



***Procedures to Request a Determination of Petroleum Site Eligibility
Required for U.S. EPA Brownfield Grants***

When requesting a petroleum eligibility determination from the Indiana Department of Environmental Management (IDEM), please provide written responses to the items listed below. If you are unable to provide the information related to any of the items, then please state why that information is unavailable. Requests and/or questions should be emailed to Andrea Robertson, Indiana Brownfields Program Technical Staff Coordinator, at aroberts@ifa.IN.gov and to Michele Oertel, Indiana Brownfields Program Federal Funding & Community Relations Coordinator, at moertel@ifa.IN.gov. Subsequent to its review of a request, the IDEM will provide a written response determining eligibility for use of federal grant funds on the site. Further information regarding petroleum eligibility determinations may be found in the U.S. EPA's Brownfields Assessment, Revolving Loan Fund and Cleanup Grant Guidelines. The respective guidelines for the three types of U.S. EPA grants are available on the web at: <https://www.epa.gov/brownfields/apply-brownfields-grant-funding>.

Date of Request: _____

Site Name(s): _____

Site Address(es): _____

Site Acreage: _____

Assessment or cleanup activities: _____

Letter recipient

Name: _____

Affiliation: _____

Address: _____

Contact Information: _____

The following information must be provided in order for the IDEM to make a petroleum eligibility determination:

1. **Site Description.** Please provide information regarding the following: a) the name of the site; b) the address of the site; c) whether this site is contaminated by petroleum or hazardous substances; d) the operational history and current uses(s) of the site; and e) environmental concerns, if known, at the site.

2. **Previous Assessments.** Please explain the phase of assessment, if any, that has been completed to date. Provide dates of the assessment(s).
3. **Areas of Concern.** Please identify how the site became contaminated, if known, and, to the extent possible, describe the nature and extent of the contamination.
4. **Current and Immediate Past Owners.** Identify the current and immediate past owner(s) of the site, when they owned the site (provide dates), and what they operated (be specific).
5. **Acquisition of Site.** Please identify when and by what method the current owner acquired the property (e.g., purchase, tax foreclosure, donation, eminent domain).
6. **No Responsible Party for the Site.** Please identify whether the current and/or immediate past owners(s) dispensed or disposed of petroleum or petroleum product, and if so, how long petroleum was dispensed or disposed; whether the current and/or immediate past owner(s) exacerbated existing petroleum contamination at the site; and, whether the current and/or immediate past owner(s) took reasonable steps with regard to the contamination at the site.
7. **Assessed or Cleaned Up by a Person Not Potentially Liable.** Please identify whether you (the applicant/grantee) dispensed or disposed of petroleum or petroleum product, or exacerbated the existing petroleum contamination at the site, and whether you took reasonable steps with regard to the contamination at the site.
8. **Relatively Low Risk.** Please identify whether the site is of “relative low risk” compared to other petroleum or petroleum product-only contaminated sites in the state in which the site is located, including whether the site is receiving or using Leaking Underground Storage Tank (LUST) Trust Fund monies.
9. **Judgments, Orders, or Third Party Suits.** Please provide information that no responsible party is identified for the site through either:
 - a. A judgment rendered in a court of law or an administrative order that would require any person to assess, investigate, or clean up the site; or
 - b. An enforcement action by federal or state authorities against any party that would require any person to assess, investigate, or clean up the site; or
 - c. A citizen suit, contribution action or other third party claim brought against the current or immediate past owner, that would, if successful, require the assessment, investigation, or cleanup of the site.
10. **Subject to Resource Conservation and Recovery Act (RCRA).** Please identify whether the site is subject to any order under section 9003(h) of the Solid Waste Disposal Act (RCRA Corrective Action).
11. **Financial Viability of Responsible Parties.** For any current or immediate past owners identified as responsible for the contamination at the site, provide information regarding whether they have the financial capability to satisfy their obligations under federal or state law to assess, investigate, or clean up the site.