



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

Northwest Regional Office • 330 W. U.S. Hwy 30, Suite F • Valparaiso, IN 46385

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Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

June 26, 2024

VIA ELECTRONIC MAIL

Mr. Keith Stevens
Indiana Earth, Inc.
10343 McKinley Hwy
Osceola, IN 46561
Earth92inc@sbcglobal.net

Re: Inspection Summary/Violation Letter
Former Long John Silvers
South Bend, St. Joseph County

Dear Mr. Keith Stevens:

On June 24, 2024, a representative of the Indiana Department of Environmental Management (IDEM), Northwest Regional Office (NWRO), conducted an inspection of Former Long John Silvers, located at 4949 Western Ave. in South Bend, Indiana to determine compliance with Indiana's asbestos rules. This inspection was conducted pursuant to IC 13-14-2-2. For your information, and in accordance with IC 13-14-5, a summary of the inspection is provided below:

Inspection Type: Routine Demolition/Renovation Project
Inspection Results: Violations were observed

At the time of the inspection, the following violations were noted:

- 1) Indiana Earth, Inc. failed to begin demolition operations on the scheduled demolition start date provided on the most recent notification, in violation of 326 IAC 14-10-3(g).

The Office of Air Quality will not take legal action at this time. However, any such violation(s) in the future may result in legal action being pursued. Please direct any questions to Mrs. Jessica Linscott, Compliance Inspector, at 219-216-3657 or by email at jlinscot@idem.in.gov. Thank you for your attention to this matter.

Sincerely,

Chuck Breitenfeldt, Deputy Director
Northwest Regional Office

ACES ID: 297816

cc: Mrs. Jessica Linscott, Compliance and Enforcement Branch, NWRO
Mr. Haji Tehrani, DEV 4949 Western Ave. LLC, 16915 Cleveland Road, Granger, IN 46530

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
ASBESTOS FIELD INSPECTION REPORT**



SITE INFORMATION	
SITE NAME/DESCRIPTION	Former Long John Silvers
SITE LOCATION	4949 Western Ave., South Bend, Indiana St. Joseph County

NOTIFICATION INFORMATION			
NOTIFICATION RECEIVED	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	ORIGINAL DATE RECEIVED: Unknown	
STRIPPING/REMOVAL DATES	N/A	DEMOLITION DATES	6/24/2024 to 7/31/2024
CONTRACTOR INFORMATION	Mr. Keith Stevens, Indiana Earth, Inc., 10343 McKinley Hwy, Osceola, IN 46561, Earth92inc@sbcglobal.net		
OWNER INFORMATION	Mr. Haji Tehrani, DEV 4949 Western Ave. LLC, 16915 Cleveland Road, Granger, IN 46530		

INSPECTION INFORMATION			
INSPECTED BY	Mrs. Jessica Linscott		
INSPECTION DATE AND TIME	June 24, 2024	TIME IN: 10:00 AM	TIME OUT: 10:30 AM
REPORTED BY	Mrs. Jessica Linscott	REPORT DATE: June 26, 2024	
INSPECTION OBJECTIVE(S)	<input type="checkbox"/> Renovation <input type="checkbox"/> Emergency Renovation <input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Demolition <input type="checkbox"/> Ordered Demolition <input type="checkbox"/> Other:		
ACES TRACKING NUMBER(S)	Notification/General Inspection: 297816		
	Complaint: N/A	Violation/Warning: 298658	
RM TRACKING NUMBER(S)	Complaint: N/A		
PROJECT STATUS	Demolition of the former Long John Silvers had not begun even though the demolition start date listed on the most recent notification was June 24, 2024.		

