



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Mike Braun
Governor

100 N. Senate Avenue • Indianapolis, IN 46204
(800) 451-6027 • (317) 232-8603 • Fax (317) 233-6647 • www.idem.IN.gov

Clint Woods
Commissioner

December 9, 2025

VIA E-MAIL

John Peret
Phoenix Construction
401 E. Kilbourn Avenue # 201
Milwaukee, WI 53202
jperet@phoenixconstruction.us

Re: Request for Additional Information
Project Maize Data Center, Complaint Inspection Response
Former Federal-Mogul Corporation Site, Michigan City, Lake County
EPA ID # IND016520017

Dear Mr. Peret:

Staff have completed a review of the Complaint Inspection Responses dated November 11 and November 20, 2025 that have been submitted in response to the September 24, 2025 inspection conducted at the future Project Maize Data Center (Former Federal-Mogul Corporation Site) located at 402 Royal Road, Michigan City, IN (VFC Document #s 83881378, 83897119, and 83897120 respectively). These responses have been submitted on your behalf by WSP Global, Inc. The following comments have been generated.

- Although basic information was provided, during a December 3, 2025 conference call between IDEM staff and staff representing your facility including staff from WSP regarding the pre-excavation condition of the area in which soils were removed (identified in the submittal dated November 20 in Figures 1 and 2), IDEM requests a written detailed description of this area describing both the pre-excavation conditions, how decisions were made regarding where soils were to be utilized and/or sent off-site, and finally the potential future use for this area.
- The inspection report discussed a violation regarding a potential improper waste determination of soils that were generated and removed from the area discussed in the bullet above and used on-site and transported off-site for use at other locations. Information was also provided within the inspection report discussing the IDEM's "Uncontaminated Soil Policy". This Policy allows soils with minimal human impacts to be managed without IDEM authorization provided the prohibited location provisions found within the Policy are met. Some analytical information was provided pursuant to that Policy, however, all the chemical constituents discussed in the associated Table (the 2022 RISC Screening Table A6) were not included. Additionally, since all constituents weren't sampled, there was no specific information provided to demonstrate why those constituents may have been excluded from the chemical evaluation. Lastly, in general, based on

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the concepts found in Chapter 9 of SW846 the number of samples obtained for the analytical provided is insufficient to appropriately statistically characterize the volume of soils (*11 samples for an estimated 150,000 cubic yards of soils*) that have been removed and placed on-site and sent off-site. This Office suggests that a Sampling Plan be generated and submitted for review that includes items such as, but not limited to; total sample numbers from each location where soils are currently located and methodology for collecting samples, constituent list and reasoning for exclusion of any chemical constituents that won't be evaluated, and laboratory validation information {referred to as Quality Assurance/Quality Control (QA/QC) information}.

- Information obtained after the inspection indicated that the soils generated during this project that were sent off-site went to four (4) locations. In general, it would be safe to assume that these sites where soils were transported could potentially place/use these soils in residential or agricultural settings. IDEM recommends that the soils be returned to the Royal Road site for potential use in on-site grading activities. Use in this manner could be authorized through an amendment to the already approved RCRA Corrective Action, Closure Plan for the property.

If you have any questions regarding this request for additional information, please contact George Ritchotte of my Section at (317) 727-6907 or via email at gritchot@idem.in.gov .

Sincerely,



Mary Ann EuDaly, Chief
Industrial Waste Compliance Section
Compliance Branch
Office of Land Quality

cc: LaPorte County Health Department



Re: Project Maize Data Center, Former Federal-Mogul Corporation Site - INX000069115

From John Peret <jperet@phoenixconstruction.us>

Date Tue 12/9/2025 9:45 AM

To Van De Bossche, Nira <NVandebo@idem.IN.gov>

Cc Breitenfeldt, Charles <ChBreite@idem.IN.gov>; Lahners, Amanda <alahners@laporteco.in.gov>; RITCHOTTE, GEORGE <GRITCHOT@idem.IN.gov>; Glisson, Bradley <brad.glisson@wsp.com>

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Good morning, Nira.

Received, and would like to set up a call to discuss. When would you have some availability.

Does tomorrow morning work for you at 8 am CST?

JOHN PERET



SENIOR PROJECT MANAGER &
DIRECTOR OF ENGINEERING/DESIGN
JPERET@PHOENIXCONSTRUCTION.US
D: 414.376.6934 C: 414-748-5646
PHOENIXINVESTORS.COM
401 E KILBOURN AVE, STE 201
MILWAUKEE, WI 53202



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From: Van De Bossche, Nira <NVandebo@idem.IN.gov>
Sent: Tuesday, December 9, 2025 8:28 AM

To: John Peret <jperet@phoenixconstruction.us>
Cc: Breitenfeldt, Charles <ChBreite@idem.IN.gov>; Lahners, Amanda <alahners@laporteco.in.gov>; RITCHOTTE, GEORGE <GRITCHOT@idem.IN.gov>
Subject: Project Maize Data Center, Former Federal-Mogul Corporation Site - INX000069115

[Use Caution External Email]

Good morning,

Please see attached letter re: Request for Additional Information for Project Maize Data Center, Former Federal-Mogul Corporation Site.

Kindly respond to this email to confirm your receipt of the document.

Thank you,

Nira van de Bossche

Administrative Assistant | Compliance Branch
Office of Land Quality
Indiana Department of Environmental Management



(317) 234 6923 | nvandebo@idem.in.gov