

**EPA Brownfields Assessment Grant - PROPERTY ELIGIBILITY DETERMINATION**

*\*NOTE –Must be approved by EPA BEFORE any assessment activities commence\**

**A. BACKGROUND**

Grant Recipient	Northwest New Mexico Brownfields Assessment Coalition d.b.a Northwest NM Council of Governments				
Grant Number		Grant Type (haz or petro)			
Property Name					
Property Address					
Work requested at this time	Phase I		Phase II		Phase III/Cleanup Plan
	Other		Explain:		
Current property owner					
Prospective purchaser, if known					
How was property acquired?	Foreclosure		Donation		Eminent Domain
	Bought outright		Other		
	Explain :				
Date acquired					
Estimated property size (ac)		Date form is submitted			

Describe your relationship with the owner and their role in the work to be performed:
What is the current condition of the property?
Identify when and how the property became contaminated; describe previous known uses. If the land has been vacant for many years, tell us why you think it's contaminated:
Is there reason to believe hazardous substances are located on the property? (Yes/No)
Is the primary environmental concern a pollutant or contaminant (such as asbestos, lead-based paint, mold, brine, etc)? Please explain.
Describe any steps taken by the owner to ensure environmental concerns were not exacerbated?

**B. CERCLA – Determining Potential Liability**

	Yes	No
Did grant recipient cause or contribute to the property contamination?		
Did grant recipient generate, transport or dispose of any hazardous waste at the property?		
Are there any known ongoing or anticipated environmental enforcement actions (at the federal, state or local level) regarding the responsibility of any party for contamination or hazardous substances at the site?		

**C. SITES REQUIRING A PROPERTY SPECIFIC DETERMINATION**

	Yes	No
Is the property subject to a planned or ongoing CERCLA removal action?		
Has the property been issued a permit by the U.S. or an authorized state under the Solid Waste Disposal Act (as amended by the Resource Conservation and Recovery Act (RCRA)), the Federal Water Pollution Control Act (FWPCA), the Toxic Substances Control Act (TSCA), or the Safe Drinking Water Act (SWDA)?		
Is the property subject to corrective action orders under RCRA?		
Is the property a land disposal unit that has submitted a RCRA closure notification or is subject to closure requirements specified in a closure plan or permit?		
Has the property had a release of polychlorinated biphenyls (PCBs) that is subject to remediation under TSCA?		
Has the property received funding for remediation from the Leaking Underground Storage Tank (LUST) Trust Fund?		
<i>If you answered YES to any of the above, please call your EPA Project Officer and they will explain how to prepare a Property Specific Determination.</i>		

**D. SITES INELIGIBLE FOR FUNDING**

	Yes	No
Is the property listed (or proposed for listing) on the National Priorities List?		
Is the property subject to unilateral administrative orders, court orders, or consent decrees issued to or entered into by parties under CERCLA?		
Is the property subject to the jurisdiction, custody, or control of the US government?		
<i>If you answered YES to any of the above, the property is not eligible for assessment under this grant</i>		

**E. PETROLEUM ONLY SITES**

	Yes	No	N/A
Have you requested petroleum site eligibility determination from your state environmental authority, if applicable?			
Have you provided your EPA Project Officer with a copy of the petroleum property eligibility determination from state?			
<i>Tribal grant recipients should contact your EPA Project Officer for additional information needed so EPA can make petroleum site eligibility determination.</i>			

**F. ACCESS**

	Yes	No
Do you have a written access agreement for this property?		

**G. ALL APPROPRIATE INQUIRY**

	Yes	No
If this is a Phase I assessment, will it be conducted in compliance with AAI?		
Please affirm that the AAI Checklist will be attached to the final Phase I report.		
<i>Every Phase I assessment conducted with EPA Brownfields Assessment Grant funds must be conducted in compliance with the All Appropriate Inquiries Final Rule at 40 CFR Part 312.</i>		

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**SITE ELIGIBILITY DETERMINATION**

	Yes	No
Is property eligible for assessment under this grant?		
Explain		
Project Officer Name		Date of Determination

Date of Attorney Consultation, if necessary	
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