



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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Mike Braun
Governor

Clint Woods
Commissioner

September 4, 2025

Susan Kohler
Registered Agent and Member
Pioneer Warehousing LLC
218 E. Lincoln St.
Portland, IN 47371

Re: RCRA Closure needed at
RCRA ID IND152719878
917 Leichy Rd.
Berne, Adams County, Indiana

Dear Ms. Kohler:

The property located at 917 Leichy Road, Berne, was used in the past for storage of hazardous waste beyond the regulatory timelines allowed for generators of hazardous waste on two separate occasions. Due to this storage beyond the allowed timeframes, the site has become subject to treatment, storage, and disposal facility requirements, including proper closure of the facility under applicable federal regulations. Such closure requires investigation through a closure plan and if necessary, corrective action for any releases that may have occurred. This obligation remains associated with the property until the required activities have been performed.

IDEM entered into an Agreed Order with a former tenant at the property, Ficosa North America Corporation, in 2016, available on IDEM's Virtual File Cabinet at Document # [80395309](#). The Agreed Order required Ficosa North America Corporation to develop and implement a closure plan to evaluate whether there had been any releases of hazardous waste in the Paint Storage Room. IDEM approved the RCRA closure plan via letter dated August 29, 2017 (VFC # [80513129](#)). However, this approved closure plan was never implemented, and in 2017, IDEM observed additional violations of the hazardous waste storage rules.

In 2018, IDEM issued a Notice of Violation and Proposed Agreed Order (NOV/ PAO) to another previous tenant and former owner of the property, respectively Indiana Coatings, Inc., and Sherrell Investments, LLC. (VFC # [82539072](#)). Although IDEM attempted to negotiate a resolution of this NOV/PAO, it was not able to do so. The satisfactory resolution of the NOV/PAO is the submission, approval, and implementation of a second closure plan that addresses the Reclaim/ Solvent Room and the Paint Kitchen/ Mixing Room.

Visit on.IN.gov/survey or scan the QR code to provide feedback.

We appreciate your input!



We would like to schedule a meeting to discuss these requirements with you. We understand that Ficosa North America Corp. may remain willing to perform the closure on the Paint Storage Room as it agreed to do in the 2016 Agreed Order.

Please contact Stephen Zulkowski at 317.234.0953 or at SZulkowski@idem.IN.gov to set up a virtual or in-person meeting.

Sincerely yours,

A handwritten signature in cursive script that reads "Jennifer Reno".

Jennifer Reno, Chief
Enforcement Section
Office of Land Quality

cc: April Lashbrook, IDEM OLC
Chris Halloran, IDEM OLQ Enforcement
Stephen Zulkowski, IDEM OLQ Corrective Action