



Purpose and Applicability of Regulations

Chemical spills and other past or ongoing residential, commercial or industrial activity can result in environmental contamination. This contamination can pose an unacceptable risk to human health or the environment and may require remediation. For more information, please refer to the *Environmental Cleanup* section of the Indiana Department of Environmental Management's website at www.idem.IN.gov/5371.htm.



Agencies and Their Laws and Rules

Several agencies and public entities may be involved with contaminated sites and associated issues. The following are state agencies that are most likely to be involved with contaminated sites:

■ Indiana Department of Environmental Management (IDEM)

IDEM administers multiple programs that address sites that are contaminated, potentially contaminated, or perceived to be contaminated by hazardous substances or petroleum. Each program operates under a set of rules or laws and addresses a particular kind of site. The main focus is mitigating risk to human health and the environment at sites where hazardous substances or petroleum products have been released onto the land or into waters of the state. This mitigation will be accomplished by either oversight of responsible party actions (or activities completed by nonresponsible parties) or state action with cost recovery pursued against the responsible party.

■ Indiana Finance Authority (IFA)

IFA is authorized to issue revenue bonds payable from lease rentals under lease agreements with various state agencies and to finance or refinance the cost of acquiring, building and equipping structures for state use, including state office buildings, garages, highways, bridges, airport facilities, correctional facilities, state hospitals and recreational facilities related to state parks. IFA also manages the Wastewater and Drinking Water State Revolving Fund Loan Programs and the Indiana Brownfields Program.



■ Indiana Department of Natural Resources (DNR)

DNR's Division of Oil and Gas administers Indiana's oil and gas statutes (Indiana Code [IC] 14-37 and IC 14-38), which regulate petroleum exploration and production operations including: well spacing, exploration, permitting, drilling, completion, production, and abandonment operations; underground injection of fluids for enhanced oil recovery or for production fluid disposal; and the underground storage of natural gas or other petroleum products in underground formations.

Laws and Rules

There are several different sets of integrated federal and state statutes and regulations that pertain to the investigation and cleanup of contaminated sites and to those purchasing sites that could be contaminated. The legal authority for these programs includes:

- **State Cleanup** – IC 13-25-4 (Hazardous Substances Response); 42 U.S. Code 9601 et seq. (Comprehensive Environmental Response, Compensation and Liability Act [CERCLA]).
- **State Cleanup** – IC 13-24-1 (Petroleum Releases).
- **Federal Programs** – 329 Indiana Administrative Code (IAC) 7.1 (Priority Ranking System for Hazardous Substances Response Sites).
- **Office of Land Quality and Office of Water Quality** – 327 IAC 2-6 (Spill Rule).
- **Underground Storage Tank Branch** – IC 13-23; 329 IAC 9 and 328 IAC 1; U.S. Code, Title 42, Chapter 82, Subchapter IX (Underground Storage Tanks).
- **Solid Waste** – IC 13-20-13 and IC 13-20-14; 329 IAC 15 (Waste Tire Management Program).
- **Hazardous Waste** – IC 13-22-13, 329 IAC 3.1 (Resource Conservation and Recovery Act [RCRA] Corrective Action); 42 USC 6901 et seq.
- **Voluntary Remediation Program** – IC 13-25-5 (Voluntary Cleanups for Hazardous Substances and Petroleum).
- **Definitions** – IC 13-11-2 and in each of the regulations (legal definitions for many of the terms used in this and other guidance documents).
- **Brownfields** – IC 13-19-5 (Environmental Remediation Revolving Loan Fund).

The entire contents of the current Indiana Code and Indiana Administrative Code, along with other useful information about current and proposed Indiana legislation, are

posted on the Indiana General Assembly website at www.IN.gov/legislative/ic_iac/ and on the IDEM Rules website at www.idem.IN.gov/4087.htm. IDEM nonrule policy documents also are available on IDEM's website at www.idem.IN.gov/4694.htm. IDEM's Compliance and Technical Assistance Program (CTAP) provides a monthly rulemaking update at www.idem.IN.gov/ctap/2331.htm.

