



Indiana Brownfields Bulletin

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National Brownfield Conference Overview

Five members of the Indiana Brownfields Program were able to attend the National Brownfields Conference in Detroit, Michigan this August. Brownfield staff noted that one of the common themes that ran through several of the sessions was that the quality of a Phase I Environmental Site Assessment report matters. You are much better off having a well-reasoned report if you want to rely on the liability protections and if you 'skimp' on a Phase I, it can give you a false sense of comfort about a site. While it will cost more, a comprehensive report is worth the investment. A solid Phase I will give you a good idea of the risk at a site, how to get through the regulatory process to address that risk, and ultimately get the redevelopment successfully off the ground. Another session featured a panel in which the RACER Trust discussed a "structured Institutional Control compliance system" to monitor land use restriction compliance at their current and formerly owned properties. This system involves the use of aerial and drone imagery to monitor physical changes to a site, generates excavation alerts based on requests for utility marking at the site, and tracks off-site property transfers so that access can be pursued for sampling on properties where access was denied by a previous owner. A very interesting and useful tool to have.

Success Story

Another Conference highlight was the award for Outstanding Contributions in Brownfield Redevelopment to the City of Richmond, Indiana for the former Richmond Manufactured Gas Plant (MGP). The site was utilized as a manufactured gas plant from 1855 until 1941. Between 1941 and 2013, the site was vacant and unused. All above ground MGP structures were demolished in 2009. Remediation and redevelopment activities at the site have included source removal and capping activities completed on the eastern portion of the site in 2013 and restoration of the site as public green space with a walking path and access road into the Memorial Park in the Whitewater Valley Gorge.



In 2018, remediation of the western portion of the site was performed that consisted of a limited soil excavation near MW-16 and persulfate injections along the western site boundary to prevent contamination from reaching the East Fork of the Whitewater River. Following completion of the remedial activities, eight quarters of groundwater monitoring was performed to demonstrate plume stability and continued protection of the East Fork of the Whitewater River.

Remediation of the Richmond MGP site was key to the overall development of the Whitewater Valley Gorge and linking the Whitewater Valley Gorge Trail and Cardinal Greenway Trail in downtown Richmond as well as the Memorial Park.



Richmond sought assistance from the State of Indiana and US EPA to address contamination issues on the property. The City methodically assembled a broad range of funding to assess, clean up, and redevelop this site.

2007 – US EPA Grant \$45,900

2007 – Private funding \$100k (Vectren-Assessment) and \$15k (City of Richmond-Reuse Feasibility Study)

2007 – Indiana Brownfields Program Stipulated Remediation Grant \$150k

2008 – US EPA Cleanup Grant \$200k

2008 – Indiana Brownfields Program Federal Matching Grant \$40k

2008 – Indiana Supplemental Environmental Project (SEP) funds: \$10,841

2011 – 128(a) Phase II Investigation Activities-\$18,242

2012 – Indiana Brownfields Program Revolving Loan Fund (RLF) Loan: \$826,079 (\$462,429 regular RLF & match, \$344,494 ARRA RLF, \$18,555 Program Income, \$601 State funds)

2013- Private funding \$200k- (Vectren-Remediation)

The redevelopment was a long time in the making, even more evident by the news article from 2008: [City's biggest eyesores steadily being eliminated, put back to use \(pal-item.com\)](http://pal-item.com) The image below is the redevelopment of the site. With blight eliminated, the community can utilize the repurposed space once again.



Mobile Workshop

A mobile workshop to the Buick City brownfield redevelopment in Flint was also attended by Program staff. The bus trip to the Chevy Commons site, (formerly Chevy in the Hole) offered learning about the development of General Motors (GM) on the sites, the historic sit-down strike leading to the formation of the United Auto Workers (UAW), and the abandonment of the site by GM and the ambitious redevelopment plans by the Genesee County Land Bank Authority and the City of Flint in relation to where we are today. Chevy Commons is now an urban county soon to be state park. As part of the tour, there was a historical and status briefing on the Flint water

crisis and a driving tour past some of the most challenging brownfield redevelopment sites that have been completed and some still in progress, including Buick City, one of the largest brownfield sites in Michigan.

