

## Public comments received in response to IDEM's Community Involvement Plan for the 0153 Ground Water Contamination Site

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1. I am very concerned that IDEM does not have informational materials regarding Site0153 translated into Spanish. More than 50% of the families involved in the youth programming at Hawthorne Community Center are Spanish speaking families. For example:
  - a. Annual Report (in process-Oscar)
  - b. All notices and reports in English and Spanish

*IDEM is striving to make sure pertinent materials that the community finds valuable are available in formats necessary to positively communicate to the public. However, not all information produced can be translated. For instance, maps, chemical information and some other technical information concerning geology and engineering are not able to be translated. IDEM will commit to translating milestone reports such as annual reports, fact sheets and other materials to Spanish as requested by the community. IDEM will revise the Community Involvement Plan accordingly.*

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**Indianapolis Environmental Equity Council**  
[Site0153@gmail.com](mailto:Site0153@gmail.com), Paula Brooks

“In general, the Community Involvement Plan (CIP) could include additional detail and context that would help affected communities to better understand the project’s scope and the extent of contamination especially as it relates to relevant environmental exposures and concerns about the health impacts, potential financial burdens and future redevelopment.”

### **Section 1 – Site Overview:**

#### **Page 4**

1. The CIP should contain more detail about methods that may be used in determining the sources of the contaminants and the removal process, as to ensure affected residents thoroughly understand the scope of the contamination and the mechanics of the

cleanup. A schematic diagram illustrating groundwater contamination pathways and graphic of vapor intrusion mitigation systems should be included in the Appendix.

*IDEM is willing to provide more information concerning investigation process, contamination extent, contaminant exposure pathways and other technical information; however, IDEM does not propose to include that information within the CIP. The purpose of the CIP should remain clear and concise and is not built to provide technical information. The purpose of the CIP is to state what information IDEM will provide and how it will be provided to the community.*

2. Detailed health information on the effects of the contaminants on humans, non-humans and the natural environment should be attached to the Appendix.

A direct link to a comprehensive discussion of the health impacts on the public should be included in this section and placed prominently on the IDEM Site 0153 webpage.

*Again, technical information will not be provided within the CIP. IDEM agrees that this information is important. The most appropriate place for this information is on the Site 0153 webpage. A link to the website is provided in the CIP. IDEM will increase the amount of technical information as it is gathered and available.*

3. An explanation of what a deferment actually means beyond “IDEM being the lead cleanup agency” would be very helpful; i.e., IDEM must regularly report to EPA, IDEM must follow EPA procedures and protocols, the site may still be eligible for NPL listing if EPA deems IDEM is not in compliance, etc.

*IDEM will clarify and define what the deferment process is and what is required to achieve deferment status within the CIP.*

4. More detail is needed on the cumulative impacts of the environmental issues facing affected communities including an accounting of relevant, ongoing nearby EPA and state enforcement actions.

*The CIP is not meant to be a clearinghouse for technical information and discussion of environmental impacts or risk exposures to contaminants. The CIP is meant to provide information on how IDEM will share this type of information.*

5. A description of each of the 23 affected neighborhoods within the site boundaries is missing. This description should include a comprehensive community profile with demographics, socio-economic data and any other relevant community characteristics.

*IDEM will not be providing a description of affected neighborhoods or boundaries of those neighborhoods within the CIP. IDEM is not aware of specific neighborhood descriptions or a delineation of neighborhood boundaries that can be used as a reference.*

6. Per the Comprehensive Environmental Remediation, Compensation, and Liabilities Act (CERCLA) and the National Environmental Policy Act (NEPA), the plan must acknowledge several of the affected neighborhoods meet the requirements to be considered environmental justice communities in that they may bear a disproportionate burden of exposure or environmental health effects due to race, national origin, or income compared to other communities located within the site boundaries.

The CIP should contain a statement of IDEM's commitment to adhering to EPA's mandate by including environmental justice considerations in the project processes.

*IDEM's position has always been that environmental matters involving the agency are viewed on the basis of what is fair and equitable for all environmental stakeholders. All members of the public shall be treated equally and fairly with respect to the development, implementation, and enforcement of environmental laws, regulations and policies.*

7. A glossary would help the public to better understand salient terms and concepts.

*Links to site-specific glossaries and terms will be made available on the project website as needed.*

## **Section 2 – Community Concerns:**

### **Ensuring Safe Drinking Water – Page 6**

1. An explanation of the Safe Drinking Water Act (SDWA) law is needed; i.e., "SDWA is a federal law that ensures the safety of the tap water." State if "the levels of the contaminants found in the wellfield were above or below the SDWA standards".