Overview of the General Remediation Process and Remediation Guidance

■ General Remediation Process

Sites that are contaminated, potentially contaminated, or perceived to be contaminated by hazardous substances or petroleum will generally follow the path below from site discovery through site closure and post-closure if required.

Discovery

When a responsible party(ies) spills a hazardous substance, extremely hazardous substances, petroleum, and/or objectionable substances or discovers contamination from previous spills or site activities, they should report that spill or contamination by calling IDEM's 24-Hour Emergency Spill Line at (317) 233-7745 or (888) 233-7745. Spill Line staff will ask questions to determine if there is an ongoing spill or damage to waters of the state. If not, the caller is given an incident number which allows the site to be tracked regardless of which IDEM program oversees subsequent activities, and the site is referred to the appropriate program.



DO YOU KNOW IF YOUR SPILL
REQUIRES A REPORT?

The spill reporting rule can
be found at 327 IAC 2-6.1.

[www.IN.gov/legislative/ic/
T03270/A00020.PDF](http://www.IN.gov/legislative/ic/T03270/A00020.PDF)

Assessment or Investigation

The next step is to assess the extent of contamination and where it is located by collecting information and evaluating if soil samples are necessary. Information may include but is not limited to historical documentation; data from previous sampling events or studies; or information about a community, a process or a contaminant. Plans and results are submitted to IDEM for review. If the results indicate that contaminant levels are below remediation objectives, a site may go directly to closure.

Closure

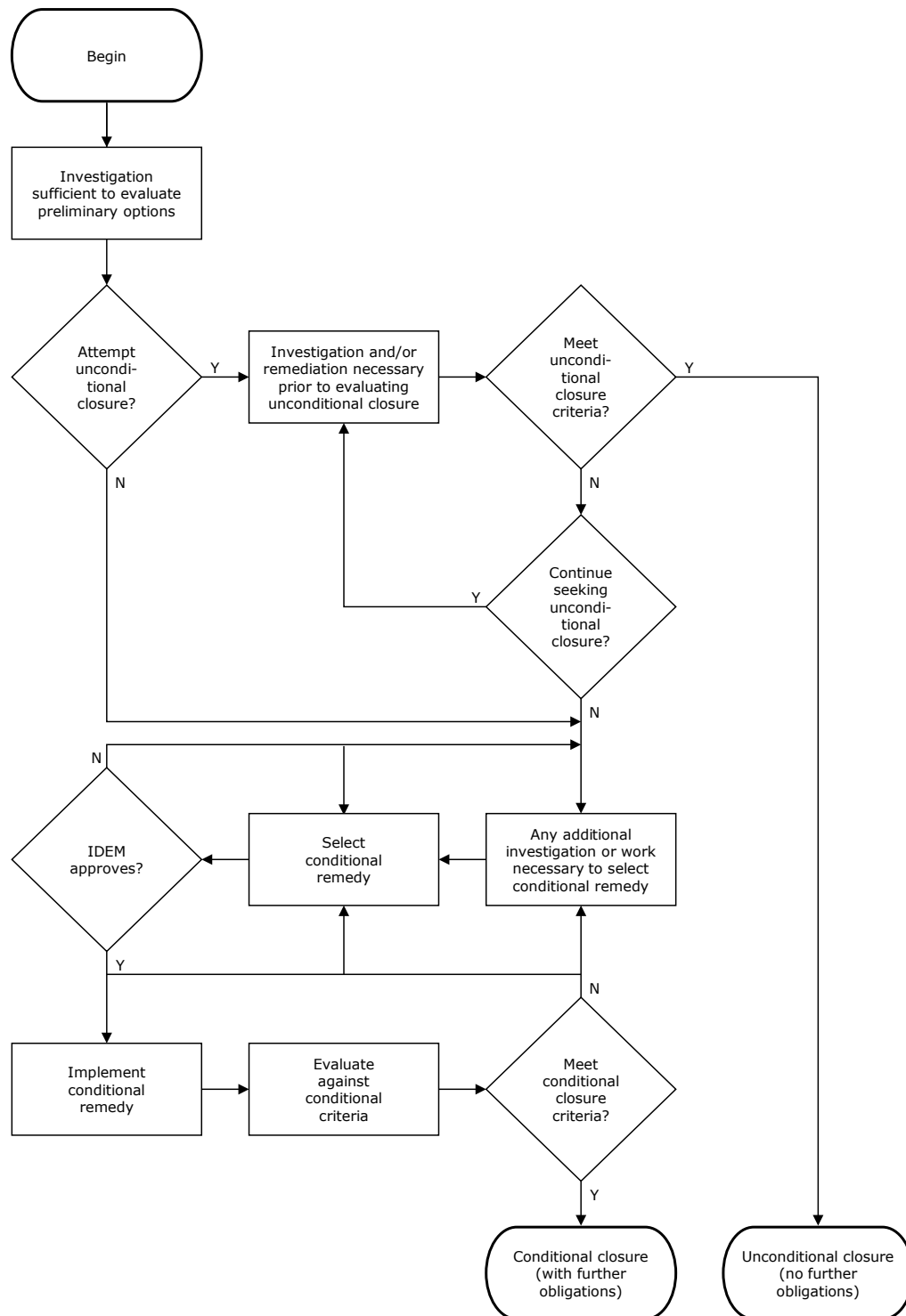
Closure is IDEM's written recognition, based on information from the results of an investigation, assessment or remediation, that remediation objectives were achieved.