Remember!

- Letter requests and other documents coming into the Brownfields Program should be submitted electronically thru the Brownfields Portal; submittals that are emailed or on paper submittals will not be reviewed until they are re-submitted through the portal.

EPA Environmental Justice (EJ)

Grant Opportunities

The EPA Office of Environmental Justice and External Civil Rights (OEJECR) discussed emerging opportunities for EJ funding that will soon be available thanks to the Inflation Reduction Act (IRA). The IRA established the Environmental and Climate Justice Program and appropriated \$3 billion in EJ funding (\$2.8 billion for financial assistance and \$200 million for technical assistance). The information provided, although is unlikely to change significantly, has not yet been finalized. A Notice of Funding Opportunity (NOFO) will be finalized and published Fall 2023 with the first awards being announced in Spring 2024.

Approximately \$2 billion in financial assistance will be distributed to eligible applicants in disadvantaged communities through “Change Grants.” The vision of the Change Grants is supporting multi-faceted and community driven projects by creating and sustaining lasting partnerships; facilitating local engagement and knowledge sharing; and investing in people, social infrastructure, and physical infrastructure. The grants should be used to achieve pollution reduction, community engagement, and workforce development.

There will be multiple sizes of grants (amounts still to be determined) with the largest grant likely to fall between \$10 and \$20 million *per* award. The other grants will be smaller and “complimentary” in size. Applicants must be community-based organizations (CBOs) or a partnership of CBOs. Government entities are not eligible to apply on their own but may partner with CBOs. The grant period will reportedly be three years, with no extensions awarded. Applications will be accepted over a 12-month rolling basis,

giving applicants flexibility to determine which funding opportunities they are interested in and when they would like to apply for them. In an effort to alleviate the recognition that competitive federal grants can be burdensome, oral presentations are being considered as a non-traditional application technique. Because grant writing resources are not always accessible to communities, oral presentations will more fairly balance applications by removing the emphasis on grant writing itself.

You can keep up to date with the grants [here](#).



Indiana Brownfield Program staff in attendance (pictured left to right): Susie Holmes, Carmen Anderson, Jean Krueskamp, Ken Coad, and Tracey Michael.

Please Don't Forget!

- *Please thoroughly read the ERC recording instructions so as not to make errors that would need to be corrected or result in a scrivener's error and another trip to the recorder's office.*
- *ERCs issued by Brownfields are modified and/or terminated by Brownfields, not IDEM Institutional Controls group – contact your Brownfields PM to make the request.*

Summer Interns

Our interns for the 2023 summer were Justin (JD) Davis (pictured to the right) and Breanna Tabor (pictured below). JD attends IUPUI's O'Neill School of Public and Environmental Affairs and will graduate in December 2023 with a Bachelor of Science (BS) in Public Affairs, Sustainable Management & Policy. Breanna attended IU Bloomington's O'Neill School of Public and Environmental Affairs, graduating in May 2023 with a BS in Environmental Management, Environmental and Sustainable Studies. She is currently pursuing her Masters of Public Affairs in Environmental Policy and Natural Resource Management with plans to graduate in May 2024.



StoryMaps

Aside from learning the overall functions of the Brownfields Program, their main responsibilities included return on investment (ROI) surveys and StoryMaps. StoryMaps are a great way to illustrate the history of site activities, environmental contamination, remediation efforts, and redevelopment. The Brownfields Program has enjoyed displaying the 'before and after' conditions of some of our sites with spatial relationships, which gives a stronger sense of location. [The Indiana Brownfields Program StoryMaps](#) can be found on our website homepage.

[Success stories](#) drive the Program to continue the essential work necessary for communities across the state. StoryMaps allow us to share those success stories in a new and innovative way. Explore the link above to view some of the most recently published StoryMaps, which include: Alder Place (East Chicago), Big Four Metals (Indianapolis), Bront-Matcote Property (Wabash), and Generations Custom Auto & Collision (Franklin) among others.

