONSULTANTS
AIR • WATER • SOLID WASTE • OSHA • REMEDIATION SERVICES

June 11, 2015

Ms. Danise Alano-Martin, EDFP
Economic & Sustainable Development Director
City of Bloomington
401 N. Morton St. / PO Box 100
Bloomington, Indiana 47402

RE: Remediation Planning Guidelines
CTP Site # 1
Former I.U. Food Storage Building
600 N. Rogers Street
Bloomington, Indiana
Cooperative Agreement # BF00E0127-0
BCA Project 7950/14-100

Ms. Alano-Martin:

Bruce Carter Associates, L.L.C. (BCA) completed a series of environmental investigations in 2014-15, which included a Phase I Environmental Site Assessment (ESA), a Phase II ESA, and a Supplemental Phase II ESA, of the Former Indiana University Food Storage Building site, located at 600 N. Rogers Street, Bloomington, Monroe County, Indiana (Subject Site).

1.0 Recommendations from Site Assessments

Based on the current and proposed future use of the Subject Site as a Certified Technology Park (commercial/industrial land-use*), BCA recommends the following as part of any remediation or redevelopment plan:

- Because arsenic and benzo(a)pyrene (BaP) are present in on-site soils at concentrations greater than Indiana Department of Environment (IDEM) Remediation Closure Guide (RCG) Residential Screening Levels (RSLs), an environmental restrictive covenant (ERC) should be placed on the property deed prohibiting use of groundwater for potable purposes and limiting future land use to non-residential*.
- As part of redevelopment, minimize the disturbance of subsurface soils in the 4 to 6 foot depth range, along the former rail siding that ran north/south on the eastern edge of the former Food Storage Building footprint, as well as the former rail spur that crosses W. 10th Street at the southeast corner of the Subject Site.

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- If an excavation must exceed a depth of four (4) feet near the former rail spurs/sidings, or if CAC fill material is encountered during excavation, then any visibly impacted soil which is excavated should be treated as solid waste and disposed of properly at an approved landfill.

Note that further testing of soil and/or groundwater, or the removal of impacted soil may reduce the restrictions placed on property redevelopment.

* If the proposed future commercial land use will include limited residential use in the form of non-ground level apartments, then it is recommended that the prospective purchaser discuss with IDEM in order to get a site-specific determination of land restrictions.

2.0 Redevelopment and Liability Protection Planning

Based on these recommendations, BCA has developed the following remediation planning guidelines to aid prospective purchasers of the Subject Site before, during, and after taking possession of the property.

1) The prospective property purchaser should, within six (6) months prior to taking possession, perform an All Appropriate Inquiry (AAI) compliant Phase I Environmental Site Assessment (ESA) of the property. In doing so, the purchaser may qualify as a Bona Fide Prospective Purchaser (BFPP), which can provide significant protections from CERCLA liability for environmental contamination either historically or currently associated with the property.

2) Once established as a BFPP, and once the property transaction is complete, the new owner must meet certain due care obligations in order to maintain BFPP status and protections. These include exercising appropriate care with respect to hazardous substances found at the facility by taking reasonable steps to:

- a) stop any continuing release;
- b) prevent any threatened future release; and
- c) prevent or limit human, environmental, or natural resource exposure to any previously released hazardous substance.

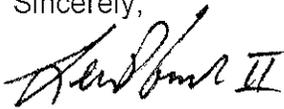
3) For additional confidence regarding due care obligations, the BFPP may wish to request a Brownfields Comfort Letter for the Subject Site from IDEM through the Indiana Brownfields Program. A Brownfields Comfort Letter explains a specific liability exemption established by statute or IDEM policy and applies the exemption to the site and letter recipients. In this way, a Brownfields Comfort Letter may eliminate unnecessary liability concerns for a site with no liability for current or future users. Typically, a Brownfields Comfort Letter would include IDEM's opinion regarding reasonable steps in order for the site owner to maintain BFPP status. It should be understood that IDEM's opinion may include tasks that differ from BCAs recommendations presented above in Section 1.0.

4) To take the reasonable steps identified above in Section 2) c) (prevent or limit exposure), the BFPP should implement the steps identified in the Brownfields Comfort Letter or (in the absence of such letter), the steps identified above in Section 1.0.