(The use of the term closure in this context should not be confused with “closure of permitted hazardous waste management units” under the RCRA Program. “Closure” under RCRA is a statutorily defined term of a process regulated under 329 IAC 3.1.) Closure, in this more general context, may be achieved by removal or in-situ treatment of contamination, by prevention of exposure to the contaminants through engineered or institutional controls, or by demonstration that chemical concentrations are below remediation objectives.

Conditions Subsequent

Some remediation may require long-term maintenance of engineered controls. If contaminants are not removed, IDEM may require institutional controls to ensure that the remedy continues to protect human health and the environment. The most commonly used institutional controls are environmental restrictive covenants per IC 13-11-2-193.5 and environmental restrictive ordinances per IC 13-11-2-71.2. Sites may require periodic monitoring and/or inspections to be conducted post-closure, and in some cases financial assurance may be required to assure that the funds will be available for post-closure operation and maintenance or for monitoring and compliance. Additional information on institutional controls is available on IDEM’s website at www.idem.IN.gov/5959.htm.

Remediation Process Overview



■ The Approach to Remediation Has Changed

In 2009, Indiana statutes—Indiana Code (IC) 13-12-3-2 and IC 13-25-5-8.5—were revised by House Enrolled Act (HEA) 1162. In the past, IDEM generally required removal of contaminants to closure levels based on the particular land use, to the extent practicable, as a precondition to remedy approval. HEA 1162 added new language to IC 13-25-5-8.5 (c)(1) and (d)(3) that:

- Requires that the remediation objectives proposed for a site be considered when determining the nature and extent of the hazardous substance or petroleum contamination.
- Requires that IDEM consider environmental restrictive covenants and environmental restrictive ordinances when evaluating risk-based remediation proposals.

IC 13-12-3-2 (a) makes the remediation objectives detailed in IC 13-25-5-8.5 (d) applicable to all remediation programs.

■ Remediation Guidance

IDEM's *Remediation Closure Guide* (RCG) and *Remediation Program Guide* (RPG) are nonrule policy documents that clarify IDEM's interpretation of relevant environmental statutes and rules. The guides apply to contaminated industrial, commercial, or residential sites that are currently covered under the existing state programs described in the next section. They are intended for property owners or potentially responsible parties who are involved in a site's cleanup.

As nonrule policy documents, the RCG and RPG do not have the full force and effect of law. As such, they are to be used in conjunction with laws and regulations, not instead of them. Existing laws give IDEM the authority to require cleanups, while the guides define objectives and options for how to conduct risk-based cleanup. The guides also provide consistency across all state cleanup programs.

Remediation Closure Guide

The *Remediation Closure Guide* sets forth procedures for the investigation, remedy selection and risk-based closure of contaminated or potentially contaminated sites. It is available on IDEM's website at www.idem.IN.gov/6683.htm, and it describes:

- How to determine which contaminants are present at a site.
- What options are available for determining site closure levels.
- What options are available for cleaning the site.
- How to use exposure prevention as a closure option (to prevent people from coming in contact with contaminants).
- What to do if contamination threatens drinking water or environmentally sensitive areas.

