



## 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

May 25, 2022

Mr. David A. O'Connor  
Corporate Environmental Manager  
Meritor, Inc.  
2135 West Maple Road, B-146A  
Troy, Michigan 48084

**Re: No Further Action**

Meritor Inc.  
1001 Hurricane Street  
Franklin, Johnson County, IN  
State Cleanup Site #0000783

Dear Mr. O'Connor:

The Indiana Department of Environmental Management (IDEM) reviewed the file pertaining to a release of hazardous substances at the former location of Meritor Inc. located at 1001 Hurricane Street, Franklin, Indiana (Site) in accordance with IDEM's *Risk Integrated System of Closure (RISC) Technical Resource Guidance Document*, February 2001. A copy of the public file for the Site will be maintained on IDEM's Virtual File Cabinet, which can be accessed online at: <https://vfc.idem.in.gov/DocumentSearch.aspx>.

ARCADIS, on behalf of Meritor Inc., has requested that a "No Further Action" status be granted for State Cleanup Site number 0000783.

The Site was discovered during investigations of releases at Amphenol Inc. and the former Hougland Packing Plant in Franklin, Indiana. Initial Investigation at KDL investments, formerly Meritor Inc., revealed low level contamination of naphthalene and vinyl chloride in soils and 1,1-dichloroethane, 1,1,1-trichloroethane, tetrachloroethene, vinyl chloride, and naphthalene in groundwater. Subsequently, in an additional investigation the low-level contamination was characterized and determined to be limited in scope.

An environmental restrictive covenant (ERC), as approved by the Commissioner and/or his designee, was recorded with the Johnson County Recorder's office on November 12, 2021, as Instrument Number 2005-023219 by the property owner, KDL Investments LLC. Based on the technical reports reviewed by IDEM, current use of the Site and the restrictions of the ERC, IDEM concludes that no further response actions are required provided that current and successive owners of the Site comply with the requirements and restrictions contained in the



Visit [on.IN.gov/survey](https://on.IN.gov/survey) or scan the QR code to provide feedback.

*We appreciate your input!*

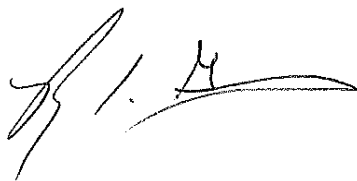


ERC. If additional information is subsequently obtained by IDEM indicating that the Site poses a risk to human health or the environment, including information about a land use inconsistent with the conditions of the ERC, IDEM reserves the right to modify or change the no further action determination as the situation may warrant.

In order to adequately and responsibly protect against potential future liability associated with the risk that improperly abandoned groundwater wells may pose in regard to future contamination of groundwater resources, any monitoring wells and/or piezometers that are no longer necessary to monitor the groundwater quality or groundwater levels should be permanently abandoned at this time by an Indiana licensed water well driller or water well pump installer in accordance with 312 Indiana Administrative Code (IAC) 13-10-2. As required by 312 IAC 13-10-2, the Indiana Department of Natural Resources Division of Water should be notified in writing (submittal of abandonment record) within 30 days of well abandonment. As a courtesy, please copy the project manager, Tim Johnson, on this correspondence.

If you have questions, or to notify IDEM of a change in Site conditions, please contact Tim Johnson at (317) 234-3931 or [tjohnson@idem.in.gov](mailto:tjohnson@idem.in.gov).

Sincerely,

A handwritten signature in black ink, appearing to read 'R. L. Groves', with a long horizontal flourish extending to the right.

Ryan L. Groves, Chief  
State Cleanup Section  
Office of Land Quality

RLG:TRJ

cc: State Cleanup File #0000783

Mr. John Akin, ARCADIS Inc.

Ms. Andrea Kochert Townsend, Plews, Shadley, Racher, and Braun

Mr. William Schikora, Attorney

See Attachment A for procedures to appeal this Agency decision.

## **ATTACHMENT A**

### **Administrative Appeal of this Agency Decision**

This is a determination of status that is an agency action described in I.C. 4-21.5-3-5. This determination is subject to review under IC 4-21.5 and takes effect fifteen (15) days after it is issued (eighteen (18) days if you receive this notice by U.S. Mail) unless review of this Order is requested before the fifteenth day (eighteenth day if you receive this notice by U.S. Mail), by filing a written request for review with the Office of Environmental Adjudication, and serving a copy of the request for review upon the Commissioner of the Indiana Department of Environmental Management. You may request that the Office of Environmental Adjudication conduct a hearing to review this determination under IC 4-21.5, in its entirety, or you may limit your request for review to specific findings of fact and/or determinations. You may also petition the Office of Environmental Adjudication under 4-21.5-3-5(h) to stay the effectiveness of this determination of status. Petitions for Administrative Review and/ or for a Stay of Effectiveness must be submitted separately to the Office of Environmental Adjudication and the Commissioner of the Indiana Department of Environmental Management at the following addresses:

Director  
Office of Environmental Adjudication  
Indiana Government Center North  
100 North Senate Avenue, Room N103  
Indianapolis, Indiana 46204

Commissioner  
Indiana Department of Environmental Management  
Indiana Government Center North  
100 North Senate Avenue, Room 1301  
Indianapolis, Indiana 46204

Failure to properly submit a request for review to the Office of Environmental Adjudication, before the fifteenth day following issuance of this determination (eighteenth day if you receive this notice by U.S. Mail), waives your right to administrative review of this determination and your right to judicial review of the determination. The petition for administrative review must contain the following information:

- a. Name, address, and telephone number of each person filing the petition.
- b. Identification of the interest of each petitioner in the subject of the petition.
- c. Statement of facts demonstrating that the petitioner is:
  1. a person to whom the order is directed;
  2. aggrieved or adversely affected by the determination; or
  3. entitled to review under any law.
- d. Statement with particularity the legal issues proposed for consideration in the proceedings.

The petition for administrative review should also contain the following information:

- a. Identification of any persons represented by the person making the request.
- b. Statement identifying the person against whom administrative review is sought.
- c. A copy of IDEM's determination that is the basis of the petition for administrative review.
- d. Statement indicating the identification of petitioner's attorney or other representative.

If you have procedural or scheduling questions regarding your petition for administrative review you may contact the Office of Environmental Adjudication at (317) 233-0850 or see OEA's website at [www.in.gov/oea](http://www.in.gov/oea).