Should you have any questions regarding the recommendations or guidelines presented, or should you need additional information, please do not hesitate to contact me at (317) 578 - 4233.

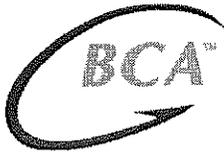
We appreciate the opportunity to be of assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Len Hinrichs II". The signature is written in a cursive style with a large initial "L".

Len Hinrichs, LPG
Project Manager

cc: Romona Smith, Brownfields Project Manager, U.S. EPA Region 5 (electronic copy)



Bruce Carter Associates, L.L.C.
ENVIRONMENTAL CONSULTANTS
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June 11, 2015

Ms. Danise Alano-Martin, EDFP
Economic & Sustainable Development Director
City of Bloomington
401 N. Morton St. / PO Box 100
Bloomington, Indiana 47402

RE: Remediation Planning Guidelines
CTP Site # 4
Former Showers Kiln & Dimension Mill
333 & 335 W. 11th Street
Bloomington, Indiana
Cooperative Agreement # BF00E0127-0
BCA Project 7953/14-100

Ms. Alano-Martin:

Bruce Carter Associates, L.L.C. (BCA) completed a series of environmental investigations in 2014-15, which included a Phase I Environmental Site Assessment (ESA), a Phase II ESA, and a Supplemental Phase II ESA, of the Former Showers Kiln & Dimension Mill site, located at 333 & 335 W. 11th Street, Bloomington, Monroe County, Indiana (Subject Site).

1.0 Recommendations from Site Assessments

Based on the current and proposed future use of the Subject Site as a Certified Technology Park (commercial/industrial land-use*), BCA recommended the following as part of any remediation or redevelopment plan:

- Because arsenic, benzo(a)pyrene (BaP), and naphthalene are present in on-site soils at concentrations greater than Indiana Department of Environment (IDEM) Remediation Closure Guide (RCG) Residential Screening Levels (RSLs), an environmental restrictive covenant (ERC) should be placed on the property deed prohibiting use of groundwater for potable purposes and limiting future land use to non-residential*.
- As part of redevelopment, minimize the disturbance of subsurface soils in the 1 to 8 feet depth range, near the former rail spur that crosses from southeast to northwest through the Subject Site.

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- Also as part of development, since the two buildings will remain onsite, the area between the buildings (near SB-9 and SB-38) should be remediated by shallow soil removal, or should be paved or otherwise covered in order to prevent contact with surface soils. If soil is removed, then it should be treated as solid waste and disposed of properly at an approved landfill.
- If excavation must exceed a depth of one (1) foot near the former rail spurs/sidings or if CAC fill material is encountered during excavation, then any visibly impacted soil which is excavated should be treated as solid waste and disposed of properly at an approved landfill.

Note that further testing of soil and/or groundwater, or the removal of impacted soil may reduce the restrictions placed on property redevelopment.

* If the proposed future commercial land use will include limited residential use in the form of limited stay, or non-ground level apartments, then it is recommended that the prospective purchaser discuss with IDEM in order to get a site-specific determination of land restrictions.

2.0 Redevelopment and Liability Protection Planning

Based on these recommendations, BCA has developed the following remediation planning guidelines to aid prospective purchasers of the Subject Site before, during, and after taking possession of the property.

- 1) The prospective property purchaser should, within six (6) months prior to taking possession, perform an All Appropriate Inquiry (AAI) compliant Phase I Environmental Site Assessment (ESA) of the property. In doing so, the purchaser may qualify as a Bona Fide Prospective Purchaser (BFPP), which can provide significant protections from CERCLA liability for environmental contamination either historically or currently associated with the property.
- 2) Once established as a BFPP, and once the property transaction is complete, the new owner must meet certain due care obligations in order to maintain BFPP status and protections. These include exercising appropriate care with respect to hazardous substances found at the facility by taking reasonable steps to:
 - a) stop any continuing release;
 - b) prevent any threatened future release; and
 - c) prevent or limit human, environmental, or natural resource exposure to any previously released hazardous substance.
- 3) For additional confidence regarding due care obligations, the BFPP may wish to request a Brownfields Comfort Letter for the Subject Site from IDEM through the Indiana

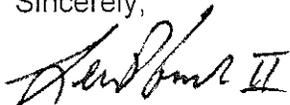
Brownfields Program. A Brownfields Comfort Letter explains a specific liability exemption established by statute or IDEM policy and applies the exemption to the site and letter recipients. In this way, a Brownfields Comfort Letter may eliminate unnecessary liability concerns for a site with no liability for current or future users. Typically, a Brownfields Comfort Letter would include IDEM's opinion regarding reasonable steps in order for the site owner to maintain BFPP status. It should be understood that IDEM's opinion may include tasks that differ from BCAs recommendations presented above in Section 1.0.