These programs use the *Remediation Closure Guide* as remediation guidance:

- IDEM's Leaking Underground Storage Tank (LUST) Program
- IDEM's Hazardous Waste Closure and Corrective Action Programs
- IDEM's State Cleanup Program
- Indiana Finance Authority's Indiana Brownfields Program
- IDEM's Voluntary Remediation Program

Remediation Program Guide

The *Remediation Program Guide* provides a roadmap through the processes and procedures of each of the state-administered cleanup programs—from release to closure and post-closure—to clarify how each site is addressed. It also provides information on standard forms and reporting information that must be submitted to the state. The *Remediation Program Guide* is available on IDEM's website at www.idem.IN.gov/6726.htm. An overview of the state cleanup programs is provided below.

Selecting an Environmental Consultant or Contractor

Contaminated sites and associated environmental compliance, investigations and cleanups can be very complex subjects. A competent environmental consultant or contractor may be needed to properly address these technical issues. IDEM developed a fact sheet that offers some tips on how to choose an environmental consultant or contractor. The fact sheet, *Selecting an Environmental Consultant or Contractor*, is available at www.idem.IN.gov/files/factsheet_select_enviro_contractor.pdf. A competent consultant or contractor will help define the site-specific problem and develop solutions that are protective, in compliance with environmental regulations, and cost effective.

Overview of State Programs that Handle Contaminated Sites

The state uses a variety of programs to protect Hoosiers and their environment from pollution. Sometimes these different programs serve a similar function but—due to variations in the law—are responsible for different types of sites. All of the cleanup programs are responsible for overseeing the cleanup of contaminated land and water. Since all of these programs deal with cleanups, IDEM wants to ensure that all sites are cleaned to consistent levels and are equally protected.

The majority of state programs that deal with contaminated sites are housed in IDEM's Office of Land Quality (OLQ). OLQ administers multiple programs in various branches and sections that address sites that are contaminated, potentially contaminated, or perceived to be contaminated by hazardous substances, extremely hazardous substances, objectionable substances or petroleum. Each program operates under a set of rules or laws and addresses a particular kind of site.

The main focus is on mitigating risk to human health and the environment at sites where contaminants have been released onto the land or into waters of the state. This mitigation is accomplished by either oversight of responsible party actions (or activities completed by nonresponsible parties) or state action with cost recovery pursued against the responsible party. The programs' goals and objectives include:

- Cleanup of community brownfield sites to promote redevelopment.
- Remediation of high priority sites with threats to human health and the environment.
- Oversight of remediation of high priority leaking tank sites.
- Oversight of cleanup and closure at sites under Superfund (sites on the National Priorities List), including sites listed under the Defense Environmental Restoration Program (military bases).
- Investigating and assessing sites for scoring and listing on the National Priorities List.
- Natural Resources Damage Assessment and the restoration of quality ecological habitat.

A brief description of the programs, their location within the agency organizational structure, and where to get more program-specific information are outlined below.

■ Emergency Response Program

The Emergency Response Section of the Compliance and Response Branch of IDEM's Office of Land Quality responds and/or oversees responses to spills and other environmental emergencies. The Spill Rule (327 IAC 2-6.1) requires that any spilled material of a reportable quantity, duration and in a location as to damage the waters of the state be removed or neutralized, utilizing the most effective actions to prevent contaminants from entering the environment.

Emergency Response may also serve as a "front door" for sites with releases that are not reportable spills. When IDEM staff receive calls from responsible parties about a newly discovered release, IDEM encourages that responsible party to report the release via IDEM's 24-Hour Emergency Spill Line. When the Spill Line receives a call, staff enter the site into IDEM's tracking system and assign an incident number. That number allows the site to be tracked regardless of which IDEM program oversees subsequent activities.

When spills occur from regulated sources, Emergency Response staff work closely with other IDEM programs. In addition to often falling under the reporting and spill response requirements of the Spill Rule, overfills and releases from regulated underground storage

tanks (USTs) are referred to the Leaking Underground Storage Tank (LUST) Program. LUST sites fall under the legal authority in IC 13-23 and 329 IAC 9 (Underground Storage Tanks).

