



Indiana Department of Environmental Management

We Protect Hoosiers and Our Environment.

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Michael R. Pence
Governor

Carol S. Comer
Commissioner

June 27, 2016

Ms. Lauren Riga
City of Indianapolis
200 East Washington Street, Suite 2042
Indianapolis, IN 46204

Re: Petroleum Eligibility
Sherman Park Parcel B
a/k/a Thompson Consumer
Electronics/RCA
501 N LaSalle Street
a/k/a 3324 E Michigan Street
Indianapolis, Indiana
Brownfields #4071117

Dear Ms. Riga:

This letter acknowledges that the City of Indianapolis, pursuant to U.S. EPA grant requirements, notified the Indiana Department of Environmental Management (IDEM) of its plans to perform cleanup activities at the above referenced site (Site). The City of Indianapolis provided information, including on ownership, regarding the potentially known, petroleum-contaminated Site and requested that IDEM make the necessary determination on eligibility for federal brownfields funding. Based on the information provided with the request or otherwise reviewed by IDEM, and using both the applicable federal guidelines and Indiana law and related policies, IDEM has determined the following with respect to the request:

I) The Site is of "relatively low risk" as compared with other petroleum-only sites in the state because the Site is not listed in IDEM's databases relating to underground storage tanks (USTs), and there are no reported releases for the Site. The Site is not being cleaned up by funds from the state Excess Liability Trust Fund (ELTF) or the federal Leaking Underground Storage Tank (LUST) trust fund, and is not subject to a response under the Oil Pollution Act.

II) IDEM is unaware that any responsible party (RP) has been identified through:

(a) A judgment in a court of law or an administrative body that would require that party assess, investigate or remediate the Site; or,

(b) A filed enforcement action brought by federal or state authorities, or is party to a citizen suit, that would, if successful, require that party to assess, investigate or clean up the Site; or,

(c) A citizen suit, contribution action or other third party claim brought against the current or immediate past owner for the site that would, if successful, require the assessment, investigation, or remediation of the Site.

III) The Site is not subject to any order issued under 9003(h) of the Solid Waste Disposal Act.

IV) The current owner, Midwest Commercial Investments X, LLC (Current Owner), and the immediate past owner, Sherman Park LP (Past Owner), did not dispense or dispose of, or own the Site during the dispensing or disposal of, any contamination at the Site and have taken reasonable steps with regard to stopping any potential petroleum releases, prevented any threatened future releases of petroleum and prevented or limited exposure to any previously released petroleum contamination at the Site. The Current Owner purchased the Site on August 12, 2009. The Site has remained vacant since 2001. On July 5, 1995, the Past Owner acquired the Site and utilized the Site primarily for storage and/or warehousing from 1995 through 2001. Currently, the Site is vacant, delinquent on taxes, and is being evaluated for purchase.

Historically, the Site was developed in the mid-1940s and conducted both heavy and light manufacturing operations. The facility operated as part of the larger Radio Corporation of America (RCA) (1979 to 1987) and Thomson Consumer Electronics (1987 to 1995) facility, which additionally owned and operated adjoining parcels to the north, east and northeast. The Site operated several aboveground storage tanks (ASTs), hydraulic lifts, and utilized several various chemical containers.

In 2007 and 2008, Kerr Environmental Associates, Inc. submitted a Phase I and Phase II Environmental Site Assessment (ESA). The subsurface investigations at the Site have indicated the presence of volatile organic compounds (VOCs) and total petroleum hydrocarbons (TPH) impacts to subsurface media. To date, only minimal subsurface soil and ground water investigations have been completed. In 2015, Heartland Environmental Associates, Inc. conducted a Phase I ESA. Based on a review of limited subsurface assessment completed, chemical impacts in soil and groundwater are present in the eastern portion of the Site. Impacts are present in the area of the former AST and historically observed leaking chemical containers in the eastern and southeastern portion of the Site. Additionally, hydraulic lifts and a repair garage with potential impacts are present in the northeastern and eastern portion of the Site.

V) The City of Indianapolis is a volunteer that is not potentially liable for the known petroleum contamination because it has not dispensed or disposed of or owned the property during the dispensing or disposing of petroleum or petroleum product at the Site. It has also not exacerbated the contamination at the Site and has taken reasonable steps with regard to the contamination at the Site.

VI) No information pertaining to RPs (or the financial viability of any RPs) was provided to IDEM as part of this request, and IDEM has no additional information suggesting there is a financially viable RP that will address contamination at the Site.

The information reviewed above is consistent with the determinations set forth in Section 101(39)(d)(II)(bb) of the Comprehensive Environmental Response, Compensation, and Liability Act. IDEM is unaware of any reasons why the City of Indianapolis cannot move forward with the cleanup at the Site using federal brownfield grant funds. If you have any questions, please call Andrea Robertson Habeck at 317-234-0968 or 1-800-451-6027 extension 4-0968.

Sincerely,



Craig Schroer, Chief
Underground Storage Tanks Branch
Office of Land Quality

cc: Kyle Rogers, U.S. EPA, Region 5 (electronic)
Tracy Concannon, Indiana Brownfields Program (electronic)