4) To take the reasonable steps identified above in Section 2) c) (prevent or limit exposure), the BFPP should implement the steps identified in the Brownfields Comfort Letter or (in the absence of such letter), the steps identified above in Section 1.0.

Should you have any questions regarding the recommendations or guidelines presented, or should you need additional information, please do not hesitate to contact me at (317) 578 - 4233.

We appreciate the opportunity to be of assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Len Hinrichs II".

Len Hinrichs, LPG
Project Manager

cc: Romona Smith, Brownfields Project Manager, U.S. EPA Region 5 (electronic copy)



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June 11, 2015

Ms. Danise Alano-Martin, EDFP
Economic & Sustainable Development Director
City of Bloomington
401 N. Morton St. / PO Box 100
Bloomington, Indiana 47402

RE: Remediation Planning Guidelines
CTP Site # 2
Parking Lot
555 N. Morton Street
Bloomington, Indiana
Cooperative Agreement # BF00E0127-0
BCA Project 7951/14-100

Ms. Alano-Martin:

Bruce Carter Associates, L.L.C. (BCA) completed a series of environmental investigations in 2014-15, which included a Phase I Environmental Site Assessment (ESA), a Phase II ESA, and a Supplemental Phase II ESA, of the Parking Lot site, located at 555 N. Morton Street, Bloomington, Monroe County, Indiana (Subject Site).

1.0 Recommendations from Site Assessments

Based on the current and proposed future use of the Subject Site as a Certified Technology Park (commercial/industrial land-use*), BCA recommended the following as part of any remediation or redevelopment plan:

- Because arsenic and benzo(a)pyrene (BaP) are present in on-site soils at concentrations greater than Indiana Department of Environment (IDEM) Remediation Closure Guide (RCG) Residential Screening Levels (RSLs), an environmental restrictive covenant (ERC) should be placed on the property deed prohibiting use of groundwater for potable purposes and limiting future land use to non-residential.
- As part of redevelopment, minimize the disturbance of subsurface soils in the 3.0 to 7.0 feet depth range, along the western edge of the site, but otherwise no restriction should be necessary to prevent direct exposure to PAHs and arsenic.
- If an excavation must exceed a depth of three (3) feet near the former rail spurs/sidings, or if CAC fill material is encountered during any excavation, then

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any visibly impacted soil which is excavated should be treated as solid waste and disposed of properly at an approved landfill.

Note that further testing of soil and/or groundwater, or the removal of impacted soil may reduce the restrictions placed on property redevelopment.

* If the proposed future land use will include a recreational parcel (such as a City park), then recommendations for redevelopment requirements are similar to those for commercial.

2.0 Redevelopment and Liability Protection Planning

Based on these recommendations, BCA has developed the following remediation planning guidelines to aid prospective purchasers of the Subject Site before, during, and after taking possession of the property.

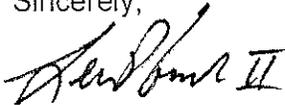
- 1) The prospective property purchaser should, within six (6) months prior to taking possession, perform an All Appropriate Inquiry (AAI) compliant Phase I Environmental Site Assessment (ESA) of the property. In doing so, the purchaser may qualify as a Bona Fide Prospective Purchaser (BFPP), which can provide significant protections from CERCLA liability for environmental contamination either historically or currently associated with the property.
- 2) Once established as a BFPP, and once the property transaction is complete, the new owner must meet certain due care obligations in order to maintain BFPP status and protections. These include exercising appropriate care with respect to hazardous substances found at the facility by taking reasonable steps to:
 - a) stop any continuing release;
 - b) prevent any threatened future release; and
 - c) prevent or limit human, environmental, or natural resource exposure to any previously released hazardous substance.
- 3) For additional confidence regarding due care obligations, the BFPP may wish to request a Brownfields Comfort Letter for the Subject Site from IDEM through the Indiana Brownfields Program. A Brownfields Comfort Letter explains a specific liability exemption established by statute or IDEM policy and applies the exemption to the site and letter recipients. In this way, a Brownfields Comfort Letter may eliminate unnecessary liability concerns for a site with no liability for current or future users. Typically, a Brownfields Comfort Letter would include IDEM's opinion regarding reasonable steps in order for the site owner to maintain BFPP status. It should be understood that IDEM's opinion may include tasks that differ from BCAs recommendations presented above in Section 1.0.
- 4) To take the reasonable steps identified above in Section 2) c) (prevent or limit exposure), the BFPP should implement the steps identified in the Brownfields Comfort