■ Excess Liability Trust Fund Program

The Excess Liability Trust Fund (ELTF) provides a mechanism for the reimbursement of money spent by eligible underground storage tank owners and operators on the cleanup of petroleum released from underground storage tanks. It also provides the federally mandated financial assurance for owners and operators of underground petroleum storage tanks and a source of money for the indemnification of third parties. For an application or additional information on the ELTF Program, visit IDEM's website at www.idem.IN.gov/5063.htm.

■ Leaking Underground Storage Tank Program

Petroleum products, such as gasoline and diesel fuel, and other hazardous substances are often stored in underground storage tanks. IDEM's Leaking Underground Storage Tank Program oversees the remediation of sites from leaking underground storage tanks at regulated entities such as fleet fueling facilities, industrial manufacturers, and government installations. For more information, please see Chapter 5, *Storage Tank Regulations*, and visit IDEM's website at www.idem.IN.gov/4997.htm.

■ Resource Conservation and Recovery Act Closure and Corrective Action Program (RCRA Subtitle C) and the Solid Waste Management Program

The RCRA Subtitle C Program implements and enforces the federally authorized RCRA Program and related state laws and rules. These laws and rules manage the generation, shipment, storage, treatment, and disposal of hazardous wastes (such as industrial wastes left over from manufacturing and chemical production).

The Solid Waste Management Program requires the cleanup of open dumps and areas contaminated by violations of the solid waste statutes under IC 13-30-2-1 and 329 IAC 10-4. The Solid Waste Management Program also uses the *Remediation Closure Guide* to determine the level of cleanup required.

For additional information on hazardous waste requirements, visit IDEM's website at www.idem.IN.gov/4995.htm.

■ Site Investigation Program

The assessment process typically begins when Site Investigation Program staff receives a complaint, site report, or site referral from other IDEM personnel, citizens, or county health department officials. Staff gathers preliminary information about the site and identifies possible negative impacts to human health and/or the environment, or if additional information is necessary to determine if further investigation is warranted.

A site visit may also be conducted. IDEM staff will then determine if the site requires further investigation or if the site may need to be diverted to another program. A site may be diverted to other programs within IDEM, such as State Cleanup or the Voluntary Remediation Program, at any time during the assessment process if jurisdiction falls to another authority within IDEM, or if the site is more appropriately addressed under another program. The site could also be referred to the U.S. Environmental Protection Agency if the site qualifies for the federal Superfund program.

If IDEM staff determines that additional investigation is warranted, preliminary information is collected and the site is prioritized using either the PreScore or QuickScore computer model. Use of these computer models involves professional judgment that may include an evaluation of the overall site score, the site's past land use, possible sources of contamination, and sensitive environments. Staff may determine that environmental samples, such as water, soil, or sediment, need to be collected. If sample results or observations made during the site assessment show that there is an immediate threat to human health and/or the environment, an immediate removal action could be recommended. Staff may expand the investigation, at this point in the process, by collecting additional environmental samples or by gathering other types of useful information. Once all data collected has been evaluated, IDEM staff and management determine how best to deal with the site on a long-term basis.

Community relations are key to success when working with the assessment process. Often members of a particular community are able to provide important detailed information regarding a site. Site Investigation Program staff would be glad to discuss these programs or provide assistance. Please call (317) 234-0351 or (800) 451-6027, ext. 4-0351 or visit IDEM's website at www.idem.IN.gov/4143.htm for additional information.

■ State Cleanup Program

The State Cleanup Program is divided into three programs for management and oversight of the remediation of contaminated sites:

1. State Cleanup
2. Independent Closure Process
3. Immediate Removals

The primary goal of the State Cleanup Program is to mitigate risk to human health and the environment at the highest priority sites contaminated with hazardous substances through investigation, remediation, risk assessment, and management. The secondary goal of the State Cleanup Program is to provide timely closure of environmental issues at lower priority sites to promote property redevelopment. For additional information on the State Cleanup Program, visit IDEM's website at www.idem.IN.gov/4179.htm.