GIS Capabilities

ESRI User Conference

With over 15,000 attendees, the Environmental Systems Research Institute (commonly known as ESRI) User Conference in San Diego is the epicenter for collaboration and education among

GIS professionals from around the world. Program staff member, Vickey Robinson, had the opportunity to attend multiple sessions and special interest group meetings at the ESRI User Conference this summer such as Women in GIS, Environment and Natural Resources in GIS, and a Cartography special interest group.

One of the most enjoyable sessions was [Map Wizardry](#), a demonstration of unique and cutting-edge mapping techniques. This session shared some mesmerizing maps to demonstrate the cartographic power and flexibility of the ArcGIS platform. ArcGIS can use every cartographic tool available to bring data to life using innovative and imaginative techniques, which show maps you maybe haven't considered, let alone thought possible.

There were also many opportunities to network with other GIS professionals and find out how other states handle situations that have come up in Indiana. Upon her return to Indianapolis, Vickey brought with her many new techniques and ideas to improve the Brownfields Program GIS capabilities.

GPS Coordinates


GPS coordinates ensure data quality and consistency while keeping track of significant locations in the Brownfields Program. The Program requests that submitted coordinates

follow IDEM's Spatial Data Collection Standards. Points should be collected with either mapping or survey-grade receivers (not recreational receivers which provide lower quality data) and be provided in the format of an excel spreadsheet with indications of the projection, datum, and units. UTM is the preferred projection, but Indiana State Plan is acceptable. If Latitude/Longitude is used, then a significant number of decimals should be included to allow accurate mapping of locations.

<https://www.in.gov/idem/resources/publications/spatial-data-collection-standards/>

Did You Know?

Groundwater still has to be sampled under the Risk-based Closure Guide, not just soil and vapor (they are three standalone exposure pathways)



Funding Information

The Indiana Brownfields Program recently reached a milestone, having now invested **over \$100 million** in financial assistance for brownfield projects since 1997. Over \$22 million (around 1/5th) of that amount has been U.S. EPA brownfields funds. Through the end of State Fiscal Year 2022 (6/30/2022), the Program estimates that nearly \$9 of public and private investment has been leveraged for every \$1 of Program financial assistance provided.

TOTAL IFA INVESTMENT (through 6/30/2023)			
TOTAL IFA STATE INVESTMENT		TOTAL IFA FEDERAL INVESTMENT	
IFA BF Grant Assessment	\$ 8,490,234	LUST ARRA	\$ 4,039,000
IFA BF Grant Remediation (PRG, PRGI, SRG)	\$ 17,321,863	Brownfields ARRA Revolving Loan Fund (RLF) Loans	\$ 2,433,565
IFA BF Low Interest Loans	\$ 13,823,267	Regular RLF Loans	\$ 8,744,889
Auto Sector Initiative (BCRLF Program Income)	\$ 504,846	128(a)	\$ 2,940,571
Supplemental Environmental Projects	\$ 1,357,431	Trails & Parks Initiative	\$ 232,074
Misc/Settlements	\$ 4,421,985	RLF Subgrants	\$ 3,989,955
Federal Matching Grants	\$ 800,951	Multipurpose Grant	\$ 105,922
Petroleum Orphan Sites Initiative	\$ 32,990,547		
Phase I ESA Initiative	\$ 102,055		
Program Income	\$ 1,268,189		
TOTAL IFA STATE INVESTMENT	\$ 81,081,368	TOTAL IFA FEDERAL INVESTMENT	\$ 22,485,976
TOTAL IFA STATE AND FEDERAL INVESTMENT		\$ 103,567,344	

Since November 2009, highlights of Program investment include:

- U.S. EPA brownfields RLF and ARRA RLF funding for 8 loans (\$8.3M) and 14 subgrants (\$4M)
- U.S. EPA 128(a) funding for 70 awards of assessment and remediation assistance (\$2.9M)
- U.S. EPA Trails and Parks Initiative funding for 8 awards (\$232,074)
- U.S. EPA Leaking Underground Storage Tank (LUST) ARRA funding for 35 awards (\$4,039,000)
- 73 Phase I ESA Initiative awards (\$102,055)
- 26 Petroleum Remediation Grant awards (\$1,220,923)
- 8 Auto Sector Initiative awards (\$504,846)
- 58 Supplemental Environmental Project awards in 22 communities (\$1,357,431)
- 161 Petroleum Orphan Sites Initiative awards in 103 communities (\$32,990,547)