Letter or (in the absence of such letter), the steps identified above in Section 1.0.

Should you have any questions regarding the recommendations or guidelines presented, or should you need additional information, please do not hesitate to contact me at (317) 578 - 4233.

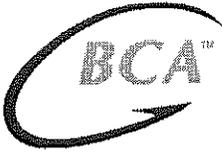
We appreciate the opportunity to be of assistance.

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Len Hinrichs, LPG
Project Manager

cc: Romona Smith, Brownfields Project Manager, U.S. EPA Region 5 (electronic copy)



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June 11, 2015

Ms. Danise Alano-Martin, EDFP
Economic & Sustainable Development Director
City of Bloomington
401 N. Morton St. / PO Box 100
Bloomington, Indiana 47402

RE: Remediation Planning Guidelines
CTP Site # 3
Former I.U. Printing Services Building
638 N. Rogers Street
Bloomington, Indiana
Cooperative Agreement # BF00E0127-0
BCA Project 7952/14-100

Ms. Alano-Martin:

Bruce Carter Associates, L.L.C. (BCA) completed a series of environmental investigations in 2014-15, which included a Phase I Environmental Site Assessment (ESA), a Phase II ESA, and a Supplemental Phase II ESA, of the Former Indiana University Printing Services Building site, located at 638 N. Rogers Street, Bloomington, Monroe County, Indiana (Subject Site).

1.0 Recommendations from Site Assessments

Based on the current and proposed future use of the Subject Site as a Certified Technology Park (commercial/industrial land-use*), BCA recommended the following as part of any remediation or redevelopment plan:

- Because arsenic and benzo(a)pyrene (BaP) are present in on-site soils at concentrations greater than Indiana Department of Environment (IDEM) Remediation Closure Guide (RCG) Residential Screening Levels (RSLs), an environmental restrictive covenant (ERC) should be placed on the property deed prohibiting use of groundwater for potable purposes and limiting future land use to non-residential*.
- As part of redevelopment, minimize the disturbance of subsurface soils in the 6 to 7 feet (ft.) below ground surface (bgs) depth due to the likely presence of coal ash and cinders (CAC), especially on the former rail spur located along the entire eastern edge of the property.

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- If an excavation must exceed a depth of six (6) feet or if CAC fill material is encountered during excavation, then any visibly impacted soil which is excavated should be treated as solid waste and disposed of properly at an approved landfill.

Note that further testing of soil and/or groundwater, or the removal of impacted soil may reduce the restrictions placed on property redevelopment.

* If the proposed future commercial land use will include limited residential use in the form of non-ground level, multi-unit apartments, then it is recommended that the prospective purchaser discuss with IDEM in order to get a site-specific determination of land restrictions.

2.0 Redevelopment and Liability Protection Planning

Based on these recommendations, BCA has developed the following remediation planning guidelines to aid prospective purchasers of the Subject Site before, during, and after taking possession of the property.

1) The prospective property purchaser should, within six (6) months prior to taking possession, perform an All Appropriate Inquiry (AAI) compliant Phase I Environmental Site Assessment (ESA) of the property. In doing so, the purchaser may qualify as a Bona Fide Prospective Purchaser (BFPP), which can provide significant protections from CERCLA liability for environmental contamination either historically or currently associated with the property.