State Cleanup

Investigation and remediation of sites or properties contaminated with hazardous substances or petroleum which do not qualify for coverage under the Superfund Program described below may be addressed by the state. State Cleanup utilizes the Priority Ranking System (PRS) for Hazardous Substances Response Sites (329 IAC 7.1) as the state rule that provides the structure and method for prioritizing contaminated sites that are not on the National Priorities List (for state response actions). The PRS rule serves as the state's management tool to address those sites that pose a significant threat to human health and the environment and ensures the department's resources are allocated accordingly. Hazardous substances and petroleum contaminated response sites that are evaluated utilizing the PRS rule are given a priority ranking of high, medium or low based upon contaminant type and risk. If the site is determined to be a high priority or a medium priority contaminated with hazardous substances or chlorinated solvents, the site will be assigned to a project manager. If the site is determined to be a low priority or medium priority contaminated with petroleum, it will be placed into the Independent Closure Process. More information on the State Cleanup prioritization, investigation and remediation process can be found at the website listed above.

Independent Closure Process

The State Cleanup Program created the Independent Closure Process (ICP) to address the backlog of low priority sites and medium priority sites with petroleum contamination in the State Cleanup Program. The ICP applies to and is only used by State Cleanup to manage its workload while allowing site owners or potentially responsible parties a process to achieve site closure with minimal oversight by State Cleanup project managers. The ICP creates a self completion and certification system which allows sites to complete investigation, remediation, and site closure without IDEM's direct oversight.

Requirements for closure approval under the ICP include:

- Delineation of contamination to *Remediation Closure Guide* residential screening levels.
- Cleanup to land-use appropriate *Remediation Closure Guide* residential screening levels at default closure levels, or ten times the residential screening level for commercial sites.
- Implementation of institutional controls.

In order to receive closure approval from State Cleanup, a completed *Independent Closure Process Site Closure* (State Form 54166) and all completed environmental reports must be submitted to IDEM within one year from the time of notification to proceed with the ICP, or within three years for a medium priority site. The reduction of direct oversight by IDEM does not relieve responsible parties or consultants from the legal requirements of reporting releases, investigation and cleanup. More information on the ICP can be found at www.idem.IN.gov/4179.htm.

Immediate Removals

The Immediate Removals Program provides time-critical removal of hazardous substances or pollutants that are considered an imminent and substantial endangerment to public health and/or the environment. For Immediate Removal's purposes, "time critical" is defined as action that needs to be initiated within six months. The goal of the program is to separate the hazard from potential receptors. Please note this program is intended to remove immediate dangers, not to perform a full-scale remediation effort.

The Immediate Removals Program typically addresses sites with abandoned drums of hazardous materials, waste tire piles, and various abandoned industrial and commercial facilities. Typical actions conducted at these sites include fencing, sampling, overpacking and disposing of drums, and source removal.

■ Superfund Program

The goal of the Superfund Program is to reduce or eliminate risk to human health and the environment at high-priority hazardous substances sites. The program currently addresses sites on the National Priorities List and sites under alternative Superfund cleanup agreements. These sites are identified through the site assessment process discussed above, and are evaluated for cleanup cooperatively with the U.S. Environmental Protection Agency (U.S. EPA). The Superfund Program generally addresses current and former chemical and manufacturing plants, rail yards, smelter sites, landfill and dump sites, and sediment sites. These sites are typically large and complex, requiring long-term investigations and cleanups. Many sites require ground water treatment and monitoring that may continue for 30 years or more after construction completion. Information about Indiana Superfund sites is available on U.S. EPA's website at www.epa.gov/superfund or on IDEM's website at www.idem.IN.gov/4152.htm.

■ Voluntary Remediation Program

The Voluntary Remediation Program (VRP), established by the state legislature in 1993, provides a mechanism for site owners, operators, or potential purchasers to voluntarily enter into an agreement with IDEM to address (by investigating and, if necessary, remediating) contaminated property. Participants who complete a remedial project under VRP are issued a Certificate of Completion from IDEM and a Covenant Not to Sue from the Governor's Office. These documents ensure that the owner or operator of the site will be able to proceed with reuse of the site without concern that it may be subject to further enforcement action by IDEM, or that they could be subject to further liability at some later date. For more information, visit IDEM's website at www.idem.IN.gov/4127.htm.

