



## INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We Protect Hoosiers and Our Environment.*

100 N. Senate Avenue • Indianapolis, IN 46204  
(800) 451-6027 • (317) 232-8603 • [www.idem.IN.gov](http://www.idem.IN.gov)

**Eric J. Holcomb**  
*Governor*

**Brian C. Rockensuess**  
*Commissioner*

January 5, 2022

Helen M. Williamson  
1510 West Roache Street  
Indianapolis, Indiana 46028

Dear Ms. Williamson:

### **Re: Request for Information**

Former McKenzie & Son's Cleaners  
1102 Eugene Street  
Indianapolis, Marion County  
State Cleanup Site #0000635

The Indiana Department of Environmental Management (IDEM) is investigating releases of hazardous substances contributing to groundwater contamination located within an area of Indianapolis near Citizens Energy Group Riverside and White River municipal drinking water wells fields. This area of investigation is known as the 0153 Groundwater Contamination Site. The property you own, located at 1102 Eugene Street, Indianapolis, Indiana (Property) is within the 0153 Groundwater Contamination Site.

IDEM is seeking to identify activities, materials, and parties that may have contributed to or may be contributing to the chlorinated solvent contamination detected in the groundwater and in Citizens Energy Group's water production wells, including all areas to which contamination has migrated (collectively referred to as the Site). Based on a records review, IDEM has identified Helen M. Williamson as the current owner of the Property.

IDEM believes that the Property or a portion of the Property was historically utilized for drycleaning purposes. Historic records indicate that Davis Cleaners operated at 2940 Clifton Street as early as 1949, followed by Progress Laundry until 1967. Records also indicate that McKenzie & Son's Cleaners and Laundry operated at 2942 Clifton Street from 1972 to 1988. The former locations of 2940 and 2942 Clifton Street appear to have been readdressed as 1102 Eugene Street, which is currently a vacant lot. Furthermore, soil and groundwater samples collected from the adjacent property to the north (Clifton Square Site) indicate a nearby source of tetrachloroethene (PCE). Chlorinated solvents including PCE are widely used in drycleaning processes.

IDEM believes that you possess information that can assist IDEM in its investigation. As part of IDEM's investigation we are, by this letter, requesting you to furnish information relating to the past or present use of chlorinated solvents or products containing chlorinated solvents at the Property, whether the use is or was by you or by prior owners or operators at the Property of which you may have knowledge. The specific information requested is listed in detail in Attachment A: Information Request, attached to this letter.

IDEM has the authority to request information including documents relating to releases or potential releases of hazardous substances for the purpose of determining the need for removal or remedial action under Indiana Code (IC) 13-25-4-5. While IDEM seeks your cooperation in this investigation, failure to comply is a violation of law and may result in civil penalties.

You may be an innocent landowner, a contiguous property owner, a bona fide prospective purchaser, or you may have some other landowner liability protection. To claim landowner liability protections afforded by law, you must provide full cooperation, assistance and access to IDEM, or the United States Environmental Protection Agency (US EPA) or any other person authorized to conduct environmental response actions on the Property pursuant to 42 United States Code (USC) 101(40)(E); 42 USC 9607(q)(1)(A)(iv); and 42 USC 101(35)(A)(iii). IDEM requests your full cooperation and assistance in your responses to the attached information request.

**Please respond fully to the Information Request and submit the response to State Cleanup's e-Submission Portal (ESP) within 30 days.** This time period commences three days after the date of this letter. If any of the required information cannot reasonably be provided within 30 days, you must submit a written request for an extension of time not to exceed 30 additional days. The extension request must be received by IDEM prior to the initial deadline and it must include an explanation why you are unable to provide the information within the initial period. IDEM will not approve extensions that are not received in a timely manner. Verbal requests are not acceptable. Written extension requests may be e-mailed to the assigned project manager listed below. Your response to the attached Information Request must be uploaded to the ESP. To request access to the ESP, complete State Agency Form 57103 at [idem.in.gov/myesubmission](http://idem.in.gov/myesubmission).

If you do not have access to a computer with Internet access or possess an email address, your response to the attached Information Request must be mailed to:

Indiana Department of Environmental Management  
Office of Land Quality  
State Cleanup Section, ATTN: Crystal Haulter  
100 North Senate Avenue, Room N1101  
Indianapolis, Indiana 46204-2251

You are welcome to view the current administrative record pertaining to the 0153 Groundwater Contamination Site in its entirety at IDEM's Virtual File Cabinet (VFC) located online at <https://vfc.idem.in.gov/>. Documents specific to the 0153 Groundwater Contamination Site can be found in the VFC by searching under Land Site ID #0000635. Documents pertaining to the Clifton Square Site can be found in the VFC under Land Site ID #4120808. Any legal questions concerning this Information Request or the process should be directed to Timothy Junk, IDEM Office of Legal Counsel, at (317) 234-9581 or [tjunk@idem.in.gov](mailto:tjunk@idem.in.gov). Any technical questions about your responses or the history of the Site, the nature of the environmental conditions regarding the plume at the Site, or the status of the cleanup activities should be directed to Crystal Haulter at (317) 234-7460 or [chaulter@idem.in.gov](mailto:chaulter@idem.in.gov).