2) Once established as a BFPP, and once the property transaction is complete, the new owner must meet certain due care obligations in order to maintain BFPP status and protections. These include exercising appropriate care with respect to hazardous substances found at the facility by taking reasonable steps to:

- a) stop any continuing release;
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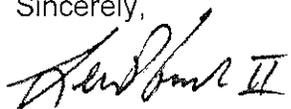
3) For additional confidence regarding due care obligations, the BFPP may wish to request a Brownfields Comfort Letter for the Subject Site from IDEM through the Indiana Brownfields Program. A Brownfields Comfort Letter explains a specific liability exemption established by statute or IDEM policy and applies the exemption to the site and letter recipients. In this way, a Brownfields Comfort Letter may eliminate unnecessary liability concerns for a site with no liability for current or future users. Typically, a Brownfields Comfort Letter would include IDEM's opinion regarding reasonable steps in order for the site owner to maintain BFPP status. It should be understood that IDEM's opinion may include tasks that differ from BCAs recommendations presented above in Section 1.0.

4) To take the reasonable steps identified above in Section 2) c) (prevent or limit exposure), the BFPP should implement the steps identified in the Brownfields Comfort Letter or (in the absence of such letter), the steps identified above in Section 1.0.

Should you have any questions regarding the recommendations or guidelines presented, or should you need additional information, please do not hesitate to contact me at (317) 578 - 4233.

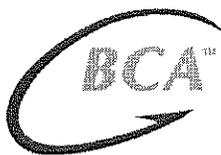
We appreciate the opportunity to be of assistance.

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Len Hinrichs, LPG
Project Manager

cc: Romona Smith, Brownfields Project Manager, U.S. EPA Region 5 (electronic copy)



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June 11, 2015

Ms. Danise Alano-Martin, EDFP
Economic & Sustainable Development Director
City of Bloomington
401 N. Morton St. / PO Box 100
Bloomington, Indiana 47402

RE: Remediation Planning Guidelines
CTP Site # 5
Vacant Lot
North Rogers Street
Bloomington, Indiana
Cooperative Agreement # BF00E0127-0
BCA Project 7954/14-100

Ms. Alano-Martin:

Bruce Carter Associates, L.L.C. (BCA) completed a series of environmental investigations in 2014-15, which included a Phase I Environmental Site Assessment (ESA), a Phase II ESA, and a Supplemental Phase II ESA, of the Vacant Lot site, located on N. Rogers Street, Bloomington, Monroe County, Indiana (Subject Site).

1.0 Recommendations from Site Assessments

Based on the current and proposed future use of the Subject Site as a Certified Technology Park (mixed commercial/residential land-use), BCA recommended the following as part of any remediation or redevelopment plan:

- Because arsenic, lead, and thalium are present in on-site soils at concentrations greater than Indiana Department of Environment (IDEM) Remediation Closure Guide (RCG) Residential Screening Levels (RSLs), an environmental restrictive covenant (ERC) should be placed on the property deed prohibiting use of groundwater for potable purposes.
- Seek approval from IDEM to treat arsenic levels on the Subject Site as urban background. If necessary, perform an analysis of background concentrations for arsenic within the City of Bloomington to determine if the concentrations detected on the Subject Site are representative of actual background concentrations for the City of Bloomington.
- In the absence of IDEM approval to treat arsenic levels as background, then

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exposure to soil should be restricted by limiting future land-use to commercial and multi-unit residential (no duplexes or single-family detached) dwellings. On residential parcels, exposure to soil should be prevented by covering the surface with building slabs, pavement or a soil cover.

Note that further testing of soil and/or groundwater, or the removal of impacted soil may reduce the restrictions placed on property redevelopment.

2.0 Redevelopment and Liability Protection Planning

Based on these recommendations, BCA has developed the following remediation planning guidelines to aid prospective purchasers of the Subject Site before, during, and after taking possession of the property.