PERSONNEL INTERVIEWED				
Name	Company	Title	Phone Number	Email Address
N/A	N/A	N/A	N/A	N/A

OBSERVATIONS				
GENERAL SITE OBSERVATIONS				
Description of area(s) inspected and location of material(s): Upon arrival at 4949 Western Ave., I was able to determine that the demolition of the former Long John Silvers had not begun. No one from the demolition company was onsite at the time of my inspection. I was unable to check the site for suspect asbestos containing material because the site was secured.				
Once back at the office, I reached out to Indiana Earth, Inc. via phone, because I saw no equipment, fencing or any other signs that the demolition was going to start on the most recent start date provided to IDEM. I spoke with Mr. Keith Stevens, operations manager with Indiana Earth, Inc. and he thought the start date given to IDEM on the most recent notification was further out. Currently the demolition company is unable to start demolition as they are still waiting for permits from the city. I advised Mr. Stevens that the most recent start given to IDEM is today June 24, 2024, and that he would be receiving a violation letter for failure to start demolition on the most recent start date provided to IDEM. I advised Mr. Stevens to revise the notification for 4949 Western Ave. I thanked Mr. Stevens for his time and ended the call.				
Pre-existing contamination in work area	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Observed	<input checked="" type="checkbox"/> N/A
Contractor equipment on site	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Not Observed	<input type="checkbox"/> N/A
Asbestos removal in progress	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Observed	<input checked="" type="checkbox"/> N/A
Accreditation cards available for inspection	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Observed	<input checked="" type="checkbox"/> N/A
ABATEMENT				
Asbestos removal clearly observed If yes, from where:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Observed	<input checked="" type="checkbox"/> N/A
	<input type="checkbox"/> Through viewing ports		<input type="checkbox"/> By entering enclosures	
	<input type="checkbox"/> Direct observation (No enclosures)			
Estimated amounts of RACM removed/disturbed	N/A linear feet		N/A square feet	
	N/A cubic feet		N/A % of total	
Abatement method(s) observed:	<input type="checkbox"/> Wetting and stripping		<input type="checkbox"/> Unit/Sectional	
	<input type="checkbox"/> Glovebag method		<input type="checkbox"/> Dry	
ISOLATION				
Warning signs displayed outside work area	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Observed	<input checked="" type="checkbox"/> N/A
Objects within work area covered	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Observed	<input checked="" type="checkbox"/> N/A
Evidence of water in containment	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Observed	<input checked="" type="checkbox"/> N/A
ASBESTOS WASTE HANDLING				
Stripped asbestos adequately wet	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Observed	<input checked="" type="checkbox"/> N/A
Stripped asbestos placed in leak tight wrapping	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Observed	<input checked="" type="checkbox"/> N/A
Waste bags labeled with generator and warning labels	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Observed	<input checked="" type="checkbox"/> N/A
Any visible emissions	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Observed	<input checked="" type="checkbox"/> N/A
CLEANING				
Work area clear of visible signs of asbestos material	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Observed	<input checked="" type="checkbox"/> N/A
Plastic sheeting disposed of as asbestos waste	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Observed	<input checked="" type="checkbox"/> N/A
Area wet wiped/HEPA vacuumed	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Observed	<input checked="" type="checkbox"/> N/A
Final visual inspection completed	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Observed	<input checked="" type="checkbox"/> N/A
STORAGE				
Material remaining on site securely stored	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Observed	<input checked="" type="checkbox"/> N/A
Warning signs/labels posted outside storage area	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Observed	<input checked="" type="checkbox"/> N/A
ASBESTOS WASTE DISPOSAL				
Waste disposed of at an approved landfill	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Observed	<input checked="" type="checkbox"/> N/A
Name and location of landfill	N/A			

ACM AMOUNTS	
If violation(s) noted, estimated amount of ACM involved:	N/A
ADDITIONAL COMMENTS	
None	

SAMPLE INFORMATION					
Sample ID	Photo No.	Sample Location/Description	Chain of Custody Complete	Sent to Lab	Results
N/A	N/A	N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	... N/A	N/A
ADDITIONAL SAMPLING COMMENTS					
N/A					

INSPECTION FINDINGS	
<input type="checkbox"/> No violations were observed or determined at the time of the inspection. <input checked="" type="checkbox"/> The following violations were determined at the time of the inspection: 1) Indiana Earth, Inc. failed to begin demolition operations on the scheduled demolition start date provided on the most recent notification, in violation of 326 IAC 14-10-3(g).	
RECOMMENDED ACTION	Issue inspection summary/violation letter.
EXIT INTERVIEW	No exit interview was conducted, as no one from the demolition company was on site at the time of my inspection.

ATTACHMENTS	
<input type="checkbox"/> None <input checked="" type="checkbox"/> Notification(s) <input type="checkbox"/> List of licensed personnel <input type="checkbox"/> Other:	