The Indiana Brownfields Program currently has around \$6.5 million in federal funds available for assessment and remediation activities - \$3M from our latest RLF Supplemental Funding Award, \$2M in assessment funding which is targeted towards 5 areas of the State (Evansville, Frankfort, Gary, Lafayette, and New Castle), and roughly \$2M in 128(a) and 128(a) BIL funds. In addition, the Program received a \$1.5M increase in annual funding for its Petroleum Orphan Site Initiative, bringing that total to \$4M/year. As always, we are seeking new potential projects to fund, so contact us with any sites in need of financial assistance.

ASTM Standard Changes

On December 14, 2022, the EPA published a final rule in the Federal Register amending the All-Appropriate Inquiries (AAI) Rule by recognizing ASTM E1527-21 as a method for complying with AAI and withdrawing the reference to ASTM E1527-13. The rule became effective 60 days from the date of publication on February 13, 2023. Under the final rule, reports written under the ASTM E1527-13 will only remain AAI-rule compliant until February 13, 2024. The Program's preference is that all Phase I Environmental Site Assessment reports from February 13, 2023 forward comply with the ASTM E1527-21 standard. The final rule is available [HERE](#).

Key changes:

- To try to reduce the amount of variability in opinions of whether RECs are present on a property, the ASTM Committee made a slight change to the REC definition in order to obtain more consistent interpretations.
- -21 Standard now defines the word "likely" to mean "that which is neither certain nor proved but can be expected or believed by a reasonable observer based on the logic and/or experience of the environmental professional, and/or available evidence, as stated in the report to support the opinions given therein."

- Clarifies that Historical Recognized Environmental Conditions (HRECs) and Controlled Recognized Environmental Conditions (CRECs) are only those conditions that affect the subject property, and that current regulatory standards be considered to determine whether the controls meet those standards as concerns unrestricted use.
- Replacing E1527-13's use of the broader term "property use restrictions" (which was not previously defined) with the term "property use limitations," to capture a wider variety of risk-based mitigation end points.
- Appendix X4 provides examples of what constitutes a material threat of a future release under the third part of the definition, including precariously stacked drums and bulging tanks.
- The E50.02 Committee made significant changes in Section 8.3 regarding the scope of review of historical records. This section was reorganized to emphasize that the standard historical information sources include aerial photographs, fire insurance maps, local street directories, topographic maps, building department records, interviews, property tax files, zoning/land use records and other historical resources. The top four standard sources should be evaluated for adjoining properties.
- Section 4.6.1 of the standard describes how long the Phase I report will be presumed to be viable. It will be presumed to be viable if the report was completed no more than 180 days prior to the date of acquisition or up to one year if certain components of the

report have been updated: the interviews, review of government records, visual inspection of the property and Environmental Professional (EP) Declaration.

- Update and report shelf life clock begins to run from the **first** of these activities and that the date for each component (interview, environmental lien search, review of governmental records, visual inspection and EP Declaration) must be identified in the report.
- If someone is commissioning a Phase I ESA in a state where emerging contaminants such as PFAS are an issue, the EP will not identify the contaminants unless explicitly added to the EP's scope of work. ASTM continues to consider these compounds to be "non-scope," so users in the growing number of states that are regulating PFAS under one or more of their regulatory programs should be alert to adding PFAS as a non-scope item (13.1.5.15) to their consultant's scope of work.
- ASTM addressed this issue indirectly via a footnote in Section 1.1.4 of the standard by reminding users and EPs that there may be other state requirements, including those that may define emerging contaminants as hazardous substances.

Keep In Mind!

If you change the entity acquiring a property after you obtain your Phase I ESA, be sure to obtain a reliance letter for the new entity and have an authorized representative of the new entity complete a User Questionnaire PRIOR to closing.

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The Indiana Brownfields Program offers educational, financial, legal, and technical assistance and works in partnership with the U.S. Environmental Protection Agency and other stakeholders to assist Indiana communities in making productive use of brownfield properties.