If you have information about other parties (i.e., former owners or operators) who may have information that may assist IDEM in its investigation of the Site or may be responsible for the contamination at the Site, that information must be submitted to IDEM within the timeframe noted above.

Please note that the legal authorities identified in this letter are not exclusive, and IDEM reserves the right to take any action it deems necessary to protect human health and the environment. Any of the IDEM personnel identified in this letter may be reached toll-free by calling (800) 451-6027, pressing 0, and asking for that person.

Sincerely,

A handwritten signature in black ink, appearing to be 'CH' with a stylized flourish.

Crystal Haulter  
State Cleanup Section  
Office of Land Quality

CH:

cc: IDEM Site #0000635

Timothy Junk, Esq., IDEM Office of Legal Counsel  
Marion County Public Health Department

Attachment A: Information Request

**ATTACHMENT A**  
**INFORMATION REQUEST**

**Response is required:** To claim landowner liability protections afforded by law, you must provide full cooperation, assistance and access to IDEM, or to EPA or any other person authorized to conduct environmental response actions on the Property. 42 USC 101(40)(E); 42 USC 9607(q)(1)(A)(iv); 42 USC 101(35)(A)(iii).

**“Person” and “You” refer to All Legal Entities:** Indiana’s environmental laws define “person” to include an individual as well as other entities such as “a partnership, a copartnership, a firm, a company, a corporation, an association, a joint stock company, a trust, an estate . . .” Ind. Code 13-11-2-158. IDEM is asking you about the person(s) and entity(ies) that owned and operated on the Property.

**Identify Persons:** The term “identify” means, with respect to a natural person, to set forth: (a) the person’s full name; (b) addresses and telephone numbers; (c) present or last known employer (include full name and address) with title, position or business. With respect to a corporation, partnership, or other business entity (including a sole proprietorship), please provide its full name, address, and affiliation with the individual and/or company to whom/which this request is addressed.

**Identify the Information Sources for Each Answer:** For each question, identify all the persons and documents that you rely on in producing your answer.

**Identify Privileges:** If you have objections to some or all the questions within the Information Request and cover letter, you are still required to respond to each of the questions. If you intend to claim any documents as privileged, please identify each document and any the legal privileges against disclosure of each document.

**Electronic Template:** If you prefer, for ease of response you may request a word template from the project manager at the email address identified on the cover letter to you.

**Your Knowledge about the Property:** To claim the landowner liability protections afforded by law, you must demonstrate that you have performed all appropriate inquiry into the previous ownership and uses of the Property before purchasing the Property. 42 USC 101(35)(B), and 42 USC 101(40)(B).

1. IDEM's cover letter to you identifies some of what IDEM knows about the Property and the person or entity you represent.
  - a. Is IDEM's information about you current, complete and correct? If not, please identify the facts that would make IDEM's information current, complete and correct.
  - b. Is there any other person or entity that owns(ed) or operates(ed) the Property with you? If so, please identify the persons and entities.
  - c. Who is your officer or individual responsible for compliance with environmental laws?
  - d. Is there any other person or entity responsible for your environmental compliance at the Property?
2. Do you have personal knowledge of the information you are providing? If not, please identify all persons from whom you gained such information along with their contact information. If you have relied upon documents to obtain the information, please provide copies of such documents. If you intend to claim any information or document as privileged, please identify each document and any the legal privileges against disclosure of each document.
3. Describe the businesses that were or are being conducted on the Property:
  - a. during your ownership or use of the Property, and
  - b. before your ownership or use of the Property?
4. Who operated each business? If the operator was someone other than you, please provide all relevant information you may have that pertains to the operator. If you are aware of a contact person for that operator please provide all contact information.
5. At the time you acquired or operated the Property, did you know or have reason to know that any hazardous substance (chlorinated compounds) had been disposed of on, or at the Property? Describe all investigations of the Property you undertook prior to acquiring the Property and all of the facts on which you base the answer to the preceding question. Do you know of any Phase I or Phase II investigation of the Property? Please provide a copy, or if not available, identify who has the documents.

6. What do you know about the past or current uses of hazardous substances/chlorinated compounds on the Property?
  - a. What hazardous substances/chlorinated compounds have been used on the Property?
  - b. Who was responsible for the use on the Property?
7. Is there any portion of the Property where hazardous substances/chlorinated compounds have been released onto or into the ground or groundwater on the Property?
8. Provide a list of any hazardous substances/chlorinated compounds used or produced in any manufacturing processes employed on the Property or in any sludges, liquids, or other production wastes or materials resulting from the manufacturing process. Summarize in a short narrative the equipment or process used to dispose of or treat such waste materials.