- 1) The prospective property purchaser should, within six (6) months prior to taking possession, perform an All Appropriate Inquiry (AAI) compliant Phase I Environmental Site Assessment (ESA) of the property. In doing so, the purchaser may qualify as a Bona Fide Prospective Purchaser (BFPP), which can provide significant protections from CERCLA liability for environmental contamination either historically or currently associated with the property.
- 2) Once established as a BFPP, and once the property transaction is complete, the new owner must meet certain due care obligations in order to maintain BFPP status and protections. These include exercising appropriate care with respect to hazardous substances found at the facility by taking reasonable steps to:
 - a) stop any continuing release;
 - b) prevent any threatened future release; and
 - c) prevent or limit human, environmental, or natural resource exposure to any previously released hazardous substance.
- 3) For additional confidence regarding due care obligations, the BFPP may wish to request a Brownfields Comfort Letter for the Subject Site from IDEM through the Indiana Brownfields Program. A Brownfields Comfort Letter explains a specific liability exemption established by statute or IDEM policy and applies the exemption to the site and letter recipients. In this way, a Brownfields Comfort Letter may eliminate unnecessary liability concerns for a site with no liability for current or future users. Typically, a Brownfields Comfort Letter would include IDEM's opinion regarding reasonable steps in order for the site owner to maintain BFPP status. It should be understood that IDEM's opinion may include tasks that differ from BCAs recommendations presented above in Section 1.0.
- 4) To take the reasonable steps identified above in Section 2) c) (prevent or limit exposure), the BFPP should implement the steps identified in the Brownfields Comfort Letter or (in the absence of such letter), the steps identified above in Section 1.0.

Should you have any questions regarding the recommendations or guidelines presented, or should you need additional information, please do not hesitate to contact me at (317) 578 - 4233.

We appreciate the opportunity to be of assistance.

Sincerely,

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Len Hinrichs, LPG
Project Manager

cc: Romona Smith, Brownfields Project Manager, U.S. EPA Region 5 (electronic copy)

**15-45
RESOLUTION
OF THE
REDEVELOPMENT COMMISSION
OF THE
CITY OF BLOOMINGTON, INDIANA**

**APPROVAL OF FUNDING TO IMPROVE THE HVAC CONTROLS AT THE BUSKIRK
CHUMLEY THEATER**

WHEREAS, the Redevelopment Commission of the City of Bloomington (“RDC”) issued its “Redevelopment District Tax Increment Revenue Bonds of 2015” (the “Bond”) to pay for, among other things, capital improvements at the Buskirk Chumley Theater, and

WHEREAS, on July 13, 2015, the City of Bloomington (“City”) brought the RDC a Project Review & Approval Form (“Form”) which sought the support of the RDC to solicit quotes to replace the heating, ventilation, and air conditioning controls at the Buskirk Chumley Theater (“Improvements”), which will improve the efficiency of the Buskirk Chumley Theater’s climate control system; and

WHEREAS, the RDC approved the Form in Resolution 15-44; and

WHEREAS, pursuant to Resolution 15-44, City Staff has solicited quotes, City Staff has also evaluated those quotes and identified the quote from Harrel Fish, Inc. (“HFI”) for \$12,395 as the best response; and

WHEREAS, one potential source of funds identified on the Form to pay for the Improvements was the Bond; and

WHEREAS, the RDC has available Bond funds to pay for the Improvements; and

WHEREAS, on November 3, 2014, the RDC approved Resolution 14-42, which authorized the Controller to expend up to \$74,000 for BCT Management, Inc.’s (“BCTM”) responsibilities, pursuant to the Partnership Agreement between the City, the Board of Parks Commissioners, the RDC, and BCTM that was attached to Resolution 14-42; and

WHEREAS, under the partnership agreement, the City is responsible for the heating, ventilation, and air conditioning system at the Buskirk Chumley Theater; and

NOW, THEREFORE, BE IT RESOLVED BY THE REDEVELOPMENT COMMISSION OF THE CITY OF BLOOMINGTON, INDIANA, THAT:

1. The RDC finds the above described expenditures to be an appropriate use of the Bond, and finds that the above described Improvements are public improvements that will enhance the development and economic development of the Consolidated TIF.
2. The RDC authorizes the Controller to expend \$12,395 from the Bond funds (Fund 439-15-159002-53990) to purchase the Improvements from HFI, pursuant to a purchase order to be executed between the City and HFI. The purchase order does not remove the requirement to comply with the City and the RDC’s claims process.

3. For the avoidance of doubt, the payment of \$12,395 under this Resolution is not a payment under the partnership agreement approved by the RDC in Resolution 14-42.

BLOOMINGTON REDEVELOPMENT COMMISSION

David Walter, President

ATTEST:

Elizabeth Kehoe, Secretary

Date