

## Michael O. Nelson

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April 9, 2020

#### <u>Via Email</u>

Lori Bebinger Environmental Manager Voluntary Remediation Program Indiana Department of Environmental Management 100 North Senate Avenue, IGCN, Room 1101 Indianapolis, IN 46204-2251 *LBebinge@idem.IN.gov* 

#### Re: Executive Cleaners 201 North Main Street Elkhart, IN 46516 VRP #6190406

Dear Ms. Bebinger:

Our office represents the City of the Elkhart in relation to the environmental issues at the above referenced Site. We are aware that a significant release of drycleaning related chemicals has been identified in the soil and groundwater emanating from the Executive Cleaners Site.

Enclosed as Attachment A is a copy of Figure 4 from the January 20, 2020 Summary Report filed by Executive Cleaners indicating Groundwater analytical reports. Based on these results of environmental investigations by Executive Cleaners' consultant, the contamination appears to be significant, and the properties effected are numerous. Furthermore, based on the most recent proposal, the contamination plume has not been delineated. Enclosed as Attachment B is a figure drafted by Executive Cleaners showing Proposed Boring Locations in the area. The affected area consists both of residential homes and business properties.

The City of Elkhart is tasked with a duty to its citizens to protect their health and safety. Furthermore, the City of Elkhart is concerned with revitalization of the affected area. These two duties require that the City monitor the progress of any remedial activity for the Site and ensure a proper remediation has occurred. The citizens of Elkhart and its local business community must be adequately protected.





Thus, the City is requesting that its representatives be copied on any communications regarding remedial activities associated with the Site. We respectfully request that our office, along with the Redevelopment Commission attorney Gary Boyne and the City Attorney, John Espar, be copied on all communications.

Notice can be sent to:

Michael Nelson – Mnelson@ NelsonLawGroupLLC.com Gary Boyn – gboyn@warrickandboyn.com John Espar – John.Espar@coei.org

Furthermore, the City would like to request an official update from IDEM regarding the past activities at the Site regarding the environmental contamination. In addition, the City would like to know the future plans for remediation and how all of the affected properties are expected to be addressed. The City of Elkhart is requesting a speedy remediation of the affected properties in order to protect the health of its citizens as well as protecting the development plans for the area. The City is relying on IDEM to move quickly to ensure that Executive Cleaners investigates the contamination and conducts any and all reasonable remedial actions including, but not limited to, vapor intrusion investigation at potentially affected properties. We hope that IDEM will be committed to a speedy investigation and remediation to protect the City's citizens and its redevelopment goals.

### Conclusion

We look forward to working with IDEM regarding the investigation into the contamination emanating from Executive Cleaners. We are confident that all parties will move forward quickly to eliminate the contamination and protect the private citizens in the area. If you have any questions or concerns, please feel free to contact our office.

Very truly yours, Nelson Law Group LLC

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Michael O. Nelson

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Enclosures:

Attachment A -

Figure 4 from Executive Cleaners January 20, 2020 Summary Report to IDEM showing Groundwater Analytical Results Figure Showing Proposed Boring Locations

Attachment B -



# Attachment A

	S	t. Joseph River		
		B-41 (6'-11') (18'-23') TCE <5 8.55 Other BDL BDL	Independent of the second	
Parts	B-40         (6'-11')         (18'-23')           TCE         <5         5.31           Other         BDL         BDL           Wrattomil Drive         B-37         (7'-12')           B-37         (7'-12')         (17'-22')           C-DCE         12.4         100           PCE         106         105           TCE         0ther         BDL           B-35         (9')		B-36 (12'-22') TCE 7.14 Other BDL 0'-15') (20'-25') 5 18.8 BDL BDL B-22 M 8-15 BDL BDL -21	-25') DL VOCs BDL BUL Ruerunik Dru
Map Legend Monitoring Well	C-DCE C-DCE C-DCE	214')       (20'-25')/Dup         25       97,4/97.3         3.14       BDL/BDL         BDL       BDL	B-20 B-11 (12.5'-17.5') (2)	B 24 (10'-15') (22'-27') CS BDL BDL B-25 (10'-20') c-DCE 10.4 VC 2.49 Other cVOC BDL 248 7.28 67.0 D S (12'-17') (23'-28 c-DCE <5 169
<ul> <li>Direct-Push Soil Boring         <ul> <li>Approximate Property Line</li> <li>C Chloroform</li> <li>1,1-DCE 1,1-Dichloroethene</li> <li>c-DCE cis-1,2-Dichloroethene</li> <li>t-DCE trans-1,2-Dichloroethene</li> <li>PCE Tetrachloroethene</li> <li>TCE Trichloroethene</li> </ul> </li> </ul>	Lincoln Street 4	B-32 (13'-23) PCE 7.34 Other BDL B-17 (11'-16') (20'-25')/Dup C <5 5.66/<5 Other BDL BDL/BDL	VC <2 Other BDL MW-12 B-10 (15'-25') 1,1-DCE 43.8 PCE 0ther BDL B-8 (14.5'-24.5') VC 8B.2/45.7	B-7         (13'-18')         (23'-28')           PCE         72.7         2.060           TCE         <5
VCVinyl ChlorideVOCVolatile Organic CompoundBDLBelow Detection LimitRSLResidential Screening LevelGWSLGroundwater Screening LevelRVIGWSLResidential Vapor Intrusion GWSLCVIGWSLCommercial Vapor Intrusion GWSLResults in micrograms per liter (ug/L)	Washington Street	Uter BDL BDL/BDL Washington Street Washington Street Vocs Bl	PCE BDL Other BDL 0 Her BDL 0	B-27 B-3 (14'-19') PCE 6.51 Other BDL B-3 HV-3 B-29 B-12 (10'-20) B-12 (10'-20) B-12 (10'-20) B-12 (10'-20)
Red bolded result exceeds IDEM's Tap RSLBlue shaded result exceeds IDEM's RVIGWSLYellow shaded results exceeds IDEM's CVIGWSLScale (Feet)0'200'400'	Sherman Street	Reference of the second s	B-1 (15'-20') c-DCE 6.20 PCE 1.250 CE 1.250	C 13.5 PCE 59.0 Other BDL E 12.4 her BDL VOCS BDL





## Attachment B

## Map Legend

Langle Park

St. Joseph River

Monitoring Well
 Direct-Push Soil Boring
 Hand Auger Soil Boring
 Proposed Soil Boring
 Proposed Sewer Vapor Sample
 311 Proposed VI Assessment
 311 Building Address Number
 Approximate Site Boundary

200'

400'

0'

