

BEASLEY &  
GILKISON LLP

ATTORNEYS AT LAW

IDEM Office of Land Quality - Fileroom Stamp	
VRP Project Name:	<i>Burlington Mobile Home Park</i>
VRP#: <i>6030901</i>	File Code: <i>400</i>
Description:	<i>General Correspondance</i>
Confidential? <input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Deliberative? <input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

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November 15, 2004

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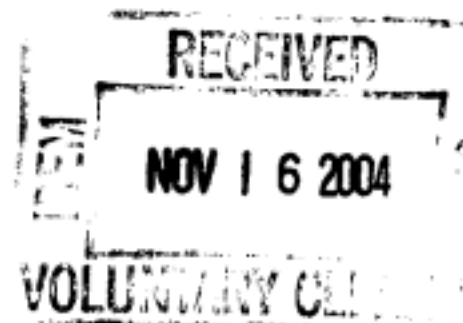
Re: Burlington Mobile Home Park  
VRP#: 6030901

Gentlemen:

We represent Burlington Mobile Home Park, LLC ("Burlington"). Over the past year, August Mack Environmental and Krieg Devault LLP have represented Burlington in connection with the execution and performance of this Voluntary Remediation Agreement. In entering into this program, my client was led to expect that IDEM would be responsive and collaborative. Indeed, IDEM's own program description promises: "... [T]he VRP may be used to facilitate transfers of property, reduce the threat of a government enforcement action, increase the value of land, and provide a means for parties to address contamination that exists on a property."

On July 23, 2004, August Mack submitted for review a comprehensive and detailed Final Report: Phase II Investigative Report/Remediation Work Plan. Under the VRA, IDEM is supposed to complete its review in "approximately sixty (60) days." The review has not been completed and a promised technical meeting with August

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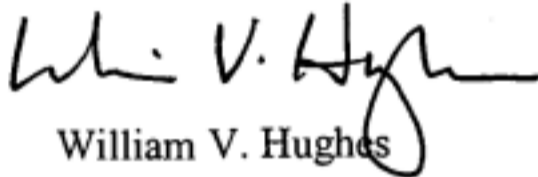
Mack has not even been scheduled. As a result, my client's proposed transfer of this property is being thwarted, the threat of enforcement hangs over the property, the value of the land is being reduced, and it appears there may be no reasonable means of addressing the contamination that exists on the property.

Before the filing a formal complaint, the VRA encourages informal discussion in the event of a dispute. I am prepared to do this only so long as it does not create more delay or expense for my client. I am available *at any time* to do whatever is necessary to secure the benefits of the VRP my client has reasonably come to expect. There is not one instance during this whole process in which Burlington or its representatives have failed to cooperate with IDEM. Only the reverse is true.

I expect some response within five days from your receipt of this letter.

Very truly yours,

BEASLEY & GILKISON LLP



William V. Hughes

cc. Aaron Green, Project Manager  
Kent Johnson, August Mack Environmental  
Andrew Buroker, Kreig Devault LLP  
Frank Robb, Burlington Mobile Home Park, LLC

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