



Division of Historic Preservation & Archaeology • 402 W. Washington Street, W274 • Indianapolis, IN 46204-2739  
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June 4, 2013

Cindy Shively Klem  
Indiana Brownfields Program  
100 N. Senate Ave, Room 1275  
Indianapolis, Indiana 46204

Federal Agency: U.S. Environmental Protection Agency

Re: Project information regarding remediation of the former Shell Bulk Oil Facility at 2201 & 2219 West Michigan Street using funds through the Indiana Brownfields Program (DHPA #14933)

Dear Ms. Shively Klem:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f) and 36 C.F.R. Part 800, the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has conducted an analysis of the materials dated May 10 and May 15, 2013 and received on May 10 and May 17, 2013 for the above indicated project in Indianapolis, Wayne Township, Marion County, Indiana.

Based upon the documentation available to the staff of the Indiana SHPO, we have not identified any historic buildings, structures, districts or objects listed in or eligible for inclusion in the National Register of Historic Places within the probable area of potential effects. In addition, we have not identified any currently known archaeological resources listed in or eligible for the National Register of Historic Places within the proposed project area.

This identification is subject to the following condition:

- The project activities remain within areas disturbed by previous construction.

If any archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and 29) requires that the discovery must be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1-27 and 29 does not obviate the need to adhere to applicable federal statutes and regulations.

At this time, it would be appropriate for the U.S. Environmental Protection Agency to analyze the information that has been gathered from the Indiana SHPO, the general public, and any other consulting parties and make the necessary determinations and findings. Please refer to the following comments for guidance:

- 1) If the U.S. Environmental Protection Agency believes that a determination of "no historic properties affected" accurately reflects its assessment, then it shall provide documentation of its finding as set forth in 36 C.F.R. § 800.11 to the Indiana SHPO, notify all consulting parties, and make the documentation available for public inspection (36 C.F.R. §§ 800.4[d][1] and 800.2[d][2]).
- 2) If, on the other hand, the U.S. Environmental Protection Agency finds that an historic property may be affected, then it shall notify the Indiana SHPO, the public and all consulting parties of its finding and seek views on effects in accordance with 36 C.F.R. §§ 800.4(d)(2) and 800.2(d)(2). Thereafter, the U.S. Environmental Protection Agency may proceed to apply the criteria of adverse effect and determine whether the project will result in a "no adverse effect" or an "adverse effect" in accordance with 36 C.F.R. § 800.5.

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*A copy of the revised 36 C.F.R. Part 800 that went into effect on August 5, 2004, may be found on the Internet at [www.achp.gov](http://www.achp.gov) for your reference. If you have questions about archaeological issues please contact Amy Johnson at (317) 232-6982 or [ajohnson@dnr.IN.gov](mailto:ajohnson@dnr.IN.gov). If you have questions about buildings or structures please contact Kim Marie Padgett at (317) 234-6705 or [kpadgett@dnr.IN.gov](mailto:kpadgett@dnr.IN.gov). Additionally, in all future correspondence regarding the above indicated project, please refer to DHPA #14933.*

Very truly yours,



Chris Smith  
Deputy Director  
Indiana Department of Natural Resources

CS:KMP:ALJ:aj

cc: Jan Pels, Project Manager, U.S. EPA  
emc: Cindy Shively Klem, Program Counsel, Indiana Brownfields Program