



Indiana Brownfields Program
Comfort/Site Status Letter Request
 State Form 51493 (R2/6-07)
 Indiana Finance Authority

Return this form to:
INDIANA BROWNFIELDS PROGRAM
 100 N. Senate Avenue, Room 1275
 Indianapolis, IN 46204
 For questions: 317-234-1279
 Submit form electronically to: brownfields@ifa.in.gov
 FAX: 317-234-1338

Pursuant to the Indiana Department of Environmental Management (IDEM) Nonrule Policy Document W-0051, "Brownfields Program Comfort and Site Status Letters Policy" (April 18, 2003), the Indiana Brownfields Program may issue a Comfort or Site Status Letter to stakeholders at brownfields sites that satisfy the eligibility criteria and conditions of the policy.

Brownfield Site Definition

A brownfield site is defined as a parcel of real estate that is abandoned or inactive; or may not be operated at its appropriate use; and on which expansion or redevelopment is complicated because of the presence or potential presence of a hazardous substance, a contaminant, petroleum, or a petroleum product that poses a risk to human health and the environment. IC 13-11-2-19.3

Comfort Letter

A Comfort Letter is issued to a party that qualifies for an applicable exemption to liability found in Indiana law or IDEM policy, but is not a legal release from liability. The Comfort Letter explains the applicable liability exemption or IDEM's exercise of enforcement discretion under an applicable IDEM policy. Potentially applicable liability exemptions or IDEM policies include:

- ✓ the Stakeholder is a government entity exempt from liability under IC 13-25-4-8(e), IC 13-11-2-150(c), or IC 13-11-2-151(b);
- ✓ the Stakeholder is a creditor, lender, or fiduciary exempt from liability under IC 13-23-13-14, IC 13-24-1-10, or IC 13-25-4-8(c);
- ✓ the Stakeholder is not the statutory owner of an underground storage tank pursuant to IC 13-11-2-150(a) because the tanks were not used after November 8, 1984 and the Stakeholder was not the person who owned the tank immediately before the discontinuation of the tank's use;
- ✓ the Stakeholder is exempt from liability or eligible for a defense to liability as a bona fide prospective purchaser, contiguous property owner or innocent landowner pursuant to IC 13-25-4-8(b); and
- ✓ the Stakeholder satisfies the conditions of IDEM Nonrule Policy Document W-0047, "Property Containing Contaminated Aquifers" (20 IR 1674, January 30, 1997), or IDEM Nonrule Policy Document W-0038 "Property Containing Contaminated Aquifers/Underground Storage Tanks" (23 IR 2141, April 20, 2000).

Site Status Letter

A Site Status Letter is issued to a party that did not cause or contribute to or knowingly exacerbate the contamination and can demonstrate that current levels of contaminants of concern at the brownfield substantially meet current cleanup criteria as established by IDEM under the Risk Integrated System of Closure. The potential liability of the party requesting the letter is not addressed. The Site Status Letter states that based on a technical analysis of information submitted to IDEM pertaining to site conditions, IDEM concludes that current site conditions do not present a threat to human health or the environment and that IDEM does not plan to take or require a response action at the brownfield site.

INSTRUCTIONS: Please complete this form (type or print legibly) and return it to the Indiana Brownfields Program to begin the process of assessing eligibility to receive a letter. Each request will be reviewed by the Indiana Brownfields Program and IDEM staff. Determinations of eligibility are made based on facts and data provided with the request. A decision on whether or not to issue a Comfort or Site Status Letter will be made approximately 60 days from receipt of the request. The complexity of technical issues pertaining to site conditions may increase staff review time. Please attach any additional documentation required if space on the form does not allow for a complete response.

Contact Information

Letter Recipient Stu Summers		Organization/Community City of Valparaiso - Redevelopment Commission	
Address: (number and street, city, state and ZIP code) 166 Lincolnway, Valparaiso, IN 46383			
Telephone Number (219) 462-1161	Cell Number	Fax Number	E-mail Address stusummers@gmail.com

Environmental Consultant Representing the Letter Recipient

Name(s) Zachary Heine		Firm Amereco Engineering	
Address: <i>(number and street, city, state and ZIP code)</i> 54 Michigan Avenue, Valparaiso, IN 46383			
Telephone Number (219) 531-0531	Cell Number	Fax Number (219) 464-9166	E-mail Address zheine@amerecoeng.com

Attorney Representing the Letter Recipient

Name(s) Patrick Lyp		Firm City of Valparaiso - Redevelopment Commission	
Address: <i>(number and street, city, state and ZIP code)</i> 166 Lincolnway, Valparaiso, IN 46383			
Telephone Number (219) 462-1161	Cell Number	Fax Number	E-mail Address plyp@valpo.us

Site Information

Site or Project Name(s) Former Anco Properties			
Address: <i>(number and street, city, state and ZIP code)</i> 258 Campbell Street, Valparaiso, IN 46383			
IDEM Site Number	US EPA Site Number	Size in acres 7.45	
Current Owner City of Valparaiso - Redevelopment Commission	Address: <i>(number and street, city, state and ZIP code)</i> 166 Lincolnway, Valparaiso, IN 46383		
Telephone Number (219) 462-1161	Cell Number	E-mail Address	

Property Status

Current Status: *(Check all that apply)*

Private Owner
 Public Owner
 In Bankruptcy
 Abandoned
 Inactive
 Underutilized
 Tax delinquent
 Other *(please specify)* _____

Environmental Documentation Submitted for Review: *(Check all that apply)*

Phase I Environmental Site Assessment-After 11/1/06 must comply with federal All Appropriate Inquiry Rule*
 Phase II Environmental Site Assessment

Sampling Results
 Further Site Characterization
 Other *(please specify)* See Attached Letter

**contact the Indiana Brownfields Program if you have questions*

The Site will be:

Sold
 Leased
 Used by governmental entity
 Gifted
 Other *(please specify)* _____
 Undecided

Potential or intended reuse of property: *(Check all that apply)*

Commercial
 Industrial
 Residential
 Mixed Use
 Park
 Green Space
 Other *(please specify)* _____
 Undecided

Community Involvement/Public Participation: *(Check all that apply)*

Community notification by news media
 Public Meeting(s)
 Letter(s) of community support
 Community work group

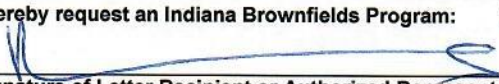
Community input was not sought

How did you hear about the Indiana Brownfields Program? *(Check all that apply)*

Indiana Brownfields Program staff, brochure, or web site
 Other State Program/Agency
 EPA
 Consultant
 Other *(please specify)* _____

Signature

I hereby request an Indiana Brownfields Program:
 Comfort Letter
 Site Status Letter


1/26/18

Signature of Letter Recipient or Authorized Representative Date (month, day, year)