*IDEM has included an explanation of the Safe Drinking Water Act law and Maximum Contaminant Levels within this section of the CIP.*

2. The impetus (relative to the SDWA standards) to shut down a well and the exact date of the shutdown should be inserted in the sentence: "To be proactive, Citizens decided to shut down one of its 19 production wells based on raw, underground water monitoring results due to . . . ."

*IDEM has included a statement of how the Safe Drinking Water Act law was used as a management tool to determine the need for corrective measures for the drinking water system.*

**Limiting the Loss of Brownfield Funding and Preserving Development Opportunities –  
Page 7**

1. The general location of plume needs to be clearly stated as to inform residents who may be living on or very close to it. This sentence can be appended to state “In September 2017, IDEM sent a letter to U.S. EPA confirming that, for purposes of NPL listing, the “site” is limited to a narrow band, bounded from X Street to Y Street, where the known plume is located.”

*IDEM has included the letter sent to the US EPA concerning Brownfield funding for the Site 0153 project area as an attachment to the CIP. In this attachment, a map depicting the ground water contaminant “plume” is clearly shown.*

2. Additional context to manage public expectations is needed for this sentence “IDEM is committed to working with all stakeholders to ensure that proposed developments may go forward while also responsibly addressing any historic contamination that might be encountered.”

*This is a general statement made to reassure the public that IDEM does not see the Site 0153 cleanup project as a cause for stifling any proposed redevelopment in the Site 0153 project area. Context is given by IDEM when it was stated that, under CERCLA law, brownfield funding can be withheld in the project area of a Superfund site. IDEM’s goal is to restrict this limitation of brownfield funding to as small an area as possible for benefit of the community.*

**Requests Made by the Riverside Civic League – Page 10**

1. The CIP should reflect the fact the requests were made by the Superfund or Not Taskforce. The Riverside Civic League was the convener of the Superfund or Not Taskforce. Other communities were represented including neighborhoods on the old near westside and the near northwestside of the city.

*IDEM is unsure what is meant by this comment. IDEM cannot make changes to the CIP based upon this comment at this time.*

2. The proposed required "opt-in" notification system where a resident must contact IDEM in order to receive important, time sensitive site updates and quarterly meeting notifications places the onus on residents rather than with IDEM. It also does not allow for the fact not everyone uses the Internet.

Most importantly in November 2016 as a condition of community support for the deferral or “local option, IDEM agreed to send out critical updates and meeting notifications via USPS. A system could be established to cull the mailing list as residents sign up for email notifications. Regardless, at a minimum an annual mailing is needed to ensure new property owners and renters are informed.

*On July 14, 2017, IDEM sent close to 15,000 letters to residents and businesses 1/8<sup>th</sup> of a mile outside of the five year time of travel. This letter indicated that in order to continue to receive updates, residents needed to sign up for email updates via the project website OR call ((800) 451-6027) or email (site0153@idem.IN.gov) IDEM to be added to the USPS mailing list. IDEM continues to add new people via requests as well as sign-in sheets from the quarterly public meetings.*

### **Section 3 – Community Involvement Goals and Activities:**

#### **Share Site Information on the Internet – Page 12**

1. Posting updates and meeting announcements on social media platforms would reach more people than just providing a webpage or requesting the public to “opt-in” to receive notifications. The purchase of ads on social media platforms like Twitter and Facebook would increase the probability of reaching more affected residents.

*Because this site affects a finite number of residents and businesses in Indianapolis, IDEM does not plan to share information via social media. Residents can sign up for email updates and/or USPS updates.*

#### **Update and Maintain the Site Mailing List and Email Group – Page 12**

1. Community media should be on the site mailing lists so that important information can be distributed through news releases. The community mailing and email group should include at a minimum the Indy Star, the Indianapolis Recorder, WFYI, WTLC/Praise Indy and the local TV news shows.

*Media are welcome to sign up for email or USPS updates; several media stories have been published about the site.*

#### **Prepare and Distribute Written Materials – Page 12**

1. All relevant materials: fact sheets, letters and updates must be available in Spanish.

A direct link to the administrative records should be on the website as the Virtual File Cabinet is too cumbersome for many to navigate. Hard copies should be made available free of charge, upon request.

