

Public Notice of Agreed Order
 providing for
Monitoring and Future Response Fund for Site 0153
March 16, 2021

Sixteen property owners within Site 0153 have entered into an Agreed Order with IDEM to fund a Monitoring and Future Response Fund (MAFR Fund) in the amount of \$425,000. IDEM will use the MAFR Fund to continue to monitor the quality of underground drinking water within Site 0153 over the next 10 years and perform any cleanups if any become necessary. These property owners are:

Settling Respondent	Site Locations	VFC Land Site ID
Boyle Racing Hqrs. Foundation, Co., Gent Avenue, LLC, and Guggman Haus Inv., LLC	1701 Gent Street.	0000744
Carrier Corp.,	1100 West 21st Street, 1139 W. 23rd Street & 1133 Burdsal Parkway	0000770
Crescent Realty Corp., and Crescent Electric Supply Co,	1141 West 16th Street.	0000635
Component Machine Inc.,	1630 North Gent Street.	200412100
Hittle Machine and Tool Company Inc.	2122 Dr. Martin L. King Jr. Street.	0000789
Indiana University	IUPUI campus / nearby properties.	0000804
Indiana University Foundation	IUPUI campus / nearby properties.	0000804
Industrial Properties, Inc.	500 W. 21st Street.	0000623
Parts Landlord LLC	940 West 16th Street.	0000858
16 Tech Community Corp	Lands within Indiana Ave., Waterway Blvd., 10th & 16th St.	0000986
SFS (USA) Holding, Inc., and Sterling Fluid Systems (USA) LLC, d/b/a Peerless Pump Co.	2005 Dr. MLK Dr.	0000635
Staley Signs, Inc.	1133 Burdsal Parkway.	0000635

None of these property owners at these sites are now using the chemicals of concern that were found in trace amounts in some of the underground water beneath Site 0153. Many of these owners have never used these chemicals, but instead simply bought property that might have once been contaminated decades ago by the prior manufacturing and business activities on each site.

Each owner has responsibly investigated the extent of contamination of its own property and shared all the information with IDEM and the public (see IDEM Virtual File Cabinet). Where appropriate, and at IDEM's direction, some have removed source areas of residual contamination, as well as investigated any contamination that may have flowed under adjacent properties. Where required, these owners have agreed to complete some amount of final investigation to IDEM's satisfaction. The resulting Known Conditions and Site Closure requirements for each property are found in the documents listed by VFC number on each owner's signature page.

Based upon the investigations resulting in the Known Condition documents identified for each site, as well as the promised investigations to be completed, under current conditions IDEM now believes that each of these properties and any immediately adjacent areas present minimal further risk to the underground drinking water aquifers existing 70 to 300 feet below Site 0153. IDEM also believes that these properties present no threat of vapor intrusion into any existing buildings and homes in the vicinity.

These property owners were then invited to enter into the Agreed Order without a hearing or other adjudication of any fact or legal issue, and subsequently did so solely in an effort to amicably resolve any claims against them without litigation, without any admission of fault or liability, and without waiving any rights or defenses in any future administrative or judicial proceeding. This Public Notice is meant to summarize relevant parts of the Agreed Order, but the terms and conditions of the Agreed Order itself are controlling.

The terms of the Agreed Order also control IDEM's use of the MAFR Fund and any right IDEM has to compel further investigation or cleanup by these owners. Under the current trends observed in the production wells over the past few years, the money in the MAFR Fund should be sufficient to cover IDEM's future costs of monitoring the Site 0153 drinking water production wells over the next 10 years. If conditions change, however, under the terms of the Agreed Order the MAFR Fund may also be used to collect New Evidence investigating any new threat or impact to any production wells, and to fund any cleanup activity. If the remaining money in MAFR Fund is insufficient to do so, under the terms of the Agreed Order, IDEM reserves the right to bring suit to compel any further cleanup as may be necessary for any of these properties.

Non-Settling Properties. There are other property owners within Site 0153 whose properties are still being investigated. These other owners have not been invited to participate in this settlement with IDEM. IDEM anticipates future settlement discussions with these other property owners when their respective site investigations, and any necessary cleanups, are completed.

IDEM wants your input! Within the next 30 days, IDEM welcomes any public comments or concerns about the Agreed Order and these properties and will thereafter respond to any questions or concerns you might have as to these properties. You are welcome to review the Known Conditions of any and all of these sites by viewing the identified documents on the Virtual File Cabinet.

Please submit your email comments to Site0153@idem.IN.gov. Your written comments may be mailed to:

IDEM Office of Land Quality
Attn: Ryan Groves
100 N. Senate Ave.
IGCN 1101
Indianapolis, IN 46204

All comments are due on or before April 15, 2021.

For further information, please use the email address above or call (800) 451-6027.