■ Indiana Brownfields Program

Brownfields are properties where expansion, redevelopment, or reuse may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant, including petroleum. Many brownfields are former industrial or commercial facilities where business conditions have changed and the sites are now underutilized, idled or abandoned. Brownfield sites vary in size, location, age and past use. They can be anything from a large, closed industrial facility to a small corner gas station. Brownfield properties exist in big cities, small towns, suburbs, and even rural areas. Left unaddressed, brownfields may pose environmental, legal, and/or financial burdens on a community. However, cleanup is not always necessary. Often, after environmental issues are addressed, these sites can again become the powerful engines for economic vitality, jobs, and community pride that they once were.

The Indiana Brownfields Program was created by 2005 legislation (Senate Enrolled Act 578) that merged the brownfield financial and technical review programs into one program, thereby combining existing brownfield resources to better assist communities with the redevelopment of brownfields. The Indiana Brownfields Program, managed by the Indiana Finance Authority (IFA), works in partnership with U.S. EPA and other Indiana agencies/programs to encourage and assist investment in the redevelopment of brownfield properties by helping communities via educational, financial, technical and legal assistance to identify and mitigate environmental barriers that impede local economic growth.

Although not a regulatory program, the Indiana Brownfields Program adheres to all existing laws, regulations and policies that are protective of human health and the environment and utilizes IDEM's *Remediation Closure Guide* to minimize and manage liability. Applying the *Remediation Closure Guide* allows for consistent application of IDEM agency-wide property closure policies and flexibility to achieve a balance between environmental protection and economic development. For more information, visit IFA's website at www.IN.gov/ifa/brownfields.

INDIANA DEFINES A BROWNFIELD AS:

A parcel of real estate:

- (1) that:
 - (A) is abandoned or inactive; or
 - (B) may not be operated at its appropriate use; and
- (2) on which expansion, redevelopment, or reuse 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

Liability Issues Concerning Contaminated Sites

There are several different sets of integrated federal and state regulations that pertain to the cleanup of contaminated sites and to those purchasing sites that could be contaminated. The legal authority for these programs includes:

Liability Issues

Liability in environmental remediation cases is a complex subject. Liability depends on what laws and regulations are applicable. Except for the Voluntary Remediation Program, remediation of contaminated properties with IDEM oversight is not voluntary. IDEM has the authority to pursue certain parties to clean up the property. Each law describes who that party may be. For example, under both state and federal Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) laws (which cover the remediation of hazardous substances) the following “persons” may be liable:

- An owner and operator of a facility
- Any person who owned or operated the facility at the time of contamination
- Any person who arranged for disposal or treatment of hazardous substances
- Any person who accepted any hazardous substances to disposal or treatment facilities

However, in the case of petroleum leaking from underground storage tanks, it is generally only the current owner/operator of the property and/or the tanks who is liable. (The owner/operator may, however, bring a legal claim against other persons who may be liable for some financial contribution for the cleanup). Each of the applicable laws also has defenses that may be raised to either exempt or exclude a potentially liable party.

The federal and state laws and regulations that set out the requirements for remediation of sites contaminated by hazardous substances and petroleum are very complex. The laws define who the state may pursue to get the property cleaned up but they also provide defenses in some cases to liability. If you are liable, you may also have the right to contribution from other persons responsible for the contamination in some instances. It would be prudent for small businesses to contact an environmental attorney to assist them in determining their liability and what is required of them. In order to find an attorney who practices environmental law, call the Indiana State Bar Association at (317) 639-5465 and request their assistance in finding appropriate counsel.

Property Transfers

If you are the current owner of a contaminated property who is interested in selling that property or if you are interested in purchasing a property that may be contaminated, liability for the contamination is an issue. In some cases, the seller will remain liable for the contamination even after the sale of the property despite an agreement for the pur-

chaser to take over the liability. In some cases, the purchaser of contaminated property may be liable for the contamination despite not having caused the contamination. However, the purchaser of property that is known or suspected to be contaminated can qualify for liability protection as a bona fide prospective purchaser if certain due diligence (all appropriate inquiry) is undertaken prior to acquisition. The Indiana Brownfields Program provides liability clarification (Comfort) letters to such eligible buyers upon request.