**Your Regulated Use of the Property:**

9. On the Property, did you ever use, purchase, generate, store, treat, dispose, or otherwise handle any bulk hazardous substances/chlorinated compounds? If so, please identify:
  - a. In general terms, the nature and quantity of the hazardous substances/chlorinated compounds transported, used, purchased, generated, stored, treated, disposed, or otherwise handled.
  - b. Identify when each such hazardous substance/chlorinated compound was used, purchased, generated, stored, treated, transported, disposed or otherwise handled.
  - c. If you have any reason to believe that there may be persons able to provide a more detailed or complete response to any sub-question contained herein or who may be able to provide additional responsive documents, identify such persons and the additional information that they may have.
10. On the Property, please identify all leaks, spills, or releases into the environment of any hazardous substances/chlorinated compounds that have occurred at or from the Property. Please identify:
  - a. What was released and approximately how much;
  - b. When such releases occurred;
  - c. Where the release occurred on the Property;
  - d. Any and all investigations of the circumstances, nature, extent or location of each release or threatened release including, the results of any soil, water (ground and surface), or air testing undertaken; and,
  - e. All persons with information relating to these releases.

11. Inside any building on the Property, has there ever been a spill, leak, release or discharge of hazardous substances/chlorinated compounds into any subsurface disposal system or floor drain inside or under the building? If so, please identify:
  - a. Where the disposal system or floor drains were located;
  - b. When the disposal system or floor drains were installed;
  - c. Whether the disposal system or floor drains were connected to pipes;
  - d. Where such pipes were located and emptied;
  - e. When such pipes were installed;
  - f. How and when such pipes were replaced, or repaired; and,
  - g. Whether such pipes ever leaked or in any way released hazardous substances into the environment.
  - h. The location of the spill, leak, release or discharge of hazardous substances into any subsurface disposal system or floor drain inside or under the must also be documented on a Property map.
12. Has any contaminated soil ever been excavated or removed from the Property? If so, please identify:
  - a. Amount of soil excavated;
  - b. Location of excavation. The location of the excavation must also be documented on a Property map;
  - c. Manner and place of disposal and/or storage of excavated soil;
  - d. Dates of soil excavation;
  - e. Identity of persons who excavated or removed the soil;
  - f. Reason for soil excavation;
  - g. Whether the excavation or removed soil contained hazardous substances and why the soil contained such substances;
  - h. All analyses or tests and results of analyses of the soil that was removed from the Property;
  - i. All persons, including contractors, with information about (a) through (h) of this request.
13. Please provide copies of all reports, information or data related to soil, water (ground and surface), or air quality and geology/hydrogeology at and about the Property.
14. Please provide copies of any photographs that you may have regarding environmental conditions on the Property.

**Your Affiliation with Other Owners, Operators or Tenants:**

15. Are you affiliated, either by marriage, family relationship or common business relationships, with any other owner, operator or tenant on the Property?
16. Are you affiliated, either by marriage, family relationship or common business relationships, with any other persons named in the cover letter? If so, please explain the relationship in detail.
17. Did you or any of the other persons named in the cover letter ever lease the Property to any person or entity? If so, please provide a list of lessees, type of business operations and time periods for each lease. Please provide contact information for the lessee if available.
18. Provide IDEM with the name(s) of any party or parties of which you are aware that are not named in the cover letter that may have information regarding the contamination or may have contributed to the contamination of the Property and any associated groundwater plume.

**Insurance Information:**

**Policies:**

19. Please list and provide copies of all casualty, liability and/or pollution insurance policies, and any other insurance contracts referencing you, the Property or facility (including, but not limited to, Environmental Impairment Liability, Pollution Legal Liability, Cleanup Cost Cap or Stop Loss Policies, Institutional Controls and Post Remediation Care Insurance). Include any and all policies providing you with liability insurance relating to the Property since you first owned and operated the Property.
20. To the extent not provided in response to the question above, please list and provide copies of all insurance policies that may potentially provide you or other owners, operators or tenants with insurance for bodily injury, property damage and/or environmental contamination in connection with the Property and/or business operations.
21. Identify any person or organization that required you to produce evidence of your casualty, liability and/or pollution insurance coverage for the Property, including the nature of the insurance requirement and the years when the evidence was required.
22. If there are any such policies of which you are aware but neither possess copies, nor are able to obtain copies, identify each such policy to the best of your ability by identifying:
  - a. The name and address of each insurer and of the insured;



- b. The type of policy and policy numbers;
- c. The per occurrence policy limits of each policy; and,
- d. The effective dates for each policy.

**Agents and Brokers:**

23. Identify all insurance brokers or agents who placed insurance for you or other owners, operators or tenants of the Property, and identify the time period during which such broker or agent acted in this regard.

**Notice and Settlements:**

24. Identify all previous settlements by you or other owners, operators or tenants of the Property with any insurer which relates in any way to environmental liabilities on the Property, including:
- a. The date of the settlement;
  - b. The scope of release provided under such settlement;
  - c. The amount of money paid by the insurer pursuant to such settlement.

Provide copies of all such settlement agreements.

25. Identify all communications and provide copies of all documents that evidence, refer, or relate to claims made by you or on your behalf, or by any other owner, operator or tenant under any insurance policy which relates in any way to environmental liabilities on the Property. Include any responses from the insurer with respect to any claims.