



INITIAL PROJECT SCREENING GUIDE

Northwest Indiana RDA RLF Grant Program

Project Name _____

Project Address _____

Contact: _____

Company: _____

Phone: _____

E-mail: _____

SITE ELIGIBILITY

SITE TYPE	YES	NO
1. Is the Site a Brownfield?	_____	_____

EPA definition of a Brownfield: *A Brownfield is "...real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant."* Brownfield sites include all "real property," including residential, commercial and industrial properties. Sites contaminated by a controlled substance (e.g., methamphetamine laboratories) or mine-scarred land are also considered Brownfields.

➤ If YES, the Site may eligible for RLF funding.

2. Is the Site:	YES	NO
a. Listed or proposed for listing on the National Priorities List (NPL) Superfund	—	—
b. Subject to unilateral administrative orders, court orders, administrative orders on consent, or judicial consent decrees issued to or entered into by parties under CERCLA	—	—
c. Subject to the jurisdiction, custody, or control of the U.S. government.	—	—
If YES, the site is NOT eligible for RLF funding. However, this exclusion may not extend to the following types of sites:		
a. Privately-owned, Formerly Used Defense Sites (FUDS)	—	—
b. Privately-owned, Formerly Utilized Sites Remedial Action Program (FUSRAP) properties	—	—
c. Other former federal properties that have been disposed by the U.S. government	—	—
3. Is the site one of the following?:	YES	NO
a. Sites subject to planned or ongoing removal actions under CERCLA	—	—
b. Sites with facilities that have been issued or have entered into a unilateral administrative order, a court order, an administrative order of consent, judicial consent decree or to which a permit has been issued by the United States or an authorized state under RCRA, WPCA, TSCA or SDWA	—	—
c. Sites with facilities subject to RCRA corrective action (§3004(u) or §3008(h)) to which a corrective action permit or order has been issued or modified to require the implementation of corrective measures	—	—
d. Sites that are land disposal units and that have submitted a RCR closure notification or that are subject to closure requirements specified in a closure plan or permit	—	—
e. Properties where there has been a release of PCBs and all or part of the property is subject to TSCA remediation	—	—
f. Properties that include facilities receiving monies for cleanup from the LUST trust fund	—	—

➤ If YES, the Site may be eligible for RLF funding based on a property-specific eligibility determination.

GRANTEE AND SUBGRANTEE ELIGIBILITY

1. Is the borrower/owner or subgrantee a potentially responsible (liable) party (PRP) under CERCLA for contamination on the site?

If YES, the site is **NOT** eligible for RLF funding.

The party must satisfy all of the following requirements to be noni liable:

- a. The party did not cause the contamination or own the Site during disposal
- b. The party acquired the Site after contamination/disposal occurred and satisfied(ies) the following two requirements:
 - i. The party conducted All Appropriate Inquiry (AAI) prior to purchase?
 1. Prior to 1980: ??? (this is a gray area)
 2. 1980 - 1986/1987 – some type of environmental inspection consistent with the standard of practice at the time of acquisition
 3. 1986/1987 – 1993: **Phase I ESA**
 4. 1993 – 2002: ASTM E-1527 or equivalent **Phase I ESA**
 5. 2002 – Date: ASTM E-1527-05/13 **Phase I ESA** or CERCLA AAI
 - ii. The party has fulfilled the following Continuing Obligations:
 1. Take reasonable steps to prevent continuing releases; prevent future releases; and prevent or limit human, environmental, or natural resource exposure to hazardous substances
 2. Comply with land use restrictions and not impede the effectiveness or integrity of institutional controls

Also,

1. Provide access/cooperation to persons conducting response actions or natural resource restoration on the Site
2. Provide all legally required notices with respect to the discovery or release of any hazardous substances at the Site
3. Comply with any request for information or administrative subpoena issued under CERCLA (Superfund)

➤ If YES the Site may be eligible for RLF funding.

2. Does a unit of government or non-profit agency/corporation own the site?

➤ If YES, the Site may be eligible for an RLF subgrant or loan forgiveness.

CLEANUP ACTIVITY ELIGIBILITY

1. Potential Eligible response activities include:
 - a. "Limited" assessment/delineation
 - b. Cleanup design
 - c. Pilot studies
 - d. Source removal
 - e. Source treatment
 - f. Exposure mitigation (engineered barriers, vapor mitigation, fences)
 - g. PCB cleanup
 - h. Asbestos abatement
 - i. Demolition, under limited circumstances with EPA approval if needed to conduct environmental response activities