Additional Resources

Virtual File Cabinet

The Virtual File Cabinet (VFC) contains the public records for many of IDEM's program areas. New records are added daily, so please check the site frequently. The VFC features a simple, fill-in-the-blanks interface, much like any basic search engine. Search the VFC by facility or document information, or by using the enhanced search feature. The results can then be sorted to allow the searcher to locate the records more easily. The VFC is accessible on IDEM's website at www.idem.IN.gov/6551.htm.

Institutional Controls Registry

When an activity/land use restriction or engineering control is necessary to prevent exposure as a part of a remedy, an institutional control may be needed. A list of sites with institutional controls—the IDEM Institutional Controls Registry—is available on IDEM's website at www.idem.IN.gov/5959.htm. When fully populated, this registry will list all sites where the remedy employs some type of risk-based closure with some type of continuing land use restrictions or engineering controls.

The Institutional Controls Registry assists in institutional control tracking efforts and provides public information on cleanup sites in Indiana. Information included helps visitors locate and visualize institutional control sites. The registry includes information such as site address, county, city, types of land use restrictions applicable for the site, and the remediation program overseeing the project, including:

- Leaking Underground Storage Tanks Program
- Voluntary Remediation Program
- State Cleanup Program
- Resource Conservation and Recovery Act (RCRA) Corrective Action Program
- Federal Programs (Superfund Program and Defense Environmental Restoration Program)
- Indiana Brownfields Program

The registry includes a link to view the actual institutional control document using IDEM's Virtual File Cabinet and, where available, internet mapping technology for an aerial view of the site.

For More Information

Brownfields Program	Indiana Finance Authority (IFA) <i>Indiana Brownfields Program</i> (317) 234-4293 www.IN.gov/ifa/brownfields
Compliance and RCRA Permits	IDEM - Office of Land Quality <i>Resource Conservation and Recovery Act Closure and Corrective Action Program (RCRA Subtitle C)</i> <i>Solid Waste Management Program</i> (317) 233-2711 or (800) 451-6027, ext. 3-2711
Compliance and Technical Assistance Program (CTAP)	CTAP provides free and confidential environmental assistance to Indiana businesses. CTAP is a nonregulatory program. CTAP staff are available weekdays to answer your environmental questions regarding air, water, and waste regulations, pollution prevention, and recycling. CTAP offers a Quality Assurance Guarantee that IDEM will not issue a Notice of Violation assessing a gravity-based penalty against a regulated entity that has sought out, received, and relied upon CTAP's written compliance assistance prior to the alleged violation. (800) 988-7901 (toll free in Indiana) or (317) 232-8172 www.idem.IN.gov/ctap
Emergency Response	IDEM - Office of Land Quality <i>Emergency Response Section</i> 24-Hour Emergency Spill Line (317) 233-7745 or (888) 233-7745 (toll free nationwide) www.idem.IN.gov/4155.htm
Remediation Guidance	The <i>Remediation Closure Guide</i> sets forth procedures for the investigation, remedy selection and risk-based closure of contaminated or potentially contaminated sites. www.idem.IN.gov/6683.htm The <i>Remediation Program Guide</i> provides a roadmap through the processes and procedures of each of the state-administered cleanup programs—from release to closure and post-closure—to clarify how each site is addressed. www.idem.IN.gov/6726.htm
Risk Assessments	IDEM - Office of Land Quality <i>Science Services Branch</i> (317) 233-1513 or (800) 451-6027, ext. 3-1513 www.idem.IN.gov/4144.htm
Underground Storage Tanks	IDEM – Office of Land Quality <i>Leaking Underground Storage Tank Program</i> (317) 232-8900 or (800) 451-6027, ext. 2-8900 www.idem.IN.gov/4997.htm <i>Excess Liability Trust Fund Section</i> (317) 234-0990 or (800) 451-6027, ext. 4-0990 www.idem.IN.gov/5063.htm