*See IDEM's response to comment #1 above. Also, hard copies of all relevant documents are available at the local branch of the Indianapolis Public Library.*

#### **Conduct Public Information Sessions – Page 12**

1. Other meeting platforms like small, informal Q&A sessions held at various times and locations should be utilized as some residents due to work or other commitments may not be able to attend evening sessions.

*IDEM strives to hold quarterly public meetings at different locations and at varying times around the affected area. Presentations and other handouts are always uploaded to the website after every public meeting.*

#### **Evaluate Community Involvement and Outreach Efforts and Make Adjustments as Needed – Page 13**

1. A more detailed discussion is needed on how public input will be incorporated in the decision making process, including special considerations for the environmental justice neighborhoods.

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*IDEM bases its technical cleanup decisions on risk of exposure to chemicals and elimination of that exposure to a risk-based health protective level, regardless of geographic location or makeup of the population affected by the chemicals requiring cleanup. IDEM will seek fairness and equitability in its cleanup decisions to benefit all stakeholders during development and approval of cleanup decision making. IDEM will seek public comment on proposed cleanup actions by publishing proposed cleanup action plans for public comment.*

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**Indianapolis Environmental Justice Assembly**  
**Alvin Sangsuwangul [<mailto:asangsuwangul@kheprw.org>]**  
**[ejassembly@kheprw.org](mailto:ejassembly@kheprw.org)**

“The Indianapolis Environmental Justice Assembly is a coalition of resident volunteers from across Indianapolis that are working to address environmental justice issues. One of our current focuses is on increasing public engagement around the Site 0153 Water Contamination Site. After reviewing the Community Involvement Plan we have the following comments and requests:”

1. We request that public meetings be more interactive. Instead of reading from a powerpoint we would request that there be more group discussion and group questions so that everyone can benefit from all information shared in the public meetings (previously questions were only permitted after the meeting on a one-on-one basis).

*IDEM welcomes input and feedback from all groups and stakeholders. The current format of the meetings was requested by stakeholders and residents early on in the process. IDEM will continue to give updates via PowerPoint and post those presentations on the project website. In addition, IDEM updates a "Frequently Asked Questions" portion of the presentation which is updated with common questions and answers from all meetings.*

2. On page 6 of the Community Involvement Plan it states "Held several stakeholder meetings with the City of Indianapolis, Citizens Energy, and the Marion County Health Department to coordinate complete responses to public concerns" We request that stakeholder meeting be made public & information from them be made public.

*Internal negotiations with parties to the cleanup are not public meetings and information stemming from such meetings is provided at the regularly held public meetings and information sessions as well as on the project website. Under Indiana law, some information, such as the location of public drinking water wells, must be kept confidential.*

3. We request an online form or other process be created to allow community groups to request that an IDEM representative attend their meeting and have conversation & answer questions (again not a powerpoint presentation but an interactive dialogue).

*Residents can email [Site0153@idem.IN.gov](mailto:Site0153@idem.IN.gov) if they would like to have a representative attend a meeting outside of the regularly scheduled quarterly meetings. If the site status warrants additional meetings, IDEM will be proactive in scheduling those meetings with the community groups as needed.*

4. Regarding the Technical Assistance Grant: We have been in contact with the coordinator of the group awarded the TAG, but have gotten no clarity on the process to choose the consultant. We wonder will communities be involved in the choice, when and how? How frequently will public meetings be held? We have not heard of any public meetings to date.

*IDEM agrees that the communities should be involved in decisions about the consultant and tasks, but the details of how to do so are being worked out by Indianapolis Environmental Equity Council (IEEC). The next step in the TAG process is for the IEEC to form and present IDEM with a legal entity capable of entering into a grant contract with IDEM. This entity could be a corporation, a partnership, or some other lawful form, but it must be recognized by law as an entity that can enter into contracts. An important component of the TAG is the representation and participation of the various neighborhood groups, and IDEM will want to see an organizational document for IEEC that explains how the neighborhood and IEEC come to a consensus and make a collective decision on how to go forward with the TAG, including the choice of a consultant and tasks assigned.*

5. We request that IDEM respond to our requests and welcome a representative to come to discuss how we can improve community engagement at our upcoming meetings (Feb 2, March 2 at 6pm) at Kheprw Institute (3549 Boulevard Place). If those dates do not work our meetings are every first Friday at the same time and place.

*This document spells out all outreach activity to date and is meant to be a living document with updates added as needed. Should events warrant an update, outside of the regularly scheduled public meetings, IDEM will be happy to work with residents to either schedule a meeting or attend a standing meeting to present updates on the project.*