

A Note from the Branch Chief

Things to Remember for the Indiana Brownfields Program

The [Indiana Brownfields Program](#) administered by the [Indiana Finance Authority](#), provides educational, financial, technical, and legal assistance to communities for identifying and mitigating environmental barriers that impede local economic growth. IDEM project managers are housed within the Indiana Brownfields Program to provide environmental technical support. IFA and IDEM collaborate with the U.S. Environmental Protection Agency and other state agencies to support communities in brownfield redevelopment.

Legitimate Use: The IFA's Brownfields Program cannot approve the legitimate use of on-site contaminated soil. Instead, approval must be requested through [IDEM's Industrial Waste Compliance Section](#). Whether the soil intended for use will present a threat to human health or the environment must be determined. If required, testing should be conducted for any contaminant likely to be in the soil based on historical site use (such as total metals or organics). For more information on determining when soil is considered uncontaminated, refer to the *Uncontaminated Soil Nonrule Policy Document* ([Waste-0064-NPD](#)).

Soil Management Plans: Due to the complex and varied nature of residential redevelopments, the Brownfields Program is moving away from imposing a tiered soil restriction in environmental restrictive covenants (ERCs) that address multiple reuse scenarios. Gaining approval from the Brownfields Program for a soil management plan (SMP) before IFA issues an ERC allows the covenant to reference the SRP, simplifying the restriction language while still providing the necessary legal specifications for soil management in the planned redevelopment area.

ERC Questions & Recording: IDEM's Institutional Control (IC) group cannot answer questions about ERCs drafted and issued by IFA's Brownfields Program. Also, the recording instructions attached to ERCs issued through the Brownfields Program require the program to receive a copy of the recorded ERC. IDEM's IC group receives ERC documents issued by all other remediation programs.



The [Interstate Technology and Regulatory Council \(ITRC\)](#), a state-led environmental coalition of government agencies, academia, private sector entities, and the public, works to create innovative solutions. Check out the ITRC's free [online webinars!](#)

DID YOU KNOW?

Voluntary Remediation Program

The Voluntary Remediation Program (VRP) provides property owners, operators, potential purchasers, and other stakeholders a proactive avenue for addressing environmental concerns through voluntary investigation and remediation. Typical applicants include current or former property owners, lessees, and prospective buyers, as well as local government entities that acquire properties by default. VRP participants benefit from smoother property transfers and reduced future liability related to chemical releases addressed during the remediation process. Upon successfully implementing an IDEM-approved Remediation Work Plan (RWP) under a Voluntary Remediation Agreement (VRA), participants receive a Certificate of Completion (COC) from IDEM and a Covenant Not to Sue from the Governor's Office, ensuring protection against future enforcement actions related to the specified release, barring certain exceptions.

IDEM has issued 65 Certificates of Completion since the VRP reached full staffing in January 2022, 14 to projects that had been in the program for fewer than 7 years. The adoption of peer workflows and document tracking tools has significantly streamlined closure timelines. Last year, the agency averaged 133 days between the receipt of all closure documents and the issuance of a COC and, thanks to enhanced efficiency, achieved turnaround times as short as 15 days.

The State Cleanup Program (SCP) complements the VRP by prioritizing sites using a ranking system defined in [329 IAC 7.1.9](#). SCP project managers focus on high-priority cases, allowing low-priority sites to explore alternatives, including remaining in SCP, pursuing the Independent Closure Process for petroleum-impacted sites, or applying to VRP for potentially expedited closure. Sites that do not pose an imminent and substantial threat to human health or the environment, as outlined in [IC 13-25-5-5](#), are eligible for VRP, which offers an alternative path to closure compared to SCP processes. Together, these programs demonstrate Indiana's commitment to addressing environmental remediation effectively and collaboratively.

Spill Reporting

Addressing known environmental issues increases a property's marketability and value. Failure to report spills can also jeopardize future property transactions. Spills and releases are a liability until they are closed by IDEM. Spill and release reporting enables the closure process to begin, thereby providing a direct benefit to property stakeholders.

IDEM has encountered several recent instances where releases of contaminants, objectionable substances, petroleum, hazardous substances, and/or hazardous waste were not reported to the agency. Current and historic spills or releases of these compounds must be reported to IDEM under the Spill Rule, found at [327 IAC 2-6.1](#). The Spill Rule also requires releases to be reported "As soon as possible, but within two (2) hours of discovery..." ([327 IAC 2-6.1-7](#)). All discovered historical releases must be reported unless the quantity released is known to be less than the reportable quantity. Spill reporting requirements include all current and historical spills for which a spill response has not been completed. Reporting historic spills and releases initiates the site tracking process for IDEM and enables immediate referral to the agency program best suited to manage the closure oversight process.

You do not need to be the landowner or responsible party to report a release to IDEM. Anyone can report spills and releases to IDEM's 24-Hour Emergency Spill Line toll-free at 888-233-7745 or 317-233-7745. Callers may remain anonymous.

U.S. EPA Announces Major PFAS Regulation Updates

In May 2025, the U.S. EPA unveiled significant updates to PFAS regulations including:

- MCLs for PFOA and PFOS will remain at four parts per trillion (ppt).
- An interim final rule delaying the reporting period for PFAS manufacturers, giving industries more time to comply with the Toxic Substances Control Act (TSCA). The new reporting window is from April 13 to October 13, 2026.
- Announcing intent to rescind regulations for PFHxS, PFNA, and HFPO-DA (commonly known as GenX).
- Rescinding the Hazard Index (HI) standard for PFAS mixtures, including PFHxS, PFNA, GenX, and PFBS. Previously, the Hazard Index MCL was set at 1.0, meaning that if two or more of these PFAS were present in drinking water, their combined health-based value level had to remain below 1.0. The U.S. EPA used this approach to account for the additive health effects of PFAS mixtures.
- Postponing the compliance deadline for all water systems by requiring them to meet legally enforceable PFAS limits by 2031 instead of 2029.
- Introducing a federal exemption that will allow small, rural, and economically disadvantaged communities to apply for temporary exemptions from PFAS regulations. Specific exemption criteria are not final but are expected to account for financial hardship and technical feasibility, granting affected communities additional time to achieve compliance.
- Launching a new outreach program, PFAS OUT, to help small water systems navigate compliance challenges and provide technical assistance, funding guidance, and regulatory support.
- Defunding PFAS research on farms by eliminating \$18M in funding for university research projects studying PFAS contamination in soil and groundwater, including studies on how PFAS accumulates in crops and livestock.

